

ITEM NO: 5

Application No.
15/01041/FUL
Site Address:

Ward:
Ascot

Date Registered:
12 November 2015

Target Decision Date:
7 January 2016

**The Gold Cup 102 Fernbank Road Ascot Berkshire
SL5 8JN**

Proposal:

Erection of 5No. residential dwellings following the demolition of the existing buildings

Applicant:

Mr David Kirkby

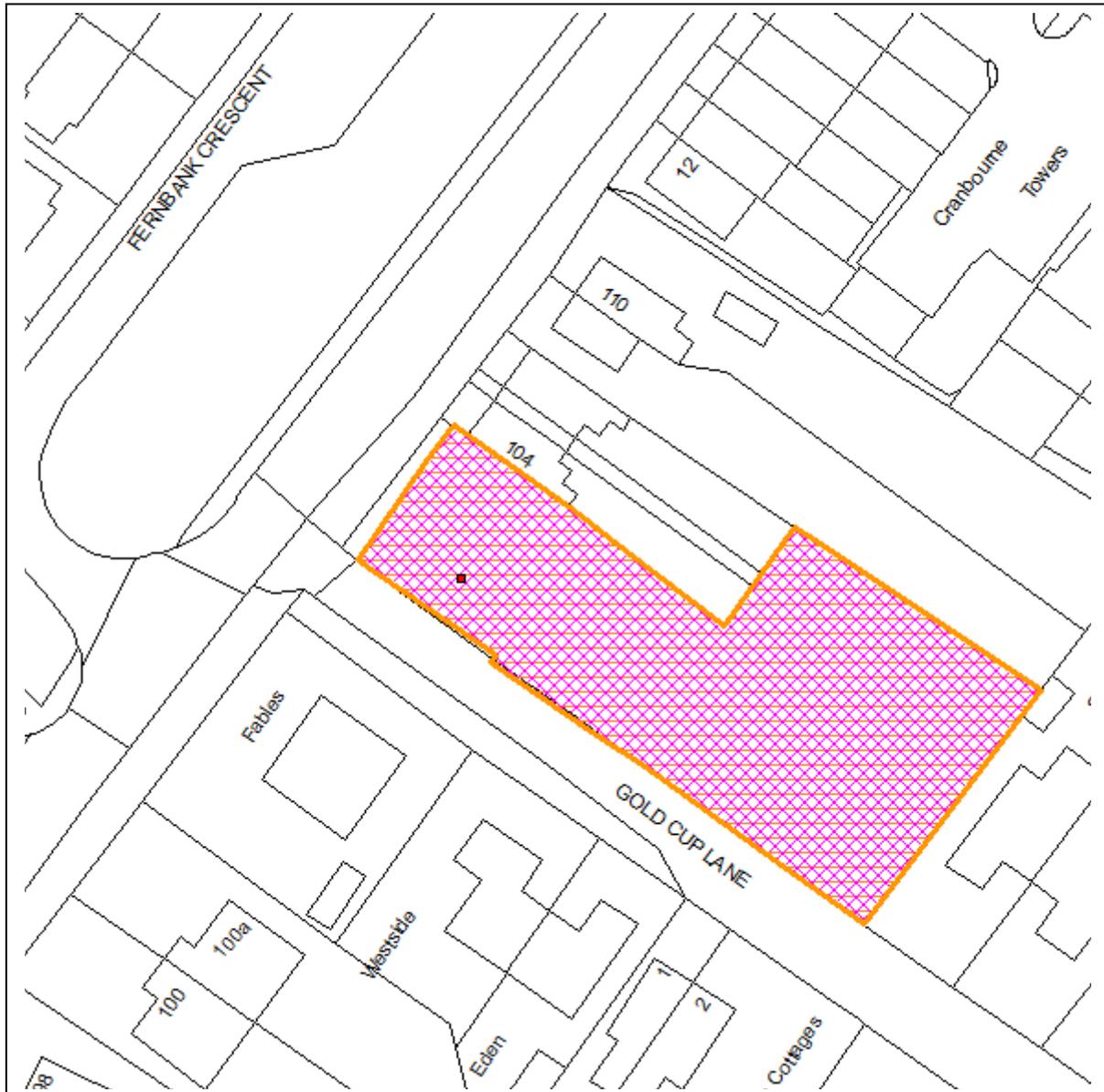
Agent:

Mr Jason O'Donnell

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 5no. dwellings, car port and garage following demolition of the former public house on site along with associated outbuildings.

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. The redevelopment of the site has been established by a previous planning permission granted in July 2014. No adverse highway safety implications would result. Relevant conditions will be imposed in relation to biodiversity and sustainability. A legal agreement has been completed to secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION
Planning permission be granted subject to the amended conditions in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as more than 3 objections have been received.

2.2 The application had previously been presented to the Committee on 21 January 2016 where the Committee resolved to approve the application subject to relevant conditions and the completion of a legal agreement to secure mitigation for the SPA.

2.3 Since this resolution was made by the Committee members, it has been brought to the attention of the Council that works have commenced on site with the laying of the slabs for the 5no. dwellings. Since planning permission has yet to be granted for the development awaiting the completion of a legal agreement (now completed), a breach of planning control exists. In order to regularise this breach and for the Council to be in a position to issue planning permission for the development, the application is being reported back to the Planning Committee to agree amended wording of pre-commencement conditions as the applicant has commenced works on site and therefore is in breach of pre-commencement conditions –i.e. where information is required to be approved before the commencement of development.

2.4 The following pre-commencement conditions were agreed by Committee members on 21 January 2016 with information required to be submitted to and approved by the LPA prior to the commencement of development:

Condition 3 – materials

Condition 7 – site layout

Condition 9 – hard and soft landscaping

Condition 11 – boundary treatment

Condition 12 – sustainability statement

Condition 13 – energy demand statement

Condition 20 – construction method statement

Condition 21 – ecological measures - bird and bat boxes

Condition 24 - foundation structure of garage on plot 5

Condition 25 - construction method statement for all hard surfaced areas

2.5 To address the matter, all information required as pre-commencement conditions has been submitted to the Council so that details can be agreed at this stage and the aforementioned conditions re-worded to refer to the approved information. Further, the approved plans condition – condition 2 requires updating to take into account revised plans addressing former pre-commencement conditions.

2.6 For clarification, all other matters considered by the Committee on 21 January 2016 remain the same. The application solely has to be reported back to the Committee in order to agree re-wording of all previous pre-commencement conditions.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Defined Settlement
Within 5km of the SPA

3.1 The site is located on the eastern side of Fernbank Road, immediately north of its junction with Gold Cup Lane, in a predominantly residential area.

3.2 The site covers approximately 0.11 hectares and contained a public house (Use Class A5) and associated outbuildings, which have now been demolished. The site had previously been vacant since December 2011.

3.3 The former public house building was two storey (the first floor providing residential accommodation ancillary to the public house) with single storey rear extensions, with the site access running along its northern side and Gold Cup Lane running along its southern side. Gold Cup Lane is a private residential cul-de-sac.

3.4 Adjoining the site along its northern boundary are the residential plots of 104, 106 and 108 Fernbank Road, which all contain two storey dwellings. To the rear is Sri Menanti, a bungalow fronting Gold Cup Lane. On the opposite side of Gold Cup Lane facing the side of the site are residential plots of Fables, Westside, Eden and 1 and 2 Rhodesia Cottages. On the opposite side of Fernbank Road, separated by a large highway verge as well as the carriageway, are further dwellings along Fernbank Crescent.

4. RELEVANT SITE HISTORY

4.1 Members considered a scheme (ref: 13/01037/FUL) for redevelopment of the site for 5 houses following demolition of the existing public house and associated outbuildings in April 2014 when it was resolved to grant planning permission subject to the completion of a Section 106 agreement to secure SPA mitigation. The agreement was completed and planning permission issued in July 2014.

5. THE PROPOSAL

5.1 The proposed development is for the erection of 5no. dwellings.

5.2 Plots 1 and 2 would be semi-detached dwellings fronting Fernbank Road, and would be two and a half storeys containing three bedrooms. Plots 1 and 2 would have an eaves

height of 5.1m and ridge height of 8.9m. Plots 1 and 2 would have a total width of 9.6m at the widest part and a depth of 10.6m at the deepest part. A small area of front garden is proposed to the front of the dwellings facing out onto Fernbank Road. To the rear, private gardens are proposed which are approximately 10m deep.

5.3 Plots 3-5 would be a row of three terraced properties located towards the rear of the site, facing towards Fernbank Road but fronting into the site. These dwellings would be two storeys, each containing three bedrooms. They would have an eaves height of 4.8m and ridge height of 8.6m and would have a total width of 19.1m and a maximum depth of 10.2m. A small area of front garden is proposed to the front of the dwellings facing into the site. To the rear, private gardens are proposed which are approximately 10m deep.

5.4 In relation to parking provision, a car port is proposed along the rear boundaries of plots 1 and 2 with additional parking provision in front. This would provide a total of 6no. parking spaces.

5.5 A detached garage with additional parking space is proposed to serve plot 5 and 2no. parking spaces are proposed at 90 degrees to plot 3.

5.6 Cycle storage would be provided for the dwellings, in sheds in the rear gardens of plots 1-4 and in the proposed garage for plot 5.

5.7 A bin collection point would be provided adjacent to plot 1.

5.8 The site would be served by an internal access road between the side of plot 1 and the side of no. 104 Fernbank Road with turning area to the fronts of plots 3-5.

5.9 The current application differs to planning permission 13/01037/FUL as follows:

- modest changes to external appearance of dwellings including size and relocation of windows
- erection of car port to rear of plots 1-2 with parking in front.
- Plots 3-5 have been shifted towards the northern boundary with 108 Fernbank Road with the relocation of the garage from alongside the boundary with 108 Fernbank Road to alongside the boundary with Gold Cup Lane.

5.10 For clarification the ridge heights of the dwellings are the same as that approved by permission 13/01037/FUL.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Objects to the application on the following grounds - parking provision and access from Fernbank Road - access should be from Gold Cup Lane.

Other representations

6.2 9 objections received (7 from the same postal address) which raise the following:

- Proposal differs to previous application and therefore has impact on adjoining property and their privacy – the dwelling closest to the boundary with 108 Fernbank Road is no longer a garage but a two storey dwelling closer to the boundary. This will be overbearing and overshadowing to no. 108 Fernbank Road and will affect light.

- The boundary treatment between no. 108 Fernbank Road and the application site belongs to no. 108 therefore cannot be altered without negotiation.
- Previous application approved on site should be implemented.
- Area saturated with overdevelopment without the infrastructure to cope (GP surgeries and local schools).
- Object to the access onto Fernbank Road, should use Gold Cup Lane instead for highway safety reasons.
- Please may I draw your attention to paragraph from your committee report for the application that was passed (13/01037/FUL), Under Point 10. paragraph 6 in relation to distance from my boundary (108 Fernbank Road) being adequate with the flank wall of plot 3 being 4.2m away, therefore not blocking light, privacy etc. This new application has plot 3's flank wall right on top of my boundary with only 0.5m separating distance. This will considerably alter my light, privacy, be overbearing and overshadow my property. The boundary treatment separating my garden from the development belongs to me, so cannot be altered by the developer without negotiation.
- There is a summer house in the rear garden of 108 Fernbank Road which is often used by visitors and guests as extra accommodation. There is also an orchard (apple and cherry trees) in front of the summer house. This is located along the rear boundary of the garden of no. 108. The relocation of plot 5 to closer to the boundary with no. 108 will be overbearing, overshadowing and harmful, having an impact upon well being. The development will be detrimental to the orchard and the privacy of the summer house will also be impeded.
- If you have enjoyed a certain level of light for 20 uninterrupted years the laws states that it is reasonable for your to expect the same level of light and you can take action.
- 2 conservatories have now being added to plots 3 & 5, yet there doesn't seem to be any new or altered plans submitted for approval.

6.3 Officer note: The foundations for 2no. conservatories to plots 3 and 5 have been laid. These conservatories are not subject to this current application and if they were to be retained, a further planning application would have to be submitted for the scheme which would be considered on its own merits. Alternatively, the foundations for the conservatories could be removed to remedy the matter.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection subject to conditions.

Environmental Health Officer

7.2 No objection subject to conditions.

Biodiversity Officer

7.3 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15 of CSDPD	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
BRE – site layout planning for daylight and sunlight		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of the area,
- iv. Impact on highway safety
- v. Impact on biodiversity
- vi. Thames Basin Heath SPA
- vii. Community Infrastructure Levy
- viii. Energy sustainability
- ix. Drainage

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 dwellings would comprise 3 bedrooms and would add to the housing stock by providing 5no. additional family homes within the Borough.

9.4 The site is considered to constitute previously developed land (PDL) within the settlement. The NPPF (glossary) defines PDL as "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure". As the site comprises previously developed land within a settlement, close to services and facilities, it is considered to be a sustainable site and suitable for residential development.

9.5 The existing building on site has been demolished – the former public house (PH). As part of permission 13/01037/FUL, the loss of the PH as a community asset was assessed. At that time it was considered that the marketing information submitted along with a viability report, concluded the PH was unviable and due to the fact that the site is not located with a defined town- or retail-centre, there was no objection to the loss of the PH on this site.

9.6 The proposal is therefore considered acceptable in principle subject to other material considerations including impact on residential amenity, character and appearance of surrounding area, highway safety implications, etc.

ii. Impact on Residential Amenity

9.7 104 Fernbank Road

This two-storey property is adjacent to the site access therefore its side and rear boundaries adjoin the application site and Plot 1 would be parallel to this dwelling, on the other side of the access road. There would be a 4.8m separation distance between the flank wall of plot 1 and the flank wall of 104 at the closest point. Due to the siting and layout, plot 1 would not appear overbearing or result in loss of daylight to no. 104. 1no. window is proposed in the flank wall of plot 1 at first floor level facing no. 104 serving a bathroom. It is recommended that this window be obscure glazed and fixed shut to prevent overlooking and loss of privacy to no. 104. Whilst the proposed dwellings at Plots 1 and 2 would be 0.8m taller than the former PH building, as they would be in similar position to the former PH, the height increase would not appear overbearing or result in overshadowing to no. 104. This application would utilise the existing access from Fernbank Road which served the former PH. The access road serving the new development would run alongside the boundary with no. 104, however this was as per the existing layout of the former PH. The proposed redevelopment of the site for housing would generate fewer traffic movements per day than the former use and therefore no undue noise and disturbance would result to no. 104. The rear garden of no.104 is between 18m and 21m long and Plots 3-5 would be sited 24m from the rear elevation of no. 104 at the closest point. In view of these separation distances, plots 3-5 would not result in overlooking or loss of privacy to no. 104.

9.8 106 Fernbank Road

This two-storey property adjoins the application site only along its rear boundary. The dwelling at no. 106 is sited some 17m from the application site boundary, with some 24m separation distance between the rear elevation of no. 106 and the front elevations of plots 3-5 at the closest point. No. 106 is considered to be sufficiently far away from the proposed dwellings that no significant overlooking, loss of privacy, overshadowing, overbearing impact or loss of light would occur. The area of land directly to the rear of the boundary of no. 106 would be utilised for 2no. parking spaces, which was its former use when the site was in operation as a PH. There would be fewer vehicular movements to and from the site which would be beneficial to this existing dwelling.

9.9 108 Fernbank Road

This two-storey property adjoins the application site only along the rear part of its garden. There would be a 28m separation distance between the rear elevation of no. 28 and the front elevation of the dwelling proposed at plot 3. Due to the separation distance of the dwelling from the proposed development it is not considered that any significant overbearing, overshadowing or loss of light would result from the proposals. The flank wall of Plot 3 would be 1.2m-1.4m from the boundary with no.108 and would contain a first floor window serving an en-suite bathroom. It is recommended that this window be obscure glazed and fixed shut to prevent overlooking and loss of privacy to the rear most part of the garden of no. 108. A further condition restricting the installation of windows in the flank wall of plot 3 facing no. 108 is recommended. The flank wall of plot 3 would be 1.4m from the boundary with no. 108, however given it would be sited along the rear most part of the garden of no. 108 and 28m from the rear elevation of no. 108 itself, it would not appear unduly overbearing to the detriment of no. 108 as to constitute a reason to refuse the application. It is acknowledged that the previous permission granted for the site, LPA ref: 13/01037/FUL, plot 3 had a single storey garage located alongside the boundary with no. 108 with the flank wall of the dwelling set 4.2m from the boundary. This permission is extant and could be implemented, however this revised application must be assessed on its own merits and as part of this application, the flank wall of plot 3 is sited closer to the boundary with no. 108, however due to it being the rear most part of the garden of no. 108 being located alongside plot 3 (not their most private, useable amenity space), any potential overbearing and overshadowing impact would not be so harmful to the adjoining property as to make the proposal unacceptable.

9.10 There is a summer house and orchard within the rear most part of the garden of 108 Fernbank Road. The summer house is considered an ancillary outbuilding used connected to the main dwellinghouse and the summer house does not benefit from planning permission for use as a separate residential unit of accommodation.

9.11 There are doors in the front of the summer house along with a side facing window which faces onto the boundary fence. The siting of plot 5 may result in loss of daylight to the front facing door of the summer house, however there is an alternative source of light in the side of the summer house which would not be obstructed by the proposal. The dwelling on plot 5 would appear visible viewed from the summer house, but would not be considered to appear unduly overbearing as to warrant refusal of the application. There maybe some oblique level of overlooking to the summer house from rear facing windows on plot 5 however this would again not be so adverse as to warrant refusal of the application. The existing orchard will still receive sunlight from the east and west and during summer months from the south, and any overshadowing to an orchard in the rear most part of a residential garden would not be so harmful as to warrant refusal of the application.

9.12 Sri Menanti, Gold Cup Lane

This bungalow runs perpendicular to the application site along its rear boundary, and fronts onto Gold Cup Lane. Plots 3-5 would all back on to Sri Menanti with rear gardens 10m long. In view of these garden lengths and the siting of the dwellings at plots 3-5, they would not appear unduly overbearing to Sri Menanti. The rear boundary treatment would be a total of 2.1m high (1.8m close boarded fence topped by 0.3m trellis) with new screen planting within the application site to provide some screening to the development. Further, due to the siting of the dwellings they would not result in a detrimental level of overshadowing or loss of daylight to Sri Menanti.

9.13 Plots 3-5 have been sited so that they primarily overlook the sides and front of Sri Menanti. Plot 3 would have a view into the rear garden of Sri Menanti but this would be mitigated by the presence of an outbuilding adjacent to the site boundary at Sri Menanti, therefore any overlooking would be minimal and would not be significant to the detriment of the adjoining property.

9.14 Fables, Westside, Eden and 1 and 2 Rhodesia Cottages

These dwellings all front Gold Cup Lane. There would be between 12m and 19m separation distance between the front elevations of these existing dwellings and the flank walls of the proposed new dwellings. Due to the siting of the proposed dwellings within the plot and the separation distance, and the side-to front relationship between proposed and existing dwellings, it is not considered that any significant detriment to residential amenity would occur through overlooking, loss of privacy, overbearing, overshadowing or loss of light.

9.15 Fernbank Crescent properties

These dwellings are all at least 35m away from the application site and in view of these separation distances, the proposal would not have a detrimental impact upon the residential amenity of these properties to the north/west of the site.

9.16 The Council's Environmental Health Officer has recommended that conditions should be attached to any grant of planning permission to restrict the hours of construction.

9.17 The layout of the proposed dwellings is considered to provide adequate residential amenity to future occupiers in terms of outlook, privacy and layout.

9.18 As such, the proposal is not considered to significantly adversely 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.

iii. Impact on Character and Appearance of Area

9.19 The site lies in a predominantly residential area with a mix of housing age, type and style. Immediately adjacent to the site on Fernbank Road are two pairs of two-storey semi-detached dwellings, with a row of 2-3 storey terraced dwellings beyond. The house on the corner of Fernbank Road on the opposite side of Gold Cup Lane is a detached dwelling, with a pair of two-storey semi-detached dwellings beyond. To the rear of the site, fronting Gold Cup Lane, is a pair of semi-detached bungalows, whilst other dwellings fronting Gold Cup Lane are a mix of detached and semi-detached, including bungalows and two-storey dwellings. The dwellings on the opposite side of Fernbank Road fronting Fernbank Crescent are two storeys, set well back from the highway by a deep verge. Therefore whilst the area is residential in character there is no predominant pattern of development or housing style in the local area.

9.20 The land levels in the local area rise along Fernbank Road, so the application site is higher than 104 Fernbank Road but lower than Fables, Gold Cup Lane. Levels fall towards the rear of the site and Sri Menanti is set at a lower level than the rear of the application site.

9.21 A pair of semi-detached dwellings is proposed on the site frontage, in a similar position to the existing public house. These dwellings would be 2.5 storeys. A terrace of three two-storey dwellings is proposed within the site to the rear. The density of the proposal would be 45 dwellings per hectare which is considered to be an efficient use of land whilst retaining a similar density to the local area. The level of development proposed is not considered to represent overdevelopment of the site.

9.22 Plots 1 and 2 would have small front gardens with soft landscaping contained by 0.9m high railings which would be in keeping with the character of the streetscene. These plots would comprise front facing gables and a flat roofed dormer to plot 2 with tile hanging, string coursing and soldier coursing over the windows at first floor level. The flank elevations

would be fairly simple but would incorporate windows and doors and string coursing and soldier coursing over first floor windows to provide some design interest and break up the expanse of brick wall. The proposed dwellings would be constructed from Ibstock Ivanhoe Antique brick and Redland Rosemary Craftsman roof tiles. There is no uniform use of brick type and roof tiles along Fernbank Road and the materials would reflect the colour and profile seen elsewhere along the road. The proposed materials are considered acceptable and it is recommended to suitably reword condition 3 so it is no longer a pre-commencement condition but refers to the approved materials. The design of the dwellings would be sympathetic to the character of the area, similar in appearance to the adjacent dwellings and also to dwellings elsewhere in the streetscene. The ridge heights of plots 1 and 2 would be 8.9m – the same as that approved by permission 13/01037/FUL. Given site levels increase from north-east to south-west along Fernbank Road, the proposed dwellings would be approximately 0.3m higher than nos. 104 and 106 Fernbank Road but this height increase would not be considered excessive within the area and would not result in the buildings on plots 1 and 2 appearing so visually prominent that significant harm would result to the visual amenities of the surrounding area. Further, ridge heights of 8.9m for plots 1 and 2 have been considered by previous permission 13/01037/FUL. The details of slab levels as submitted are considered acceptable and it is recommended to suitably reword condition 7 so it is no longer a pre-commencement condition but refers to the approved details.

9.23 Plots 3-5 would constitute backland development but have been sited to broadly align with the building line of Gold Cup Lane. Plot 5 would be double fronted so that it would face onto Gold Cup Lane and respect the siting of existing dwellings along the Lane. These plots would have hipped roofs with front facing gables, tile hanging, string coursing and soldier coursing. These plots would therefore relate well in design terms to the front facing pair of semi-detached dwellings facing Fernbank Road. Plot 5 facing onto Gold Cup Lane would comprise a smaller gable feature, the entrance door into the property and windows to give the appearance of the dwelling fronting onto Gold Cup Lane so as to assimilate into the street scene. Plot 5 would be set approximately 5m from Gold Cup Lane, with parking, the garage of plot 5 and soft landscaping providing a visual and physical buffer between plot 5 and the highway to soften the built form and mitigate visual prominence when viewed along Gold Cup Lane. The ridge heights of plots 3-5 would be the same as that approved by permission 13/01037/FUL.

9.24 The dwellings would have gardens approximately 10m deep. These garden sizes are considered proportionate to the size of the dwellings proposed.

9.25 The proposals present an opportunity to improve the soft landscaping on the site. Details of landscaping have been submitted which are acceptable including the planting of additional shrubs and hedging. It is therefore recommended to suitably reword condition 9 so it is no longer a pre-commencement condition but refers to the approved details. There are trees outside of the boundaries of the site and conditions are recommended in relation to construction of hard surfacing and the slab of the garage of plot 5 within the root protection area of trees.

9.26 The frontages of plots 1 and 2 facing onto Fernbank Road would comprise 0.9m high metal railings, characteristic of the area. The southern boundary of the application site facing onto Gold Cup Lane would comprise a mix of 0.9m high railings and 1.8m high close boarded fencing (along the rear gardens of plots 2 and 5). This would help to provide an active frontage and integration into the local area. The details of boundary treatments submitted are considered acceptable and it is recommended to suitably reword condition 11 so it is no longer a pre-commencement condition but refers to the approved details.

9.27 The communal parking area to serve the proposed dwellings would be sited almost central in the plot, along the rear boundaries of plots 1 and 2 and to the front of plots 3-5.

These hard landscaped parking areas and access road within the site would be softened by soft landscaping. The car port proposed to the rear of plots 1 and 2 would be set nearly 2m from the site boundary and some 3m to Gold Cup Lane. Soft landscaping is proposed between the side of the car port and the boundary with Gold Cup Lane to provide some softening. It would be nearly 5m in height, however due to its design being open on the front and side elevations, the car port would not appear so visually prominent in the street scene, further mitigated by its hipped roof design.

9.28 A bin collection point is proposed alongside the boundary of plot 1's rear garden. This would be screened by soft landscaping either side to mitigate its prominence viewed internally within the site.

9.29 For the reasons given above, the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iv. Transport

Access

9.30 The site would take access off Fernbank Road a local distributor road which is subject to a 30mph speed limit in the same location as the previous pub car park access.

9.31 The existing access is to be altered to include a 4.8 metre wide access road and 4 metre wide radii and this would enable two vehicles to pass each other at the access with Fernbank Road. The means of access should be secured by planning condition. Any highway works to alter the access will require the consent of the Highway Authority under license and the applicant should be advised of this by way of informative.

9.32 On-street parking occurs on Fernbank Road adjacent to the site access, as some residential properties have no off-street parking. Bollards are proposed along the footway fronting the site to restrict vehicles from parking too close to the site access and to ensure that a suitable sight-line can be achieved behind any parked cars in either direction along Fernbank Road. Parking for existing residents will not be restricted by such a proposal, as vehicles will simply be prevented from blocking the footway and on-street parking aids in controlling speeds on this stretch of Fernbank Road. The exact location of the bollards will need to be agreed with the Highway Authority.

9.33 The proposed planting to the front of plot 1 should be kept below 600mm in height to ensure adequate sight-lines are achieved between vehicles exiting the site and pedestrians using the footway.

9.34 A 4.1 metre wide shared surface is proposed further into the site and this would enable vehicles and pedestrian to pass each other safely at low speed on this straight access road. This proposed access is appropriate for this scale of residential development. The access road and parking areas are proposed to be permeable block paving which complies with the latest drainage requirements.

9.35 A turning head is being provided within the site and this would enable domestic delivery vehicles e.g. online shopping to turn on site and exit onto Fernbank Road in a forward gear. A refuse vehicle would not enter the site and a temporary bin collection point is being provided within 25 metres of Fernbank Road to comply with the Council's requirements for waste collection from a private road.

9.36 Plots 1 and 2 would take primary pedestrian access via a path leading from the back of the footway fronting Fernbank Road and these plots are to have a rear access gate for access to car ports/parking spaces, cycles and bins. Plots 3, 4 and 5 are to have a path accessed off the internal access road. Plot 4 has a rear gated access onto Gold Cup Lane for access to cycle and bin storage and bin collection could utilise existing arrangements for current properties accessed off the lane.

Parking

9.37 2 parking spaces are proposed for each of these 3-bed dwellings and this complies with the parking standards. The use of garages and car ports for vehicle parking should be secured by planning condition to ensure adequate parking provision for this development, as should the open parking spaces.

9.38 No visitor parking is proposed and as such one visitor space should be provided to comply with the parking standards for 5 new dwellings. This potential level of visitor parking could be accommodated on Fernbank Road or other local residential roads, such as Fernbank Crescent for infrequent short periods of time without detriment to highway safety.

9.39 The provision of a pedestrian access to the main door of plot 5 adjacent to the driveway would assist with disabled access to the parking. The driveway space serving plot 5 is at least 2.4 metres by 6 metres to take account of the garage. All other open parking spaces have minimum dimensions of 2.4 metres by 4.8 metres.

9.40 The proposed car ports are open-sided to the front and sides and enclosed to the rear and the parking spaces therein are 2.6 metres width by 5.5 metres length with an aperture width of 2.4 metres which complies with the current standards. The open parking spaces in front of the car ports are 4.8 metres long and 6 metres of access/reversing space is provided between the open parking spaces and the driveway/kerb-line to the front of plot 5.

9.41 Cycle parking is to be provided in rear garden sheds and the garage in the case of plot 5. Cycle parking should be secured by planning condition.

Trips

9.42 This proposal is likely to generate in the region of 30 two-way vehicle movements over the course of a typical day with 3 or 4 of these in both morning and evening peak periods. This is much less than that likely to have been generated by the previous public house, though this residential use will create peak vehicular movements which will coincide with peak traffic on Fernbank Road and surrounding local roads.

9.43 Subject to the imposition of conditions, the proposal would not result in any detrimental traffic or highway implications, in accordance with Policy CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF.

v. Biodiversity

9.44 The former buildings on site have now been demolished. Previous ecological surveys had been undertaken during the course of determination of permission 13/01037/FUL which found no evidence of bats or nesting birds and the site in general was considered to have very little ecological value. Biodiversity enhancements will be implemented on site with the installation of bird and bat boxes. Condition 21 will be suitably reworded so it is no longer a pre-commencement condition but refers to the details approved on the mitigation plan undertaken by AAe Environmental Ltd.

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

vi. Thames Basin Heath Special Protection Area (SPA)

9.46 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 4km 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.

9.47 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 4 dwellings comprising 5 X 3 bedroom dwellings minus the existing single 4 bedroom dwelling which results in a total SANG contribution of £8,386.

9.48 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions, this results in a total SAMM contribution of £2,748.

9.49 The total SPA related financial contribution for this proposal is £11,134. The applicant has entered in a S106 agreement to secure this contribution which was completed on 2 March 2016. As such, 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.

vii. Community Infrastructure Levy (CIL)

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

9.51 CIL applies to any new build including that which involves the creation of additional dwellings.

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

viii. Energy Sustainability

9.53 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement. Sustainability Statements have been submitted for each plot respectively in relation to water

usage which restrict water usage at a higher level than that outlined in the Council's Sustainability SPD. As such it is recommended to suitably reword condition 12 so it is no longer a pre-commencement condition but refers to the approved details provided in the aforementioned Sustainability Statements. The proposal therefore complies with the requirements of Policy CS10 of the CSDPD.

9.54 Policy CS12 requires the submission of an Energy Demand Assessment. Energy Demand Assessments have been submitted which are considered acceptable and demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production. As such it is recommended to suitably reword condition 13 so it is no longer a pre-commencement condition but refers to the approved details provided in the aforementioned Energy Demand Assessments. The proposal therefore complies with the requirements of Policy CS12 of the CSDPD.

ix. Drainage and Flood Risk

9.55 The NPPF encourages developers to take full account of flood risk. Paragraph 103 states that Local Planning Authorities should ensure that flood risk is not increased elsewhere as a result of development, and only consider development appropriate in areas at risk of flooding, informed by a site-specific flood risk assessment.

9.56 The site is located within Flood Zone 1 (low probability of flooding). The application form states that foul sewage would be disposed of via connections to the mains sewer and that surface water would be disposed of by sustainable drainage systems including soakaways. The Design and Access Statement also refers to the use of soakaways and permeable driveway surfaces. A condition will be imposed to ensure the development is SuDs compliant.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. The redevelopment of the site for 5 dwellings has been established by previous planning permission 13/01037/FUL. 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 would result. Relevant conditions will be imposed in relation to biodiversity and sustainability. A legal agreement has been completed to secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with Saved SEP Policy NRM6, 'Saved' Policies EN1, EN2, EN3, EN20 and M9 of the BFBLP, CS1, CS2, CS7, CS10, CS12, CS14, CS15, CS23, CS24 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

10.2 The application is therefore recommended for approval.

11. RECOMMENDATION

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 21 October 2015, 13 January 2016, 23 February 2016, 7 April 2016:
drawing no. P14/35/S/301 Rev A
drawing no. P14/35/S/310
drawing no. P14/35/S/320 Rev A
drawing no. P14/35/S/330
drawing no. P14/35/S/340
drawing no. P14/35/S/350 Rev B
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be:
Bricks: Ibstock Ivanhoe Antique
Roof tiles: Redland Rosemary Craftsman
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 first floor windows in the side elevations of plots 1 and 3 facing north hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or 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 northern side-facing elevation and roof slopes of Plot 1 and Plot 3 except for those shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
06. The rooflights in the roof slopes facing east on plots 1 and 2 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]
07. The development shall be undertaken in full accordance with the finished floor levels shown on drawing no. P14/35/S/301A received 23 February 2016 by the Local Planning Authority.
REASON: In order to ensure a satisfactory form of development relative to surrounding buildings and the local landscape.
[Relevant Policies: BFBLP EN20, CSDPD CS7]
08. No demolition or construction work shall take place outside the hours of 0800 - 1800 Mondays to Fridays and 0800 - 1300 on Saturdays, and not at all on Sundays and Bank Holidays.

REASON: In the interests of the amenity of the area and neighbouring residents.
[Relevant Policies: BFBLP EN20]

09. The development shall be undertaken in full accordance with the landscaping details shown on drawing no. P14/35/S/350 Rev B received 7 April 2016 and planting schedule received 4 March 2016 by the Local Planning Authority. 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. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
REASON: In the interests of good landscape design and the visual amenity of the area.

11. The development shall be undertaken in full accordance with the details of walls, fences and any other means of enclosure shown on drawing no. P14/35/S/301A received 23 February 2016 and drawing no. P14/35/S/350 Rev B received 7 April 2016 by the Local Planning Authority by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.

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

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

12. The development shall be implemented in full accordance with the details provided in the documents entitled "water efficiency as designed calculation reports" (for plots 1-5) undertaken by Beat Solutions Ltd received 23 February 2016 by the Local Planning Authority and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

13. The development shall be implemented in full accordance with the details provided in the documents entitled "SAP2012 calculation report as designed" (for plots 1-5) undertaken by Beat Solutions Ltd and table completed by Beat Solutions Ltd showing energy demand offset received 7 April 2016 by the Local Planning Authority and retained as such thereafter.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

14. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
15. No dwelling shall 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 footway. The dimensions shall be measured along the edge of the drive and the back of the footway 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]
16. No dwelling shall be occupied until the 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]
17. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
18. The car port hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port.
REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which could be a danger to other road users.
[Relevant Policy: BFBLP M9]
19. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
20. The development shall be undertaken in full accordance with the site organisation details shown on drawing no. P14/35/S/350 Rev B received 7 April 2016 by the Local Planning Authority. 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 approved purposes.
REASON: In the interests of amenity and road safety.
21. The bird and bat boxes and other biodiversity enhancements shall be implemented in full accordance with the details and plan provided in the document by AAe

Environmental Ltd received 7 April 2016 by the Local Planning Authority before the occupation of the dwellings hereby permitted and shall thereafter be observed and complied with.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order with or without modification), no external lighting shall be installed on the site or affixed to any buildings on the site.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

23. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.

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]

24. No development shall commence until details of the foundation structure of the garage on plot 5 so designed to minimise its impact on tree roots, have been submitted to and approved in writing by the Local Planning Authority. Details shall be site specific and include: -

- a) An approved layout plan at a minimum scale of 1:200 scale, showing the accurate trunk positions and branch spreads of existing retained trees in relation to the proposals.
- b) Layout and construction profile drawing/s.
- c) Engineering/ Arboricultural construction method statement.

The foundation structure shall be implemented in full accordance with the approved details.

REASON: In order to safeguard tree roots and thereby safeguard trees considered worthy of retention in the interests of visual amenity of the area.

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

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

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]

26. No gates shall be provided at the vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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.

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

1. Time limit
2. Approved plans
3. Materials
4. Obscure glass
5. Restrictions on windows
6. Rooflights
7. Floor levels
8. Hours of construction
9. Landscaping
10. Retention of soft landscaping
11. Boundary treatment
12. Sustainability statement
13. Energy demand assessment
15. Visibility
16. Parking and turning
17. Retention of garage
18. Retention of car port
19. Cycle parking
20. Site organisation
21. Bird and bat boxes and other biodiversity enhancements
22. No lighting
23. SuDs
26. No gates

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

24. Foundation of garage on plot 5
25. Construction method statement for all hard surfaced areas

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

14. Vehicular access

03. The Street Care Team should be contacted at 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.