

## Unrestricted Report

### ITEM NO: 6

Application No.  
**23/00392/OUT**  
Site Address:

Ward:  
Sandhurst

Date Registered:  
4 July 2023

Target Decision Date:  
29 August 2023

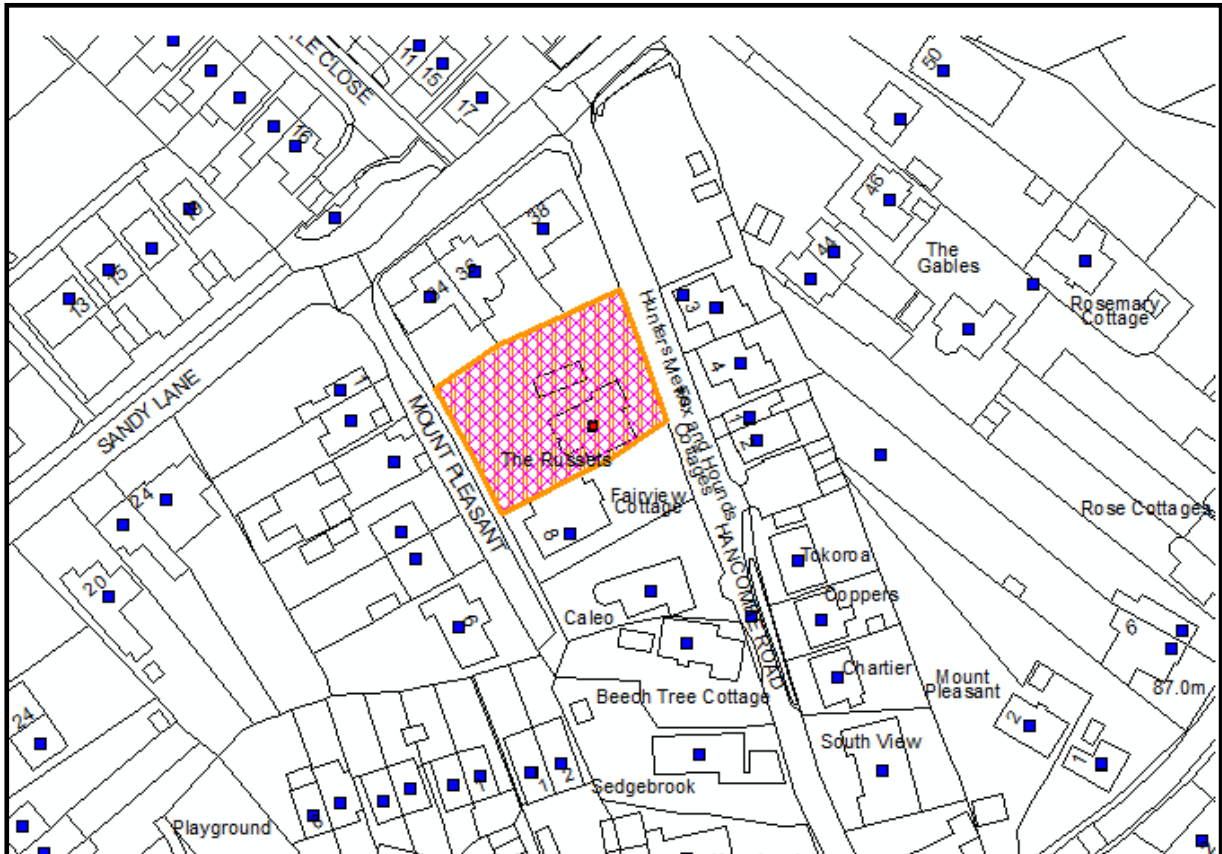
### Land Adj The Russets Hancombe Road Sandhurst Berkshire GU47 8NP

Proposal: **Outline application (with details of access, appearance, layout and scale) for the erection of a four bedroom detached dwelling with garage, parking and rear garden following demolition of existing garage.**

Applicant: Rana Burgan  
Agent: Mrs Rana Burgan  
Case Officer: Shelley Clark, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto:Development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

- 1.1 This is an outline application for the erection of a four-bedroom detached dwelling following the demolition of the existing garage. The application considers details of the means of access, layout, scale and appearance. The only reserved matter is landscaping.
- 1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It is considered that the proposal would not have a detrimental impact on the character and appearance of the area and can be accommodated on the site without any adverse impact on neighbouring amenity or highway safety.
- 1.3 Since the submission of the original application, amendments have been made to the appearance of the dwelling and proposed visibility splays.

Neighbouring properties have been re-consulted on these amendments.

<b>RECOMMENDATION</b>
That the Assistant Director: Planning be authorised to approve the application subject to the conditions in Section 11 of this report and the completion of a section 106 agreement relating to mitigation measures for the SPA.

### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

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

### **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
Within the defined settlement boundary
Within 5km of SPA
Area A (Little Sandhurst) of the Sandhurst study area within the Character Area Assessments SPD.

- 3.1 The application site currently forms part of the residential curtilage of the property known as The Russets, which lies to the south of the site. Nos. 34, 36 and 38 Sandy Lane are located to the north, with properties along Mount Pleasant to the west and Hunters Mews to the east (on the opposite side of Hancombe Road). Hancombe Road is a private, unadopted road. The site is situated within a defined settlement boundary and is located within Area A (Little Sandhurst) of the Sandhurst study area within the Character Area Assessments SPD.

#### 4. RELEVANT SITE HISTORY

10934

Outline application for the erection of house and garage  
Approved 1965

603228

Single storey extension forming new kitchen  
Approved 1978

22/00542/OUT

Outline application (with details of layout) for the erection of 2 no. dwellings.  
Withdrawn

#### 5. THE PROPOSAL

- 5.1 This is an outline application, (with details of means of access, layout, scale and appearance) for the erection of a four-bedroom detached dwelling, following the demolition of the existing garage. Parking will be off-street, with two parking spaces to the front of the new dwelling and one within the garage.

#### 6. REPRESENTATIONS RECEIVED

##### Sandhurst Town Council

- 6.1 Sandhurst Town Council objects to the proposal on the following grounds:
- i) The proposal involves the unsatisfactory piecemeal development of a backland area, a double building line and an inconvenient substandard access.
  - ii) The siting of the proposed dwelling in relation to existing neighbouring properties would result in a loss of privacy and amenity.
  - iii) The size and scale of the proposed dwelling would be out of keeping with the design of nearby dwellings and would have an undesirable impact on the overall appearance of the area.
  - iv) The proposed development would generate additional traffic onto Hancombe Road which is substandard in respect of visibility/footway provision/ construction/ width/ alignment.

##### Other responses received

- 6.2 Objections have been received from 16 different households. The issues raised can be summarised as follows:
- There is already insufficient parking for residents
  - The bottleneck from parking on both sides would obstruct emergency services and be hazardous for pedestrians and children.  
Detrimental to highway safety
  - Unmade nature of the road would be further damaged by heavy construction vehicles and more traffic.
  - Hancombe Road is not wide enough to accommodate properties opposite each other and cars turning/manoeuvring.

- Building in a garden will cause overcrowding of the Hancombe Road and Sandy Lane area. This application represents continued significant overdevelopment of this small area.
- The rear entrance onto Mount Pleasant will compromise the integrity of that way and existing rights of access and parking for inhabitants.
- House not in keeping with surrounding properties.
- Loss of light and lack of privacy due to overlooking
- The proposal requires the destruction of a substantially large garden.
- Mature small trees along neighbouring boundary would need to be removed.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highway Authority

- 7.1 Following the receipt of amended plans, no objection subject to conditions.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP	Not fully consistent
	CS1, CS2 of CSDPD	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Biodiversity	CS1 and CS7 of the CSDPD	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	M9 of BFBLP, CS23 of CSDPD	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Design SPD		
Parking Standards SPD		
Thames Basin Heath Special Protection Area SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
BRE Site Layout: Planning for Daylight and Sunlight (2022)		

## 9. PLANNING CONSIDERATIONS

- 9.1 The key issues for consideration are:

- Principle of development
- Site Layout
- Impact on character and appearance of the area
- Impact on residential amenity
- Transport implications
- Flooding

- Sustainability implications
- Thames Basin Heaths Special Protection Area

### **Principle of development**

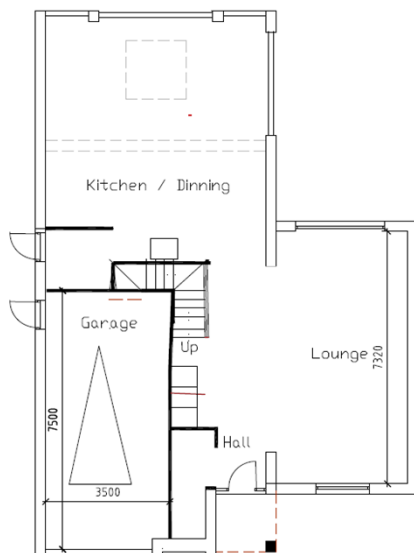
- 9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements.
- 9.4 The site is situated within the settlement boundary; therefore, the proposed development would be acceptable in principle, provided that it would be in keeping with the character of the area and would not be harmful to the amenities of neighbouring occupiers or any other interests of acknowledged importance.

### Access and Layout

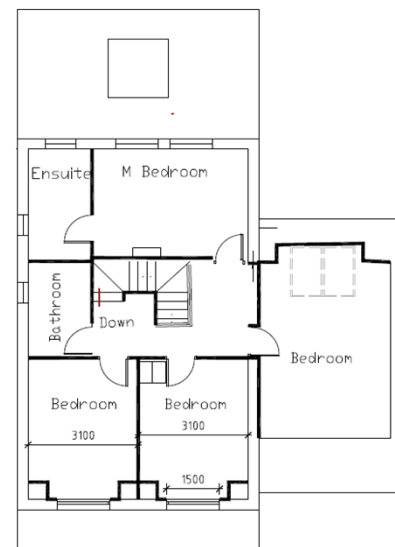
- 9.5 The proposal is for a new dwelling to replace an existing garage, which previously had access from Hancombe Road (gates at the front of the property show the position of this access). Access to the new property will be from the same location. Parking will be off-street, with two parking spaces to the front of the new dwelling and one within an integral garage.



Floor Plans showing integral garage



Ground Floor Area and Garage  
118 sqm



First floor Area 88sqm

9.6 The proposed dwelling is aligned with both the front and rear building lines of the adjacent property, The Russets. Plots for new development should be large enough to accommodate the proposed dwelling and the requirements associated with it (such as parking and space for cycles, waste, recycling collection and amenity space). The proposal is considered to have sufficient private amenity space for the future occupiers of the house. Highway comments are addressed further in the report, however, the

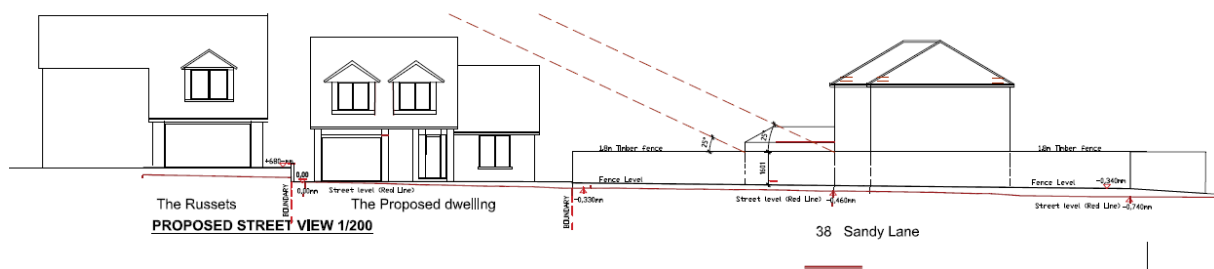
submitted layout demonstrates how parking for the 4-bedroom property can be provided to meet parking standards as well as provide adequate cycle storage and refuse provision.

## **Scale and Appearance**

### **Impact on character and appearance of the area**

- 9.7 '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 the 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. Paragraph 130 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.
- 9.8 The site is located within Area A (Little Sandhurst) of the Sandhurst study area within the Character Area Assessments SPD.
- 9.9 The appearance of the proposed dwelling has been amended to better reflect properties within the surrounding area. The house and garage now have pitched roofs, with the house having two dormers on the front elevation to be in keeping with its neighbouring property, The Russets, which also has a pitched roof and front dormer window. The scale and proportions of the plots that would result from the proposal, both for the new house and the remaining plot of The Russets, would be very similar to many other house plots in the area and would reflect the established grain of the locality.
- 9.10 A streetscene elevation has been provided, which shows the scale and appearance of the dwelling relative to The Russets. The property is set down from its neighbouring property, due to the differences in levels within the existing site. There are ground level differences within the application site, where the land slopes down towards Sandy Lane. Levels have been provided, with the new dwelling sitting 0.68m lower than The Russets. The house will have a ridge-height of 7m and 5.7m respectively. Its neighbouring property, The Russets, has a ridge-height of 7.5m.

### **Streetscene Elevation**



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

### **Impact on Residential Amenity**

- 9.12 '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 of land and buildings.
- 9.13 The 2-storey element of the proposed dwelling is aligned with both front and rear building lines of The Russets, and single-storey rear element aligned with the single-storey extension at The Russets. The new house is not considered to result in a loss of light or privacy to this neighbouring property. There are side windows on this dwelling that face into the application site. However, on the first floor these are windows to a landing, and on the ground floor they are a lavatory window and a secondary window to the kitchen.
- 9.14 The closest residential properties are nos. 36 and 38 Sandy Lane, and nos. 3 and 4 Hunters Mews, which are across the street. The rear elevations of nos. 36 and 38 Sandy Lane face the application site, with their frontages facing Sandy Lane.
- 9.15 No windows are proposed on the side elevation of the new house facing these properties in Sandy Lane, therefore there will be no unacceptable loss of privacy. Nos. 3 and 4 Hunters Mews are across the street from The Russets. The closest residential property, No. 3 Hunters Mews, is 15m away from the new house. This is considered an acceptable distance to provide sufficient privacy across streets as set out in the Bracknell Forest Council Design Supplementary Planning Document.
- 9.16 The dwelling has been designed to take into consideration changes in levels, where the land currently slopes downwards from The Russets towards properties within Sandy Lane. The part nearest to nos. 36 and 38 Sandy Lane is single storey. The Streetscene elevation provided with the application (above) shows a line drawn at a 25 degree angle from habitable rooms on the rear elevation of 38 Sandy Lane (to the new house). The new house lies entirely below this 25 degrees line.
- 9.17 Due to its distance and proposed orientation relative to 36 Sandy Lane, the proposed dwelling is also not considered to result in any unacceptable loss of light to this property. A drawing has also been submitted showing a line drawn at a 25 degree angle from habitable rooms on the rear elevation of 36 Sandy Lane (to the new house). The new house lies entirely below this 25 degrees line. Therefore, in accordance with the guidance contained within the BRE document "Site Layout: Planning for Daylight and Sunlight", the proposed house will not result in any unacceptable loss of light to nos. 38 and 36 Sandy Lane.





9.18 The proposal is considered to provide acceptable living conditions for future occupiers, with sufficient amenity space. The proposal would therefore be in accordance with 'Saved' policy EN20 of the BFBLP and the NPPF.

### **Flooding**

9.19 There is low risk of flooding at a small section along the eastern boundary of the site and a sequential test is not required. The extent is minimal and appropriate drainage of the site would provide mitigation against the risk of flooding. Due consideration should be given to surface water flood risk at the northern boundary during the development of sustainable drainage of the site. A condition is proposed which secures a scheme for the disposal of surface water drainage that can be maintained for the lifetime of the development.

### **Transport implications**

9.20 Paragraph 111 of the NPPF states 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.

9.21 Policy CS23 of the CSDPD states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the BFBLP states that development will not be permitted unless satisfactory parking provision is made for vehicles and cycles. The supporting text to this policy also states that the requirements set out in the Bracknell Forest Borough Parking Standards can be applied flexibly in certain circumstances.

9.22 Hancombe Road is an unmade private road with property boundary walls and fences which encourage drivers and other road users to be further into the carriageway than would normally be the case for a road built to adoptable standards. The applicant has now submitted amended plans, in accordance with advice from the Highway Authority. Revised visibility splays have been provided which respond to the Highway Authority's previous concerns. Parking for a 4-bedroom property is shown to be compliant with Table 6 of the Council's Parking Standards SPD (2016). The site layout also shows provision for secure cycle storage and refuse provision. As such, the Highway Authority offers no objection to the application.

### **Sustainability Implications**

- 9.23 In respect of proposed new dwellings, Core Strategy Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. This can be secured by planning condition.

### **Thames Basin Heath Special Protection Area**

- 9.24 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located within the 400m – 5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.
- 9.25 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPASPD) (2018).
- 9.26 In this instance, the development would result in a net increase of 1 dwelling which will result in the need for a financial contribution towards SANG and SAMM depending on the number of bedrooms. Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the SPASPD and the NPPF.

## **10.0 CONCLUSIONS**

- 10.1 It is considered that the proposed dwelling would be acceptable in principle. The submitted plans show how it can be accommodated on site without any adverse impact on the character and appearance of the area, on highway safety or on the amenities of neighbouring properties. It is therefore considered that the proposed development complies with 'Saved' policy EN20 and M9 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.
- 10.2 The application is therefore recommended for conditional approval.

## **11.0 RECOMMENDATION**

- 11.1 Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following measure;
- avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);

the Assistant Director: Planning be authorised to APPROVE the application 22/00868/FUL subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary:

01. Application for approval of the details of the landscaping of the development (hereinafter called "the reserved matters") shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990
  
02. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved. REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
  
03. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 10 July 2023, 1st September 2023, 29th September 2023 and 24<sup>th</sup> November 2023:  
  
702-23-Outline-Prop-04RC received 24<sup>th</sup> November 2023  
  
702-23-Outline-Prop-02 Rev C received 29th September 2023  
702-23-Outline-Prop-05 received 29th September 2023  
  
702-23-Outline-Prop-03RB received 1st September 2023  
  
702-23-Outline-Prop-Location (Location Plan only) received 10 July 2023.  
  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
  
04. No structure hereby permitted shall be built above existing ground level until samples 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, Core Strategy DPD CS7]
  
05. No construction works shall take place until details showing the finished floor levels of the dwelling 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]
  
06. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
  - (a) Parking of vehicles of site personnel, operatives and visitors
  - (b) Loading and unloading of plant and vehicles
  - (c) Storage of plant and materials used in constructing the development

(d) Wheel cleaning facilities

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

REASON: In the interests of amenity and road safety.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS23]

07. The development shall not be occupied until the associated vehicle parking has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

08. The garage accommodation shall be retained for the use of the parking of vehicles at all times with the space allocated as follows:

(a) An area 3.5 metres wide by 6.0 metres long (measured back from the vehicle door) shall be retained for the parking of a car at all times

(b) An area to the rear of that set out in (a) above shall be retained for the storage of at least four bicycles.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met to reduce the likelihood of on-street parking which would be a danger to other road users and would hinder the movement of vehicles along Hancombe Road

[Relevant Policy: BFBLP M9]

09. No development shall take place until a scheme for the disposal of surface water drainage that can be maintained for the lifetime of the development have been submitted to and agreed in writing by the Local Planning Authority. Information required to be submitted to satisfy this condition includes: a) The existing drainage arrangements of the site including discharge location and rate where appropriate; b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved; c) Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting and drawings as appropriate; d) Evidence to support b) which must include infiltration/percolation testing or written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable; and e) Mitigation measures for managing surface water flood risk within the site. 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.

10. No development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

11. The new dwelling shall not be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to and approved by the Local Planning

Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.  
REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policy: Core Strategy DPD CS10]

Should the applicant fail to complete the required S106 agreement by 30 April 2024, the **Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reason:**

In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

### **Informatives**

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. Notwithstanding the wording of Bracknell Forest Council's Parking Standards SPD, the Building Regulations part S "Infrastructure for the charging of electric vehicles" 2021 edition took effect on 15 June 2022 for use in England. The applicant should familiarise themselves with, and comply with, the requirements of this document with regard to provision of electric vehicle charging infrastructure.
03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.