

**ITEM NO: 14**Application No.  
**16/00265/FUL**

Site Address:

Ward:  
AscotDate Registered:  
17 March 2016Target Decision Date:  
12 May 2016**Wildwoods 24 Prince Consort Drive Ascot Berkshire  
SL5 8AW**

Proposal:

**Section 73 application for the variation of condition 2 (approved plans) of planning permission 14/01295/FUL for the erection of a detached two storey dwelling with associated garages following the demolition of the existing buildings.****[For clarity this revision relates to the addition of dormers and the use of the roofspace for habitable accommodation.]**

Applicant:

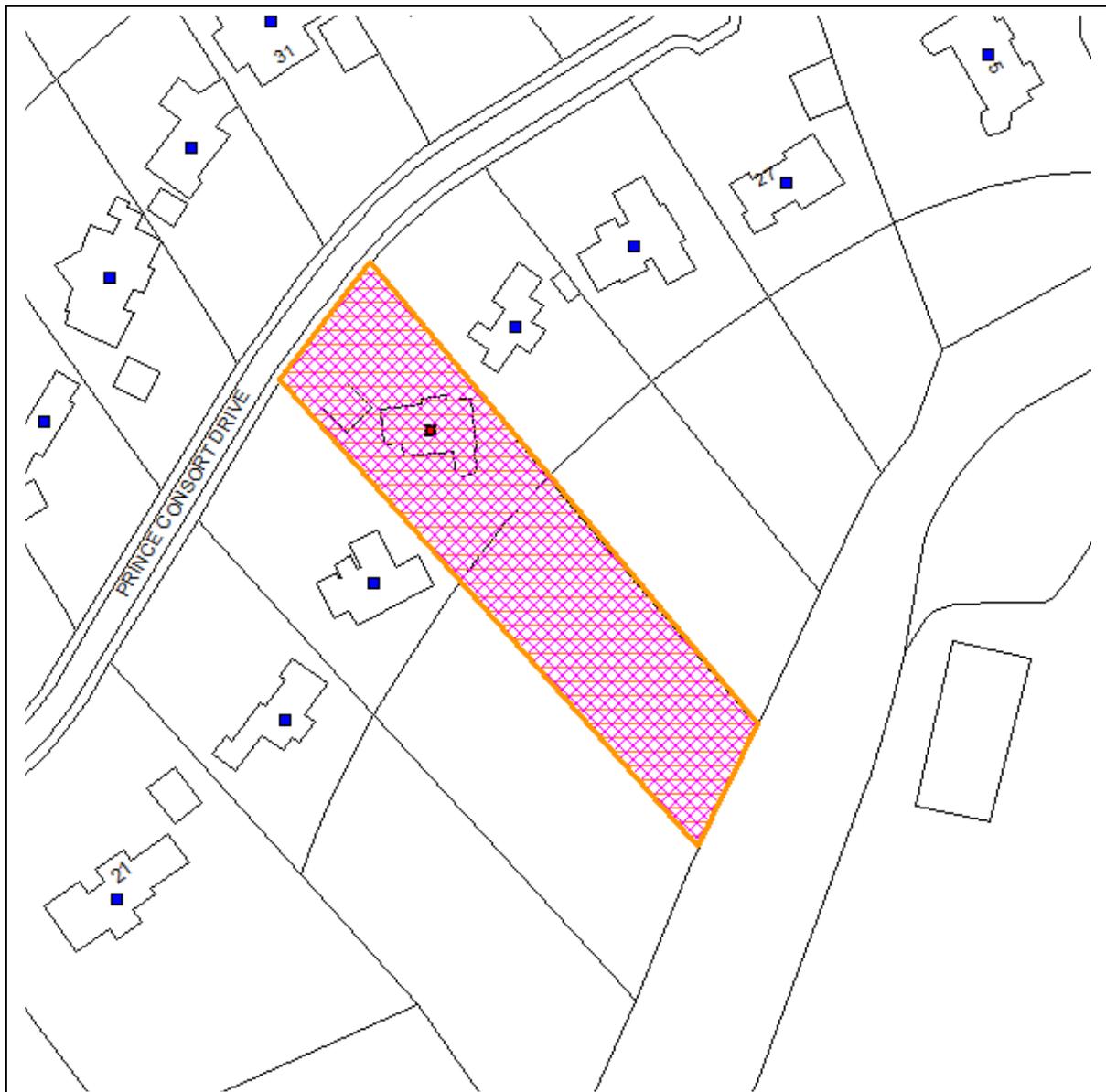
Mr &amp; Mrs J Hall

Agent:

Mr Jason O'Donnell

Case Officer:

Michael Ruddock, 01344 352000

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

## **OFFICER REPORT**

### **1. SUMMARY**

1.1 The proposed development is for the erection of a detached dwelling and detached garage at Wildwoods, 24 Prince Consort Drive following the demolition of the existing dwelling and garage. The application has been submitted as a Section 73 application to vary Condition 2 of planning permission 14/01295/FUL to include the addition of dormers and the use of the roofspace for habitable accommodation.

1.2 The proposed development relates to a site within the Green Belt and the principle of a replacement dwelling and garage on the site has been established by planning permission 14/01295/FUL. The development is not considered inappropriate in the Green Belt and 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. Relevant conditions will be imposed in relation to biodiversity and sustainability.

<b>RECOMMENDATION</b>
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**

<b>PLANNING STATUS</b>
Within Green Belt
Area C of the Character Area Assessment SPD for East of Bracknell

3.1 As existing No.24 Prince Consort Drive is a detached dwelling with a double garage to the front of the property and a private garden to the rear. The site is bordered by No.25 Prince Consort Drive to the north east and No.23 to the south west.

3.2 The existing dwelling is set at an angle within the site so that the front elevation faces towards the boundary with No.25 rather than the highway at the front of the site, and the dwelling faces away from No.23.

3.3 The trees at the front of the site are protected by Tree Preservation Orders (TPOs 111 and 1182) and the site is located within the Green Belt, in a Green Belt Village on the Bracknell Forest Borough Policies Map. The site is also within Area C of the Character Area Assessments SPD for East of Bracknell.

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

4.1 Application 19788 - Two storey extension forming study, garage and bedroom. Convert existing garage to dining room and existing bedroom to bathroom - APPROVED 1973

4.2 Application 609639 - Two storey side extension forming new kitchen with new bathroom over and two storey rear extension forming enlarged lounge with 2 enlarged bedrooms over - APPROVED 1985

4.3 Application 619003 - Demolition of existing addition and erection of two storey side and rear extensions, first floor side extension, single storey conservatory to rear and detached garage - APPROVED 1993

4.4 Application 624340 - Erection of single storey front extension - APPROVED 1998

4.5 Application 01/00439/FUL - Erection of single storey side and rear extensions to form annexe for aged person and games room - APPROVED 2001

4.6 Application 04/00617/FUL - Erection of single storey rear extension forming conservatory following demolition of existing conservatory - APPROVED 2004

4.7 Application 14/01295/FUL - Erection of a detached 2-storey dwelling with associated garages, following the demolition of the existing buildings – APPROVED 2015

4.8 Application 15/00201/COND - Details pursuant to conditions 3 (Materials), 4 (Boundary Enclosures), 7 (Finished Floor Levels), 10 (Tree and Hedgerow Protection), 11 (Protection Measures), 12 (Method Statement) and 13 (Underground Services) of planning permission 14/01295/FUL – APPROVED 2016

4.9 Application 16/00021/FUL - Variation of condition 2 of planning permission 14/01295/FUL for the erection of a detached dwelling with associated garages following the demolition of existing buildings for the replacement of the approved drawing numbers with revisions which incorporate the addition of rooms in roof accommodation with associated dormer windows and roof lights, and creation of link between detached garage and dwelling. This application was refused for the reason that the creation of a link between the garage and the dwelling resulted in a replacement dwelling that would be materially larger than the original dwelling on site.

## **5. THE PROPOSAL**

5.1 The approval of application 14/01295/FUL allowed a replacement detached dwelling following the demolition of the existing. The main dwelling was approved with accommodation at ground floor and first floor level. The main body of the dwelling would have a width of 15.57m, a depth of 12.37m and a height of 9.12m, based on the measurements given within the applicant's Design and Access Statement submitted in support of that application. A single storey element to the side would increase the overall ground floor width to approximately 22m with additional front and rear elements at ground floor level increasing the overall depth to 15.4m. As approved, a detached garage would be located forward of the dwelling with a width of 10.6m and a depth of 6.69m and a height of 6.4m.

5.2 The new application would include additional residential accommodation at second floor level in the dwelling and first floor level in the garage. Two dormers would be included on the front elevation of the dwelling and three on the rear, each with a width of 1.4m and a height of 1.8m. Three rooflights are shown on the south west facing side elevation of the dwelling, with one rooflight on the north east facing side elevation. The additional second floor accommodation in the dwelling would include the following:

- Two bedrooms, increasing the number of bedrooms from four to six.
- Games Room
- Bathroom
- En suite

5.3 Two dormers, each with a width of 1.4m and a height of 1.8m, would be included on the south west facing front elevation of the garage with a rooflight to the north east facing rear

elevation. The additional first floor accommodation on the garage would include the following:

- Bonus room
- Shower room

5.4 It is noted that the link between the dwelling and the garage that was included on application 16/00021/FUL has been removed from the new application.

## 6. REPRESENTATIONS RECEIVED

### Winkfield Parish Council:

6.1 Recommend refusal, for the reason that the development should comply with the approved plans. Any variation which would be inappropriate in the Green Belt is unacceptable.

[OFFICER COMMENT: It is noted that the Parish Council did not object to the refused application 16/00021/FUL.]

### Other representations:

6.2 Three neighbour objections were received to the proposed development. The reasons for objection can be summarised as follows:

- The additional floor area raises the aggregate floor space immeasurably beyond 40% relative to the original size and is therefore contrary to Green Belt policy.
- The space above the triple garage in effect creates two residences on the plot, and this would no longer be strictly a garage replacement.
- The dormer windows give the house additional bulk which is so significant that it would be materially larger than the original dwelling.
- Development would be detrimental to the streetscene as the dwelling would be in a prominent position on the road, particularly at night through light pollution.

## 7. SUMMARY OF CONSULTATION RESPONSES

7.1 Comments were received from the Tree Officer, Highways Officer and Biodiversity Officer in respect of application 14/01295/FUL. Due to the nature of the new application, no additional comments from these Officers were required, and these matters are assessed below.

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

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Green Belt	CS9 of CSDPD, Saved policy GB1 of BFBLP	consistent in the context of this proposal with regard to replacement dwellings
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 of CSDPD	consistent
SPA	NRM6 of SEP, CS14 of CSDPD, EN3 of BFBLP	consistent
<b>Other publications</b>	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Character Area Assessment SPD, Parking Standards 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 Community Infrastructure Levy

**i. Principle of the development**

9.2 No.24 Prince Consort Drive is located within the Green Belt, as defined on the adopted Policies Map, and therefore Policy CS9 of the CSDPD and 'Saved' Policy GB1 of the BFBLP are relevant. These policies seek to protect the Green Belt from inappropriate development. 'Saved' Policy GB1 lists certain types of buildings that might be acceptable depending on their scale, form, effect, character, siting and transport considerations. These include the replacement of existing dwellings.

9.3 The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 87-89 advise that inappropriate development is by definition harmful to the Green Belt. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. The construction of new buildings is to be regarded as inappropriate in the Green Belt with certain exceptions. These include the replacement of a building provided that the new building is in the same use and not materially larger than the one it replaces. Consequently the policies referred to above are considered to be consistent with the NPPF in the context of this proposal.

9.4 The proposal involves a replacement dwelling and therefore potentially falls within criterion (iv) of 'Saved' BFBLP Policy GB1 and paragraph 89, bullet point 4 of the NPPF. However, there is a need to look at other factors including the scale of the proposed building to assess whether it would be materially larger than the building it replaces.

9.5 The dwelling as approved under application 14/01295/FUL had a ridge height 9.12m, which would be 1.1m greater than the existing, based on the measurements given within the applicant's Design and Access Statement submitted in support of that application. The overall floor area of the dwelling as approved would be 471.08 square metres which would be an increase of 121.97 square metres over the floor area of the existing dwelling of 349.11 square metres. Proportionally this represented an increase of 34.9% over and above the dwelling it would replace. It was not considered that such an increase in height and gross floorspace was so significant that it would result in a dwelling that is 'materially larger' than the dwelling it replaces, for the purposes of considering the principle of the development.

9.6 The dwelling as now proposed would also have a height of 9.12m, making use of the roofspace, and would not result in an increase in the height of the dwelling over and above what was previously approved. Although the amount of floor area would increase as a result of the additional accommodation in the roof of the main dwelling, floor area is only one consideration as to whether a dwelling is 'materially larger'. The increase in mass and bulk over and above what was previously approved would not be significant, as the only increase in volume would be through the five dormers, each of which would have a floor area of 0.98m and a height of 1.8m. Viewed in the context of the whole dwelling, this increase is not considered to be so significant that it would result in a dwelling that is 'materially larger' than what was approved, and as such the dwelling that is being replaced.

9.7 Similarly, the garage as now proposed would have the same height as that previously approved, with the development making use of the roofspace. As with the dwelling, the increase in mass and bulk over and above what was previously approved would not be significant as the only increase in volume would be through the two dormers, each of which would have a floor area of 0.98m and a height of 1.8m. Viewed in the context of the whole garage, this increase is not considered to be so significant that it would result in a garage that is 'materially larger' than what was approved, and as such the garage that is being replaced.

9.8 Concerns have been raised that the inclusion of accommodation in the roofspace of the garage could be tantamount to the creation of a separate dwelling. The erection of a new building for this purpose is inappropriate development in the Green Belt, and therefore an additional condition is recommended to ensure that the building would remain incidental to the enjoyment of the main dwellinghouse and does not form a separate dwelling.

9.9 In terms of openness, the new dwelling would be greater in height and bulk than the existing dwelling, however it is not considered that the increases are so significant that there would be an adverse impact on the openness of the Green Belt as a result of the development. It would be set further back into the site than the existing building, and would have similar set offs to the side boundary. The new garage would replace an existing building, and as such no additional buildings would be constructed on the site.

9.10 As such the proposal is not considered to constitute inappropriate development in the Green Belt and does not conflict with the purposes of including land within the Green Belt and detract from its openness, contrary to CSDPD Policy CS9, BFBLP 'saved' Policy GB1 and the provisions of the NPPF.

## **ii. Impact on the character and appearance of the area**

9.11 The creation of dormers would result in minimal additional built form over what was originally approved. Dormers are a characteristic of the dwellings on Prince Consort Drive, and have been implemented at No.22, No.32 and No.41 Prince Consort Drive. It is not considered that the development would result in a dwelling that would appear out of keeping with the streetscene.

9.12 The site is located within Area C of the Character Area Assessment SPD for East of Bracknell relating to Prince Consort Drive and Prince Albert Drive. This refers to the character of Prince Consort Drive being detached houses set in large plots, with a consistent architectural approach. The addition of dormers would not be inconsistent with the architectural approach on Prince Consort Drive. The SPD also makes reference to the open character of Prince Consort Drive due to limited boundary treatments, and to ensure that the development continues to comply with this element of the SPD a condition will be imposed to restrict gates from being installed to the front boundary of the site.

9.13 It is not considered that the amendments proposed would result in an adverse impact on the character and appearance of the area in a Green Belt location. The proposed development would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

### **iii. Impact on residential amenity**

9.14 In terms of additional built form, it is not considered that the new dormers would result in a significant additional loss of light or overbearing effect that would warrant refusal of the application.

9.15 The development would result in additional rooflights and dormers at second floor level. The dormers would face forward and rear and as a result would not directly overlook any private amenity areas at the neighbouring properties. It is therefore not considered that they would result in an unacceptable loss of privacy to the neighbouring properties.

9.16 With regard to side facing windows in the dwelling, the first floor en suite windows to both side elevations have already been secured as obscure glazed windows by a condition of planning permission 14/01295/FUL. Three new rooflights are proposed to the south west elevation, and one to the north east elevation as a result of the proposal. Although these would all face towards the neighbouring properties, they are shown as high level windows at least 1.7m from floor level. As such a condition requiring these to be glazed with obscure glass and fixed shut is not considered necessary, however a condition is recommended to ensure that these are high level windows at least 1.7m from floor level. This would ensure that it would be difficult to view the neighbouring properties from these windows.

9.17 In respect of the garage, the dormer windows would face towards No.23 Prince Consort Drive however as they would be sited over 15m from the boundary with that property it is not considered that they would result in an unacceptable loss of privacy to that property. The rooflight that would face towards No.25 appears to be under 1.7m from floor level, and as such a condition is recommended requiring this to be glazed with obscure glass and fixed shut in the interests of the privacy of the residents of the neighbouring property.

9.18 It is therefore not considered that the development would result in a detrimental effect upon residential amenity. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

### **iv. Transport implications**

9.19 Although additional bedrooms would be provided, the applicants have previously shown sufficient parking for four or more bedrooms in accordance with the Parking Standards SPD. The proposal would not affect the approved parking layout or result in an additional parking requirement for the site.

9.20 It is therefore considered that the development would not result in an adverse impact on highway safety. The proposal therefore accords with BFBLP 'Saved' Policy M9 and the NPPF.

### **v. Effect on trees**

9.21 The development would not result in any additional footprint over what was originally approved. It is therefore not considered that there would be any additional impact on trees over the previous permission, and the development would therefore not be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

9.22 A number of conditions relating to trees were that were imposed on permission 14/01295/FUL were discharged under application 15/00201/COND, and as such there is no need to impose these conditions again subject to the development being carried out in accordance with these details.

#### **vi. Biodiversity considerations**

9.23 It was confirmed under the previous application through the submission of an Ecological Report that bats are present within the existing building. Therefore the demolition of the building will need to be carried out under licence from Natural England. There are no other ecological constraints to the site.

9.24 The report also provides information to address the three derogation tests under the Habitats Regulations 2010. Having due regard to the EC Habitats Directive 1992 and the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) it is considered that this application passes the tests set out therein. The Council's ecologist is satisfied that subject to conditions the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range. Subject to compliance with these conditions, the development would not result in an adverse impact on biodiversity. The proposal would therefore not be contrary to CSDPD Policies CS1 and CS7 or the NPPF.

#### **vii. Sustainability**

9.25 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, cover water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. This is considered to be consistent with the NPPF which states in para 95 "To support the move to a low carbon future, local planning authorities should actively support energy efficiency improvements to existing buildings.

9.26 No such statement has been submitted in support of the application, therefore a condition is recommended requiring the submission of a Sustainability Statement prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

#### **viii. Community Infrastructure Levy (CIL)**

9.27 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.

9.28 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) new build that involves the creation of additional dwellings. As no additional dwellings would be created, the development is not CIL liable.

### **10. CONCLUSIONS**

10.1 The proposal is not considered to constitute inappropriate development in the Green Belt and does not detract from openness and the purposes of including land within the Green Belt. It is not considered that the development would result in an adverse impact on the character and appearance of the area, residential amenity, highway safety, trees or biodiversity. As such the development is considered to comply with CSDPD Policies CS1, CS7 and CS9, BFBLP 'Saved' Policies EN1, EN20, GB1 and M9 and the National Planning Policy Framework.

## 11. RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990
02. The development hereby submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 17.03.16:  
  
P14/19/S/101 (Revision E)  
P14/19/S/101 (Revision C)  
  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The first floor en suite windows in the north east and south west facing side elevations of the dwelling and the first floor shower room rooflight in the north east facing rear elevation of the garage hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut up to a height of 1.7m from the internal floor level.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
04. The second floor rooflights in the north east and south west facing side elevations of the dwelling hereby permitted shall at all times be high level windows having a sill height of not less than 1.8m above internal floor.  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north east or south west facing side elevations of the dwelling or the north east facing rear elevation of the garage hereby permitted except for any which may be shown on the approved drawing(s).  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]
06. No part of the dwelling shall be occupied 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]
07. No gates shall be provided at the vehicular access to the site.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20]
08. The protective fencing and other protection measures specified by condition 10 of planning permission 14/01295/FUL and detailed within the document 'Tree Survey,

Arboricultural Implication Assessment and Method Statement' and Plans 2020, 2021 and 2022 submitted in respect of application 15/00201/COND pursuant to condition 10:

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). No activity of any description must occur at any time within these protected 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,
- g) 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.
  - h) 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]

09. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.  
REASON: - In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN20, CSDPD CS7]
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B or E of Part 1 of the Second Schedule of the 2015 Order shall be carried out.  
REASON: The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply, and the site is affected by a Tree Preservation Order where strict control over development is required by the policies of the development to ensure their protection.  
[Relevant Policies: BFBLP EN1, GB1, Core Strategy DPD CS7, CS9]
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no hard surface as permitted by Class F of Part 1 of the Second schedule of the 2015 Order shall be provided for any purpose incidental to the enjoyment of the dwelling house  
REASON: In the interests of the health of nearby trees

[Relevant Policies: BFBLP EN1, Core Strategy DPD CS7]

12. 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 CS1, CS7]
13. All ecological measures and/or works shall be carried out in full accordance with the details contained in AA Environmental Ltd.'s report dated December 2014.  
REASON: In the interests of nature conservation.  
[Relevant Plans and Policies: CSDPD CS1]
14. The areas shown for bat roost purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1, CS7]
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 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.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1, CS7]
16. If more than 2 years elapse between the previous bat survey and the due commencement date of works, an updated bat survey 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. The development shall be carried out in accordance with the approved scheme.  
REASON: To ensure the status of bats on site has not changed since the last survey.  
[Relevant Plans and Policies: CSDPD CS1, CS7]
17. The demolition of any and all buildings on site 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]

18. The accommodation above the garage hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse, known as Wildwoods, No.24 Prince Consort Drive, and shall at no time form a separate dwelling.

REASON: The creation of a separate unit would require mitigation measures and would involve intensification of the site.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS6, CS7]

Informatives:

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
3. Obscure glazed windows
4. High level windows
5. Restrictions on side facing windows
7. No gates
8. Tree protection
9. Soft landscaping
10. Removal of PD Rights (Class A-E)
11. Removal of PD Rights (Class F)
12. Site Clearance
13. Ecological Measures
14. Bat roost
15. No external lighting (unless scheme submitted)
16. Bat Survey (unless 2 years elapse)
18. Ancillary accommodation

The applicant is advised that the following condition requires discharging prior to the commencement of any works on site:

17. Site licence

The following condition requires discharge prior to the occupation of the dwelling hereby approved:

6. Sustainability Statement

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.
05. Having due regard to the EC Habitats Directive 1992 and the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) it is considered that this application provides sufficient information to demonstrate that it passes the tests set out therein. In this instance it is considered that the application is: -  
For an imperative reason of overriding public interest of :-
- A social reason
  - An economic nature
  - A beneficial consequence of primary importance for the environment, as alternative roosting opportunities for bats will be provided, in the form of four bat boxes installed on the mature trees located in the rear garden of the site. In addition, two bat tubes will be installed in suitable locations on the new build to provide additional roosting opportunities.

It is also considered that there are no satisfactory alternatives to the development because the existing property is in need of repair and modernisation. The costs of these works would be expensive and still not meet energy efficiencies and modern living standards that can be achieved with a new build.

The Local Planning Authority are satisfied that the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range.

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](http://www.bracknell-forest.gov.uk)