

ITEM NO: 5Application No.
19/00078/FUL

Site Address:

Ward:
AscotDate Registered:
28 January 2019Target Decision Date:
25 March 2019**115-117 Fernbank Road Ascot Berkshire SL5 8JT**

Proposal:

Erection of 4no. 2 bedroom dwellings with access, associated parking and landscaping following demolition of 2no. existing bungalows

Applicant:

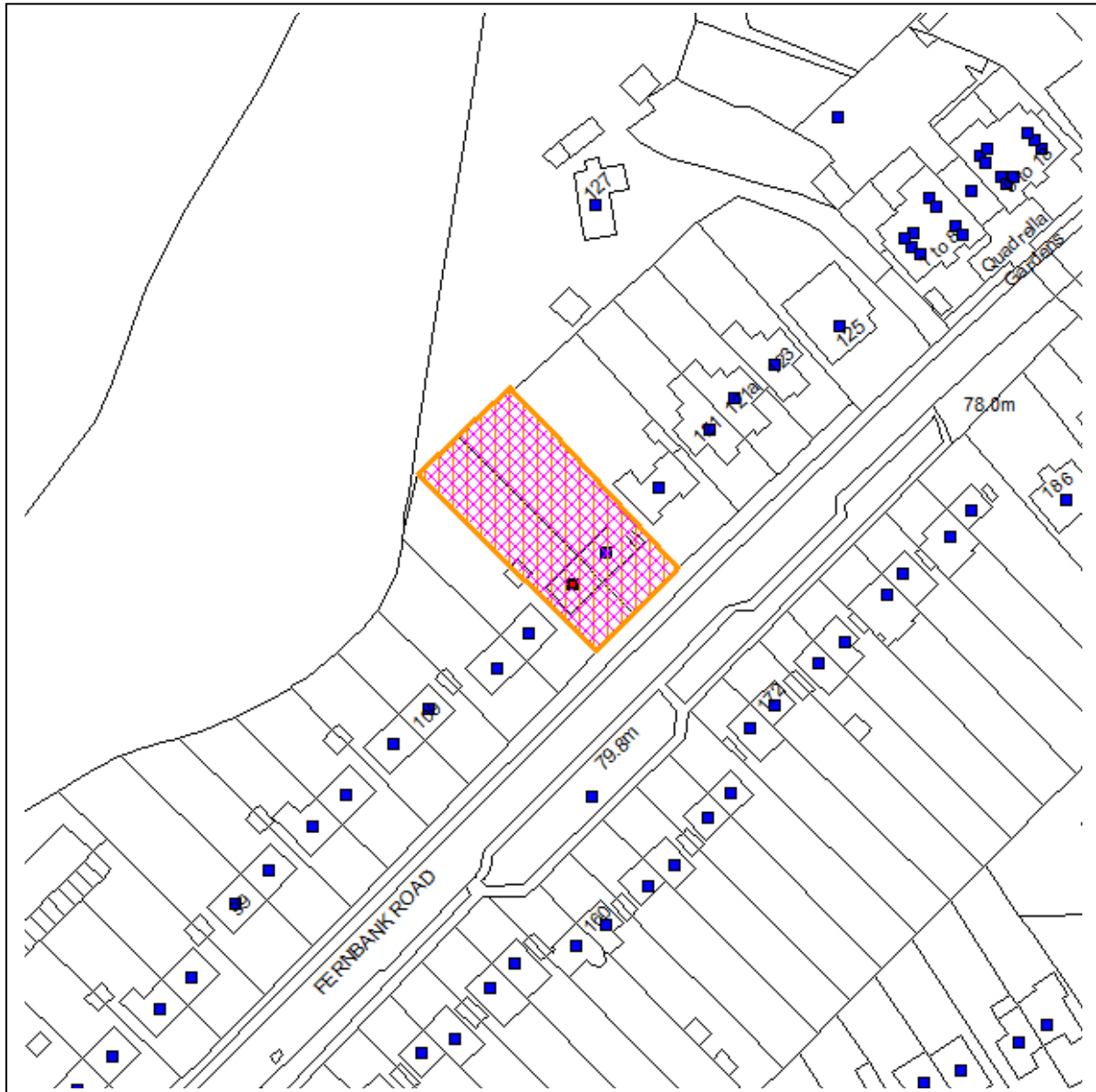
Chesterton Commercial Group

Agent:

Mr Ben Wilcox

Case Officer:

Sarah Horwood, 01344 352000

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

OFFICER REPORT

1. SUMMARY

1.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. The proposal would result in a net increase of 2no. family dwellings to contribute to the Council's housing supply.

1.2 The proposal would not adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions would be provided for future occupiers of the proposed dwellings. The proposal would not adversely impact upon the character and appearance of the surrounding area. No adverse highway safety implications would result.

1.3 Relevant conditions will be imposed in relation to biodiversity and sustainability. A legal agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION

Planning permission be granted subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following receipt of more than 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Land within defined settlement

Within 5km of the Thames Basin Heath SPA
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3.1 The application site lies to the west of the highway on Fernbank Road. There are currently a pair of semi-detached bungalows on the site.

3.2 The existing bungalows currently comprise front gardens laid to lawn which are enclosed by wire fencing approximately 1m high. The rear gardens extend to the west/north-west of the bungalows. The existing bungalows at nos. 115-117 Fernbank Road are currently at the end of a row of 7 pairs of bungalows (nos. 91-117 Fernbank Road).

3.3 The surrounding area is predominately residential, characterised by a mix of dwellings. The immediate area comprises a mix of semi-detached bungalows and two storey semi-detached dwellings. Within the wider area, there are flatted developments and detached dwellings.

4. RELEVANT SITE HISTORY

1674 approved 1952 for outline application for 7 pairs of bungalows.

6706 approved 1961 for 10 garages and access.

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 4no. 2 bedroom dwellings with access, associated parking and landscaping following demolition of 2no. existing bungalows.

5.2 The proposed building would form a row of 4no. terraced dwellings. The total width of the building would be 20.4m and its depth would range between 8.2m and 10.3m, with an eaves height ranging between 3.9m and 4.5m and ridge height ranging between 6.8m and 7.5m.

5.3 Each of the proposed dwellings would comprise the following layout:

GROUND FLOOR: hallway, WC, kitchen, open plan living/dining room

FIRST FLOOR: 2no. bedrooms, family bathroom, en-suite bathrooms (the 2 middle plots)

5.4 The proposed dwellings would be served by a shared central vehicular access from Fernbank Road leading to a parking area to the front of the building, providing a total of 8no. on-site parking spaces. Private rear gardens would be provided for each dwelling, along with pedestrian access to the rear gardens for each of the 4 dwellings being provided along the eastern and western boundaries.

5.5 For information, the scheme has been amended during the course of the application with the ridge line of the roof of the building reduced by 300mm, along with sinking the whole building 400mm below existing ground level so there is an overall reduction in height of 700mm when compared to the scheme as originally submitted. Further, the part of the building set closest to the boundary with no. 119 Fernbank Road has been moved back into the site by approximately 2m.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Recommend refusal for the following reasons (based on the original plans) :

“Although strictly in compliance with BFC's parking standards, in practical terms the proposals will result in increased on-street parking, thereby exacerbating an already dangerous highways situation. Photographic evidence is supplied to support this. WPC notes that no height measurements are indicated in the plans”.

6.2 A second comment was received from the Parish Council based on the amended plans where refusal is recommended for the following reasons:

- It was noted that the building line has been pushed back, affecting the street scene and creating an oppressive presence in the line of bungalows.
- It was noted that the drawings and measurements presented are inadequate and provide insufficient information to determine the extent to which the property will be overbearing to 119, but it would appear that the proposals as amended will cause a significant loss of amenity to the neighbouring property.
- Errors were noted in the topological measurements (5.8m stated instead of 8.5m).
- WPC note that BFC have failed to notify either neighbours, WPC or commentators on the original application of the significant amendments to the plans. In any view these are material amendments and WPC are of the view that due process has not been followed.
- WPC does not support the loss of two single storey units of social housing.

- WPCs concerns as originally submitted stand: Although strictly in compliance with BFC's parking standards, in practical terms the proposals will result in increased on-street parking, thereby exacerbating an already dangerous highways situation and adding parking stress.

Other representations

6.3 37no. objections have been received which can be summarised as follows:

Impact to neighbours

- Proposed dwellings will result in adverse impacts to neighbouring properties through overshadowing, loss of daylight, overbearing impact, privacy, oppressive impact, loss of outlook
- The amended plans have resulted in one of the dwellings being moved back due to window at no. 119 Fernbank Road but however now results in overlooking rear gardens of adjoining properties
- Amended plans will block light and view from bedroom window at no. 119 Fernbank Road and still result in overshadowing, loss of view and loss of privacy

Impact on character of the area

- The building line of the proposed dwellings have been moved back into the site considerably
- Street scene drawing is misrepresented
- Building too high compared to neighbouring properties.
- Development at 121-123 Fernbank Road had to dig down into the ground to make sure the height was acceptable.
- Impact on character of area
- Overdevelopment of plot
- Development too close to boundaries and neighbouring properties
- Proposal similar to an appeal for the demolition of a bungalow and replacement with 4 dwellings (Sunnymead, Jocks Lane, Bracknell) which was dismissed on grounds that development would be out of scale and not fit with context of local area
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Highway matters

- Impact on parking provision and people have to park on street, resulting in tension between residents. Parking on street also causes damage to vehicles.
- Already issue of traffic/congestion on road
- Where will visitors to new dwellings park
- Proposed parking spaces look tight
- Concerned that parking spaces will not be used and people will park on highway instead
- Fernbank Road is not designed to be a major road and is becoming dangerous – more housing will put extra pressure on the road
- Cause safety issues to road users such as school children/parents

Other matters

- No measurements on drawings
- Long history of houses/flats being built close to the site
- Seems a precedent has been set to build large dwellings
- Do not need more big developments in the area
- Do not need more unaffordable housing in the area
- Services such as schools/doctors/nurses are already under pressure without more housing in the area
- Assume there is excess housing for elderly/families who require social housing to permit the bungalows to be demolished
- Object to further development on Fernbank Road

- Proposal is not high quality and simply getting highest value for the land
- Is a greedy project and will have only financial benefits to the developer
- Silva Homes should not be allowed to sell homes to developers for new build developments
- Silva Homes have been underhand is selling the properties
- Issue of how council owned homes are sold
- People are being priced out of area. Bungalows should be kept which single parent families or the elderly could afford
- 4 houses are not needed on this plot
- Bungalows will be lost and replaced with family homes at expense of older generation, OAPs, people with disabilities or mobility issues
- Proposed dwellings could become 3 bedroom dwellings or have rooms in the roofspace
- Proposal does not comply with criteria set out in Council's Design SPD
- Proposal has altered from that submitted at pre-application stage
- Neighbours have not been notified of amendments.
- Nature of amendments should require submission of a new application
- Planning system against the public's interest

1no. general comment received which raises the following:

- Requested that during the build that either the boundary fence is retained or temporary fencing is erected to secure the site to ensure that a neighbour's dog does not escape.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection subject to conditions.

Biodiversity Officer

7.2 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15 of the CSDPD	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent

and landscaping		
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of surrounding area
- iv. Impact on highway safety
- v. Trees
- vi. Biodiversity
- vii. Thames Basin Heath SPA
- viii. Community Infrastructure Levy (CIL)
- ix. Sustainability
- x. Drainage/SuDS

i. Principle of development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the National Planning Policy Framework (NPPF) (paras. 2 and 12).

9.3 SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the NPPF. SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is considered to be consistent with the NPPF.

9.4 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes.

9.5 CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

9.6 CSDPD Policy CS15 requires the provision of 11,139 dwellings in the Borough over the Plan period.

9.7 CSCP Policy CS16 requires a range of housing types, sizes and tenures.

9.8 These policies are considered to be consistent with the need for sustainable development including the need to boost the supply of housing delivering a wide choice of homes as set out in the NPPF. As a consequence they are considered to carry significant weight.

9.9 The site is located within the Defined Settlement as designated by the Bracknell Forest Borough Policies Map (2013). As such, the proposal is considered acceptable in principle subject to no adverse impact on residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

ii. Residential amenity

9.10 The proposed building would be set 1.3m from the boundary with no. 113 Fernbank Road, with a 2.8m separation distance between the flank wall of the proposed dwelling and the flank wall of no. 113 at the closest point. The front elevation of the proposed building would be set back 4m from the front elevation of no. 113 so that no overbearing impact or loss of daylight would result to the front elevation of no. 113. To the rear, the proposed building would project 4.8m beyond the rear elevation of no. 113. Whilst this projection would appear visible when viewed from the rear elevation and rear garden of no. 113, the roof of the proposed building would hip away from the boundary with no. 113 and there is an existing outbuilding at no. 113 set on the boundary with the application site which would act as an intervening structure so that the proposed building would not appear so unduly overbearing to the detriment of no. 113 as to warrant refusal of the application.

9.11 The projection of the proposed building beyond the rear elevation of no. 113 would not result in an adverse loss of daylight to existing rear facing windows, not infringing on a 45 degree angle taken from the midpoint of the existing window at no. 113 closest to the boundary with the application site, in accordance with the BRE standards. Further, due to the positioning of the rear building line of the dwelling closest to no. 113 set back from the rear elevation of no. 113, rear facing windows as proposed would have oblique views over the rear garden of the adjoining dwelling but due to the set back, not over their most private amenity space closest to the rear elevation of no. 113.

9.12 1no. window is proposed in the flank wall of the building at ground floor level facing no. 113. A planning condition is recommended to remove permitted development rights for the installation of windows in the flank wall of the building at first floor level and above facing no. 113 in the interests of their residential amenity.

9.13 The proposed building would be set some 11m from the side boundary of the rear garden of no. 111 Fernbank Road. Whilst the proposed building would be visible when viewed from the rear garden of no. 111, given the 11m separation distance with the rear garden of no. 113 as an intervening feature in-between, it would not appear unduly overbearing or result in loss of daylight to no. 111.

9.14 The proposed building would be set 1.4m from the boundary with no. 119 Fernbank Road, with a 1.8m separation distance between the flank wall of the proposed dwelling and the flank wall of no. 119 at the closest point. The front elevation of the proposed building would be set back between 3.2m and 5.2m from the front elevation of no. 119 so that no overbearing impact or loss of daylight would result to the front elevation of no. 119. To the rear, the proposed building would project 2.6m beyond the rear elevation at no. 119 taken at ground floor level and from the rear elevation of the existing walk-out balcony at first floor level. The roof of part of the proposed building closest to the boundary with no. 119 would be subordinate with the ridge line of the roof

set 0.7m lower than the main ridge line, with the roof hipping away from the boundary with no. 119. In view of the projection of the proposed building beyond the rear elevation of no 119, the subordinate ridge height and the roof hipping away from the boundary with no. 119, the proposed building would not appear so unduly overbearing to the detriment of no. 119. Further, the projection of the proposed building beyond the rear elevation of no. 119 would not result in an adverse loss of daylight to existing rear facing windows (including patio doors leading onto a balcony at first floor level), not infringing on a 45 degree angle take from the midpoint of existing windows at no. 119 closest to the boundary with the application site, in accordance with the BRE standards.

9.15 There is an existing side facing window at first floor level in the flank wall of no. 119 facing the application site. This window serves a bedroom and is the primary and only source of light for this existing window. The scheme as originally proposed would have resulted in an unacceptable loss of daylight to this existing window. To address this, the front elevation of the proposed dwelling adjoining the boundary with no. 119 has been set back from its original siting by 2.2m so as to ensure that the existing window is not directly blocked by this particular plot, along with a reduction in the ridge height so that the height would sit lower than the main ridge line. Further, the separation distance between the flank wall of the proposed dwelling and the flank wall of no. 119 at the closest point and the roof hipping away from the boundary with no. 119, along with the existing window being at no. 119 being at first floor level, taking into account all of these factors, it is not considered that the loss of daylight to this existing window would be so significant as to be harmful to the residential amenities of no. 119.

9.16 1no. window is proposed in the flank wall of the building at ground floor level facing no. 119. A planning condition is recommended to remove permitted development rights for the installation of windows in the flank wall of the building at first floor level and above facing no. 119 in the interests of their residential amenity.

9.17 Further, due to the positioning of the rear building line of the dwelling closest to no. 119 set back from the rear elevation of no. 119, rear facing windows as proposed would have oblique views over the rear garden of the adjoining dwelling but due to the set back, not over their most private amenity space closest to the rear elevation of no. 119.

9.18 Outline planning permission was granted for the redevelopment of no. 119 Fernbank Road for the erection of a pair of semi-detached dwellings. This permission was granted in 2014, however has now expired and as such, no longer forms a material consideration to the determination of this application.

9.19 There would be approximately 38m separation distance between the front elevation of the proposed building and existing dwellings directly opposite to the south/south-east of the site (nos. 170-174 Fernbank Road). In view of these separation distances, the proposed building would not result in overlooking/loss of privacy or appear visually intrusive to existing dwellings to the south/south-east.

9.20 There are no dwellings directly to the rear of the site; as such, the proposal would not result in any impacts to existing dwellings/buildings to the rear.

9.21 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring dwellings and would be in accordance with Saved Policies EN20 and EN25 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

9.22 The Council adopted the Design SPD in March 2017 which seeks to secure good design and high quality development. The Design SPD sets out a number of recommendations that are relevant to the proposed development. Of particular relevance are the following recommendations:

- The form of new buildings, including roof should relate well to those found in the local context;
- Frontages should relate to the context of the area, in particular the relationships between existing building lines, set backs, landscaping and the continuity of the frontage;
- Design buildings to reflect attractive qualities of local form of housing
- All entrances should be from the street frontage;
- Parking for houses should not dominate the streetscene.
- Site dwellings so that all of their associated requirements, including outdoor space, parking and waste and recycling storage/collection can also be arranged appropriately within a plot and function well for the end user.

9.23 The site lies in a predominantly residential area with a mix of housing age, type and style. Immediately adjacent to the site on Fernbank Road are pairs of bungalows, along with two storey semi-detached dwellings and within the wider area, flatted developments. Therefore whilst the area is residential in character there is no predominant pattern of development or housing style in the local area. The proposal for a row of 4no. two storey terraced dwellings would not detract from the character of the area.

9.24 The proposed development would result in the demolition of existing bungalows and their replacement with two storey dwellings. Whilst the bulk and massing of the proposed building would increase when viewed against the dwellings it would replace, the eaves height of the proposed building would be relatively low with a modest roof profile, with no second floor accommodation proposed in the roofspace.

9.25 In an appeal decision relating to nos. 121-123 Fernbank Road, LPA ref: 12/00548/OUT for the erection of 1 no. detached and 1 no. pair of semi-detached dwellings which was allowed on appeal, the following paragraphs are of relevance to this current application.

- Para 11 states: *“There is no policy related or other objection to the demolition of the existing buildings, and their replacement by somewhat larger and higher dwellings, provided that would not harm the character or appearance of the area or the street scene”.*
- Para 14 goes onto state *“there is nothing in national or development plan policies which requires the replacement of old bungalows by new bungalows, and many dwellings in this part of Fernbank Road have 2 storeys...2 storeys with rooms in the roof space”.*

9.26 Whilst it is acknowledged that existing bungalows would be demolished and replaced with two storey dwellings and is a matter which letters of objection raise, as per the above appeal decision, there are no policy requirements for bungalows to be replaced by a similar style/size of housing. As Fernbank Road is characterised by a mix of housing types, the proposed scale of development would not appear out of keeping in the street scene.



9.27 The proposed front building line would be set back between 11m and 14m from the front boundary of the site, resulting in the building also being set back beyond the front elevations of adjoining dwellings at nos. 113 and 119 Fernbank Road. Dwellings in the immediate area are set well back from the street which creates a spacious setting. The proposed set back of the building from both the front boundary of the site and front elevations of nos. 113 and 119 would mitigate the increase in bulk and massing of the building when travelling along Fernbank Road so the proposed building would not appear so visually prominent in the street scene to the detriment of the visual amenities of the area. There is no uniformity to the building lines of dwellings on Fernbank Road and the proposed building would therefore not detract from the visual amenities of the area.

9.28 The ridge height of the proposed dwellings would exceed the ridge height of the existing bungalows at nos. 111 and 113 Fernbank Road and the two storey dwelling at no. 119 Fernbank Road, however the proposed ridge line of the building has been reduced from that originally submitted, with an overall reduction in the ridge height of 0.7m so that the building would be a maximum of 7.5m high. The building would stand two storeys high, with it proposed to be sunk into the ground by 0.4m. As shown on the proposed streetscene drawing, the building would follow the same ridge height as the existing pair of semi-detached dwellings at nos. 121 and 121A Fernbank Road. Further, the ridge line of the plot closest to no. 119 Fernbank Road appears subordinate to the main ridge line of the building with it set 0.7m lower and this plot would also be set further back into the site so as to break up the bulk and massing of the overall building. As such, whilst it is acknowledged that the proposed dwellings would exceed the height of the immediate dwellings at nos. 113 and 119, they would assimilate well with the more recent development at nos. 121 and 121A and 123 and the ridge height would therefore be acceptable when viewed in the context of the wider streetscene.

9.29 The density of the proposal would be 37 dwellings per hectare which is considered to be an efficient use of land on a previously developed site located within the settlement boundary. The level of development proposed is not considered to represent overdevelopment of the site. The proposal would result in the net gain of 2no. dwellings in the Borough, with adequate space retained between the proposed dwellings and adjoining buildings – there would be 2.8m between the flank wall of the proposed building and the flank wall of no. 113 and 1.8m between the flank wall of the proposed building and the flank wall of no. 119 at the closest point which would allow views through between the buildings to the rear of the site. Appropriate rear sized gardens would be provided (approximately 5m wide and 22m deep) for each plot which would not be dissimilar in size to existing plots within the area; along with the provision of sufficient on-site parking in accordance with the Council's Parking Standards SPD. Further, pedestrian access to the rear gardens of each dwelling would be provided for bin/cycle storage. The NPPF refers to the effective use of land and it is considered that this proposal would comply with this objective with the benefit of a net gain of 2no. dwellings within the settlement boundary.

9.30 The proposed dwellings would comprise front facing gables on plots 1 and 4, along with entrance canopies and architectural detailing by way of stone headers and cills to windows. The proposed dwellings would reflect the design elements of the newer houses at nos. 121 to 125 Fernbank Road and Quadrella Gardens and would therefore assimilate well into the streetscene. Within the wider streetscene, the design of the proposed dwellings would also replicate features seen at Barkers Meadow and Eastcote Place which include front facing gables and dormer windows. A planning condition is recommended which will require details of materials to be submitted to the LPA for approval and it is noted that there are no uniform types of brick/roof tiles along Fernbank Road.



9.31 To the front of the proposed building, on-site parking for 8no. vehicles would be provided, with some soft landscaping proposed behind the parking spaces and also facing onto Fernbank Road. Whilst the proposed parking layout would be a dominant feature to the front of the building, the parking layout as proposed is similar to that at nos. 121 to 125 Fernbank Road and Quadrella Gardens. Areas of grass verge sited outside of the application site abutting the public footpath would be retained in part following the creation of a new vehicular access onto Fernbank Road which would provide some further softening to the proposed parking area. As such, it is not considered that the proposed parking layout would adversely detract from the visual amenities of the surrounding area. A planning condition is recommended requiring details of hard and soft landscaping to be submitted for approval in the interests of the visual amenities of the area.

9.32 As such, the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iv. Transport implications

Access

9.33 The 4no. proposed dwellings would take access off Fernbank Road, a local distributor road, which is subject to a 30mph speed limit. There is some traffic-calming in the form of a priority feature around 100m south of the proposed site access. There is a footway fronting the site.

9.34 There are no parking restrictions along this part of Fernbank Road, and there is a parking lay-by on the eastern side of Fernbank Road (around 20m north of the proposed site access), which is an indication of parking demands in the area. A number of properties have limited, or no off-street parking (though the lay-by includes some dropped kerbs, and whilst this reduces the on-street parking capacity; these provide access to off-street parking). On-street parking has been observed along Fernbank Road, including parking on verges in front of the bungalows (including the two bungalows which are to be demolished with this planning application), and which have no off-street parking.

9.35 A new vehicular access is proposed for access to a parking area, and sight-lines of 2.4m by 43m could be achieved to either side of the access (within the highway), in line with the requirements for a 30mph speed limit road. The proposed parking and access layout would enable vehicles to turn within the site to exit onto this classified road in a forward gear (which is a highway safety requirement for a new vehicular access onto a classified road). It is advised that there should not be any gates at the access to avoid conflict, and this should be secured via planning condition.

9.36 A 7.5m wide dropped kerb vehicular access is proposed, as measured off the Proposed Site Plan, which would enable two cars to pass. Whilst this would reduce the on-street kerb-space for parking, two existing bungalows are to be demolished with this planning application; and the associated on-street parking demand which could occur would be removed.

9.37 The presence of the verge and the proposed post and rail fencing would provide suitable visibility between vehicles exiting the access and pedestrians using the footway. Pedestrian vision splays should be secured via planning condition to be kept at or below 600mm for safety between vehicles exiting the access, and pedestrians using the footway fronting the site.

9.38 Pedestrian paths are proposed to either side of the car parking area which provide separate pedestrian access from the footway to the front door of each dwelling, and for a cyclist pushing their bike. Also, rear pedestrian access is proposed which would allow access to rear external cycle stores and bin stores. New residents would be able to haul their wheelie bins to the kerbside for collection, and a refuse vehicle would not need to enter the site.

9.39 Two of these parking spaces are tight to the access, and whilst this could result in conflict between vehicles manoeuvring in and out of these spaces, and vehicles entering and exiting the access, the potential for conflict is low; and it is noted that a similar access/parking has been approved at nearby Quadrella Gardens for a larger development. Generally, the proposed access layout, including the pedestrian paths is similar to the nearby Quadrella Gardens (planning permission: 08/00263/FUL).

9.40 A domestic delivery vehicle would be unable to access and turn on the site; though domestic deliveries could occur from the roadside.

Parking

9.41 8 car parking spaces are proposed, in line with the Council's parking standards for 4 no. 2-bed dwellings, and it is advised that parking spaces should be allocated to each dwelling. The parking spaces would be 2.4m by 4.8m, in line with the Council's requirements, and 7.5m of access space/manoeuvring space is to be provided to enable vehicles to manoeuvre in and out of spaces and exit onto the highway in forward gear. 2 of the parking spaces nearest to the properties are adjacent to paths which will assist access for disabled users. The parking layout is similar to the nearby Quadrella Gardens.

9.42 There is no dedicated visitor parking within the site. As the proposal is for under 5 units, there is no requirement for visitor parking to be provided on site as set out in the Parking Standards SPD. Cycle parking could be provided within external stores in the rear gardens and details of cycle parking should be secured via planning condition.

Trips

9.43 These four proposed dwellings are likely to generate a total of 24 two-way movements over the course of a typical day, including two or three movements in both peak periods, and this would have a nominal traffic impact. Also, not all trips would be by private car bearing in mind nearby local facilities and bus services. This proposal for four new dwellings is likely to generate an additional 12 movements per day taking into consideration the two existing dwellings which are to be removed. Construction traffic, including site deliveries and contractor parking could be dealt with via planning condition.

9.44 Subject to the imposition of conditions, the proposal is considered to be in accordance with CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in highway implications.

v. Biodiversity implications

9.45 A preliminary bat and field walkover survey was submitted as part of the application.

9.46 The report concludes that the two bungalows that would be demolished have negligible potential for roosting bats but does make recommendations for a precautionary approach to protect great crested newts.

9.47 Planning conditions are recommended in relation to protecting and enhancing biodiversity on site, including a condition to secure all ecological measures/works being undertaken in accordance with the submitted ecological survey, details of boundary treatment and biodiversity enhancements (native planting, bird nest boxes, integrated bat tube and hedgehog access).

9.48 Subject to the imposition of these conditions, the proposal would protect and enhance biodiversity in line with CSDPD Policies CS1 and CS7 and the NPPF.

vi. Thames Basin Heath Special Protection Area

9.49 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. An Appropriate Assessment has been carried out including mitigation requirements.

9.50 This site is located approximately 4.5km 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.

9.51 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. 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.

9.52 In this instance, the development would result in a net increase of 4 X 2 bedroom dwellings replacing the existing 2 X 2 bedroom dwellings which results in a total SANG contribution of £10,386.

9.53 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £1,052.

9.54 The total SPA related financial contribution for this proposal is £11,438. The applicant must 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. The Applicant has agreed to enter into a S106 agreement to secure these contributions.

vii. Community Infrastructure Levy (CIL)

9.55 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL applies to new builds including those that involve the creation of additional dwellings.

9.56 CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough.

9.57 The proposal would be CIL liable.

viii. Energy sustainability

9.58 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement in relation to water usage. No Sustainability Statement has been submitted, however a planning condition is recommended in relation to the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

9.59 Policy CS12 requires the submission of an Energy Demand Assessment in relation to 10% offset by renewable energy source. No Energy Demand Assessment has been submitted. A planning condition is recommended in relation to the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD.

ix. Drainage

9.60 The application site is located within Flood Zone 1. A condition is recommended to ensure that the hard surfaced areas proposed for access and on-site parking/turning are SuDS compliant.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. The proposal would result in a net increase of 2no. family dwellings to contribute to the Council's housing supply.

10.2 The proposal would not adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions would be provided for future occupiers of the proposed dwellings. The proposal would not adversely impact upon the character and appearance of the surrounding area. No adverse highway safety implications would result.

10.3 Relevant conditions will be imposed in relation to biodiversity and sustainability.

10.4 A legal agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

10.5 The application is therefore recommended for approval, subject to the completion of a legal agreement.

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 Basins Heath Special Protection Area (SPA);

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 26 April 2019:

Drawing no. 100 Rev 01
Drawing no. 101 Rev 01
Drawing no. 200 Rev 01
Drawing no. 201 Rev 01
Drawing no. 202 Rev 01

Drawing no. 300 Rev 01
Drawing no. 301 Rev 01
Drawing no. 310 Rev 01

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

03. The development hereby permitted shall not be begun until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]

04. 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. 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, CSDPD CS7]

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 side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

06. The dwellings hereby permitted shall not be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained.

REASON: In the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

07. The dwellings hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved scheme shall be implemented in full before the first occupation of any dwelling hereby approved.

REASON: In the interests of the visual amenities of the area and in the interests of nature conservation.

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

08. The development hereby permitted shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to and approved 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: CSDPD CS10]

09. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Energy Demand Assessment as approved and retained as such thereafter.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

10. The dwellings hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans before the first occupation of any dwelling hereby approved and retained as such thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

11. The dwellings hereby permitted 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 footway before the first occupation of any dwelling hereby approved. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

12. The dwellings hereby permitted shall not be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawings before the first occupation of any dwelling hereby approved. 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, CSDPD CS23]

13. The dwellings hereby permitted shall not be occupied until secure and covered parking for bicycles has been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided before the first occupation of any dwelling hereby approved and thereafter retained as such.

REASON: To ensure bicycle facilities are provided.

[Relevant Policies: BFBLP M9, CSDPD CS23]

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

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

15. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

16. The parking and turning areas 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]

17. All ecological measures and/or works shall be carried out in accordance with the details contained in the document "Preliminary Bat and Walkover Survey" by 4 Acre Ecology Limited received 28 January 2019 by the Local Planning Authority. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

18. No demolition shall be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with and retained as such thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

19. 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, the dwellings hereby permitted shall not be occupied until details of external lighting installed on the site or affixed to any buildings on the site, including details set out in a lighting design strategy for biodiversity have 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]

Informatives

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

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

- 03. Materials
- 04. Slab level
- 08. Sustainability Statement
- 09. Energy Demand Assessment
- 15. Site organisation
- 18. Biodiversity enhancement

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

- 06. Landscaping
- 07. Boundary treatment
- 13. Cycle provision
- 19. Lighting

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

- 01. Time limit
- 02. Approved plans
- 05. Restrictions on windows
- 10. Vehicular access
- 11. Pedestrian visibility
- 12. Parking
- 14. No gates
- 16. SUDS
- 17. Ecological measures

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

In the event of the S106 agreement not being completed by 30 September 2019, 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
Supplementary Planning Document (2018).

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