

ITEM NO:

Application No.
15/00789/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
27 August 2015

Target Decision Date:
22 October 2015

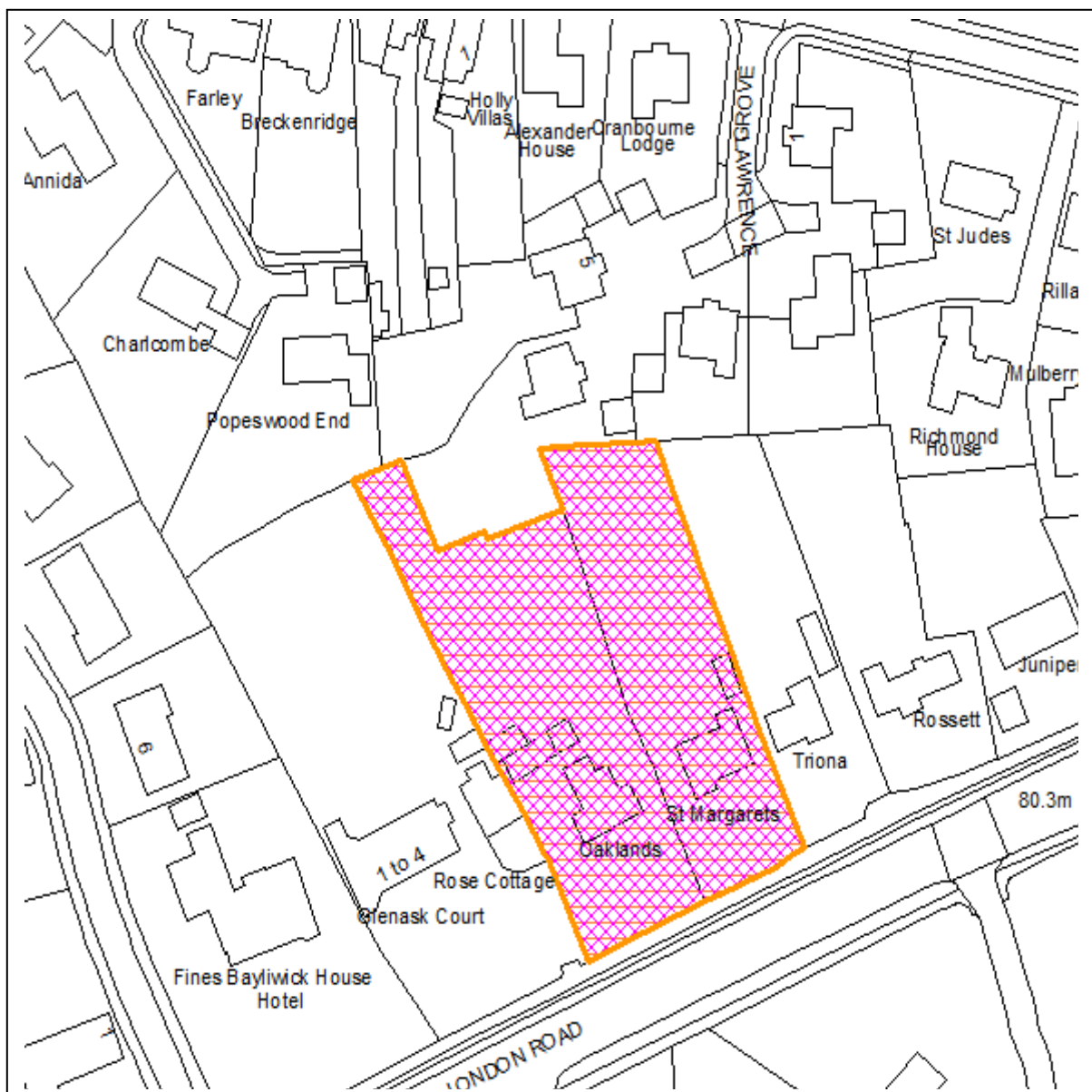
Land At Rear Of Oaklands and St Margarets London Road Binfield Bracknell Berkshire

Proposal: **Construction of 3 detached houses, garages and access road, together with alteration, rear extension and new garage at "Oaklands", following demolition of the dwelling known as "St Margarets"**

Applicant: Bancroft Developments Ltd
Agent: Mr Rob Huntley
Case Officer: Sarah Horwood, 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 erection of 3no. detached houses with garages and access road following demolition of the existing dwelling at St Margarets and the retention of an existing dwelling at Oaklands where a rear extension and detached garage are proposed. Overall, the scheme represents a net increase of 2no. dwellings.

1.2 The proposed development relates to a site within the settlement boundary. 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. 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.

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.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Land within defined settlement

Character Area Assessment - Area C - Popeswood South
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Area of special housing character

Tree Preservation Orders (TPOs) on site

Within 5km of buffer of SPA

3.1 The application site relates to the curtilages of existing properties at Oakland's and St Margarets, comprising an area of land of 0.38ha, located to the north of London Road.

3.2 Oaklands is a two storey detached dwelling and St Margarets is a detached bungalow. To the front of Oaklands is a white rendered wall and to the front of St Margarets is a hedge. There are existing trees along the front of the application site, 3 of which are covered by TPOs and there are further trees within the rear gardens of the site, 2 of which are covered by TPOs.

3.4 To the north of the site are detached dwellings at Lawrence Grove, to the east of the site is Triona, a detached two storey dwelling and to the west is Glenask Court (a small flatted development) and Rose Cottage, a detached two storey dwelling.

3.5 The site falls within Area C: Popeswood South of the Character Areas Assessments SPD and within the northern triangle where gardens are described as medium sized with strong mature vegetation boundaries. Gardens vary in shape and pattern creating a complex matrix to the rear of the houses, with good sized front gardens with mature hedgerow boundaries. Villas along London Road are substantial in scale and visually prominent and give a strong sense of place with many fronting London Road with some houses to the north of London Road set around segregated cul-de-sacs forming distinct clusters of houses.

3.6 The application site boundary with London Road is marked by a significant white rendered wall which reinforces the character of Oaklands.

4. RELEVANT SITE HISTORY

4.1 15/00288/FUL refused May 2015 for erection of 3no. 5 bedroom detached houses, garages and access road following the demolition of "St Margarets". Erection of single-storey rear extension to "Oaklands" for the following reasons:

1. The size of the proposed dwellings in relation to the proposed plot sizes and limited space for landscaping within the layout would result in a cramped layout which would be out of character with the surrounding area and would not provide suitable amenity space for family sized dwellings resulting in an overdevelopment of the site. This would be contrary to Area C of the Binfield and Popeswood Area Character Area Assessment SPD 2010, Saved Policy EN20 of the Bracknell Forest Borough Local Plan (2002) and Policy CS7 of the Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2012)
2. It has not been demonstrated that the proposed development would not harm the long term retention, health and consequent survival of trees that contribute to the visual amenity of the area. As such the proposal would be contrary to Policies EN1, EN20 and H4 of the Bracknell Forest Borough Local Plan 2002 and Policy CS7 of the Core Strategy Development Plan Document 2008.
3. 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, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (February 2015).

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 3no. detached houses with garages and access road following demolition of the existing dwelling at St Margarets.

5.2 A single storey rear extension and detached garage is proposed for the existing dwelling to be retained at Oaklands.

5.3 The proposed layout would retain the existing dwelling at Oaklands (plot 1), albeit with an extension and garage proposed, and replace the existing bungalow at St Margarets with a detached two storey dwelling facing London Road (plot 4). 2no. dwellings are proposed to the rear of the site (plots 2 and 3), with an access road from London Road sited between Oaklands and the proposed dwelling on plot 4.

5.4 The dwellings on plots 2 to 4 would have 5 bedrooms each and range in height between 8.6m and 9m to the ridge.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council

6.1 Recommend refusal for the following reasons:

1. The development is not in keeping with the street scene
2. It is overdevelopment of the plot
3. It would set a precedent and encourage more development out of keeping with the street scene
4. There would be an increase of traffic onto what is already a very busy road
5. The density of the Popeswood Triangle should be restricted to 10 dwelling per hectare as per policy H4 5.28 a in the Local Plan
6. There should be no backland development as per policy HB1 of the draft Binfield Neighbourhood Plan.

Other representations

6.2 3no. letters of objection received which raise the following:

- Inappropriate to the Special Character and purpose of the Popeswood Triangle Residential Area with respect to backland development
- Exceeds the density requirements of a designated Special Residential Area
- Disturbance to wildlife & mature trees
- Result in two of the proposed properties (Plots 2 and 3) directly overlooking the house of 4 Lawrence Grove and the gardens of both 4 and 5 Lawrence Grove
- Over development
- Increase in traffic generation onto what is already a very busy road
- Reduce important transitional area between Bracknell town and Binfield village.
- The attraction of the houses in the Popeswood triangle is their relatively large gardens, which allow residents to carry out their normal activities without impacting their neighbours. Infilling is creating more people, more cars, more traffic, more pets, more music played through open windows, more lawnmowers, more bonfires, with less trees & less wildlife. All this contributes to the continual reduction in the quality of life.

6.3 1no. general comment received which raises the following

- Possible impact to trees. Important to retain trees as they are attractive and will provide privacy to adjoining properties.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

7.1 No objection subject to conditions

Biodiversity Officer

7.2 No objection subject to conditions

Tree Officer

7.3 No objection subject to conditions

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 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.
Housing	Saved Policy H4	Not entirely consistent as NPPF refers to effective use of land.
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2, EN3, EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Character Areas (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
Binfield Neighbourhood Development Plan		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Trees
- vi. Biodiversity
- vii. Thames Basin Heath Special Protection Area (SPA)

viii. Community Infrastructure Levy (CIL)

ix. Energy 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 3no. proposed dwellings on plots 2, 3 and 4 would each contain 5 bedrooms and would result in a net gain of 2no. houses to the housing stock by providing family homes within the Borough. The demolition of St Margarets would be acceptable as the property is of modern construction and not of specific architectural merit.

ii. IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

9.4 BFBLP Policy H4 refers to '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'. 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.

9.5 The site is also located within a Character Area – Area C – Popeswood Triangle, as identified by the Council's Character Area Assessment SPD (adopted 2010) which provides a more up to date description of the character of Popewood Triangle. The SPD identifies the northern triangle as being defined by larger plots and more substantial buildings along London Road and a number of separate cul-de-sac developments set behind the principal street frontages.

9.6 The redevelopment of the plot with the erection of 3no. new dwellings following demolition of the existing dwelling at St Margerets and the retention of existing dwelling at Oaklands would result in a housing density of 10.53 dwellings per hectare. Policy H4 of the BFBLP refers to low density development in the Popeswood area and the proposal would respect the low density of the area whilst resulting in an overall net gain of 2no. dwellings in the Borough. In general terms the proposed density is low. Given the nature of the area, guidance contained in the Character Area SPD and Policy H4 of thee BFBLP, it is considered that the proposed density (being marginally over the maximum density referred to in the supporting text to Policy H4) could be argued to meet the NPPF requirements. The NPPF refers to the effective use of land and it is considered that this proposal would comply with this objective.

9.7 Application 15/00288/FUL was refused on the grounds that the layout was cramped with the proposed dwellings in relation to the proposed plot sizes not resulting in suitable amenity space for family sized dwellings and limited space for landscaping within the site. Amendments have been made to the layout to address this reason for refusal. The existing garage/outbuilding associated with Oaklands is proposed to be demolished and replaced with a single storey garage to the side of Oaklands. This would provide a better sized amenity space to the rear for the retained dwelling. Adequate space would be retained between the proposed dwellings and adjoining buildings, along with adequate separation distance between the proposed plots themselves and each having appropriate sized rear gardens.

9.8 The plot sizes for the dwellings would not be dissimilar to dwellings within the surrounding area, including those on the eastern side of Nevelle Close and some of the dwellings on London Road and Popeswood Road including Stable Cottage, Mulberry Lodge and Well House Lodge. Further, soft landscaping would be provided along the proposed internal access road as well as to the fronts/sides of the proposed dwellings on plots 2, 3 and 4. A planning condition is recommended requiring details of hard and soft landscaping to be submitted for approval in the interests of the visual amenities of the area.

9.9 Backland development is not considered to be out of character within the surrounding area with examples at Mulberry Lodge and Richmond House on Popeswood Road to the north-east of the site and small cul-de-sac developments at Lawrence Grove, Nevelle Close and Broomfield all in close proximity to the application site.

9.10 The proposed layout would retain Oaklands which is welcomed as this property forms an important villa within the street scene of London Road. The existing white rendered wall to the front of Oaklands would be largely retained although a section would be demolished to allow the construction of the internal access road to serve plots 2, 3 and 4. It is not considered that the provision of the internal access road would appear unduly prominent in the street scene given the majority of the front boundary wall to Oaklands would be retained along with the retention of existing trees/vegetation which is a specific characteristic of this area identified by the Character Area Assessment SPD.

9.11 The design of the proposed dwellings would reflect the characteristics of other properties within the surrounding area which include gables, hipped roofs and dormer windows. Whilst the design of the proposed dwellings would differ to that of the dwelling at Oaklands which would be retained, the dwellings would incorporate hipped roofs, gables and small dormer windows which are evident within the surrounding area and would also identify the dwellings as more recent additions within the street scene. The design would therefore fit into the context of the street scene when viewed as a whole.

9.12 The ridge lines of the proposed dwellings would assimilate with adjoining properties. The ridge line of plot 4 facing onto London Road would be higher than the adjoining property at Triona but would not exceed the ridge height of Oaklands. Plots 2 and 3 to the rear of the site would be set back some 48m from the highway. The ridge heights of these 2 plots would not exceed the ridge height of Glenask Court to the west. As such, the dwellings would assimilate well into the street scene.

9.13 The dwellings would be constructed from multi-stock face brickwork and plain clay roof tiles and other design detailing including brick plinths and stone string coursing. A planning condition is recommended requiring samples of materials to be submitted to the LPA for approval in light of the mix of external finishes on dwellings within the immediate area.

9.14 The single storey rear extension proposed to Oaklands due to its siting, height and modest size, along with the proposed single garage would not appear prominent in the street scene.

9.15 The site is located in Binfield. The Binfield Neighbourhood Area was designated by Bracknell Forest Council in February 2014. The Parish Council undertook a pre-submission consultation of the Neighbourhood Development Plan in August 2015 and Bracknell Forest Council is currently undertaking a 'submission consultation' before the Plan is submitted to an Examiner for independent review. The document is not formally adopted and therefore little weight can be afforded to it in assessment of this application. However, the Plan contains a policy relating to infill and backland development (Policy BF1). Notwithstanding the limited weight that the Binfield NDP can presently be afforded, it is not considered that the proposal conflicts significantly with any of the requirements of Policy BF1 as the proposal is only marginally over the density requirements outlined in Policy H4 of the BFBLP and addresses a previous reason for refusal of application 15/00288/FUL in relation to the development being cramped in layout (discussed at para 9.7).

9.16 As such, the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with Saved Policies EN20 and H4 of the BFBLP, Policy CS7 of CSDPD, the Character Area SPD and the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

Plot 1 – Oaklands

9.17 A single storey side/rear extension forming utility room is proposed to the existing dwelling at Oaklands which is to be retained. Given the modest size of the extension, siting

and height, it would not impact upon existing dwellings nor would it impact upon the future occupiers of the proposed dwellings within the site at plots 2, 3 and 4.

9.18 A large existing outbuilding forming a garage/workshop within the garden of Oaklands would be demolished as part of the proposal to provide a larger garden area for the retained property. It is considered that sufficient amenity space is proposed for Oaklands following demolition of the outbuilding.

9.19 A single detached garage is proposed to the side of Oaklands set 2m from the western boundary of the site with Rose Cottage and Glenask Court. The garage would be set forward of the front elevation of Rose Cottage, however the garage would be single storey, 4m to the ridge and would therefore not appear unduly overbearing to Rose Cottage.

9.20 In view of the separation distances between Oaklands and plot 2 (11m), plot 3 (17m) and plot 4 (9m), the proposed dwellings would not appear unduly overbearing or result in loss of daylight to Oaklands.

Plot 2

9.21 To the western boundary, plot 2 would lie next to Rose Cottage and Glenask Court. 2no. windows and a door are proposed in the western elevation at ground floor level. In view of the existing boundary treatment of 1.8m high fencing and hedging being retained along this boundary, these windows and door would not result in overlooking to Rose Cottage and Glenask Court. 2no. windows are proposed at first floor level in the western elevation serving en-suite bathrooms. These windows would be conditioned to be obscure glazed and fixed shut with the exception of top opening fanlights to prevent overlooking to the adjoining properties. Windows proposed in the front elevation of plot 2 would not result in overlooking to Rose Cottage and Glenask Court in view of the relationship between the dwellings and siting of windows.

9.22 Plot 2 would be set behind Rose Cottage set in 3m from the boundary and set 3m from the rear of Rose Cottage at the closest point. A single storey garage with hipped roof design would be set closest to the rear of Rose Cottage, with the two storey part of plot 2 set 9m from the rear of Rose Cottage, again with a hipped roof design. In view of the separation distances between Rose Cottage and the two storey part of plot 2, along with the hipped roof, plot 2 would not be considered to appear unduly overbearing as to be detrimental to Rose Cottage. At present, Rose Cottage is obscured by a large outbuilding to the rear of Oaklands which would be demolished and plot 2 sited further away from the rear of Rose Cottage. Further, no undue loss of daylight would result to rear facing windows at Rose Cottage as a result of plot 2 in view of the separation distances between the buildings. Plot 2 is not considered to result in a loss of light or an overbearing impact on Glenask Court due to a separation distance of 16m between the properties and their positions.

9.23 Whilst it is noted that plot 2 would run alongside the shared amenity area for Glenask Court/Rose Cottage, in view of the garage being closest to the adjoining properties and the roof design and taking into account the size of the shared amenity space, plot 2 would not be considered to appear overbearing when viewed from the shared garden.

9.24 Plot 2 would be set in excess of 30m from the boundary with Popeswood End to the north-west with in excess of 40m separation distance between the rear of plot 2 and Popeswood End at the closest point. In view of these separation distances and that the north-western corner of this site is well screened by existing trees to be retained, the proposed Juliet balconies serving bedroom 1 would not result in overlooking and loss of privacy to the adjoining dwelling. Further, plot 2 would not appear overbearing to Popeswood End.

9.25 Plot 2 would be set between 10m and 13.5m from the boundary with 4 Lawrence Grove with in excess of 25m to the dwelling at no. 4 at the closest point. In view of these separation distances, windows proposed in the rear elevation of plot 2 at first floor level would not result in undue overlooking to the rear garden of no. 4 and further the dwelling would not appear overbearing to no. 4.

9.26 1no. window is proposed in the side elevation of the garage on plot 2 at ground floor level facing south. This window would not result in overlooking to Oaklands given a 2m high wall is proposed to the side/rear of Oaklands. Front facing first floor windows would be set 11m from the rear boundary of Oaklands with 20m separation distance between the front elevation of plot 2 and the rear of Oaklands. Given these separation distances, plot 2 would not result in overlooking to Oaklands.

Plot 3

9.27 To the northern boundary, plot 3 would back onto the side/rear gardens of nos. 3 and 4 Lawrence Grove. The rear elevation of plot 3 would be set between 11m and 13.5m from the boundary with nos. 3 and 4, with some 22m separation distance between the proposed dwelling and nos. 3 and 4 at the closest point. In view of these separation distances, windows proposed at first floor level in the rear elevation of plot 3 would not result in undue overlooking or loss of privacy to nos. 3 and 4 Lawrence Grove. Further, given these separation distances, plot 3 would not appear unduly overbearing to these properties.

9.28 Plot 3 would be set 2m from the eastern boundary with Triona. 1no. window is proposed at ground floor level serving the garage facing east. An existing 1.8m high fence would be retained along this boundary to prevent overlooking from the proposed ground floor window. No windows are proposed at first floor level in the flank wall of plot 3 facing east and a planning condition is recommended restricting installation of windows in the eastern elevation at first floor level and above in the interests of Triona. Plot 3 would be set some 20m from the rear elevation of Triona at the closest point and in view of this separation distance, would not appear overbearing to the adjoining property.

Plot 4

9.29 To the eastern boundary, plot 4 would lie next to Triona. 2no. windows and a door are proposed at ground floor level in the side elevation facing Triona. There is a low level brick wall and 1.8m high fence denoting the eastern boundary. In view of the boundary treatment, the proposed windows and door would not result in overlooking to the adjoining property. An en-suite bathroom window is proposed at first floor level in the side elevation along with a velux window serving an en-suite in the roof of the garage. The first floor window in the flank wall would be conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight to prevent overlooking to the adjoining property. The proposed velux window would be conditioned to be 1.7m above internal floor area to prevent overlooking to the adjoining property.

9.30 Plot 4 would be set 2m from the eastern boundary with Triona, with a 4m separation distance between the two flank walls. The rear elevation of plot 4 would not project beyond the rear elevation of Triona and therefore would not result in loss of daylight or appear overbearing when viewed from the rear elevation or rear garden of Triona. To the front, plot 4 would project 7m beyond the front most part of Triona, however, this would be the single storey double garage with accommodation in the roof space with the roof hipped away from the boundary with Triona so the proposal would not appear so unduly overbearing to the adjoining property. Further, the proposal would not result in significant loss of daylight to front facing windows at Triona in view of the single storey height of the garage and roof design.

9.31 Plot 4 would be set 9m from the flank wall of Oaklands to the west. A bay window is proposed at ground floor level serving the lounge and at first floor level, a bathroom is proposed in the western elevation. The proposed bay window would not result in overlooking to Oaklands given a 2m high boundary wall is proposed to enclose the side/rear garden of the retained dwelling. The first floor bathroom window would be conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight to prevent overlooking. The dormer window proposed over the garage would be set 16m from Oaklands at the closest point and would face onto the front garden of Oaklands and the parking area, however existing hedging and shrubs would be retained and given this would not be the most private amenity space serving Oaklands, the level of overlooking from the proposed dormer window would not be so significant to the detriment of the adjoining property.

9.32 Plot 4 would be set some 50m from the nearest dwelling opposite the site to the south on Golden Orb Wood with London Road as an intervening feature between. In view of the separation distances, plot 4 would not result in overlooking or appear visually intrusive to any dwellings opposite the south to the south.

Residential amenity of future occupiers

9.33 Plots 2, 3 and 4 would be provided with adequate sized gardens proportionate to the size of the dwellings proposed.

9.34 Due to the siting of the proposed dwellings and separation distances between them, no overbearing impact, loss of daylight or overlooking would result.

9.35 As such, the proposal would not be considered to significantly affect the residential amenities of neighbouring properties and the residential amenities of the future occupiers of the proposed dwellings would be acceptable. The proposal would therefore be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iv. IMPACT ON HIGHWAY SAFETY

Access

9.36 The site takes access off the B3408 London Road, an important distributor road into Bracknell from the A329 (M) and to Wokingham. It is subject of a 40mph speed limit and there is a highway verge and footway across the frontage. There is a shared footway/cycleway on the opposite side of London Road.

9.37 The existing access to St Margarets is to be removed and a new access is to be created to serve the 3 new dwellings. This new access would be sited further from the existing pedestrian/cycle refuge and the additional vehicles accessing/egressing the site will therefore avoid conflict with the refuge. Sight-lines of at least 160 metres can be achieved in either direction at a set-back of 2.4 metres from the edge of the carriageway which would be acceptable for highway safety. Also, the highway verge to either side of the new access separates vehicles exiting the site from pedestrians and enables acceptable sight-lines between vehicles and pedestrians to be achieved for safety.

9.38 Details of the new access and removal of the existing access should be secured by planning condition.

9.39 The proposed access road would be a shared surface with an initial width of 4.8 metres for the first 10 metres. This would enable two vehicles to pass each other at the access and be clear of London Road. The access road width reduces to 4.1 metres thereafter and whilst this does not comply with adoptable highway standards, two standard cars could pass each other at low speed and pedestrian movements for this scale of development could be

accommodated safely. The access layout incorporates a short narrowing to 3.75 metres over a distance of around 10 metres to the side of plot 4.

9.40 The site layout includes a turning area at the end of the access road which would be sufficient to enable domestic delivery vehicles to turn within the site to exit onto London Road in a forward gear.

9.41 As a refuse vehicle would not enter the site, a temporary refuse collection point for use on bin day is being provided. Given this is within 25 metres of London Road and 30 metres of properties, this would comply with the requirements for collection of waste by the Council. The access road would be a minimum of 3.7m which would allow access to the site by a fire and rescue vehicle.

Parking

9.42 Each of these 3 new 5-bed dwellings will have 4 on-plot parking spaces, including integral double garages and two driveway parking spaces in-front. On-plot parking and vehicle turning for the Oaklands is unaffected by this proposal.

9.43 The double garages are shown on the individual plot plans to have internal dimensions of 6 metres by 6 metres which complies with the Council's adopted standards. The use of garages for vehicular parking would be secured by planning condition to ensure adequate parking provision. The garages could be used for cycle storage.

9.44 The parking areas to the front of the garages are 5.2 metres wide and therefore 2 vehicles could park side-by-side with adequate pedestrian access to the front door of dwellings.

9.45 A garage roller shutter door is required for plot 4 to ensure vehicles parked in front of garages do not affect access for vehicles and pedestrians on the shared surface access road.

Trips

9.46 3 new dwellings could generate in the region of 18 two-way trips over the course of a typical day with 2 trips in both the morning and evening peak periods. This net additional trip generation is likely to be 12 trips, given the existing property, 'St Margarets' is being removed.

Other Matters

9.47 A construction management plan should be secured by planning condition for highway safety and residential amenity.

9.48 Subject to the imposition of conditions, the proposal is considered to be in accordance with CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in an adverse impact on highway safety.

v. TREES

9.49 The most important trees within the site boundaries are protected by confirmed Tree Preservation Order 1188.

9.50 The site is generally open in character. Whilst there is a significant holly hedge within the central area of the site, trees within the middle area have already been removed. All significant remaining trees are located around the boundaries, on and off site.

9.51 The trees which have been identified in the TMC Tree Survey are considered to contribute (or have the potential to contribute), to the landscape character and appearance the area and as such constitute a planning constraint which merits careful consideration.

9.52 Trees 20 and 22 are of reasonable health, form and quality. Combined with the fact that the trees are off site and their management is outside the control of the applicants these also represent a constraint to development on site and as such should also be safeguarded from development activities.

9.53 Plot 1 – As a general advisory, the proposed building relationship with the existing Tibetan Cherry (survey Ref T14) in the north east corner of this plot, would not be sustainable given its close proximity (just 1.8m) from the tree's trunk. Therefore its retention should not be relied upon to soften redevelopment.

9.54 Plots 2 and 3 – Generally, the relationship of plots 2 and 4 to retained trees is acceptable in principle.

9.55 For clarity, many of the trees along the rear boundary of plot 2 consist of dwarf apple trees or other wall growing fruit so if retained would not be out of keeping with the garden area.

9.56 Plot 3 – The relationship of the garage to trees 21/22 off site in the survey is acceptable, but the foundation structure of the proposed garage on this plot should be designed to take full account of the future growth of these trees to avoid any risk of subsidence pressures on them in the future.

9.57 The proposal is therefore recommended for approval subject to the imposition of necessary conditions to safeguard trees to ensure accordance with Policy EN1 of the Bracknell Forest Borough Local Plan and the NPPF.

vi. BIODIVERSITY

9.58 The ecological report identifies that the site has limited value for wildlife and recommends some mitigation measures to reduce the risk to wildlife to a minimum.

9.59 It is therefore recommended conditions be imposed in relation to no site clearance during the bird nesting season, all ecological measures shall be undertaken in accordance with the submitted ecological report and no demolition shall commence until a scheme of biodiversity enhancements have been submitted. 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.

vii. THAMES BASIN HEATH SPECIAL PROTECTION AREA (SPA)

9.60 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in combination with other plans or projects. This site is located approximately 3.8km 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.

9.61 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 5 bed dwellings replacing a single 4 bed dwelling. The total SANG contribution is therefore £7,164.

9.62 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 a 3 x 5 bed dwellings replacing a single 4 bed dwelling. The SAMM contribution is therefore £2,349.

9.63 The total SPA related financial contribution for this proposal is £9,513. The applicant has agreed to enter into a S106 agreement to secure this contribution and to overcome refusal reason no. 3 of previous application 15/00288/FUL. Subject to the completion of the S106 agreement, the proposal would not have an unacceptable impact on the SPA and would comply with SEP retained Policy NRM6, Saved Policy EN3 of the BFBLP, CS14 of CSDPD, the SPA SPD and the NPPF.

viii. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

9.65 CIL applies to any new build (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.

9.66 The proposal would be CIL liable.

9.67 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 floorspace) based on the development type and location within the borough.

9.68 The application site lies within the zone of the Northern Parishes. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development.

9.69 Mitigation towards the Thames Basin Heath SPA will continue to be secured through a Section 106 agreement as outlined above.

ix. ENERGY SUSTAINABILITY

9.70 A sustainability statement has been submitted with the application and it is considered that this could be required to be complied with by an appropriate planning condition. This would satisfy the requirements of Policy CS10 of the CSDPD.

9.71 An Energy Demand Assessment has been submitted however it fails to demonstrate exactly which on-site renewable energy measure will be used. It is however considered that this could be achieved by a planning condition. This would satisfy the requirements of Policy CS12 of the CSDPD.

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. 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 retained SEP Policy NRM6, 'Saved' Policies EN1, EN2, EN3, EN20, H4 and M9 of the BFBLP, CS1, CS2, CS7, CS10, CS12, CS14, CS23, CS24 of the CSDPD, Policy CP1 of the SALP, the Character Area SPD and the SPA SPD, 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 27 August 2015:
drawing 07A
drawing 10A
drawing 17A
drawing 18
drawing 19A
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 at plots 2, 3 and 4 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 materials to be used in the construction of the external surfaces of the single storey extension to Oaklands and the detached garage to Oaklands shall be similar in appearance to those of the existing building at Oaklands.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
05. The first floor windows in the western elevations of plot 2 and plot 3 and the first floor windows in the eastern and western elevations of plot 4 hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the east and west elevations of plots 2, 3 and 4 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]

07. The rooflight in the roof slope facing east on plot 4 shall at all times be no less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

08. No development shall take place until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -

a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.

b) Details of semi mature tree planting.

c) Comprehensive 5 year post planting maintenance schedule.

d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.

e) Means of enclosure (walls and fences etc)

f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.

g) Recycling/refuse or other storage units, play equipment

h) Other landscape features (water features, seating, trellis and pergolas etc).

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

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

09. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall

be replaced by plants of the same species and size as that originally planted at the same place.

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

10. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policies: CSDPD CS10]
11. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]
12. The development shall be undertaken in accordance with the details of the finished floor levels of the buildings as shown on drawing no. received 27 August 2015 by the Local Planning Authority.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
13. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
14. All ecological measures and/or works shall be carried out in accordance with the details contained in AA Environmental Ltd's report dated 13th March 2015 as already submitted with the planning application.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
15. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority.
The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
16. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
- d) Proposed location/s of 2.4m high protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

The development shall be carried out in full accordance with the approved scheme.
 REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
 [Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

17. The protective fencing and other protection measures specified by condition 16 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

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

18. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) Induction and personnel awareness of arboricultural matters.
 - b) Identification of individual responsibilities and key personnel.
 - c) Statement of delegated powers.
 - d) Timing and methods of site visiting and record keeping.
 - e) Procedures for dealing with variations and incidents.

The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. A copy of the signed inspection report shall be sent to the Local Authority following each visit.

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]

19. No development shall commence until:
- (i) a site layout plan at a minimum scale of 1:200 showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
- have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.

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

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

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

20. 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]

- 21. No dwelling shall be occupied until the existing access to the site has been closed and a footway/ verge is provided over the closed access in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The footway/verges shall be retained thereafter.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
- 22. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
- 23. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
- 24. The garages 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]
- 25. The garage door on plot 4 hereby approved 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 properties avoiding inappropriately parked cars comprising the communal access road.
[Relevant Policy: BFBLP M9]
- 26. No dwelling 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 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 carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

27. The development hereby permitted shall not be begun 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 without the prior written permission of the Local Planning Authority.
- REASON: In the interests of amenity and road safety.

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. 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. Materials for extension and garage to Oaklands
- 05. Obscure glass
- 06. Restrictions on windows
- 07. Roof light
- 09. Retention of soft landscaping
- 10. Sustainability statement
- 12. Finished floor levels
- 13. Site clearance
- 14.. Ecological survey
- 17. Tree protection
- 22. New access
- 23. Parking and turning
- 24. Retention of garage
- 25. Roller shutter door on plot 4

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

- 03. Materials
- 08. Landscaping
- 11. Energy Demand Statement
- 15. Bird and bat boxes
- 16. Tree protection
- 18. Supervision/monitoring for all arboricultural protection measures
- 19. Site layout
- 20. Construction method statement for hard surfaced areas
- 27. Site organisation

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

- 21. Closure of access
- 26. Visibility

3.This planning permission contains certain conditions that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site (including any initial clearance works). Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised. This may be highlighted in any subsequent search carried out on the property/ properties.

4.Trees on and adjacent to this site are protected by a Tree Preservation. In simple terms, detailed written consent must be therefore obtained from the Council's Tree Section before undertaking any form of work to such trees (including any work affecting their root systems), unless detailed works to such trees have been specifically approved in writing as a part of this planning permission. Any pruning or removal of trees without the necessary consent or any damage arising from non compliance with other conditions of this permission or otherwise may be liable to prosecution by the Council. This may be in addition to any enforcement action deemed appropriate for non compliance with relevant planning conditions. Property owners, developers and/ or any other relevant persons are therefore advised to take appropriate measures to ensure that all persons responsible for overseeing works approved under this permission are suitably briefed on this matter.

5.Please note that trees on and/or adjacent to this site are protected by Tree Preservation Orders. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

6.The Street Care team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.

In the event of the S106 agreement not being completed by 26 February 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).