

**ITEM NO: 6**

Application No.  
**15/01082/FUL**  
 Site Address:

Ward: Crowthorne  
 Date Registered: 19 November 2015  
 Target Decision Date: 18 February 2016  
**48 - 50 Dukes Ride Crowthorne Berkshire RG45 6NX**

## Proposal:

**Erection of a block of 32 sheltered apartments for the elderly with detached binstore/cycle store; modification of existing access (to No.50) and closure of existing access to No.48; construction of basement parking and other associated parking, following the demolition of existing buildings. (Re-submission of 14/01073/FUL with amendments).**

## Applicant:

Mr Peter Tanner

## Agent:

(There is no agent for this application)

## Case Officer:

Simon Roskilly, 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 Full planning permission is sought for the erection of a block of 32 sheltered apartments for the elderly with detached binstore/cycle store; modification of existing access (to No.50) and closure of existing access to No.48; construction of basement parking and other associated parking, following the demolition of existing buildings. (Re-submission of 14/01073/FUL).

1.2 The application is considered to address concerns raised in a previous appeal decision which included this site and also the more recent refusal of a similar scheme. With appropriate materials and finishes the proposed building is considered to be in keeping with the area. The relationship with adjoining properties is acceptable and adequate car parking is proposed.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report and a Section 106 legal agreement.
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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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Trees on site protected by TPO
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Within 5km buffer to the Thames Basin Heaths Special Protection Area
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Within Area B (West Crowthorne) of the Crowthorne Area Character Assessment
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3.1 The site's area is 0.43 hectares and it currently contains 2no. large detached dwellings.

3.2 The application site is located off Dukes Ride (B3348), to the west of Wiltshire Avenue.

3.3 Part of the north-eastern corner of the site is located within Wokingham Borough however this triangular piece of land is outlined in blue on the site plan and therefore does not fall within the red line of the application site. This is not considered to be a concern as the size and shape of this triangular piece of land would mean that it would remain as land that could also be used as part of the residential amenity space should the scheme be approved.

3.4 There are residential properties east of the site including Stoney Stacks, and nos. 5 and 7 Wiltshire Avenue. West of the site is no.52 Dukes Ride, a residential property, with no. 8 Thornbury Close and no. 9 Wiltshire Avenue being located north of the site.

3.5 To the front of the site, on the opposite side of Dukes Ride, is the Little Red House Nursery.

3.6 There are no significant level changes on the site.

3.7 Trees on and adjoining the site, generally on its southern and northern edges, are protected by TPOs 549 and 647. Other trees lie in the centre of the site between Nos 48 and 50 Dukes Ride.

3.8 The route of the Devil's Highway, a Roman Road, runs close to the site's northern boundary.

#### 4. RELEVANT SITE HISTORY

4.1 07/00001/FUL- Redevelopment of site for a part 2, and part 3 storey building providing 60no. units of accommodation for the 'frail elderly' with associated car parking. REFUSED on the grounds of overbearing, overshadowing, overdevelopment, lack of Transport Assessment and S106 contributions.

4.2 07/01165/FUL- Redevelopment of site for a part 2, and part 3 storey building providing 50no. units of accommodation for the 'frail elderly' with associated car parking. REFUSED for the following reason:-

*The proposed development would not contribute positively to Dukes Ride and would not be appropriate within its context. Furthermore the proposal is not in sympathy with the appearance and character of the local environment and is not appropriate in scale, mass, design and layout, both in itself and in relation to adjoining buildings, spaces and views. As such the proposal is contrary to National Planning Policy contained within PPS1, Policy CS7 of the Bracknell Forest Core Strategy DPD and Policy EN20 of the Bracknell Forest Borough Local Plan.*

4.3 There were also S106 related reasons for refusal.

4.4 This application was the subject of an appeal the decision letter is appended to this report.

4.5 The appeal was dismissed mainly due to the size and design of the proposed building. The Inspector considered that the size of the proposed building, with an unbroken frontage of some 67 metres, would considerably exceed the scale of that of any other development along the road and that its appearance would be unlike that of any other development in the area. Whilst he considered the building was of appropriate scale, design and layout for the proposed use and could be accommodated on the site without appearing cramped or as an overdevelopment, he concluded that the solid mass and extensive roofscape would be of uncharacteristic scale within Dukes Ride and together with the uncharacteristic and uncompromising modern-looking curved roof forms would fail to integrate successfully into the surroundings.

4.6 The Inspector did not consider the principle of the development, impact on the amenity of neighbouring properties or the loss of the existing buildings to be of over-riding concern.

4.7 It will be noted that both of the above applications related to a larger site than the current application as they also included land at no. 52 Dukes Ride.

4.8 14/01073/FUL- Erection of a block of 32no. sheltered apartments for the elderly with detached binstore/cycle/electric buggy store; modification of existing access (to No.50) and closure of existing access to No.48 following the demolition of existing buildings.

4.9 This application was refused at Committee for the following reasons:-

01. The development as proposed would provide inadequate on-site parking provision to serve the 32 sheltered apartments. This is likely to lead to increased on-street parking on surrounding roads to the detriment of highway safety. The proposed development is therefore contrary to Bracknell Forest Borough Local Plan Policy M9 and Core Strategy Development Plan Document Policy CS23 and the NPPF.

02. In the absence of a planning obligation to secure contributions towards affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to

Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 of the Core Strategy Development Plan Document and to the Planning Obligations SPD (2015)

03. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore 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 to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.
04. The applicant has failed to provide an adequate and safe parking layout for the unrestricted C3 Residential Use and this could lead to vehicles parking on the highways to the detriment of road safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.
05. The applicant has failed to secure contributions in order to implement Traffic Regulation Orders needed to prevent on-street parking in inappropriate locations that would lead to highway safety implications. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.

## **5. THE PROPOSAL**

5.1 Full planning permission is sought for the erection of a block of 32 sheltered apartments for the elderly with detached binstore/cycle store; modification of existing access (to No.50) and closure of existing access to No.48; construction of basement parking and other associated parking, following the demolition of existing buildings. (Re-submission of 14/01073/FUL).

5.2 The building above ground both in its siting, bulk, massing and design is no different to the scheme recently refused at Committee (14/01073/FUL) apart from the layout of the parking above ground, alterations to the bin and cycle/buggy store and the creation of basement parking underneath the proposed building. The changes seek to address concerns the Committee had when refusing 14/01073/FUL.

5.3 The block consists of two part two-storey/part three-storey wings (east and west) fronting Dukes Ride and linked by a single-storey glazed element. Both wings have been designed so as to look different to each other and have the appearance of two separate large buildings. The proposal also provides a part two-storey/part three-storey element extending out into the rear of the site (rear wing).

5.4 The building is of traditional design with features such as pitched roofs, projecting gabled bays and sash windows to pick up local design cues. Proposed materials include contrasting areas of facing brick and areas of painted render with decorative tile hanging to upper floor gables and stone cills and window heads.

5.5 The development would have one main access point off Dukes Ride close to the boundary with no. 52 Dukes Ride serving an access road running north close to the boundary with no. 52 Dukes Ride. Parking would be located within the north-western part of the site and under the building in a basement. Landscaping in the form of trees is proposed to enhance existing vegetation. Grassed amenity space is proposed around the building with the largest area located within the north-eastern corner of the site.

## **6. REPRESENTATIONS RECEIVED**

### Crowthorne Parish Council:

6.1 Crowthorne Parish Council has considered the application as amended and recommends Refusal on the following grounds:

- overdevelopment of site
- overbearing
- area is prone to flooding

### Wokingham Without Parish Council

6.2 Recommend refusal for the following reasons:-

- The proposed development is not in keeping with the residential area. Accordingly it would degrade the mixed-community nature of the area and be harmful to the existing street scene.
- It would set an unwelcome precedent along Dukes Ride for large-scale overbearing developments.
- The building is too close to adjacent properties and would affect the privacy of the occupants. Many of the apartments would overlook rear gardens.
- The car park would introduce unwelcome noise and movement affecting the use of the back gardens of adjacent properties.

### Other representations:

6.3 Forty three objections were received at the time this report was written from separate addresses.

The concerns raised have been summarised below of which the majority of the concerns were covered in the previous Committee report for 14/01073/FUL:-

- Underground carpark not suitable in a village location and will not work. *[Officer Comment: Underground carparking is not considered inappropriate in this location. It is not considered to have a detrimental impact upon the character of Crowthorne Village. As for whether or not the underground car park will work this is addressed in section 9 - Transport Implications]*
- Concerns regarding the basement carparking and existing on-site drainage concerns. *[Officer Comment: Existing drainage issues and the proposed basement carpark have been considered by the Lead Local Flood Authority and this assessment is addressed in section 9 – Drainage]*
- Viability of the development. *[Officer Comment: This is addressed in section 9- Planning Obligations.]*
- Inappropriate development on greenfield land that has not been allocated *[Officer Comment: The site is located within the settlement whereby development of this nature is acceptable in principle]*
- Adverse impact upon surrounding residential amenity *[Officer Comment: These concerns are addressed under section 9 - Residential Amenity.]*
- Lack of parking, traffic and highway safety. *[Officer Comment: These concerns are addressed in section 9 - Transport Implications]*
- Adverse impact upon the character and appearance of the area through inappropriate scale, massing, design, density and loss of character buildings. *[Officer Comment: These concerns are*

*addressed under section 9 - Impact Upon Character and Appearance of the Area. However regarding the loss of the existing buildings, the Inspector when assessing the previous scheme at appeal, had no concerns with the loss of the buildings which included an additional building at no. 52. The two buildings that are to be demolished are not listed, not located within a conservation area and are not considered to form non-designated heritage assets.]*

- Impact upon local wildlife and the Thames Basin Heaths SPA. *[Officer Comment: These concerns are addressed in section 9 - Biodiversity and The Thames Basin Heaths SPA.]*

- Impact upon Trees. *[Officer Comment: This concern is addressed in section 9 - Trees.]*

- Is there a need for this type of accommodation? *[Officer Comment: The Inspector when determining the appeal for the refusal of application 07/01165/FUL did not dispute the proposed nature of the development. If the developers are willing to provide such accommodation then there must be a recognised need.]*

- Waste and Odour *[Officer Comment: Any issues regarding waste and odour from the proposed bin store can be dealt with under separate health and safety legislation.]*

- Impact upon GP facilities in the area *[Officer Comment: It is not for this application to determine whether there are sufficient health facilities in the area it is for other bodies to provide health facilities to meet the needs of the population and the Council can allocate CIL funds towards such provision if appropriate].*

- No public consultation from the developer. *[Officer Comment: It is best practice that developers seek the views of the local residents at the early stages of development planning. However they do not have to do this and this application has been the subject of public consultation at every stage, which includes various revised submissions.]*

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

### Wokingham Borough Council

Had no comments to make.

### Environmental Health

Recommends conditional approval.

### Transportation Officer

Concerns expressed regarding how the basement parking ramp will be used. Further information is to be submitted setting out how a traffic signalisation scheme will address the officers concerns. An update will be provided via a supplementary report.

### Biodiversity Officer

Recommends conditional approval.

### Tree Officer

Recommends conditional approval.

### Local Lead Flood Authority

Recommend conditional approval.

Berkshire Archaeology

No objection subject to a condition.

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

8.1 The primary planning policies and associated guidance applying to this site are:-

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS16, CS17 of CSDPD, Saved policy H8 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD		
Planning Obligations SPD		
Character Areas Assessment SPD		
Thames Basin Heath Special Protection Area (SPD)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		
The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems		

## 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. Trees
- iv. Impact on residential amenity
- v. Transport implications

- vi. Biodiversity
- vii. Sustainability (resources)
- viii. Affordable Housing
- ix. Thames Basin Heaths Special Protection Area
- x. Drainage
- xi. Archaeology
- xii. Planning obligations

## **i. PRINCIPLE OF DEVELOPMENT**

9.2 The site lies within a settlement and will contribute to meeting the housing needs of the community. It is therefore considered to be acceptable in principle complying with CSDPD Policies CS1 and CS16 and the NPPF. The remainder of this report considers matters of detail.

## **ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

### **(i) Site Layout**

9.3 As noted above the application site currently contains two large detached houses. The frontage of the eastern part of the site (No 48) contains a number of trees, that of No 50 is more open. The boundary treatment of both is a low wooden fence.

9.4 The application site lies in Area B (West Crowthorne) of the Crowthorne study area. A number of points in this SPD are relevant to development in Dukes Ride including the importance of boundary treatments in blending different plot sizes and buildings styles into a cohesive character. In this regard hedges and low walls are identified as the predominant boundary treatment. Building materials are noted to be predominantly red brick, with the odd use of yellow brick and render.

9.5 The proposed building is set back from Dukes Ride to respect the general building line along this part of the road. A single-storey bin store/cycle store/buggy store is located close to the front entrance into the site but set slightly back to allow planting to take place around it and for further planting on the site's frontage to maintain and reinforce existing hedging.

9.6 The layout of the proposed scheme is considered to represent a sympathetic development that respects the pattern of built form surrounding the site and the existing building line along this part of Dukes Ride. It provides a suitable balance between built-form, amenity space and parking.

9.7 Adequate landscaping has been incorporated in order to soften the proposed building from the Dukes Ride frontage and surrounding residential properties. Details of landscaping are to be conditioned.

### **(ii) External appearance of the dwellings**

9.8 The proposed building would have two large wings on the Dukes Ride frontage, connected by a single-storey glazed element. This is considered to address the appeal Inspector's concerns regarding the mass of the building and how it is read within the streetscene. The single-storey glazed central element provides a link essential to the use of the building but at the same time breaks up the mass of the building on the frontage. The rear wing of the proposed building, again connected by the single-storey glazed element, is considered to be set back sufficiently so as not to fill the gap when viewed from Dukes Ride.

9.9 On the previous scheme the applicant was required to provide a design sympathetic to its surroundings and yet have distinguishing features on the two wings facing Dukes Ride which



means the wings read as two separate buildings. The design was also changed to address residential amenity concerns regarding the height of the flank walls, both east and west, so that they were two storey. The design has been replicated for the purposes of this resubmission. The building, when seen from the street, and with the flank wall changes, is considered to appear as having two sympathetic yet differing wings.

9.10 The external materials proposed are considered to be in keeping with other buildings on Dukes Ride, and in line with the Character Areas SPD, and at the same time resulting in two wings to the building that differ from each other and resemble stand alone buildings. A condition is recommended to be imposed to secure final details of the materials.

9.11 Further screening and landscaping will be established within the site to soften the development's appearance from neighbouring properties and views from Dukes Ride.

9.12 Overall the external appearance of the building, subject to suitable materials, is considered in keeping with the character and appearance of the area and addresses concerns raised previously at appeal for a similar development albeit bigger in scale to the one assessed under this submission.

9.13 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area and would accord with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

### **iii. TREES**

9.14 A number of trees in the centre of the site are proposed to be removed but the trees on the site's boundary, covered by a TPO, are to be retained. Since the previous Committee refusal a basement parking area has now been proposed as well as a drainage scheme that seeks to meet with current Government drainage requirements.

9.15 The Tree Service has confirmed that, subject to the imposition of suitable conditions, the proposal would not adversely affect protected trees on and adjoining the site which are important in the street scene. The application is therefore considered to be in accordance with BFBLP Policies EN1 and EN20 and CSDPD Policies CS1 and CS7.

### **iv. RESIDENTIAL AMENITY**

(i) Impact upon the living conditions of adjoining properties

9.16 The impact on the following properties, considered to be those most affected by the proposal, has been assessed as follows:

#### *8 Thornbury Close*

9.17 No. 8 Thornbury Close is located north of the site. There is natural screening consisting of trees and hedging between the neighbouring property and the site approximately 4.5m high. There are areas along this boundary where trees have been lopped however there is a substantial screen between the two sites.

9.18 The proposed northern part of the building has now been located so that it has first-floor windows no closer than 10m to the boundary with no. 8 Thornbury Close. There are no first floor rear-facing windows closer than 22m to the rear of no. 8 Thornbury Close with a rear facing window also being 21m from the side of the property. There are second floor rooflights within the roof that would be located 1.7m above floor level so as to avoid overlooking.

9.19 All these distances and heights of rooflights meet with Council guidelines and it is not considered that any significant overlooking of no. 8 Thornbury Close would result.

9.20 Also given the distances, existing screening and proposed planting the building would not appear unduly overbearing and would not significantly overshadow this property.

9.21 The proposed parking at the rear of the site is not considered to be so close as to result in any unacceptably adverse impacts upon the residential amenity of this dwelling or its garden.

#### *5 Wiltshire Avenue*

9.22 This property is a chalet style bungalow that backs onto the site. The proposed eastern flank of the building closest to 5 Wiltshire Avenue would be located 23m from the rear of the property. Given this separation it is not considered that any unacceptably adverse overlooking would arise or that the proposed building would appear overbearing and/or overshadow this neighbouring property.

9.23 In order to address the perception of being overlooked cill heights at first floor level have been raised, lower parts of the first floor windows will be obscure glazed and any side-facing rooflights will be 1.7m above floor area to avoid any overlooking.

#### *Stoney Stacks*

9.24 Following concerns expressed that plans may not have correctly shown what was present at Stoney Stacks a follow up site visit was carried out to measure the distance of Stoney Stacks from the boundary of the application site.

9.25 Stoney Stacks, like 5 Wiltshire Avenue, shares a boundary with the site and is located to the east. The closest point of the proposed building (a stairwell) is 12.1m from the rear of Stoney Stacks and not 13.6m as set out in the supplementary report associated with the previous application. Although the distance is 1.5m less than previously reported, given the boundary treatment, the fact that there are no habitable windows at first floor level in the part of the extension projecting to the west and that a ground floor window in Stoney Stacks is set back a further 1m under a canopy (13.1m from the proposed stairwell), it is not considered that the proposed building will result in any unacceptably adverse overlooking/overshadowing or appear overbearing in relation this neighbouring property. The distance of the main proposed building, not including the stairwell, from the lounge window facing west would be 14.1m. There is a secondary side-facing sitting room window facing west toward the application site that would be 3.82m from the boundary, however due to current screening there would be no significant impact to it.

9.26 In order to address any perception of overlooking cill heights at first floor level have been raised, lower parts of the first floor windows will be obscure glazed and any side facing rooflights will be 1.7m above floor level.

9.27 Overall, and given an assessment on site, it is considered that the proposal would not result in any unacceptably adverse impacts upon the amenity of Stoney Stacks.

#### *52 Dukes Ride*

9.28 No. 52 Dukes Ride shares a boundary on the western side of the site and its principal elevation faces east towards the application site. The closest part of the proposed western wing would be some 15.5m away from this elevation. The proposed west facing flank wall has been reduced to 2 storeys in height so that the impact is similar to the existing relationship with the house at no. 50.

9.29 As per 7 Wiltshire Avenue and Stoney Stacks this side to rear/front relationship is considered to be acceptable with no unacceptably adverse overlooking or overbearing/overshadowing impacts.

9.30 The lower panes at first-floor level facing west in the front wing will be obscure glazed and any side-facing rooflights will be 1.7m above floor area to avoid any unacceptable overlooking.

9.31 The rear wing of the building would have 3rd floor Juliet balcony windows no closer than 25m from the boundary with no. 52 Dukes Ride with the Council guideline distance being 15m. There would be no direct window to window overlooking from the rear wing and the rear of no. 52 Dukes Ride. As such it is not considered that the rear wing of the building would result in any significant overlooking or overshadowing and would not appear unduly overbearing due to the distances quoted above.

9.32 The proposed access road along the side of the boundary with no. 52 Dukes Ride will result in an increase in activity on the boundary. However the majority of the access road would be east of the adjoining property's garage and driveway with only a short length being close to the rear garden of no. 52. It is not considered that the driveway and parking would result in any significant adverse impacts upon the residential amenity of the occupants of no. 52 Dukes Ride.

#### (ii) Living conditions of future residents

9.33 Due to its orientation and design the proposed development does not result in any adverse overlooking and/or overbearing impacts upon any of proposed residential units. It is considered that adequate amenity space is provided around the proposed building.

#### Conclusion on residential amenity:

9.34 Given the assessment made above the proposal as a whole is not considered to result in any significantly harmful impacts upon residential amenity. As such the proposal is considered to comply with saved BFBLP Policy EN20 proviso (vii) and the NPPF.

### **v. TRANSPORT IMPLICATIONS**

9.35 This planning application is a re-submission of 14/01073/FUL which was refused by the Council's Planning Committee. The decision notice identifies two highway safety reasons both related to inadequate parking provision resulting in vehicles parking on the highway to the detriment of highway safety. There is an additional highway-related reason for refusal concerning the failure of the applicant to secure contributions for Traffic Regulation Orders needed to prevent on-street parking in inappropriate locations (i.e. parking restrictions). It is noted that the Local Highway Authority (LHA) raised no objection to the proposed parking provision for 14/01073/FUL.

#### Access

9.36 The site takes access off Duke's Ride, a local distributor road (the B3348) on the boundary of an existing 30mph speed limit and 20mph zone. There is traffic-calming in the form of road humps within the 20mph zone heading eastwards along Duke's Ride towards Crowthorne Town Centre.

9.37 There are currently three vehicular accesses serving the two residential properties which are to be demolished. These are to be removed and replaced with one single point of access on the western side of the site.

9.38 The new proposed site access would be around 5 metres into the 20mph zone and visibility splays of 43 metres are proposed in either direction for vehicles exiting onto Duke's Ride. These visibility splays comply with the Manual for Streets requirements for a 30mph speed limit urban

road and this caters for those vehicles which are likely to be travelling at more like 30mph when approaching and exiting the 20mph zone. In reality, greater sight-lines can be achieved due to the straightness of Duke's Ride and the eastwards sight-line could be taken to the centre-line of the road given that very little overtaking is likely to occur. The visibility splays are not wholly contained within the highway, but are covered by the red-line and it is therefore advised that they be secured by planning condition as shown on the Site Plan (drawing ASP.14.027-002.Rev O) for highway safety.

9.39 The new site access would be located approximately 30 metres eastwards of Heath Hill Road North, an unmade private road serving around 15 properties and providing access to a children's nursery. This distance provides adequate inter-visibility between drivers in the event that vehicles are entering and exiting these two accesses at the same time. Also, the new site access is around 15 metres from the driveway serving the adjacent property to separate these accesses.

9.40 The existing hedge fronting the site which is shown on drawing ASP.14.027-002.Rev O as being retained and reinforced appears to be on the boundary of the ancient highway, as indicated by the adjacent property fencing and position of existing street lighting columns and traffic signs across the frontage. The planting is shown on drawing ASP.14.027-002.Rev O such that pedestrian visibility splays can be achieved and this should be secured by planning condition.

9.41 The means of access should be implemented as shown on approved plans prior to occupation of the development. The site has existing accesses and access arrangements during demolition and construction could be dealt with by a construction management plan (secured by planning condition). Highway access works will require the consent of the LHA. This may include amending the position of the 30mph and 20mph speed limits and re-locating a street lighting column at the applicant's expense. The applicant should be advised to contact the LHA by way of informative.

9.42 A 4.8 metre wide access road is proposed for the first 15 metres when entering the site and this would enable two vehicles to pass each other. Vehicle access gates are proposed and these are shown on drawing ASP.14.027-002.Rev O as being set back 6 metres from the road enabling a standard car to pull clear of passing traffic while gates are opening. A separate footpath and gated access is proposed adjacent to the vehicular access and this is shown on drawing ASP.14.027-002.Rev O as being 1.5 metres wide which would assist with pedestrian access off Duke's Ride into the site.

9.43 The pedestrian path leads to a shared surface road and this has a short 3.7 metre narrowing for a distance of around 6 metres around the corner of the building with a 4.1 metre wide shared surface thereafter leading to the car park and the main pedestrian entrance to the rear of the building. A 3.7 metre width is tight for a vehicle and pedestrian to pass each other and certainly two vehicles would be unable to pass each other, though a fire tender could access the site. A narrowing is likely to reduce speeds within the site, though the access narrows around a slight bend and this is likely to result in conflict. The provision of pedestrian paths across the amenity land fronting the building, potentially linking the path adjacent to the vehicular access or linking to the footway adjacent to Duke's Ride would reduce the number of pedestrians using the access road down the side of the building resulting in reduced potential for conflict.

9.44 A 4.1 metre wide road is adequate for vehicle and pedestrian movements along a private access road and two vehicles should be able to pass each other along this straight section of road which has a 500mm margin on its western side.

### Parking

9.45 At the October 2015 Planning Committee an almost identical scheme above ground was recommended for approval. The officer view was that the amount of parking proposed, although

below standard, was adequate given the nature of the accommodation sought and the age restriction that was to be put in place. Members subsequently refused the application due to insufficient parking.

9.46 The applicant has now submitted a scheme providing parking that fully meets the standard for sheltered housing contained in the Council's Parking Standards SPD (2007). A total of 31 parking spaces are proposed when 30 spaces including visitor spaces is the requirement. The additional 14 parking spaces have been accommodated on site by proposing a basement car park. The new Parking Standards were adopted on the 16<sup>th</sup> March however schemes that were submitted prior to this date up until the 1<sup>st</sup> July will have to comply with the 2007 Parking Standards. After this the scheme would need to comply with the new 2016 standards which this scheme would also comply with.

9.47 The layout of the basement parking is considered acceptable. However there are some concerns that the width of the ramp, its proximity to pedestrian routes and restricted visibility could cause internal safety concerns regarding car users, buggy users and pedestrians. The applicant has stated that they have, on other schemes, implemented traffic signalisation of ramps to avoid such conflicts. Further information has been sought on how this will work and this measure can be subsequently secured via a planning condition. A further update will be provided to members via a supplementary report.

#### Deliveries and Servicing

9.48 A communal bin store is proposed within 10 metres of the access off Duke's Ride and this would enable bin collection by the Council from the main road. A number of the ground floor units are located around 50 metres from the bin store which is nearly twice the recommended distance for an individual resident to carry their waste. Clearly, residents on the first and second floors exceed this recommended distance. The applicant states that there would be a concierge who would assist with carrying waste to a collection point.

9.59 A turning space is proposed close to the site access and this provides adequate access and turning for a domestic delivery vehicle to exit onto Duke's Ride in a forward gear. A refuse vehicle would not enter the site, as explained above.

#### Trips

9.50 The Transport Statement provided in support of 14/01073/FUL indicated that each assisted living retirement apartment is likely to generate 1.66 vehicle movements per 12 hour day. This was based on surveys of the total traffic movements at a number of existing sites. Applying this trip rate to this current proposal for 32 units could result in a total of 54 two-way vehicle movements. The existing dwellings could create in the region of 12 to 16 two-way vehicle movements. The development, if permitted would be liable for CIL charges and financial contributions could be used to fund general transport improvements in the local area to mitigate the cumulative highway impacts of development.

#### Summary

9.51 The applicant has proposed parking to comply with the adopted standards to overcome the previous reason for refusal. However the Local Highway Authority currently has concerns that the operational use of the basement parking ramp could lead to conflict between pedestrians and vehicles. The applicant will provide the Council and LHA with clarification on how this concern can be addressed through an on-site traffic management scheme. An update will be provided via the supplementary report.

9.52 To conclude, with positive feedback from the LHA, suitable conditions and planning obligations to restrict occupants to those with a minimum age of 65 and to secure contributions to TROs, the proposal is not considered to result in any unacceptable highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

#### **vi. BIODIVERSITY**

9.53 The proposal, subject to conditions, is considered acceptable in terms of biodiversity and therefore accords with Core Strategy Policies CS1 and CS7 and the NPPF.

#### **vii. SUSTAINABILITY (RESOURCES)**

9.54 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. An adequate Sustainability Statement has not as yet been received therefore a condition is recommended to be imposed in order to secure this.

9.55 Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. No Energy Demand Assessment has been submitted therefore again a condition is recommended to be imposed in-order to secure this.

#### **viii. AFFORDABLE HOUSING**

9.56 CSDPD Policy CS17 and BFBLP Policy H8 seek the provision of a level of affordable housing on suitable development sites, taking account of the economics of provision. The policies are consistent with the NPPF.

9.57 The proposal would see the implementation of 32no. flats for elderly people. This goes beyond the threshold of 15 units and therefore the applicant is required to provide 25% of the proposed units as affordable housing. Due to the nature of the development it has been accepted in other cases that on-site affordable housing is not appropriate and that suitable financial contributions could be an acceptable solution. The applicant has stated their willingness to provide a financial contribution towards the provision of off-site affordable housing. Following an independent assessment of the applicant's viability report their offer has been accepted as a way of meeting with policy CSDPD Policy CS17 and BFBLP Policy H8. It is recommended that the acceptable contribution is secured by way of a Section 106 Legal Agreement.

#### **ix. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)**

9.58 The Council, in consultation with Natural England (NE), has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the SPA is likely to have a significant effect on the SPA, either alone or in combination with other plans or projects.

9.59 This site is located approximately 0.82 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.

9.60 Therefore, a Habitats Regulations Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the SPA.

## SPA Avoidance and Mitigation Measures

a) The provision of Suitable Alternative Natural Greenspace (SANG) and its on-going maintenance in perpetuity.

9.61 In accordance with the SPA SPD, the development will be required to provide alternative land (SANG) to attract new residents away from the SPA. As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest).

9.62 The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. This is equal to 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

9.63 The enhancement of open space works at The Ambarrow Hill/Court SANG is the most appropriate to this proposal.

9.64 An occupation restriction will be included in the Section 106 Agreement. This is to ensure that the SANGs enhancement works to be secured by the CIL have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2

b) Strategic Access Management and Monitoring (SAMM) Contribution

9.65 The development will also be required to make a contribution towards SAMM. This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it

## Conclusion on SPA mitigation

9.66 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). Without any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.67 Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.68 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, and permission may be granted.

## **x. DRAINAGE**

9.69 The Planning Practice Guidance 'Flood Risk and Coastal Change' as amended 15/04/2015 advises under para. 079 that when considering major development, as defined under the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

9.70 The applicant has submitted a revised Drainage Strategy which the Council's Drainage Engineer has assessed and considers to be acceptable. A condition should be included to ensure the drainage system is built and maintained in accordance with the strategy.

## **xi. ARCHAEOLOGY**

9.71 There are potential archaeological implications associated with this application as identified on Berkshire Archaeology's Historic Environment Record. The site lies immediately adjacent to the Devil's Highway, the Roman Road from *Londinium* (London) to *Calleva Atrebatum* (Silchester). The route of the Road is known to the east and west of Crowthorne and in places, such as on Bagshot Heath, stretches of the Road are protected as a nationally important Scheduled Monument. The course of the Roman Road within the built-up area of Crowthorne is less certain although one of the roadside ditches was thought to have been identified in Wiltshire Avenue in 1993.

9.72 Perhaps more significantly a series of Roman settlements and buildings are known to lie close to the line of the Roman Road, some probably servicing the needs of travellers along this important route from London to the west. The large Roman settlement at Wickham Bushes lies to the east of Crowthorne and is a nationally important Scheduled Monument. Further to the east in Sunningdale two possible Roman buildings are thought to lie close to the line of the road, one of which included a tessellated pavement and may represent a villa site. To the west in Finchampstead at Wheatlands Manor, there is another Roman settlement that straddles the line of the Roman and this also is a Scheduled Monument.

9.73 Although the site at 48-50 Duke's Ride has witnessed some development from the construction of the existing buildings, areas of the application site are largely undeveloped garden areas. There are therefore reasonable grounds to suggest that the site at 48-50 Duke's Ride may contain surviving buried remains relating to the Roman road and other Roman features which may be impacted by the proposed development. As it is unlikely that such remains would merit preservation *in situ*, the mitigation of the impacts of development can be secured by condition. This is considered to be in accordance with saved BFBLP Policies EN6 and EN7 and the NPPF.

## **xii. PLANNING OBLIGATIONS**

9.74 The proposal would be CIL liable. The application site lies within the zone of Sandhurst/Crowthorne. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development.

9.75 The following obligations will be included within a Section 106 Legal Agreement:-

- affordable Housing contributions;
- Thames Basin Heaths SPA mitigation; and
- An occupancy restriction so that minimum age for occupancy of the flats is 65 years.

## **10. CONCLUSIONS**

10.1 This site is located within the settlement and therefore the proposed development is considered to be acceptable in principle. The 32 flats (30 net increase in dwellings) contribute to the Council's housing supply which is a material consideration.

10.2 A large number of objections were received. The report has sought to address these.

10.3 In terms of visual character, and subject to appropriate materials and finish, the development is considered to be sympathetic within the streetscene when viewed from Dukes Ride. The layout,



bulk, massing and design are considered to have addressed concerns raised by an Inspector at the appeal of a previous refusal on this site and land at no. 52 Dukes Ride, insofar as the building although linked by a single-storey glazed element is sufficiently broken up visually so as not to detract from its setting.

10.4 The proposed vehicular access to the site and the level of parking provision are considered acceptable. However there are concerns that the operational use of the basement parking ramp could lead to pedestrian and vehicle conflict. The applicant will provide the Council and LHA with clarification on how this concern can be addressed through an on-site traffic management scheme. An update will be provided via the supplementary report.

10.5 The impact of the proposal on the living conditions of the occupiers of nearby houses, in terms of the proposed flats, parking and access, has been carefully considered. The scheme is considered acceptable in this regard.

10.6 It is concluded that the proposed development provides housing without compromising the character and appearance of the area and residential amenity. The amount of parking proposed meets the relevant Council standard and therefore addresses the concern the Planning Committee had in relation to the previous application on the site. The application is therefore recommended for approval subject to positive feedback from consultees regarding highway safety, appropriate conditions and the completion of a Section 106 legal agreement to secure the matters referred to in Section 9(xi).

## 11. RECOMMENDATION

**Following the completion of planning obligations under Section 106** of the Town and Country Planning Act 1990 relating to:-

01. a financial contribution to the off-site provision of affordable Housing;
02. mitigation of impacts on the Thames Basin Heaths SPA; and
03. an occupancy restriction so that minimum age for occupancy of the flats is 65 years.

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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:-

ASP.14.018.202/N Amended Sections received 19<sup>th</sup> February 2016.

ASP.14.027.001/G Amended Location and Block Plan received 19<sup>th</sup> November 2015.

ASP.14.027.002/O Amended Site Plan received 19<sup>th</sup> February 2016.

ASP.14.027.104/C Proposed Basement Plan received 19<sup>th</sup> February 2016.

ASP.14.027.100/G Amended Proposed Ground Floor Plan received 19<sup>th</sup> November 2015.

ASP.14.027.101/I Amended Proposed First Floor Plan received 19<sup>th</sup> November 2015.

ASP.14.027.102/G Amended Proposed Second Floor Plan received 19<sup>th</sup> November 2015.

ASP.14.027.103/G Amended Proposed Roof Plan received 19<sup>th</sup> November 2015.

ASP.14.027.200/J Amended Elevations received 25<sup>th</sup> November 2015.

ASP.14.027.201/H Amended Elevations received 25<sup>th</sup> November 2016.

Drainage Strategy Report Rev E received 3<sup>rd</sup> March 2016.

Drainage Strategy drawing 500 Rev P7 received 3<sup>rd</sup> March 2016.

Tree Protection Plan received 3<sup>rd</sup> March 2016.

Arboricultural Impact Report received 3<sup>rd</sup> March 2016.

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

03. No superstructure works shall take place until samples 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. Notwithstanding the annotations on the floor plans the first-floor windows in the east facing elevation of the east wing of the building and the west facing elevation of the west wing of the building hereby permitted shall not have the windows glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The windows shall be fixed shut with the exception of the top half being openable.

REASON: To prevent the overlooking of neighbouring properties .

05. All rooflights at second floor level shall be installed so that the lower cill is a minimum of 1.7m above floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. No windows at first floor level or above other than those shown on the approved drawings shall be inserted in the west elevation of the west wing, the east elevation of the east wing and east elevation of the rear wing hereby approved.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

07. The development hereby permitted shall not be begun until details showing the finished floor levels of the building, bin/scooter store and the levels of the road and parking hereby approved in relation to a fixed datum point 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 character of the area.

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

08. The development hereby permitted shall not be begun until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

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

b) Details of semi mature tree planting.

c) Comprehensive 5 year post planting maintenance schedule.

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

e) Means of enclosure (walls and fences etc) including fencing that is permeable to badgers at the end of both the existing and propose badger corridors.

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

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March

inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. 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, visual amenity of the area and biodiversity.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

09. No development, not including demolition above ground, shall take place until the implementation of a programme of archaeological work (which may comprise more than one phase of work) has been secured in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority.

REASON: The site lies in an area of archaeological potential, particularly for Roman remains. The potential impacts can be mitigated through a programme of archaeological work in accordance with national and local planning policy.

REASON: In the interests of the archaeological and historical heritage of the Borough.  
[Relevant Policies: BFBLP EN6, EN7]

10. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority. Any site clearance during this period shall be undertaken in compliance with the approved scheme.

REASON: In the interests of nature conservation  
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

11. No development shall take place (including demolition, ground works and site clearance) until a method statement for the sensitive demolition to avoid the potential of harm to bats in any buildings on site has been submitted to and approved by the local planning authority. The content of the method statement shall include:-

- the purpose and objectives for the proposed works
- detailed designs and/or working methods to achieve the stated objectives
- extent and location of the proposed works shown on an appropriate plan
- a timetable for implementation
- details of persons responsible for implementing the works

The works shall be carried out in accordance with the approved method statement.

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

12. The demolition of buildings as identified in Abbas Ecology's report dated September 2014 shall not in any circumstances commence unless the Local Planning Authority has been provided with either:-

- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.

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

13. If more than 2 years elapse between the previous bat and reptile surveys and the due commencement date of works, updated bat and reptile surveys shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.

REASON: To ensure the status of bats and reptiles on site has not changed since the last survey.

14. All ecological measures and/or works shall be carried out in accordance with the details contained in Abbas Ecology's report dated September 2014 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order England 2015 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:-

a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: In the interests of nature conservation.

16. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.

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

17. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity.

18. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays or public holidays. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of amenity.

19. If ventilation equipment or air conditioning equipment is to be installed, no superstructure works shall begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from noise sources. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of residential amenity.

20. No development shall take place until details in respect of measures to:

(a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;

(b) Minimise the pollution potential of unavoidable waste;

(c) Dispose of unavoidable waste in an environmentally acceptable manner;

have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all building operations.

REASON: In the interest of amenity.

21. No development shall take place until details of on-site refuse storage for any waste (arising from the legitimate use of the development) awaiting disposal have been submitted to and approved in writing by the Local Planning Authority. The details should include the method used to determine the size/capacity of the proposed covered bin store, and whether any additional bin storage areas will be required, and whether any such additional bin storage areas will be open air storage. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: In the interest of amenity.

22. No information has been submitted regarding potential existing contamination of the site with harmful substances. The records held by this Department do not indicate any contamination on this site. However, should evidence of contamination be discovered, then a scheme to deal with this contamination should be submitted and approved in writing by the Local Planning Authority. The scheme should include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and environment, when change of use takes place. The approved scheme shall be performed, observed and complied with.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Policies: BFBLP EN25]

23. 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]

24. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:-

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%). The buildings thereafter

constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

25. The development hereby permitted shall incorporate a surface water drainage system as set out in the Drainage Strategy Report Rev E and drawing 500 Rev P7 received 3<sup>rd</sup> March 2016. The scheme shall be implemented and thereafter be managed in accordance with the approved Drainage Strategy Report Rev E and drawing 500 Rev P7 received 3<sup>rd</sup> March 2016

REASON: In the interest of amenity.

26. No dwelling shall be occupied until the existing accesses to the site have been closed and the footways/verges are provided over the closed accesses in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the footway/verge shall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

27. No dwelling shall be occupied until the vehicular and pedestrian access from Dukes Ride has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

28. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. Those areas shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

29. No dwelling shall be occupied until the associated vehicle parking and on-site turning 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]

30. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, the building hereby permitted.

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]

31. No dwelling shall be occupied until the covered bin store/cycle store/buggy store has been provided in accordance with the approved drawings.

REASON: In order to ensure that bin storage and bicycle and buggy parking is provided.

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

32. 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 (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

33. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:

Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.

Positions and spreads of existing hedgerows and groups of mature shrubs.

All proposed tree, hedge or shrub removal. Shown clearly with a broken line.

Proposed location/s of 2.4m high protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.

Illustration/s of the proposed protective barriers to be erected.

Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.

Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.

All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.

Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

Proposed measures to prevent any run off from the construction areas into the Construction/ Tree Protection Areas.

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

34. The protective fencing and other protection measures specified by condition 34 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

a) No mixing of cement or any other materials.

b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.

- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

35. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) Induction and personnel awareness of arboricultural matters.
- b) Identification of individual responsibilities and key personnel.
- c) Statement of delegated powers.
- d) Timing and methods of site visiting and record keeping.
- e) Procedures for dealing with variations and incidents.

The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority. A copy of the signed inspection report shall be sent to the local Authority following each visit.

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

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

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

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



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

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

37. No development shall commence until a site specific method statement for the removal of all existing hard surfaced areas and/or structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) A site plan at a minimum scale of 1:200, identifying all areas where such work is to be undertaken.
- b) Reinstatement to soft landscape area including proposed ground de-compaction works.
- c) Timing and phasing of works.

The Construction Method Statement shall be observed, performed and complied with in full accordance with the approved details.

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

38. No development (including any initial site-clearance works) shall commence until details of the foundation structure/s, of the approved building/s, so designed to minimise their adverse 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.
- d) Implementation method statement including timing/ phasing of works.

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.

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

39. No development shall commence until:

- (i) a site layout plan at a minimum scale of 1:200 showing the proposed layout of all underground services and external lighting.
- (ii) Installation Method statement for all drainage proposals to the front of the site and along the eastern site boundary using trenchless technology.

have been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
- b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
- c) Soak-aways (where applicable)
- d) Gas, electricity, telecom and cable television.
- e) Lighting columns and all associated ducting for power supply.
- f) Phasing and timing of works.
- g) Clearly identified areas where trenchless technology is to be used in accordance with approved method statement.

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

40. No development shall commence until site specific details of the design and installation method of all proposed storm block drainage catch pits has been submitted to and approved in writing by the Local Planning Authority. Details shall include;

a) 1:200 cross section drawings showing the full design specification detail of the proposed structures and extent of any excavation required.

b) Design specific installation method statement

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

41. No development shall take place until:

(i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:

a) Existing and proposed finished levels.

b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.

c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and

(ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.

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

REASON: In the interests of safeguarding the long term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

42. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission or as may otherwise be agreed in writing by the Local planning Authority.

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 and EN1, CSDPD Policies CS1 and CS7]

### Informatives:

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

02. No details are required to be submitted in relation to the following conditions: 01, 02, 04, 05, 06, 10, 13, 14, 15, 18, 22, 25, 30 and 34.

03. The applicant is advised that the following conditions require discharging prior to commencement of works: 03, 07, 08, 09, 11, 12, 16, 17, 19, 20, 21, 23, 24, 32, 33, 35, 36, 37, 38, 39, 40, 41 and 42.

04. The following conditions require discharge prior to the occupation of the dwellings hereby approved: 26, 27, 28, 29 and 31.

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

06. Superstructure works refers to works carried out above ground and therefore does not include demolition of a building or the digging of foundations.

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

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

09. Please note that trees on and/or adjacent to this site are protected by Tree Preservation Orders. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from

the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

**In the event of the S106 agreement not being completed by 21 June 2016, the Head of Planning be authorised to extend this period or refuse the application on the grounds of:-**

01. In the absence of a planning obligation to secure contributions towards affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 of the Core Strategy Development Plan Document and to the Planning Obligations SPD (2015).

02. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore 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 to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.

03. The applicant has failed to provide an adequate and safe parking layout for the unrestricted C3 Residential Use and this could lead to vehicles parking on the highways to the detriment of road safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.