

Unrestricted Report

ITEM NO: 12

Application No.
14/01338/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
5 January 2015

Target Decision Date:
2 March 2015

**Inglemere Mews 58 Waterloo Road Crowthorne
Berkshire RG45 7NW**

Proposal:

Erection of 3 No. residential dwellings following the demolition of the existing property.

Applicant:

Mr David Kirkby

Agent:

Mr Jason O'Donnell

Case Officer:

Laura Rain, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

This application is reported to the Planning Committee at the request of Councillor Finnie due to concerns that the proposed balconies are unneighbourly and would result in a loss of privacy.

1. SITE DESCRIPTION

The site is currently undergoing demolition. The previous property was a large detached red brick three storey building that had been substantially extended in the past. The property was last lawfully used as a residential care home which ceased use in December 2013. There were 12 bedrooms and a self contained 1 bed roomed flat above the car port.

To the rear was a patio which led onto a grassed area at a lower level than the patio by approximately 1.5m. To the west is the Waterloo Hotel, to the south is a large detached dwelling Red Lodge.

There is evergreen vegetation along the rear (northern) boundary.

The street scene is fairly varied with low level modest dwellings on the other side of the road. The Waterloo Hotel and Red Lodge are large red brick properties with dormer windows and gable features.

2. RELEVANT SITE HISTORY

14/00386/FUL Erection of 3 no. 4 bed dwellings following demolition of existing former residential care home with 1 no. 1 bed flat. The Planning Committee resolved to grant planning permission and a S106 Legal Agreement was completed.

3. THE PROPOSAL

The proposal is to demolish the existing care home and 1 bed flat and erect a row of three terraced properties (net gain of 2 residential units).

At ground floor each property would have:

- A garage
- WC
- Hallway
- Utility
- Open plan kitchen/dining room/family room

At first floor each property would have:

- 2 bedrooms
- A lounge with balcony
- Bathroom
- An en-suite

At second floor each property would have:

- 2 bedrooms
- 2 en-suites
- The middle unit would also have a dressing room

To the front of the properties an additional 2 car parking spaces per unit are proposed.

This application differs from the approved application in the following ways:

- Rear facing first floor balconies are proposed to serve the lounges. These would be enclosed by 1.8m high obscure glass panel on the flanks of each end balcony. The middle plot would have a 1.5m high screen along each side. The fenestration at first floor in the rear elevation has been amended to incorporate patio doors to provide access to the balconies.
- In the side (east and west) elevations, the small first floor bathroom window would be replaced by two large (1.1m by 1.8m) windows. One would be at first floor, one at second floor, both serving the stairwells and both are annotated as fixed shut and obscure glazed.
- In the side (east and west) elevations a parapet wall 4.2m wide is proposed.

4. REPRESENTATIONS RECEIVED

3 letters of objection have been received. These raise the following issues:

- Loss of character and over development of the site.
- Loss of privacy, particularly from the proposed balconies.
- Unnecessarily large windows in side elevations.
- Windows are not required in the side elevation. They serve stairwells. The middle unit does not have them so the other units do not either.
- Noise and disturbance from the balconies.
- The additional balconies will appear overbearing.
- Ground levels are too high and have been altered during the demolition.
- The alterations to the side elevations will result in them appearing overbearing. The roof should hip away from the side boundaries as per the previous application.
- Insufficient parking provided and the lack of turning space on the properties will result in on street parking and reversing into the busy Waterloo Road, near the junction with New Wokingham Road.
- Fencing on boundaries has been damaged and needs replacing.
- Boundary treatment should be 2-2.5m acoustic fencing with evergreen trees.
- Refuse disposal will be a problem.
- The proposed changes from the previous consent cannot be classed as 'minor.'

5. SUMMARY OF CONSULTATION RESPONSES

Crowthorne Parish Council:

No comments at the time of report publication.

Highways Officer:

The Highway Authority raises no objection subject to conditions.

6. 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

7. PRINCIPLE OF DEVELOPMENT

SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1

states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to improve the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

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

CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise. The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013).

CSDPD Policy CS15 sets a housing target for the Borough. The recently published 2012 based household projections are also a material consideration. CSDPD Policy CS16 requires a range of housing types, sizes and tenures.

The proposal involves a net gain of 2 units. In terms of the Council's housing provision, the proposal constitutes a "small" site and would therefore form part of the small sites allowance. Each new dwelling would have 4no. bedrooms and would therefore add to the stock of family housing.

'Saved' BFBLP Policy H11 seeks the retention of housing stock and residential institutions. The supporting text makes it clear that this also applies to residential institutions. Although one self contained unit (use class C3) is to be lost, overall there will be a gain in self contained dwellings on the site. This is important in terms of the Council's housing supply. As far as the residential care home is concerned, new facilities are being provided within the area on strategic sites (TRL and Broadmoor).

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

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

8. IMPACT ON CHARACTER AND APPEARANCE OF AREA

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

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

The site is located within Crowthorne 'Area B' (West Crowthorne) in terms of the Council's Character Area Assessments SPD (2010). It provides guidance to supplement CSDPD Policy CS7 (Design). This document lists a number of characteristics for Area B which are of relevance:-

- the importance of boundary treatments
- larger plots along Duke's Ride
- the Victorian road pattern in this area
- predominantly 2 storey with occasional 2.5 storey units
- the roads having a verdant character with significant mature trees
- predominantly red brick buildings (as per the growth of Crowthorne village around Wellington College and the Broadmoor Estate in the Victorian era with red brick production being a key industry in the 19th century.)

The site involves one of the 2.5 storey buildings mentioned in the Character Area Assessments SPD. The proposed roof line would be 9.2m in height which is 0.8m lower than the former care home's main roof line. As such it is considered that the height of the proposed building is acceptable.

The design of the dwellings reflect the characteristics of other properties within the street scene, particularly the main reception building of the Waterloo Hotel which has parapet walls and dormer windows. The balcony features are seen on the apartments on the corner of Waterloo Road with Dukes Ride.

The proposed materials would be red brick and slate roof in order to be in keeping with both neighbouring properties.

There are a number of mature trees within 'Area B' which add to the character of the area. Trees within this site were removed prior to the submission of the previous planning application and were not subject to a Tree Preservation Order. However in order to integrate the proposals into the existing setting of the site and add to the characteristics of the area, a landscape condition is recommended. This is in line with BFBLP 'Saved' Policy EN2 (supplementing tree and hedgerow cover). This policy is considered to be in accordance with the NPPF (chapter 11) and can be afforded significant weight.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN2 and EN20, the Character Area Assessment SPD and the NPPF.

9. RESIDENTIAL AMENITY

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

- Loss of privacy:

The dwelling to the rear, 93 Dukes Ride is 36m from the closest part of the proposed dwellings.

The first floor rear facing window in Plot 1 would be at a distance of 16.2m from the rear boundary and at second floor the distance would be 16.8m.

The first floor rear facing window in Plot 2 would be at a distance of 16.97m from the rear boundary and at second floor the distance would be 17.2m.

The rear facing window in Plot 3 would be at a distance of 17.2m from the rear boundary and at second floor the distance would be 17.6m.

To the front there is a distance of 38m from the proposed first floor balconies and the properties opposite.

It is considered that these distances are sufficient to ensure that there would be no loss of privacy to neighbouring properties from the front and rear facing windows.

There would be two windows in each side elevation, serving the stairwells and as such these can be conditioned to be fixed shut and obscure glazed (as per the annotation on the plans). Subject to this condition, it is not considered that these windows would result in a loss of privacy to the properties either side. At ground floor two windows are proposed, one serving a WC and one serving the kitchen. These windows are not considered to result in a loss of privacy to neighbouring properties.

The proposed balcony in Plot 1 would be at a distance of 14.2m from the rear boundary.

The proposed balcony in Plot 2 would be at a distance of 15.0m from the rear boundary.

The proposed balcony in Plot 3 would be at a distance of 15.2m from the rear boundary. To the side there would be 1.5m from the balcony to the boundary with neighbouring properties Red Lodge and the Waterloo Hotel. 1.8m high obscure glazed panels are proposed on the flank elevations of the end balconies.

It is considered that the distances to the rear boundary are sufficient to ensure that there would be no loss of privacy to neighbouring properties. The proposed flank screening would protect the privacy of Red Lodge and Waterloo Hotel

Screening has been provided between the balconies by way of a 1.5m screen which is considered to be acceptable.

- Loss of light:

Due to the distance to the neighbouring properties there would be no loss of light created by the proposal.

- Overbearing impact:

The proposed building would be set in further from the boundary with Red Lodge by 0.83m more than the previous 9m high extension on the care home. The roof would in the main pitch away from the boundary with Red Lodge along the same angle as the existing building which was amended under the previous application. Under this current application an amendment to the roof design has been made so that for a distance of 4.2m there is a flat roofed 9.4m high element that faces onto Red Lodge and Waterloo Hotel. This results in an additional height of 1m for this element over what was

originally approved. It is not considered that this element of the side elevation would result in an overbearing impact that would warrant a refusal. The proposed flat roofed element is 0.4m taller than the building that stood before it.

It is not considered that the proposal would have an unduly overbearing impact upon any other dwellings.

Each unit would have its own private amenity area to the rear 14m - 15m deep and between 7.2-8m wide. There would be no unacceptable levels of overlooking of these rear garden areas and as such there would be no loss of amenity for the future occupiers of the proposed dwellings.

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

10. TRANSPORT IMPLICATIONS

CSDPD Policy CS23 states that the LPA will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 seeks to ensure that new development has sufficient car parking. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings. It provides guidance to supplement 'Saved' BFBLP Policy M9 (parking).

For a dwelling that has 4 or more 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 site is located on Waterloo Road, a local distributor road that joins Dukes Ride to the west and Sandhurst Road to the east. The road is subject to a 30mph speed limit.

The existing access is to be stopped up and a new 4.8m wide central access created. The works can be undertaken under licence with the Highway Authority and the applicant advised of this by way of an informative. Sight lines commensurate with traffic speeds on Waterloo Road are required and as there are no traffic calming features on this section of Waterloo Road; sight lines of 2.4m by 43m are required. A revised drawing, 14_P995-01 Rev A, has been submitted incorporating the sight line requirements.

To comply with the requirements of the Parking Standards SPD each of the proposed properties provides 3 parking spaces. Each has a single garage with internal dimensions of 6m by 3m and doors 2.4m wide, with 2 spaces to the front of each proposed dwelling.

The parking and turning areas will need to be SUDS compliant so construction and drainage details will be required to be submitted. As access is onto a classified highway it is essential that vehicles can access the parking spaces without hindrance and enter/egress the site in forward gear. The Highway Authority recommends that the garages and the parking and turning layout are secured and retained by condition.

The proposed development is likely to generate in the region of 27 movements per day; the site was previously used as a 12 bedroom care home with a flat included. Care homes generate in the region of 2 trips per bedroom per day. With the inclusion of the

traffic generated from the flat, the level of generation is likely to be on a par with that of the proposed development.

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 requirement of the Parking Standards SPD subject to the recommended conditions being imposed.

11. SUSTAINABILITY

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

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

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

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

The applicant has provided no Energy Demand Assessment detailing how 10% of the development's energy demand can be offset as a result of implementing on-site renewable energy generation. Therefore this will be conditioned so that the scheme would comply with Policies CS10 and CS12 of the CSDPD and with the NPPF.

12. PLANNING OBLIGATIONS

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

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000sqm.

The implications of this is that the LPA will no longer be able to seek contributions towards education, transport, public open space, libraries or community facilities for residential development on sites of 10 units or less and which have a maximum

combined gross floorspace of 1,000sqm or less. The internal floor area falls just under 1000sqm. However S106 agreements will be still required for SPA mitigation.

It is considered that the SPA obligations in the S106 are necessary to make the development acceptable in planning terms and are directly, fairly and reasonably related to the proposed development and are therefore consistent with CSDPD Policy CS6 and the NPPF. If the S106 is not completed and a decision not issued before 6th April 2015 the whole scheme will become CIL liable.

13. SPA

SEP retained Policy NRM6 and CSDPD Policy CS14 deal with the impact upon the Thames Basin Heath SPA. They 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. This is a material consideration and supplements Policies NRM6 and CS14.

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 1km 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, the project as proposed would not adversely impact on the integrity of the site provided: Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement.

The SPA SPD Table 1 requires a contribution which is calculated on a per bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, this application is for 3 X 4 bedroom dwellings replacing and existing 1 bedroom dwelling. The SANG costs are £6,840.

The open space works at Ambarrow Hill/Court is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. This application is for 3 X 4 bedroom dwellings replacing and existing 1 bedroom dwelling which requires an additional financial contribution of £2,022.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £8,862 (i.e. £6,840 + £2,022).

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.

14. BIODIVERSITY

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 bat survey submitted with the previous application found that no bats emerged from the building and therefore it was unlikely that bats were using it for roosting purposes. Therefore, there were no biodiversity restrictions on the demolition of the building. Conditions are proposed to ensure that there is no unacceptable harmful impact upon protected species. Consequently, the proposal is considered to be in line with CSDPD Policies CS1 and CS7.

15. CONCLUSION

The proposal for the redevelopment of the care home and flat and the subsequent erection of a row of three terraced dwellings on a previously developed site within the defined settlement is considered to be acceptable in principle.

It is not considered that the development would result in an adverse impact on the character and appearance of the area, the amenities of the residents of the neighbouring properties, or on highway safety. All other issues addressed in this report can be secured by conditions and contributions towards the Thames Basin Heath through a S106.

It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS6, CS7, CS10, CS12, CS14, CS15, CS16 and CS23, BFBLP 'Saved' Policies EN20, H11 and M9, SEP Policy NRM6 and with the Parking Standards SPD, Limiting the Impact of Development SPD, the SPA SPD, the Character Area Assessment SPD and the NPPF.

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 P14/46/S/102 Rev A received by the Local Planning Authority on 05.03.2015

Drg no P14/46/S/103 Rev A received by the Local Planning Authority on 05.03.2015

Drg no P14/46/S/103 Rev A received by the Local Planning Authority on 05.03.2015

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 by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
10. 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]

11. No dwelling shall be occupied until the access has been surfaced with a bonded material across the entire width of the access for a distance of 5m measured from the back edge of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

12. 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]

13. 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]

14. 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]

15. 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 operatives

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

16. 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]

17. The first and second floor windows in the east and west elevations serving the stairwells 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]
18. 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]
19. 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 building 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]
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. 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]
22. 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:

 - a) 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.
 - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
 - c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
 - d) 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.

e) Illustration/s of the proposed protective barriers to be erected.

f) 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.

g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.

h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.

i) 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.

23. The protective fencing and other protection measures specified by condition 24 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.

24. No development shall commence 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 and arboricultural supervision.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the dwelling. The No Dig structure shall be retained in perpetuity thereafter.

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]

25. No development shall commence until:
- (i) a site layout plan of 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]

26. 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]

27. No dwelling shall be occupied until the 1.8m high privacy screens on the balconies have been constructed in accordance with the approved plans. The approved screens shall be retained as such.

REASON: To prevent the loss of privacy between the balconies and to neighboring properties.

[Relevant Policies: BFBLP EN20]

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 Street Care Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
03. 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.
 15. Site Organisation.
 18. Slab levels
 19. Boundary treatment
 22. Tree protection
 24. Method statement for hard surfaced areas
 25. Underground services etc.
 26. Biodiversity enhancements. (this should include, bird boxes, bat boxes, insect houses and hedgehog houses.)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.
 12. 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.
 10. Visibility splays of 2.0 metres by 2.0 metres.
 11. Bonded surface of access.
 13. Garage retention.
 14. Gate restriction.
 16. No additional windows.
 17. Obscure glazing.
 20. No external lighting.
 27. Privacy screens on balconies

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