

## Unrestricted Report

**ITEM NO: 06**

Application No.  
**23/00583/FUL**  
Site Address:

Ward:  
Crowthorne

Date Registered:  
22 August 2023

Target Decision Date:  
17 October 2023

### Former The Mango Tree 63 Church Street Crowthorne Berkshire RG45 7AW

Proposal:

Section 73 application to vary Condition 02 (approved drawings) of Planning Permission 21/00217/FUL (Construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.) [Note for clarification: application proposes internal changes to ensure compliance with Building Regulations and change to size of flats provided at 2nd floor level which necessitates changes to fenestration including the provision of 2no. additional dormer windows].

Applicant:

Mr Jobson

Agent:

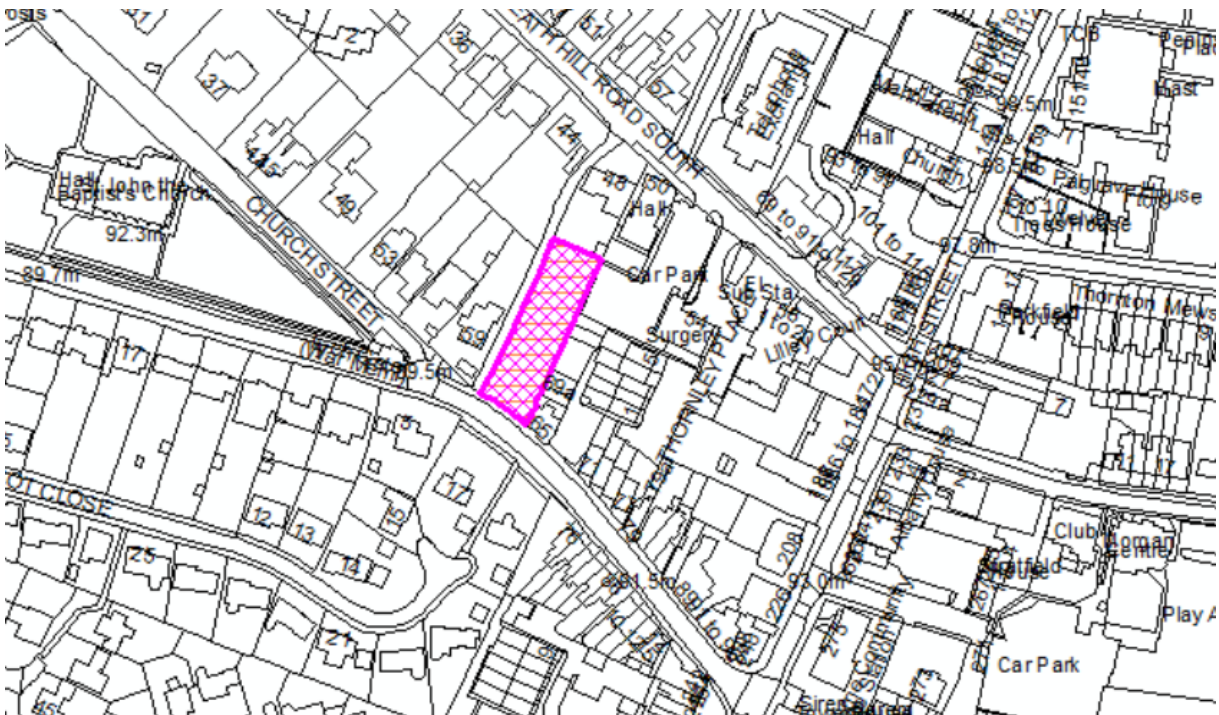
Gavin Rossner

Case Officer:

Katie Andrews, 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 a Section 73 application to vary Condition 02 (approved drawings) of planning permission 21/00217/FUL for the construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.

1.2 The amendments to the application would result in internal changes to ensure compliance with Building Regulations and change to the size of the flats provided at the second floor level, from 2 x 2 bed flats to 1 x 1 bed and 1 x 3 bed flat, which necessitates changes to fenestration including the provision of 2no. additional dormer windows. These changes are not considered to significantly harm the amenity of the neighbouring dwellings or the Crowthorne Conservation Area, having a neutral effect.

1.3 The proposal, as amended, will retain the same layout, and size of building, and parking as under 21/00217/FUL. This layout provides parking in compliance with the parking standards SPD and a safe and functional vehicular access.

1.4 A deed of variation to the signed S106 agreement dated 25 October 2022 in relation to 21/00217/FUL would be required if permission for this section 73 application is granted so that the original s106 agreement is linked to this Section 73 approval.

<b>RECOMMENDATION</b>
-----------------------

Planning permission be granted subject to a deed of variation to the original s106 agreement and the conditions in Section 11 of this report.
-----------------------------------------------------------------------------------------------------------------------------------------------

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

2.1 The application is being reported to the Planning Committee at the request of Councillor Brown, Councillor Tina McKenzie-Boyle and Councillor Robertson.

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

<b>PLANNING STATUS</b>
------------------------

Within Defined Settlement
---------------------------

Within 5km of the SPA
-----------------------

Within Crowthorne Conservation Area
-------------------------------------

Crowthorne Study Area C (Crowthorne Centre) of the Character Area Assessments SPD
-----------------------------------------------------------------------------------

3.1 The site is now vacant but was previously occupied by the Mango Tree which was a detached building comprising a restaurant (Class A3) on the ground floor and a three-bedroom flat at first floor level. The site had a side vehicular access which leads to parking at the rear.

3.2 The site is located close to Crowthorne High Street but is not within Crowthorne Village Centre, as defined by the Bracknell Forest Borough Policies Map, which borders the site to the east. It is located within the Crowthorne Conservation Area which extends to High Street to the east and along Church Street around St John the Baptist Church to the west.

3.3 The site is bordered by No.59 Church Street to the west and No.67 Church Street to the east. It is noted that No.67 Church Street is now in residential use following the cessation of the ground floor fish and chip shop (Class A5) use.

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

4.1 The planning history for this application site is as follows:

4.2 Application 15/01269/FUL - Change of use from a restaurant with residential flat over to residential flats providing 2no. two-bedroom units at the ground floor level and 1no. two-bedroom unit and 1no. one bedroom unit at first floor level with shared amenity space - APPROVED (with Legal Agreement) 2016

4.3 Application 16/00074/FUL - Change of use from a restaurant (A3) with residential flat to single family dwelling (C3) - APPROVED 2016

4.4 Application 16/01236/FUL - Change of use from A3 restaurant with residential flat over to C3 residential providing 5no. 2 bed flats over 3 floors with private shared amenity space and car parking. This includes alterations and extensions to the existing building including a basement. (Note: This application is an amended scheme to planning permission 15/01269/FUL) - APPROVED (with Legal Agreement) 2017

4.5 Application 17/01273/FUL - Erection of three storey building providing 5no. 2 bed flats over 3 floors with private shared amenity space and car parking following demolition of existing building. APPROVED (with Legal Agreement) 2018

4.6 18/00375/NMA - Non-Material Amendment to alter roofline and fenestration for planning permission 17/01273/FUL. APPROVED 2018

4.7 During the stripping out of the building in accordance with permission 16/01236/FUL, it became apparent that the fabric of the building was in poor condition with the walls at first floor level bowing inward and as such, that permission could not be implemented due to the structural instability of the building. Planning permission 17/01273/FUL was subsequently granted. Under that permission, the building was to be taken down brick by brick with the bricks cleaned and re-used in the construction of the new building.

4.8 20/00347/FUL Construction of a replacement building to provide 10 No. residential flats with ancillary car parking and landscaping. REFUSED 24.09.2020.

4.9 21/00217/FUL Construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping. Approved (with Legal Agreement) 03.11.2022.

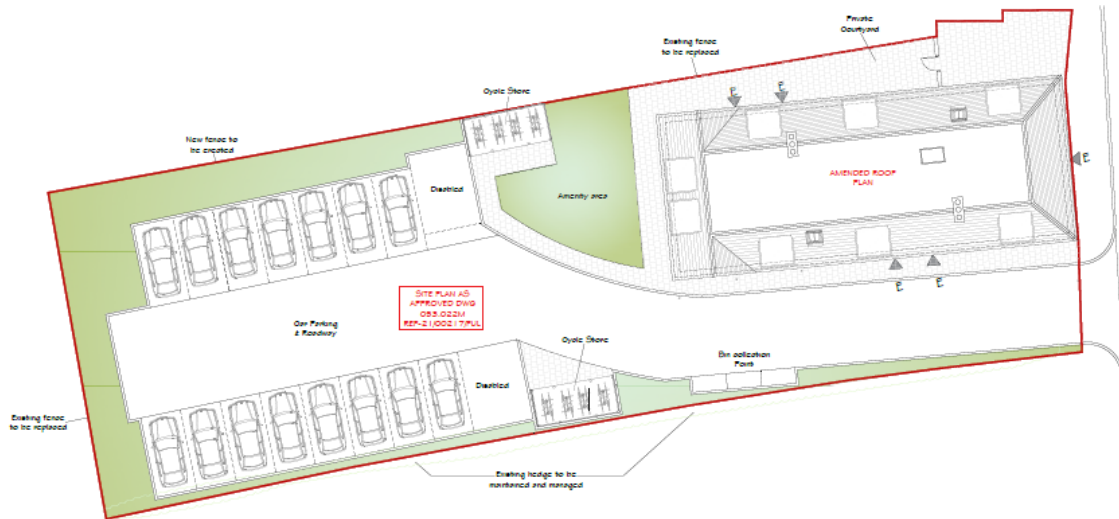
#### **5. THE PROPOSAL**

5.1 This application has been submitted as a Section 73 application as it proposes an amendment to the original planning permission 21/00217/FUL for the construction of a replacement building to provide 8 no. residential flats with ancillary car parking and landscaping, by amending condition 02 which refers to the approved plans.

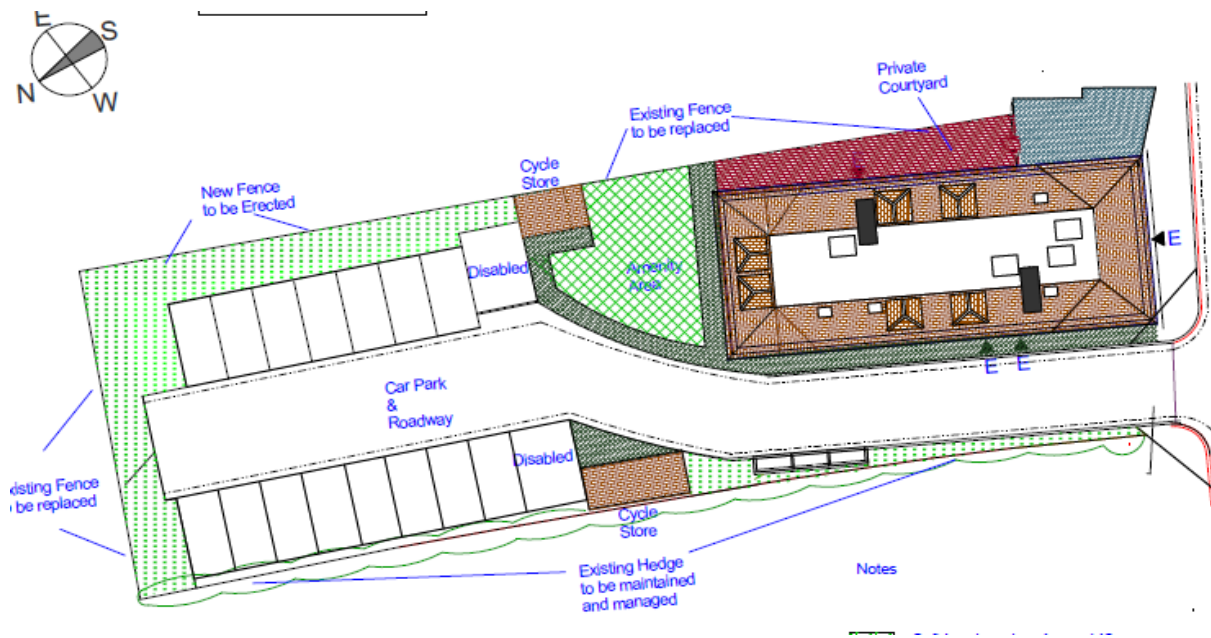
5.2 The amendments to the application are as follows:

- Within the second floor change to the flat sizes from 2 x 2 beds to 1 x 1 bed and 1 x 3 bed.
- Insertion of 2 additional dormer windows in roof.
- Minor changes to the window positions on the building.

- Use of reclaimed bricks rather than bricks previously retained from the demolition of the original building.



### Proposed Layout



### Approved Layout





**Approved Front Elevation**



**Approved Rear Elevation**



**Approved South East Elevation**



**Approved South West Elevation**

### Legislative Background

5.3 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.

5.4 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 to provide 8 No. residential flats with ancillary car parking and landscaping).

5.5 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**

### Crowthorne Parish Council

#### 6.1 Recommends refusal:

- Overdevelopment of the site and layout would not preserve or enhance character of the Crowthorne Conservation Area, detrimental to the amenities of the area.
- Loss of hedges and trees, due to parking, cycles, and waste bin storage in proximity, will have an adverse effect on the Conservation Area and biodiversity of area.
- Sustainable surface water drainage has not been considered.
- There are no plans submitted as to how the boundaries would be secured in respect of site levelling.
- The layout is substandard, including placing the access road too tight to the proposed building. The site does not demonstrate a safe and suitable access to the site can be achieved for all users.
- Lack of visitor carparking.
- The original brickwork must be used.

### Other Representations

6.2 Three letters of objection have been received raising the following material considerations

- Overdevelopment of the site.
- Harm to Crowthorne Conservation Area.
- Detrimental to the amenities of the area.
- Loss of hedges and trees, due to parking, cycles, and waste bin storage in proximity, will have an adverse effect on the Conservation Area and biodiversity of area.
- Noise and disturbance from cars.
- Sustainable surface water drainage has not been considered; backyard gets flooded every time it is heavily raining because the sewage system is overwhelmed.
- There are no plans submitted as to how the boundaries would be secured in respect of site levelling.
- Development intends eight residential flats. There is a lack of visitor car parking arrangements, with non-adherence to Parking SPD March 2016 par.4.4.
- Church Road is an unadopted road maintained at the expense of the Church and residents of the road. Please consider introducing enforced parking restrictions in Church Street.



- The original brickwork is required to be reused under 17/01273/FUL and 20/00217/FUL. The bricks are not stored on the site, impossible for the new building to be constructed with original bricks, which was requirement of previous planning.
- The site should be redeveloped on a smaller scale.

6.3 One further letter has also been received neither objecting or supporting, but raising the following issues:

- No objection to changes proposed to internal layout and windows.
- Important that all conditions attached to 21/00217/FUL carried forward to this application.
- If re-use of existing bricks not available, applicant should be required to procure used bricks of a similar look for outer walls.

*[Officer note: the principle of the development has been established under extant planning permission 21/00217/FUL. This permission accepted that the development would not have a materially adverse impact on the character of the area, highway safety, surface water flooding, trees/vegetation or biodiversity and would provide an acceptable size and scale of building and layout of the site,]*

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highways Officer

7.1 No objection following receipt of amended plans showing the same layout as extant application 21/00217/FUL.

### Heritage Consultee

7.2 No objection subject to conditions.

## 8. DEVELOPMENT PLAN

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

Development Plan policies relevant to the consideration of the application:
LP1 (Spatial Strategy)
LP2 (Settlement hierarchy)
LP 3 ( Sustainable development principles)
LP4 (Provision of housing)
LP25 (Transport principles)
LP27 (Climate Change)
LP28(Design Principles)
LP29 (Conservation and enhancement of the historic environment)
LP32(Thames Basin Heaths Special Protection Area)
LP38 (Accessible and adaptable dwellings)
LP40 (Housing mix)
LP50 (Design)
LP53 (Biodiversity)
LP55 (Sustainable construction)
LP57 (Sustainable Drainage Systems (SuDS))
LP60 (Assessing transport impacts and requirements)
LP62 (Parking)

The Crowthorne Neighbourhood Plan was adopted 9 June 2021. The relevant policies from this which are considered consistent with the NPPF are:



CR1: High Quality Design  
 CR4: Promoting Good Design in Crowthorne Centre  
 CR12: Biodiversity

<b>Supplementary Planning Documents (SPD):</b>
Parking Standards SPD (2016)
Design SPD
Thames Basin Heath SPA SPD
Character Area Assessments SPD
<b>Other Publications:</b>
National Planning Policy Framework (NPPF)
Planning Policy Guidance (NPPG)

**9. PLANNING CONSIDERATIONS**

**The key issues for consideration are:**

- i. Principle of development
- ii. Impact on the Conservation Area
- iii. Impact on the character of the area
- iv. Impacts on residential amenity
- v. Highways
- vi. Renewable Energy
- vii. Thames Basin Heaths Special Protection Areas

**i. Principle of Development**

9.1 The principle of this development was considered acceptable at the time that planning permission was granted by virtue of the extant planning permission 21/00217/FUL. It considered the development to be acceptable due to its location and nature. The new Local Plan was adopted 19 March 2024, and now forms part of the statutory development plan for the Borough, against which the application must be assessed. The proposal is consistent with the new Local Plan policies LP1, LP2 and LP3 which support development in this location.

9.2 This report therefore focuses on the nature of the amendments proposed as part of this S73 application. These are considered individually below:

**ii. Impact on the Conservation Area**

9.3 The Mango Tree is located within the Crowthorne Conservation Area.

9.4 Under section 70(3) of The Town and Country Planning Act 1990, the general power to grant planning permission under section 70(1) is expressly subject to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that a local authority has a statutory duty that:

'With respect of any building or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

9.5 The principle of the new building was established under parent consent 21/00217/FUL and the main changes under this application are to the location and number of dormer windows and rooflights as well as slight re-locations to the windows and doors on the front and rear elevations.

9.6 The character of the Conservation Area results from its residential quality with relatively small-scale, domestic buildings of traditional early to late 19th century design, generally in brick with slate or tile hipped or gabled roofs with traditional sash fenestration.

9.7 The proposed changes to the consented design would alter the fenestration and doors on the main elevations and the roofscape. However, the main proposed changes would consist of the addition of one dormer and relocation of two approved dormers on each of the side elevations of the roof. The views of the Council's Heritage Advisor have been sought and these alterations to the design are not considered to increase the impact of the consented scheme on the Conservation Area.

9.8 Under 21/00217/FUL and the previous consents at the site, the bricks from the demolished building were required to be re-used in the new building. The new applicant for this application, does not have possession of these bricks. It is therefore reasonable to apply a condition to the consent to require re-claimed bricks to be used, to ensure that the materials used are appropriate to the character of the Conservation Area.

9.9 As considered under parent consent 21/00217/FUL, whilst the proposed development would result in some harm to the character or appearance of the Conservation Area, as it cannot be said to preserve or enhance the Conservation Area due to the previous demolition of a period building in the Conservation Area, this test is only desirable. Leaving the site empty would leave a large hole in the Conservation Area. Re-claimed bricks would help to reduce the building's impact and overall, its impact is considered to be neutral when considering the previous demolition and gap created in the Conservation Area. The proposal would be in compliance with BFBLP Policies LP3 and LP29 and Policy CR1 of the Crowthorne Neighbourhood Plan.

### **iii. Impact on Character of the Area**

9.10 The amendments would only relate to minor fenestration changes and the introduction of two additional dormer windows, with the relocation of the previously approved dormer windows. These changes are not considered to result in an additional impact on the character and appearance of the area and are in line with the parent consent 21/00217/FUL.

9.11 The layout of the development would remain as approved under 21/00217/FUL.

### **iv. Impact on Residential Amenity**

#### *Impact on Neighbouring Properties*

9.12 In relation to no.67 Church Street the proposed building remains of the same size and scale under 21/00217/FUL, where a loss of light or an overbearing impact could not be substantiated due to the previous circumstances and previous planning consents at the site.

9.13 With regards to the southeast elevation facing no.67 the position of windows at the ground and first floor level are minorly changed, although one additional window has been inserted which would be directly opposite a window in no.67. This window should therefore be conditioned to be obscure glazed and only opening 1.7m above the finished floor level. Conditions were also proposed under 21/00217/FUL which should be repeated under this application to protect the privacy of no.67, although within flat 5 a living room has been created, in the location of a previous bedroom. The window would not look directly onto any other windows in no.67 and therefore this window can remain as clear glass.

9.14 At roof level facing towards no.67, the proposal introduces an additional dormer and changes the position of those originally proposed. As under 21/00217/FUL these would look

towards no.67 and beyond to the backs of the houses at 1 to 5 Thornley Place. One dormer window would be located opposite no.67's windows and the other dormer windows would be located approximately 23m from the backs of the houses at Thornley Place and therefore these windows should be obscurely glazed as a distance of 30m is normally expected to protect privacy, with only opening parts above 1.7m to prevent a significant level of overlooking to these properties.

9.15 The relationship with no.59 Church Street would remain the same as under 21/00217/FUL, with the building at least 13 metres from the side of no.59, across the existing footpath and due to the existing position of no.59 would not project past its rear. The proposed windows in the side elevation are largely the same as the approved scheme, although an additional dormer window is proposed on the roof, with the dormers all repositioned. Due to the position of no.59 and the separation of 13 metres between the properties it is not considered a significant level of overlooking would occur.

9.16 As under 21/00217/FUL the proposal is set at least 32 m from the rear boundary of the site and properties at the rear which will prevent any overlooking or loss of amenity.

9.17 In view of the above, and considering the amendments only, the impact on neighbouring amenity would result in the same impact under the extant consent 21/00217/FUL and conditions are recommended to protect neighbour amenity.

#### *Future Occupiers*

9.18 In relation to the amendments to the scheme the proposal would create a 1x1 bed flat and 1 x 3 bed flat, compared with 2 x 2 bed flats, at the second-floor level. An additional dormer window has been proposed, along with two previously approved. These have changed position compared with the approved consent and due to their position in relation to neighbouring properties would be required to be obscurely glazed and fixed apart from an opening 1.7m above the finished floor level. The dormer windows would serve bedroom windows and this arrangement was accepted under the extant parent consent 21/00217/FUL and the previous consents that have been granted at the site. It therefore would not be reasonable to say it is unacceptable now. Other living accommodation within the flats would achieve suitable light and outlook.

9.19 The amenity space has been provided in accordance with parent consent 21/00217/FUL.

9.20 In view of the above it is considered that the level of amenity has been provided in accordance with the parent consent 21/00217/FUL and on balance the application would provide a suitable level of amenity for future occupiers.

#### **v. Highways**

9.21 Following the receipt of an amended plan, the layout is now the same as the parent consent 21/00217/FUL, with the same number of parking spaces and there are no highway concerns regarding the layout and access.

9.22 The proposal has changed the mix of units at the second floor, which has resulted in 1 x 3 bed flat and 1 x 1 bed flats. This has created the need for an additional cycle parking space, taking it to 17, rather than the 16 previously approved and an amendment to the relevant condition reflects this.

9.23 The change in flat mix has now resulted in a parking space requirement of 17 spaces, including two visitor parking spaces. The proposal as approved provides 17 spaces, so the

application now fully meets the Parking Standards SPD standard. This is an improvement under 21/00217/FUL.

9.24 In view of the above, the proposed amendment, is acceptable on Highway grounds.

**vi. Renewable energy**

9.25 Following the adoption of the Local Plan, Policy LP 55 Sustainable Construction, now sets out the requirements for developments to meet climate change objectives and achieve a high standard of environmental sustainability. For this development it is required to meet a water efficiency standard of 110 litres/person/day. This was previously secured under the parent consent 21/00217/FUL and will be repeated for this application.

**vii. Thames Basin Heaths Special Protection Areas**

9.26 The extant consent was approved subject to the applicant entering into a legal agreement to secure contributions to mitigate the impact of development on the SPA with the parent permission 21/00217/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 are secured by the original s106 Agreement dated 25 October 2022 and therefore any permission granted under this section 73 application will need to be accompanied by a deed of variation to link this s73 permission (and any subsequent section 73 permission) to the original s106 agreement.

**10. PLANNING BALANCE AND CONCLUSIONS**

10.1 The site is located within the settlement boundary. Parent permission 21/00217/FUL remains extant and could be implemented subject to the approval of pre-commencement conditions. This constitutes a fallback position which should be afforded significant weight.

10.2 The amendments proposed by this S73 would not significantly harm the amenity of the neighbouring dwellings and would maintain a neutral effect on the Crowthorne Conservation Area and amenity of the surrounding area.

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

10.4 The application is considered to be consistent with Local Plan Policies LP 2, LP 3, , LP 25, LP 28, LP 29, LP 32, LP38, LP 40, LP 50, LP 53, LP 55, LP 57, LP 60, LP 62. It is not considered that any material considerations weigh against approving this development which accords with an up to date development plan and accordingly the application is recommended for approval.

**11. RECOMMENDATION**

That the application be approved subject to a deed of variation to the original s106 agreement dated 25 October 2022 and the following conditions:

01. The development hereby permitted shall be begun before 03.11.2025.

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: -  
1152 1000 B Proposed Site Plan

1152 1004 A Rear and Side Elevations  
1152 1003 A Front and Side Elevations  
1152 1002 A Second Floor and Roof Plan  
1152 1001 Ground and First Floor Plan

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

03. The following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

- a) Sample panel of all facing materials to be used and a sample panel(s) of brickwork which shall use re-claimed bricks which demonstrates the brick type, colour, texture, face bond, mortar mix and pointing, to be erected on site and maintained there during the course of construction;
- b) Samples and/or manufacturer's details of the roof materials for the proposed works,
- c) Plan and elevation, with materials annotated, of all new window openings (showing brick gauged headers);
- d). Plan and elevation drawings, with materials annotated, of all new doors at a minimum scale of 1:10 with typical moulding and architrave.

The relevant part of the works shall not be carried out otherwise than in accordance with the approved details.

REASON: In order to safeguard the appearance of a building in a Conservation Area in accordance with the requirements of policy.

[Relevant Policies: BFBLP LP 28, LP 29, LP 50]

04. The following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

-schedule of materials and finishes for the hard landscaping including car parking and access road surfaces.

All work shall be carried out in full accordance with the approved document(s).

REASON: In order to safeguard the appearance of the site in a Conservation Area in accordance with the requirements of policy.

[Relevant Policies: BFBLP LP 28, LP 29, LP 50]

05. No development (other than the construction of the access) shall take place until the access onto Church Street has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP LP 25, LP 26]

06. No dwelling shall be occupied until the access road between the adopted highway of Church Street and the car parking and turning area including provision for both vehicles and pedestrians has been constructed in a bound or bonded material in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP LP 25, LP26]

07. No dwelling shall be occupied until the associated vehicle parking and turning space for 17 cars to park and turn has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for the parking of cars 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 LP 25, LP 26, LP 62]

08. The development shall not be occupied until (a) details of the location of 1 visitor car parking space, and (b) details of the signing for the visitor space have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking space shall be provided

and signed in accordance with the approved details and the space and signage shall thereafter be retained 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 LP 25, LP 62]

09. The development shall not be occupied until 17 secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces and facilities shall thereafter be retained.

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

[Relevant Policies: BFBLP LP 25, LP 62]

10. No development shall take place until a Construction Transport Management Plan has been submitted to and approved in writing by the Planning Authority to include:

- (a) Details of parking for contractors and visitors;
- (b) Details of areas for storage of plant and materials;
- (c) Details of areas for welfare and associated cabins;
- (d) Details of wheel wash to be provided to avoid deposition of material on the highway; and
- (e) Swept path drawings indicating that the largest anticipated construction vehicle can turn around within the site and leave in a forward gear onto Church Road.

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

REASON: To mitigate and control environmental effects during the demolition and construction phases and in the interests of highway safety.

[Relevant Policies: BFBLP LP 25, LP 62]

11. No development (including demolition and site clearance) shall take place until a Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures for:

- the control of dust, odour and other effluvia
- the control of noise (including noise from any piling and permitted working hours)
- the control of pests and other vermin (particularly during site clearance)
- the control of surface water run-off)
- the control of noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site
- the control of waste from the site so that NO BURNING will commence.

Construction activity shall be carried out in accordance with the approved CEMP.

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

[Relevant Policies: BFBLP LP 58]

12. During the construction of the development hereby approved the Arboricultural Method Statement Addendum and Tree Protection Plan produced by ATS dated June 2021 shall be complied with in full.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention.

[Relevant Policy: BFBLP LP 54]

13. The following window(s) in the development hereby permitted or any replacement window shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

- Flat 6 – 2 x windows, first floor living, kitchen/diner windows south-eastern (side) elevation
- Flat 5 - 1 x first floor bedroom windows south-eastern (side) elevation
- Flats 7 and 8 - dormer windows south-eastern (side) elevation
- Flat 3 -2 x windows, ground floor living room and kitchen diner window south-eastern (side) elevation

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policy: BFBLP LP 50]

14. The Technical Briefing Note, Addendum Bat Roost Assessment Report, dated Dec 2020 produced by aspect ecology, shall be complied with in full during the development.

REASON: In the interests of biodiversity.

[Relevant Policy: BFBLP LP 53]

15. No dwelling shall be occupied 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 to include the retention of the hedge on the northwestern boundary, proposed numbers/densities locations.
- b) Comprehensive 5 year post planting maintenance schedule.
- c) Paving including paths, patios, proposed materials and construction methods, parking courts, etc.
- d) Location, site specific design (including foundation requirements), and implementation method statement for permanent low barriers to prevent vehicle parking access onto retained soft landscaping areas forming part of the Root Protection areas of protected trees affecting the site.

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 BS 8545:2014 - Trees: from nursery to independence in the landscape - Recommendations 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 and shall not be used for any other purpose

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

[Relevant Policy: BFBLP LP 54]



16. 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 in accordance with the approved drawings (GTA submission dated 21st July 2021) These shall include: full details of all components of the proposed drainage system including dimensions, permeable paving construction, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table. The agreed details shall be fully implemented within the development.  
REASON: To ensure that the site is properly drained and does not increase the risk of flooding.  
[Relevant Policy: BFBLP LP 57]

17. No dwelling shall be occupied until details of how the surface water drainage 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.  
[Relevant Policy: BFBLP LP 57]

18. No dwelling 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 .  
[Relevant Policy: BFBLP LP 57]

19. Prior to practical completion of any dwelling 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 Local Planning Authority. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes, cover systems.  
Reason: To ensure that the site is properly drained and does not increase the risk of flooding.  
Relevant Policy: BFBLP LP 57]

20. The development 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 agreed 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: BFBLP LP 55]

21. No dwelling shall be occupied until details of boundary treatments have been submitted to and approved in writing by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved scheme shall be implemented in full before the occupation of any of the flats approved in this permission.

REASON: In the interests of the visual amenities of the area and in the interests of biodiversity.

[Relevant Policy: BFBLP LP 50]

22. The rooflight in Flat 8 on the south-eastern (side) elevation or any replacement rooflight shall be set more than 1.7 metres above the floor of the room in which the roof light is installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policy: BFBLP LP 50]

23. No part of the development shall be occupied until details of on-site refuse storage for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste storage facilities in the interests of amenity.

[Relevant Policy: BFBLP LP 50, LP 58]

#### 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. The applicant is advised that the following conditions require discharging prior to commencement of development: 03, 04, 05, 10, 11, 16, 20.

The following conditions require discharge prior to the occupation of the dwellings hereby approved: 06, 07, 08, 09, 15, 17, 18, 19, 21, 23.

No details are required to be submitted in relation to the following conditions; however, they are required to be complied with: 01, 12, 13, 14, 22.

03. A Section 278 Agreement will need to be entered into with the Highway Authority in order to form the access onto Church Street. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at [Highways.Transport@bracknell-forest.gov.uk](mailto:Highways.Transport@bracknell-forest.gov.uk), to agree the access construction through the Section 278 agreement, before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licenses to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

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 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.