

## Unrestricted Report

### ITEM NO: 5

Application No.  
**14/01295/FUL**  
Site Address:

Ward:  
Ascot

Date Registered:  
15 December 2014

Target Decision Date:  
9 February 2015

**Wildwoods 24 Prince Consort Drive Ascot Berkshire  
SL5 8AW**

Proposal: **Erection of a detached 2-storey dwelling with associated garages,  
following the demolition of the existing buildings.**

Applicant: Mr & Mrs J Hall

Agent: Mr Jason O'Donnell

Case Officer: Michael Ruddock, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto: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 as more than three objections have been received.

### **2. SITE DESCRIPTION**

No.24 Prince Consort Drive is a detached dwelling with a double garage to the front of the property and a private garden to the rear. The site is bordered by No.25 Prince Consort Drive to the north east and No.23 to the south west. The existing dwelling is set at an angle within the site so that the front elevation faces towards the boundary with No.25 rather than the highway at the front of the site, and the dwelling faces away from No.23. The trees at the front of the site are protected by Tree Preservation Orders (TPOs 111 and 1182) 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 19788 - Two storey extension forming study, garage and bedroom. Convert existing garage to dining room and existing bedroom to bathroom - APPROVED 1973

Application 609639 - Two storey side extension forming new kitchen with new bathroom over and two storey rear extension forming enlarged lounge with 2 enlarged bedrooms over - APPROVED 1985

Application 619003 - Demolition of existing addition and erection of two storey side and rear extensions, first floor side extension, single storey conservatory to rear and detached garage - APPROVED 1993

Application 624340 - Erection of single storey front extension - APPROVED 1998

Application 01/00439/FUL - Erection of single storey side and rear extensions to form annexe for aged person and games room - APPROVED 2001

Application 04/00617/FUL - Erection of single storey rear extension forming conservatory following demolition of existing conservatory - APPROVED 2004

### **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 15.57m with a depth of 12.37m and a height of 9.12m. A detached garage would be located forward of the dwelling with a width of 10.6m and a depth of 6.69m and a height of 6.4m.

The dwelling would be set 2.65m off the south west boundary of the site. To the north west, the garage and dwelling would both be set 1.68m off the boundary, although at this point the dwelling would be single storey with a flat roof and a height of 3.2m. The main body of the dwelling would be set 7.5m off this boundary.

At ground floor level the following would be provided:

- Entrance Hall
- Family Room
- Breakfast Area / Kitchen

- Dining Room
- Drawing Room
- Study
- Utility / Boot Room

At first floor level the following would be provided:

- Four bedrooms, all with dressing rooms and en suite
- Gallery Landing
- 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 new in-and-out driveway was proposed with a gravel finish. Due to concerns with regard to the impact on the trees at the front of the site, this element has been removed from the scheme and the driveway would remain as existing. Furthermore the garage has been separated from the dwelling, which has resulted in a reduction of the bulk of the garage roof.

## **5. REPRESENTATIONS RECEIVED**

### Winkfield Parish Council

Recommend refusal for the reasons that the development would be unacceptable in the Green Belt, it would not preserve the trees on the site and would result in a loss of amenity to the neighbouring properties.

*[OFFICER COMMENT: This comment was in response to the plans originally submitted with the application, which have been amended as outlined above.]*

### Other Representations

Letters of objection have been received from five neighbouring residential properties, both in relation to the original and the amended plans. The reasons for objection can be summarised as follows:

- The size of the proposed dwelling would be unacceptable and would dwarf the neighbouring properties.
- The development would result in an unacceptable loss of light to No.25 Prince Consort Drive.
- The development would result in an unduly overbearing effect on the private amenity area at the rear of No.25 Prince Consort Drive due to its set back within the plot.
- The development would result in an unacceptable loss of privacy to the rear of No.25 Prince Consort Drive, through a side facing en suite window and a balcony. Concerns have also been raised with regard to the impact of the balcony on No.26.
- The dwelling would be set well back into the site relative to the footprint of the existing house, and would be further from the road than any other house in the neighbourhood, and inappropriate staggering of alignment that would be particularly prominent from No.25.
- The width of the plot does not comfortably accommodate the development.
- The amendments would not make any tangible difference to the impact of the development on No.25 Prince Consort Drive.

## **6. SUMMARY OF CONSULTATION RESPONSES**

### Tree Officer

In response to the original submission, concerns were raised regarding the eastern access and the new driveway that have since been removed. Further detail was required to demonstrate the full arboricultural impact of the development. The amended plans overcame the majority of the concerns of the Tree Officer, and the majority of the remaining issues can be covered by conditions - this assessment is made below.

### Highways Officer

Recommend conditional approval.

### Biodiversity Officer

Recommend 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 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.24 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 9.12m, which would be 1.1m greater than the existing. The overall floor area of the proposed new dwelling would be 471.08 square metres which would be an increase of 121.97 square metres over the existing floor area of 349.11 square metres. Proportionately this would be an increase of 34.9% 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. It would be set further back into the site than the existing building, and would have similar set offs to the side boundary. The new garage would replace an existing building, and as such no additional buildings would be constructed on the site.

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 9.12m with a gross external floor area of 471.08 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, No.22 No.3, No.36 and No.37 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.24. More recently the dwelling at No.37 was approved at the Planning Committee on 1st April 2015 and will provide 482.22 square metres of floor area with a height of 9.2m. 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 with reasonable set-offs on both sides. The dwelling would be set off the south west boundary by 2.65m which is considered acceptable. Although this would be closer to the north east, the set off of 1.68m only applies to the garage and a single storey element, with the main body of the dwelling set 7.5m off the boundary which is acceptable. The proposed development is therefore not considered to be contrary to the SPD. 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, No.30 and No.37. It would be set significantly further back into the site than the existing at 22.54m from the road, with the new garage set approximately as far forward as the existing dwelling. It is therefore not considered that it would appear overly prominent in the streetscene. Concerns have been raised that a dwelling set this far back into the site would be out of keeping with the streetscene as it would appear staggered when viewed with the neighbouring properties. Although it would be set further to the rear of No.25, it would remain set forward of No.23 and it is therefore not considered that the set back would have an adverse impact on the streetscene. Furthermore it would not be set as far back into the site as the nearby dwelling at No.22 Prince Consort Drive, and it is not considered that such a set back would be out of keeping with the character and appearance of the area.

The new garage would be set further back into the site than the existing, and it is considered that it would appear less prominent in the streetscene. The overall bulk of the garage has been reduced during the course of the application, and it is not considered that such an addition would appear out of keeping with the streetscene in this location.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area in a Green Belt location. The proposed development therefore accords with 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.

A number of concerns have been raised with regard to the impact of the development on the neighbouring property at No.25 Prince Consort Drive, which will be considered in turn. The dwelling would project to the rear of the neighbouring dwelling, and as such would be visible from the rear facing windows of that property. However, in accordance with the guidance contained within the British Research Establishment Document 'Site Layout Planning For Daylight and Sunlight: A Guide to Good Practice (2011) a 45 degree line drawn on the horizontal plane from the midpoint of any of the rear facing windows at No.25 would not intersect the dwelling. There are two ground floor side facing windows at No.25 however neither is the primary source of light to a habitable room, therefore a loss of light to these windows would not warrant refusal of the application.

The garage and single storey elements would be close to the boundary with No.25. The garage would not project beyond the rear elevation of the neighbouring dwelling, and it is therefore not considered that it would result in an unduly overbearing effect on the private amenity area to the rear of the neighbouring property. Although the single storey element would project beyond the rear of the neighbouring property and would be set close to the boundary, it is not considered that such an element with a height of 3.2m and a flat roof would result in an unduly overbearing effect on the rear of the neighbouring property.

The main body of the dwelling would also be visible from the rear of No.25 Prince Consort Drive, however as would be set 7.5m off the boundary with the neighbouring property. It is acknowledged that it would have a greater impact than the existing dwelling due to the replacement being set further back into the site, however due to this set off it is not considered that the dwelling would appear so unduly overbearing when viewed from the rear of the neighbouring property that refusal of the application would be warranted.

Concerns have also been raised that the side facing en suite window and the balcony would result in an unacceptable loss of privacy on No.25 Prince Consort Drive, and the concerns regarding the balcony have also been raised by No.26. In terms of the window, it would be located 7.5m from the boundary with No.25, and as such would have the potential to overlook the rear of the neighbouring property, resulting in an unacceptable loss of privacy to that property. As such, a condition will be imposed requiring this window to be glazed with obscure glass and fixed shut to a level 1.7m above the floor level of the en suite. It is considered that such a condition would overcome this concern, and a further condition will restrict any additional first floor windows on this elevation.

With regard to the balcony, it would be set over 12m off the north eastern boundary of the property. Guidance contained within the BFC leaflet 'Extending Your Home: A Householders Guide' states that first floor windows should not overlook a boundary less than 10m away or a dwelling less than 22m away. It is considered that this guidance is also applicable to a balcony. As the balcony would be located over 12m from the boundary it would not be contrary to the guidance and would therefore not result in an unacceptable loss of privacy to

the neighbouring property that would warrant refusal of the application. Due to the location of the balcony within the site it would not be possible to view the rear facing windows of No.25 from this element, and in any case it would be located over 22m from the rear of the neighbouring property.

In respect of the neighbouring dwelling to the south west at No.23, the dwelling would not project beyond the rear elevation of the neighbouring property. As such it is not considered that the development would result in an unacceptable loss of light to or unduly overbearing effect on the rear of that property. It would project slightly beyond the front elevation of the neighbouring property, however it would not result in an unacceptable loss of light to the front facing windows of that property. There are no side facing windows that are the primary source of light to a habitable room that would be affected.

Two side facing en suite windows would face towards No.23 Prince Consort Drive, and the condition referred to above requiring side facing windows to be obscure glazed and fixed shut will also apply to these windows, as will the condition restricting any further side facing windows. The balcony would be closer to the boundary with No.23, approximately 5.6m, however as this would not be located beyond the rear elevation of the neighbouring property it would not result in an unacceptable loss of privacy to the rear of the neighbouring property.

It is therefore considered that the development would not result in a detrimental effect on the amenities of the residents of the neighbouring properties. The development would therefore accord with BFBLP 'Saved' Policy EN20 and 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 proposed replacement dwelling would not give rise to any additional vehicle movements. The Highways Officer commented in respect of the original plans that the proposed in and out access was not necessary and had no highway safety benefit. The Highways Officer was also concerned that the construction of the new driveway would not comply with the highway standards. The new driveway has been removed from the scheme, and the driveway would now remain as existing.

Three on plot parking spaces are required to accord with the Parking Standards SPD. The proposed garage would provide at least two practical and usable parking spaces, and can also be used for cycle storage. The private driveway provides at least three parking spaces. A more than sufficient level of parking would therefore be provided.

It is therefore considered that the development would not result in an adverse impact on highway safety. The proposal therefore accords with BFBLP 'Saved' Policy M9 and 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.



The original plans showed a driveway which would have been located adjacent to a Blue Spruce, protected by Tree Preservation Order 1182. The driveway would have encroached significantly into the trees root protection area, resulting in significant root damage which was not acceptable. This element was withdrawn from the scheme. The Tree Officer was also concerned regarding the works to the existing drive, however these have also now been withdrawn from the scheme with the driveway remaining as existing.

The Tree Officer has commented that the proximity of the proposed construction to the group of Birch trees in the rear garden to the adjacent property would be cramped and likely to be unsustainable. However the Tree Officer states that these are not of outstanding quality, and they are not protected by a TPO. It is therefore not considered that an adverse effect on these trees would warrant refusal of the application. Whilst it is acknowledged that these trees would provide a level of screening between the new dwelling and the neighbouring property, it is not considered that the relationship between the properties without these trees would be unacceptable and the application has been considered on this basis.

With regard to Tree Protection during construction, the Tree Officer has commented that the Tree/Vegetation Protection Plan needs to be amended to include additional details. These include separately phased protection measures which are required for the demolition and construction phases based on the current layout drawings, ground protection measures, all tree protection/construction exclusion zones to be clearly annotated and diagrams of the protective barriers and their respective locations. A detailed underground service layout is required to clarify any arboricultural impact, and a demolition method statement for the existing buildings within the root protection areas is required. Conditions will be imposed to ensure that these details are submitted prior to works taking place on site. Subject to compliance with these conditions it is considered that the development would accord with BFBLP 'Saved' Policy EN1 and 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 Ecological Report confirms the presence of bats using the existing building as a roost. Therefore the demolition of the building will need to be carried out under licence from Natural England. There are no other ecological constraints to the site

The report also provides information to address the three derogation tests under the Habitats Regulations 2010. Having due regard to the EC Habitats Directive 1992 and the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) it is considered that this application passes the tests set out therein. The Council's ecologist is satisfied that subject to conditions the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range. 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.
- The areas shown for bat roost purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
- 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 licencing body is submitted to the effect that it does not consider that the specified activity would require a licence.
- No development shall take place until a method statement for the sensitive demolition to avoid the potential of harm to bats has been submitted and approved.

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, cover water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. 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 actively support energy efficiency improvements to existing buildings.

No such statement has been submitted in support of the application, therefore in the event of an approval a condition would be included requiring the submission of a Sustainability Statement prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

#### **15. COMMUNITY INFRASTRUCTURE LEVY**

Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. The proposal involves the creation of a new dwelling and garage following the demolition of the existing.

The proposal would be CIL liable. CIL is applied as a charge on each internal square metre of new development, and the internal floor area of the existing buildings will be offset against the new floor area for the purposes of calculating the CIL charge. The amount payable varies depending on the location of the development within the borough and the type of development. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough. The five zones are based around Central Bracknell, Outer Bracknell, Sandhurst/Crowthorne, Northern Parishes, and Warfield Strategic Development.

The application site lies within the Northern Parishes zone, and a CIL Liability Notice will be issued with any planning permission given.

## **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 scheme has overcome the concerns regarding the impact of the development on protected trees. It is not considered that the development would result in an adverse impact on the character and appearance of the area, residential amenity, highway safety or 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 16th July 2015:

P14/19/S/101 (Rev C)  
P14/19/S/110 (Rev A)

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 north east and south west facing side elevations 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 up to a height of 1.7m from the floor level.  
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) (England) Order 2015 (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 east or south west facing side elevations of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).  
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. No part of the dwelling shall be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.  
REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policy: Core Strategy DPD CS10]
09. 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]
10. 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]

11. The protective fencing and other protection measures specified by condition 10 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]

12. No development hereby permitted shall be begun until a site specific method statement for demolition of the existing structures, 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]

13. 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]

14. 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]

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 or E of Part 1 of the Second Schedule of the 2015 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]

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 2015 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]

17. 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]

18. All ecological measures and/or works shall be carried out in full accordance with the details contained in AA Environmental Ltd.'s report dated December 2014.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1]

19. The areas shown for bat roost 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 nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 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.
- REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1, CS7]
21. 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. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site. The development shall be carried out in accordance with the approved scheme.
- REASON: To ensure the status of bats on site has not changed since the last survey.  
[Relevant Plans and Policies: CSDPD CS1, CS7]
22. 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
  - 09. No Gates
  - 11. Restriction within protected area
  - 14. Retention of soft landscaping
  - 15. Removal of PD Rights (Class A-E)
  - 16. Removal of PD Rights (Class F)
  - 17. Site Clearance
  - 18. Ecological Measures
  - 19. Bat roost
  - 20. No external lighting (unless scheme submitted)
  - 21. Bat Survey (unless 2 years elapse)

The applicant is advised that the following conditions require discharging prior to commencement of construction works:

- 03. Samples of Materials
- 04. Means of enclosure
- 07. Finished Floor Levels

The applicant is advised that the following conditions require discharging prior to the commencement of any works on site:

- 10. Tree Protection
- 12. Demolition Method Statement
- 13. Underground Services
- 22. Site Licence

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

- 08. Sustainability Statement

03. 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.
04. 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.

05. 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) (England) Order 2015 (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.
06. Having due regard to the EC Habitats Directive 1992 and the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) it is considered that this application provides sufficient information to demonstrate that it passes the tests set out therein. In this instance it is considered that the application is: -

For an imperative reason of overriding public interest of :-

- A social reason
- An economic nature
- A beneficial consequence of primary importance for the environment, as alternative roosting opportunities for bats will be provided, in the form of four bat boxes installed on the mature trees located in the rear garden of the site. In addition, two bat tubes will be installed in suitable locations on the new build to provide additional roosting opportunities.

It is also considered that there are no satisfactory alternatives to the development because the existing property is in need of repair and modernisation. The costs of these works would be expensive and still not meet energy efficiencies and modern living standards that can be achieved with a new build.

The Local Planning Authority are satisfied that the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range.

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](http://www.bracknell-forest.gov.uk)