

Unrestricted Report

ITEM NO: 7

Application No.
14/01075/FUL

Ward:
Ascot

Date Registered:
15 October 2014

Target Decision Date:
10 December 2014

Site Address:

37 Prince Consort Drive Ascot Berkshire SL5 8AW

Proposal:

Erection of a replacement dwelling following the demolition of the existing property.

Applicant:

Mr B Hamill

Agent:

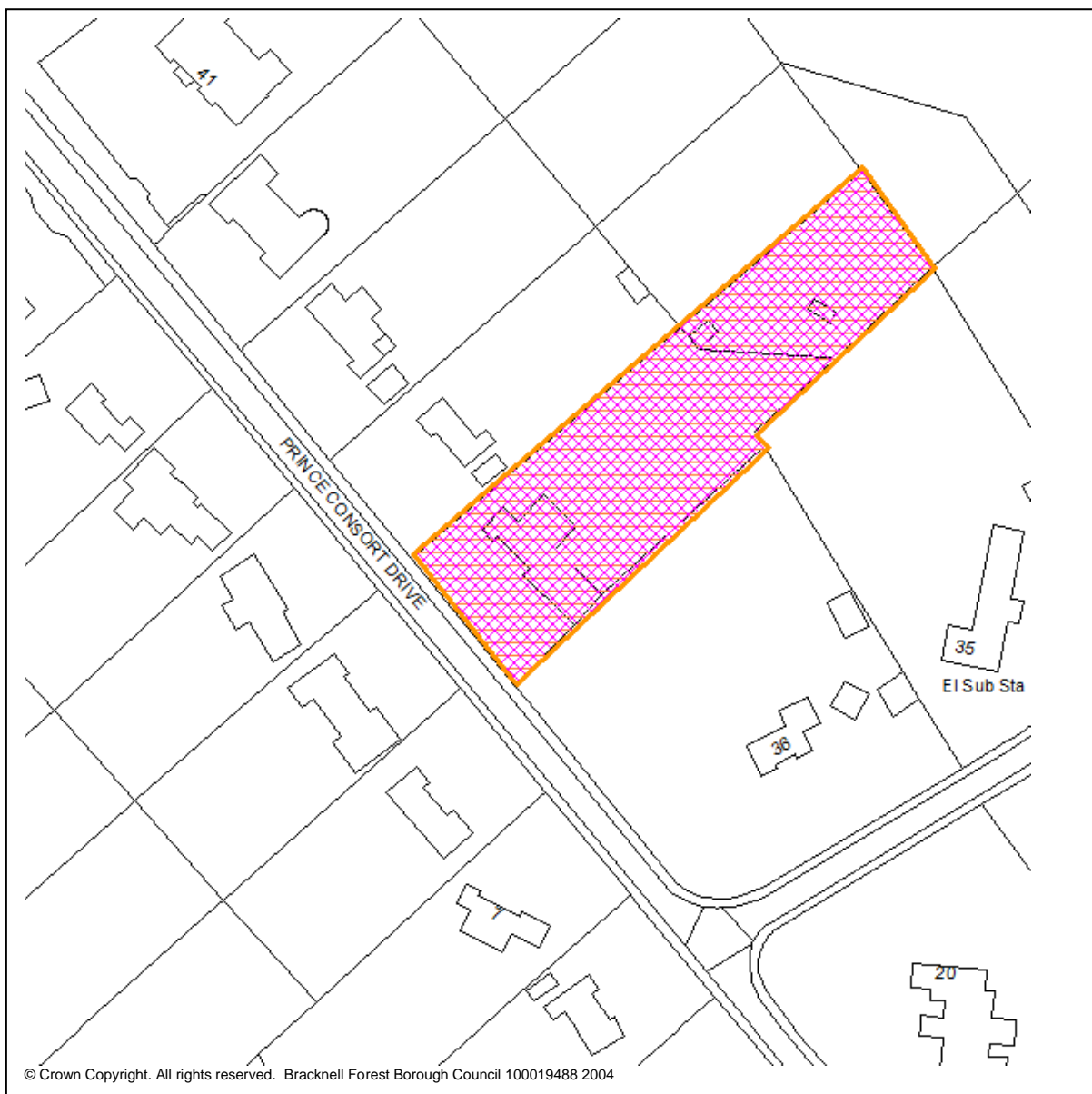
Mr Jason O'Donnell

Case Officer:

Michael Ruddock, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application is reported to Committee at the request of Councillor Virgo due to concerns that the development would result in a detrimental effect of the amenities of the residents of No.37 Prince Consort Drive by reason of overbearing.

2. SITE DESCRIPTION

No.37 Prince Consort Drive is a detached dwelling with an 'in and out' access from the highway. Parking is located on a driveway to the front of the dwelling and within a double garage to the side, with a private garden to the rear. The site is bordered by No.38 Prince Consort Drive to the north west and No.36 to the south east. No.38 follows a similar building line to No.37 that is maintained towards the entrance to Prince Consort Drive, whereas No.36 is located on a spur road and faces away from No.37. The trees at the front of the site are protected by a Tree Preservation Order (TPO 111) and the site is located within the Green Belt, in a Green Belt Village on the Bracknell Forest Borough Policies Map. The site is also within Area C of the Character Area Assessment SPD for East of Bracknell.

3. RELEVANT SITE HISTORY

Application 18530 - Extension to lounge, new bedroom, bathroom, conversion of garage and internal alterations - APPROVED 1972

Application 604847 - Internal alterations, two storey rear extension to enlarge existing dining room and lounge and form new study with bedroom, extension to enlarge two existing bedrooms and form balcony, single storey side extension to enlarge kitchen and form utility room - APPROVED 1980

Application 605121 - First floor side extension forming bedroom - APPROVED 1980

Application 606793 - Erection of second double garage - APPROVED 1982

4. THE PROPOSAL

The proposed development is for the erection of a replacement detached dwelling following the demolition of the existing. The main dwelling would have a width of 16.0m with a depth of 12.4m and a height of 9.2m. An integral garage would be located to the side with a width of 7.0m, giving the building an overall width of 23.0m. The garage would have a depth of 9.3m with a height of 6.6m. The building would be set 4.35m off the north west boundary with No.38, and 3.86m off the south east boundary with No.36. It would be set 23.25m back from the highway, and would follow the general building line of the properties to the north west.

At ground floor level the following would be provided:

- Entrance Hall
- Family Area / Kitchen
- Dining Area
- Drawing Room
- Study
- Cloakroom
- Utility Room
- Double Garage

At first floor level the following would be provided:

- Four bedrooms, all with dressing rooms and three with en suite
- Gallery
- A balcony to the rear of the Master Bedroom

During the course of the application, various amendments have been made in response to concerns raised. Initially a detached double garage was proposed at the front of the site, forward of the building line, however it was considered that such a feature would be out of keeping with the streetscene on this part of Prince Consort Drive. As such it has been removed from the scheme. Further amendments have seen the dwelling moved forward by 1.1m to reduce the impact on the rear of the neighbouring property, and the height of the integral garage has been reduced from 7.8m to 6.6m.

The proposal is for a replacement dwelling, and as such it may be CIL Liable if not determined by 6th April 2015.

5. REPRESENTATIONS RECEIVED

Three letters of objection have been received from local residents. The reasons for objection can be summarised as follows:

- The proposed garage block would be located forward of the building line, and would result in an adverse impact on the streetscene and the protected trees at the front of the site.
- The development would result in an unacceptable loss of light to and unduly overbearing effect on No.38 Prince Consort Drive.
- A property of the size and design that is proposed would be out of keeping with this part of Prince Consort Drive and would therefore result in an adverse impact on the character and appearance of the area.

Two further objections were initially received, but were withdrawn following the submission of amended plans that removed the detached garage from the scheme.

6. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council

Winkfield Parish Council was consulted on the application, and commented that if the Officer was minded to recommend approval of the application then a condition should be included to ensure that the detached garage could not be alienated from the main dwelling. *[OFFICER COMMENT: These comments were received in respect of the initial plans, prior to the detached garage being removed from the scheme.]*

Highway Authority

The Highways Officer was consulted on the application, and recommends conditional approval.

Tree Officer

The Tree Officer was consulted on the application, and initially raised concerns that the development would result in an adverse impact on protected trees. Following the submission of amended plans that removed the detached garage from the scheme and

also included the submission of an Arboricultural Impact Assessment, the Tree Officer recommends conditional approval.

Biodiversity Officer

The Biodiversity Officer was consulted on the application and initially raised concerns that the Ecology Report was not accompanied by an appropriate Local Records Centre Data Search. Following the submission of this information, the Biodiversity Officer recommends conditional approval.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the SALP which sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

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. This is consistent with the NPPF and as such can be afforded full weight.

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.

No.37 Prince Consort Drive is located within the Green Belt, as defined on the adopted Policies Map, and therefore Policy CS9 of the CSDPD and 'Saved' Policy GB1 of the BFBLP are relevant. These policies seek to protect the Green Belt from inappropriate development. 'Saved' Policy GB1 lists certain types of buildings that might be acceptable depending on their scale, form, effect, character, siting and transport considerations. These include the replacement of existing dwellings.

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 87-89 advise that inappropriate development is by definition harmful to the Green Belt. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. The construction of new buildings is to be regarded as inappropriate in the Green Belt with certain exceptions. These include the replacement of a building provided that the new

building is in the same use and not materially larger than the one it replaces. Consequently the policies referred to above are considered to be consistent with the NPPF in the context of this proposal.

'Saved' Policy GB3 of the BFBLP relates to residential development in Green Belt Villages, as defined on the Policies Map. As indicated earlier, this site is in a Green Belt Village. The policy states "Within the Green Belt Villages...there is a general presumption against proposals for the erection of dwellings and other residential development except where such proposals constitute...
... (iv) Replacement, alteration or limited extension to existing dwellings."

The concept of a Green Belt Village no longer exists in the NPPF and as such very little weight should be given to Policy GB3 in accordance with paragraph 215 of the NPPF.

The proposal involves a replacement dwelling and therefore potentially falls within criteria (iv) of 'Saved' BFBLP Policy GB1 and paragraph 89, bullet point 4 of the NPPF. However, there is a need to look at other factors including the scale of the proposed building to assess whether it would be materially larger than the building it replaces. It is not necessary to look at whether there are very special circumstances.

The new dwelling would have a ridge height of 9.2m, which would be 0.5m greater than the existing. The overall floor area of the proposed new dwelling would be 482.22 square metres which would be an increase of 92.74 square metres over the existing floor area of 389.48 square metres. Proportionately this would be an increase of 23.8% over and above the original dwelling. It is not considered that such an increase in height and gross floorspace is so significant that it would result in a dwelling that is 'materially larger' than the dwelling it replaces, for the purposes of considering the principle of the development.

In terms of impact on openness, the proposed dwelling would be greater in height and bulk than the existing, however it is not considered that the increases are so significant that there would be an adverse impact on the openness of the Green Belt as a result of the development. As a result of the garage to the side, the existing building has a width of over 25m. This would be reduced to 23m as a result of the proposed development and would result in a greater set off from the south eastern boundary.

The proposal is not considered to constitute inappropriate development in the Green Belt and does not conflict with the purposes of including land within the Green Belt and detract from its openness, contrary to CSDPD Policy CS9, BFBLP 'saved' Policy GB1 and the provisions of the NPPF.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS9 and the first part of 'Saved' BFBLP Policy GB1 seeks to protect land outside settlements for its own sake, particularly from development which would adversely affect the character, appearance or function of the land. CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, and enhances the local landscape where possible. 'Saved' BFBLP Policy EN20 (i) refers to development being in sympathy with the appearance and character of the local environment. The Character Area Assessment SPD (2010) provides further guidance on the implementation of CSDPD Policy CS7 and is a material consideration.

These policies are considered to be consistent with the objectives set out within the NPPF. In addition para. 56 of the NPPF states that good design is a key aspect of

sustainable development and should contribute positively to making places better for people to live.

The new dwelling would have a height of 9.2m with a gross external floor area of 482.22 square metres. In terms of its size and bulk, such a dwelling would not appear out of keeping with other replacement dwellings that have previously been allowed on Prince Consort Drive. Close to the site, replacement dwellings have previously been allowed at No.9, No.10 and No.36 Prince Consort Drive. The dwelling at No.10 will provide 695.34 square metres of floor area with a ridge height of 8.9m and would be significantly greater in scale than that proposed at No.37. It is therefore not considered that a dwelling with the bulk and mass of that proposed would appear out of keeping with the streetscene in this location.

The site is located within Area C of the Character Area Assessment SPD for East of Bracknell relating to Prince Consort Drive and Prince Albert Drive. This refers to the character of Prince Consort Drive being detached houses set in large plots, with a consistent architectural approach. It is considered that a dwelling of the size proposed fits comfortably in the plot, and it is therefore not considered that the development would be contrary to this. The SPD also makes reference to the open character of Prince Consort Drive due to limited boundary treatments, and to ensure that the development continues to comply with this element of the SPD a condition will be imposed to restrict gates from being installed to the front boundary of the site.

With regard to its design, the dwelling would be in keeping with other dwellings that have been approved on Prince Consort Drive, for example No.22 and No.30. It has been moved forward by 1.1m during the course of the application however it would still maintain the existing building line, and would be set further back into the site, at 23.25m, than the existing dwelling. It would therefore not appear overly prominent in the streetscene. It would be set off both boundaries to the side, and although No.38 is set close to the boundary, a gap of 4.35m would be maintained between this dwelling and the side of the integral garage. It is acknowledged that there is a levels difference between No.37 and No.38 of between 0.3m and 0.5m, however as the main bulk of the dwelling would be set off the boundary with this property by over 10m it is not considered that this would result in an adverse impact on the streetscene when viewing the site from the front of the property.

The garage that was initially proposed would have been located forward of the building line, and would have appeared overly prominent and out of keeping with the streetscene. Its removal has overcome this concern, and has improved the impact of the development on the streetscene. Furthermore, the integral garage was initially proposed with a height of 7.8m, and this has been reduced by 1.2m to 6.6m and as such now appears to be subordinate to the host dwelling which has improved its appearance in the streetscene.

As such it is not considered that the development would result in an adverse impact on the character and appearance of the area in a Green Belt location. The proposed development would therefore not be contrary to CSDPD Policies CS7 and CS9, BFBLP 'Saved' Policies EN20 and GB1 and the NPPF.

10. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in 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 paragraphs 56 to 66 of the NPPF.

The dwelling would project beyond the rear elevation of No.38 Prince Consort Drive and would be visible from side and rear facing windows of that property. During the course of the application the dwelling has been moved forward by 1.1m so that its front elevation is in line with that of No.38, which has reduced the impact on the rear of the neighbouring property. In respect of the rear facing windows, a 45 degree line drawn from the midpoint of the nearest rear facing window would not intersect the dwelling and it is therefore not considered that it would result in an unacceptable loss of light to the rear facing windows of that property. The garage to the side would be located closest to the boundary, and would be set off the boundary by 4.35m, projecting approximately 2.8m beyond the rear elevation of the neighbouring property. The height of the garage has been reduced to 6.6m, and it is not considered that this would result in an unduly overbearing effect on the neighbouring property.

The main dwelling would project a further 2m to the rear however as it would be set over 10m from the boundary it is not considered that it would result in an unduly overbearing effect on the neighbouring property. It is acknowledged that the development would result in a loss of light to side facing kitchen windows at No.38, however this room is also served by rear facing windows and a loss of light to these windows would therefore not be so material as to warrant refusal of the application.

No first floor windows are shown in the side elevation facing towards No.38, and a condition will be imposed to ensure that this remains the case. A balcony would be provided to the rear, however as it would be set over 15m from the boundary it is not considered that it would result in an unacceptable loss of privacy to the neighbouring property. In any case an existing balcony is much closer to the boundary than the balcony that is proposed.

With regard to No.36 Prince Consort Drive, the new dwelling would be located approximately 40m from the rear elevation of the neighbouring property and as a result would not result in an unacceptable loss of light to or unduly overbearing effect on the rear of that property. Two en suite windows are proposed to face towards that property, and as they may offer views over the rear garden of No.36 a condition will be imposed to ensure that these windows are glazed with obscure glass and fixed shut. A further condition will restrict any further side facing windows in both side elevations of the new dwelling.

It is therefore not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

11. TRANSPORT IMPLICATIONS

'Saved' Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. The Council's adopted Parking Standards SPD provides further guidance on the implementation of this policy and is a material consideration. The NPPF refers to local authorities setting their own parking standards for residential development and therefore the policy is considered to be consistent.

The replacement dwelling would use the existing in an out access arrangements onto Prince Consort Drive, and the use of these accesses would not be intensified. The Site Layout drawing states that the accesses are to be 'maintained and made good where required'. The accesses are within the highway verge and not the curtilage of the application site, and any works within the highway including the grass verge and vehicle crossovers would require the consent of the Highway Authority. An informative to this effect will be included.

The development would provide a four bedroom dwelling, for which three off street parking spaces are required to comply with the Parking Standards SPD. The proposed garage provides two practical and usable parking spaces with adequate space for cycle storage. The private driveway is large enough to provide three parking spaces. A condition will be imposed to ensure that sufficient parking is available within the site, however restricting the garage to parking only is not considered necessary given the size of the driveway.

As such it is not considered that the development would result in an adverse impact on highway safety. The proposal would therefore not be contrary to BFBLP 'Saved' Policy M9 or the NPPF.

12. EFFECT ON TREES

'Saved' Policy EN1 of the BFBLP ensures that the Borough's significant trees are protected. Section 11 of the NPPF refers to conserving the natural environment, therefore this policy is consistent with the NPPF.

A number of trees on the site are protected by Tree Preservation Order 111. These include the Birch and Scots Pine at the front of the site, which make a positive contribution to the landscape character and appearance of the area. As originally submitted, the Tree Officer raised concerns with regard to the position of the garage, and stated that additional information needed to be submitted.

The garage has now been removed from the scheme, and the Arboricultural Impact Assessment has been amended and resubmitted. The revision to the layout addressed the main concern of the Tree Officer in respect of its relationship with the protected trees, and the Tree Officer has confirmed that the proposed layout is now acceptable. However further detail is required regarding the following, which could reasonably be dealt with by condition. These include revisions to the proposed tree protection and details of the underground services and arboricultural supervision.

Some form of work to the driveway is inevitable due to the general pressures of development activity. The driveway is located within the Root Protection Areas of many trees, therefore details of any alterations, refurbishment or upgrading of the drive need to be provided. The current details in the tree report are not sufficient but can be secured by condition.

As stated above, conditions will be included to ensure that these details are submitted and subject to compliance with these conditions it is not considered that the development would be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

13. BIODIVERSITY CONSIDERATIONS

CSDPD Policy CS1 says development will be permitted which protects and enhances the quality of natural resources including biodiversity. This is consistent with the NPPF which states in para 109 that planning should contribute to "minimising impacts on

biodiversity and providing net gains in biodiversity where possible." Paragraph 118 states that "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity".

Policies CS1 and CS7 of the CSDPD seek to protect and enhance the quality of natural resources including biodiversity. This is consistent with the objectives of the NPPF, in particular to para. 109 and para. 118.

The application was submitted with an Ecology Report, however as this was not accompanied by an appropriate Local Records Centre data search and as a result the Biodiversity Officer objected to the application. The appropriate search was subsequently submitted and the Biodiversity Officer now recommends approval subject to conditions. These conditions are outlined as follows:

- No site clearance should take place during the main bird nesting season, in the interests of nature conservation.
- The ecological measures should be carried out in accordance with the submitted Ecological Report.
- A scheme of bat and bird boxes should be submitted before demolition is begun.
- No external lighting shall be installed on the site unless a lighting design strategy is submitted and approved.
- If more than two years elapse between the bat survey and commencement of works, an updated bat survey should be carried out and submitted.
- The demolition of the building shall not commence until a licence issued by Natural England authorising the development to go ahead is submitted to the Local Planning Authority, or a statement from the relevant licensing body is submitted to the effect that it does not consider that the specified activity would require a licence.

Subject to compliance with these conditions, the development would not result in an adverse impact on biodiversity. The proposal would therefore not be contrary to CSDPD Policies CS1 and CS7 or the NPPF.

14. SUSTAINABILITY

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

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

In respect of Policy CS10, the applicant has submitted no Pre-assessment Estimator demonstrating that the development is likely to meet with Code for Sustainable Homes Level 3. Therefore conditions will be applied to ensure that the development would not be contrary to Policy CS10 or the NPPF.

15. CONCLUSIONS

The amended scheme is not considered to constitute inappropriate development in the Green Belt and does not detract from openness and the purposes of including land within the Green Belt. Furthermore, the amended design and additional information has overcome the concerns regarding the impact of the development on the character and appearance of the area, residential amenity, trees and biodiversity. As such the development is considered to comply with CSDPD Policies CS1, CS7 and CS9, BFBLP 'Saved' Policies EN1, EN20, GB1 and M9 and the National Planning Policy Framework.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 19th February 2015:
P14/22/S/101 (Rev C)
P14/22/S/110 (Rev B)
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. The development hereby permitted shall not be begun 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 any of the buildings approved in this permission.
REASON: - In the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
05. The en suite windows in the south east facing side elevation of the dwelling hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north

west or south east facing side elevations of the dwelling hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

07. The development hereby permitted shall not be begun until details showing the finished floor levels of the building 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 EN20, Core Strategy DPD CS7]
08. 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]
09. 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]
10. No development shall be occupied until the associated vehicle parking has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9]
11. No gates shall be provided at the vehicular access to the site.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20]
12. 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, hedgerows and groups of mature shrubs 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. 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 EN1 and EN20, CSDPD CS7]

13. The protective fencing and other protection measures specified by condition 12 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). No activity of any description must occur at any time within these protected 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,
 - g) 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.
 - h) 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.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

14. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) Induction and personnel awareness of arboricultural matters.
 - b) Identification of individual responsibilities and key personnel.
 - c) Statement of delegated powers.
 - d) Timing and methods of site visiting and record keeping.
 - e) Procedures for dealing with variations and incidents.
- The programme of arboricultural supervision/monitoring shall be undertaken in full compliance with the approved details.
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 EN1 and EN20, CSDPD CS7]
15. The development hereby permitted shall not be begun until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated 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. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -
- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
 - b) Materials including porous surface finish.
 - c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
 - d) Program and method of implementation.
- The Construction Method Statement shall be observed, performed and complied with.
REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
16. No development hereby permitted shall be begun until a site specific method statement for the removal of all existing hard surfaced areas and structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) A site plan identifying all areas where such work is to be undertaken.
 - b) Reinstatement to soft landscape area including proposed ground de-compaction works.
 - c) Timing and phasing of works.
- The approved Method Statement shall be observed, performed and complied with.
REASON: - In order to safeguard tree roots and thereby safeguard trees in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
17. The development hereby permitted shall not be begun until:
- (i) a site layout plan showing the proposed layout of all underground services and external lighting and

(ii) a programme for the phasing and timing of works have been submitted to and approved in writing by the Local Planning Authority.

Details of the site layout plan shall include: -

- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
- b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
- c) Soak-aways (where applicable)
- d) Gas, electricity, telecom and cable television.
- e) Lighting columns and all associated ducting for power supply.
- f) Phasing and timing of works.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: - In order to safeguard tree roots and thereby safeguard existing trees and other vegetation considered worthy of retention and to ensure new soft landscape planting areas are not adversely affected and can be used for their approved purpose, in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

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

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

[Relevant Policies:BFBLP EN20, CSDPD CS7]

19. 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 without the prior written permission of the Local Planning Authority.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or

other alteration permitted by Classes A, B, C, D or E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.

REASON: The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply, and the site is affected by a Tree Preservation Order where strict control over development is required by the policies of the development to ensure their protection.

[Relevant Policies: BFBLP EN1, GB1, Core Strategy DPD CS7, CS9]

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no hard surface as permitted by Class F of Part 1 of the Second schedule of the 1995 Order shall be provided for any purpose incidental to the enjoyment of the dwelling house
REASON: In the interests of the health of nearby trees
[Relevant Policies: BFBLP EN1, Core Strategy DPD CS7]
22. 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 CS1, CS7]
23. All ecological measures and/or works shall be carried out in full accordance with the details contained in AA Environmental Ltd.'s report dated 18 November 2013
REASON: In the interests of nature conservation.
[Relevant Plans and Policies: CSDPD CS1]
24. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other 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]
25. 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 except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.
REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

26. If more than 2 years elapse between the previous bat survey and the due commencement date of works, an updated bat survey shall be carried out by a suitably qualified ecologist, unless otherwise agreed in writing by the Local Planning Authority. 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.
REASON: To ensure the status of bats on site has not changed since the last survey.

[Relevant Plans and Policies: CSDPD CS1, CS7]

27. The demolition of any and all buildings on site shall not in any circumstances commence unless the Local Planning Authority has been provided with either
a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or
b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. 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. Obscure Glazing
 - 06. Restrictions on side facing windows
 - 10. Parking
 - 11. No Gates
 - 13. Restriction within protected area
 - 19. Retention of soft landscaping
 - 20. Removal of PD Rights (Class A-E)
 - 21. Removal of PD Rights (Class F)
 - 22. Site Clearance
 - 23. Ecological Measures
 - 25. No external lighting (unless scheme submitted)
 - 26. Bat Survey (unless 2 years elapse)
03. The applicant is advised that the following conditions requires discharging prior to commencement or completion of the development:
- 03. Samples of Materials
 - 04. Means of enclosure
 - 07. Finished Floor Levels

- 08. Sustainability Statement
- 09. Post Construction Review
- 12. Tree Protection
- 14. Arboricultural Monitoring
- 15. Construction Method Statement
- 16. Method Statement (Removal of hard surfaces)
- 17. Underground Services
- 18. Landscaping
- 24. Bat Mitigation
- 27. Site License

04. This planning permission contains certain conditions that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site (including any initial clearance works). Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised. This may be highlighted in any subsequent search carried out on the property/ properties.
05. Trees on and adjacent to this site are to be protected by Tree Preservation Order legislation. In simple terms, detailed written consent must be therefore obtained from the Council's Tree Section before undertaking any form of work to such trees (including any work affecting their root systems), unless detailed works to such trees have been specifically approved in writing as a part of this planning permission. Any pruning or removal of trees without the necessary consent or any damage arising from non compliance with other conditions of this permission or otherwise may be liable to prosecution by the Council. This may be in addition to any enforcement action deemed appropriate for non compliance with relevant planning conditions. Property owners, developers and/ or any other relevant persons are therefore advised to take appropriate measures to ensure that all persons responsible for overseeing works approved under this permission are suitably briefed on this matter.
06. Please note that trees on and adjacent to this site are protected by Tree Preservation Orders. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

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