

Unrestricted Report

ITEM NO: 05

Application No.
22/00846/FUL

Ward:
Winkfield and Warfield
East

Date Registered:
13 October 2022

Target Decision Date:
8 December 2022

Site Address:

**Eggleton Cottage Chavey Down Road Winkfield Row
Bracknell Berkshire RG42 7PN**

Proposal:

Section 73 application to vary condition 02 (approved plans) of planning permission 20/00714/FUL for the erection of detached 3 bedroom dwelling with associated access and parking. (For clarification: this application seeks to make changes to the size and ridge height of the dwelling, changes to external appearance, including changes to windows and doors and addition of chimney).

Applicant:

Mrs G Parke

Agent:

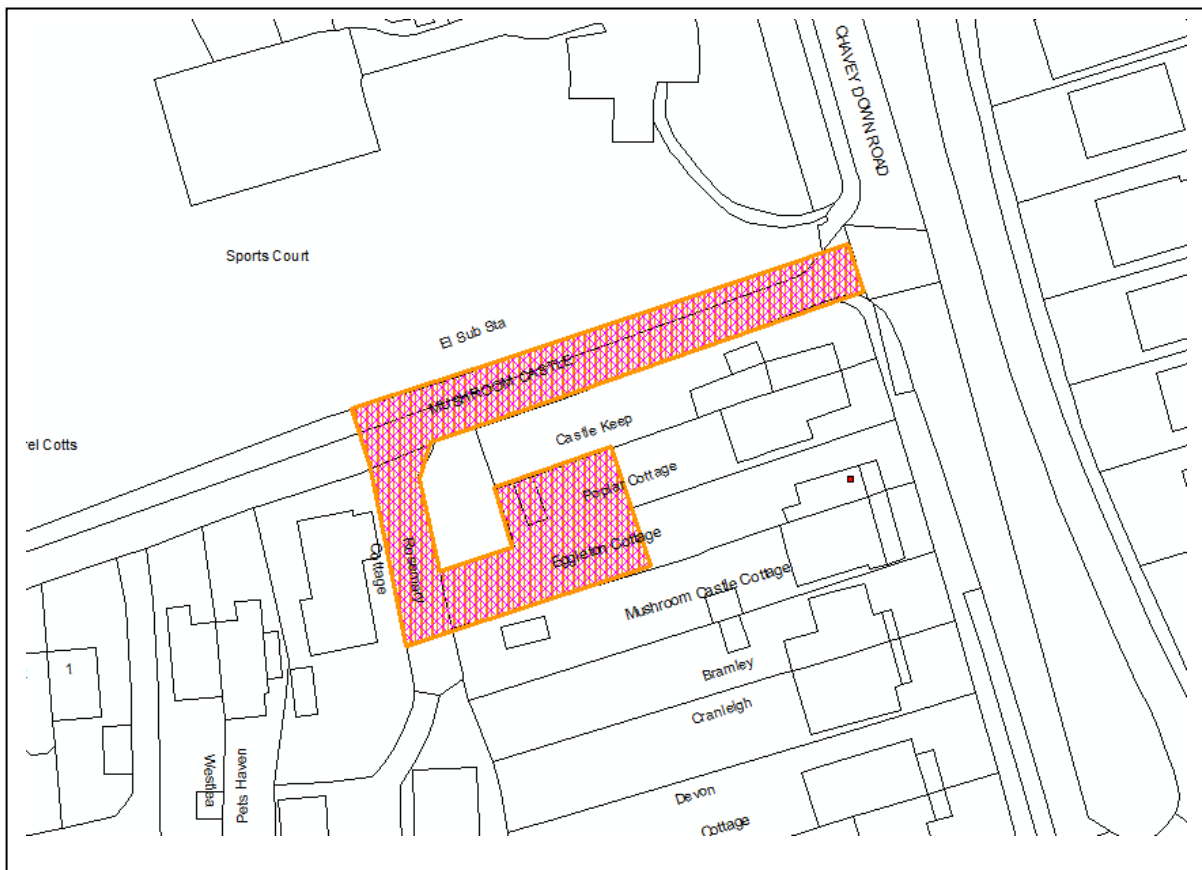
Ms Queenie Cheng

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The site is located within the settlement boundary. Parent permission 20/00714/FUL remains extant and could be implemented subject to approval of pre-commencement conditions. This constitutes a fallback position which should be afforded significant weight.

1.2 The amendments proposed by this S73 application which change the size, ridge height and external appearance of the proposed dwelling over and above that approved by the parent permission would not unacceptably affect the residential amenities of neighbouring occupiers or the character and appearance of the surrounding area.

1.3 Further, the changes would not result in additional impacts to highway safety, trees or biodiversity.

1.4 Subject to the receipt of SPA contributions secured by legal agreement as part of the parent permission, there would be no impact on the integrity of the Thames Basin Heaths SPA.

RECOMMENDATION

Planning permission be granted subject to the conditions in Section 10 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 as more than 5 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within a defined settlement boundary

Within 5km of the Thames Basin Heath SPA
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Located within Area D: Winkfield Row South (Northern Villages Study Area) of Character Area Assessments Supplementary Planning Document.
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3.1 The application site consists of part of the rear gardens of residential dwellings known as Eggleton Cottage and Poplar Cottage. Both these dwellings face on to Chavey Down Road. The application site is accessed from Mushroom Castle.

3.2 The surrounding area is residential, comprising predominately semi-detached and detached dwellings of differing architectural design.

4. RELEVANT SITE HISTORY

4.1 Application, LPA ref: 19/01031/FUL was refused at Planning Committee in June 2020 against officer recommendation for the erection of no1. two storey, 3 bedroom dwelling including soft and hard landscaping with access from Mushroom Castle for the following reasons:

1. The proposed development, by means of its siting, overall height and bulk, would have an adverse impact on the character and appearance of Mushroom Castle. The proposal would therefore be contrary to Saved Policy EN20 of the Bracknell Forest Borough Local Plan and Policy CS7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

2. The proposed development would have an unacceptable degree of overlooking towards the rear gardens of the immediate neighbouring properties facing onto Chavey Down Road. The proposal would therefore result in an adverse impact on amenity of neighbouring occupiers, contrary to 'Saved' Policy EN20 of the BFBLP and the NPPF.

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

4.2 20/00714/FUL was approved in January 2022 for the erection of a detached 3 bedroom dwelling with associated access and parking.

5. PROPOSAL

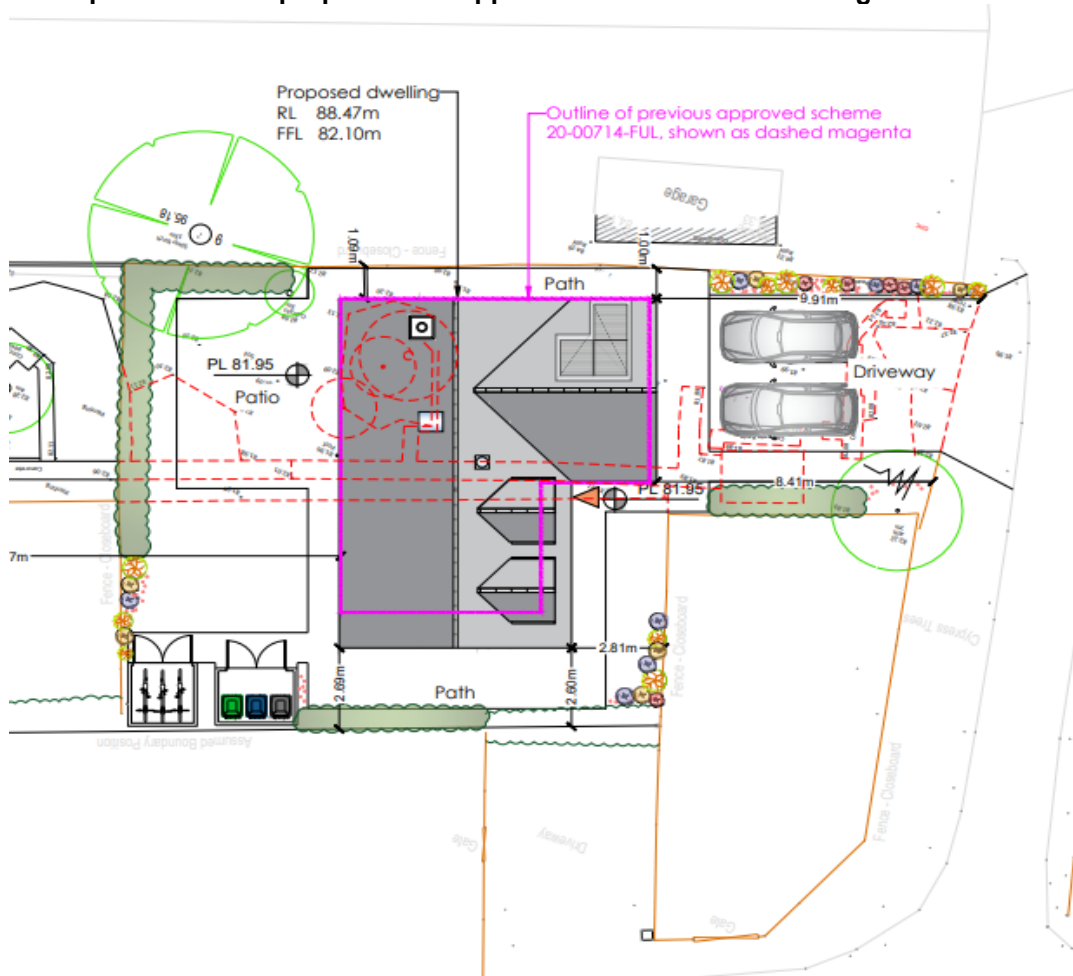
5.1 This is a Section 73 application to vary condition 02 (approved plans) of planning permission 20/00714/FUL for the erection of a detached 3 bedroom dwelling with associated access and parking. (For clarification: this application seeks to make changes to the size and ridge height of the dwelling, changes to external appearance, including changes to windows and doors and addition of a chimney).

5.2 The development subject to this S73 application proposes a dwelling that would be 11.57m wide and 9.6m deep, with an eaves height of 2.4m and ridge height of 6.52m. The proposal has been amended during the course of the application, including reductions to the width and depth of the dwelling from that originally proposed at the date of submission of this S73 application.

5.3 The dwelling would comprise the following layout:
GROUND FLOOR: open plan kitchen/diner/living area, utility room, WC, hallway, bedroom with en-suite.
FIRST FLOOR: 2no. bedrooms, bathroom, storage areas.

5.4 The proposed dwelling would be accessed from Mushroom Castle. On-site parking would be provided for 2no. vehicles, along with a private side/rear garden and bin and cycle storage.

Block plan extract of proposal with approved scheme shown in magenta



5.5 A comparison of the width, depth and height of the dwelling approved by the parent permission, along with that originally proposed by this S73 application and subsequent amendments made during the course of the application are set out below:

	Approved by 20/00714/FUL	Original plans submitted with current S73 application	Amended plans submitted and proposed with current S73 application
Width	10.4m	12.59m	11.57m 1.02m less than originally proposed by this S73 application.

			+1.17m increase from permission 20/00714/FUL
Depth	9.4m	10.2m	9.6m 0.6m less than originally proposed by this S73 application. +0.2m increase from permission 20/00714/FUL
Height	6m	6.52m	6.52m 0.23m less than refusal 19/01031/FUL +0.52m increase from permission 20/00714/FUL
Eaves height	2.4m	2.4m	2.4m

5.6 This report will focus on the changes proposed by this S73 application and will not re-assess the scheme as a whole which benefits from planning permission established by 20/00714/FUL.

Legislative Background

5.7 An application can be made under Section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Planning permission cannot be granted under S73 to extend the time limit within which a development must be started and cannot be used to change the description of the development.

5.8 S73 applications can secure material changes as long as they do not lead to any conflict or inconsistency with the operative part (description of development) of the original planning permission. The development subject to this S73 application does not alter the description of the parent planning permission (the proposal is for the erection of a new 3 bedroom dwelling).

5.9 The S73 application takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Recommended refusal for the following reasons:

1. The proposed development, by means of its siting, overall height and bulk, would have an adverse impact on the character and appearance of Mushroom Castle. The proposal would therefore be contrary to Saved Policy EN20 of the Bracknell Forest Borough Local Plan and Policy CS7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

2. The proposed development would have an unacceptable degree of overlooking towards the rear gardens of the immediate neighbouring properties facing onto Chavey Down Road. The proposal would therefore result in an adverse impact on amenity of neighbouring occupiers, contrary to 'Saved' Policy EN20 of the BFBLP and the NPPF.

Other representations

6.2 10no. letters of objection received, summarised as follows:

- The proposed changes are not minor.
- The proposed dwelling is larger in width, depth and height than that approved and the changes are therefore substantially different from the approved scheme.
- The proposed changes are very close to/more than the scale and height of the scheme refused by application 19/01031/FUL. Given the scale of increases over the approved scheme, the application should be refused.
- The proposal is cramped, not in keeping with the area and will impact upon the neighbourhood.
- Impact to neighbours, including overlooking, visually intrusive.
- Mushroom Castle is a private road and there have been issues with other builds in the area.
- The lane needs to be maintained by residents and it cannot cope with the amount of homes now using it for access.
- Sewerage and drainage already under pressure in immediate area and proposal will result in additional runoff.

6.3 2no. letters of support received:

- The proposal is a bespoke, timber frame kit home which would have the benefit of a quicker build, less disruption and less building delays, energy efficient and environmentally friendly, low impact design.
- This is a private self-build for a healthcare professional who works in the local community supporting residents.
- The proposal will not be cramped, there will be ample garden space.
- Proposal will not impact neighbours.
- Proposal will not appear out of keeping in the area.
- No reasons for the application to be refused.

7. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD, Policy W1 of the WNP	Consistent
Design/character of area	CS7 of CSDPD, Saved policy EN20 of BFBLP, Policies W2 and W3 of the WNP	Consistent
Residential Amenity	Saved Policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Design SPD		
Parking Standards SPD		
Character Area Assessments SPD		
Thames Basin Heath Special Protection Area (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
Winkfield Neighbourhood Plan (December 2023)		

8. PLANNING CONSIDERATIONS

8.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of surrounding area
- iv. Impact on highway safety
- v. Trees and Biodiversity
- vi. Flooding/drainage
- vii. Thames Basin Heath SPA
- viii. Community Infrastructure Levy (CIL)
- ix. Energy sustainability
- x. Conditions

i. Principle of development

8.2 The site is located within the settlement boundary. The granting of parent permission 20/00714/FUL is a material consideration to the determination of this revised application. The parent permission remains extant and could be implemented subject to approval of pre-commencement conditions.

8.3 Since the granting of the parent permission, the Winkfield Neighbourhood Plan was made on 12 December 2023 and forms part of the Development Plan.

8.4 The relevant policies of the Neighbourhood Plan applicable to this S73 application are set out below.

8.5 Policy W1: A Spatial Plan for the Parish states that the following spatial strategy principles must inform development proposals in the Parish. New development is directed predominantly to the settlement areas outside of the Green Belt.

8.6 Policy W2: Promoting High Quality Design in the Character Areas states:

A. Development proposals should deliver a high quality of design, use of high quality materials and reflect the character of the surrounding area.

B. Proposals for development will be supported provided they demonstrate appropriate regard to the character area within which they are located (as shown on the Policy Map)...
Chavey Down Road - Development proposals should reflect the pattern of building forms, plot widths and orientation along the road...

8.7 Policy W3: Design of Parking, Garaging, Ancillary Buildings and EV charging point provision states that the provision of parking, garaging or ancillary buildings and electric vehicle charging points should be incorporated sensitively within development proposals and their landscaping by ensuring that:

- i. the design and layout are visually subservient to the main property and not obscure or dominate the house frontage or approach; and
- ii. the visual impact on the wider streetscape is softened with adjacent planting.

8.8 The proposal is therefore considered acceptable in principle subject to material considerations based solely on the amendments that form part of this S73 application and taking into consideration any relevant policies of the Winkfield Neighbourhood Plan.

ii. Residential amenity

8.9 As established by the parent planning permission, the proposed dwelling would result in the sub-division of part of the rear gardens serving both Poplar Cottage and Eggleton Cottage to the east. The siting of the proposed dwelling relative to the rear elevations of Poplar Cottage and Eggleton Cottage would not alter from that approved by the parent permission and therefore no additional impact would result to the occupiers of these adjoining dwellings through overbearing impact or loss of daylight over and above that considered by the parent permission. On the rear (eastern) elevation of the proposed dwelling, a new rooflight is proposed on the eastern roof slope not approved by the parent permission. Planning conditions are recommended to ensure that the cill height of the rooflight would be no less than 1.7m above internal floor level and that no additional windows are proposed on the eastern roof slope.

8.10 The application site adjoins the rear garden of Mushroom Castle Cottage to the south. The siting of the proposed dwelling relative to the rear elevation of Mushroom Castle Cottage

would not alter from that approved by the parent permission. Whilst there would be a 0.52m increase in the ridge height of the roof of the dwelling over that approved by the parent permission, given the separation distance and that the dwelling would remain 1.5 storeys high with the same eaves height as approved, the amended scheme would not result in unacceptable overbearing or overshadowing impact to the occupiers. A high level window is proposed on the side (southern) elevation of the dwelling at first floor level which will serve a bathroom. The parent permission also approved a window on the southern elevation at first floor level. A planning condition is recommended to ensure that the window is high level, with the cill height no less than 1.7m above internal floor level to ensure that no overlooking and loss of privacy results to the garden of Mushroom Castle Cottage. A further condition is recommended to remove permitted development rights for any additional windows at first floor level on the southern elevation of the dwelling as per the parent permission.

8.11 To the north the application site adjoins the rear garden of Castle Keep. The width of the dwelling would increase by 1.17m towards the northern boundary, however, a 2.6m separation distance would be maintained to this boundary, with a 25m separation distance to the rear elevation of Castle Keep. The increase in ridge height of the dwelling by 0.52m, along with the increase in width towards the northern boundary would not result in unacceptable overbearing or overshadowing impact to the occupiers of Castle Keep in view of the back to back separation distances and that the eaves height would remain the same as previously approved. The dwelling would remain 1.5 storeys high. No windows are proposed at first floor level on the northern elevation/roof slope facing the garden of Castle Keep and this will be controlled by planning condition.

8.12 To the south-west and west of the site lie April Cottage and Rosemary Cottage. The proposed dwelling would face onto the side elevation of Rosemary Cottage and its rear garden as established by the parent permission. The front elevation of the proposed dwelling would be set between 14.5m and 16.3m from the side boundary with Rosemary Cottage, with a 15.5m separation distance between the proposed dwelling and Rosemary Cottage at the closest point. The ridge height of the proposed dwelling would increase by 0.52m as part of this S73 application, however, given the separation distances, the unchanged eaves height and the access drive between the application site and Rosemary Cottage, the proposal would not result in an unacceptable level of overlooking/loss of privacy or appear unduly overbearing to the occupiers of Rosemary Cottage. In relation to April Cottage, the front elevation of the proposed dwelling closest to the southern boundary would increase in depth by 0.2m, along with the 0.52m increase in ridge height over and above that approved by the parent permission. However, an approximate 20m separation distance would be maintained between the front elevation of the proposed dwelling and given the orientation of April Cottage relative to the proposed dwelling, the changes would not result in unacceptable overbearing impact or overlooking/loss of privacy.

8.13 As such, the changes proposed by this S73 application would not be considered to significantly affect the residential amenities of neighbouring occupiers. As such, the proposal would be in accordance with Saved policy EN20 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

8.14 The parent permission 20/00714/FUL approved a new dwelling in the rear gardens of Eggleton and Poplar Cottages on Chavey Down Road as backland development on a site located within the settlement boundary. Policy W1 of the WNP states that new development should be directed predominantly to the settlement areas. The principle of development for the erection of a 3 bedroom dwelling within the settlement boundary is not altered by this S73 application.

8.15 Policy W2 of the WNP states that in the Chavey Down Road character area, development should reflect the pattern of building forms, plot widths and orientation along the road.

8.16 The access and orientation of the dwelling subject to this S73 application would remain the same as that approved by the parent permission, along with the setback of the proposed dwelling from Chavey Down to the east and Mushroom Castle to the north. The siting of the dwelling remains largely unaltered from that approved by the parent permission with the exception of an increase in the width and depth of the proposed dwelling.

8.17 The proposed dwelling would be 1.17m wider (increasing in width from 10.4m to 11.57m) and 0.2m deeper (increasing from 9.4m to 9.6m) than that approved by the parent permission. However, these are considered modest increases, with the proposed dwelling still maintaining adequate separation distances to the northern (2.6m) and southern (1m) boundaries, allowing pedestrian access to the rear garden for bin and cycle storage. Whilst there would be modest increases in the width and depth of the dwelling proposed by this S73 application when compared to the parent permission, the size of the development plot is comparable with other plot sizes in the area. The plot would accommodate on-site parking provision, bin and cycle storage, and a private rear garden.

8.18 The dwelling proposed by this S73 application would be 0.52m higher than that approved by the parent permission, at a height of 6.52m but would maintain low eaves height of 2.4m, as approved by the parent permission. Whilst the ridge height of the proposed dwelling would be taller than that approved, it would still take the form of a 1.5 storeys high dwelling with rooms in the roof space, as opposed to a full two storeys high dwelling refused by previous application 19/01031/FUL (which had a ridge height of 6.75m and eaves height of 4.9m). The proposal would not be considered to appear visually intrusive from the access drive or within the surrounding area due to its setback, height and design and would therefore not adversely impact the existing street scene on Chavey Down Road or Mushroom Castle (including the access drive from which it would be accessed).

As proposed by this S73 application:



As approved by parent permission 20/00714/FUL:



8.19 Policy W2 of the WNP states that development proposals should deliver a high quality of design, use high quality materials and reflect the character of the surrounding area. The design of the proposed dwelling would remain largely unchanged from that approved by the parent permission, comprising a pitched roof, with front facing gable and front facing dormer windows. A chimney and changes to fenestration are proposed by this S73 application but these would be modest changes to the external appearance of the proposed dwelling and would maintain the cottage style appearance as originally approved by the parent permission. The external walls of the dwelling would be finished in brick as per the parent permission. Dwellings within the immediate area comprise a mix of brick types or fully rendered walls. A planning condition will secure details of materials for the proposed dwelling to be submitted to the LPA for final approval.

8.20 Policy W3 of the WNP states that parking should be incorporated sensitively within development proposals and their landscaping. The dwelling would be provided with 2no. on-site parking spaces in accordance with the Council's Parking Standards, acceptable pedestrian access to the front of the proposed dwelling and planting strips, laid out in a very similar arrangement to that approved by the parent permission. A planning condition will secure details of landscaping to be submitted to the LPA for final approval.

8.21 The changes proposed by this S73 application would not adversely affect the character and appearance of the surrounding area, in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, the Character Area Assessments and Design SPDs, Policies W1, W2 and W3 of the WNP and the NPPF.

iv. Highway implications

8.22 The proposal would not result in additional traffic movements or require additional parking over and above that considered and approved by the parent permission. 2 car parking spaces are proposed for the dwelling, along with cycle storage for 3no. cycles, in accordance with the Parking Standards SPD.

8.23 As per the parent permission, a bin store would be provided on site and bins collected from the end of the driveway that serves the proposed dwelling and two other existing dwellings to the south-west of the application site. An informative will be carried forward as part of this S73 application to address this.

8.24 A Construction Traffic Management Plan was submitted with the parent permission with included details of the types of vehicles needed to construct the development, swept paths and access. A planning condition was included on the parent permission requiring the development to be constructed in accordance with the submitted plan. This will be carried forward as part of this S73 application.

8.25 As such, the changes proposed by this S73 application would not result in adverse highway safety implications, in accordance with CS23 of the CSDPD, Saved Policy M9 of the BFBLP, the Parking Standards SPD and the NPPF.

v. Trees and Biodiversity

8.26 There are no trees within the application site which are protected by a Tree Preservation Order and the site is also not located within a Conservation Area. A condition was imposed on the parent permission to secure details of landscaping which will be carried forward as part of this S73 application.

8.27 In relation to biodiversity, the application site forms part of the residential gardens of the existing dwellings at Eggleton Cottage and Poplar Cottage and is of low ecological value. A condition imposed on the parent permission to secure biodiversity enhancements will be carried forward as part of this S73 application.

8.28 As such, the changes proposed by this S73 application would not adversely impact upon biodiversity and would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

vi. Flooding and drainage

8.29 The site is located within Flood Zone 1. The site has not been identified as at risk of surface water flooding and is sited within the lowest groundwater flood risk. The site is considered to be at low risk of flooding, such that the Sequential Test is not required.

8.30 A condition is recommended to ensure that the hard-surfaced areas proposed for access and on-site parking/turning are SuDS compliant.

vii. Thames Basin Heath Special Protection Area (SPA)

8.31 The applicant entered into a legal agreement to secure contributions to mitigate the impact of development on the SPA with the parent permission 20/00714/FUL. This revised application does not result in a net increase in the number of bedrooms over and above that previously considered and approved by the aforementioned permission and therefore no additional contributions would be required as part of this revised application. The SPA contributions can be secured by the parent permission subject to indexation.

viii. Community Infrastructure Levy (CIL)

8.32 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.

8.33 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings.

8.34 The site lies within the charging zone of the Northern Parishes.

ix. Energy sustainability

8.35 As per the parent permission, a planning condition will secure the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD in relation to water usage.

8.36 A further planning condition is recommended in relation to the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD in relation to renewable energy.

x. Conditions

8.37 Conditions imposed on parent permission 20/00714/FUL will be carried forward/amended as part of this S73 application.

9. CONCLUSION

9.1 The site is located within the settlement boundary. Parent permission 20/00714/FUL remains extant and could be implemented subject to approval of pre-commencement conditions. This constitutes a fallback position which should be afforded significant weight.

9.2 The amendments proposed by this S73 application which change the size, ridge height and external appearance of the proposed dwelling over and above that approved by the parent permission would not unacceptably affect the residential amenities of neighbouring occupiers or the character and appearance of the surrounding area.

9.3 Further, the changes would not result in additional impacts to highway safety, trees or biodiversity.

9.4 Subject to the receipt of SPA contributions secured by legal agreement as part of the parent permission, there would be no impact on the integrity of the Thames Basin Heaths SPA.

9.5 The application is therefore recommended for conditional approval.

10. RECOMMENDATION

10.1 That the application be approved subject to the following conditions:

01. The development hereby permitted shall be begun before the expiration of three years from the date (26 January 2022) of planning permission 20/00714/FUL.

REASON: A section 73 application cannot be used to vary the time limit for implementation therefore this condition must remain unchanged from the original permission.

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

Drawing no. 22-048-101 Rev C received 18 September 2023

Drawing no. GF Rev F received 18 August 2023

Drawing no. FF Rev F received 18 August 2023

Drawing no. R Rev F received 18 August 2023

Drawing no. E Rev F received 18 August 2023

Drawing no. BBS Rev F received 18 August 2023

Drawing no. SEC Rev F received 18 August 2023

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

03. The development hereby permitted shall not be begun until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the 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, CSDPD CS7]

05. The first-floor window in the southern elevation and the rooflight in the eastern elevation of the dwellinghouse hereby permitted shall have cill heights no less than 1.7m above the internal floor levels of the rooms in which they are installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant policies: BFBLP EN20]

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the roof slope of the eastern elevation of the dwelling hereby approved or on the northern and southern elevations roof slopes and at first floor level and above, except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

07. The dwelling hereby permitted shall not be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in 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, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such.

REASON: In the interests of good landscape design and the visual amenity of the area.

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

08. The dwelling hereby permitted shall not be occupied until details of a scheme of walls, fences, gates 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 before the occupation of the approved dwelling.

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

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

09. The development hereby permitted shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

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

[Relevant Policy: CSDPD CS10]

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

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

[Relevant Plans and Policies: CSDPD Policy CS12]

11. The dwelling hereby permitted shall not be occupied until the associated vehicle parking spaces have been surfaced in accordance with the approved plans. The spaces shall be retained and 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, CSDPD CS23]
12. The dwelling hereby permitted shall not be occupied until secure and covered cycle parking has been provided in accordance with the approved plans. The facilities shall thereafter be retained.
REASON: In the interest of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, CSDPD CS23]
13. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.
REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.
[Relevant Policies: BFBLP EN25, CSDPD CS1]
14. 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) Storage of plant and materials used in constructing the development;
 - (c) Temporary portacabins and welfare for site operatives.Loading and unloading of plant and vehicles and wheel cleaning facilities, including control of dust/dirt shall be undertaken in accordance with the details contained in the Framework Construction Traffic Management Plan reference SJ/ITB16028-001A TN dated 26 April 2021 received as part of planning permission 20/00714/FUL.
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 their approved purposes.
REASON: In the interests of amenity and highway safety.
[Relevant Policies: BFBLP M9, CSDPD CS23]
15. The dwelling hereby permitted shall not be occupied until a scheme for the provision of biodiversity enhancements 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 thereafter be performed, observed and complied with prior to the occupation of the dwelling hereby approved and retained as such thereafter.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
16. The development shall be constructed in accordance with the Framework Construction Traffic Management Plan reference SJ/ITB16028-001A TN dated 26 April 2021 received as part of planning permission 20/00714/FUL.
REASON: In the interests of highway safety and amenity of neighbouring dwellings during the construction period.
[Relevant Policies: BFBLP EN20, CSDPD CS23]

17. The internal floor layout of the dwelling as shown on drawing nos. GF Rev F and FF Rev F received 18 August 2023 by the Local Planning Authority shall be laid out as approved and thereafter retained as such so that the dwelling comprises a maximum of 3 bedrooms at any time.

REASON: To ensure adequate parking provision is provided and that no additional impact to the Thames Basin Health SPA occurs.

[Relevant Policies: BFBLP EN3, M9, CSDPD CS14, CS23, SEP NRM6]

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

1. Time limit
2. Approved plans
5. Cill heights
6. Restrictions on windows
11. Parking
12. Cycle parking
13. SuDS
16. Construction Traffic Management Plan
17. Number of bedrooms

The following conditions require discharging prior to commencement of development:

3. Materials
4. Slab level
9. Sustainability Statement
10. Energy Demand Assessment
14. Site organisation

The following conditions require discharge prior to the occupation of the dwelling hereby approved:

7. Landscaping
8. Boundary treatment
15. Biodiversity enhancements

03. Future occupiers of the dwelling will need to carry their bins/refuse to the end of the driveway onto Mushroom Castle on bin collection day.
04. To ensure compliance with the planning condition requiring construction of the site in accordance with the Framework Construction Traffic Management Plan (condition 16) the developer will need to ensure that construction vehicles accessing the development site do not exceed the sizes set out within the Framework Construction Traffic Management Plan; that construction vehicles are scheduled so as not to obstruct Mushroom Castle nor the access road from

Mushroom Caste to the development site, which also serves Mushroom Castle Cottage, April Cottage and Inglewood Cottage (no.2 Mushroom Castle); and that all vehicles enter and leave Mushroom Castle from/to Chavey Down Road in a forward gear.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed on-line at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk