

## Unrestricted Report

### ITEM NO: 7

Application No.  
**22/00504/FUL**

Ward:  
Binfield South and  
Jennett's Park

Date Registered:  
14 June 2022

Target Decision Date:  
13 September 2022

Site Address:

**Fines Bayliwick House Hotel London Road Binfield  
Bracknell Berkshire RG42 4AB**

Proposal:

**The conversion and erection of extensions to Fines Bayliwick Hotel to provide 11no. 2 bedroom apartments following the demolition of extensions to the building. [This application constitutes a resubmission of refused planning application 21/00460/FUL].**

Applicant:

Mr Sundeep Nath

Agent:

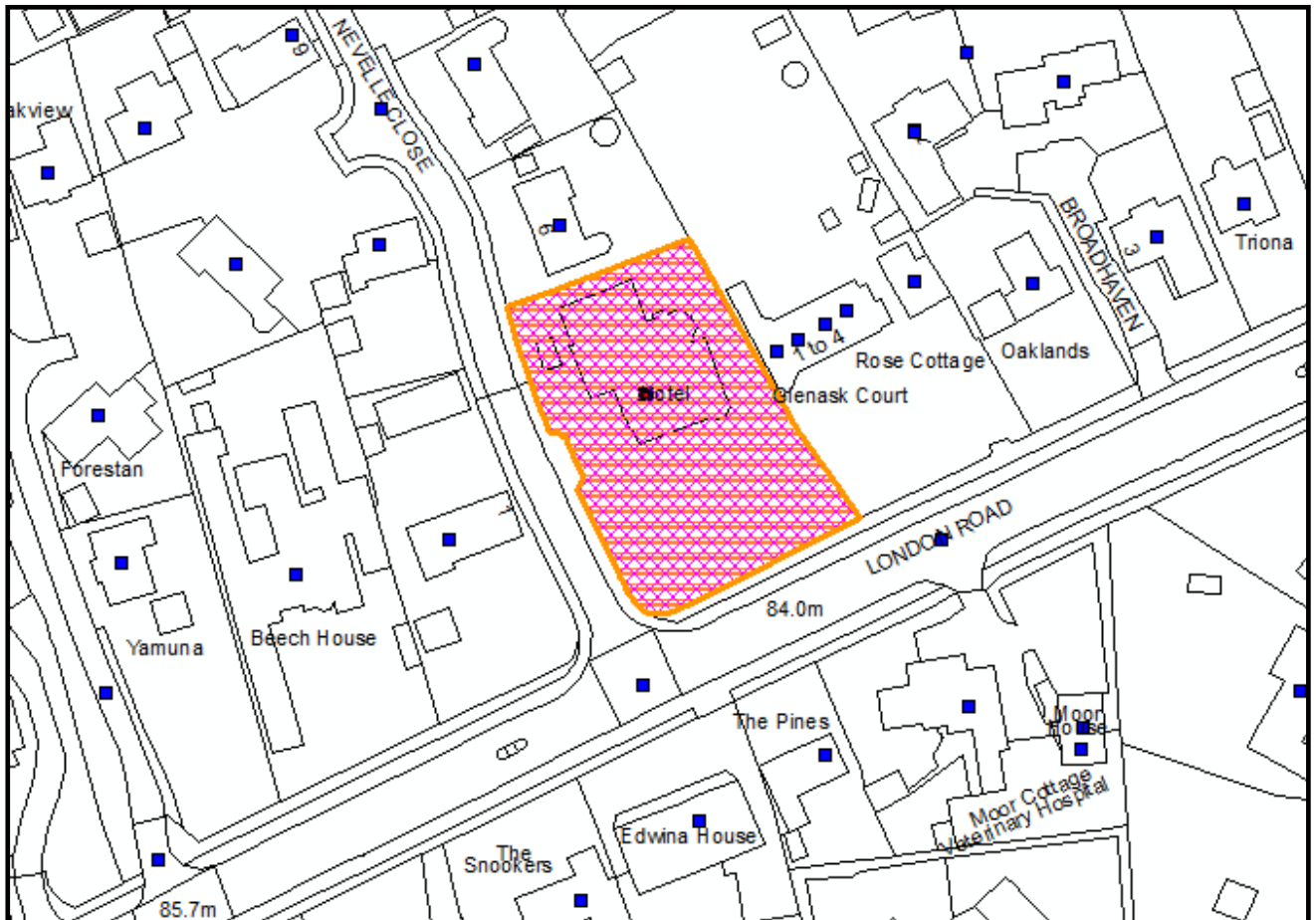
Mr Matthew Miller

Case Officer:

Margaret McEvit, 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 full application seeks the conversion of the existing hotel to residential use and the erection of extensions to provide 11no. two bed apartments together with the provision of 25 parking spaces, bin store and cycle store. The site is within the settlement area, within an Area of Special Housing Character and lies within the Binfield and Popeswood Study Area (Area C, Popeswood South) as defined within the Character Area Assessments Supplementary Planning Document.

1.2 Trees on the site are protected by Tree Preservation Orders 198 and 745. It is considered that the proposed development would not have an adverse impact on trees which make an important contribution to the landscape character and appearance of the area.

1.3 The proposal results in a net increase in new dwellings within 400m - 5km of the SPA and therefore will need to secure the identified SPA Mitigation through a S106 Legal Agreement.

1.4 The development is also CIL Liable.

<b>RECOMMENDATION</b>
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That the Assistant Director: Planning be authorised to grant planning permission subject to the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act and the conditions set out in Section 11 of this report
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### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

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

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

<b>PLANNING STATUS</b>
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Land within the settlement area.
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3.1 Fines Bayliwick House is a guest house within an Area of Special Housing Character the subject of Policy H4 of the Bracknell Forest Borough Local Plan (BFBLP). It lies within the Binfield and Popeswood Study Area (Area C, Popeswood South) as defined within the Character Area Assessments Supplementary Planning Document. Trees within the site are protected by Tree Preservation Orders TPO 198 and 745.

3.2 The site is located off the north side of London Road on the corner with Nevelle Close. London Road is a classified road and Nevelle Close is a private cul de sac. The pedestrian and vehicular access is off Nevelle Close. The area is primarily residential, with residential units in all four directions, including common boundaries with 6 Nevelle Close and the apartments at Glenask Court. The property at the site was also originally a family dwelling house which received planning permission for conversion to a guest house. There is also a Veterinary Practice on the opposite side of London Road.

3.3 Planning permission was allowed on appeal in 2019 for the erection of a residential care home at the site of Holly Cottage on the south of London Road opposite the junction

with Nevelle Close.

3.4 There is a belt of thick, high hedging on the northern boundary of the site which screens it from the newer residential dwellings beyond in Nevelle Close.

#### **4. RELEVANT SITE HISTORY**

App. Ref. 613005

Change of use from private dwelling to an 8 bed guest house.

Approved, 1988

App. Ref. 615626

Two storey side extension owners flat in roof relaxation of cond. 2 of 613005, enlarge car park.

Approved, 1989

App. Ref. 617097

Erection of conservatory for use as a breakfast room for guests.

Approved, 1991

App. Ref. 08/00919/FUL

Section 73 application to vary condition 2 of planning permission 613005 (this states that the premises shall be used only as a guest house. Any ancillary facilities provided shall enue only for the benefit of the resident guests and shall not be used for any public function or entertainment). Formation of five additional parking spaces

Refused, 2008

Appeal Dismissed

App. Ref. 10/00360/FUL

Section 73 application to vary condition 2 of planning permission 613005 (this states that premises shall be used only as a guest house. Any ancillary facilities provided shall enue only for the benefit of the resident guests and shall not be used for any public function or entertainment) to enable the hotel restaurant to be used by members of the general public and the formation of additional parking spaces.

Refused, 2010

Appeal dismissed

21/00460/FUL

Proposed conversion, extension and alteration of existing hotel to provide 11no. 2 bed apartments.

Refused.

#### **5. THE PROPOSAL**

5.1 This full application proposes the conversion, extension and alteration of the existing hotel to provide 11no. 2 bed apartments. The application proposes a two and a half storey side extension and extensions to the roof. No increase to the roof height is proposed. The existing car park will be extended to provide a total of 25 car parking spaces.

#### **6. REPRESENTATIONS RECEIVED**

Representations

6.1 Letters of objection have been received from 8 addresses raising the following planning considerations:

- inadequate level of parking for the development. 1 parking space is unusable
- overlooking of adjacent properties
- the private road next to the site will be used as overspill parking. Access onto the private road to be approved by owners of the road
- the proposal will be an overdevelopment of the site resulting in increased noise pollution, loss of privacy and traffic.
- the proximity of the proposed bin store to a neighbouring property will cause noise and smells to neighbours. Access to the bin store will be from Nevelle Close a private road. Lorries emptying bins will obstruct Nevelle Close

## 7. SUMMARY OF CONSULTATION RESPONSES

### Tree officer

7.1. No objection.

### Highways officer

7.2 No objection subject to conditions.

### Biodiversity Officer

7.3 No objection.

## 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:

	Development Plan	NPPF	Weight to be attributed, with reference to para. 213 of NPPF
Sustainable development principles	SALP Policy CP1	Para. 11(d) refers to 'policies which <u>are most important for determining the application</u> are out-of-date'. CP1 wording differs to this. Furthermore, the PPG states that there is no need for a policy to directly replicate para. 11.	Limited (policy not used in planning application decision-making)
	CSDPD Policy CS1	Consistent (Paras. 7, 8, 11, 12, & 117 - 119)	Full

Housing	BFBLP "Saved" Policy H4 Areas of Special Housing Character		Full
Design & Character	CSDPD Policy CS7	Consistent (Chapter 12)	Full
	BFBLP 'Saved' Policy EN20	"	Full
Trees & Landscape	CSDPD Policies CS1 & CS7	Consistent (paras. 127 & 170)	Full
	BFBLP 'Saved' Policies EN1, EN2 & EN20	"	Full
Residential Amenity	'Saved' Policies EN20 & EN25 of BFBLP	Consistent (paras. 127, 170 & 180)	Full
Transport	CSDPD Policies C23	Consistent (Chapter 9)	Full
	BFBLP 'Saved' Policy M9	"	Full
Biodiversity	CSDPD Policies CS1 & CS7	Consistent (paras. 170 & 175)	Full
	BFBLP 'Saved' Policies EN1, EN2 & EN20	"	Full
Sustainability of build (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)	Full
<b>Supplementary Planning Documents (SPD):</b>			
Parking Standards SPD (2016)			
<b>Other publications:</b>			

National Planning Policy Framework (NPPF) (2023) National Planning Policy Guidance (NPPG)	
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The emerging Local Plan has been through the examination stage and consultation is being carried out on Proposed Main Modifications to the Local Plan. Some weight can be attached to policies in the Local Plan. Policies relevant to this application are:

LP15 Design Principles. Policy LP 15 Design principles . All development must achieve a high standard of design that positively contributes to placemaking.

LP 48 Protection and enhancement of trees and hedgerows Protection . Development proposals will be required to secure the sustainable retention and enhancement of trees and hedgerows of value.

## 9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Impact on the character and appearance of the area
- ii Tree Issues
- iii Highways Issues
- iv Biodiversity Issues
- v CIL
- vi Thames Basin Heath SPA

### i. Impact on the character and appearance of the area.

9.2 The site is within a settlement area where the principle of redevelopment for residential use is acceptable. Any building should maintain the character of the Popeswood Triangle Area by replicating a large dwelling in extensive grounds. Policy H4 of the BFBLP also states that residential development will only be permitted where it will not result in a material loss of trees, other vegetation, natural features and wildlife habitats. Any increase in the footprint of building on the site should not result in the loss of trees protected by TPOs.

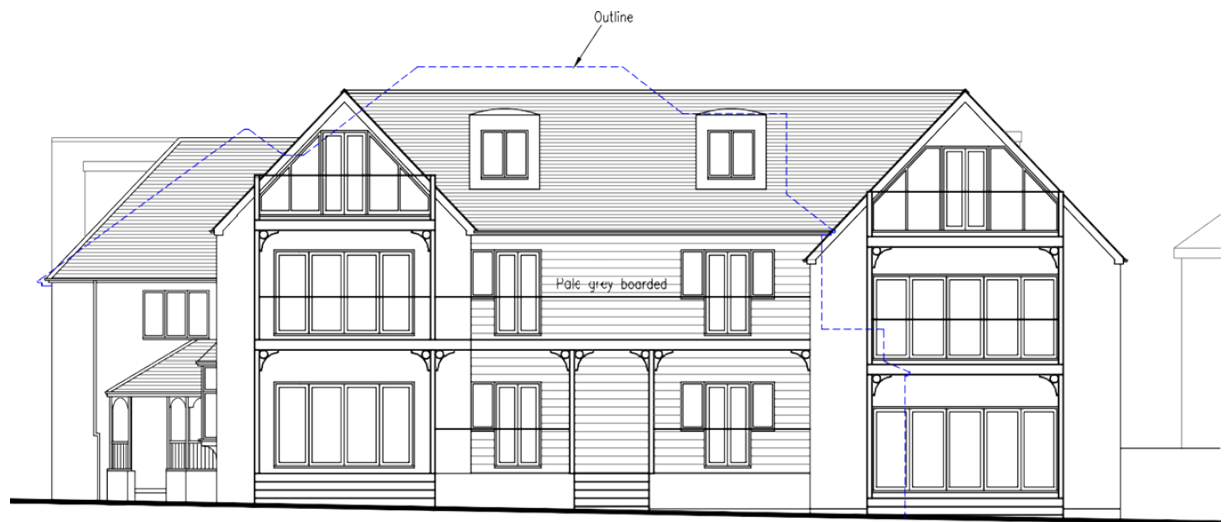
9.3 The Character Areas Assessment SPD Binfield Popeswood Study Area includes the site within Area C Popeswood South. This area is characterised by important roadside trees along London Rd and Nevelle Close and streets tend to have a fairly consistent building line and set-backs. Properties are sited in good sized front gardens. It will be important to retain trees along the boundaries with London Road and Nevelle Close which make an important contribution to the character of the area and to maintain reasonable building setbacks along these boundaries to allow for good sized garden areas.

9.4 The conversion of the existing hotel to residential use is considered to be acceptable and in keeping with the character of the area. The site is within a predominantly residential area, where the use of the building as apartments will be appropriate and reflect the original use of the building as a dwelling.

9.5 The existing building is predominantly two and a half storeys in height with a two storey element and two attached single storey conservatories. The proposed extensions would result in a two and a half story building to accommodate 11 apartments. The resulting building will maintain the set back from London Road shared

with other properties on the northern side of London Road and will have the appearance of a large residential property set within a good sized front garden. Trees along the boundary with London Road are shown to be retained.

9.6 The proposed extensions would provide gable features to the building and dormers will be more consistent in design than the current building which gives the impression of having been extended over time in a more piecemeal fashion.



9.7 The extension to the eastern side of the building will bring the building within 1.5-2.6m of the boundary with Glenask Court, an apartment building. Glenask Court is sited a similar distance from this boundary and has one first floor window along the boundary. The proposed plans show that windows will be provided along this boundary, however this is not considered to raise issues of privacy as the Glenask Court boundary is predominantly a blank wall with one small window.

9.8 Concerns have been expressed that there would be overlooking of the garden of 1 Nevelle Close from proposed balconies. However, there is a distance of approximately 22m from the balcony to the boundary with Nevelle Close, with an intervening road and it is considered that this would not result in unacceptable overlooking of 1 Nevelle Close.

9.9 The bin store to serve the apartments is relocated in this application to a position along the boundary with Nevelle Close. A path is provided from the store to Nevelle Close to allow bins to be moved for collection. Concerns have been expressed by neighbours that bin collection from Nevelle Close would result in obstruction of the private road by drivers waiting for lorries to complete bin collections. The Council's waste manager has been consulted on the application and has advised that the bin storage area is large enough to house the number of bins required for a fortnightly collection and that the waste collection crew drive into Nevelle Close for collections already and the property is on an existing collection route. Residents have also raised issues with the position of the bin store in relation to adjacent houses. The bin store is positioned approximately 8m from the boundary with the adjacent house and this is considered to be a reasonable distance to avoid unacceptable noise levels.

9.10 In terms of the effect of the proposal on the character of the area, the proposals are considered to be acceptable. The conversion of the building into apartments is acceptable in this residential area and the extension will give a more cohesive design to the property. The building will not extend further forward towards London Road than nearby properties and the trees along the boundary are shown to be retained.

## **ii. Tree Issues**

9.11 Trees on this site are protected by confirmed Tree Preservation Orders 198 and 745. Tree Service records indicate that a Copper Beech Ref T1 - TPO 745 collapsed in the earlier part of 2020. This was formerly a major constraint in relation to all previous development proposals on this site, specifically applications in 2008 and 2010. Both of these applications were refused at appeal partly for arboricultural reasons due to their impact on this and other trees.

9.12 The collapse of the Beech was dealt with under the Tree Preservation Order legislation. A replacement tree has now been provided on site and is shown on the submitted site plan. The replacement tree is automatically protected under the legislation and all original restrictions apply.

9.13 The site was the subject of dismissed planning appeals 08/00935/FUL & 10/00360/FUL and refused planning application 21/00460/FUL. The provision of parking spaces in close proximity to trees along the London Road boundary was part of the reason for previous dismissals at appeal. A root bridge construction method was recommended by the Council's tree officer for application 21/00460/FUL to enable parking spaces to be safely provided within the root protection areas (RPAs) of protected trees along the boundary with London Road. This was not provided by the applicant and the application was refused on the basis that the car parking spaces within the RPAs would have an adverse effect on trees. This current application does provide for a root bridge construction method under car parking spaces 13-22 which are the spaces within the RPAs of protected trees on the London Road boundary. This is considered to be an acceptable means of ensuring that the parking spaces do not adversely affect the health of these important trees.

9.14 Root Bridge is a modular steel lattice construction designed to protect tree roots where new developments are planned close to existing trees. It involves providing parking spaces on raised steel platforms above the RPA area. This protects the root areas from pressure from the use of the parking spaces which can result in compaction of soil and damage to tree routes, affecting the health of the trees. Subject to the provision of the root bridge construction in this area and suitable tree protection measures during construction, the tree service has no objection to the application.

## **iii Highway Issues**

### **Access**

9.15 The site is currently a small scale hotel and the access is located off the B3408 London Road via a private road known as Nevelle Close. The existing access will be reused for this proposal which is acceptable. Changes will be made to the access by the removal of existing walls at the entrance to ensure that delivery vehicles can safely enter the site.

### **Parking**



9.16 A total of 25 parking spaces have been provided which meets adopted car parking standards and includes 3 visitor parking spaces and 2 disabled parking spaces close to the main entrance to the building. Only 1 flat will need to have tandem parking which is considered to be acceptable.

9.17 Conditions will be required to ensure that parking spaces will be marked out and that spaces are signed where necessary to ensure that all cars use the spaces as intended to reduce the potential for overspill parking. Concerns have been raised in representations that parking from this site will take place outside the site in Nevelle Close. However, parking has been provided to meet parking standards and includes visitor parking.

9.18 The applicant has proposed 20% active and 20% passive electric vehicle parking provision which is acceptable. Due to the sensitive tree lined nature of the site a condition will require details of infrastructure such as ducting to be submitted for approval. This will also ensure that current provision and any future increases to the number of EV charging points will not have an adverse effect on trees. The level of EV charging proposed is acceptable in terms of current policy requirements

9.19 The refuse store to serve the site is shown to be relocated to the south west corner of the site, accessed from Nevelle Close. The site is currently served from Nevelle Close which is the existing refuse vehicles route and no change is therefore required to the refuse collection route or arrangements.

9.20 Cycle parking is required to be provided at one space per bedroom, a total of 24 cycle parking spaces. The development proposes eleven parking lockers, one for each apartment, provided around the perimeter of the building. Each locker would accommodate three cycles. A total of 33 cycle parking spaces will be provided which meets the adopted parking standards. A cycle parking stand is also provided for visitors.

#### **iv Biodiversity Issues**

9.21 The bat survey has been carried out by suitably qualified ecologists and in accordance with good practice guidance. The survey work shows that bats are unlikely to be present and therefore the local authority have sufficient information to conclude that the grant of consent would be unlikely to affect bats or their roosts.

#### **v Community Infrastructure Levy (CIL)**

9.22 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.

9.23 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

9.24 CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

9.25 Guidance in the Planning Obligations SPD, is relevant.

9.26 CIL receipts could be spent on infrastructure projects that it intends will be wholly or partly funded by CIL. These comprise:-

- Provision and enhancement of land to Suitable alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
- specified Local Road Network capacity improvements
- strategic road network improvement outside the borough
- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

#### **vi Thames Basin Heath SPA**

9.27 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m - 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has therefore been carried out including mitigation requirements.

9.28 This site is located within 5km of the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.29 The total SPA related financial contribution for this proposal is £64,438. A S106 agreement will be required to secure this contribution.

### **10. CONCLUSIONS**

10.1 This full application proposes the change of use of the existing building from hotel to residential use and the erection of a two and a half storey extension to provide 11 no two bed apartments following the part demolition of extensions to the building.

10.2 The change of use of the building from hotel to residential is considered to be acceptable in this predominantly residential area. The proposed extension and external changes to the building are also acceptable in terms of their impact on the character of the area and amenities of adjacent properties. Parking has been provided to meet parking standards and adequate bin store and cycle store provision has been provided.

10.3 Trees on the site are protected by Tree Preservation Orders 198 and 745. Trees on site are shown in submitted plans to be retained and following the refusal of previous applications on the site, a root bridge protection scheme has been proposed that would enable the car park to be provided within tree root protection areas without harm to the trees.

10.4 The layout also includes the replacement Beech tree covered by TPO which was previously removed on site.

10.5 The proposal results in a net increase in new dwellings within 400m - 5km of the SPA and therefore will need to secure the identified SPA Mitigation through a S106 Legal Agreement. In the absence of the completion of a satisfactory S106 legal agreement the application is contrary to policy NRM6 of the South East Plan, policy EN3 of the Bracknell Forest Borough Local Plan, policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

## 11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:

- i. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath SPA

the Assistant Director: Planning be authorised 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 and other submitted details received by the Local Planning Authority on 14.06.2022:

NATH-006 REV B  
NATH-005  
NATH-004 REV G  
NATH-003  
NATH-002  
NATH-001

100020449

Arboricultural Survey and Impact Assessment , Fines Bayliwick House Hotel, Bracknell , April 2022

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

03.No development shall take place until samples of the materials to include bricks, roof tiles, boarding and balcony screens 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]

04.No unit shall be occupied until a means of vehicular access has been constructed in accordance with the approved plan NATH-004 REV G. received on 14.06.2022.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

05. No unit 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]

06. No unit shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing.

REASON: In order to ensure bicycle facilities are provided.

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

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

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

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

08. No development shall take place until full details of the Drainage System has been submitted to and approved in writing by the Local Planning Authority.

This shall include:

- i) Results of intrusive ground investigations demonstrating the depth of the seasonally high groundwater table.
- ii) Calculations demonstrating the drainage design can accommodate the design rainfall using FEH rainfall data
- iii) Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table.
- iv) Where offsite discharge into public sewers is proposed, Thames Water consent to discharge at proposed discharge rate.

The development shall be carried out in accordance with the approved details.

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.

09. No development shall commence until details of how the surface water drainage system (inclusive of flood mitigation measures) shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

10. Prior to practical completion of any unit a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved in writing by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes or control mechanisms, and cover systems.

Reason: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

11. No unit hereby permitted shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

12. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) Induction and personnel awareness of arboricultural matters.
- b) Identification of individual responsibilities and key personnel.
- c) Statement of delegated powers.
- d) Timing and methods of site visiting and record keeping.
- e) Procedures for dealing with variations and incidents.

The programme of arboricultural monitoring shall be undertaken in full compliance with the approved details. A copy of the signed inspection report shall be sent to the local Authority following each visit. 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]

13. The development hereby permitted shall not be begun until:

(i) a site layout plan showing the proposed layout of all underground services and external lighting and

(ii) a programme for the phasing and timing of works

have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -

- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
- b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
- c) Soak-aways (where applicable)
- d) Gas, electricity, telecom and cable television and cabling for EV charging.) Lighting columns and all associated ducting for power supply.
- f) Phasing and timing of works.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: - In order to safeguard tree roots and thereby safeguard existing trees and other vegetation considered worthy of retention and to ensure new soft landscape planting areas are not adversely affected and can be used for their approved purpose, in the interests of the visual amenity of the area.

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

14. The development hereby permitted shall not be begun until:

- (i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development
- (ii) a programme and method of implementation.

have been submitted to and approved in writing by the Local Planning Authority.

The details in respect of (i) shall include:

- a) Existing and proposed finished levels.
- b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
- c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: In the interests of safeguarding the long term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

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

15. No development hereby permitted shall be begun until a site specific method statement (Method Statement) for the removal of all existing hard surfaced areas and structures of any other description, located within the minimum Root Protection Areas (RPAs) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- A) A site plan identifying all areas where such work is to be undertaken.
- b) Reinstatement to soft landscape area including proposed ground de-compaction works.
- c) Timing and phasing of works.

The approved Method Statement shall be observed, performed and complied with.

REASON: - In order to safeguard tree roots and thereby safeguard trees in the interests of the visual amenity of the area.

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

16. No development shall commence until a detailed site specific construction method statement (Construction Method Statement) for all hard surfaced areas of any description to include a Root Bridge construction system within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.

- b) Materials including porous surface finish.

c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.

d) Program and method of implementation and arboricultural supervision.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the units. The No Dig structure shall be retained in perpetuity thereafter.

REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area.

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

17. The protective fencing and other protection measures specified in the Arboricultural Survey and Impact Assessment 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 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]

18. The development hereby permitted shall not be begun until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -

a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.

b)Details of semi mature tree planting.

c)Comprehensive 5 year post planting maintenance schedule.

d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.

e)Means of enclosure (walls and fences etc)

f)Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods,

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

19. 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]

20. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that :

(a) the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20% unless otherwise agreed in writing by the Local Planning Authority).

has been submitted to and approved in writing by the Local Planning Authority. The building thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.  
[Relevant Plans and Policies: CSDPD Policy CS12]

Informative(s)

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



02. The applicant is advised that the following conditions require discharging prior to commencement of development: 3, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20.

03. The applicant is advised that the following conditions require discharging prior to practical completion of the development: 10,

The following conditions require discharge prior to the occupation of the dwellings hereby approved: 4, 5, 6, 11,

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

04. 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 takes effect on 15 June 2022 for use in England. It does not apply to work subject to a building notice, full plans applications or initial notices submitted before that date, provided the work is started on site before 15 June 2023. The applicant should familiarise themselves with, and comply with, the requirements of this document with regard to provision of electric vehicle charging infrastructure.

In the event of the s106 agreement not being completed by 31<sup>st</sup> March 2024, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons:

01. The occupants of the development would put extra recreational pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impact in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document, the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)