

OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the erection of a 3 no. bed semi-detached dwelling, following demolition of a detached garage.

1.2 Considering the nature and siting of the proposed works and host dwelling, the design is considered acceptable. There would be no adverse impact on the streetscene or character of the area, highway safety and the adjoining oak tree, subject to ground protection measures being applied before and during construction. The relationship with adjoining properties is also acceptable.

RECOMMENDATION

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 More than 3 objections have been received and therefore the application is to be considered by the Planning Committee.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

TPO to the south of the application site
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5 km of the Thames Basin Heath Special Protection Area
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3.1 No. 75 Avocet Crescent is an end terraced dwelling to a row of four dwellings. The application site is set some 26 metres south of Avocet Crescent and the front of No. 75 is accessed via a footpath that is adjoining a soft landscape open space area and trees. No. 75 is served by single and double garages providing two parking spaces to the east and south east of the site that are accessed via an un-adopted highway south of Avocet Crescent. There is a TPO (soon to be confirmed) on an oak tree adjoining (south) No. 75 Avocet Crescent referred to as T1 of TPO 1210. The application site shares boundaries with No. 73 Avocet Crescent (north) and No. 4 Cornbunting Close (east).

4. RELEVANT SITE HISTORY

4.1 Application 609946 - Erection of detached double garage to rear of existing house – Approved July 1985.

5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of a 3. no. bed semi-detached dwelling. The proposal includes the provision of a kitchen, hall, a wc and a dining / living area at ground floor level and a staircase leading to three bedrooms and a bathroom at first floor level. The proposed dwelling would have a maximum depth of approx. 9.6 metres, a maximum width of approx. 5.9 metres, a ridge height of approx. 6.8 metres and an eaves height of approx. 5.1 metres. The proposal has been revised during the course of the application.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Sandhurst Town Council has recommended that the application is refused for the following reasons:

- It would be a cramped development built up to the boundary of the plot;
- It would be out of keeping with the pattern of development in the area, and
- It would be detrimental to the amenities of adjoining properties.

Other Letters of Representation

6.2 8 Letters of objection have been received which can be summarised as follows:

- the proposal would be out of keeping with the design of adjoining properties;
- the proposal would lead to parking pressures in Avocet Crescent, and
- the proposal would cause overshadowing of adjoining land.

[Officer Note: The issues raised by the Town Council and neighbouring dwellings are considered in this report].

7. SUMMARY OF CONSULTATION RESPONSES

Highways

7.1 The Highways Officer has no objection to the proposed development and recommends that it is approved, subject to the submission of a construction management plan. This will be secured by planning condition.

Trees

7.2 The Tree Officer has no objection to the proposal, subject to the submission of a ground protection plan and method statement for demolition of the detached garage. This will be secured by planning condition.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent with para. 56, 57, 64 and 215
Design, Trees and Parking	CS7 of CSDPD, 'Saved' Policies EN1, EN20 and M9 of BFBLP	Consistent with para. 35, 56, 57, 64, 118 and 215
Sustainable Resources and Renewable Energy	CS10 and CS12 of the CSDPD	Consistent with para. 95
Thames Basin Heath Special Protection Area	SEP Saved Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS14 of CSDPD	Consistent with para. 76 and 77
Other publications		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv. Impact on protected tree
- v. Impact on highway safety
- vi. Sustainability
- vii. SPA
- viii. Community Infrastructure Levy

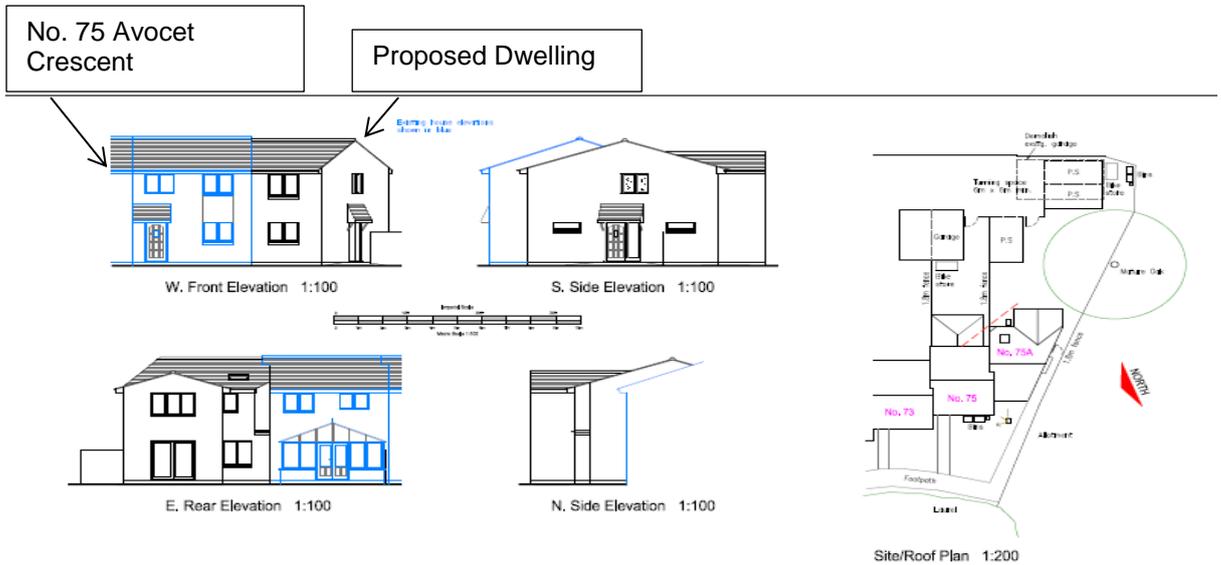
i. Principle of development

9.2 No. 75 Avocet Crescent 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 character and appearance of surrounding area, residential amenities of neighbouring properties, the adjoining oak tree, highway safety, etc. These matters are assessed below.

ii. Impact on Character and Appearance of the Area

9.3 The proposed new dwelling would be attached to No. 75 Avocet Crescent, would be set back from the front elevation of No. 75 by some 1.5 metres and therefore would not be readily visible in the adjoining street scenes due to the proposed setting and the large trees to the front (west) and side (south) of the application site. The proposed dwelling would follow the existing form of development of the row of terraced dwellings that it would be attached to. The proposed materials to be used would match the existing materials on the external surfaces for No. 75 and adjoining terraced dwellings, therefore the proposed materials would not be out of character in the surrounding area.

9.4 The proposed new dwelling would maintain a 1 metre gap from the allotment south of the application site. The rear garden of No. 75 Avocet Crescent would be subdivided with the rear garden to serve No. 75 being substantially reduced in size compared with the proposed rear garden of the new dwelling. Nonetheless, No. 75 Avocet Crescent's new rear garden would be similar to the rear gardens of the attached terraced dwellings and larger end terraced rear gardens are characteristic in the surrounding area.

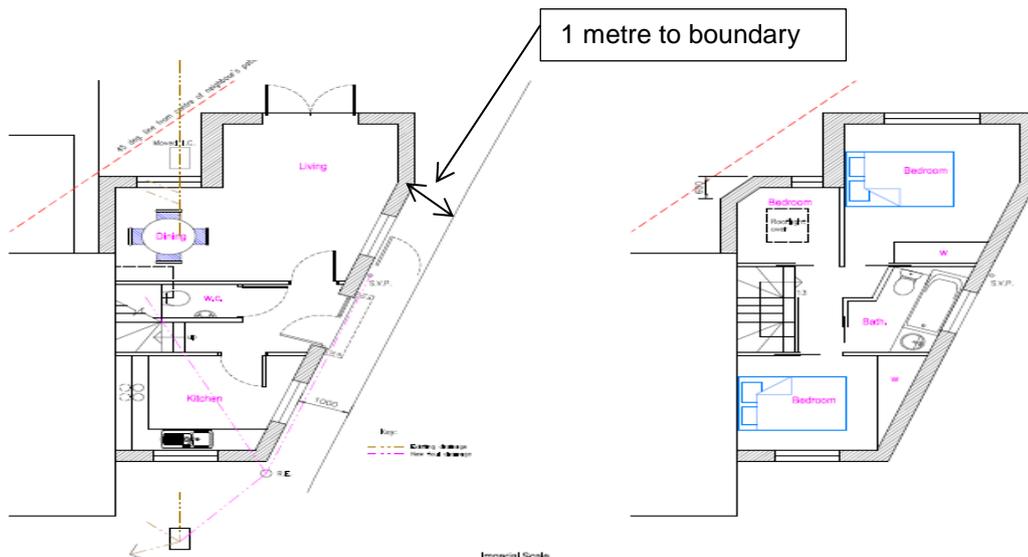


9.5 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area in accordance with, Policy CS7 of CSDPD, Saved Policy EN20 of the BFBLP and the NPPF.

iii. Impact on Residential Amenity

9.6 The proposed new dwelling would be attached to No. 75 Avocet Crescent, would be set some 16.4 metres from the boundary with No. 4 Cornbunting Close, would be set some 13 metres from the boundary with No. 4 Hopeman Close and would be set some 15 metres from the boundary with 11 Hopeman Close. It is not considered that the proposed new dwelling, comprising of a ridge height of approx. 6.8 metres, an eaves height of approx. 5.1 metres and a maximum width of approx. 5.9, would have a detrimental impact on the residential amenities of the occupiers to the aforementioned dwellings, including overlooking, significant overshadowing or adverse overbearing and loss of light, considering the proposed separation distances.

9.7 The impact on the adjacent ground floor and first floor habitable windows on the rear elevation of No. 75 Avocet Crescent have been assessed in accordance with the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011 - second edition) and the revised plan complies with this.



9.8 Adequate amenity area would be provided for both the existing and proposed dwellings.

9.9 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring occupiers, and therefore accords with BFBLP 'Saved' Policy EN20 and the NPPF.

iv. Impact on protected tree

9.10 The proposed new dwelling would be sited in close proximity to an oak tree, referred to as T1 of TPO 1210 (which is in the process of being confirmed). The arboricultural report complies with BS5837, however the report has not considered the impacts of proposed parking spaces following demolition of the detached double garage on the root protection area (RPA) of the oak tree. Therefore, the Tree Officer advises that the proposed car parking space closest to the oak tree should be constructed of a cellular confinement system that allows gas and water permeability. This will be secured by planning condition.

9.11 The proposed new dwelling would encroach the RPA of the oak tree by approx. 6.4% and the Tree Officer does not consider this to be excessive, subject to the use of appropriate surface construction, protective fencing and ground protection measures before and during the construction phase. This will be secured by planning condition.

9.12 Therefore, it is not considered that the proposed development would be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

v. Impact on highway safety

9.13 There is an adopted footpath at the western frontage of the application site that provides a suitable pedestrian access to the front of the dwelling and there is a private path within the proposed development linking the proposed new dwelling to the adopted footpath. There is an existing shared driveway to the rear of the application site providing rear access to Nos. 65 to 75 Avocet Crescent and the associated garages. The proposal includes new parking at the end of this road, following demolition of the existing double garage, and while this would increase vehicle use the road provides access to garages of 6 properties and the resulting increase in traffic is likely to be modest. The shared driveway is also wide enough at 5.5 metres and there are adequate sight lines for vehicles existing on to Avocet Crescent.

9.14 The Highway Officer recommends that a construction management plan is submitted showing where construction vehicles will be parked on site during construction works, etc. This will be secured by planning condition.

9.15 3 Parking spaces are proposed and the provision of 3 new usable parking spaces on site complies with the Council's adopted parking standards. The proposed parking spaces would be 2.4 metres wide by 4.8 metres long and 6 metres access / manoeuvring space would also be provided. This would comply with the current parking standards. The 3 parking spaces and proposed bike store to the rear of the application will be retained and secured by planning condition. The proposed bin area is to the south eastern end of the application site and bins can be easily wheeled around 30 metres to the adopted footpath fronting no. 75 Avocet Crescent for collection by the Council on collection days.

9.16 As such, it is not considered that the development would result in an adverse impact on highway safety, contrary to BFBLP 'Saved' Policy M9 and the NPPF.

vi. Sustainability

9.17 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. 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.

9.18 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. As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (<http://www.bracknell-forest.gov.uk/srm>), an energy demand assessment should be submitted and include the following:

- A prediction of the energy demand (in kWh) and carbon emissions (in kg/CO₂) for the site;
 - List of assumptions used i.e. whether these have come from Building Regulations or benchmarks;
 - Details of energy efficiency measures;
 - A prediction of the energy demand and carbon emissions for the site taking into account energy efficiency measures;
 - A feasibility study for all relevant renewable energy technologies;
- The choice of renewable energy systems proposed and the associated energy and carbon savings.

9.19 No such assessment has been submitted in support of the application, therefore a condition is recommended requiring the submission of an Energy Demand Assessment prior to the commencement of development in accordance with CSDPD Policy CS12 and the NPPF.

vii. SPA

9.20 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 0.8km 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.

9.21 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.

9.22 In this instance, the development would result in a single three bedroom dwelling which results in a total SANG contribution of £2,171.

9.23 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 £711.

9.24 The total SPA related financial contribution for this proposal is £2,882. The applicant will need to agree to enter into a S106 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. 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.

viii. Community Infrastructure Levy

9.25 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.

9.26 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.

9.27 The development would result in a net increase of one dwelling, and as such is CIL liable. A CIL liability notice will therefore be issued with any permission given.

10. CONCLUSION

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the area, residential amenity, trees or highway safety subject to the recommended conditions. It is therefore not considered that the development would be contrary to SALP CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policies EN1, EN20 and M9 or 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 authorized 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:
TUR/01 Rev C 'Existing & Proposed Plans & Elevations', received on 27 July 2016
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as outlined in drawing TUR/01 Rev C 'Existing & Proposed Plans & Elevations'.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]
04. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees, 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. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following: -
- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development.
 - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
 - c) All proposed tree, hedge, shrub removal and retention.
 - d) Minimum 'Root Protection Areas' of all existing retained trees within the site and on neighbouring land adjacent to the approved development, calculated in accordance with BS 5837 recommendations.
 - e) Plans of a minimum scale of 1:200 (unless agreed otherwise by the Local Authority) showing the proposed locations of 2.3m high protective barrier/s, supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - f) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
 - g) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
 - h) Illustration/s of the proposed fencing structure/s to be erected.
- The development shall be carried out in accordance with the approved scheme and programme.
REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
05. The protective fencing and other protection measures specified by condition 4 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]

06. No demolition hereby permitted shall be begun until a site specific method statement for the removal of all existing hard surfaced areas, associated with the double garage to be demolished, 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) The proposed car parking space closest to the oak tree should be constructed of a cellular confinement system that allows gas and water permeability.
- d) 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]

07. The development hereby permitted shall not be begun until a construction management plan 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, Core Strategy DPD CS23]

08. 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]
09. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy requirements will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as 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]
10. The three car parking spaces shown on the approved drawing shall be retained for the use of the parking of vehicles 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]
11. The garage accommodation at No. 75 Avocet Crescent shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
12. The dwelling shall not be occupied until secure and covered parking for bicycles , and shall be retained, has been provided in accordance with the approved drawing.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, CSDPD CS23]
13. The development hereby permitted shall not be begun until details showing the finished floor levels of the building hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and 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]
14. No development shall commence until details of fences or 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.

REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.

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

15. 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]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

1. Time limit
2. Approved plans
3. Materials
10. Retention of car parking spaces
11. Retention of garage accommodation at No. 75 Avocet Crescent
12. Provision and retention of secure and covered parking for bicycles
15. Surface water drainage

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

4. Protection of existing trees
5. Locations of protected fencing
6. Method statement for all existing hard surfaced areas and structures
7. Construction management plan
8. Sustainability statement
9. Energy demand assessment
13. Finished floor levels
14. Fences or other means of enclosure

03. Please note that a tree adjoining the site is due to be protected by a Tree Preservation Order. The legislation protecting 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, including decking areas, construction of retaining walls, topsoil stripping, excavation / alterations to existing ground conditions of any other description near trees. Any pruning or 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.

04. In the event of the S106 agreement not being completed by 30 November 2016, the Head of Planning be authorized 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 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 and Policy CS14 of the Core Strategy Development Plan Document.

Doc. Ref:

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