

**ITEM NO:**

Application No.

**15/00718/FUL**

Site Address:

Ward:

College Town

Date Registered:

6 August 2015

Target Decision Date:

24 December 2015

**Jomar 60 College Road College Town Sandhurst  
Berkshire GU47 0QZ**

Proposal:

**Erection of 4 no 3 bed semi detached dwellings with associated  
access and parking.**

Applicant:

Knightswood Homes LTD

Agent:

The Edwards Irish Partnership

Case Officer:

Katie Walker, 01344 352000

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

## **OFFICER REPORT**

### **1. SUMMARY**

1.1 The proposal is for the erection of 4 three bedroom semi detached houses and the creation of a new access road.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. The proposals would be acceptable in terms of highway safety and parking, subject to proposed conditions. Relevant conditions are also recommended in relation to detailed design, biodiversity, trees and sustainability and a section 106 agreement will be sought in relation to impacts on the SPA.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA and subject to no objection being received from the Environment Agency.
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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**

<b>PLANNING STATUS</b>
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Within settlement boundary
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Character Areas SPD, Sandhurst Study Area, Area E
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Within 5 km of the SPA
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TPO 296
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3.1 The site comprises land to the rear (east) of Jomar, 60 College Road, as well as land to the north, lying to the rear of the rear gardens of 62 and 64 College Road, and land to the south of The Breech. The site is bound to the west by a separate application site for 2 houses on the site of Jomar, 60 College Road (ref. 15/00717/FUL); to the south by 52 and 54 College Road, and the rear gardens of properties on Westbourne Road; to the east by numbers 24 – 29 The Breech, and to the north by The Breech itself. There are a number of protected trees on the site, adjacent to the proposed new access road.

3.2 The site is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map.

### **4. RELEVANT SITE HISTORY**

4.1 There is no relevant planning history for this site.

### **5. THE PROPOSAL**

5.1 The proposal is for the erection of two pairs of three bedroom semi-detached houses with parking spaces. The proposal includes the creation of a new access road off The Breech. The pairs of houses would face each other across the new access road and each would have a rear garden. There would be parking provided to the front of each house.

5.2 Houses on plots 1 and 2 would be to the east of the site, adjacent to 27 – 29 The Breech. Houses on plots 3 and 4 would be to the west, to the rear of the proposals for 60 College Road.

5.3 The houses would be constructed from brick and would have pitched roofs with interlocking concrete roof tiles. Each would have open porches and patio doors, and houses on plots 3 and 4 would have a rooflight above the living room.

## **6. REPRESENTATIONS RECEIVED**

### Town Council

6.1 Sandhurst Town Council raised no objections to the application, however they commented that members were concerned that the proposed access to the dwellings from The Breech lay outside the application boundary.

### Other Letters of Representation

6.2 Seven letters of objection were received. The issues raised are summarised as follows:

- Detrimental effect on the area (The Breech), which is currently a quiet location looking onto a green;
- Impact on character of the area;
- Overlooking, overshadowing and overbearing impacts to neighbouring properties;
- Impact on trees;
- Access road will cut through the green;
- Flooding;
- Traffic, parking and access;
- Road safety;
- Out of character with surrounding properties due to building line and shared parking area;
- Noise and disturbance to The Breech;
- Pedestrian safety;
- Biodiversity.

## **7. SUMMARY OF CONSULTATION RESPONSES**

7.1 The following consultees have provided comments on the application, summarised below and within the report:

Tree Service: The planning officer should consider the information provided by the applicant alongside the potential impact that the development may have on trees and landscape.

Biodiversity Officer: No objections subject to conditions

Environmental Health Officer: conditions recommended.

Transportation Officer: No objection subject to conditions.

7.2 Comments from the Environment Agency are awaited and will be reported in a supplementary report.

## **8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION**

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 and CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	SEP Retained Policy NRM6, Saved Policy EN3 of CSDPD and Policy CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Noise and pollution	Saved policy EN25 of BFBLP	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Thames Basin Heath Special Protection Area (SPD)		
Character Areas Assessments (SPD)		
Parking standards SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
BRE Site Layout planning for Daylight and Sunlight: A Guide to Good Practice 2011.		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Impact on trees
- vi Flood risk and drainage
- vii Biodiversity considerations
- viii SPA
- ix Sustainability
- x Community Infrastructure Levy

### i. Principle of development

9.1 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. In addition, the proposals would provide four new dwellings, boosting the supply of housing within the Borough. Therefore, the principle of development on this site is acceptable.

### ii. Impact on Character and Appearance of Area

9.2 The Sandhurst Study Area E (College Town) of the Character Areas Assessment SPD sets out, in summary, that the character area is defined by its distinct street and plot pattern and is distinguished by its long straight roads. The following relevant recommendations are set out in the SPD:

- Small infill development and redevelopment of individual plots may be detrimental to the character of this area;
- Infill development should be in character and set out around an orthogonal street pattern (i.e. not designed around typical highways requirements);
- Along the street frontage plots should be developed separately for housing;
- Road frontage treatment should be enhanced;
- The road alignment and dominance of plot pattern should be maintained.

9.3 The site is to the rear of 60 College Road, within the current rear garden area of that

property as well as land to the rear of the gardens of 62 and 64 College Road, which is currently an area of green space. It would be accessed via a new access road from The Breech. The proposed two pairs of semi detached houses would be in keeping with the proposed pair of semi detached houses on the site of Jomar, 60 College Road, subject of a separate application (15/00717/FUL). Numbers 62 and 64 College Road are also semi detached houses, as are 58 and 56 College Road. Numbers 62 and 64 College Road have a combined width of 7.5 metres. Numbers 58 and 56 College Road have a combined width of 10 metres. Numbers 27-29 The Breech, to the north of the site, is a terrace of 3 houses with a combined width of 12 metres, and beyond that are semi detached houses with a combined width of approximately 15 metres. Each pair of proposed houses would have a combined width of approximately 10 metres, which is in keeping with the surrounding development.

9.4 The character area SPD sets out the dominance of plot pattern, however it also references that the plot pattern, while very distinctive in plan, is barely visible from the ground. 60 College Road has a particularly long rear garden, of approximately 89 metres from the rear of the existing dwelling. The proposed development on the land to the rear of the existing house would be in line with the pattern of development formed by The Breech, which is itself located to the rear of the properties on College Road, as well as being parallel to the proposed semi detached houses/existing bungalow at 60 College Road. The layout of the proposals would therefore be in keeping with the urban grain of the surrounding area, and would maintain the linear pattern of development in line with the recommendations of the character area SPD.

9.5 The floorplans of houses on plots 1 and 2 would mirror each other. Each would have an open plan kitchen/living/dining area and WC accessed from the hallway at ground floor. The first floors would comprise three bedrooms, one with en-suite, and a bathroom. Houses on plots 3 and 4 would have a WC and an open plan kitchen and dining area, with a separate living area at ground floor. The living area would have a roof lantern and bi-fold doors to the rear garden. The first floors would have three bedrooms, one with en-suite, and a bathroom. The first floor would be set back due to the roof lantern over the ground floor living area.

9.6 The houses would be constructed from brick, with brick courses above the windows. They would have interlocking concrete roof tiles and open porches. They would have pitched roofs. Examples of these features can be seen elsewhere in The Breech. Samples of materials would be secured by condition to ensure that the development would be of high quality.

9.7 The proposed access road would cut through an existing area of open green space on The Breech. A number of the existing trees, including those subject to a TPO, would be retained to the east and west of the access road to ensure that an element of this character is retained. The original plans for The Breech, in 1991, show this area as a potential new access road. While it is acknowledged that the provision of an access road and four dwellings on previously undeveloped land would alter the character of this part of The Breech, it is considered that the proposals themselves are in keeping with the overall character of The Breech and, on balance, this impact is appropriate and acceptable.

9.8 The proposals are in keeping with the surrounding residential development in terms of plot pattern and design, in line with the character area SPD. It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area. It would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

### **iii. Impact on Residential Amenity**

9.9 Proposed houses on plots 1 and 2 would be approximately 32 metres to the closest property on Pine Close to the east and, given this distance and the scale of the proposed buildings, it is not considered that they would have any adverse impacts on the properties in Pine Close.

#### **Overbearing impacts**

9.10 At its closest point, the house on plot 1 would be approximately 2.3 metres from the southern elevation of 29 The Breech. 27 – 29 The Breech comprises a terrace of three houses and the proximity of the houses to 29 The Breech is appropriate to the context of The Breech. Number 27 The Breech, for example, is 2.4 metres from 26 The Breech to the north. The proposed dwelling would be sited further forward than 29 The Breech, and would not therefore have any undue overbearing impacts when viewed from the back garden. While the additional four houses would be more overbearing to 27-29 The Breech than the existing undeveloped garden land, the houses are of a 2 storey scale, in keeping with development in The Breech, with separation distances appropriate to the surrounding area and therefore the impact is considered to be appropriate to the residential setting.

9.11 Proposed houses on plots 3 and 4 would be located approximately 24 metres from the proposed dwellings at 60 College Road, or 21 metres from the existing Jomar dwelling at 60 College Road. The closest part of the proposals to 60 College Road would be the single storey living room. The closest 2 storey element would be 24 metres from the existing bungalow or 27 metres from the proposed dwellings. Due to the separation distances between the properties and their two storey scale, the proposed houses would not be overbearing to the existing or proposed houses on 60 College Road.

9.12 Houses on plots 3 and 4 would also be visible from the rear of 58 College Road, which is to the south of the site. The closest part of the proposed house on plot 3 would be the single storey element, approximately 20 metres from 58 College Road. The existing 1.8 metre fence between 58 and 60 College Road would be retained as part of the proposals. Given the distance between 58 College Road and the proposals, and the oblique angle between the rear of the properties, the proposed dwellings would not be overbearing to 58 College Road.

9.13 The proposals would be approximately 17 metres from 54 College Road. However, they would be 2 gardens away from 54 College Road, and the scale and distance of the proposals would mean that they would not be significantly overbearing on 54 College Road.

## Overlooking impacts

9.14 Number 29 The Breech has no windows in the southern elevation, and the house on plot 1 would have only one window at first floor, which would be a bathroom window. A condition would be attached to ensure that this window would be obscure glazed and that no further windows can be added to this elevation. The proposed houses would be orientated east to west, which is the same way as the existing dwellings at 27 – 29 The Breech and there would therefore be no overlooking issues as a result of the proposals.

9.15 The rear bedroom in the existing bungalow is approximately 21 metres from the single storey element of proposed dwelling 3 and 4, however the 1.8 metre high fence between the two properties would ensure that there would not be any overlooking at this point. The two storey element is 24 metres from the existing bedroom window. While this could potentially result in some overlooking, it should be noted that the dwelling is currently vacant and uninhabitable. It is therefore more relevant to assess the overlooking impacts on the proposed dwellings at 60 College Road.

9.16 Proposed houses on plots 3 and 4 would be 24 metres from the proposals at 60 College Road at the closest point. This would, however, be single storey. The closest 2 storey element would be 27 metres from the proposed houses at 60 College Road. Four bedroom windows in houses on plots 3 and 4 would face four bedroom windows in the proposals at 60 College Road. Two of the four bedroom windows in the proposals at 60 College Road would be set further back, approximately 28.5 metres from houses 3 and 4. The distance between the two properties is considered acceptable to ensure that there would not be any unacceptable overlooking between the properties.

## Overshadowing impacts

9.17 The houses on plots 1 and 2 would be set forward from 29 The Breech, so that the rear of the proposed houses would be approximately 1 metre further behind the rear wall of 29 The Breech, ensuring that there would be no undue overshadowing to the rear windows or rear garden of 29 The Breech. The proposals would project approximately 5 metres forward of the front elevation of 29 The Breech. The front elevation of 29 The Breech has a window and door at ground floor and an oriel window and window at first floor.

9.18 The original floorplans for The Breech indicate that the ground floor window serves a kitchen, and both upstairs windows serve the same bedroom. In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) is used as a standard for assessing acceptable levels of light. Although a kitchen is not considered to be a habitable room, and no loss of light assessment is necessary, an assessment was carried out to ascertain the loss of light impacts to the windows in the front elevation of the adjacent property in case this is used as a kitchen diner. A loss of light assessment was undertaken which concluded that approximately 50% of the kitchen window would be overshadowed by the proposed dwelling. This demonstrates that the proposed dwelling would not cause an unacceptable loss of light to the front elevation of 29 The Breech. The assessment also concluded that the bedroom windows in 29 The Breech would not suffer an adverse loss of light impact as a result of the proposals. The proposed development is, therefore, considered acceptable in terms of loss of light/ overshadowing impacts to 29 The Breech. Given the distance between the proposals and any other residential dwellings, no other loss of light impacts would occur. As the proposed dwellings are north of the neighbouring gardens

(56-58 College Road), no further overshadowing impacts would occur as a result of the proposed properties.

9.19 The proposed houses would be provided with adequate amenity space in the form of private rear gardens which, due to the layout and siting of the proposed houses, would not suffer from adverse overlooking or overshadowing impacts.

#### Construction impacts

9.20 Given the proximity of the proposed development to the adjacent dwellings, there is the potential for noise and disturbance to neighbouring properties during the demolition of the existing dwelling and the construction of the proposed houses. To mitigate these impacts, conditions are recommended to restrict the hours of construction and demolition works which are audible beyond the site's boundary and to restrict delivery and collection hours to the construction and demolition site.

9.21 Due to the design of the proposed houses, the positioning of the windows and the proposed separation distances, it is not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties or future occupiers. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

#### **iv Transport implications**

##### **Access**

9.22 These 4 new dwellings would take access off The Breech, an adopted residential cul-de-sac which is subject to a 30mph speed limit. On-street parking is restricted along The Breech and around the junction with College Road. A new access is proposed between an existing access to the rear of nos. 60 to 64 College Road and the private drive serving nos. 27 to 29 The Breech. A sight-line of around 25 metres can be achieved to the right for vehicles exiting this new residential development and a sight-line of around 43 metres can be achieved to the left towards the junction with College Road. These sight-lines are acceptable for access onto this residential cul-de-sac. There is a 2 metre wide highway service margin across the site frontage and a condition will be secured to ensure that any existing planting over-hanging the highway verge will need to be removed and similarly proposed planting should be outside of the highway verge to protect sight-lines.

9.23 The Breech is a shared surface for vehicles and pedestrians and the road width of 4.8 metres enables two cars to pass each other at low speed. Parking is restricted around the junction of The Breech and College Road and whilst on-street parking occurs along College Road, the applicant has provided drawings to demonstrate that adequate sight-lines can be achieved at the junction due to the double yellow lines and the bollards on the verge.

9.24 College Road is traffic-calmed and the Council's records indicate that there have been no accidents at this junction. College Road is a busy road and the intensification of use from 4 new dwellings would represent around a 13% increase in vehicles exiting the junction of The Breech which currently serves 29 dwellings. In the light of the details submitted regarding sight-lines and the limited increase in traffic using the junction the Highway Authority (HA) has no objection on the grounds of highway safety.

9.25 The latest Site Plan (drawing 2205-04-B) shows that the new bell-mouth junction serving this residential development is to have a width of 4.8 metres and radii of 6 metres with 2 metre wide verges to either side. This new estate road would be a 4.8 metre wide



shared surface mirroring that of The Breech and this arrangement would be more than adequate for the scale of development.

9.26 Whilst the HA does not generally adopt roads serving fewer than 6 dwellings, there is the potential for this road to be adopted as public highway to serve future back-land development, if planning applications were made.

9.27 A turning area has not been provided, although following comments from the HA, the aisle between the parking spaces was increased to 6 metres to ensure a car could safely reverse out of the spaces provided. A Council refuse vehicle would not be able to enter and turn on site. However, a bin collection point is proposed within 12 metres of the junction with The Breech and this would enable collection by the Council. There is no turning area for a domestic delivery vehicle (shopping deliveries), however this is not a pre-requisite for a development of this size and the applicant notes that such vehicles would reverse along the new estate road. The proposed access road off The Breech to serve the proposed dwellings would be 4.8 metres wide, which is adequate for large vehicles, including fire engines, to access. The provision of the visitor parking spaces which are unlikely to be fully-utilised would provide some turning for domestic delivery vehicles.

9.28 A pedestrian access (footpath) is proposed to the side of the parking spaces for access from the shared surface to the main front door of dwellings. This is shown on the latest Site Plan (drawing 2205-04-B) as being 900mm wide which is acceptable. Each of the properties is proposed to have access through to the rear for access to bin and cycle storage.

### **Parking**

9.29 Each of these 3-bed dwellings would have two driveway parking spaces, which complies with the Council's parking standards. These are shown on the revised Site Plan (drawing 2205-04-B) as being 2.4 metres by 4.8 metres, in line with the Council's standards. The aisle distance between spaces is 6 metres and the parking layout complies with the current standards for practical and useable parking. Two visitor parking spaces are proposed and this is welcomed.

### **Trips**

9.30 These four new dwellings could generate in the region of 24 two-way trips over the course of a typical day with 3 of these in both the morning and evening peak periods. The development would be liable for CIL charges and financial contributions could be used to fund general transport improvements in the area to mitigate the highway impacts of this development.

9.31 Subject to the proposed conditions, the proposals are in line with CSDPD Policy CS23 and Saved Policy M9 of the BFBLP.

### **v Biodiversity Implications**

9.32 The ecological report submitted with the application shows that there is little ecological value to the site. A condition is recommended to secure the suggested ecological mitigation measures in the submitted report. Subject to this condition, the proposals would be acceptable in biodiversity terms, in line with CSDPD Policies CS1 and CS7, and 'Saved' BFBLP policy EN2.

### **vi Impact on trees**

9.33 There are a number of TPOs on the site, on either side of the proposed access road. A number of neighbours raised concerns that protected trees had been removed on site without permission. However, an investigation by the Council's Planning Enforcement Officer confirmed that none of the trees removed were subject to TPOs.

9.34 The arboricultural report submitted with the application sets out one of the trees to be removed, a silver birch tree, appears to be subject to a Tree Preservation Order (TPO 296 T1). The report has classified this as a Category C tree, which means it is of low quality. The removal of this tree is accepted as necessary to facilitate the development. Four other trees are required to be removed for the provision of the access road, none of which are subject to a TPO, and all of which are also category C trees according to the arboricultural report. A condition requiring replacement planting within the proposals will be secured.

9.35 The construction of plot 4 would marginally encroach on the root protection area of a silver birch tree. The arboricultural assessment states that this will not damage the tree. Given that the proposed construction would encroach by less than 2% of the advised sq.m. of RPA, this is considered to be an acceptable analysis. A condition requiring protective measures for this and all other trees shown to be retained will be secured.

9.36 The applicant has removed a minimal number of trees in order to facilitate the development, and the arboricultural report assesses the value of the trees to be removed as low quality. Conditions are proposed to ensure the protection of those trees which are to be retained. The indicative landscaping proposals demonstrate new trees to be planted. A condition requiring details of hard and soft landscaping is also proposed, as well as details of boundary treatments.

9.37 Subject to these conditions, the proposal is not considered to have an unacceptable impact on trees and therefore is in line with CSDPD policy CS1 and BFBLP 'Saved' policies EN1 and EN2.

## **vii Flood Risk and Drainage**

9.38 Paragraph 103 of the NPPF sets out that when determining planning applications local planning authorities should ensure flood risk that is not increased elsewhere and should ensure that development is appropriately flood resilient and resistant. The site is within flood zones 2 and 3 as defined on the Environment Agency's flood map. As such, a Flood Risk Assessment (FRA) has been submitted. This demonstrates that by ensuring that house slab levels are set at 450mm above local ground level any possible flood risk has been mitigated. A condition is recommended to secure this.

9.39 The FRA refers to the use of a connection to an existing surface water sewer in either The Breech or College Road with a minimum 21m<sup>3</sup> storage volume. While this is acceptable, the National Planning Policy Framework (NPPF) says that the LPA should give priority to the use of SuDS. Bracknell Forest Borough Council has published its Local Flood Risk Management Strategy (a copy of which can be found on the Council's website). The strategy for dealing with flood risk within the borough says that surface water drainage for development should use Sustainable Drainage systems (SuDS) and this is re-iterated in standing advice from the Environment Agency. A condition is therefore recommended to require that any surface water from the development is attenuated to greenfield runoff rates, using SuDS where possible.

9.40 Subject to the suggested conditions, the Council's officer is satisfied that the proposals would be acceptable in flood risk and drainage terms.

## **viii SPA**

9.41 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 1.27 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.42 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. This includes a contribution towards Suitable Alternative Natural Greenspace (SANG). In this instance, the development would result in a net increase of four 3-bedroom dwelling. 3 bedroom dwellings require a contribution of £2,171. The total SANG contribution is therefore £8,684.

9.43 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. 3 bedroom dwellings require a contribution of £711. The total SAMM contribution is therefore £2,844.

9.44 The total SPA related financial contribution for this proposal is £11,528. The applicant has agreed to enter into a S106 agreement to secure this contribution. Subject to the completion of the S106 agreement, the proposal would not have an unacceptable impact on the SPA and would comply with SEP Saved Policy NRM6, CS14 of CSDPD and the NPPF.

## **ix Sustainability**

9.45 CS Policy CS10 seeks to ensure the best use of natural resources, and CS12 requires 10% of energy requirements for 5 or fewer dwellings to be generated from on-site renewables. This is in line with paragraph 97 of the NPPF, which seeks to promote energy from renewable and low carbon sources. A condition will secure the submission of a sustainability statement to demonstrate that the proposals can meet these requirements. A condition will also be included to ensure that the development will be SuDS compliant, in line with the NPPF and CSDPD Policy CS1.

9.46 Subject to these conditions, the application is acceptable with regards to CSDPD Policies CS1, CS10, CS12 and the provisions of the NPPF.

## **x Community Infrastructure Levy (CIL)**

9.47 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.

9.48 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.

9.49 In this case, the proposal would be CIL liable as the proposal comprises the creation of four new dwellings, totalling 341.5 sq.m. of floorspace. The site falls within the Crowthorne/Sandhurst CIL charging area, for which the charge is £300 per square metre for 1-14 dwellings.

## 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 highway safety implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to detailed design, trees, biodiversity and sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS7, and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

## 11. RECOMMENDATION

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

That the Head of Planning be authorised to **APPROVE** the application subject to no objection from the Environment Agency and subject to the following condition(s):-

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority on 15 July 2015:

2205 02 Plans and elevations, Plots 1 and 2, received 15 July 2015

2205 03 Plans and elevations, Plots 3 and 4, received 15 July 2015

2205 04 B Site Plan, received 24 September 2015

Arboricultural Impact Assessment and Method Statement, prepared by ACD Arboriculture, dated 24.07.2015, received 24 July 2015

Extended Phase 1 Habitat Survey Ref:1215/a, prepared by John Newman ecological consultancy and dated September 2015, received 22 October 2015.

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

03. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. The proposed bathroom window in the northern (side) elevation of the dwelling on plot 1 hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent).

REASON: To prevent the overlooking of neighbouring properties.  
Relevant Policies: BFBLP EN20]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the first floor of the northern (side) elevation of house 1 hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]

06. All ecological measures and/or works shall be carried out in accordance with the details contained in John Wenman Ecological Consultancy's report dated September 2015 as submitted with the planning application.

REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1]

07. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:

- a) Accurate trunk positions and canopy spreads of all existing trees
- b) Minimum 'Root Protection Areas' of all existing trees
- c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
- e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- f) Illustration/s of the proposed fencing structure/s to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

08. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the dwellings approved in this permission.

REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.  
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]

09. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. 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.  
[Relevant Policies:BFBLP EN2 and EN20, CSDPD CS7]
10. No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.  
REASON: In the interests of the amenities of the area.  
[Relevant Policies: BFBLP EN25]
11. During the demolition and construction phases, no deliveries shall be taken at or dispatched from the site outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.  
REASON: In the interests of the amenities of the occupiers of nearby residential premises.  
[Relevant Policies: BFBLP EN25]
12. No dwelling shall be occupied until vehicular access as shown on drawing 2205 04B has been constructed.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
13. No dwelling shall be occupied until the associated vehicle parking has been surfaced and marked out in accordance with the approved drawings. 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]
14. No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for cycle parking facilities. The dwellings shall not be occupied until the approved scheme has been implemented. The facilities shall be retained.  
REASON: In the interests of accessibility of the development to cyclists.

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

15. 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.

REASON: In the interests of amenity and road safety.

16. The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

17. 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]

18. No construction shall take place until details of a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the proposed slab levels shall be set at minimum of 450mm above local ground level. It shall also demonstrate that any surface water from the development shall be attenuated to greenfield runoff rates, using SuDS where possible in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015) and with a minimum of 21m<sup>3</sup> storage.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.

[Relevant Policies: CSDPD CS1, BFBLP EN25]

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 subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

1. Commencement
2. Approved Plans
4. Obscure glazed window
5. No new windows in northern elevation
6. Works in accordance with ecological statement
7. Protective barriers
10. Construction hours
11. Delivery Hours
12. Vehicular access
13. Parking

Details are required to be submitted in relation to the following conditions:

3. Materials
8. Means of enclosure
9. Hard and soft landscaping
14. Cycle parking facilities
15. Construction Management Plan
16. Sustainability Statement
17. Energy Demand Assessment
18. SuDS

03. The Streetcare Team should be contacted at Department of Transport & Transportation, 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.

04. Thames Water comments:

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes shared with neighbours, or are situated outside of the property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes it is recommended that you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. Thames Water can be contacted on 0800 009 3921 or for more information please visit [www.thameswater.co.uk](http://www.thameswater.co.uk).

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.



With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444- 448200

**In the event of the S106 agreement not being completed by 25 February 2016, the Head of Planning be authorised to extend this period or 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 (2012).

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