

Unrestricted Report

ITEM NO:

Application No.
15/00082/FUL

Ward:

Little Sandhurst And
Wellington

Date Registered:

9 February 2015

Target Decision Date:

6 April 2015

Site Address:

92 High Street Sandhurst Berkshire GU47 8EE

Proposal:

Erection of 3no two-storey terraced houses and a three-storey building containing 6no flats provision of vehicle parking and circulation areas; cycle and bin storage, private gardens and communal amenity space following the demolition of existing buildings.

Applicant:

Mr A Shenton, Mr P Shenton & Mrs A Simpson

Agent:

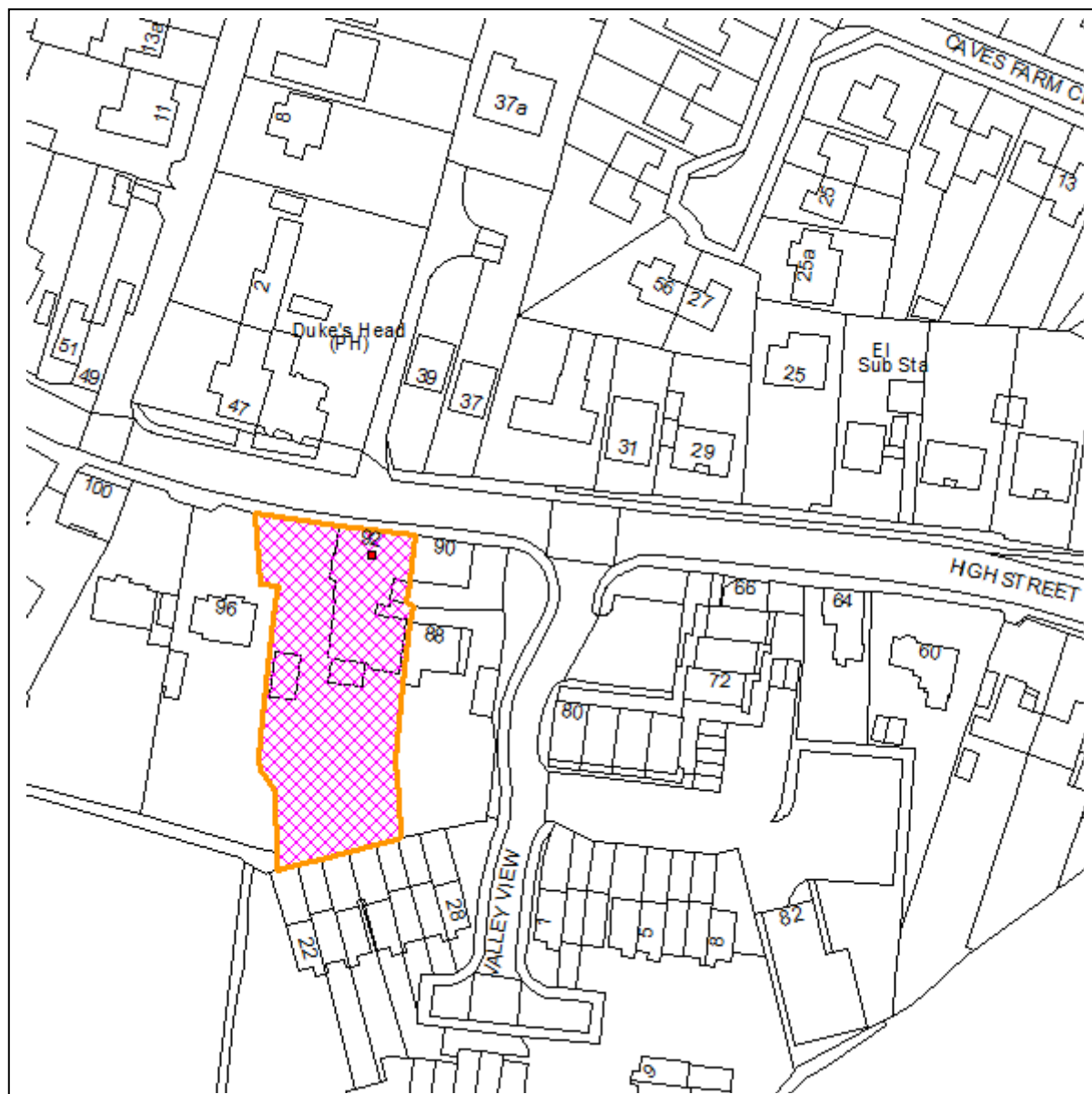
Mr Jim Bailey

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 The proposal is for the erection of 3no two-storey terraced houses comprising 3 bedrooms each (plots 7, 8 and 9) and a three-storey building containing 6no flats comprising 3no. 1 bedroom flats and 3no. 2 bedroom flats.

1.2 The proposal would not adversely impact upon the residential amenities of neighbouring properties or the living conditions of future occupiers. The number of units, design and layout would not be harmful to the character and appearance of the area and overall the development would integrate well into the surrounding area.

1.3 No adverse highway implications would result from the proposal subject to conditions and further conditions are recommended in relation to trees, biodiversity and sustainability. SPA mitigation will be secured.

RECOMMENDATION
Planning permission be granted subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.

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
Land within defined settlement
Within a local parade – Old Mills Parade, High Street, Sandhurst
Within 5km buffer of the Thames Basin Heath Special Protection Area

3.1 92 High Street is located to the south of High Street. It comprises a brick built two storey building facing onto the highway with an existing retail unit at ground floor level and residential accommodation above. To the rear is a single storey brick built element which contains a further retail use of a dress shop. To the rear of this is a white clad single storey building and there is a detached outbuilding along the western boundary. The remainder of the site is laid to hard surfacing. Site levels slope gently from the highway southwards down into the site.

3.2 There are residential dwellings to the north and to the south of the site is Valley View, a collection of terraced properties. To the east, is 88 High Street, a detached two storey, white rendered dwelling. To the front of 88 High Street is a further building – no. 90 High Street which adjoins 92 High Street and contains an accountants at ground floor level and residential accommodation above. This building is white washed with flat roofed dormers on the front elevation facing onto High Street. 96 High Street, a detached two storey, white rendered dwelling with hipped roof is to the west of the site.

4. SITE HISTORY

00/00631/FUL - Erection of 4 no. two bedroomed houses. Refused February 2001.

621946 - Retrospective application for change of use from office to residential. Approved January 1996.

617018 – Erection of a store. Approved November 1991.

614489 - O/L Application for erection of detached bungalow with garage and formation of access road adjacent to No.92 High Street. Refused February 1989.

610744 - Demolition of existing building at rear and erection of two storey building forming offices. Approved September 1986.

604174 - O/L Application for erection of bungalow. Refused May 1979.

10686 - O/L Application for demolition of existing buildings and erection of four shops and 4 flats. Refused July 1965.

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 3no two-storey terraced houses and a three-storey building containing 6no flats provision of vehicle parking and circulation areas; cycle and bin storage, private gardens and communal amenity space following the demolition of existing buildings.

5.2 The flatted development containing 6 flats - 3no. 1 bedroom units and 3no. 2 bedroom units (plots 1-6) would be located to the south of High Street, set back 0.5m from the footpath.

5.3 A communal entrance into the building would be on the western elevation along with an entrance to the communal bike store. Community amenity space would be provided for the flatted development.

5.4 The 3no. terraced dwellings (plots 7, 8 and 9) would be located to the south of the flatted development. They would be 16m wide x 8.5m deep with an eaves height of 5.4m and ridge height of 10.2m.

5.5 The 3no. dwellings would benefit from rear gardens ranging in depth between 9m and 11m, backing onto the southern boundary of the application site. 2no. parking spaces are proposed to the north of the dwellings, along with a further 3no. parking spaces to the west of the dwellings and further parking to the north-west.

5.6 A bin store is proposed to the west of the flatted development, set back approximately 4m from the footpath. The proposed bin store would be 3.2m wide x 3.2m deep with a ridge height of 3.4m.

5.7 The scheme has been amended during the course of its determination to address issues including design, highway matters and biodiversity.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Made the following observations:

no objection but request that plans be amended to include:

- i) a flat roof over the bin/cycle store
- ii) obscure glass on the first floor landing of the flats

iii) some form of noise attenuation for the eight parking spaces in front of No. 96 and the two in front of No. 88

Other representations

6.2 4no. letters of objection received which raise the following:

- Loss of privacy
- Overlooking
- Noise and disturbance due to parking spaces proposed
- Vehicles displaced onto Valley View if not enough parking provided
- Loss of retail units – a retail use could be incorporated into any new build to retain businesses
- Bin/cycle store will cause smells/overshadowing/loss of daylight
- Responsibility of boundary fence between application site and no. 96 High Street
- Tree plotted incorrectly in garden of no. 96 High Street
- Proximity of plots 7-9 to boundary with 88 High Street
- Proximity of parking spaces to boundary with 88 High Street would result in petrol fumes from cars and oil smells
- Plots 7-9 do not follow building line of the area

7. SUMMARY OF CONSULTATION RESPONSES

Highways:

An objection was originally raised relating to access and on site parking and its layout. Revised plans were received and therefore no objection subject to conditions.

Biodiversity:

An out of date ecological survey was first submitted with the application which was unacceptable. Following receipt of an updated ecological survey, no objection, subject to conditions.

Environmental Health:

No objection subject to conditions

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
Residential	CS15 and CS16 of CSDPD	Consistent
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Noise	Saved Policies EN20 and EN25 of BFBLP	Consistent
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.
Transport	CS23 and CS24 of CSDPD	Consistent
Energy Sustainability	CS10 & CS12 of CSDPD	Consistent

SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Economic/retail development	Saved policy E11 of BFBLP, CS21 of the CSDPD	E11 not entirely consistent as local parades not included in definition of a centre CS21 consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
DCLG 2012 based household projections published February 2015 (table 406)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Housing
- iii. Impact on character and appearance of surrounding area
- iv. Impact on residential amenity
- v. Impact on highway safety
- vi. Trees
- vii. Biodiversity
- viii. Thames Basin Heath SPA
- ix. Community Infrastructure Levy (CIL)
- x. Sustainability

i. PRINCIPLE OF DEVELOPMENT

9.2 The site is located within the settlement boundary where the principle of development is acceptable subject to no adverse impact upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

9.3 The application site comprises previously developed land (brownfield land) in the defined settlement. The Core Planning Principles contained in paragraph 17 of the NPPF include encouraging the effective use of land by reusing land that has been previously developed, providing it is not of high environmental value. NPPF Annex 2 sets out the definition of 'Previously Developed Land' as follows (PDL): It is described as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. CS1 of the CSDPD also refers to the efficient use of land. The site is not considered to be of high environmental value and therefore the proposal would be acceptable in principle.

9.4 The application site is located within the defined settlement and is within the western part of the Old Mills Shopping Parade in Sandhurst (a defined local parade). Number 92 High

Street is currently occupied by The Knob Shop that sells door knobs and work tops. It would result in the loss of an A1 retail unit in a local parade. BFBLP 'saved' policy E11 states that the loss of shops will only be permitted where it would result in a change of use to A2 or A3, would not adversely affect the standard of local retail provision and would not adversely affect the amenities of neighbouring residents. CSDPD policy CS21 states that the loss of retail units that perform an important community role will only be allowed in exceptional circumstances. Whilst the protection of local shops that serve the local community is consistent with the NPPF in particular para. 70 (bullet 2), Annex 2 excludes local parades from the definition of centres. BFBLP policy E11 is not entirely consistent with the NPPF. Therefore, not only is the policy 'out of date' but the weight that can be attached to it, is also reduced.

9.5 Previous annual retail surveys indicate that the retail unit has been occupied by The Knob Shop for at least the last 9 years. In terms of local retail provision, the existing form of retail use is not considered to perform an important community role such as that of a post office, a chemist or a pub. The current retail uses of unit 92 is of a specialised nature and likely to draw customers from a wide area. Furthermore, number 92 is at the western extreme of the Local Parade, with a gap between the unit and the main cluster of shops in the local centre, therefore the introduction of a different use would not disrupt the retail frontage.

9.6 On balance, this retail unit cannot be considered to fulfil an important community role, and therefore the proposed loss does not result in a conflict with policy CS21 of the CSDPD or the NPPF. In economic terms, it would result in the loss of a retail unit that could potentially be occupied by a business, this needs to be viewed alongside jobs that would be created during the construction of the development and the potential spending power of future occupiers of the dwellings in the local economy.

ii. HOUSING

9.7 The proposal involves a net gain of 9 dwellings. In terms of the Council's housing provision, the proposal constitutes a small windfall site and (if approved and built) would contribute to the achievement of the "small" sites allowance and overall supply of housing.

9.8 The proposal would also add to the range of type and size of housing provided in that it involves a mix of terraced houses and flats providing accommodation for small and medium sized households.

iii. IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

9.9 The flatted development on plots 1 to 6 would sit on a similar footprint to the existing building on site and would not extend beyond the footprint of adjoining dwellings at nos. 88 and 96 High Street. The flatted development would be set back 0.5m from the adjoining building at no. 90 High Street to provide a small area of soft landscaping between the footpath and the frontage of the building, enclosed by railings. A front door is proposed in the front elevation of the flatted development facing onto High Street. This would create an active frontage facing onto High Street and would integrate well into the street scene.

9.10 The proposed 3no. dwellings on plots 7 to 9 would be located to the south of the flatted development, forming a row of terraces, constituting backland development and would be set some 43m from the front boundary of the site. Due to the set back of the 3no. terraced dwellings, they would not appear so readily prominent in the street scene. There is no predominant pattern of development in the local area. Backland development is apparent in the surrounding area, including 4no. detached dwellings at Pinewood Close to the west and 2no. detached dwellings located to the rear of 112 High Street to the west. Further, land to

the south-east/south of the application site has been developed for housing at Valley View so backland development is evident in the immediate area. As such, the proposal would fit with the existing urban grain of the area.

9.11 The flatted development facing onto High Street would comprise a gable end on the western elevation with 2no. flat roofed dormer windows at second floor level and include architectural features of window ledges and soldier courses above the proposed fenestration. The front elevation of the building would reflect design characteristics of the existing building and the adjoining building at no. 90 High Street which includes flat roofed dormer windows at second floor level. The proposed development would be set back 0.5m from the front elevation of no. 90 High Street, with the eaves of the roof approximately 0.3m above the eaves of no. 90, but the ridge height of the roof set slightly lower than that of no. 90. However, the eaves of the existing building sit at a similar level above the eaves of no. 90 currently and therefore the front elevation of the flatted development would assimilate well with the adjoining building in respect of its design and external appearance. The plans as originally submitted included a parapet on the front elevation of the flatted development facing onto High Street, creating a bulky, formal front elevation out of keeping in the street scene. The amended design has simplified the front elevation of the building so that it would assimilate well with adjoining buildings and would be more in keeping with the existing built form in the area.

9.12 The 3no. dwellings would be gable ended on the flank elevations and would include architectural features of soldier courses above the proposed fenestration to add design interest. The surrounding area is characterised by a mix of styles of dwellings including hipped roofs and gable ends. In view of the non-uniform design of dwellings in the surrounding area, the proposed 3no. dwellings would be acceptable in design.

9.13 The proposed bin store would be set 4m from the back edge of the footpath. In view of its modest size and height, it would not appear unduly prominent in the street scene. There is sufficient space to the north of the store to undertake landscaping to provide further screening to the proposed bin store and details of landscaping will be secured by condition.

9.14 The internal street scene within the development would comprise the access road, with parking and the turning head in front of the proposed row of terraced dwellings on plots 7-9. A communal garden area is proposed to the south of the flatted development, along with further strips of landscaping to the side of the flats and surrounding the proposed bin store. Whilst there would be a large amount of hard surfacing internally within the development, there would be areas of soft landscaping to soften the hard surfacing, with communal garden space for the flatted development and the row of terraces being afforded rear gardens of a proportionate size. Planning conditions in relation to landscaping and boundary treatments will be imposed.

9.15 It is considered that the number of units, design and layout would not be harmful to the character and appearance of the area and overall the development would integrate well into the surrounding area. As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policies CS1, CS2, CS7 of CSDPD and the NPPF.

iv. RESIDENTIAL AMENITY

37 and 39 High Street

9.16 The proposed flatted development would be located in excess of 25m from the front elevation of no. 37 High Street and in excess of 30m from the front elevation of no. 39 High Street to the north. The front elevation of the building would not appear dissimilar to that of the existing building in relation to external finish, however would comprise 2no. flat roofed

dormer windows in the roof of the building. It is not considered that the flatted development would appear unduly prominent to the detriment of nos. 37 and 39 High Street. Further, in view of the separation distances between the flatted development and nos. 37 and 39 and the front to front relationship, the flatted development would not result in undue overlooking and loss of privacy to the front gardens and front elevations of nos. 37 and 39 High Street.

45 High Street

9.17 The proposed flatted development would be located in excess of 15m from the front elevation of 45 High Street – the former Dukes Head PH which has recently been converted into a dwellinghouse. No. 45 is located to the north-west of the application site and therefore the windows proposed in the north and west elevations would not result in direct overlooking to no. 45 to result in undue overlooking and loss of privacy. Further, given the separation distances between the flatted development and no. 45, the development would not appear overbearing or unduly prominent to no. 45.

9.18 The proposed row of terraces at plots 7-9 would be located in excess of 60m from the front elevation of no. 45 and would therefore not adversely affect the residential amenities of no. 45 through overlooking or visual prominence.

9.19 The proposed bin store would be located some 15m from the front elevation of no. 45. In view of this separation distance, the proposed height of the bin store of 3.4m and that planting is proposed in front of it facing onto High Street, it would not appear obtrusive to no. 45.

88 High Street

9.20 The flatted development would be set approximately 2.5m from the front elevation of no. 88 at the closest point. There would be an increase in the bulk and massing of the eastern elevation of the flatted development visible from the front elevation of no. 88 High Street, however this would not be considered to appear so unduly overbearing to the detriment of no. 88. The visual prominence of the eastern elevation would be further mitigated by the roof hipping away from the boundary with no. 88. There is a small gravel area in front of no. 88 from where the flatted development would also be visible from, however this is not private amenity area, located alongside a parking area serving no. 90 High Street. Loss of daylight to front facing windows would not be so adverse as to warrant refusal of the application.

9.21 Plots 7 to 9 would be set approximately 6m from the rear elevation of no. 88 at the closest point and set approximately 1m from the boundary with no. 88. Lane levels slope from north to south to the rear of nos. 88 and 92 High Street.

9.22 The front elevations of plots 7 to 9 are orientated away from the boundary with no. 88. The window closest to the boundary with no. 88 at first floor level serves a bathroom and it is therefore recommended this window be obscure glazed and fixed shut to ensure no overlooking results to the rear elevation and rear garden of no. 88. Remaining front facing first floor windows in plots 7-9 would face into the application site and not have direct views into the rear garden of no. 88.

9.23 2no. parking spaces are proposed close to the eastern boundary with no. 88, however these would not result in undue noise and disturbance to no. 88.

90 High Street

9.24 The rear elevation of no. 90 adjoins onto the rear elevation of no. 92. The ground floor of no. 90 is put to a commercial use and the first and second floors of the building comprise residential accommodation. There would be an increase in the bulk and massing of the eastern elevation of the flatted development visible from the rear elevation of no. 90,

however given the residential accommodation is located on the first and second floors of the building, the increase would not appear so unduly overbearing to the occupiers of the flats. Further, any loss of daylight to existing rear facing windows at first and second floor level serving the residential accommodation would not be so adverse to the detriment of the owners/occupiers as to warrant refusal of the application.

9.25 The dwellings proposed at plots 7-9 would be sited in excess of 29m from the rear elevation of no. 90 and would therefore not adversely affect the residential amenities of the flats through visual prominence, overlooking, etc.

9.26 4no. windows are proposed in the eastern elevation at ground and first floor level – 2no. windows would serve communal hallways and 2no. windows would serve bathrooms. These windows would be conditioned to be obscure glazed and fixed shut with the exception of top opening fanlights in the interests of the amenities of nos. 88 and 90 High Street.

9.27 1no. rooflight is proposed in the eastern elevation. Due to the siting of this window directly facing onto the flank wall of no. 88 High Street, it would not result in overlooking to no. 88.

96 High Street

9.28 The proposed flatted development would be located between 12-14m from the boundary with no. 96 High Street to the west with 14-15m separation distance the western elevation of the development and the flank wall of no. 96 at the closest point. Due to the separation distances between the proposed flatted development and no. 96, along with the siting of the building in relation to no. 96, it would not appear unduly overbearing to the detriment of no. 96.

9.29 In relation to whether overlooking would result to no. 96 from windows proposed in the western elevation of the flatted development at ground, first and second floor levels, these windows would look out on the flank wall of no. 96 and over the front garden of no. 96 and be set 14-15m from the flank wall of no. 96. Whilst there would be views over the front garden of no. 96, given this is not the most useable garden area of the dwelling, the proposal in terms of privacy would not result in harm to the living conditions of the owner/occupier of no. 96. There is 1no. existing window at ground floor level in the flank wall of no. 96

9.30 The proposed 3no. terraced dwellings would be located approximately 17m from the rear elevation of no. 96. In view of these separation distances and that the dwellings would not be directly to the rear of no. 96, they would not appear overbearing to the detriment of no. 96. Further, the windows proposed in the front elevation of plot 9 closest to the boundary with no. 96 would have oblique views over the rear garden and rear elevation of no. 96 but would not result in such a level of overlooking and loss of privacy that would be detrimental to no. 96 given plots 7-9 would be set off the boundary with no. 96 by approximately 6m at the closest point and therefore not directly to the rear of no. 96.

9.31 2no. windows are proposed in the western flank wall of plot 9 at ground floor and first floor level. The window at ground floor level would face onto an existing boundary fence so would not result in overlooking. The window proposed at first floor level would serve an en-suite and could be conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight in the interests of the residential amenities of no. 96.

9.32 Parking spaces are proposed along the western boundary with no. 96 High Street. Whilst there would be a degree of noise and disturbance to the adjoining dwelling as a result of the proposed parking layout, it is not considered that this would be so adverse given there is existing fencing denoting the boundary between the two properties which would provide some buffering of noise and of headlights. Further, the existing A1 uses that exist on site are

low key at present; however a more intensive A1 use could operate from the site such as a convenience store which would generate more vehicular movements than the scheme proposed for 9 residential units on scheme.

9.33 The proposed bin store would be set close to the boundary of no. 96 High Street, however due to its modest height of 3.5m, it would not appear obtrusive to no. 96. Further, the bin store would allow the refuse bins to be stored internally within the structure to limit odour issues.

Valley View

9.34 To the south of the application site lies Valley View, a more modern development of terraced dwellings. The rear elevation of the proposed row of terraces at plots 7 to 9 would be located between 9m and 11m from the southern boundary of the application site with a minimum of 20m to the rear elevations of dwellings at Valley View at the closest point. In view of these separation distances, the rear elevations of plots 7-9 would not result in a level of overlooking and loss of privacy that would be so detrimental as to warrant refusal of the application. Further, in view of the separation distances, the dwellings would not be considered to appear unduly overbearing to the detriment of the occupiers of the dwellings at Valley View.

9.35 The flatted development would be located 34m from the southern boundary of the site at the closest point, with in excess of 40m to the rear elevation of properties at Valley View at the closest point. Given the separation distances, with the row of terraces at plots 7-9 in between, the flatted development would not impact upon the residential amenities of Valley View through overlooking or overbearing impact.

9.36 Planning conditions are recommended to control the hours of demolition and construction along with a working method statement.

Amenity of future occupiers of development

9.37 There would be between 16m and 18m separation distance between the flatted development and the row of terraces at plots 7-9. In view of these separation distances and the design of the flatted development, it would not appear unduly overbearing to the future occupiers of the terraced dwellings.

9.38 2no. single panel windows and 1no. roof light are proposed in the southern elevation of the flatted development which would serve the open plan living space for plots 2, 4 and 6. These windows would be set a minimum of 17m from the front elevation of plots 7 and 8 and 20m from the front elevation of plot 9. In view of these separation distances and the size of the windows proposed in the southern elevation of the flatted development, the level of overlooking and loss of privacy to the front elevations of plots 7-9 would not be so adverse to be detrimental to the future occupiers of the proposed terraced dwellings.

9.39 A communal garden area is proposed to the south of the flatted development to provide useable amenity space to the future occupiers of the flatted development. Planting is proposed around the perimeter of the garden area to provide a degree of separation from the access road and parking spaces proposed.

9.40 Rear gardens are proposed for the terraced dwellings at plots 7-9 which would be between 9m and 11m deep. The proposed gardens would be proportionate to the size of the dwellings and would be similar in size to the gardens of dwellings at Valley View.

9.41 2no. parking spaces are proposed to the front of plot 7 and 3no. parking spaces to the side of plot 9. It is not considered that the location of the parking spaces would result in undue disturbance to the future occupiers of the dwellings.

9.42 The flatted development would incorporate windows in the southern and western elevations which would have views across the communal garden area and parking areas in the interests of surveillance of these communal areas. Further, the front elevations of plots 7 to 9 would have views over these areas, along with a window proposed at ground floor level in the flank wall of plot 9 to monitor the parking spaces proposed to the west of the plot.

9.43 As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

v. IMPACT ON HIGHWAY SAFETY

Access

9.44 The site takes access off the A321 High Street, a local distributor road (and classified A road) which is subject to a 30mph speed limit. There is a controlled pedestrian crossing adjacent to the existing site access and a footway across the site frontage. Also, there is a speed camera sited further east of the pedestrian crossing.

9.45 The building would not interfere with sight lines.

9.46 The existing vehicular crossover (dropped kerb) is to be replaced with a bell-mouth junction. This new access would be slightly closer to the pedestrian crossing than the existing access, though this new formal access would be an improvement. A 5.5 metre wide access is proposed which is more than adequate for this scale of development with 6 metre wide junction radii.

9.47 2 metre wide footways are to be provided to either side of the access. This is acceptable for pedestrian access to the development. Pedestrian access will need to be maintained across the site frontage and informal tactile crossing points will be required as part of the new access construction works. The applicant will need to enter into a section 278 agreement with the Local Highway Authority for access works within the public highway.

9.48 A 6 metre wide access road is to be provided which would be acceptable.

Parking

9.49 An amended parking layout has been submitted during the course of the application. 16 parking spaces are proposed – this would provide parking for the proposed 3 no. two-bed flats, 3 no. one-bed flats and 3 no. 3 bed dwellings and also provide 1no. visitor parking space. The provision of 16no. spaces would be acceptable.

9.50 Adequate pedestrian access is to be provided for plots 7, 8 and 9 following the receipt of amended plans.

Site Layout

9.51 Vehicle tracking has been provided to demonstrate that a large fire tender could access the site and thus domestic delivery vehicles could also enter and turn within the site to exit onto High Street in a forward gear. A bin store is proposed adjacent to the site access and therefore a refuse vehicle would not enter the site.

9.52 The Highway Authority would not adopt the internal access road as public highway and the road would remain private.

Trips

9.53 The applicant has carried out manual traffic counts of the existing vehicle movements into and out of the site, during the morning and evening peak hours. These counts indicate that there were two vehicle movements in the morning peak and one vehicle movement in the evening peak. Whilst this first principles approach is acceptable, it is worth noting that the surveys are unlikely to have captured peak trips associated with the existing shops which are likely to be outside of typical commuting peak hours.

9.54 The applicant has utilised the TRICS database (which is based on surveyed sites) to identify peak hour movements of 3 vehicles in the morning peak and 5 vehicles in the evening peak as a result of this proposal to provide 6 no. flats and 3 no. houses. The proposal will not therefore generate a significant increase in vehicular movements, during the peak hours. Also, whilst the existing retail units may be low key, a general retail use (e.g. a local convenience store) could generate a greater number of trips over the course of a typical day than this proposal to provide 9 residential units.

9.55 Subject to the imposition of conditions, the proposal is considered to be in accordance with CS23 and CS24 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in any adverse highway implications.

vi. TREES

9.56 There is an oak tree in the rear garden of 96 High Street which is subject to a Tree Preservation Order.

9.57 The proposed row of terraces at plots 7 to 9 would be located outside of the root protection area (RPA) of the oak tree. 3no. parking spaces proposed to the west of the flank wall of plot 9 would encroach into the RPA of the protected oak. In the interests of the protected oak, it is recommended that a tree protection plan is submitted to the LPA for approval along with details of no dig construction for the proposed parking.

9.58 Subject to the imposition of condition, the proposal is considered to be in accordance with Policy EN1 of the Bracknell Forest Borough Local Plan and the NPPF and would not result in an adverse impact on protected trees.

vii. BIODIVERSITY

9.59 The ecological report submitted with the application was undertaken in October 2012 and therefore is out of date.

9.60 An updated ecological survey was submitted in April 2015. The ecological survey finds that there are no bats in the buildings on site. There is the possibility of birds nesting in the buildings to be demolished. There are no other ecological constraints for the development. It is therefore recommended that conditions be imposed in relation to no site clearance/demolition works during bird nesting season; ecological measures are undertaken in accordance with the Ecological Report submitted to the LPA and a scheme for biodiversity enhancements is submitted to the LPA for approval

9.61 Subject to the imposition of the above conditions, the proposal would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

viii. THAMES BASIN HEATH SPA

9.62 The Council, in consultation with Natural England (NE), has formed the view that 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.

9.63 This site is located approximately 1.16 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.

9.64 A contribution is calculated on a per-bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, the development will result in a net increase of 3 x 1 bedroom, 3 X 2 bedroom and 3 X 3 bedroom dwellings replacing 1 X 1 bedroom, 1 X 3 bedroom and 1 X 4 bedroom dwellings. The total SANG contribution is therefore £9,118.

9.65 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. The application for this development is for 3 x 1 bedroom, 3 X 2 bedroom and 3 X 3 bedroom dwellings replacing 1 X 1 bedroom, 1 X 3 bedroom and 1 X 4 bedroom dwellings. The SAMM contribution is therefore £2991.

9.66 The total SPA related financial contribution for this proposal is £12,109. The applicant has agreed to enter into a S106 agreement to secure this contribution. Subject to the completion of the S106 agreement, the proposal would not have an unacceptable impact on the SPA and would comply with SEP Saved Policy NRM6, Saved Policy EN3 of the BFBLP and CS14 of CSDPD and the NPPF.

ix. COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.67 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.68 CIL applies to any new build for certain uses including residential (except outline applications and some reserved matters applications) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

9.69 The proposal would be CIL liable as no exemption or relief has been applied for.

9.70 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. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floor space) based on the development type and location within the borough.

9.71 The application site lies within the zone of Sandhurst/Crowthorne. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development. Mitigation towards the Thames Basin Heath SPA has been secured through a Section 106 agreement as outlined above.

x. ENERGY SUSTAINABILITY

9.72 The applicant has provided a Pre-assessment estimator which demonstrated that the development will be designed so that it does not encourage any more than 105 litres of water to be consumed by each person per day.

9.73 There is no longer a requirement to meet with the full Code for Sustainable Homes and therefore as long as the development restricts the water usage as stated in the pre-assessment estimator then the applicant has met with the requirements of Policy CS10. A condition is recommended to ensure the development is undertaken in accordance with the Sustainability and Energy Demand Statement'

9.74 The applicant firstly needs to demonstrate that 10% of the development's carbon emissions will be reduced as a result of a fabric first approach and secondly needs to demonstrate that following this 20% of the development's energy demand has been offset.

9.75 The applicant mentions that 20% of the development's carbon emission would be offset as a result of implementing solar PV measures. However this is not as the policy above asks. Relevant conditions can however be imposed to address this matter.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. The loss of the retail units due to their specialist nature would not be so harmful to the surrounding area given other benefits would result such as employment during the construction of the development and the spending power of new occupants of the development in the Borough. No adverse highway safety implications would result. Relevant conditions will be imposed in relation to trees, biodiversity and sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with Saved SEP Policy NRM6, 'Saved' Policies EN1, EN2, EN3, EN20, E11 and M9 of the BFBLP, CS1, CS2, CS7, CS10, CS12, CS14, CS21, CS23, CS24 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA);

That the Head of Planning be authorised to **APPROVE** the application 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
21 August and 2 October 2015:

drawing no. 01 H
drawing no. 02 B
drawing no. 03 B
drawing no. 04 D
drawing no. 05 C
drawing no. 06 C
drawing no. 07 C
drawing no. 08 C
drawing no. 14 B

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

03. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. The windows in the eastern elevation of the flatted development (plots 1-6) and the window in the eastern elevation of plot 7 and window in the western elevation of plot 9 hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
05. 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 in the east elevation of plots 1-6 (the flatted development) and in the east and west elevations of plots 7 and 9 at first floor level in the buildings hereby permitted except for any which may be shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
06. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings 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]
07. The development hereby permitted shall not be begun until:
1) a scheme depicting hard and soft landscaping and
2) a three year post planting maintenance scheme
have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be implemented and complied with. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed,

shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.
REASON: In the interests of good landscape design and the visual amenity of the area.

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

08. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
09. The development hereby permitted shall be implemented in accordance with the submitted Pre-assessment estimator contained within the 'Sustainability and Energy Demand Statement' January 2015 and shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
10. 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%).
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]
11. Demolition and construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays or Bank Holidays.
REASON: In the interests of the amenities of the area.
[Relevant Policies: BFBLP EN25]
12. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
(i) control of noise
(ii) control of dust, smell and other effluvia
(iii) control of surface water run off
(iv) site security arrangements including hoardings
(v) proposed method of piling for foundations
(vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
The development shall be carried out in accordance with the approved scheme
REASON: In the interests of the amenities of the area.
[Relevant Policies: BFBLP EN25]
13. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of

the lighting units, levels of illumination direction of illumination, and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON: In the interests of the amenities of the area.

[Relevant Policies: BFBLP EN25]

14. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the dwellings approved in this permission.
REASON: In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
15. All ecological measures and/or works shall be carried out in accordance with the details contained in John Wenman Ecological Consultancy's report dated April 2015. The scheme shall be implemented as approved and thereafter retained.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
16. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
17. 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 scheme shall be implemented as approved and thereafter retained.
Reason: To ensure the status of bats on site has not changed since the last survey.
18. No site clearance or demolition 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 development has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved and thereafter retained.
REASON: In the interests of nature conservation
19. No part of the development shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
20. No part of the development shall be occupied until all the visibility splays shown on the approved drawings have been provided. Those areas shall at all times 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]

21. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

22. The development shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The approved scheme shall be implemented and thereafter retained.

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

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

23. No part of the development shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawings. The spaces shall not thereafter be used for any purpose other than parking and turning.

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

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

24. 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 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]

25. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
- b) Materials including porous surface finish.
- c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
- d) Program and method of implementation and arboricultural supervision.

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

REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area.

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

In the event of the S106 agreement not being completed by 15 January 2016, the Head of Planning be authorised to refuse the application on the grounds of:

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 (February 2015).

Informative(s)

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

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

03. Materials

06. Slab level

07. Hard and soft landscaping

10. Energy demand assessment

12. Working method statement

- 13. Site lighting
- 14. Boundary treatment
- 16. Bird and bat boxes
- 19. Vehicular access
- 21. Site organisation
- 22. Cycle parking
- 24. Tree protection
- 25. Details of no dig construction

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

- 20. Visibility

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
- 04. Obscure glass
- 05. Restrictions on windows
- 08. Retention of soft landscaped areas
- 09. Sustainability
- 11. Hours of construction/demolition
- 15. Ecological measures
- 17. Updated bat survey (if required)
- 18. No site clearance during bird nesting season
- 23. Parking and turning