

Unrestricted Report

ITEM NO: 9

Application No.
15/00464/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
22 May 2015

Target Decision Date:
21 August 2015

Parkham St Marks Road Binfield Bracknell Berkshire

Proposal:

Retention and refurbishment of Parkham to provide 5 residential flats, demolition of remaining buildings and erection of 13 residential dwellings with associated car parking and landscape works.

Applicant:

Millgate Homes

Agent:

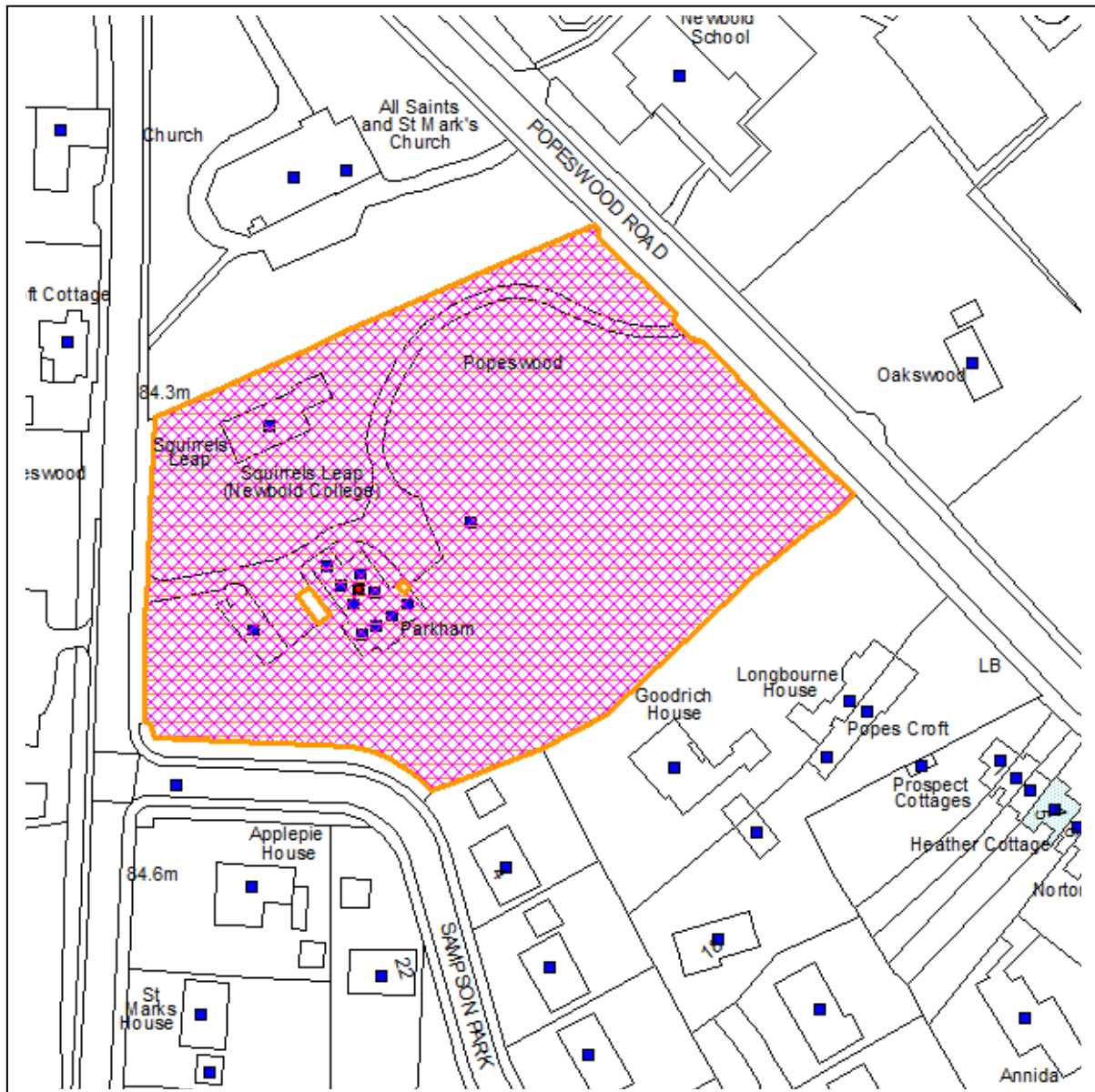
Mr Bhavash Vashi

Case Officer:

Katie Andrews, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the retention and refurbishment of Parkham to provide 5 residential flats, demolition of remaining buildings and erection of 13 residential dwellings with associated car parking and landscape works. The proposal would result in a net increase of 12 dwellings.

1.2 The site is within an existing settlement and it is considered that the proposal will respect the historic environment and would have no adverse effects on the character of the area or adjoining properties. Tree considerations can be addressed by conditions and there are no highway safety issues.

RECOMMENDATION
Planning permission be granted subject to a S106 Legal Agreement and conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within a defined settlement boundary
Area tree preservation order
Adjacent to Grade II Listed Buildings: St Marks Church, St Marks Road and Littlehurst (now Longbourne House) and Popescroft, Popeswood Road
Area B of the Binfield and Popeswood Area Character Area Assessment SPD (adopted 2010)
Within 5km of Thames Basin Heaths SPA
Area of Special Housing Character

3.1 The application site relates to a piece of land off the eastern side of St Marks Road which also has its eastern boundary with Popeswood Road. The site is 0.9 ha in size.

3.2 The site is marked by two existing properties Parkham and its associated stable building, a Victorian building which has previously been converted to 5 flats, situated centrally within the site and Squirrels Leap, a modern bungalow situated to the northern boundary of the site.

3.3 To the north of the site is St Marks Church, a Grade II Listed Building and to the south of the site is the residential development of Sampson Park along with 2 no. Grade II Listed Buildings, Popescroft and Littlehurst (now known as Longbourne House) located along Popeswood Road.

3.4 The site is marked by heavy tree coverage with the trees covered by an area tree preservation order.

3.5 The site falls within the Area B: Popeswood North of the Character Areas Assessments SPD which notes that the area provides buildings in high quality landscape setting and is a point of transition between Binfield and Popeswood. The site

also falls within the Popeswood triangle which is described as comprising large houses set in fairly extensive grounds, together with several small houses and cottages.

3.6 Popeswood Meadow lies opposite the site to the western boundary of the site.

4. RELEVANT SITE HISTORY

4.1 14/01298/FUL Erection of 18 new residential units (10no. houses and 8no. flats) with associated car parking, accessed from St Mark's Road, and landscape works following the demolition of existing buildings. REFUSED 11.05.2015 for 6 reasons for refusal covering the following issues:

- Loss of Victorian building and design and layout of proposed development having an adverse impact on setting of St Mark's Church.
- Impact on character and amenities of area by reason of mass/scale/bulk of proposed houses and flats and siting of plot 03 in relation to plot 04.
- Design of plots 04 and 05 not in keeping with Area 'B' of the Bracknell Forest Character Area.
- Plots 01 and 18 would not address the street scene being sited side-on to St Marks Road.
- Inadequate provision made for pedestrian access to front doors of properties on plots 01, 04, 05 and 15.
- Not demonstrated that a large refuse vehicle can safely access and turn within the site.
- Not addressed the Thames Basin Heaths Special Protection Areas.
- Not demonstrated that the proposed development would incorporate a sustainable drainage system.
- Had not demonstrated that the proposed development will provide pedestrian permeability.

4.2 14/00489/LDC Certificate of lawfulness for the retention of five residential flats (C3). APPROVED 06.08.2014

4.3 617007 Erection of three pairs of semi detached dwellings with separate garages. APPROVED 20.12.1991

4.4 617011 Erection of one pair semi detached houses with detached garages, after demolition of existing garage/store. REFUSED 20.12.1991

4.5 2523 2 Dwelling Houses. APPROVED 01 January 1954

5. THE PROPOSAL

5.1 This is a full planning application for the retention and refurbishment of Parkham to provide 5 x 2 bed residential flats, demolition of remaining buildings and erection of 13 x 3 bed residential dwellings with associated car parking and landscape works. The proposal would result in a net increase of 12 dwellings.

5.2 The current planning application seeks to overcome a refused application under reference 14/01298/FUL. The main change being the retention of the building named 'Parkham' which forms a non designated heritage asset. 'Squirrels Leap' is proposed to be demolished which is a single storey modern bungalow.

- 5.3 A pair of houses is proposed to front St Marks Road with the remainder of the houses fronting the proposed shared access road with a turning head towards the end of the shared access.
- 5.4 A total of 26 parking spaces are proposed to include driveway parking and 3 visitor parking spaces with a separate cycle store and bin store for the flats.
- 5.5 Private amenity spaces are proposed for each of the dwellings with amenity space for the flats and a footpath leading from the site to Popeswood Road. A footpath is proposed along the eastern side of St Marks Road to the south of the proposed vehicular access linking with Sampson Park.
- 5.6 The application has been the subject of minor amendment to the location of plots 17 and 18 to address some arboricultural concerns. A footpath has been shown to the eastern boundary of St Marks Road to provide pedestrian permeability and some boundary treatment changes have been made to address ecology concerns. A view was taken at the time, that as these were minor changes, further consultation was not required.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council

Binfield Parish Council recommend refusal of this planning application for the following reasons:

- There is insufficient parking on the site for residents and visitors which could lead to inappropriate parking in the Popes Meadow car park and hazardous parking on St Marks Road [*Officer Comment: This point is addressed under section 15: Transport Implications*]
- There should be improvements to the footpath along St Marks Road. [*Officer Comment: A footpath has now been shown to the eastern side of St Marks Road south of the vehicular access*]

Other representations

A total of 4 objections have been received from residents of surrounding properties. The objections can be summarised as follows:

- We would like assurance that the existing screening to Goodrich House will be kept otherwise our privacy will be seriously affected.
- Overdevelopment adding more houses to the site. Greater occupancy level.
- Will put more cars onto nearby congested roads and place more stress and detriment on local amenities than previous proposal.
- Loss of trees along the boundary from listed properties Popescroft and Littlehurst. Trees provide vital boundary screening and protect sightlines of Listed Building.
- Loss of wildlife from tree removal.
- Level of traffic too much combined with Temple way, Foxley lane (and upcoming Blue Mountain) developments. Traffic assessment should consider all developments holistically.
- Residents may be forced to park along St Marks Road causing serious obstruction.
- Question suitability of a chainlink fence between boundary of development and St Marks Church.

1 letter of comment has been received raising the following points:

- Requested advice from the applicant regarding how the apartments and garden areas would be maintained [*Officer comment: The applicant has advised that the upkeep of the apartments will be managed by a management company. They will oversee gardening, estate maintenance, tree maintenance etc.*]
- Enquired what boundary treatment was proposed to the boundary with 4 Sampson Park [*Officer comment: The applicant has advised that a close boarded fence is proposed between the brick piers and this is confirmed on boundary treatment plan PKH-908*].

7. SUMMARY OF CONSULTATION RESPONSES

Lead Local Flood Authority (LLFA)

The LLFA has advised that the information submitted with the application does not include all of the details required to address SuDS. At the time of writing this report the amended information has not been received and the matter will be addressed within the supplementary report.

Highway Officer

The Highway Officer initially recommended the application for refusal in the absence of a new footway on the eastern side of St Mark's Road. The plans have now been amended to include the footway on the eastern side of St Marks Road with the Highway Officer now raising no objection subject to conditions.

Environmental Health Officer

No objection

Biodiversity Officer

No objection subject to conditions.

Tree Officer

The Tree Officer objected to the initial submission on the grounds that plots 17 and 18 need to be set back from trees T70, G13 and G12. The applicants have amended the plans to set the houses back an additional 1.5m and amend their design. The Tree Officer still considers that the trees will grow and dominate the space in front of these units. The Tree Officer has also advised that a Method Statement will be required to partner the tree protection plan in respect of phased construction within the construction exclusion zone.

The Tree Officer has advised that if the Planning Authority is minded to approve the current proposal, then conditions should be attached that require:-

- An investigation into the potential for subsidence to units 17 and 18 due to the clay nature of the soil and the proximity of high water demand species;
- If there is a risk then foundation details to cater for that risk;
- A method statement (including any phased works) to demonstrate that appropriate measures will be taken to minimise disruption to their RPA'S;
- A service layout plan to ensure that no services will be installed within their RPA's.

At the time of writing the report the applicants have submitted a method statement and services layout plan. Any further comments from the Tree Officer will be addressed within the supplementary report.

Conservation Officer

Acknowledges that retaining Parkham House is a positive starting point but is concerned with the loss of the original C19th stable and its replacement with what she considers to be a poorly designed, over-scaled pair of semi-detached houses to St.

Mark's Road. Feels that that the new house designs are insufficiently thought-through and the setting of Parkham House is encroached upon by car parking which comes too close to the historic building.

Berkshire Archaeology

Advises that the applicant has established the limited potential of archaeological remains at the site and no further action is required.

Parks and Countryside Development Officer (landscape comments)

The layout of the site around the retained Parkham House has a spacious feel due to the set back of new buildings from the road with good sized front gardens. Has raised concern about the proximity of parking bays to the western elevation of Parkham and that the landscaping on plots 5 -11 hugs the corner of the plots.

The Victorian Society

In commenting on the amended application the Victorian Society have advised that they are pleased to see that the applicants now propose to retain and reuse Parkham House as part of the larger housing scheme.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key policies and guidance applying to the site are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1, CS2, CS15, CS16, CS17 of CSDPD	Consistent
Design and Historic Environment	CS1, CS7 of CSDPD, Saved policy EN20 of BFBLP Saved policy H4 of BFBLP	Consistent Not entirely consistent with the NPPF in particularly with respect to making the most efficient use of land and maximising brown field sites.
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Highways	CS23 and CS24 of CSDPD, Saved Policy M4,M6, M9 of BFBLP	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	CS14 of CSDPD Policy NRM6 of the South East Plan	Consistent
Ecology and Trees	Saved Policies EN1, EN2 and EN3 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Character Area Assessments SPD		

Thames Basin Heaths SPD Planning Obligations SPD
Other publications
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Heritage considerations
- iii. Impact on character and appearance of the area
- iv. Trees
- v. Impact on residential amenity
- vi. Transport implications
- vii. Biodiversity
- viii. Sustainability
- ix. Planning obligations
- x. Affordable Housing
- xi. Thames Basin Heaths Special Protection Area
- xii. Drainage

i. PRINCIPLE OF DEVELOPMENT

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

9.3 At the national level, the key planning policy guidance relevant to this proposal is the National Planning Policy Framework (NPPF). Chapter 6: Delivering a wide choice of high quality homes, Chapter 12: Conserving and enhancing the historic environment, Chapter 7: Requiring good design and The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems. The following Planning Policy Guidance in detail is also relevant: Conserving and enhancing the historic environment, design, flood risk and coastal change, climate change, and natural environment.

9.4 At a local level, the most relevant planning policies are those set out in the Core Strategy Development Plan Document (CSDPD) and the Bracknell Forest Borough Local Plan (BFBLP).

9.5 Policy CS1 of the CSDPD 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.

9.6 Policy CS2 of the CSDPD 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 Council does not currently have a 5 year supply of housing land, however the site is

within a defined settlement and therefore the principle for development, in relation to Policy CS2, is acceptable. Furthermore as it would involve a net addition of 12 dwellings to the stock, it would contribute to the Borough's housing requirement as a medium windfall site.

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

9.8 Policy CS16 of the CSDPD requires a range of housing types, sizes and tenures.

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

9.10 The site lies within a settlement and predominantly constitutes previously developed land due to the presence of existing buildings and areas of hardstanding across the site. The remainder of the land which forms gardens to the residential use would be defined as green field land. The proposal is considered to be acceptable in principle and in particular complies with CSDPD Policy CS1 (i) which advises that development will be permitted which makes efficient use of land, buildings and infrastructure. Under this application Parkham is proposed to be retained, with its loss forming a reason for refusal under the previous application. The remainder of the report will therefore consider whether the amended application has overcome the reasons for refusal under 14/01298/FUL and whether it raises any additional material considerations.

ii. HERITAGE CONSIDERATIONS

9.11 CSDPD Policy CS1 (ix) advises that development will be permitted which protects and enhances the historic and cultural features of acknowledged importance. CSDPD Policy CS7 (i) advises that development proposals will be permitted which build on the urban, suburban and rural local character, respecting local patterns of development and the historic environment. These policies are considered to be consistent with the NPPF.

9.12 Para. 12 9 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and necessary expertise.

9.13 The refused application 14/01298/FUL resulted in the loss of Parkham and its associated stables. Under this application Parkham is proposed to be retained but the stable building is proposed to be demolished. Parkham is a Victorian building which falls within the setting of St Marks Church, a Grade II Listed Building, located to the north of the application site. Popescroft and Littlehurst (now known as Longbourne House) a pair of Grade II Listed Buildings are to the south east boundary.

Parkham and Loss of Associated Stable building

9.14 Parkham is a handsome and well-preserved example of an Arts and Crafts mid to late nineteenth century house. It is of two to three storeys and has steeply pitched roofs with gable ends and large brick chimneys. It features red and grey brick contrasting with plain and patterned tiles. It has a strong relationship with St Marks Church by reason of its proximity and design. The building is proposed to be

retained under this application and whilst already having a lawful use for 5 flats is proposed to be refurbished. Its associated stable building is however proposed to be demolished. The Council's Conservation Officer has expressed concern at the loss of the stables and the buildings that would replace it fronting St Marks Road. The stable building whilst sharing the same design characteristics as Parkham is a building of 1 and a half stories in height situated to the west of Parkham and not forming a strong relationship with St Marks Church. In commenting on the application the Victorian Society have welcomed that Parkham is to be retained. Whilst the stable building is to be demolished it is Parkham which forms a strong visual relationship with St Marks Church and which is the most visually important building in the street scene. The loss of the stable building is considered to be acceptable.

Setting of adjacent Listed Buildings

St Marks Church, St Marks Road

9.15 Parkham forms part of the setting of the Grade II Listed St Marks Church with views of the two buildings clearly seen from outside and from within the site. Both are buildings dating from the second half of the C19th. The Council's Conservation Officer advises that Parkham is a fine quality mid-Victorian house with evident historic and architectural merit, even at the local level. Parkham appears by its close proximity, and construction date (c1860-70's) to be in the same 'family' stylistically to St Marks Church, adjacent and both drawing significance from each other being so closely located. Under the refused application 14/01298/FUL the loss of Parkham was considered to significantly harm the setting of the Listed Building and this has been addressed by retaining the building.

9.16 Plots 1-5 would back on to St Marks Church with a separation of at least 36 metres between the houses and the church. The two groups of houses (Plots 1 and 2 and 3-5) have been designed with a first floor gap of 8 metres between them so that they do not appear as a continuous built-form and whilst on higher ground to St Marks Church have been designed with a cottage style design reflecting design cues from Parkham. There would still be views from the Church through to Parkham. A mesh fence is proposed on the northern edge of the development to form a secure boundary which would be softened visually by existing and proposed landscaping. These changes to the refused application, which proposed a more continuous form of development with a 1.8m high close boarded fence on the site's northern boundary, are considered to be more sympathetic to setting of the church as a Listed Building.

Popescroft and Littlehurst, Popeswood Road

9.17 In considering the impact on the setting of the Popescroft and Littlehurst (now known as Longbourne House) the proposed development would be set at its closest point 39m from Longbourne House. Whilst two trees are proposed to be removed a dense belt of vegetation would remain on this boundary with further additional tree planting proposed. A 1.8m high close boarded fence is proposed on this boundary although in view of the vegetation to be retained to soften its impact it is not considered to harm the setting of Longbourne House as a Listed Building.

Conclusion on Heritage Matters

9.18 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects the setting of a listed building, the LPA has to have special regard to the desirability of preserving its setting. For the reasons set out above it is considered that

the proposed development does preserve the setting of both St Marks Church and Popescroft and Littlehurst (now known as Longbourne House).

9.19 It is considered that the retention of Parkham is a positive factor in achieving sustainable development at the site and whilst the loss of the stables is regrettable, in line with this para of the NPPF a balanced judgement is required. The former stable building is not considered to have the significance that Parkham – a much larger building - has in terms of the setting of St Marks Church; accordingly the loss the stables did not form part of the earlier reason for refusal. The benefit arising from the net gain of 12 dwellings associated with this application in the light of the current housing land supply position also needs to be weighed against the harm arising from the loss of the stables.

9.20 Overall the proposal is considered to have addressed the previous reason for refusal under 14/01298/FUL relating to the wholesale loss of Parkham and the impact on the setting of St Marks Church. It is therefore considered to accord with Policies CS1 and CS7 of the CSDPD, Chapter 7 of the NPPF and NPPG.

iii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.21 CSDPD Policies CS1, CS2 and CS7 and BFBLP Policy EN20 together seek to promote sympathetically designed development that respects its surroundings and subsequently does not result in any adverse impacts upon the character and appearance of the area. These policies are considered to have significant weight, as they are consistent with Chapter 7 of the NPPF.

9.22 BFBLP Policy H4 deals specifically with 'Areas of Special Housing Character'. The Policy states that residential development will be permitted only where 'it would not undermine the quality of the area as a low density development with dwellings generally set in spacious surroundings; and result in a material loss of trees, other vegetation, natural features and wildlife habitats; and in any other respect, prejudice the established residential character of the area'. Para. 5.31 of the Local Plan goes further and describes how the overall density in the Popeswood Triangle is low at approximately 9 dwellings per hectare (dph) and in recognising the vulnerability of the area, states that the Council will resist proposals which exceed a maximum density of 10dph. However, this policy is not considered to be entirely consistent with the NPPF and particularly with respect to making the most efficient use of land and maximizing brownfield sites.

9.23 The Council also has a specific 'Character Area Assessment' SPD (adopted 2010) which provides a more up to date description of the character of Popeswood Triangle. This SPD can be afforded significant weight and provides guidance to supplement Core Strategy Design Policy CS7 (noted above). (The SPD was adopted following public consultation, so can be afforded significant weight). The application site falls within 'Area B' of the Binfield and Popeswood Area. The application site is mentioned a number of times within the assessment. Parkham is noted for having a large to medium size private garden with significant trees and mature tree and shrub boundary treatments and having a strong vegetation relationship between tree cover. The recommendations for development within this area should be small scale, in the form of cottages and subservient to institutional buildings, development should keep the open character and proposals of high densities or the redevelopment of large plots, should take care to avoid the erosion of tree cover and any development should retain mature trees.

9.24 Application 14/01298/FUL was refused as the proposed development was considered to be harmful in terms of its mass and bulk, cramped layout, design of dwellings, not providing pedestrian access to front doors and not addressing the street scene of St Marks Road.

9.25 The main layout change under this application has been the retention of Parkham. This has resulted in a different layout to the houses. Plots 17 and 18 will have a positive impact on the street scene with the dwellings designed to fully address the street and to be cottage scale and subservient to Parkham from which the dwellings take design cues. Furthermore the existing landscaping with St Marks Road is proposed to be retained maintaining tree coverage. Parking for these dwellings would be included within the site and away from the street scene.

9.26 To the front of Parkham parking has been shown close to the south west elevation. Whilst it is noted that concerns have been raised regarding this aspect, when considering the whole setting to Parkham the building would be set in spacious landscaping and on balance this could not be seen as an unacceptable relationship. The remainder of parking for the flats would be to the southern boundary where there would be no impact on the street scene.

9.27 The remainder of the houses would front onto a shared access drive with a pair of semi-detached dwellings and a terrace of 3 dwellings to the northern side of the access and 3 pairs of semi-detached dwellings to the south of the access road. The dwellings to the north of the access road have been set apart visually at the first floor by 8m and designed as cottage scale dwellings to plots 1-3, with plots 4 and 5 two and a half storeys in height. The dwellings have incorporated traditional designs and reflect design cues from Parkham. Parking for each of these dwellings would be within an attached or integral garage with driveway parking to the front of each dwelling. Three visitor parking spaces are proposed on the northern side of the access road.

9.28 To the south of the access road the dwellings are set 2m apart and proposed to be two and a half storeys with pitched roofs and chimneys centrally marking the roofs. Gables are proposed within the roof with dormer windows. These dwellings have been set 12m from their closest point with Parkham and 22m from their boundary with Popeswood Road. Parking is proposed within integral garaging and on driveways.

9.29 Soft landscaping would be provided along the access road and within front and rear gardens and, with the retention of the majority of trees on site, should provide a well landscaped setting in compliance with the recommendations within the Character Area Assessments SPD. Boundary treatments have been proposed which will achieve privacy to private garden areas with 1.8 metre high close boarded fences and within public areas of the site hedging with fencing behind is proposed with the boundary to Popeswood Road to be marked by an open parkland style fence.

9.30 The layout provides a footpath through the development providing a link from Popeswood Road through to St Marks Road. Amended plans received now show a footpath along the front of St Marks Road which will enable access along the eastern side of St Marks Road.

9.31 Overall, it is considered that the amended scheme has addressed the previous reason for refusal under 14/01298/FUL by providing a more spacious scheme which would be appropriate to the character of the area which would fully address the street scene and maintain a high level of tree coverage. It is therefore considered to accord with Policy CS7 of the CSDPD, Saved Policy EN20 of the BFBLP, Area B of the Bracknell Forest Character Area Assessments SPD and the NPPF.

iv. TREES

9.32 Saved Policy EN1 of the BFLP 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.

9.33 The application site is subject to an area Tree Preservation Order. The Council's Tree Officer has advised that the number of trees to be removed is modest and accordingly the adverse impact on the landscape is minimal.

9.34 The original plans showed plots 17 and 18 in close proximity to 3 oak trees along the front boundary of the site trees T70, G13 and G12. The Council's Tree Officer advised that the relationship was not acceptable to ensure the retention of these trees, which will grow and dominate the space to the front if the dwellings.

9.35 The plans have been amended to set the units back a further 1.5 metres. The Tree Officer still has concerns that the trees will grow and dominate the space in front of these houses. As Oak trees they are capable of substantial growth so that regular maintenance pruning will be necessary to maintain an acceptable relationship between their branch structures and the proposed elevations of the two buildings. It is considered that a condition should be applied to require a management plan to secure the maintenance of these trees and whilst the Tree Officer's concerns are understood, with the changes that have been made to the design of the houses it is considered that this relationship is acceptable. To protect the trees the Tree Officer recommends imposing conditions covering:-

- An investigation into the potential for subsidence to units 17 and 18 due to the clay nature of the soil and the proximity of high water demand species;
- If there is a risk identified then foundation details to cater for that risk;
- A method statement (including any phased works) to demonstrate that appropriate measures will be taken to minimise disruptions to the RPAs;
- A service layout plan to ensure that no services will be installed within their RPAs.

9.36 Overall in view of the fact that the remainder of the trees on the site will be retained and protected as part of the development (to be secured by planning conditions) it is considered the site would retain a high level of tree cover in line with the recommendations of the Character Area Assessment SPD. Further planting has also been shown on proposed landscaping plans which can be secured by a condition.

v. RESIDENTIAL AMENITY

9.37 BFBLP Policy EN20 (vii) seeks to protect the amenity of surrounding properties. The Policy requires the Council to have regard to ensuring new development does not adversely affect the amenity of surrounding properties and adjoining area. This is consistent with the NPPF.

Impact upon existing properties

9.38 Proposed houses on plots 6-11 would be set at a first floor height at least 42m from the side of Longbourne House and 26m from the side of Goodrich House to the south. It is noted that secondary side windows are present in the side of Goodrich House however given these distances and existing screening provided by existing vegetation and proposed planting it is not considered that any unacceptable impacts would result in terms of loss of privacy or of light or overbearing impacts.

9.39 No.4 Sampson Park would be situated at least 30m at a first floor height from plot 11 and 40m from the side of Parkham which is as existing. An impact on their amenity is not considered to occur.

9.40 Apple Pie house within Sampson Park would be situated at least 25m from the side of plot 18 thereby ensuring a significant adverse impact on their amenity would not occur.

Impact upon residential amenity of future occupants of the development

9.41 The proposed houses and flats have been designed to achieve suitable privacy, outlook and daylight. Flat 13 in Parkham would have a ground floor bedroom window overlooking the parking for the flats. A condition is recommended to be imposed so that, given this siting relationship, the occupant overlooks his/her parking space.

9.42 In view of the above the development is considered to result in an acceptable impact on the amenity of neighbouring dwellings and for future occupiers and complies with BFBLP Policy EN20 and the NPPF.

vi. TRANSPORT IMPLICATIONS

9.43 CSDPD Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off road parking provisions, thus avoiding highway safety implications. BFBLP Policy M9 seeks to ensure that new development has sufficient car parking. BFBLP Policy M6 seeks to provide pedestrian routes which are direct, convenient, safe and attractive and BFBLP Policy M4 seeks highway measures in association with new development. These policies are consistent with the objectives of the NPPF. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings (The SPD was adopted following public consultation, so can be afforded significant weight). For a 2/3 bedroom house the standard would be 2 parking spaces and for a 2/3 bedroom flat the standard would be 2 spaces per unit including communal parking. The visitor parking standard would be 1 parking space per 5 units. 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.

Access

9.44 The application site would take its access off St Marks Road, a local distributor road (classified C road) which is subject to a 30 mph speed limit. The existing vehicular crossover (drop kerb) is to be replaced with a new bell-mouth junction which will incorporate a 4.8m wide carriageway and 6m junction radii which is considered to be acceptable. Short lengths of 2 metre wide footways are to be provided around the bell-mouth leading to a 4.8 metre wide shared surface for vehicles and pedestrians within the new residential estate.

9.45 The proposed bell mouth junction is located approximately 16 metres from the existing access to Popes Meadow on the western side of St Marks Road which is considered acceptable and visibility splays of 2.4 metres by 65 metres are proposed in either direction which would comply with the speed survey results submitted with the application.

9.46 Application 14/01298/FUL was refused on the grounds that the development did not provide pedestrian permeability and direct pedestrian access outside the site.

9.47 The plans have been amended under this application to show a 1.2 metre wide footway to the south of the bellmouth along the eastern side of St Marks Road. The Local Highway Authority have advised that this is considered acceptable due to the constraint of existing trees. These details can be secured by a condition. A tactile crossing point is shown at the end of the footway with Sampson Park. These details will enable pedestrian access to the existing bus stops along both the western and eastern sides of St Marks Road.

9.48 There is an existing vehicular access onto Popeswood Road, a classified (C) road, which is subject to a 30mph speed limit. This vehicular access is to be removed and replaced with a pedestrian route between the site and Popeswood Road. The removal of this vehicular access is recommended to be secured by a planning condition for highway safety.

9.49 In view of the above, pedestrian permeability would be provided through the site, from Popeswood Road to St Marks Road, and outside the site providing access to bus stops on both sides of St Marks Road. This is considered to overcome the previous reason for refusal on 14/01298/FUL.

Parking Requirements

9.50 Plots 1 to 11 are proposed to have integral or attached garaging with a driveway parking space in front. The garages parking can be secured by a condition to ensure vehicular parking at all times. The driveway for plot 2 is less than 6m and in relation to plots 10 and 11 there is a lip for access to the parking spaces which would provide turning space in the development. A condition is therefore proposed to require a roller shutter garage door to these units.

9.51 The flats are provided with 2 open parking spaces each, a total of 10 spaces which complies with the parking standards for the 2 bed flats. Two parking spaces are to be provided for plots 17 and 18 in a rear parking courtyard with rear pedestrian access.

9.52 3 visitor parking spaces are proposed opposite plots 8 and 9. This complies with the parking standards.

9.53 Cycle parking would be available within the integral garages and each of the houses has a rear access which would allow for cycle and bin storage to the rear.

9.54 A cycle store is to be provided for the apartments within the parking courtyard as is a communal bin store which would be 20 metres from the internal access road. A refuse vehicle could enter the site as demonstrated by the vehicle tracking and the Local Highway Authority has advised that it is intended for the access road to be adopted as public highway.

Site Layout

9.55 The site is proposed to have a 4.8 metre wide shared surface and be bounded on both sides by a 2 metre wide service margin. A turning area is being provided within the site. The layout has been designed to accommodate a large refuse vehicle (11.4 metres) and a tracking plan has been provided to demonstrate this. Under refused application 14/01298/FUL this had not been demonstrated and this has overcome the previous reason for refusal.

Trips

9.56 The Transport Statement submitted with the application notes that the proposal would give rise to an additional 80 trips over the course of a typical day. This is based on a net increase of 12 units (18 proposed minus 6 existing units) and has not been disputed by the Local Highway Authority.

9.57 In view of the above it is considered that the previous reasons for refusal relating to pedestrian permeability and vehicles turning within the site have been addressed. The development is considered to be acceptable subject to conditions and a Section 106 Legal Agreement to secure that the footpath and road through the site is adopted and accordingly complies with CSDPD Policies CS23 and CS24 and Saved BFBLP policies M4 and M9 and the NPPF.

vii. BIODIVERSITY

9.58 CSDPD Policy CS1 seeks to protect and enhance the quality of natural resources including biodiversity. CSDPD Policy CS7 also requires the design of new development to enhance and promote biodiversity. These policies are consistent with the NPPF and can be afforded full weight.

9.59 The information submitted with the application has been considered by the Council's Ecologist. The ecology report confirms that Parkham is used as a roost by Common Pipistrelle bats. The applicants have previously gained a license from Natural England for the works to Parkham to advise how the works can be carried out whilst considering the bat roost. Bat and bird boxes are proposed on the site which can be secured by a planning condition.

9.60 The Council's Ecologist has advised that a condition regarding the bird nesting season should be applied and that any boundary treatment with Popeswood Road should allow the free flow of wildlife. Originally a mesh fence was proposed in this location although the applicants have amended the boundary treatment to a parkland style fence.

9.61 In view of the above it is considered that the development accords with Core Strategy Policies CS1 and CS7 and the NPPF.

viii. SUSTAINABILITY

9.62 Core Strategy Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards. Previously this was achieved by Code for Sustainable Homes Level 3 however the government has withdrawn the code for sustainable homes. To comply with the policy a sustainability statement should be provided in accordance with the requirements set out in the Sustainable Resource Supplementary Planning Document (October 2008).

A sustainability statement should address the following:-

- Energy and Carbon Dioxide;
- Water;
- Materials;
- Surface water runoff;
- Waste;
- Pollution;
- Health and wellbeing;
- Management; and

-Ecology

9.63 A sustainability statement has not been submitted with the application and it is considered that this could be required by an appropriate planning condition.

9.64 Core Strategy Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. The applicant has provided an Energy Demand Assessment demonstrating that the notional carbon levels will be reduced by 10% through passive design however on top of this the 20% energy demand offset cannot be met. The applicant states that Air Source Heat Pumps could be replaced by future owner/occupiers however this is not considered to form a robust argument and therefore the reasoning given has not been accepted. A condition can be applied to require further details.

ix. PLANNING OBLIGATIONS

9.65 The application should comply with guidance in:-

- o Planning Obligations SPD, this came into effect (with CIL) on 6 April.
- o TBHSPA Avoidance and Mitigation SPD.

9.66 This application is for CIL chargeable development. It lies within the Northern Parishes CIL Charging Zone and a CIL liability notice would be served upon any grant of planning permission.

9.67 Matters to be secured by S106 Agreement now comprise:-

- Thames Basins Heath Special Protection Area (SPA) mitigation (see section xi) below).
- Provision to secure the adoption of the estate road and footpath to ensure the pedestrian route through the site.

x. AFFORDABLE HOUSING

9.68 CSDPD Policies CS16 and CS17, BFBLP Policy H8, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive in 29 March 2011 seek to provide affordable housing when a scheme provides 15 or more net additional dwellings on a site. As the proposal represents a net gain of 12 dwellings there is no requirement to provide affordable housing. However as the scheme falls below the affordable housing threshold a higher rate of CIL will be charged.

xi. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

9.69 SEP Policy NRM6, CSDPD Policy CS14 and the Thames Basin Heaths Avoidance and Mitigation Supplementary Planning Document (The SPD was adopted following public consultation, so can be afforded significant weight) seek to ensure that the development will not adversely affect the integrity of the Thames Basin Heaths SPA.

9.70 The Council, in consultation with Natural England (NE), has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have

a significant effect on the SPA, either alone or in-combination with other plans or projects.

9.71 This site is located approximately 4.1 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.72 Therefore, a Habitats Regulations 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 SPA. The development will result in a net increase of 13 X 3 bedroom dwellings replacing a single 1 bedroom dwelling. The level of SANG payment would be £26,052.

9.73 The enhancement of open space works at The Cut Countryside Corridor SANG is the most appropriate project to mitigate this proposal (although it may be necessary to allocate the contribution to another SANG).

9.74 An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2

9.75 The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

9.76 The level of contributions is calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1. The application for this development is for 13 X 3 bedroom dwellings replacing a single 1 bedroom dwelling for which the level of SAMM payment is £8, 532.

9.77 In summary, the total SPA related financial contribution applied through a section 106 agreement for this proposal is £34, 584 (i.e. £26,052+£8,532). CIL contributions, where relevant, will be applied separately.

9.78 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). Without any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.79 Provided that the applicant is prepared to make a financial contribution (see paragraph 3. above) towards the costs of SPA avoidance and mitigation measures, the application will accord with the SPA mitigation requirements as set out in the relevant policies above.

9.80 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, and permission may be granted.

xii. DRAINAGE

9.81 The Planning Practice Guidance 'Flood Risk and Coastal Change' as amended 15/04/2015 advises under para. 079 that when considering major development, as defined under the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

9.82 This is a major application and at the time of writing the report an acceptable SuDS proposal has not been submitted. The matter will be addressed within the supplementary report.

10. CONCLUSION

9.83 The application site is located within the defined settlement boundary, close to services and public transport routes. The development now retains the non-designated heritage asset 'Parkham' and it is considered that it would preserve the setting of the adjacent statutory listed buildings, St Marks Church, Popescroft and Littlehurst (now known as Longbourne House). Whilst it is acknowledged that the Council's Conservation Officer has raised concern regarding the loss of the associated stable building, the Victorian Society has not objected to the application. It is not considered the significance of the asset is great enough to retain it.

9.84 The proposal would not harm the character or amenity of area Area B of the Binfield and Popeswood Area Character Area, the amenities of neighbouring residents or the bio-diversity value of the site. The application would not result in any highway safety concerns and provides parking in line with the council's adopted parking standards. The applicants have now shown a pavement to the eastern side of St Marks Road which will allow pedestrian permeability through and outside the site. Whilst units 17 and 18 would be located in close proximity to protected trees subject to appropriate conditions it is considered the trees can be retained and protected.

9.85 The proposal is therefore considered to have addressed the previous reasons for refusal under 14/01298/FUL and does not give rise to any other reasons why it should be refused. The application is considered to be acceptable and in conformity with relevant development plan policies and the NPPF.

11. RECOMMENDATION

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

01. Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).
02. Provision to secure the adoption of the estate road and footpath to ensure the pedestrian route through the site.

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 and documents:-

22990-SL01
22990 - CSL-01-REV B
2990-SL-500B+W REV E
22990 - SEP -10-REV B
22990-SE01 -REV A
22990-CBS-01
22990-APP_01
22990-APP-02
22990-APP_03
22990-APP-04A
22990-APP-05A
22990-HT-A-01-REV A
22990-HT-A-02A-REV B
22990-HT-A-03A- REV B
22990-HT-B-01- REV A
22990-HT-B-02A-A
22990-HT-C-01
22990-HT-C-02A
22990-HT-C-03A
22990-HT-D-01
22990-HT-D-02A
22990-HT-D-03A
22990-HT-E-01-REV B
22990 HT-E-02A REV A
22990-VT-01-B
22990-SK01
MILL 19920-03 REV D
PKH-902-REV P5
PKH-903-REV P3
PKH-906-REV P4
PKH-908-REV P3
MILL-19920-11 REV A
666156-DWG-SBU-105 REV T2
666156/102 REV T4

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 showing the finished floor levels of the dwellings, garages, bin stores and the levels of the roads 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]

05. The development hereby approved shall be strictly in accordance with soft landscaping plan MILL-19920-11 REV A and the post planting maintenance schedule submitted with the application. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the above details, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. 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, unless the Local Planning Authority gives written consent to any variation.

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

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

06. The development shall not be begun 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]

07. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20% unless otherwise agreed in writing by the Local Planning Authority).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

08. 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]

09. 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 in writing by the Local Planning Authority. Any such study will have to be complied with during construction.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP CS1, CS7]

10. All ecological measures and/or works shall be carried out in accordance with the details contained in the report produced by AA Environmental Limited (ref: 143237/JDT) dated 8 May 2015 and separate letter produced by AA Environmental (ref:143237/ARB) dated 1 July 2015. The biodiversity enhancements to include bird and bat boxes shall be implemented prior to the occupation of the development and shall be retained therein.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

11. The development shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans [drawing 22990-SEP-1--A).

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

12. The development shall not be occupied until a means of access for pedestrians has been constructed in accordance with dwg 22990-SL-500-B+W-E dated April 2015.

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

[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

13. No development shall take place until all the visibility splays shown on the approved drawing 22990-CSL-500-B+W-D have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

14. The dwelling(s) 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]

15. The development shall not be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing 22990-CSL-500-B+W-D .The spaces shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

16. The garage door for the houses on Plots 2, 10 and 11 shall be of a roller shutter design. Any replacement or repair shall only be with a roller shutter type garage door.

REASON: To ensure that the garage is still accessible while a car is parked to the front of the property avoiding inappropriately parked cars within the communal reversing/turning area.

[Relevant Policy: BFBLP M9]

17. The development shall not be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing 22990-CBS-01 and site plan 2990-SL-500B+W REV D.

REASON: In order to ensure bicycle facilities are provided.

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

18. 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]

19. The development shall be constructed strictly in accordance with the Site Welfare and Traffic Management Plan Dwg PKH-903 P3 dated 20 July 2015 and Method of Construction Statement (Revision A, dated 21st July 2015).

REASON: In the interests of amenity and road safety.

[Relevant Policies: Core Strategy DPD CS23]

20. The development shall not be occupied until a 1.2 metre wide footway has been constructed on the eastern side of St Marks Road between the site access and Sampson Park to include a tactile crossing point at Sampson Park, in accordance dwg SEP-10 B dated May 2015.

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

[Relevant Policy: BFBLP M6]

21. No dwelling shall be occupied until the boundary treatments shown on dwg PKH-908 P3 dated 20 July 2015 have been implemented in full.

REASON: In the interests of the visual amenities of the area and to protect privacy.

[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]

22. Prior to the commencement of the development hereby approved an investigation into the potential for subsidence to units 17 and 18 shall be submitted to and approved in writing by the Local Planning Authority. If the investigation advises that there is a risk of subsidence to those units the foundation details shall be designed to cater for that risk and full details shall be submitted with the investigation. The agreed details shall be complied with in full within the development.

REASON: Due to the close proximity of oak trees to units 17 and 18.

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

23. The development shall be constructed in compliance with the Arboricultural Impact Assessment and Method Statement produced by ACD Arboriculture dated 20 August 2015 and associated tree protection plan MILL19920-03D.

REASON: To ensure the protection of trees on the site.

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

24. The services to the site shall be laid out in compliance with dwg PKH-902 P5.
REASON: To ensure the protection of trees on the site.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

25. Prior to the occupation of the flats a site plan shall be submitted showing how the parking will be allocated to the flatted building. The parking shall be allocated in accordance with the approved plan and thereafter retained in accordance with the plan.
REASON: To ensure that flat 13 receives suitable privacy.
[Relevant Policies: BFBLP EN20, CSDPD CS7]

26. Prior to the occupation of units 17 and 18 a management plan shall be submitted to and approved in writing with the Local Planning Authority to consider the maintenance of the protected oak trees situated to the western (front) boundary of these plots. The approved management plan shall be observed, performed and complied with.
REASON: To ensure the retention of the protected oak trees and amenity of units 17 and 18.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity.
[Relevant Policies: BFBLP EN15, EN20 and EN25]

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:
1, 2, 5, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24,
03. The applicant is advised that the following conditions require discharging prior to commencement of construction works:
3, 4, 6, 7, 9, 22,
04. The following conditions require discharge prior to the occupation of the dwellings hereby approved:
25, 26

In the event of the S106 planning obligation(s) not being completed by 17th November 2015 the Head of Planning 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