

ITEM NO: 9

Application No.
16/00162/FUL
Site Address:

Ward:
Great Hollands North

Date Registered:
25 February 2016

Target Decision Date:
21 April 2016

**Land Adjacent To 6 Peacock Cottages Peacock Lane
Wokingham Berkshire**

Proposal: **Erection of one pair of semi-detached dwellinghouses.**

Applicant: Ms Kym Peters

Agent: Mr Robin Bradbeer

Case Officer: Michael Ruddock, 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 application is for the erection of two semi detached dwellinghouses with associated detached garages and parking/turning areas on land adjacent to No.6 Peacock Cottages.

1.2 The application site lies within the settlement boundary. It is not considered that the development would result in an adverse impact on the streetscene or the character and appearance of the area. The relationship with adjoining properties is acceptable and it is not considered that the development would result in an unacceptable impact on highway safety, protected trees or biodiversity. Relevant conditions will be imposed in relation to sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Defined Settlement

Within 5km of the SPA

Tree Preservation Order 762

3.1 No.6 Peacock Cottages is a semi detached dwelling with parking located at the front of the property and a private garden to the rear. The site is accessed by a narrow road which is a public right of way that joins Peacock Lane to the north.

3.2 To the south of this dwelling is an open area of land outside the residential curtilage of the property that fronts onto the same road. This land has a width of approximately 57m across the frontage and has a depth of approximately 28m to the north which narrows to approximately 7m to the south. To the east the land is bordered by the Jennetts Park housing development, and two trees located in the southern area of the site are protected by Tree Preservation Orders (TPO 762).

4. RELEVANT SITE HISTORY

4.1 Application 9466 - Bungalow or single dwelling house - REFUSED 1964

4.2 Application 16540 - Application for erection of a detached bungalow - REFUSED 1971

4.3 Application 15/00854/FUL - Erection of 2no 4 bed semi detached dwellings – REFUSED 2015 for the reason that the proposal would have resulted in a cramped overdevelopment of the site with a design out of keeping with the streetscene in this location, to the detriment of the visual amenities of the area.

4.4 It is noted that four applications were made for residential development on this land between 2009-2014, and all were withdrawn without a decision being made.

5. THE PROPOSAL

5.1 The proposed development is for the erection of two semi detached dwellinghouses on the land south of No.6 Peacock Cottages. The dwellings would be symmetrical, each with a width of 8.9m giving the two dwellings an overall width of 17.8m. The dwellings would have a maximum depth of 10.5m and a height of 7.8m. They would be constructed from facing brickwork with render and stained boarding at first floor level and a plain clay tiled roof.

5.2 The dwellings would have hipped roofs with a flat roof element on top. A gable feature would be located at the front of both dwellings, projecting 0.8m forward of the main front elevation.

5.3 The dwellings would be 'handed' with the same accommodation provided at both ground and first floor level. At ground floor level the following would be provided:

- Lounge
- Kitchen/dining room
- Study
- Utility Room

At first floor level the following would be provided:

- Four bedrooms, one with en suite.
- Bathroom

5.4 Detached garages would be located to the side of both dwellings, each with a width of 3.7m, a depth of 6.4m and a height of 4.6m. These would have hipped roofs, with similar materials to the dwellings. Parking areas are shown to the front of both garages, with private gardens to the rear of the dwellings. A new turning head would be provided to the south of the dwellings.

5.5 As mains drainage is not available to the site, surface water harvesting units and septic tanks are shown to the rear of the dwellings. As the site would be accessed along a public right of way, a site notice has been displayed and a press notice advertised. The dwellings would be accessed along a private road, and as such the applicants have served notice on the owners of the road and signed Certificate B of the planning application form.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 No objection provided that the application is in accordance with Jennetts Park as a whole.

[OFFICER COMMENT: The site is located outside of the Jennetts Park development site.]

Other representations:

6.2 Five letters of objection have been received in respect of the proposal. The reasons for objection can be summarised as follows:

- Detrimental effect on the properties to the rear on Bullfinch Rise through loss of light and overlooking.
- Concerns over potential overlooking, overshadowing and disturbance to the property to the side at No.6 Peacock Cottages.
- Too much building for the size of the land.
- Concerns over the use of septic tanks.
- Concerns over whether the new houses would be connected to the existing sewage system.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 Recommend conditional approval.

7.2 Consultation responses were received from the Tree Officer, Biodiversity Officer, Environmental Health Officer and the Waste and Recycling Officer in respect of application 15/00854/FUL. These comments remain applicable to the current application.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key policies and associated 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
Residential Amenity	Saved policy EN20 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Trees	Saved policies EN1 and EN20 of BFBLP	consistent
Biodiversity	CS1 and CS7 of CSDPD	consistent
Sustainability	CS10, CS12 of CSDPD	consistent
SPA	NRM6 of SEP, CS14 of CSDPD, EN3 of BFBLP	consistent
Other publications	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Parking Standards SPD, Thames Basin Heaths SPA Avoidance and Mitigation SPD, Planning Obligations SPD.	

9.1 The key issues for consideration are:

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

i. Principle of the development

9.2 The site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon the character and appearance of the surrounding area, residential amenities of neighbouring properties, highway safety etc. These matters are assessed below.

ii. Impact on the character and appearance of the area

9.3 By virtue of their location the dwellings would have a visible impact on the streetscene. In terms of the size and bulk of the dwellings they would be similar to the neighbouring dwellings to the north and would be lower in height than the nearby properties to the rear within Jennetts Park, as demonstrated on the street elevation drawing. It is therefore not considered that the size and bulk of the dwellings would be disproportionate when compared to the neighbouring properties.

9.4 The design for the dwellings has been amended from the previous application, where the design of the dwellings was not considered to be in keeping with the streetscene in this location. Design features of the neighbouring dwellings to the north have now been incorporated to the scheme such as hipped roofs, gable ends and higher eaves. It is considered that the design now proposed is reflective of the design of these nearby properties, and as such the proposed dwellings would not appear out of keeping with the streetscene in this location. There is a mix of materials used in the local area, and it is not considered that the proposed materials would be inappropriate to the location.

9.5 In respect of how the dwellings fit into the site, the northern dwelling would have a set off of between 8m and 10m to the side and a garden of between 12m-14m to the rear. Although the site narrows to the south, the southern dwelling would have a rear garden of between 6m and 12m which would be larger than the previously refused scheme, and a set off of 8m to the side. Given the overall width of the site of approximately 57m and the size of the amenity areas to be provided, it is considered that the scale of development is appropriate to the size of the site and that the previous concern has been overcome.

9.6 The garages to the side would be set further back than the dwellings, and as such would not appear overly prominent in the streetscene. They would be single storey with pitched roofs that would not appear overly bulky, and it is considered that they would appear subordinate to the main dwellings.

9.7 It is therefore not considered that the development would result in an adverse impact on the character and appearance of the area. The proposal would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. Impact on residential amenity

9.8 Neither the dwellings or the garages would project to the rear of No.6 Peacock Cottages and as such would not result in an unacceptable loss of light to the rear facing windows or an unduly overbearing effect on the rear of that property. The development would be visible from side facing windows at that property however these are either secondary sources of light to the room that they serve, or they do not serve habitable rooms. A loss of light to any of these windows would therefore not be unacceptable. No side facing windows are proposed in the northern dwelling and a condition will be imposed to ensure that this remains the case at first floor level, to ensure that the rear of the neighbouring property is not overlooked.

9.9 With regard to the properties to the rear within the Jennetts Park development, the closest property to the dwellings would be No.17 Bullfinch Rise at a distance of approximately 16m. It is not considered that such a gap would result in an unacceptable loss of light to the rear facing windows at that property. The southern dwelling would be set 10m off the rear boundary with that property, and it is not considered that such a relationship would result in an unduly overbearing effect on the neighbouring property.

9.10 The garage serving the southern dwelling would be located closer than the dwellings at approximately 10m from the rear elevation of No.17 Bullfinch Rise, however it is not considered that a single storey building of the size proposed would result in an unacceptable loss of light to the rear facing windows at that property. Furthermore it is not considered that a single storey building in this location would appear unduly overbearing when viewed from the rear of that property.

9.11 Although the rear facing windows of the southern dwelling would face towards the rear gardens of the dwellings on Bullfinch Rise, as it would only overlook the rear of the gardens it is not considered that there would be an unacceptable loss of privacy to these properties as a result of the proposed development. The rear elevations of these properties and the private amenity areas of the immediate rear of the dwellings would not be directly overlooked.

9.12 Concerns have been raised with regard to sewerage and drainage in respect of the proposed septic tanks. The applicant has commented that this is controlled by legislation other than planning and is regulated by the Environment Agency and Building Control. Appropriate installations are required to comply with all relevant BS and European Standards. However it is not known whether these would be above ground or below. If above it may require planning permission in its own right, and if below it may constitute an engineering operation.

9.13 It is therefore considered that further details should be submitted in respect of this element to allow the Local Planning Authority to consider this element fully. This would be in the interests of neighbouring amenity, and would also ensure that adequate sewage works are provided, as requested by the Environmental Health Officer.

9.14 It is therefore not considered that the proposed development would result in a detrimental effect on the amenities of the residents of the neighbouring properties, and as such the development would not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iv. Transport implications

9.15 The site would take access off a private road which is a shared surface for vehicles and pedestrians, and varies in width being around 3.5m wide at the northern end before widening to around 7m to accommodate a number of parallel parking spaces. The road narrows to around 3 metres adjacent to the site and two vehicles are unable to pass each other. There is no formal turning head along this road.

9.16 Two new dwellings are proposed at the end of Peacock Lane and a turning head is proposed. The applicants have stated that there would be sufficient width for a car to pass a wheelchair or pushchair. The Highway Authority consider the available width to be the minimum width required which is tight, and widening the lane would make road conditions safer for pedestrians and cyclists using this road. However alterations to provide a parking space on the west side of the lane would require the consent of the landowners, and this is not part of the proposal.

9.17 It is noted that there would be a low increase in vehicular traffic resulting from the two new dwellings and the narrower section of the road is already used for Nos.4, 5 and 6 Peacock Cottages. At present the lane appears to operate well with vehicle speed likely to be low as generally drivers would be cautious. The additional vehicular movements would not be considered detrimental to highway safety and pedestrians would still be able to step out of the roadway at the existing gated access as no changes to the road are proposed, other than relocating the gates. This use of this current lane for two new dwellings was accepted for 15/00854/FUL and is accepted for this current planning application. Separate paths are proposed for pedestrian access to the main front door of the dwellings, with rear access provided for bin storage.

9.18 Three parking spaces are required to comply with the Council's Parking Standards for the new four bedroom dwellings. Garages are proposed with internal dimensions of 3.3m by 6m which comply with the Parking Standards SPD (July 2007) for practical parking. Although these would not comply with the new standards for garages contained within the Parking Standards SPD (March 2016) as the application was validated on 25 February 2016, prior to the adoption of the new SPD, it has been assessed against the previous Parking Standards. As such the garages are acceptable as parking spaces and can also accommodate cycle parking. They will be secured for this purpose by condition.

9.19 The Site Plan shows sufficient space to provide two driveway parking spaces for each dwelling. The driveways both have a depth in excess of 6m therefore there is sufficient space for parking in front of the garages. The driveways also have a width in excess of 6m which will assist with access and manoeuvring into and out of the spaces. The driveway parking will also be secured by condition. Further conditions will secure a Construction Management Plan and pedestrian visibility splays, in the interests of highway safety.

9.20 A turning head is proposed in the south east corner of the site and vehicle tracking was provided previously for 15/00854/FUL. This demonstrated that a refuse vehicle can turn within the proposed turning head to exit in a forward gear. The provision of a turning area would be of benefit as refuse vehicles currently reverse out onto Peacock Lane. Refuse collection to comply with the Council's standards is achievable, and the Waste and Recycling Manager has raised no objections to the application.

9.21 It is therefore not considered that the development would result in an adverse impact on highway safety. The proposal would therefore not be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

v. Effect on trees

9.22 The Scots Pine and Oak trees to the south of the site are protected by confirmed Tree Preservation Order 762. The Tree Officer was consulted on application 15/00854/FUL and considered that the relationship of the dwellings to the protected trees is acceptable, subject to adequate tree protection during construction. The dwellings as now proposed are no nearer the trees than under the previous application, and a condition to secure tree protection is recommended.

9.23 The turning head is in the same position as that assessed under application 15/00854/FUL, and it is considered that this allows for adequate construction space and for the future growth potential of the trees.

9.24 In respect of the submitted Tree Report, the Tree Officer previously raised concerns that the Impact Assessment is brief and does not constitute a detailed impact assessment in accordance with current BS 5837 guidance taking account of factors including level

changes, underground services, remedial works etc. As such a condition is recommended to satisfy these concerns. This will require a site layout plan to be submitted showing any underground services layout including, water, foul and surface water drainage, any soak-aways and associated ducting, electricity, gas, (existing reused and proposed) and any external lighting. It should also show existing and proposed levels within 15m of any trunks together with details of any associated soil level re-grading, and any service strip requirements.

9.25 A comprehensive Method Statement for removal of all existing hard surfacing and/or structures of any other description, located within the minimum Root Protection Areas of the protected trees is also required, as is a detailed program of arboricultural supervision. Construction details are also required for the proposed gate adjacent to the Oak to ensure that the rooting area is not compromised.

9.26 It is not considered that the development would result in any significant long term impacts to the protected trees that would warrant refusal of the application. However further details are required to ensure that the health of the trees would not be compromised during construction. Subject to acceptable details being submitted to and approved by the Local Planning Authority, the development would not be contrary to BFBLP 'Saved' Policies EN1 and EN20 or the NPPF.

vi. Biodiversity considerations

9.27 The Biodiversity Officer was consulted on application 15/00854/FUL and commented that the ecological survey report and reptile report show that the site has little ecological value and that no reptiles are present. Conditions will be imposed to ensure that biodiversity is protected. As such it is not considered that the development would be contrary to CSDPD Policies CS1 and CS7 or the NPPF.

vii. Sustainability

9.28 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards for water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. A Sustainability Statement has been submitted which states that average water use of 105 litres/person/day would be achieved, which complies with Policy CS10.

9.29 CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. The Energy Assessment for the proposed development details the level of renewable energy generation required to meet 10% of the building demand which complies with Policy CS12.

viii. SPA

9.30 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 Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 3.2km 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.

9.31 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate

against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.32 In this instance, the development would result in a net increase of two four bedroom dwellings which results in a total SANG contribution of £4,938. 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 £1,614.

9.33 The total SPA related financial contribution for this proposal is therefore £6,552. A draft Section 106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed has been submitted. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP 'Saved' Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

vii. Community Infrastructure Levy (CIL)

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

9.35 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. The proposed development involves the creation of two additional dwellings, and the development is therefore CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the local area or the amenities of the residents of the neighbouring properties. The proposed parking arrangements are considered acceptable, and the development would not result in an adverse impact on highway safety. Subject to compliance with the recommended conditions, the development would not result in an adverse impact on protected trees.

10.2 It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS14 and CS23, BFBLP 'Saved' Policies EN1, EN3, EN20 and M9, SEP Policy NRM6 and the NPPF.

11. RECOMMENDATION

11.1 **Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to:-

- Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).

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 submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 25.02.16 and 10.05.16:

1765/10 (Rev B)

1765/11 (Rev B)

1765/12 (Rev D)

1765/13 (Rev B)

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

03. No construction works shall take place until brick and tile samples 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 provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north or south facing side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

05. No dwelling shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plan site layout.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

06. No dwelling shall be occupied until the associated vehicle parking has been set 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]

07. The garage accommodation shall be retained for the use of the parking of vehicles and cycles at all times.

REASON: To ensure that the Local Planning Authority's parking standards are met.

[Relevant Policy: BFBLP M9]

08. No construction works shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
- REASON: In the interests of amenity and road safety.
[Relevant Policies: BFBLP EN20, M9, Core Strategy DPD CS23]
09. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
- REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
10. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.
- REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
11. The protective fencing and other protection measures specified by condition 10 shall be erected 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. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

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

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

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

12. The development hereby permitted shall not be begun until:
- (i) a site layout plan showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
- have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.

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

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

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

13. No development hereby permitted shall be begun until a site specific method statement for the removal of all existing hard surfaced areas and 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 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 approved Method Statement shall be observed, performed and complied with.

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

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

14. 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 programme of arboricultural supervision/monitoring shall be undertaken in full compliance with the approved details.

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

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

15. The development hereby permitted shall not be begun until a detailed site specific method statement for the construction of the new gate 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.

The Construction Method Statement shall be observed, performed and complied with.

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]

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

17. 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]

18. The development hereby permitted shall not be begun until details of the septic tanks, including specification and location, have been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be carried out before the development or any thereof is occupied.

REASON: In order to ensure the provision of adequate sewage works to the development, and in the interests of residential amenity.]

[Relevant Policy: BFBLP EN20]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission subject to conditions, in

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

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

1. Commencement
2. Approved Plan
4. Side facing windows
5. Access
6. Parking
7. Garage
9. Visibility splays
10. Tree protection
11. Tree restrictions
16. Site clearance
17. SuDS

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

3. Materials
8. Construction Management Plan
12. Underground services layout
13. Method statement- removal of hard surfaces
14. Arboricultural supervision
15. Method statement- construction of gate
18. Septic tanks

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

In the event of the S106 agreement not being completed by 31 August 2016, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

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

Doc. Ref: Uniform 7/DC/Agenda

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