

Unrestricted Report

ITEM NO: 06

Application No.
21/00217/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
26 February 2021

Target Decision Date:
23 April 2021

Land At Formerly The Mango Tree 63 Church Street Crowthorne Berkshire RG45 7AW

Proposal:

Construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.

Applicant:

Mr Neil De-Mendonca

Agent:

Miss Nasrin Sayyed

Case Officer:

Katie Andrews, 01344 352000

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OFFICER REPORT

1.0 SUMMARY

1.1 This application relates to the site of The Mango Tree, which has previously been demolished, and is located within the Crowthorne Conservation Area. The application is for 8 flats and is submitted following the grant of planning permission 17/01273/FUL for 5 flats and a refused application 20/00347/FUL for 10 flats.

1.2 The proposal is considered, on balance and having regard to extant application 17/01273/FUL, to have addressed the reasons for refusal under 20/00347/FUL. The proposal would respect the character and appearance of the area and have a neutral effect on the Crowthorne Conservation Area. On balance, it would not adversely affect the amenities of either existing or future residents.

1.3 The proposal provides parking acceptable to the Highway Authority and a safe and functional vehicular access.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement in relation to the Thames Basin Heaths SPA and highway matters.

2.0 REASON FOR REPORTING APPLICATION TO PLANNING ADVISORY COMMITTEE

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

3.0 PLANNING STATUS AND SITE DESCRIPTION

3.1 The site is now vacant but was previously occupied by the Mango Tree which was a detached building comprising a restaurant (Class A3) on the ground floor and a three bedroom flat at first floor level. The site had a side vehicular access which leads to parking at the rear.

3.2 The site is located close to Crowthorne High Street but is not within Crowthorne Village Centre, as defined by the Bracknell Forest Borough Policies Map, which borders the site to the east. It is located within the Crowthorne Conservation Area which extends to High Street to the east and along Church Street around St John the Baptist Church to the west.

3.3 The site is bordered by No.59 Church Street to the west and No.67 Church Street to the east. It is noted that No.67 Church Street is now in residential use following the cessation of the ground floor fish and chip shop (Class A5) use.

PLANNING STATUS

Within Defined Settlement

Within 5km of the SPA

Within Crowthorne Conservation Area

Crowthorne Study Area C (Crowthorne Centre) of the Character Area Assessments SPD

4.0 RELEVANT SITE HISTORY

4.1 The relevant planning history can be summarised as follows:

4.2 Application 15/01269/FUL - Change of use from a restaurant with residential flat over to residential flats providing 2no. two bedroom units at the ground floor level and 1no. two bedroom unit and 1no. one bedroom unit at first floor level with shared amenity space - APPROVED (with Legal Agreement) 2016

4.3 Application 16/00074/FUL - Change of use from a restaurant (A3) with residential flat to single family dwelling (C3) - APPROVED 2016

4.4 Application 16/01236/FUL - Change of use from A3 restaurant with residential flat over to C3 residential providing 5no. 2 bed flats over 3 floors with private shared amenity space and car parking. This includes alterations and extensions to the existing building including a basement. (Note: This application is an amended scheme to planning permission 15/01269/FUL) - APPROVED (with Legal Agreement) 2017

4.5 Application 17/01273/FUL - Erection of three storey building providing 5no. 2 bed flats over 3 floors with private shared amenity space and car parking following demolition of existing building. APPROVED (with Legal Agreement) 2018

4.6 18/00375/NMA - Non Material Amendment to alter roofline and fenestration for planning permission 17/01273/FUL. APPROVED 2018

4.7 During the stripping out of the building in accordance with permission 16/01236/FUL, it became apparent that the fabric of the building was in poor condition with the walls at first floor level bowing inward and as such, that permission could not be implemented due to the structural instability of the building. Planning permission 17/01273/FUL was subsequently granted. Under that permission, the building was to be taken down brick by brick with the bricks cleaned and re-used in the construction of the new building. It is understood from the Planning Committee Report under 17/01273/FUL that the bricks have been cleaned in accordance with that permission and are being stored on site.

4.8 20/00347/FUL Construction of a replacement building to provide 10 No. residential flats with ancillary car parking and landscaping. REFUSED 24.09.2020 for the following reasons:

1. The proposal due to its bulk, mass and scale would result in development which would not preserve or enhance the character or appearance of the Crowthorne Conservation Area. This is considered to be contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document, EN20 of the Bracknell Forest Borough Local Plan, the Crowthorne Conservation Area Appraisal (2007) and the NPPF.

2. The proposal due to its bulk, mass, scale and layout would result in an unsatisfactory form of development, detrimental to the character and amenities of the area contrary to Policy CS7 of the Bracknell Forest Core Strategy Development Plan Document (adopted February 2008), Bracknell Forest Borough Local Plan Policy EN20, Crowthorne Study Area C (Crowthorne Centre) of the Character Area Assessments SPD and the NPPF.

3. The proposed development by reason of its layout and design would result in a cramped development which would not create a good residential environment for future occupiers by reason of a poor outlook from habitable rooms and no outdoor amenity space. This is contrary to saved Bracknell Forest Local Plan Policy EN20 and the NPPF.

4. The layout of the development is substandard, including placing the access road too tight to the proposed building. The site layout does not demonstrate that "safe and suitable access to the site can be achieved for all users", does not "give priority first to pedestrian and cycle movements", does not "create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles" and does not "allow for the efficient delivery of goods, and access by service and emergency vehicles". In addition, the level of parking provided is below the Council's Parking Standards, which would lead to the displacement of vehicles onto surrounding roads, and increase the risk of illegal, inconsiderate or obstructive parking, which would in turn have an adverse effect on the free flow of traffic and highway safety. The resulting development would have an unacceptable impact on highway safety and the development is contrary to Core Strategy Development Plan Document Policy CS23 and Bracknell Forest Borough Local Plan saved policies M6 and M9, supported by the NPPF at paragraphs 108, 109 and 110.

5. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not have an adverse impact on trees on the boundaries of the site which make a significant contribution to the Conservation Area and biodiversity. This is considered to be contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document and Saved Policies EN1 and EN20 of the Bracknell Forest Borough Local Plan and the NPPF.

6. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off and it has not been shown that use of SuDS would be inappropriate for the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.

7. 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, the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

5.0 THE PROPOSAL

5.1. Following the previous demolition of the building at the site this application is for the construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.

5.2 The proposed building is 2.5 storeys in height with a pitched roof over. The building has a width of 8.9m, and length of 23.19m with a total height of 8.12m. It has been designed with 6 pitched roof dormer windows on the side and rear elevations with 2 x chimneys punctuating the roof line.

5.3 17 car parking spaces are shown at the rear of the site which includes 2 x disabled parking spaces. A bin store is shown halfway down the access with 2 x cycle stores within the site.

5.4 An area of rear amenity space has been shown with some space for landscaping and landscaped edges to the rear of the site and the existing hedge to the north west to be maintained and managed.

5.5 The application has been amended since it was initially submitted to remove a parking space from the front of the site, increase the rear amenity area in size, provide extra space to the rear boundary and provide updated drainage information.

5.6 The application follows an approval at the site (ref:17/01273/FUL) for 5 flats which has partly been implemented due to the demolition of the existing building. This consent remains extant.

5.7 Application 20/00347/FUL was refused at the site on the 29 September 2020. The application was for 10 replacement flats with the proposal considered to not preserve or enhance the Crowthorne Conservation Area; to harm the character of the area; to fail to create suitable amenity for future residents; to result in highway safety concerns; not to have demonstrated that it would not harm trees or biodiversity; fail to demonstrate that it incorporated suitable drainage; and did not mitigate its impact on the Thames Basin Heaths SPA.

6.0 REPRESENTATIONS RECEIVED

Crowthorne Parish Council

6.1 Recommends approval of the application with the following caveats:

- Car Parking meets standards but two spaces need to be sufficiently sized (4.8 x 2.4m) to enable them to be used for disabled parking.
- Passive EV (Electric Vehicle) charging infrastructure must be included to anticipate future requirements. (Annexe E Supplementary Parking Standards Document).
- Secure cycle and motorcycle storage needs to be included.
- Development of more than 5 units requires an energy demand assessment and onsite renewable energy production to reduce CO2 by 10%.
- Bricks from the original building should be used wherever possible and new bricks should be of a Victorian character to match.
- The overall development must take account of the character of the Crowthorne Conservation Area.
- Drainage considerations need to be agreed and resolved.

Other representations

6.2 12 letters of objection were received on the original plans raising the following objections:

- Loss of daylight, overshadowing and privacy to properties.
- Noise disturbance due to number of residents.
- Design and scale out of character with surroundings.
- Highways safety concerns from 8 flats.
- Insufficient parking.
- Special attention should be paid to the desirability of preserving or enhancing the conservation area.
- Issue with water table.
- Flats out of character.
- Original bricks were required to be re used in 5 unit scheme.
- Plans do not include 1.7m high windows overlooking no.65-67 Church Street which were included in 17/01273/FUL.
- Plans show a parking space directly outside dining room window causing fumes and blocking light and highway safety concerns [*Officer note: this parking space has been removed from the plans*].
- Visitor and disabled parking should be provided on site.

- Applicant was granted permission for 'internal alterations' to convert building to 5 apartments, with minimal change to exterior. Building then demolished and required to build to original size.
- Contrary to Crowthorne Neighbourhood Plan.
- Building was slowly dismantled over last couple of years and due to care one assumed to be rebuilt. Dismayed to find application for 8 flats.

6.3 1 letter which raises neither support nor objection:

Believe 8 flats excessive but would like to raise awareness of the following:

- Previous uses at the site have been busy with the previous restaurant use having at least 30 plus patrons on site at one time.
- Third floor windows do not face Church Street and no difference from before.
- The driveway is as before.
- The removal of trees and shrubs would benefit Thornley Place and 59 Church Street.
- Brick/tile work conform to conservation guidelines.
- Something needs to be done with the land as it will stop youths accessing the property to cause damage/being a general nuisance.

7.0 SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection to amended information subject to conditions

Environmental Health

7.2 Recommends conditions if the application is recommended for approval

Tree Officer

7.3 Objection to the plans on Arboricultural grounds. Car park would harm trees and hedging in Conservation Area.

7.4 Officer note: The car park is laid out in a similar way to that approved under application 17/01273/FUL and is considered a betterment to the extant application as it proposes protection to the trees during development and working to a general method statement during construction.

Biodiversity Officer

7.5 Updated bat survey confirms the buildings continue to have negligible potential to support roosting bats. The report does identify two trees with low potential that should be retained or felled sensitively.

7.6 Support the Tree Officer's request for further information and redesign of the car park. If issues resolved recommend a scheme of management works to restore the existing hedgerow to maintain its value and longevity.

Heritage Consultee

7.7 No objection subject to conditions

Waste and Recycling Officer

7.8 No objection. The bin storage area is accessible and of adequate size for the number of bins required for 8 flats.

Lead Local Flood Authority

7.9 No objection to amended drainage information subject to conditions

8.0 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Limited (policy not used in planning application decision-making) Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development.
Trees & Landscaping	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 130 & 174)
Heritage	CSDPD Policies CS1 & CS7	Consistent (paras. 194 to 208)
Drainage	CS1 of CSDPD	Consistent (paras. 167 & 169)
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 180)
Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 120, 174, 183 & 185)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 153)
Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 55 to 57, 93 and 95)
Supplementary Planning Documents (SPD)		
Parking Standards SPD Planning Obligations SPD (2015) Thames Basin Heath SPA SPD Character Area Assessments SPD Design SPD		

Other publications
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

8.2 In addition, the Crowthorne Neighbourhood Plan was adopted 9 June 2021. The relevant policies from this which are considered consistent with the NPPF are:

CR1: High Quality Design
CR4: Promoting Good Design in Crowthorne Centre
CR12: Biodiversity

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Conservation Area
- iii. Impact on Character and Appearance of Area
- iv. Trees and Landscape
- v. Impact on Residential Amenity
- vi. Transport and Highways Considerations
- vii. Biodiversity
- viii. Sustainability
- ix. Surface Water Drainage/Flood risk
- x. Thames Basin Heaths Special Protection Area
- xi. Community Infrastructure Levy (CIL) and S106 Contributions
- xii. Affordable Housing

i. Principle of Development

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

9.3 The site also has planning permission (ref:17/01273/FUL) for the demolition of the Mango Tree, which has previously taken place, and the erection of a building for 5 flats. This application remains extant. A later application 20/00347/FUL for 10 flats was refused on 24.09.2020 and regard must be had to both of these applications in reaching a decision under the current application. However it is important to note that the principle of demolition, which has previously occurred and redevelopment of the site has already been established.

ii. Conservation Area

9.4 The Mango Tree is located within the Crowthorne Conservation Area.

Conservation Areas

9.5 Recent legal cases have established that under section 70(3) of the TCPA 1990 the general power to grant planning permission under section 70(1) is expressly subject to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1) provides that the local authority has a statutory duty that:

'with respect of any building or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

9.6 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, respects local patterns of development and the historic environment, provides safe communities and enhances the local landscape where possible.

9.7 BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area and be appropriate in terms of scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views. It further states that the design of the development should promote local character and a sense of local identity.

9.8 The Crowthorne Neighbourhood Plan Policy CR1 advises ...as appropriate to their scale, nature and location development proposals should have regard to the following design attributes which form the essential character of Crowthorne (vii) the importance of conserving and enhancing the character and appearance of Church Street, Crowthorne Conservation Area.

9.9 The Crowthorne Conservation Area appraisal (2007) described the Mango Tree buildings as follows:

"Nos. 63 and 67 Church Street are both commercial in character and currently function as restaurants (Plate 21). These two buildings are an important element in the view along Church Street towards the landmark building of St John the Baptist's Church. Both buildings face directly onto the street and provide definition at the junction between Waterloo Road and Church Street. No.63 is of red brick construction in Flemish bond and hipped roof finished with tiles. The front elevation is symmetrical with a shop front style entrance central door flanked by plate glass of vertical emphasis fixed between timber mullions. The shop front design appears chunky in relation to the design of the building but the fascia is of appropriate proportions and is painted. Green glazed tiles relating to the earlier shop front survive below the black paint. The first floor windows are casements with a vertical emphasis. The path to the left of No.63 had been created by the early 20th century and linked Church Street with the Heath Hill Road development (Plate 22). This narrow lane is bounded on either side by high hedge boundaries which provide a strong sense of enclosure. The receding view along the path also adds interest to the streetscene. A number of alleyways and drives to the side of this row of shops provide glimpses of the rear of the conservation area and the townscape beyond."

9.10 The proposal takes its design cue from the approved planning permission 17/01273/FUL, although the current proposals are of a larger scale. The proposed design consists of a two and a half storey building, with attic accommodation lit by rooflights and pitched dormers. The overall form of the building follows the same outline, partly based on the original building at No.63 Church Street, with a hipped roof and brick construction. An extract from the submitted plans showing the proposed elevations is provided below, with the elevations of the approved scheme then provided for comparative purposes:



Proposed Front Elevation



Proposed Rear Elevation



Proposed South East Elevation



Proposed South West Elevation



Rear Elevation



Front Elevation



North Side Elevation & Basement Section



South Side Elevation & Basement Section

Approved plans 18/00375/NMA – associated with 17/01273/FUL

9.11 The Character of the Conservation Area results from its residential quality with relatively small-scale, domestic buildings of traditional early to late 19th century design, generally in brick with slate or tile hipped or gabled roofs with traditional sash fenestration.

9.12 The proposed design for the replacement building has been altered from refused application 20/00347/FUL to reduce the mass and scale with additional design detailing for the roof including dormer windows. Although the scale of the building would increase to the rear of the streetscene, the front elevation is relatively modest and in-keeping with the Conservation Area. The additional elements such as the cycle racks and car parking are to the rear of the building.

9.13 As stated in the Crowthorne Conservation Area appraisal (2007):

“The conservation is not a bar to new development. However, development should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. New buildings do not necessarily have to directly imitate earlier styles, but they should be well-designed and respect their context, character and appearance. In designing new buildings in the area, special regard should be had for such matters as scale, height, form, massing, respect for the traditional pattern of frontages, vertical or horizontal emphasis, and detailed design such as the scale and spacing of window openings, and the nature and quality of materials”.

9.14 Whilst the proposed development would result in some harm to the character or appearance of the Conservation Area, and it cannot be said to preserve or enhance the Conservation Area due to the previous demolition of a period building in the Conservation

Area, this test is only desirable. Leaving the site empty would leave a large hole in the Conservation Area. Good quality materials would help to reduce the building's impact and overall its impact is considered to be neutral when considering the previous demolition and gap created in the Conservation Area. As a result, reason for refusal 1 of application 20/00347/FUL has been addressed.

iii. Impact on Character and Appearance of Area

9.15 CSDPD Policy CS7 requires high quality design which in this case should build on the local character, respect local patterns of development, enhance landscape and aid movement and accessibility. Policy EN20 of the Local Plan supports Policy CS7 and sets out how development should be in sympathy with its local environment and appropriate in terms of mass and scale, layout and materials amongst other criteria.

9.16 Policy CR1 of the Crowthorne Neighbourhood Plan requires High Quality Design which integrates with local surroundings and landscape context as well as the existing built environment and sets out a number of design criteria.

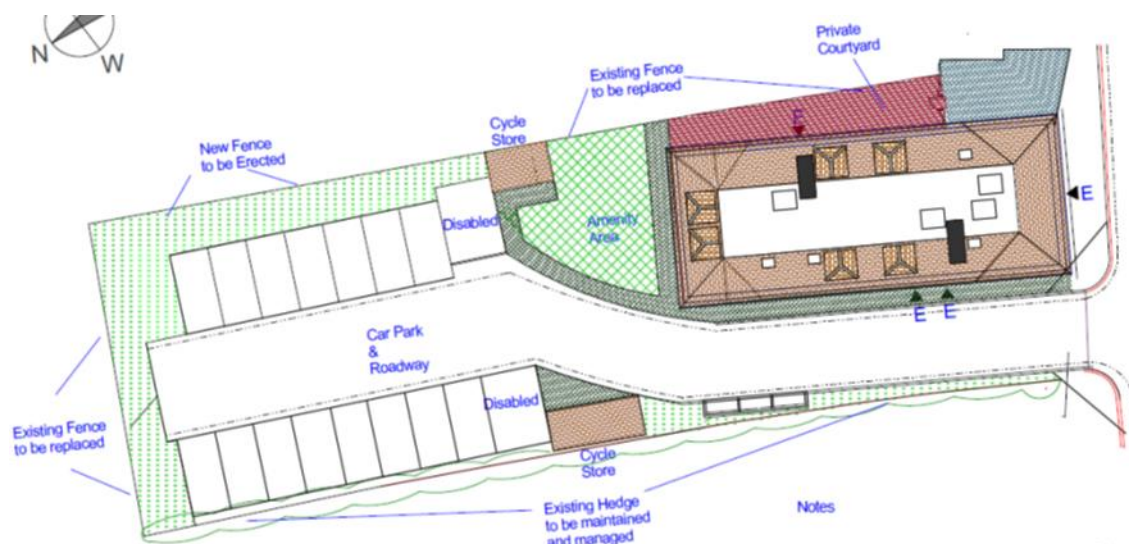
9.17 The site falls within area CR4 Promoting Good Design in Crowthorne Centre. This policy requires development to be appropriate to their scale, nature and location which will be supported provided it has regard to (i) terraced properties and high density building density of the periphery of the High Street and (ii) the historic quality and significance of a large number of buildings in the north of the historic core, at the junction of High Street and Dukes Ride.

9.18 The site falls within the Crowthorne Study Area C (Crowthorne Centre) of the Character Area Assessments SPD. This sets out, in summary, that the area has a positive character as a centre for Crowthorne. The following relevant recommendations are set out in the SPD:

- Development should not be set back from the building line as this would adversely affect the linear, well framed character of the area;
- Public realm should be consistent, free of clutter and unnecessary level changes;
- External details of all development should be to a high standard of design to enhance the local character;
- New developments should contribute to active ground floor uses and upper floor uses to create an appropriate town centre scale of development; and
- Aim to create a continuous street frontage within the town centre.

9.19 The site is also located within the Crowthorne Conservation Area which the application site is considered to have more of a relationship with, than the commercial village Centre, where as detailed above buildings are of a domestic scale.

9.20 The proposed development would result in a building, which has been reduced in scale and mass from refused application 20/00347/FU. Whilst the rear of the building would be viewable from Waterloo Road due to its reduction by 4.71 metres in length it is not considered to result in an unduly overbearing impact on Waterloo Road. The design has closely followed approved application 17/01273/FUL and the addition of 6 dormer windows on the roof are considered to be sympathetic to the design of the building which are found else where in the Conservation Area.



Proposed Site Plan

9.21 The Council's SPD on Design advises at para 3.9.8 where a block of apartments is proposed, a careful balance is needed between the building footprint, its position on the plot in response to local character, parking provision and useable open space for residents.

9.22 Application 20/00347/FUL was refused partly on the grounds that it showed a tight relationship with the parking and bin stores, that it failed to provide any outdoor space for future residents and that it hadn't demonstrated that trees or hedging could be retained. This current application has been amended to show an outside amenity area for future residents with bin storage of an appropriate size and a betterment in relation to the retention of the trees and hedging compared with extant application 17/01273/FUL.

9.22 Therefore on balance it is considered that the development can be achieved on the site without significantly harming the character and appearance of the surrounding area and has addressed reason for refusal 2 on refused application 20/00347/FUL.

iv. Trees and Landscape

9.24 CSDPD Policy CS1 seeks to protect the character and quality of local landscapes. 'Saved' BFBLP Policies EN1 and EN2 seek to preserve trees and hedgerows which are important to the character and appearance of the area.

9.25 The proposed development site is within the Crowthorne Conservation Area, which protects all trees (above 75mm in diameter) in and adjacent to the site. Its western boundary is flanked by a line of trees of varying ages; including a (lapsed) hedgerow and those of later maturity. Along the opposite boundary, large notable trees offer high amenity value, with the natural gradient of the site further enhancing their prominence in the landscape. Overall, the trees contribute significantly to the character of the area.

9.26 Application 17/01273/FUL was granted without consideration to the trees and allowed a carpark layout which was approved in a similar layout to what is proposed under this application. Application 20/00347/FUL was refused as the application had not considered the trees/hedging as part of the application and it hadn't been demonstrated that no harm would occur to them.

9.27 Under this current application Arboricultural Information has been provided with the application which has considered the trees on the site. The Arboricultural Officer has advised that the submitted report is a fairly reasonable assessment of tree quality on and off site. He has advised that most of the trees, whilst contributing visually to the area in varying degrees, have either historically been topped or poorly managed. This combined with their heavily compromised rooting areas off site may compromise the sustainability of many in the longer term. It has been accepted that many of the trees on site could be replaced by more sustainable long term tree planting.

9.28 The Council's Arboricultural Officer has however advised that the proposed carpark layout will cause harm to the trees to be retained on the site and hedging on the boundary. Notably T7 on the rear boundary is a class B/borderline A tree with high amenity value and other trees shown for retention also offer amenity value in the Conservation Area. Extant application 17/01273/FUL allowed a carpark in a similar layout to that now proposed which didn't consider the trees/hedging and could be constructed at any time. This current application however has considered the trees and will work to a general arboricultural method statement submitted with the application and provide tree protection during the development. Therefore, whilst the Council's Arboricultural Officers objections are noted, due to the extant consent which could be implemented without any tree protection, objection could not be reasonably sustained in relation to the impact of the development on the trees and reason for refusal 5 on application 20/00347/FUL is considered to have been addressed.

v. Impact on Residential Amenity

9.29 Policy EN20 criterion (g) of the BFBLP stipulates that in considering proposals, the amenity of surrounding properties should not be adversely affected. The amenities of existing residents and future occupiers is therefore a material consideration in considering an application.

Existing residents

9.30 In relation to 67 Church Street the proposed building would be larger than the building that was previously on site. The previously approved extant application 17/01273/FUL showed a continuous two storey building running alongside no.67 and next to their property which is in two separate parts. This application spreads the built form past the rear element of no.67 however this adjacent building is in business use with a parking area behind, and there is a dense boundary of trees between the two properties. A loss of light or overbearing impact could not be argued regarding no. 67 due to the previous circumstances and approved extant application 17/01273/FUL.

9.31 With regards to the south east elevation facing No.67 Church Street, one first floor side facing bedroom window faces towards the application site. This window was located opposite the existing Mango Tree previously and consent 17/01273/FUL allows a new building next to it with a bedroom window almost directly opposite it at the first floor level. Under this application a similar relationship would be formed and the windows closest to this first floor window are recommended to be conditioned to be obscure glazed with any opening parts set 1.7m above the finished floor levels. At the ground floor No.67 has a dining room window that would be nearly opposite a bedroom window in the proposed development. This relationship was accepted under the extant permission 17/01273/FUL. It is therefore not considered a significant loss of privacy can be argued in relation no.67 due to the extant consent. No.67 does not have an area of amenity to the rear and in view of the previous permission it is not considered it could be argued that there would be any additional harm.

9.32 The application has introduced dormer windows at the roof level that would look beyond the side of no.67 Church Street to the backs of the houses at 1 to 5 Thornley Place. The dormer windows would be located approximately 23m from the backs of these houses and

therefore these windows should be obscurely glazed as a distance of 30m is normally expected to protect privacy, with only opening parts above 1.7m to prevent a significant level of overlooking to these properties.

9.33 At its closest point, the side of the proposed building would be at least 13 metres from the side of 59 Church Street, across the existing footpath and due to the existing position of no.59 would not project past its rear. The proposal has windows in the side elevation facing this property, which the previous building did, however the proposed building projects back further. There would be habitable room windows at the first floor level and roof level looking over towards the rear of no 59 although a distance of 13m between the properties and the position of the properties would prevent a significant level of overlooking.

9.34 The proposal is set at least 32 m from the rear boundary of the site and properties at the rear which will protect any overlooking or loss of amenity.

9.35 In view of the above the impact on neighbouring amenity could not reasonably form a reason for refusal due to the previous permission 17/01273/FUL and the original building that was at the site. Impact on residential amenity was also not a reason for refusal under application 20/00347/FUL.

Future Occupiers

9.36 Application 20/00347/FUL was partly refused on the grounds that it would create poor outlook for future residents and didn't provide any outdoor amenity space. Application 17/01273/FUL which remains extant, consented bedrooms with windows that were required to be served by high level windows set 1.7m above the finished floor levels. This would not create outlook for them. This relationship has therefore been established under 17/01273/FUL and it would not be reasonable to say this wasn't acceptable now for the bedroom windows looking towards no.67 Church Street. This would also prevent any significant overlooking to the neighbouring dwellings. Other living accommodation within the flats would achieve suitable light and outlook.

9.37 This application has now provided an area of outdoor amenity for the future residents and whilst this is smaller in size to that approved under the extant application 17/01273/FUL it is deemed to be acceptable in view that the Council does not have a requirement for a set size of amenity space.

Noise

9.38 The previous use of the site as a restaurant with residential above would have created a certain level of noise and it is not considered that 8 residential flats would create a level of noise that would be unacceptable.

9.39 In view of the above it is considered that reason 3 for refusal under 20/00347/FUL has been addressed and on balance the application would provide a suitable level of amenity for future occupiers.

vi. Transport and Highways Considerations

9.40 The Highways Officer has advised following the receipt of amended plans:

Access

9.41 A Section 278 agreement with the Highway Authority will be needed to form the access onto Church Street and this agreement should be secured through the S106 agreement.

9.42 The pedestrian route adjacent to the accessway would be 1.5m wide, flush with the carriageway but alternatively surfaced to make its function clear. Along with the soft

landscaping strip on the opposite side, the access is appropriate to be considered a shared surface accessway in accordance with the Highways Guide for Development.

9.43 Refuse collection points are provided adjacent to the accessway, within 25m of the adopted highway of Church Street.

Parking

9.44 The development of 8 x 2-bedroom flats requires 16 residents' car parking spaces and 2 visitor car parking spaces to fully comply with the Parking Standards SPD (March 2016). In this instance, 17 car parking spaces are provided (including 2 disabled spaces), 1 visitor space short of the Parking Standards. The additional visitor parking space could be provided adjacent to the building onto Church Street where there is an existing dropped-kerb (between nos. 63 and 65 Church Street). However, in the Highway Authority's view, discouraging reversing movements to/from Church Street is preferable to provision of a further visitor parking space in this location.

9.45 Cycle parking is provided in 2 x cycle stores, which should provide sufficient space for the required amount of cycle parking (16 spaces). This should be secured by condition.

Trips

9.46 An 8 x 2-bedroom flat development in this location is likely to generate around 24 vehicular trips over the day as a whole.

9.47 In view of the above the revised parking layout and access has overcome the reason for refusal under application 20/00347/FUL and reason 4 for refusal has been addressed.

vii. Biodiversity

9.48 An updated bat survey confirms the buildings continue to have negligible potential to support roosting bats, with the buildings now demolished. The report does identify two trees with low potential that should be retained or felled sensitively. The tree on the western site boundary identified as T12 by the Arboricultural Assessment is proposed for removal and a condition is recommended for works to be in line with the report.

9.49 Whilst it is noted that the Biodiversity Officer requires that the carparking is moved away from the existing hedge along the western boundary the hedge has been shown for retention on the application plans. The car park is in line with planning permission 17/01273/FUL which remains extant and the applicant has said the hedge can be retained which is important in the interest of protecting biodiversity in line with core policies CS1 and CS7.

9.50 It is noted that the Biodiversity Officer requires the trees to be protected further at the site and carpark amended however in considering the tree comments above, extant planning permission 17/01273/FUL has allowed a carpark which would have more impact than that proposed now. This application can be seen as a betterment and conditions can be applied to secure tree protection measures and retention of the hedge and its management.

viii. Sustainability

9.51 Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day.

9.52 Core Strategy Policy CS12 advises for development proposals for five or more net additional dwellings, or for 500 square metres (GEA) or more of floorspace for other development, any application should be accompanied by an energy demand assessment demonstrating how (potential) carbon dioxide emissions will be reduced by at least 10% and

will provide at least 20% of their energy requirements from on-site renewable energy generation.

9.53 No statements have been submitted in support of the application, therefore conditions should be applied in the event of the application being approved requiring the submission of a Sustainability Statement and Energy Demand Assessment prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

ix. Surface Water Drainage/Flood risk

9.54 The site is within flood zone 1 with the National Planning Policy Guidance (PPG) stating that all uses are appropriate within this zone and the site would not be subject to flood risk. However the site is also within an area where there is a high risk of surface water flooding especially within Church Street adjacent to the site.

9.55 The application was initially submitted with limited drainage details although further information has now been provided which has been considered by the Lead Local Flood Authority. The drainage scheme includes permeable paving with concrete baffles to contain water and a cellular soakaway. Detailed calculations have been provided regarding infiltration and runoff.

9.56 The Lead Local Flood Authority has raised no objection to the amended drainage scheme subject to conditions and it is considered that reason for refusal 6 on application 20/00347/FUL has been addressed.

x. Thames Basin Heaths Special Protection Area

9.57 In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) Bracknell Forest Council (BFC) has carried out a Habitats Regulations Assessment of the proposed development.

9.58 The following potential adverse effects on habitats sites were screened out of further assessment:

- Loss of functionally linked land (TBH SPA)
- Air pollution from an increase in traffic (TBH SPA, Windsor Forest and Great Park)
- Special Area of Conservation (SAC), Thursley, Ash, Pirbright and Chobham SAC and Chilterns Beechwoods SAC)

9.59 Recreational pressure on the TBH SPA was screened in for Appropriate Assessment.

9.60 BFC, 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 (TBH SPA) along with any larger developments comprising over 50 net new dwellings within the 5 - 7km zone is likely to have a significant effect on the integrity of the TBH SPA, either alone or in-combination with other plans or projects.

9.61 This site is located within the 400m – 5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone 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.

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

effect upon the TBH SPA, as set out in BFC's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (April 2018)

9.63 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 TBH 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.

9.64 In this instance, the development would result in a net increase of eight X 2-bedroom dwellings within the 400m – 5km TBH SPA buffer zone which results in a total SANG contribution of £33,539 taking account of payments already received from previous applications.

9.65 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £1,578 which is also calculated on a per bedroom basis.

9.66 The total SPA related financial contribution for this proposal is £35,117. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until BFC 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.

9.67 Subject to securing the appropriate mitigation by means of a S106 agreement, reason for refusal 7 on application 20/00347/FUL has been addressed.

xi. Community Infrastructure Levy (CIL) and S106 Contributions

9.68 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.

9.69 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.

xii. Affordable Housing

9.70 Policies CS16 & CS17 of the Core Strategy in relation to housing needs and affordable housing can be afforded full weight in relation to para. 62 & 63 of the NPPF as they are consistent with para.60 of the NPPF which seeks to deliver a wider choice of homes, a mix of housing and affordable housing. Policy CS17 seeks to provide affordable housing on suitable sites, and the Planning Obligations SPD seeks affordable housing provision on all development providing a net increase of 15 units or more, at a threshold of 25% subject to viability. This application would fall below the threshold and as such no affordable housing is required to be provided.

10. CONCLUSIONS

10.1 The proposal seeks planning permission for the construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.

10.2 The proposal is acceptable in principle as it follows extant permission 17/01273/FUL which allows the demolition of the existing building and its rebuild for 5 flats. In reaching the recommendation on this application regard has also been had to refused application 20/00347/FUL for 10 flats and whether this application has overcome the reasons for refusal attached to that decision.

10.3 The application has been amended since its initial submission to remove a parking space from the front of the site and increase the amenity area to the rear of the site and increase the distance of the parking area to the rear from the trees. The proposal would have some harm to the character or appearance of the Conservation Area, and would not preserve or enhance it when considering the original building that has been demolished. However, considering the site now, which leaves a large gap in the Conservation Area, on balance the development is considered to have a neutral effect on the Conservation Area. The scale and mass has been reduced from refused application 20/00347/FUL and the introduction of dormer windows on the roof would not increase the overall height of the building compared with approved consent 17/01273/FUL.

10.4 The proposal would provide a betterment in terms of protecting trees and hedging on the site compared with extant application 17/01273/FUL.

10.5 The proposal would not result in any unacceptable detrimental impacts upon the amenities of existing and/or future occupiers subject to conditions requiring obscure glazing to windows with any opening parts of windows to be set 1.7m above finished floor levels in line with extant consent 17/01273/FUL.

10.6 The development provides on-site amenity space along with an accepted drainage strategy following consideration of the Lead Local Flood Authority.

10.7 The proposal is considered acceptable by the Local Highway Authority in terms of off-street parking and safe access.

10.8 The scheme, subject to conditions, would provide adequate biodiversity mitigation.

10.9 In conclusion and considering extant consent 17/01273/FUL, the proposed development for 8 flats is considered, on balance, to have addressed the reasons for refusal under application 20/00347/FUL and would have a neutral effect on the Crowthorne Conservation Area within a settlement location.

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 SPA.
- Requirement to enter into S278 for the construction of the access.

That the Assistant Director: Planning be recommended to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary: -

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details: -
791.050F Proposed Site Plan
953.022M Proposed Site Plan
953.020G Proposed Elevations
953.021H Proposed Floor Plans
953.024B Proposed Street Scene
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:
a) Sample panel of all facing materials, including previously retained bricks to be used under 17/01273/FUL and a sample panel(s) of brickwork which demonstrates the brick type, colour, texture, face bond, mortar mix and pointing, to be erected on site and maintained there during the course of construction;
b) Samples and/or manufacturer's details of the roof materials for the proposed works,
c) Plan and elevation, with materials annotated, of all new window openings (showing brick gauged headers);
d). Plan and elevation drawings, with materials annotated, of all new doors at a minimum scale of 1:10 with typical moulding and architrave;
The relevant part of the works shall not be carried out otherwise than in accordance with the approved details.
REASON: In order to safeguard the appearance of a building in a Conservation Area in accordance with the requirements of policy.
[Relevant Policies: BFBLP EN20 and Core Strategy DPD CS1]
04. The following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:
• schedule of materials and finishes for the hard landscaping including car parking and access road surfaces.
All work shall be carried out in full accordance with the approved document(s).
REASON: In order to safeguard the appearance of the site in a Conservation Area in accordance with the requirements of policy.
[Relevant Policies: BFBLP EN20 and Core Strategy DPD CS1]
05. No development (other than the construction of the access) shall take place until the access onto Church Street has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
06. No dwelling shall be occupied until the access road between the adopted highway of Church Street and the car parking and turning area including provision for both vehicles and pedestrians has been constructed in a bound or bonded material in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. No dwelling shall be occupied until the associated vehicle parking and turning space for 17 cars to park and turn has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to

prevent the likelihood of on-street car parking which would be a danger to other road users.

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

08. The development shall not be occupied until (a) details of the location of 1 visitor car parking space, and (b) details of the signing for the visitor space have been submitted to and approved in writing by the Local Planning Authority. The car parking space shall be provided and signed in accordance with the approved details and the space and signage shall thereafter be retained.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

09. The development shall not be occupied until 16 secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces and facilities shall thereafter be retained.

REASON: In the interests of accessibility of the development to cyclists.

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

10. No development shall take place until a Construction Transport Management Plan has been submitted to and approved in writing by the Planning Authority to include:

- (a) Details of parking for contractors and visitors;
- (b) Details of areas for storage of plant and materials;
- (c) Details of areas for welfare and associated cabins;
- (d) Details of wheel wash to be provided to avoid deposition of material on the highway; and
- (e) Swept path drawings indicating that the largest anticipated construction vehicle can turn around within the site and leave in a forward gear onto Church Road.

The approved Construction Transport Management Plan shall be adhered to throughout the demolition and construction period.

REASON: To mitigate and control environmental effects during the demolition and construction phases and in the interests of highway safety.

[Relevant Policies: BFBLP EN20, EN25; Core Strategy DPD CS1, CS7, CS23]

11. No development [including demolition and site clearance] shall take place until a Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures for:

the control of dust, odour and other effluvia

- the control of noise (including noise from any piling and permitted working hours)
- the control of pests and other vermin (particularly during site clearance)
- the control of surface water run-off)
- The control of noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site
- The control of waste from the site so that NO BURNING will commence.

Construction activity shall be carried out in accordance with the approved CEMP.

REASON: In the interests of the amenities of the area.

[Relevant Policies: BFBLP EN25]

12. During the construction of the development hereby approved the Arboricultural Method Statement Addendum and Tree Protection Plan produced by ATS dated June 2021 shall be complied with in full.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention.

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

13. The following window(s) in the development hereby permitted or any replacement window 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 non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Flat 4 first floor bedroom window eastern (side) elevation

Flat 5 first floor bedroom window eastern (side) elevation

Flat 7 and 8 dormer windows eastern (side) elevation

Flat 1 ground floor living room eastern (side) elevation

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

14. The Technical Briefing Note, Addendum Bat Roost Assessment Report, dated Dec 2020 produced by aspect ecology, shall be complied with in full during the development.

REASON: In the interests of biodiversity.

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

15. No dwelling shall be occupied until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -
- a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout to include the retention of the hedge on the north western boundary, proposed numbers/densities locations.
 - b) Comprehensive 5 year post planting maintenance schedule.
 - c) Paving including paths, patios, proposed materials and construction methods, parking courts, etc.
 - d) Location, site specific design (including foundation requirements), and implementation method statement for permanent low barriers to prevent vehicle parking access onto retained soft landscaping areas forming part of the Root Protection areas of protected trees affecting the site.

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 BS 8545:2014 - Trees: from nursery to independence in the landscape - Recommendations 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 soft landscaping 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 the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

16. No development shall take place until full details of the Drainage System has been submitted to and approved in writing by the Local Planning Authority in accordance with the approved drawings (GTA submission dated 21st July 21) These shall include: full details of all components of the proposed drainage system including dimensions, permeable paving construction, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table. The agreed details shall be fully implemented within the development.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
17. No dwelling shall be occupied until details of how the surface water drainage shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
18. No dwelling shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the local planning authority.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
19. Prior to practical completion of any property a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes, cover systems.
Reason: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
20. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that:
 - (a) the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
 - (b) a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%)has been submitted to and approved in writing by the Local Planning Authority. The building shall thereafter be constructed in accordance with the approved assessment and retained as such thereafter.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD CS12]
21. The development shall not be begun until a Sustainability Statement covering water

efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

22. No dwelling shall be occupied until details of boundary treatments 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 occupation of any of the flats approved in this permission.

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

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

In the event of the S106 agreement not being completed by 14th January 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons: -

- 01 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 Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), 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).

Informatives

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

02. The applicant is advised that the following conditions require discharging prior to commencement of development: 3, 4, 5, 10, 11, 16

The following conditions require discharge prior to the occupation of the dwellings hereby approved: 6, 7, 8, 9, 15, 17, 18, 19, 20, 21, 22

No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 12, 13, 14

03. A Section 278 Agreement will be needed with the Highway Authority in order to form the access onto Church Street. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk, to agree the access construction through the Section 278 agreement, before any work is carried out within the highway. A

formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out