

Unrestricted Report

ITEM NO: 07

Application No.
21/00594/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
11 June 2021

Target Decision Date:
6 August 2021

Elim New Road Crowthorne Berkshire RG45 6NA

Proposal:

Proposed erection of four 2 bedroom residential apartments in two blocks following the demolition of the existing property with associated parking, refuse and cycle stores.

Applicant:

Mr D Peters

Agent:

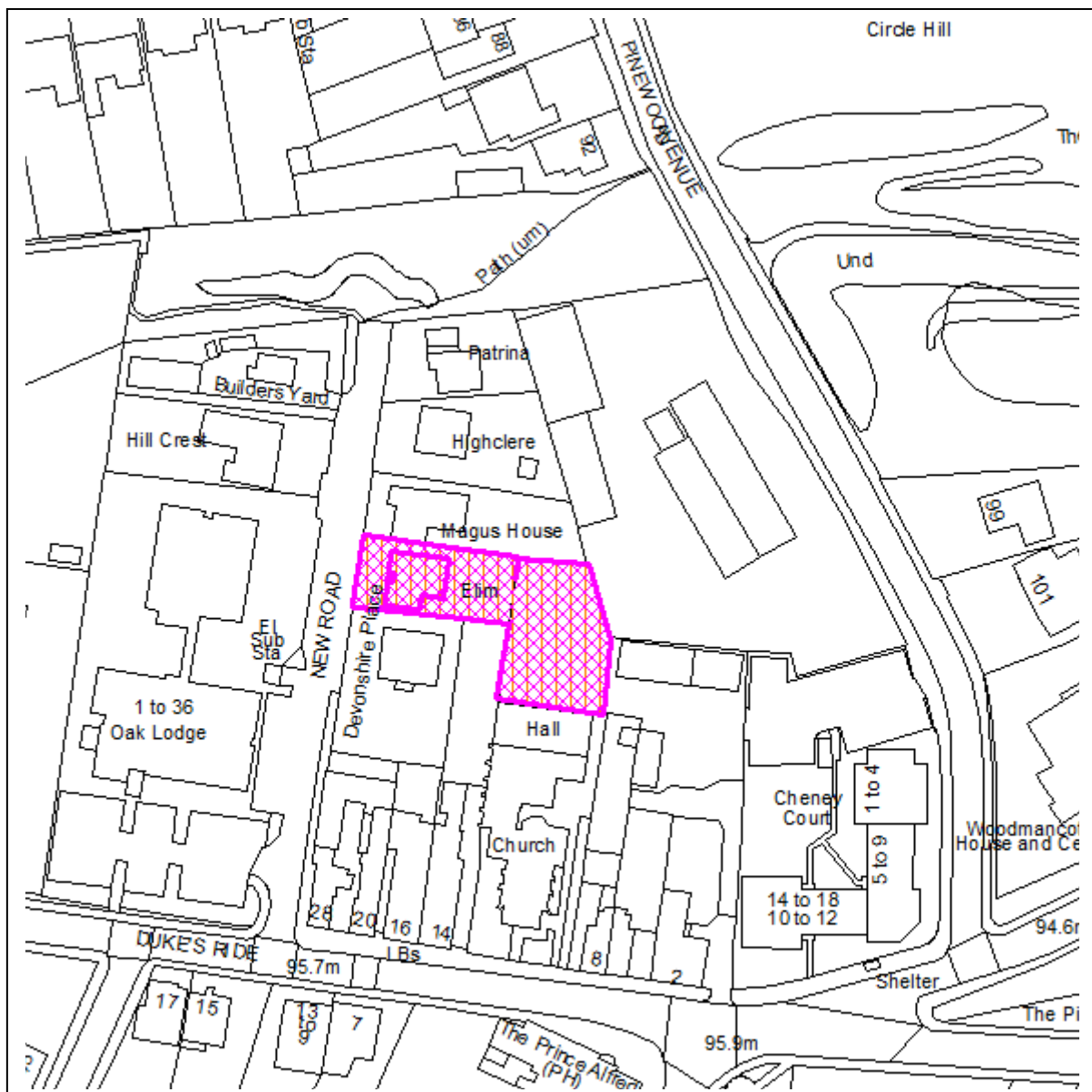
Mr Jason O'Donnell

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.

1.2 The proposal would not adversely affect the residential amenities of neighbouring dwellings/buildings and acceptable living conditions would be provided for future occupiers of the proposed flats. The proposal would not adversely impact upon the character and appearance of the surrounding area.

1.3 No adverse highway safety implications would result, with sufficient on-site parking provision, cycle and bin storage. Parking for adjoining office and B8 uses is provided to Council Standards.

1.4 Conditions are recommended in relation to trees, biodiversity and energy sustainability.

1.5 A legal agreement pursuant to section 106 of the Town and Country Planning Act 1990 is required to secure contributions for SPA mitigation and the scheme is CIL liable.

| RECOMMENDATION |
|--|
| The Assistant Director: Planning be recommended to approve the application subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA. |

2. REASON FOR REPORTING APPLICATION TO THE ADVISORY PLANNING COMMITTEE

2.1 The application has been reported to the Advisory Planning Committee as more than 5 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

| PLANNING STATUS |
|---|
| Within a defined settlement boundary |
| Within 5km of the Thames Basin Heath SPA |
| Character Area – Area C Crowthorne Centre |

3.1 The application site is a 0.086 hectare parcel of land located to the east of the highway on New Road.

3.2 There is an existing dwelling on site which fronts onto New Road with a rear garden. Beyond the rear garden is an area of hardstanding which has been used for parking connected to a lawful office modular building and lawful B8 storage building, both used by a local plumber. The office, B8 building and hardstanding are accessed off Dukes Ride.

3.3 To the north of the site lies a residential dwelling known as Magus House, to the south is an office building at Devonshire Place and to the east is a modular office building and B8 storage building.

4. RELEVANT SITE HISTORY

4.1 The most recent applications relating to the site are:

12/00752/FUL approved November 2012 for retention of hardstanding for parking (approved after the expiry of 2 previous temporary planning permissions in 2007 and 2009 for the hardstanding).

20/00926/FUL withdrawn May 2021 for erection of six residential apartments following demolition of the existing property.

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 4no. 2 bedroom residential apartments in two blocks following the demolition of the existing dwelling, with associated parking, refuse and cycle stores.

5.2 Plots 1 and 2 would be sited fronting onto New Road. The building would be 7.07m wide x 12.02m deep, with an eaves height of 4.5m and ridge height of 8.01m. Plots 3 and 4 would be sited to the rear of plots 1 and 2. The building would be 10.22m wide x 8.39m deep, with an eaves height of 3.97m and ridge height of 8.03m.

5.3 Each of the 4 plots would comprise an open plan kitchen and living area, 2no. bedrooms and a bathroom. Plot 2 would have the addition of an en-suite bathroom.



5.4 Vehicular access to the proposed development would be taken from New Road, leading to a communal parking area with 8no. parking spaces. A cycle store is proposed along the north-eastern boundary of the site. A bin collection point is proposed close to the site frontage onto New Road, with bins for each plot proposed to be stored within the communal landscaped areas around the 2no. buildings.

5.5 A previous application, ref: 20/00926/FUL was withdrawn in May 2021 for the redevelopment of the site for 6no. apartments. This revised scheme has reduced the number of units proposed to 4, along with reductions in the size and heights of the proposed buildings and a reduction in the amount of hard surfacing for parking.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council

6.1 Refusal is recommended for the following reasons:

1. Over development of site and loss of amenity.
2. Traffic generation on an unadopted road which is narrow and in poor repair - 4 two bedroomed flats with the potential of up to 8 vehicles.
3. Lack of parking - although there are 8 spaces given the potential of 8 vehicles for residents there is no provision for visitor parking.
4. The Methodist Church holds children's activities in the rear hall and the height and the closeness of the rear block could be termed as overlooking and possibly putting the safeguarding of the children at risk.

Other representations

6.2 7no. letters of objection received which raise the following:

- Overlooking and loss of privacy to adjoining properties.
- Backland development and is contrary to Bracknell Forest Council's Design SPD.
- Overdevelopment of the site.
- A house or bungalow would be more appropriate than flats.
- Impact on unadopted road due to additional houses, with an increase in traffic and increased requirement for maintenance or damage to the road.
- Increase in traffic will impact upon pedestrian safety. New Road is well used by pedestrians.
- No visitor or disabled parking is proposed.
- Proposal will displace parking onto surrounding roads/car parks and increase demand in the evenings/weekends.
- Concerns about larger vehicles or emergency vehicles accessing existing properties along New Road and the development site itself
- The area of land at the rear of Elim is not "land locked". The applicant owns land to the south and to the east boundaries of the proposed site so a new or altered vehicular access is not needed at the expense of a neighbouring property
- A petition was submitted for the previous application on this site, with concerns raised about the access being via New Road, car parking and over development. This should be considered as part of this application.
- Resulting impacts to Magus House including increased traffic and noise pollution, the likelihood of trespass and potential for theft/burglary/vandalism, loss of daylight and sunlight.
- Development out of keeping with the area.
- Environmental concerns due to bins from pests and odour. Who will be responsible for shrubs/planting and maintenance of bin areas?
- The church, and the attached halls are used not only as a place of worship both on Sundays and during the week, but also by other local groups including for dance lessons,

playgroups. Given these uses, the occupiers of the proposed development may lodge noise complaints against the current and historic uses of the Church.

- Impact on daylight/sunlight at the church hall as a result of plots 3 and 4. Will also increase lighting costs for the church.
- Poor private amenity space provided.
- Trees removed prior to submission of planning application.
- Inappropriate mix of dwelling sizes.
- Impact to adjoining properties from construction of the development.

7. SUMMARY OF CONSULTATIONS 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 | CS1 & CS2 of CSDPD | Consistent |
| Design | CS7 of CSDPD, Saved policy EN20 of BFBLP Policies CR1 and CR4 of Crowthorne Neighbourhood Plan | Consistent |
| Residential Amenity | Saved Policy EN20 of BFBLP | Consistent |
| Parking | Saved policy M9 of BFBLP | Consistent NPPF refers to LAs setting their own parking standards for residential development, this policy is considered to be consistent. |
| Transport | CS23 of CSDPD | Consistent |
| Trees, biodiversity and landscaping | Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD. | Consistent |
| SPA | SEP Saved Policy NRM6, CS14 of CSDPD | Consistent |
| Supplementary Planning Documents (SPD) | | |
| Design SPD | | |
| Parking Standards SPD | | |
| Thames Basin Heath Special Protection Area (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. Energy 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 NPPF (paras. 2 and 12).

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF. In particular, Policy CS2 permits development within defined settlements.

9.4 The site is located within the Defined Settlement as designated by the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area, highway safety, etc.

ii. Residential amenity

Magus House

9.5 Plots 1 and 2 would be set 6.5m from the side boundary with Magus House, with a 7m separation distance between the buildings at the closest point. The front and rear elevations of the proposed building would not project beyond that of Magus House and would therefore not appear overbearing or result in loss of daylight to the occupiers.

9.6 Two rooflights are proposed on the northern elevation facing Magus House. A planning condition is recommended to ensure that these windows are 1.7m above internal floor level to protect the adjoining occupiers from overlooking. A further planning condition is recommended restricting additional windows on the side (northern) elevation facing Magus House at first floor level and above.

9.7 Plots 3 and 4 would be set 13m from the side boundary of Magus House, with a 24m separation distance to the rear elevation at the closest point. In view of these separation distances, plots 3 and 4 would not appear overbearing or result in loss of daylight to the occupiers. Further, given the separation distances and the siting of plots 3 and 4 relative to Magus House, any first floor front facing windows would have oblique views towards the rear elevation and rear garden of Magus House that would not result in an unacceptable level of overlooking. No windows are proposed on the side (northern) elevation facing Magus House

and a planning condition is recommended to restrict windows on this elevation at first floor level and above.

9.8 The proposed internal access road leading to the parking bays serving the development would be sited close to the northern boundary with Magus House. Whilst this would result in some disturbance, given the number of residential units proposed (4no. 2 bed flats) and that acoustic fencing and planting is proposed along the northern boundary, details of which will be secured by condition, the resulting impact would not be significantly harmful to the occupiers of Magus House. Part of the former rear garden of Elim has been used for parking connected to a lawful office and B8 building used by a local plumber since at least 2007 and this area would remain in use for parking for the proposed residential units.

Devonshire Place

9.9 Plots 1 and 2 would be set 1m from the boundary with Devonshire Place, a building lawfully used as an office, with a 2m separation distance between the buildings. Due to the siting of plots 1 and 2 relative to Devonshire Place, the building would not appear overbearing or result in loss of daylight to front and rear facing windows.

9.10 Plots 3 and 4 would be set approximately 18m from Devonshire Place and would therefore not appear overbearing or result in loss of daylight/sunlight to the existing office building.

Crowthorne Methodist Church

9.11 Plots 1 and 2 would be located approximately 16m from the rear of the church hall at the closest point, with the proposed building orientated 90 degrees to the hall. As such, plots 1 and 2 would not appear overbearing or result in loss of daylight/sunlight to the church hall. First floor windows on the rear elevation of plots 1 and 2 would have oblique views towards the rear elevation of the church hall that would not result in unacceptable overlooking.

9.12 Plots 3 and 4 would be set 2.7m from the boundary with the church, with a 3.2m separation distance between the rear of the church hall and flank wall of plots 3 and 4 at the closest point. The building proposed would have an eaves height of 4m, with the roof hipped away from the boundary to mitigate its visual prominence when viewed from the church hall, so as to not result in an unacceptable overbearing impact to the church hall.

9.13 No windows are proposed in the side (southern) elevation of plots 3 and 4 facing the church hall and a planning condition is recommended to restrict windows on this elevation.

Daylight and sunlight assessment for Devonshire Place and Crowthorne Methodist Church

9.14 A daylight and sunlight assessment has been submitted with the application which assesses the impact of the proposed development on the levels of daylight and sunlight to the 2 closest buildings to the application site. These are the Methodist Church (its hall which is the closest part to the application site boundary which has windows serving class/school rooms and a kitchen) and Devonshire Place (which has side facing windows serving a kitchen at ground floor and office and WC at first floor). The detailed assessment has been undertaken in accordance with the Building Research Establishment's (BRE) Site Layout Planning for Daylight and Sunlight - a Guide to Good Practice.

9.15 Whilst these buildings are not in residential use, the BRE guidelines refer to non-residential buildings "*where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostel, small workshops and some offices.*", and the impact on these buildings has been assessed accordingly.

9.16 The assessment concludes that there would be no undue loss of daylight or sunlight to Devonshire Place or the Church Hall as a result of the proposed development, fully satisfying all BRE requirements for both daylight and sunlight.

Oak Lodge

9.17 To the east/south-east lies Oak Lodge which contains retirement apartments. There would be a 25m separation distance between plots 1 and 2 and Oak Lodge at the closest point, with New Road as an intervening feature in-between. As such, the proposed development would not appear overbearing or result in unacceptable overlooking to the building or its grounds.

Future occupiers of proposed flats

9.18 There would be a 16.8m separation distance between the rear elevation of plots 1 and 2 and the front elevation of plots 3 and 4. Given this distance, the siting of the 2 buildings within the plot and the positioning of proposed windows, there would not be unacceptable levels of overlooking between the 2no. proposed buildings. The buildings would also not appear overbearing or result in loss of daylight/sunlight to each respective plot.

9.19 To the north-east of plots 3 and 4 is a builder's merchant accessed from Pinewood Avenue, with some land surrounding the building used for storage of materials. The site operates weekdays between 7.30am and 5pm, and 8am until midday on Saturdays which are not unsociable hours. Future occupiers of plots 3 and 4 would be aware of this existing nearby use and there are other residential uses within close proximity to the builder's merchants.

9.20 To the east of plots 3 and 4 is an existing building in B8 use. The building is used by a local plumber for storage purposes, with an office serving the plumbing business located directly to the south of the B8 building. Given the use of the building for B8 storage which is contained within the building itself, this would not be a noise generating use that would adversely impact future occupiers of plots 3 and 4. The B8 building is set approximately 5.5m from the rear elevation of plots 3 and 4, orientated at 90 degrees to the proposed building and would therefore not appear unduly overbearing to the detriment of future occupiers.

9.21 Sufficient on-site parking would be provided, along with cycle and bin storage and communal amenity areas around the proposed buildings for future occupiers of the proposed dwellings.

9.22 As such, the proposal would not be considered to have any unacceptable adverse effect on the residential amenities of neighbouring properties/buildings and acceptable living standards would be provided for future occupiers of the proposed flats, in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

9.23 The site is located within the Crowthorne Centre Study Area defined within the Character Area Assessments SPD (2010). The SPD identifies that the area is focused around the local high street with a variety of uses. In addition to the High Street there are more non-residential uses on Kings Road and Dukes Ride. The SPD identifies the area as urban in character, with higher density development and larger buildings which are between 2 and 4 storeys high.

9.24 Bracknell Forest Council's Design SPD was adopted in March 2017 and 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 roofs should relate well to those found in the local context.
- Backland development should not be highly visible from the main street frontage, not harm the existing character of the area, relate to a site of sufficient size and shape to accommodate the number of dwellings; not be taller than the existing buildings.
- 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.

9.25 The Crowthorne Neighbourhood Plan forms part of the Development Plan and is used in determining planning applications in Crowthorne Parish. The Plan was 'made' by Bracknell Forest Council on 9 June 2021.

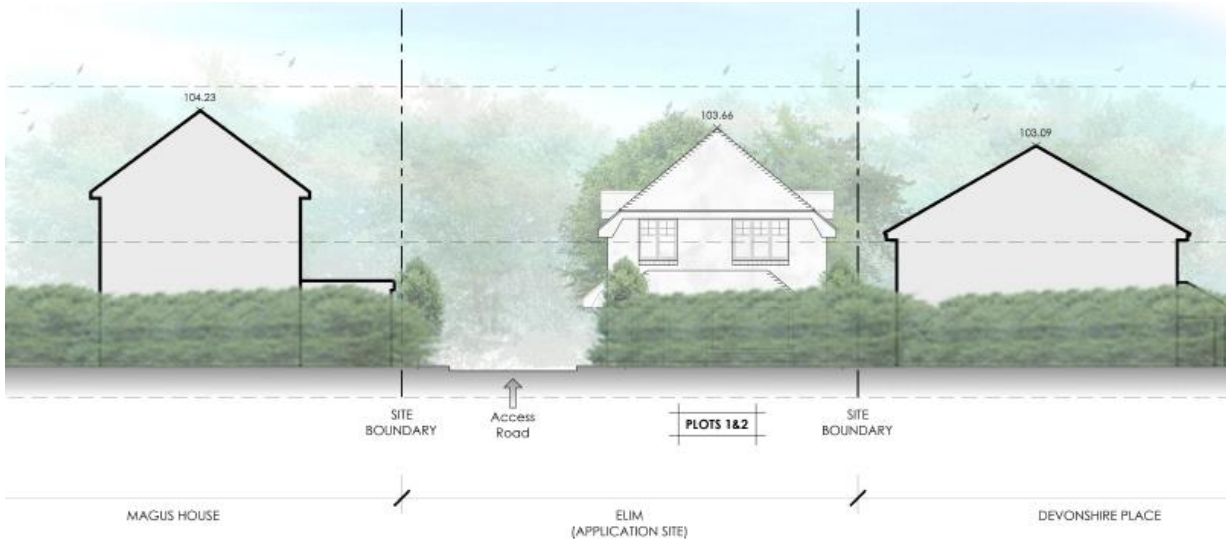
9.26 Policy CR1 of the Plan refers to high quality design and states: Development proposals in the neighbourhood area should demonstrate high quality design that responds to and integrates with local surroundings and landscape context as well as the existing built environment.

9.27 Policy CR4 of the Plan refers to Promoting Good Design in Crowthorne Centre and states: Development proposals in the Crowthorne Centre Character Area will be supported, provided they have had regard to the following attributes that form the essential character of Crowthorne Centre... high-density building development on the periphery of the High Street.

9.28 Plots 1 and 2 would address New Road, with Plots 3 and 4 set back 35.8m from the site frontage, constituting backland development. The density of development would be 50 dwellings per hectare. The Character Area Assessments SPD and Policy CR4 of the Crowthorne Neighbourhood Plan identify the surrounding area as urban in character with higher density developments and the proposed development would be an efficient use of land on a site within an urban location, close to Crowthorne Centre and on a plot larger in size than adjoining dwellings.

9.29 The development proposed would not appear cramped within the site, with sufficient separation distances between adjoining buildings and the proposed buildings, communal amenity areas around each building, and soft landscaping around the site. An internal access road, on-site parking in accordance with Bracknell Forest Council's Parking Standards SPD, bin and cycle storage (including a bin collection point) would also be provided. The NPPF encourages the effective use of land, particularly in meeting the need for new homes and it is considered that this proposal would comply with this objective, with the net gain of 3no. residential units on a site within the settlement boundary and in a sustainable location, within close proximity to Crowthorne Centre.

9.30 Plots 1 and 2 would be sited on a similar building line to that of the existing dwelling on site, and similar to that of existing buildings directly to the north at Magus House and to the south at Devonshire Place. The building would be set back 6m from the site frontage at the closet point, with sufficient space for a bin collection point and soft landscaping between the building and the site frontage onto New Road. Plots 1 and 2 would be two storeys high, with a ridge height of 8.01m. There is an increase in site levels along New Road from south to north and the submitted street scene drawing demonstrates that the eaves and ridge height of plots 1 and 2 would assimilate well with adjoining buildings directly to the north and south.



9.31 Plots 3 and 4 would be set back 35.8m from the front boundary of the site with New Road, and would be two storeys high, with a ridge height of 8.03m. Given the setback of plots 3 and 4, the siting of the building within the plot and the positioning of plots 1 and 2 and the adjoining building at Devonshire Place, plots 3 and 4 would not be readily visible from New Road. Plots 3 and 4 would be set some 50m from both Pinewood Avenue to the east and Dukes Ride to the south, and with intervening buildings in-between, plots 3 and 4 would also not appear readily visible from these public vantage points, in accordance with the Design SPD.

Plots 1 and 2

Plots 3 and 4



FRONT ELEVATION (west facing)
Scale 1:100 @ A2



FRONT ELEVATION (west facing)
Scale 1:100 @ A2

9.32 The proposed buildings have been designed so as to have the appearance of detached dwellings, which characterise the northern end of New Road. Plots 1 and 2 would have a pitched roof, and would be dual frontage, with the principal elevation facing onto New Road comprising an entrance door, canopy and windows, and the northern elevation facing the internal access road with an additional entrance door with small canopy and windows. Plots 3 and 4 would have a hipped roof, with windows set into the eaves, a canopy over the entrance door and soldier coursing around the windows. Buildings along New Road and Dukes Ride comprise a mix of pitched and hipped roofs or gables fronting the road and there

is no uniformity to design. The proposed buildings would reflect the design seen in the surrounding area and would therefore be acceptable.

9.33 The development would be served by an internal access road 4.1m wide which would lead to the communal parking area for 8no. cars, towards the rear of the site. The parking would be set back 30m from the site frontage with New Road and therefore, would not appear unduly prominent in the street scene. Soft landscaping is proposed within the site, particularly along the northern boundary of the internal access road and around the parking bays which would provide some softening to the hard landscaped areas proposed. Cycle storage is proposed along the eastern boundary in a timber store which would be acceptable. Bin storage for each plot would be accommodated within the amenity areas around each of the buildings, with a formal bin collection point close to New Road which would be screened by soft landscaping.

9.34 Planning conditions are recommended to secure details of materials, landscaping and boundary treatment, in the interests of the visual amenities of the surrounding area.

9.35 The proposed development would therefore not result in unacceptable harm to the character and appearance of the surrounding area and as such would accord with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD, the Design SPD, the Character Area Assessments SPD, Policies CR1 and CR4 of the Crowthorne Neighbourhood Plan and the NPPF.

iv. Transport implications

Access

9.36 Access is proposed onto an unadopted section of New Road. Visibility splays are shown on the submitted drawing to Manual for Streets 15mph speeds. Slightly longer visibilities are likely to be available in practice. Given the unmade surface of the road, 15mph is considered to be an acceptable approach speed.

9.37 The proposed access is 4.1m wide with adjacent margins. This is sufficient for two cars to pass at slow speed and compliant with the Council's Highways Guide for Development. The proposed width of the access road would also be sufficient for a fire tender and the entrance to plots 3 and 4 would be within 45m of the access to the site for a pump appliance, in accordance with Manual for Streets.

Car and Cycle Parking

9.38 Four 2-bedroom flats are proposed, with provision of 8 car parking spaces and 8 secure, covered cycle spaces, meeting the requirements set out in Table 6 of the Parking Standards SPD. The turning area is sufficiently sized to turn into and out of spaces, compliant with paragraph 8.351 and Figure 8.18 of Manual for Streets.

9.39 As the development is less than 5 units, there is no requirement for visitor parking.

9.40 The existing area of hardstanding to the east of the rear garden of Elim is currently used for parking by an adjoining office and B8 storage building. The retention of the hardstanding was approved in 2012 for parking. However, the parking requirements for the existing office and B8 use in accordance with the Parking Standards SPD can be met around the respective buildings (a total of 4-5 spaces are required for these lawful uses) without the use of the existing area of hardstanding where plots 3 and 4 and the parking court is proposed as part of this current application. The area of hardstanding approved in 2012 provided an over-proliferation of parking for the existing lawful office and B8 uses.

Trips

9.41 Based on trip rates from the TRICS database, the proposed development would generate around 14 trips over the day as a whole. This does not take into account any offset from trips which would be generated by the existing building on the site.

9.42 A bin collection point is proposed within 25m of the adopted highway section of New Road to the south. Individual bins for each unit will be stored within the amenity space surrounding each of the 2no. proposed buildings.

9.43 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, the Parking Standards SPD and the NPPF and would not result in a detrimental impact on highway safety.

v. Trees

9.44 There are trees on and surrounding the site which are not subject to Tree Preservation Orders. The site also is not located within a Conservation Area.

9.45 The application is accompanied by an Arboricultural Implications Assessment and Method Statement. It is proposed to remove a line of Beech along the northern boundary which were originally planted as a hedge but have been left unmanaged and overgrown; and to remove a multi-stemmed, previously coppiced Sycamore along part of the southern boundary. These trees are classed as either category C or U trees and there is no objection to their removal. Replacement tree planting is proposed within the site including Beech and Oak which would be of improved amenity value and which can be secured by condition.

9.46 There is a holly within the garden of Magus House which will be cut back to the boundary under common law. It's root protection area will be safeguarded with existing hardstanding removed sensitively and the existing subbase retained and incorporated into the new access. This can be secured by condition.

9.47 Proposed parking bays along the northern boundary would be located outside the root protection area of an off-site Copper Beech tree which would therefore not be impacted upon.

9.48 A group of off-site Leyland cypress close to the south-eastern corner of the site would be safeguarded by protective fencing. However, no development is proposed within the root protection area (RPA).

9.49 Subject to the imposition of conditions to safeguard adjoining off-site trees and secure replacement tree planting within the site, the proposal is considered to be in accordance with Policy EN1 of the Bracknell Forest Borough Local Plan and the NPPF and would not result in an adverse impact on trees.

vi. Biodiversity

9.50 The existing dwelling is single storey with a small roof space, and as such falls into the group of buildings with a decreased probability of supporting bats as defined by Natural England in their standing advice on protected species.

9.51 Planning conditions are recommended to enhance biodiversity on site, including no site clearance during the main bird nesting season and provision of biodiversity enhancements including bird and bat boxes and appropriate landscaping.

9.52 Subject to the above conditions, the development would be in accordance with Policies CS1 and CS7 of the CSDPD, consistent with the NPPF.

vii. Thames Basin Heath Special Protection Area (SPA)

9.53 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.

9.54 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)

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

9.56 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.

9.57 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. For clarification, part of the building proposed on plots 3 and 4 falls within the 400m SPA buffer but the entrance to the building on plots 3 and 4 and the vehicular access to the site is located outside 400m of the SPA buffer and is therefore acceptable

9.58 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)

9.59 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. Bracknell Forest 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.

9.60 In this instance, the development would result in a net increase of four x 2-bedroom dwellings replacing a single 3-bedroom dwelling within the 400m-5km TBH SPA buffer zone which results in a total SANG contribution of £14,660.

9.61 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £1,761 which is also calculated on a per bedroom basis.

9.62 The total SPA related financial contribution for this proposal is £16,421. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of any dwelling until BFC has confirmed that open space enhancement works to a SANG have been 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 South East Plan Saved Policy NRM6, saved policy EN3 of the Bracknell Forest Borough Local Plan (2002), Policy CS14 of the Core Strategy Development Plan Document (2008), the Thames Basin Heaths Special Protection Area Supplementary Planning Document and the National Planning Policy Framework.

viii. Community Infrastructure Levy (CIL)

9.63 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.64 CIL applies to any new build (except outline applications and some reserved matters applications) including those that involve the creation of additional dwellings. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.65 The application site lies within the Crowthorne/Sandhurst CIL charging zone.

ix. Energy sustainability

9.66 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement in relation to water usage (average water use of 110 litre/person/day). A planning condition is recommended to secure the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

9.67 Policy CS12 of the CSDPD requires development proposals for less than five net additional dwellings to provide at least 10% of their energy requirements from on-site renewable energy generation. A planning condition is recommended to secure the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD.

x. Drainage/SuDS

9.68 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. CONCLUSION

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 3no. residential units to contribute to Bracknell Forest 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.

10.3 No adverse highway safety implications would result, with sufficient on-site parking provision, cycle and bin storage. Parking for adjoining office and B8 uses is provided to Council Standards.

10.4 Conditions are recommended in relation to trees, biodiversity and energy sustainability.

10.5 A s106 agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

10.6 The application is therefore recommended for approval, subject to the completion of a s106 agreement.

11. RECOMMENDATION

11.1 Following the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure planning obligations relating to the Thames Basin Heaths SPA;

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 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:

Drawing no. P20/06/S/301 Rev D received 30 November 2021

Drawing no. P20/06/S/302 received 11 June 2021

Drawing no. P20/06/S/310 received 11 June 2021

Drawing no. P20/06/S/320 received 11 June 2021

Drawing no. P20/06/S/330 Rev C received 22 November 2021

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 buildings 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. The rooflights in the roof slopes of plots 1 and 2 facing north and south shall at all times be no less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring buildings.

[Relevant Policies: BFBLP EN20]

06. 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 (northern and southern) elevations of the 2no. buildings hereby permitted, except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring buildings.

[Relevant Policies: BFBLP EN20]

07. The flats 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 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 out 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 as approved shall thereafter be retained and maintained.

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

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

08. The flats hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The details shall include the installation of acoustic fencing along the northern boundary of the site. 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 and retained as such thereafter.

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

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

09. 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]

10. The development hereby permitted shall not be begun until the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the 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 CS12]

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

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

12. The development hereby permitted (including demolition) shall not 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 development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON: To ensure that wildlife is not adversely affected by the proposed development.
[Relevant Policies: BFBLP EN20, CSDPD CS1 and CS7]

13. All existing trees, hedgerows and groups of shrubs shown to be retained in the document/plans of the Arboricultural Survey Implications Assessment and Arboricultural Method Statement by RMTTree Consultancy Ltd shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

14. The protective fencing and other protection measures specified by condition 13 shall be erected prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these fenced areas including but not restricted to the following:

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

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

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

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

15. The removal of existing hard surfaced areas within the minimum Root Protection Area (RPA's) of trees to be retained shall be undertaken in accordance with document/plans of the Arboricultural Survey Implications Assessment and Arboricultural Method Statement by RMTTree Consultancy Ltd.

REASON: In order to safeguard tree roots.

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

16. No development (other than the construction of the access) shall take place until the access onto New Road has been constructed in accordance with the approved drawing (P20/06/S/301 Rev D received 30 November 2021) and provided with the visibility splays shown on the approved drawing of at least 2.4m x 17m in each direction along New Road. The visibility splay areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

17. The flats hereby permitted shall not be occupied until the access road and associated car parking and turning space has been surfaced and marked out in accordance with the approved drawing (P20/06/S/301 Rev D received 30 November 2021). The car parking spaces shall thereafter be kept available for parking at all times.

REASON: In the interests of highway safety and 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]

18. The flats hereby permitted shall not be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawings (P20/06/S/301 Rev D received 30 November 2021 and P20/06/S/330 Rev C received 22 November 2021) and retained as such thereafter.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

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

REASON: In the interests of highway safety and accessibility of all road users to the development.

[Relevant Policies: CSDPD CS23]

20. The development hereby permitted (including demolition) shall not be begun until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include as a minimum:

- (i) Details of the parking of vehicles of site operatives;
- (ii) Areas for loading and unloading of plant and materials;
- (iii) Areas for the storage of plant and materials used in constructing the development;
- (iv) Location of any temporary portacabins and welfare buildings for site operatives;
- (v) Details of any security hoarding;
- (vi) Details of any temporary external lighting of the site during demolition and construction;
- (vii) Measures to control the emission of dust, dirt, noise and odour during demolition and

construction;

- (viii) Measures to control surface water run-off during demolition and construction;
- (ix) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (x) Details of wheel-washing facilities; and
- (xii) Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

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

REASON: In the interests of highway safety and to mitigate and control environmental effects during construction of the development.

[Relevant Policies: BFBLP EN20, EN25, M9; CSDPD CS1, CS7, CS23]

21. The access road, 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]

Informatives:

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

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

- 03. Materials
- 04. Slab level
- 09. Sustainability Statement
- 10. Energy Demand Assessment
- 12. Biodiversity enhancements
- 20. Construction Environmental Management Plan

3. The applicant is advised that the following conditions require discharging prior to occupation:

- 07. Landscaping
- 08. Boundary treatments

4. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

- 01. Time limit
- 02. Approved plans
- 05. Rooflights
- 06. Restrictions on windows
- 11. No site clearance during bird nesting season (details required if during the season)
- 13, 14, 15. Tree protection
- 16. Access and visibility
- 17. Parking
- 18. Cycle parking
- 19. No gates at vehicular access

21. SuDS

In the event of the S106 agreement not being completed by 31 March 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application on the grounds of:

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).