

Unrestricted Report

ITEM NO: 09

Application No.
21/00808/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
16 August 2021

Target Decision Date:
11 October 2021

**Derryquin 8A Priory Lane Warfield Bracknell
Berkshire RG42 2JU**

Proposal: **Erection of 2 detached dwellings following demolition of existing dwelling and associated parking.**

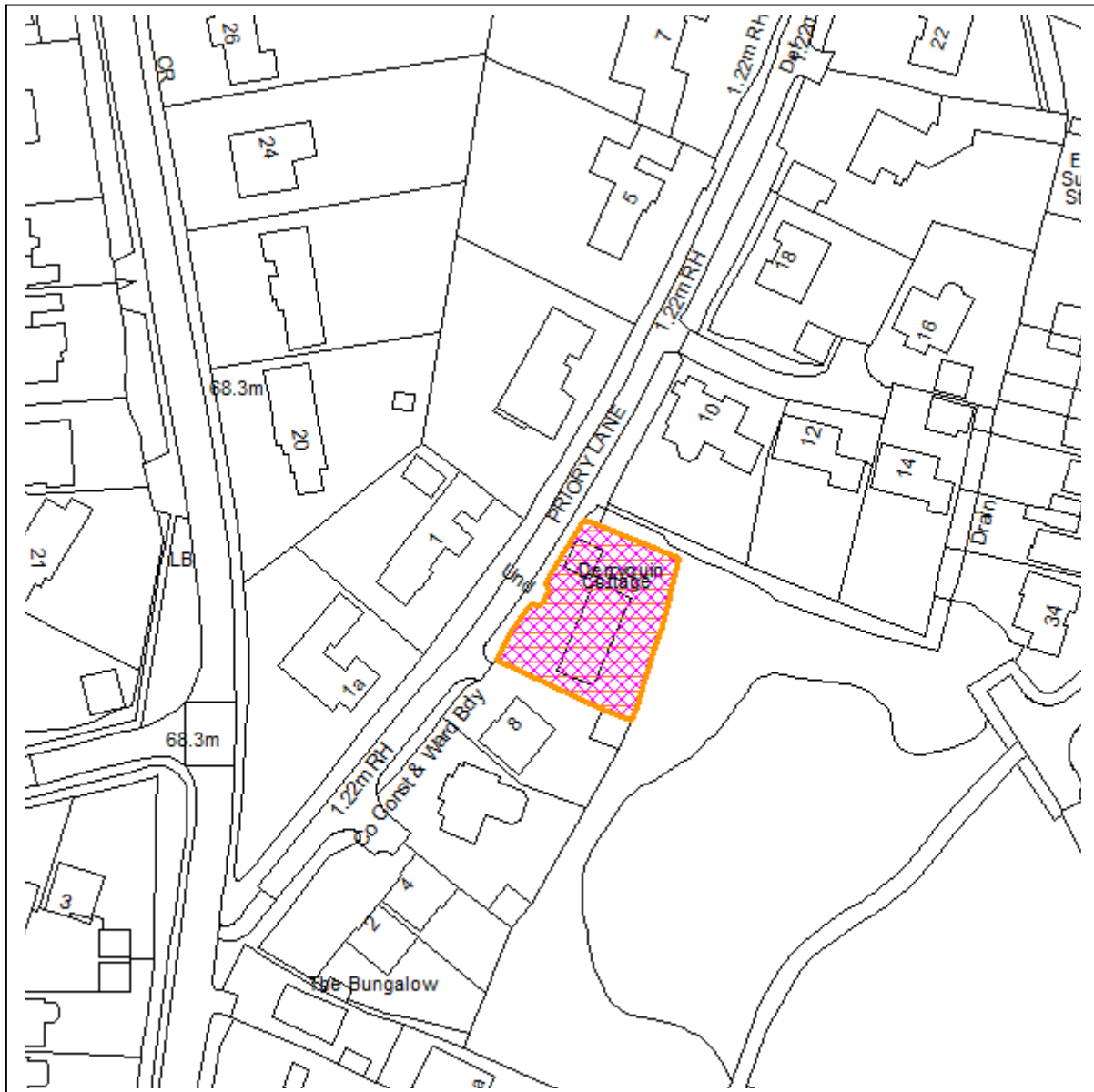
Applicant: DR, MR AND MISS OSMAN, NOUMAN AND NARDIA JANJUA AND MUNIR

Agent: Mr Kaleem Janjua

Case Officer: Olivia Jones, 01344 352000

Development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1. SUMMARY

- 1.1 The proposal is for the erection of two dwellings following the demolition of the existing dwelling and garage.
- 1.2 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 1 no. dwelling to contribute to Bracknell Forest Council's housing supply.
- 1.3 The proposal would not adversely impact upon the character and appearance of the surrounding area. The proposal would not adversely affect the residential amenities of neighbouring occupiers and acceptable living conditions would be provided for future occupiers of the proposed dwellings. There would be no adverse highway safety implications.
- 1.4 The site is located approximately 4km from the boundary of the SPA and is therefore likely to have an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures which can be secured through a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990.

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.
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2. REASON FOR REPORTING APPLICATION TO THE ADVISORY PLANNING COMMITTEE

- 2.1 The application is being reported to the Advisory Planning Committee as it has received more than 5 objections and is recommended for approval.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within a defined settlement boundary

Within 5km of the Thames Basin Heath SPA
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- 3.1 The site currently consists of a detached dwelling with a width of approximately 18m and a detached garage at the front of the site. The dwelling has a ridge height of approximately 7.6m. A hard standing area for parking is located at the front of the property with a private garden to the rear. The total site area is 0.08 hectares. The site is bordered by No.10 Priory Lane to the north and No.8 Priory Lane to the south and an area of privately owned but publicly accessible open space to the east.
- 3.2 The site is situated within a defined settlement boundary and is located within Area J of the Bracknell Study Area within the Character Area Assessments SPD. This area is characterised by detached dwellings of varying designs, set along tree lined roads.
- 3.3 The site is not affected by any Tree Preservation Orders.

4. RELEVANT SITE HISTORY

4.1 The most recent applications relating to the site are:

615514 – Two storey extension forming garage and playroom with bedroom and ensuite bathroom over, construction of a dormer on front elevation. Approved 1989

05/00391/FUL – Erection of two storey side extension and installation of rear facing dormer. Approved 2005

05/00874/FUL – Erection of first floor rear dormer extension. Approved 2005

05/00877/FUL – Retention and completion, with alterations, of detached double garage. Refused 2005

[It is noted that an enforcement notice was served regarding the garage which was refused permission under the above application. An appeal, reference APP/E0335/C/06/2019407, was made against this notice which was allowed, subject to planting to screen the garage.]

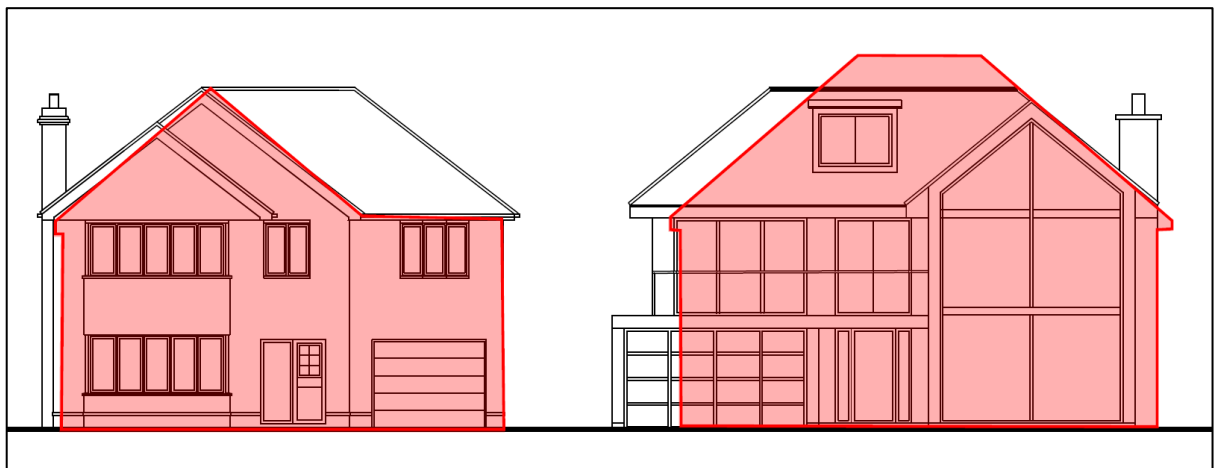
16/00180/FUL - Erection of 2 new dwellings following demolition of existing dwelling and garage. Approved 01.07.2016 with legal agreement.

18/00139/FUL - Erection of 1no. dwelling following demolition of existing garage. Refused 21.06.2018 and appeal dismissed.

19/00594/FUL - Erection of two dwellings following demolition of existing dwelling and garage. Approved 12.05.2020 with legal agreement.

5. THE PROPOSAL

- 5.1 The proposed development is for the erection of two detached dwellings following demolition of the existing dwelling and garage. The existing vehicular crossover is proposed to be widened.
- 5.2 The dwelling on Plot 1 would have two storeys and space in the roof. The dwelling would have four bedrooms, an integral garage and a driveway with space for two cars. Side access would be provided to the rear garden, which would have an area of 112 square metres. The dwelling would be constructed in a traditional style, with traditional materials.
- 5.3 The dwelling on Plot 2 would have three storeys (including a basement level) and space in the roof. The dwelling would have four bedrooms, an integral garage and a driveway with space for two cars. Side access would be provided to the rear garden, which would have an area of 131 square metres. The dwelling would be constructed in a contemporary style.
- 5.4 The vehicular crossover would be widened to 4.1 metres. The existing boundary hedgerow is proposed to be replaced with a hedgerow of European Hornbeam, with a 1.8m wall proposed behind the new hedgerow.
- 5.5 The scheme is similar to approved permission 19/00594/FUL which granted consent for 2no. dwellings on this site. The following plans illustrate the comparison between the schemes (the red highlighted area indicates the previously approved plans):



6. REPRESENTATIONS RECEIVED

Warfield Town Council

6.1 Objection on the following grounds:

- (i) Council consider that the proposed development indicated on plot 2 is detrimental to the appearance and character of the local environment, contrary to Saved policy EN20 in its design and materials.
- (ii) The site is located within character area J: Warfield Road, Priory Lane and Gough's Lane.

- (iii) The council is concerned that the garage space indicated on plot 2 does not conform with Bracknell Forest Council's parking standards.

Other Representations

6.2 Letters of objection were received from the occupiers of five neighbouring dwellings raising the following concerns:

- (i) The replacement of one large dwelling with two smaller dwellings would be out of character with the area.
- (ii) The development would result in the loss of a dwelling characteristic of the area, and the replacement with buildings not in keeping with the scale or character of the area.
- (iii) The creation of an additional dwelling would put greater pressure on the road network and would result in highway safety issues. The construction traffic would cause parking and safety issues.
- (iv) The development would include land outside the applicant's ownership.
- (v) Insufficient outdoor amenity space would be provided for future occupiers.
- (vi) Overlooking concerns.
- (vii) Concerns regarding the removal of an existing septic tank.
- (viii) The installation of 2m high rear boundary fence would be higher than the neighbour's boundary due to level changes.
- (ix) Suggestion that the front boundary fencing should be in line with the front boundary treatments of the neighbouring dwellings.

Officer Comment: The removal of a septic tank would not be considered under a planning application and would be dealt with under separate legislation.

7. SUMMARY OF CONSULTATIONS RESPONSES

Biodiversity Officer

7.1 No objection

Tree Officer

7.2 No objection

Highway Officer

7.3 No objection

Drainage Officer

7.4 No objection

Environmental Health Officer

7.5 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent (except for CP1 of SALP which is not wholly consistent)
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15 of the CSDPD	Consistent

Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policies EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Character Area Assessments 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 character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Biodiversity
- vi. Trees
- vii. Drainage
- viii. Sustainability
- ix. Thames Basin Heath SPA
- x. Community Infrastructure Levy (CIL)
- xi. Other considerations

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). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is located in a residential area that is within a defined settlement on 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, upon the character and appearance of the area, trees, biodiversity etc.

ii. Impact on Character and Appearance of Surrounding Area

- 9.4 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that Bracknell Forest Council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Section 12 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.
- 9.5 The site is located within character area J: Warfield Road, Priory Lane and Gough's Lane. As outlined in the Character Area Assessments, this area is noted to have a rural character with verges instead of footpaths. Houses are detached with an inconsistent architectural approach and period of development. Houses are set back within the plot, mostly behind a small forecourt/front garden.
- 9.6 The proposed development would increase the density of the site introducing one additional dwelling which would result in two narrower plots instead of the existing one spacious plot. However, the width of the resulting plots would be comparable with other plot sizes in the vicinity, and it is not therefore considered that the subdivision of the plot into two would be harmful to the character of the street scene.
- 9.7 The set back of the proposed dwellings from the highway is considered to maintain the building line established by 8 Priory Lane. As such, the position of the proposed dwellings is considered suitable. Dwellings with narrow separations between them can be found in the surrounding area, and therefore the relationship between the proposed dwellings are considered acceptable.
- 9.8 A comparison of the neighbouring properties has been undertaken. There are considerable differences in garden sizes within a 50 metre radius, and while it is acknowledged that the proposed gardens would be relatively small in comparison to the scale of the dwellings, it is considered that given the variety in plot sizes and garden sizes within the area, the size of the proposed gardens for the two new plots are sufficient.
- 9.9 The proposed dwellings would have large footprints. However, they would be located adjacent to large dwellings, and it is not considered that the scale of the dwellings would appear incongruous within their setting.
- 9.10A Streetscene plan has been submitted which shows the relationship of the proposed dwellings compared to the properties on either side. This plan demonstrates that the proposed dwellings would be no taller than the properties on either side, and therefore the height of the proposed dwellings is considered acceptable.
- 9.11 While there is a variety of architectural styles within the area, other properties in the vicinity retain a traditional appearance, with white window frames. Plot 1 would maintain a traditional design. Plot 2 would have a traditional pitched roof form with a chimney, but with some features in a more contemporary style, with significant levels of glazing and aluminium frames. These design features are not currently found within

the area. However, given the variety of local architectural features and styles, it is not considered that the introduction of a house with contemporary features and some contemporary materials would have a detrimental impact on the character of the area.

9.12 Parking is proposed to the front, with a soft landscaping plan to mitigate the expanse of hard landscaping. The planting plan is considered to soften the appearance of the development and would be secured by condition.

9.13 Access to the rear for both properties is proposed, which would allow for secure bin and bicycle storage.

9.14 A Hawthorne hedge is proposed along the frontage to screen the boundary wall. This hedge would be secured by planning condition. No entrance gates are proposed.

9.15 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, Character Area Assessments SPD (2010) and the NPPF.

iii. Residential Amenity

9.16 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 130 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future occupants.

Overlooking

9.17 There are no dwellings located or proposed on the land to the rear of the application site. As such, it is considered that the rear facing windows would not result in adverse overlooking.

9.18 Balconies are proposed on both dwellings. These balconies would have privacy screens at least 1.7m high on either side in order to prevent unacceptable levels of overlooking. These screens would be secured by condition.

9.19 No upper storey side windows are proposed to serve habitable rooms. It is recommended that a condition is imposed restricting upper storey side windows to be obscure-glazed and top opening only. All side facing rooflights would be restricted to being no lower than 1.7m above floor level.

9.20 The nearest dwelling would be at least 22m from the front elevation of the opposite dwelling, 1 Priory Lane. This separation distance is considered sufficient to avoid unacceptable levels of overlooking from the front elevations.

Overbearing

9.21 The proposed dwelling on Plot 2 would be separated from the neighbouring property to the south, 8 Priory Lane, by approximately 9 metres. The proposed dwelling on Plot 1 would be separated from the neighbouring property to the north, 10 Priory Lane, by approximately 18 metres. This separation distance is considered sufficient to avoid adverse overbearing impacts.

9.22 The proposed dwelling on Plot 2 would project past the rear elevation of the dwelling on Plot 1 by approximately 3 metres. There would be a separation distance of

approximately 3 metres. This relationship is not considered to result in adverse overbearing impacts.

Overshadowing

9.23A Daylight and Sunlight Survey has been submitted with this application. This survey demonstrates there would be no significant impact on the levels of daylight or sunlight received by the neighbouring properties.

9.24As such, the proposal would not be considered to affect the residential amenities of residents of neighbouring properties or future occupiers of the proposed dwellings and would be in accordance with 'Saved' policy EN20 of the BFBLP and the NPPF.

iv. Highways

9.25'Saved' policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in Bracknell Forest Council's adopted Parking Standards SPD. The NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.26These two proposed dwellings would take access off Priory Lane, an adopted residential cul-de-sac, which is a shared surface for all users. Whilst it is a no-through traffic route, there is a pedestrian and cycle link through to Warfield Road.

9.27A 4.1m wide crossover access is proposed onto Priory Lane which is compliant with Bracknell Forest Council's Highways Guide for Development for a shared driveway.

9.28Sufficient parking is now proposed to accord with the Parking Standards SPD (March 2016) with each dwelling having 2 surface car parking spaces and 1 space in a garage.

9.29Swept path drawings have been provided showing a construction vehicle of 7.3m long by 2.1m wide (excluding mirrors) reversing into the site to ensure that deliveries can occur on-site and vehicles can leave onto Priory Lane in a forward gear. This is considered acceptable subject to conditions restricting the maximum vehicle permitted to that shown on the drawings and ensuring that the new access and culvert with headwall is constructed prior to commencement of development elsewhere on the site.

v. Biodiversity

9.30Policy CS1 of the CSDPD states that development will be permitted which protects and enhances the quality of natural resources including biodiversity. Policy CS7 of the CSDPD states that development proposals will be permitted which promote biodiversity. 'Saved' policy EN15 of the BFBLP states that external lighting schemes will only be acceptable where they would have no adverse impact on wildlife. These policies are considered to be consistent with the NPPF which states that the planning system should contribute to, and enhance, the natural and local environment by minimising impacts on biodiversity.

9.31A biodiversity enhancement strategy has been submitted which has been reviewed by Bracknell Forest Council's Biodiversity Officer and is considered suitable. The recommendations of this strategy would be secured by condition.

vi. Trees

9.32 'Saved' policy EN1 of the BFBLP states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows. Trees and hedgerows are important to the retention of the character and appearance of the landscape or townscape of the area. Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments. It goes on to state that planning decisions should ensure that existing trees are retained wherever possible.

9.33A Tree Protection Plan was submitted with this application which has been reviewed by Bracknell Forest Council's Tree Service and is considered suitable. The protection details would be secured by condition.

vii. Drainage

9.34 CSDPD Policy CS1 states that development shall protect and enhance the quality of natural resources including water. This is consistent with the NPPF paragraph 167 and 165 which state that decision makers should ensure flood risk is not increased elsewhere when determining planning applications, and that, where appropriate, applications should be supported by flood risk assessments and incorporate sustainable drainage systems (SuDS).

9.35 The developments are likely to result in an increase in impermeable area on site and as such evidence is required that this has been accounted for and that flood risk will not be increased elsewhere as a result of the development. Further details with respect to the surface water management proposals will be required by condition.

viii. Sustainability

9.36 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, cover water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.

9.37 These documents have been submitted as part of this application and it has been demonstrated the policy requirements have been met.

9.38 A condition requiring the proposal to be SuDS compliant is recommended.

ix. Thames Basin Heaths SPA

9.39 Bracknell Forest Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (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.

9.40 This site is located within the 400m – 5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone and is therefore likely to have an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

- 9.41 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to Bracknell Forest Council towards the cost of measures to avoid and mitigate against the effect upon the TBH SPA, as set out in Bracknell Forest Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (April 2018)
- 9.42 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.
- 9.43 In this instance, the development would result in a net increase of two 4-bedroom dwellings replacing the existing 4-bedroom dwelling within the 400m – 5km TBH SPA buffer zone which results in a total SANG contribution of £6,838.
- 9.44 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £1,021 which is also calculated on a per bedroom basis.
- 9.45 The total SPA related financial contribution for this proposal is £7,859. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of any dwelling until Bracknell Forest Council has confirmed that open space enhancement works to a SANG have completed. Subject to the completion of the S106 agreement, the proposal would not have 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.

x. Community Infrastructure Levy (CIL)

- 9.46 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the Borough and the type of development.
- 9.47 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including those that involve the creation of additional dwellings.
- 9.48 The development is CIL liable in accordance with Bracknell Forest Council's CIL charging schedule as the proposal results in a net increase of one dwelling.

xi. Other Considerations

- 9.49 The application is close to the site of a former brickworks and an infilled pond. As such a contamination land assessment is required by condition.

10. CONCLUSIONS

10.1 It is considered that the development which would result in a subdivision of a plot would be acceptable in principle due to being located within the settlement boundary. It would not result in an adverse impact on the character and appearance of the surrounding area or, highway safety, nor would the development result in a detrimental impact on the residential amenity of the neighbouring properties or future occupiers. It is therefore considered that the proposed development complies with 'Saved' policies EN1, EN15, EN20 and M9 of the BFBLP and Policies CS1, CS2, CS7, CS9, CS10 and CS12 of the CSDPD.

10.2 Relevant conditions will be imposed in relation to landscaping, biodiversity, highway safety, drainage, contaminated land and sustainability.

10.3A s106 agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

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 following measures:

- Avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA); and,

That the Assistant Director: Planning be recommended to **APPROVE** the application 21/00808/FUL subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary:

1. 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.

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

Received 08.09.21:

Plot 1 – Proposed Elevations (001)
Plot 1 – Proposed Ground and First Floor Plans (002)
Plot 2 – Proposed First and Loft Plans (006)
Plot 2 – Proposed Roof Plan (007)
Waste and Recycling Storage Facilities (0010)
Water Calculations
Daylight and Sunlight Assessment
Flood Risk Assessment
Plot 1 - Solar PV & SAP Calculations
Plot 2 – Solar PV & SAP Calculations
Sustainability Statement
Sustainable Design & Construction

Received 21.09.21:

Construction Management and Demolition Plan

Received 30.09.21:

Plot 2 – Lower and Ground Floor Plans (05 Rev A)

Received 01.10.21:
Plot 1 – Loft and Roof Plan (003)
Landscape Layout Plan (10 A Rev B)
Materials Schedule

Received 04.10.21:
Swept Path Analysis and Material Storage Plan (11 Rev A)

Received 05.10.21:
Tree Protection Plan (12 Rev B)

Received 18.10.21:
Extended Phase 1 Habitat Survey

Received 20.10.21:
Biodiversity Enhancement Strategy

Received 26.10.21:
Plan Showing Location of Bird, Bat Boxes, Swift Bricks and Log Piles (14)

Received 08.11.21:
Proposed Plans of Vehicular Crossover, Culvert and Ditch (13)

Received 26.11.21:
Proposed Street Scene (13)
Plot 2 – Proposed Elevations (004)

Received 29.11.21:
Proposed Front Boundary Wall Elevations (008 Rev A)
Site Location Plan (012)
Proposed Block Plan (011)

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

3. The external materials used in the construction of the development hereby approved shall match those set out in the approved Materials Schedule (Received 01.10.21).
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. No construction works shall take place until details showing the finished floor levels of the dwellings 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, Core Strategy DPD CS7]
5. All hard and soft landscaping shown in the approved Landscape Layout Plan (10 A Rev B) (Received 01.10.21) 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 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, or 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.

REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

6. The bin store shown on the approved plans shall be installed prior to the occupation of either of the dwellings hereby approved and thereafter be retained as approved.

REASON: To ensure that adequate waste and recycling facilities are available in the interests of the amenities of future occupiers.

[Relevant Policy: BFBLP EN20]

7. The development shall be implemented in accordance with the approved Sustainability Statement and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

8. The dwelling as constructed shall be carried out in accordance with the approved Energy Demand Assessment and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS12]

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawing(s), unless they are glazed with a minimum of Pilkington Level 3 obscure glass (or equivalent) and fixed shut, or the parts of the window, opening or enlargement which are clear glazed and/or openable are more than 1.7 metres above the floor of the room in which it is installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

10. No part of the first floor side facing rooflights of the development hereby permitted shall be positioned lower than 1.7 metres above the finished floor of the room in which the rooflights are installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

11. The privacy screens shall be installed on the side elevations of the balconies shown on the approved plans prior to the balconies being brought into first use. These privacy screens shall be constructed of solid timber cladding at a height of 1.7m above the height of the balconies, without any gaps and retained as such thereafter.

REASON: In the interests of the privacy of the residents of the neighbouring property.

[Relevant Policy: BFBLP EN20]

12. No development (other than the construction of the access) shall take place until the access has been constructed with the width of the access and the design of the culvert, headwall and pedestrian railings in accordance with approved drawing DERRYQUIN/PLAN/013 dated 8th November 2021 and with details of construction to be submitted to and approved in writing by the Local Planning Authority. The access shall be provided with visibility splays of 2.4m x 43m in each direction along Priory Lane and the land within the visibility splays shall be maintained clear of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway at all times thereafter.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
13. No dwelling shall be occupied until the associated vehicle parking and turning space 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]
14. The garage accommodation for each dwelling shall be retained for the use of the parking of at least 1 car and 4 cycles at all times, with the dimensions of the retained space compliant with Table 7 of the Parking Standards SPD (March 2016).
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met and in the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
15. No gates shall be installed at the vehicular access to the site at any time.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
16. Demolition and construction of the site shall be undertaken in accordance with the approved Construction Management Plan and in accordance with the following amendments and supplementary information:
- (a) the swept paths within Appendix 4 of the approved Construction Management Plan are replaced with those within approved drawing DERRYQUIN/PLAN/011/REV-A dated 30th September 2021;
 - (b) the approved Construction Management Plan is supplemented and updated by the information within the letter from MCS DESIGN Architectural Services dated 1st October 2021;
 - (c) the largest vehicle permitted to access the development is 7.3m long by 2.1m wide, in accordance with the vehicle size shown on approved drawing DERRYQUIN/PLAN/011/REV-A dated 30th September 2021. No larger vehicles are permitted to access the development at any time; and
 - (d) no vehicle shall wait or park on the adopted highway of Priory Lane associated with the demolition or construction of the development. All vehicles associated with demolition and construction shall be accommodated within the site.
- REASON: In the interests of highway safety and amenity of other residents of Priory Lane during the construction period.
[Relevant Policies: Core Strategy DPD CS23 and BFBLP EN20]
17. No development shall take place until full details of the SuDS have been submitted to and approved in writing by the Local Planning Authority. These shall include:

Full details of all components of the proposed SuDS including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table.

Calculations confirming that runoff rates post development will not exceed the greenfield runoff rate. Submission of the Management and Maintenance plan setting out the maintenance requirements together with expected frequency.

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 hereby permitted shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the details submitted under condition 17. 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. No development shall take place until a contaminated land Phase I report (Desk Top Study) has been carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The Desk Top Study shall be submitted to, and approved in writing by, the local planning authority.

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

20. Following approval of the Desk Top Study required by condition 19, if a Phase II report (Site investigation) is required it will be completed by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The method and extent of this site investigation shall be agreed with the local planning authority prior to commencement of the development and shall then proceed in strict accordance with the measures approved.

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

21. Following completion of the desk top study (Phase I) and site investigation (Phase II) required by the above conditions 19 and 20, a remediation scheme to deal with any contaminants identified (including gas protection measures if necessary) must be submitted to and approved in writing by the local planning authority prior to the commencement of development. The scheme shall include an implementation timetable, monitoring proposals and a remediation verification methodology. The remediation scheme must be carried out before the development commences.

An appropriately qualified person shall oversee the implementation of all remediation/mitigation works.

Should any unforeseen contamination be encountered during the development, the local planning authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the local planning authority in writing.

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

22. A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority upon completion of the remediation/mitigation work required by condition 21 in accordance with the agreed implementation timetables. The report shall include confirmation that all remediation measures have been carried out fully in accordance with the approved remediation scheme and detail the action taken and verification methodology used (including details of the sampling and analysis programme) at each stage of the remediation/mitigation works to confirm the adequacy of decontamination. The Site Completion Report must also include details of future monitoring and reporting if this is deemed necessary, or a statement to the effect that no future monitoring is required, with an explanation as to why future monitoring is not necessary.

If no contamination is encountered during the development, a written statement confirming this fact shall be submitted to the local planning authority upon completion of the development.

REASON: To enable to the local planning authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment.

23. Unless a landfill gas risk assessment is undertaken which indicates there is no risk, and submitted for approval to the Local Planning Authority, the proposed development shall be built with insert level of gas protection i.e. Characteristic Gas Situation 1-6 gas protection measures in accordance with BS 8485:2015 'Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings'. Following installation of the measures a verification report shall be submitted to the Local Planning Authority prior to occupation of the site.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

24. All ecological measures and/or works shall be carried out in accordance with the details contained in Extended Phase 1 Habitat Survey June 2019 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. An ecological site inspection report shall be submitted prior to practical completion of any dwelling hereby approved.

REASON: In the interests of nature conservation

25. The area shown as a fenced tree area to the rear of the new dwellings on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

26. The tree/vegetation protection measures shown on the approved Tree Protection Plan (12 Rev B) (Received 05.10.21) shall be erected in accordance with BS 5837:2012 (or any subsequent revision) Section 6 prior to the commencement of development, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright until the completion of all building operations on the site. No activity

of any description must occur at any time within these 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]

27. The development hereby permitted shall not be begun 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 approved scheme shall be implemented in full before the occupation of any of the dwellings approved in this permission.

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

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

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. Although they must be complied with, no details are required to be submitted in relation to the following conditions:
 - (1) Commencement
 - (2) Approved Plans
 - (3) Materials
 - (5) Hard and Soft Landscaping
 - (6) Bin Store
 - (7) Sustainability Statement
 - (8) Energy Demand Assessment
 - (9) Restriction on upper storey windows
 - (10) Rooflights
 - (11) Privacy screens

- (13) Parking
- (14) Garage
- (15) Restriction on gates
- (16) Construction Management Plan
- (25) Tree protection 1
- (26) Tree protection 2

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

- (4) Finished Floor Levels
- (12) Construction of access
- (16) Sustainable urban drainage scheme
- (17) Suds scheme
- (18) Implementation of Suds scheme
- (19) Contaminated land - Desktop Study
- (20) Contaminated land - Site Investigation
- (21) Contaminated land - Remediation Scheme
- (22) Contaminated land - Site Completion Report
- (23) Landfill gas risk assessment
- (24) Ecological measures
- (27) Means of enclosure

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).