

ITEM NO:Application No.
15/01014/FULWard:
Winkfield
CranbourneDate Registered:
And 14 October 2015Target Decision Date:
9 December 2015

Site Address:

**Land At The Limes Forest Road Hayley Green
Warfield Bracknell Berkshire**

Proposal:

**Erection of 4 no. houses with new vehicular access to The Limes.
[Note for clarification: these are in place of 2 no. houses approved
at appeal under reference APP/R0335/W/14/2228002].**

Applicant:

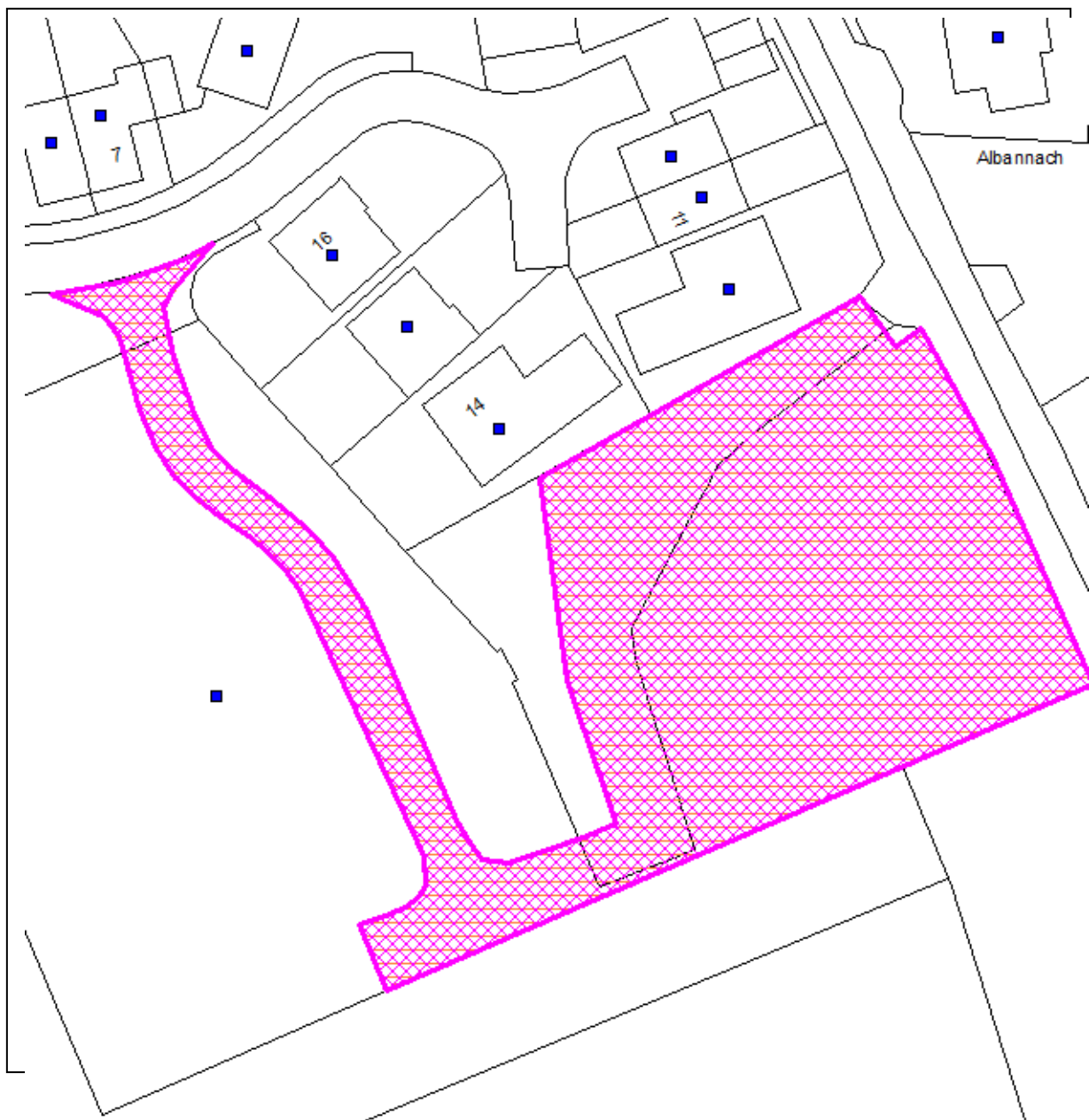
Mr Lee Davis

Agent:

(There is no agent for this application)

Case Officer:

Margaret McEvit, 01344 352000

development.control@bracknell-forest.gov.uk**Site Location Plan** (for identification purposes only, not to scale)

SUMMARY

1.0 This full application proposes the erection of two pairs of semi-detached houses on a site that comprised part of a larger site where planning permission was granted on appeal for eight detached houses (14/00711/FUL). Previously two 5 bedroom detached houses were shown to be provided on the site covered by this planning application within the larger development proposed for land at The Limes.

1.1 Provision is shown for a pedestrian footpath link to be made from the southern boundary of the site onto adjoining land owned by Bracknell Forest and the recreation ground beyond. This was also shown on the larger housing development and a S106 Agreement was completed under application 14/00711/FUL to secure contributions towards a footpath from the southern boundary of the site across Westmorland Park to facilities south of the Park. This would provide a route to local facilities south of Westmorland Park. Access to the application site is as approved under 14/00711/FUL and is shown from The Limes.

RECOMMENDATION

Planning permission be granted subject to the completion of a S106 Agreement and conditions in Section 11 of this report
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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 outside the settlement boundary

3.1 The site is part of an unused field, enclosed by mature tree planting to the west and south and woodland to the east. The site is south of The Limes, a development of 15 detached dwellings, constructed in 2006. The boundary of the site with The Limes corresponds with the settlement boundary as defined in the Bracknell Forest Borough Local Plan (BFBLP) and the Core Strategy Development Plan Document (CSDPD). A recreation ground borders the site to the south and west, with the Whitegrove residential area to the south of the recreation ground. A pedestrian track along the site's eastern boundary gives a direct route to the recreation ground.

3.2 This application site comprises the former plots 7 and 8 of planning application 14/00711/FUL in the south east of the larger site of land at The Limes. Vehicular access is shown from the existing road The Limes in the same position as in the appeal approval with the position of the access road into the site unchanged.

4. RELEVANT SITE HISTORY

4.1 Planning permission was granted on appeal for the erection of 8 no. dwellings, together with new vehicular to The Limes, pedestrian access to open space to the south and car parking.

14/00711/FUL	Erection of 8 no. dwellings, together with new vehicular to The Limes, pedestrian access to open space to the south and car parking.	Allowed on appeal.
14/00099/FUL	Erection of 9 no. dwellings, together with new vehicular and pedestrian access and car parking.	Refused. Appeal withdrawn.
12/00139/FUL	Erection of 14no. dwellings with associated vehicle and pedestrian access and car parking.	Refused. Appeal dismissed.

5. THE PROPOSAL

5.1 This full application proposes the erection of four semi-detached houses accessed from The Limes. Three of the houses are shown to have three bedrooms, with one unit having four bedrooms. The houses are proposed to replace two 5 bedroom detached houses permitted as part on the application 14/00711/FUL. The houses are two storeys in height, with pitched roofs and front gable features. Plots 7 and 8 are attached by the garage for plot 7. Plots 9 and 10 are provided with a detached double garage.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council:

6.1 Warfield Parish Council objects to the application on the grounds that the proposal represents an undesirable overdevelopment of the site and that the proposal would unacceptably increase the pressure on highways and transportation infrastructure, public open space, built sports facilities, and education facilities.

Other representations:

6.2 Five letters of representation have been received raising the following planning considerations:

- The recent appeal decision was based on eight dwellings.
- The additional units will increase traffic onto an already busy and dangerous road. [Officer comment. The application is not considered to raise any issues of highway safety. The access onto Forest Road has adequate visibility and the increased traffic from this application is not considered to raise issues of highway safety or capacity].
- If approved, the developer may make further applications to increase the number of units beyond 10. [Officer comment. Any further applications would be considered on their own merits on the basis of the proposal being applied for].
- Parking for the additional units may overspill into The Limes. [Officer comment. The application provides for adequate car parking to meet adopted car parking standards].
- The Limes cannot accommodate additional traffic. The existing road is narrow, with a sharp bend. [Officer comment. The Limes is an adopted road, with a 20mph speed limit, with the width and alignment designed to reduce vehicle speeds to the 20mph limit].

- The proposed footpath link from the development across Westmorland Park will result in parking within The Limes by users of the park. [Officer comment. The previous appeal for development of land at The Limes secured a contribution towards a footpath to be constructed over Westmorland Park. This current application makes provision on the site boundary for access to be achieved from the site onto any footpath. The footpath provision was considered by the inspector at this appeal and considered that it was appropriate to ensure easy pedestrian access across the park to local shops and facilities].
- Loss of animal habitats. [Officer comment. No protected habitats exist on the site].
- Loss of open green space. [Officer comment. The loss of the open space and impact on the character of the area is addressed in this report and was considered in the previously approved appeal application 14/00711/FUL].
- Local services are already strained and cannot accommodate additional residents. [Officer comment. A CIL contribution will be secured from this development].
- Difficulties with accommodating construction vehicles and deliveries to the site. [Officer comment. Details of construction site management are recommended to be secured through a condition].

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The transportation officer has no objection to the proposal subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 ,CS2 , CS9, CS14 CS23 &CS24 of CSDPD. Policy NRM6 of the South East Plan	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 H5 of the BFBLP	Policy H5 not fully consistent with the NPPF. The NPPF does not specifically restrict new dwellings outside of settlements but does seek to recognise the intrinsic beauty and character of the countryside.
Environment	Saved policies EN3, EN8 of the BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Impact on highway safety
- iv Thames Basin Heaths Special Protection Area (SPA)
- v Planning Obligations and Community Infrastructure Levy

i. Impact on Character and Appearance of Area

9.2 The site is on land outside of the settlement area on part of an L-shaped piece of grassland south of the housing development The Limes. The settlement boundary in this area runs along the southern boundary of The Limes.

9.3 The southern boundary of the site is marked by a belt of trees, with the playing fields of Westmorland Park beyond. The trees are important in providing separation between Hayley Green and the northern edge of Bracknell and in maintaining the rural character of the village. This application does not propose any loss of trees along this boundary. In considering the recent appeal for the wider site including this current application site, the inspector considered that in landscape terms, "I conclude that the area of grassland does not, of itself, add significantly to the character and appearance of the surrounding area; it is within an enclosed parcel of land and has little wider presence." (para 15). The inspector did acknowledge that the proposal to erect 8 houses would introduce a substantial built form into a presently undeveloped area, which would have a harmful impact on the separation of the settlements of Hayley Green and Bracknell. However, it was considered that this harm would be only moderate.

9.4 The site is outside the settlement area where policies CS9 of the CSDPD, and policies EN8 and H5 of the BFBLP seek to protect the countryside for its own sake and restrict the type of development that will be permitted in the countryside. Currently Bracknell Forest cannot demonstrate that it has a five year supply of deliverable housing, therefore para. 49 of the NPPF states that relevant policies for the supply of housing, which includes policies CS9, EN8 and H5, should not be considered up to date. In such circumstances planning applications should be considered in the context of a presumption in favour of sustainable development as set out in para. 14 of the Framework. This means that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The inspector found that the harm that would be caused to the character and appearance of the area by virtue of the reduction in the physical separation between Hayley Green and Bracknell would be only moderate in scale and would not significantly and demonstrably outweigh the benefits of granting planning permission and thereby increasing the local supply of housing. This current application is not considered to have any greater adverse impacts than the previously approved proposal for this site, and in terms of the benefits of increasing the local supply of housing, an additional two dwellings will be provided. It cannot be shown therefore that the harm to the character of the area would significantly and demonstrably outweigh the benefits of granting planning permission.

9.5 The proposed houses would be provided in the south east part of the wider site covered by planning application 14/00711/FUL. The footprint of plot 8 extends forward of the previously approved house on this plot, but this is not considered to be significant in

terms of the impact on the character of the area. Plots 9 and 10 match the footprint of the previously approved plot 8. The house types proposed under this application are considered to be acceptable in terms of the proposed house types on the larger development site and existing properties in The Limes.

9.6 Existing trees along the southern boundary of the site will be retained. Houses are positioned so trees are not overshadowing rear garden areas and the siting of houses proposed in this application is not considered to result in a greater impact on these trees or be likely to result in pressure to prune or remove trees by future householders.

ii. Impact on Residential Amenity

9.7 This application proposes the erection of four houses in the same positions as two houses approved under planning application 14/00711/FUL. The proposed houses are not considered to have a greater impact on the amenities of nearby properties in The Limes than the previously approved houses. The revised properties are positioned 17m and 21m from the boundaries of 12 and 14 The Limes. This is considered to be an acceptable distance to avoid unacceptable levels of overlooking from first floor bedroom windows in the proposed houses.

iii Impact on Highway Safety

9.8 The site would be accessed from The Limes, an adopted residential cul-de-sac. This access road will serve the approved development allowed under 14/00711/FUL. The new dwellings could generate approximately 24 two-way vehicle movements over a day, with two or three vehicle movements likely to occur in the peak morning and evening periods. A total of ten dwellings would be accessed off this access road onto The Limes, with sixteen houses currently served off The Limes. Although ten units using this road would result in a 60% increase in vehicular traffic along The Limes over the existing 16 houses, the appeal decision in permitting eight dwellings would result in a 50% increase in vehicular traffic. Given the 20mph speed limit on The Limes, and the width and alignment of this cul-de-sac, it is not considered that the proposal to increase the number of units by two would be detrimental to highway safety.

9.9 The houses will be provided with garages and parking on site and visitor parking spaces will be provided within the site. Parking provision is considered to be acceptable to meet car parking standards.

iv Thames basin Heaths Special Protection Area (SPA)

9.10 Relevant policy and guidance includes SEP Policy NRM6, CSDPD Policy CS14 and the Thames Basin Heaths Avoidance and Mitigation Supplementary Planning Document. These policies seek to ensure that the development will not adversely affect the integrity of the Thames Basin Heaths SPA.

9.11 In line with South East Plan Policy NRM6, the Council has reviewed its SPA avoidance and mitigation strategy in the form of the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPASPD) (March 2012). This includes a requirement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. A contribution towards SAMM should be secured in association with this application.

9.12 The Council is satisfied, following consultation with Natural England, that the above measures will prevent an adverse affect on the integrity of the SPA. Pursuant to Article 6(3)

of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2012) permission may be granted.

v Planning Obligations and Community Infrastructure Levy

9.13 The application should comply with guidance in:-

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

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

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

9.16 This Application is for CIL chargeable development. It lies within the Northern Parishes CIL Charging Zone. CIL payments may be used to mitigate the impact on the following which would previously have been addressed by contributions secured by a s106 agreement:-

- the wider transportation network
- open space and outdoor recreational facilities
- built sports facilities serving the development
- local education facilities
- local library facilities
- local community facilities
- local youth facilities
- part of the measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA)

9.17 The application site makes provision for a link to be created in the southern boundary to access any future footpath across Westmorland park to enable future residents to access facilities across the park. Contributions towards this footpath were secured through the Agreement completed as part of the appeal decision 14/00711/FUL. It is not considered necessary to secure additional contributions towards this footpath as only two additional units are being provided.

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

- measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA) (see Section (iv) above)

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of area. The site forms part of a wider development site where planning permission was granted on appeal for 8 dwellings. This application represents an

increase of two units in this part of that wider site. The land is outside of the settlement area, but given the lack of a five year deliverable supply of housing in Bracknell Forest, policies to restrict the supply of housing must be considered to be out of date. Para. 14 of the NPPF indicates that in such circumstances, planning permission should be granted unless the harm would significantly and demonstrably outweigh the benefits. The inspector when considering application 14/00711/FUL did not consider that the moderate harm to the character of the area would significantly and demonstrably outweigh the benefits arising from increasing the local supply of housing. The replacing of two 5 bedroom detached houses with four 3/4 bedroom semi-detached houses on the same footprints is not considered to result in any greater harm to the character of the area than the previously approved scheme. The overall benefits from the provision of an additional two units have increased. It is considered that when considered against para. 14 of the NPPF the proposal represents sustainable development, and planning permission should be granted.

10.2 Sufficient parking has been provided to serve the development and the increased traffic using The Limes and accessing Forest Road is not considered to be detrimental to highway safety. Concerns have been expressed that The Limes cannot accommodate additional traffic and that access onto Forest Road could not be safely achieved. The Limes has a 20mph speed limit and its design is such that vehicle speeds are restricted. Visibility onto Forest Road is adequate.

10.3 The application is considered to be acceptable subject to conditions and the completion of a S106 agreement to secure SPA mitigation contributions.

11. RECOMMENDATION

That the application be APPROVED subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 14.10.2015:

55711-PL-01A-SITEPLAN

AH55711/PL/01/A

AH55711/PL/20

AH55711/PL/21/B

AH55711/PL/22/A

AH55711/PL/23/B

AH55711/PL/24/B

AH55711/PL/25

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. None of the dwellings hereby permitted shall be occupied until the means of access, including access for pedestrians and cyclists, has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
05. Prior to the commencement of construction of any of the approved dwellings a vehicular turning head shall be constructed within the application site, in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure that the development is provided with adequate turning for vehicles within the site .
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
06. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v) wheel washing facilities
 - vi) measures to control the emission of dust and dirt during construction
 - vii) temporary portacabins and welfare for site operatives
- REASON: In the interests of amenity and road safety.
07. No dwelling shall be occupied until the vehicular parking and/or turning space associated with that dwelling has been laid out in accordance with the approved plans and surfaced in a material, details of which shall have first been submitted to and approved in writing by the local planning authority.
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]
08. The garages shown on the approved plans shall be retained for the use of parking vehicles 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]
09. Notwithstanding any details shown on the approved drawings, the garage doors shall be a minimum width of 2.4m and a minimum height of 2.1m.
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]

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
11. All planting comprised in the soft landscaping works shall be carried out in accordance with the approved details in the first planting season (1st October to 31st March) following the completion of the development or in accordance with the a programme that shall first be agreed in writing with the local planning authority prior to the commencement of work on the development. All hard landscaping works shall be completed prior to the occupation of any part of the 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.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
12. Notwithstanding the information submitted with this application, the development hereby permitted shall not be begun until a plan showing trees and hedgerows to be retained has been submitted to and approved in writing by the Local Planning Authority. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority. If any trees or hedgerows shown to be retained on the approved plans, are removed, uprooted, destroyed, die or become diseased during the course of the development within a period of 5 years of the completion of the development, another tree, or hedgerow of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives it written consent for any variation.
REASON: In order to assess the impact of the development upon existing vegetation.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
13. All existing trees and hedgerows to be retained in accordance with details approved under condition 12 shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.
REASON: In order to assess the impact of the development upon existing vegetation.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
14. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any of the dwellings are first occupied or in accordance with a

timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

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

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

Informative(s):

01. 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.

In the event of the S106 planning obligation(s) not being completed by 28th February 2016 the Head of Planning be authorised to **REFUSE** the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk