

Notice of Meeting

Planning Committee – Advisory Meeting

Councillor Dudley (Chair),
Councillor Brossard (Vice-Chairman),
Councillors Angell, Dr Barnard, Bhandari, D Birch, Brown, Gbadebo,
Green, Mrs Hayes MBE, Heydon, Mrs Mattick, Mrs McKenzie,
Mrs McKenzie-Boyle, Mossom, Parker, Skinner and Virgo



Thursday 16 December 2021, 6.30 pm
Zoom Meeting

Agenda

Recommendations arising from this meeting will be considered in accordance with the delegations approved by Council on 28 April 2021.

Item	Description	Page
1.	Apologies for Absence	
	To receive apologies for absence. Reporting: ALL	
2.	Minutes	To Follow
	To approve as a correct record the minutes of the meeting of the Committee held on 2 December 2021. Reporting: ALL	
3.	Declarations of Interest	
	Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting. Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days. Any Member with an Affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting. Reporting: ALL	
4.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent. Reporting: Hannah Harding	

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Planning Applications

(Head of Development Management)

The conditions for public speaking have been met in the applications marked 'PS'. For further information or to register for public speaking, please contact Customer Services 01344 352000.

5.	PS: Application No 21/00746/FUL - Tesco Stores Ltd, 17 County Lane, Warfield	9 - 16
	Section 73 application to vary condition 3 (restriction on delivery times between 0500 to 2400 hours) of planning permission 11/00248/FUL to allow deliveries to Tesco store between the hours of 0300 to 2400 hours. Reporting: Olivia Jones	
6.	Application No 21/00460/FUL - Fines Bayliwick House Hotel, London Road, Binfield	17 - 32
	Proposed conversion, extension and alteration of existing hotel to provide 11no. 2 bed apartments. Reporting: Margaret McEvit	
7.	Application No 21/00594/FUL - Elim, New Road, Crowthorne	33 - 52
	Proposed erection of four 2 bedroom residential apartments in two blocks following the demolition of the existing property with associated parking, refuse and cycle stores. Reporting: Sarah Horwood	
8.	Application No 21/00780/FUL - Winkfield Manor, Forest Road, Ascot	53 - 86
	Demolition of the existing buildings and erection of 18no. residential dwellings utilising the existing access off Forest Road, including parking, landscaping, and ancillary works. Reporting: Jo Male	
9.	Application No 21/00808/FUL - Derryquin, 8A Priory Lane, Warfield	87 - 106
	Erection of 2 detached dwellings following demolition of existing dwelling and associated parking. Reporting: Olivia Jones	
10.	Application No 21/00853/3 - The Commercial Centre, Old Bracknell Lane, West Bracknell	107 - 124
	Demolition of existing buildings (except Building D). External and Internal Refurbishment of Building D (Building 2 proposed). Erection of Building 1 which comprises of 2 workshops, 1 storage unit and office space to run the commercial activities. Reconfiguration and new surfaces treatment for private and commercial vehicle parking. New external landscaping, vehicle wash and	

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	cycle parking. New boundary fence line to the West. Reporting: Jo Male	
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Sound recording, photographing, filming and use of social media is permitted. Please contact Hannah Harding, 01344 352308, hannah.harding@bracknell-forest.gov.uk, so that any special arrangements can be made.

Published: 6 December 2021

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**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS
AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
16th December 2021**

**REPORTS ON PLANNING APPLICATIONS RECEIVED
(Head of Planning)**

		Case Officer	Reporting Officer
5	21/00746/FUL Tesco Stores Ltd 17 County Lane Warfield (Warfield Harvest Ride Ward) Section 73 application to vary condition 3 (restriction on delivery times between 0500 to 2400 hours) of planning permission 11/00248/FUL to allow deliveries to Tesco store between the hours of 0300 to 2400 hours. Recommendation: Approve.	Olivia Jones	Basia Polnik
6	21/00460/FUL Fines Bayliwick House Hotel London Road Binfield (Binfield With Warfield Ward) Proposed conversion, extension and alteration of existing hotel to provide 11no. 2 bed apartments. Recommendation: Refuse.	Margaret McEvit	Jo Male
7	21/00594/FUL Elim New Road Crowthorne (Crowthorne Ward) Proposed erection of four 2 bedroom residential apartments in two blocks following the demolition of the existing property with associated parking, refuse and cycle stores. Recommendation: Approve subject to S106	Sarah Horwood	Basia Polnik
8	21/00780/FUL Winkfield Manor Forest Road Ascot (Winkfield And Cranbourne Ward) Demolition of the existing buildings and erection of 18no. residential dwellings utilising the existing access off Forest Road, including parking, landscaping, and ancillary works.	Jo Male	Jo Male

Recommendation: Approved and Legal Agreement Signed

- | | | | |
|----|---|--------------|--------------|
| 9 | 21/00808/FUL
Derryquin 8A Priory Lane Warfield
(Warfield Harvest Ride Ward)
Erection of 2 detached dwellings following demolition of existing dwelling and associated parking.
Recommendation: Approve. | Olivia Jones | Basia Polnik |
| 10 | 21/00853/3
The Commercial Centre Old Bracknell Lane
West Bracknell
(Wildridings And Central Ward)
Demolition of existing buildings (except Building D). External and Internal Refurbishment of Building D (Building 2 proposed). Erection of Building 1 which comprises of 2 workshops, 1 storage unit and office space to run the commercial activities. Reconfiguration and new surfaces treatment for private and commercial vehicle parking. New external landscaping, vehicle wash and cycle parking. New boundary fence line to the West.
Recommendation: Approve. | Jo Male | Jo Male |

Background Papers

Background papers comprise the relevant planning application file and any document therein with the exception of any document which would lead to disclosure of confidential or exempt information as defined in section 100A of the Local Government Act 1972 as amended.

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

BFBLP Bracknell Forest Borough Local Plan
CSDPD Core Strategy Development Plan Document
SALP Site Allocations Local Plan
RMLP Replacement Minerals Local Plan
WLP Waste Local Plan for Berkshire

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

RSS Regional Spatial Strategy (also known as the SEP South East Plan)

NPPF National Planning Policy Framework (Published by DCLG)
NPPG National Planning Policy Guidance (Published by DCLG)
PPS (No.) Planning Policy Statement (Published by DCLG)
MPG Minerals Planning Guidance
DCLG Department for Communities and Local Government

SITE LOCATION PLAN

For information the plans are orientated so that north is always at the top of the page.

THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 (“the HRA”) makes it unlawful for a public authority to act in a way that is incompatible with the rights set out in the European Convention of Human Rights.

Those rights include:-

Article 8 – “Everyone has the right to respect for his private and family life, his home.....”

Article 1 - First Protocol “Every natural or legal person is entitled to the peaceful enjoyment of his possessions”.

In some circumstances a local authority may be under an obligation to take positive action to protect an individuals interests under Article 8.

The relevant Convention Rights are not absolute. A Council may take action even though it interferes with private and family life, home and enjoyment of possessions, if it is for a legitimate purpose, necessary and proportionate. In effect a balancing exercise has to be conducted between the interests of the individual and the wider public interest.

Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more

detailed consideration of any Convention Rights affected.

Unrestricted Report

ITEM NO: 05

Application No.
21/00746/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
28 July 2021

Target Decision Date:
22 September 2021

**Tesco Stores Ltd 17 County Lane Warfield Bracknell
Berkshire RG42 3JP**

Proposal: **Section 73 application to vary condition 3 (restriction on delivery times between 0500 to 2400 hours) of planning permission 11/00248/FUL to allow deliveries to Tesco store between the hours of 0300 to 2400 hours.**

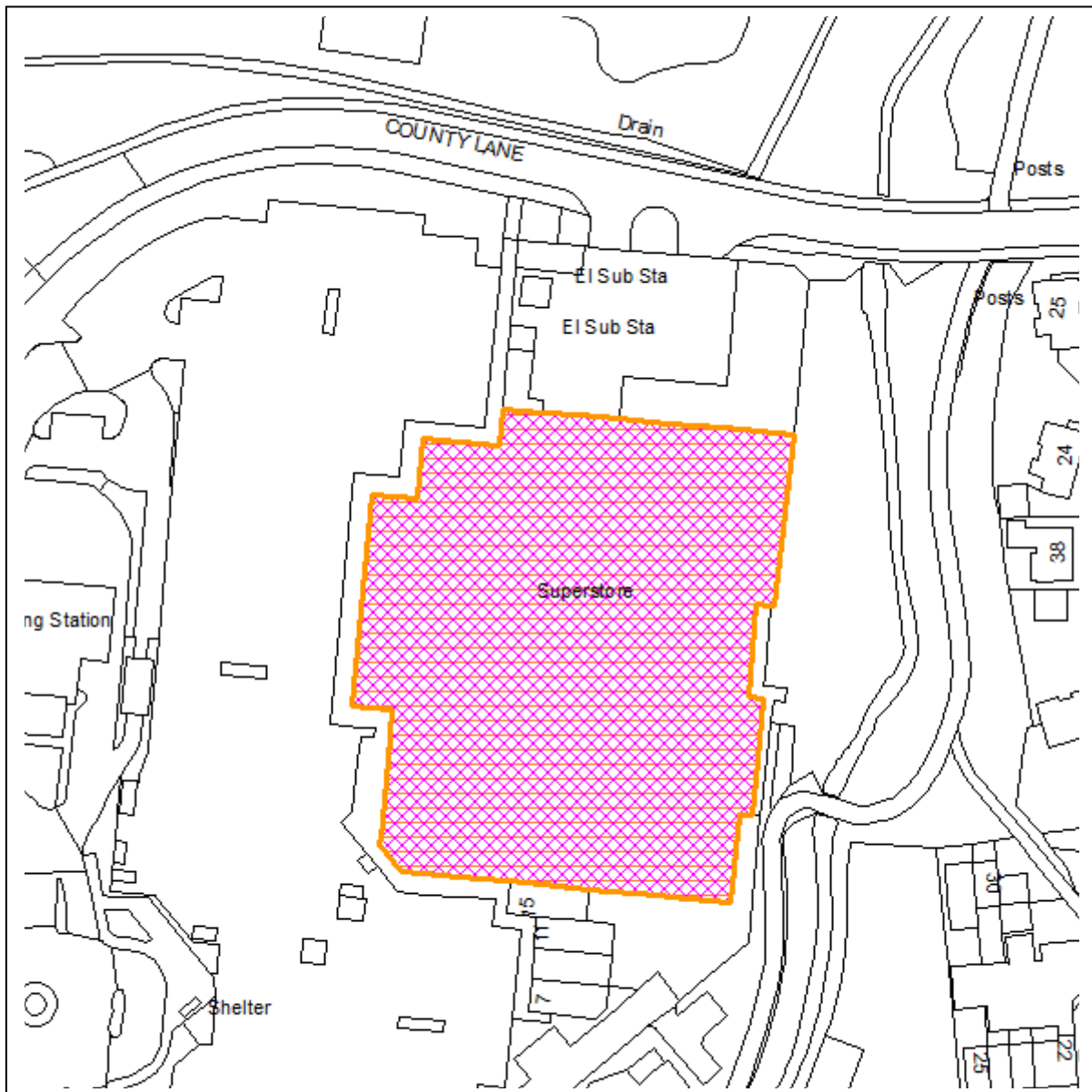
Applicant: Mr Ben Train

Agent: Mr Roderick MacLeod

Case Officer: Olivia Jones, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1 **OFFICER REPORT**

1. SUMMARY

- 1.1 The proposal concerns a Section 73 planning application to vary condition 3 of planning permission 11/00248/FUL. This condition prevents deliveries to the store between midnight and 5am. The proposed amendment would allow deliveries from 3am until midnight.
- 1.2 The proposed amendment is not considered to have an adverse impact on residential amenity or highway safety. No other planning considerations are considered to be affected by the proposed amendment.

RECOMMENDATION

The Assistant Director: Planning be recommended to approve the application subject to the conditions set out in Section 11 of this report

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

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Settlement Boundary

- 3.1 Tesco County Lane, Warfield lies within an established neighbourhood centre with a supermarket, petrol filling station, car wash and 3no. units containing a drycleaners, Parish Council Offices and estate agents. It is surrounded on three sides by residential units.

4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history is summarised as follows:

00/01055/FUL

Enlargement of store by erection of front, side and rear extensions (involving demolition of 2no. existing shop units) to provide an additional 1932 sq. m. gross external floorspace (yielding an additional 1429 sq. m. total net sales area), erection of 2no. shop units to side of existing, alterations to car park layout, cycle parking and associated works. Relocation of recycling facility to northern site boundary.

Approved 2002

09/00173/FUL

Construction of a lobby extension to act as a wind break to the main entrance of the store and adjustments to associated street furniture

Approved 2009

10/00011/FUL

Installation of combined heat and power unit to roof.

Approved 2010

10/00610/FUL

Erection of extension to entrance lobby, installation of bi-fold doors and relocation of trolley bays.

Approved 2010

10/00660/FUL

Section 73 application to vary condition 13 (This condition restricts opening hours to 08.30 - 20.00 Monday - Thursday, 08.30 - 21.00 Friday, 08.30 - 20.00 Saturday and 10.00 - 16.00 Sunday) of Planning Permission 00/01055/FUL to extend the opening hours to 07.00 to 22.00 Monday to Saturday and 10.00 to 16.00 Sundays.

Refused 2010

11/00248/FUL

Section 73 application to vary condition 13 (This condition restricts opening hours to 08.30 - 20.00 Monday - Thursday, 08.30 - 21.00 Friday, 08.30 - 20.00 Saturday and 10.00 - 16.00 Sunday) of Planning Permission 00/01055/FUL to extend the opening hours to 07.00 to 22.00 Monday to Saturday and 10.00 to 16.00 Sundays.

Approved 2011

5. THE PROPOSAL

- 5.1 The proposal is for a Section 73 application to vary condition 3 of planning permission 11/00248/FUL to extend the delivery hours to the store from between 5am and midnight, to between 3am and midnight. No alterations are proposed to the opening hours of the store or petrol station.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council

- 6.1 Objection raised on the following grounds:
"The existing condition should be retained as it is in place for the protection and wellbeing of neighbouring properties."

Other Representations

- 6.2 Letters of objection have been received from the occupants of 14 properties, raising the following concerns:
- 1) The noise impact of deliveries and associated activities such as lorries arriving and departing through residential areas, engines idling, activities from machinery and employees.
 - 2) Highway safety concerns from lorries blocking a lane of County Lane.
 - 3) Pollution concerns.
- 6.3 One letter of representation has been received requesting clarification of the proposal.
- 6.4 One letter of support has been received.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

- 7.1 No objection

Environmental Health Officer

- 7.2 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Residential Amenity	Saved policies EN20 & EN25 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent
Supplementary Planning Documents (SPDs)		
Parking Standards (2016)		
Other publications		
National Planning Policy Framework (NPPF)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development
- (ii) Impact on residential amenity
- (iii) Highway safety considerations

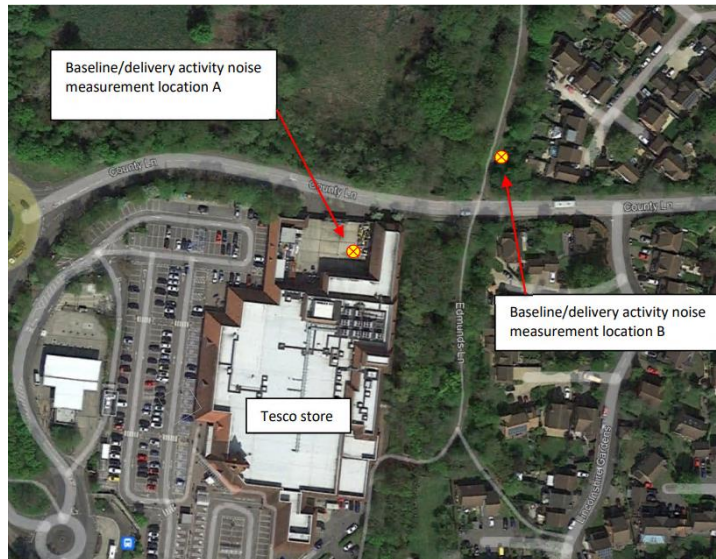
i. Principle of Development

9.2 The principle of the development was assessed and accepted under application 11/00248/FUL. There have been no changes in national or local policy since this approval which would mean that the principle of development should be re-assessed.

ii. Impact on residential amenity

9.3 The main issue for consideration is the impact of the extended delivery times on the amenities of the occupiers of the surrounding properties. Concerns have been raised that extending deliveries hours will result in unacceptable noise impacts to the detriment of the living conditions of neighbouring residents.

9.4 An Acoustic Report has been submitted with this application. This report assessed both the background noise levels during the night-time period, and also noise from existing deliveries to the store. These measurements were taken within 10 metres of the unloading bay (location A) and the land to the rear of the nearest residential property, 6 Dorset Vale (location B):



9.5 The WHO (World Health Organisation) has a peak night-time noise criterion of 60 dB. The Acoustic Report demonstrates that the levels of noise generated by deliveries would not exceed this limit at the nearest residential property, as illustrated in the following table (Table 7 of the Acoustic Report):

Noise level	Parameter	
	L _{Aeq T}	L _{Amax}
Receptor	6 Dorset Vale	
Predicted delivery event noise level day/night ^[1] (Arrival-Unloading-Departure)	35/37	45-50-59
Measured delivery peak noise levels Arrival- Unloading-Departure ^[2]	-	55-57-59
WHO guideline daytime/night time noise value ^[3]	55/45	60
Comply with WHO day/night time guidelines	YES	YES

9.6 The Environmental Health Officer (EHO) visited the site at 04:30 hours and witnessed two deliveries. The EHO determined that the level of noise generated by these deliveries would not cause a significant harm to local residents.

iii. Highway safety considerations

9.7 The Highway Authority has reviewed the scheme and has advised that the proposed change in delivery hours is unlikely to have an impact in respect of road safety as at this time of the night traffic levels are considerably lower.

10. CONCLUSIONS

10.1 The amended scheme is not considered to result in any unacceptable impact on the residential amenity of the occupants of the neighbouring properties or highway safety. The development is therefore considered to be in accordance with the CSDPD, 'Saved' Policies of BFBLP the BFBC SPDs, all in accordance with the NPPF.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

01. The opening hours of the large store shall be limited to 07.00 - 22.00 Monday to Saturday and 10.00 - 16.00 Sunday and at no other times.
REASON: In the interests of the amenity of residents.
[Relevant plans and policies: BFBLP EN20, CSDPD CS7]
02. The opening hours of the petrol filling station shall be limited to 07.30 to 21.00 Monday to Thursday, 07.30 -22.00 Friday, 07.30 - 21.00 Saturday and 08.00 - 21.00 Sunday and at no other times.
REASON: In the interests of the amenity of residents.
[Relevant plans and policies: BFBLP EN20, CSDPD CS7]
03. No deliveries shall be made to the store between 24.00 hours and 03.00 hours on any day.
REASON: In the interests of residential amenity.
[Relevant plans and policies: BFBLP EN20, CSDPD CS7]
04. Noise from any source on site measured on a Leq(1-hour) basis shall not exceed by more than 5 dB(A) the background L90(1-hour) (excluding noise from the development) between 0630 and 2300 hours; and as measured on a Leq(5-minute) basis, shall not exceed by more than 5dB(A) the background L90(1-hour) between 2300 and 0630 hours, outside any dwelling.
REASON: In the interests of residential amenity.
[Relevant plans and policies: BFBLP EN20, CSDPD CS7]
05. The net sales area of the store (as defined in DPP's letter dated 29 May 2001 (approved under permission 00/01055/FUL) as the retail sales area, checkouts and customer services) shall not exceed 3850 sq m.
REASON: To control the amount of sales floorspace in accordance with retail planning policy.
[Relevant plans and policies: BFBLP E7, CSDPD CS21]
06. No more than 18% of the retail sales area of the store as extended (as defined in DPP's letter dated 29 May 2001 (00/01055/FUL)) shall be used for the sale or display of comparison goods. For the purposes of this condition, comparison goods shall exclude health and beauty and pharmaceutical goods.
REASON: To control the nature of the retail offer of the store in accordance with retail planning policy
[Relevant plans and policies: BFBLP E7, CSDPD CS21]
07. The unit shops approved under planning application 00/01055/FUL shall not be used for ancillary storage in association with the large store or amalgamated into larger units.
REASON: In the interests of sustainable development to ensure that a range of shop units are available within the neighbourhood centre serving a variety of neighbourhood centre goods and services.
08. The sound rating level (established in accordance with BS4142:2014) of any plant, machinery, deliveries and equipment used, installed or operated in connection with this permission shall not exceed, at any time, the prevailing background sound level at the nearest residential or noise sensitive property. If the plant, machinery or equipment is to be

enclosed details of the enclosure shall be sent to the Local Planning Authority for their approval before the development commences.

REASON: To protect future residents of the site and the occupants of nearby residential properties from noise.

09. All vehicle engines and refrigeration units shall be switched off during deliveries.

REASON: To protect the amenity of residents living in the vicinity of the site and to reduce impact on air quality.

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

- (1) Store opening hours
- (2) Petrol station opening hours
- (3) Delivery hours
- (4) Noise from any source
- (5) Size of sales area
- (6) Use of sales area
- (7) No ancillary storage
- (8) Sound rating level
- (9) Engines and refrigeration units

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 06

Application No.
21/00460/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
4 May 2021

Target Decision Date:
3 August 2021

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

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

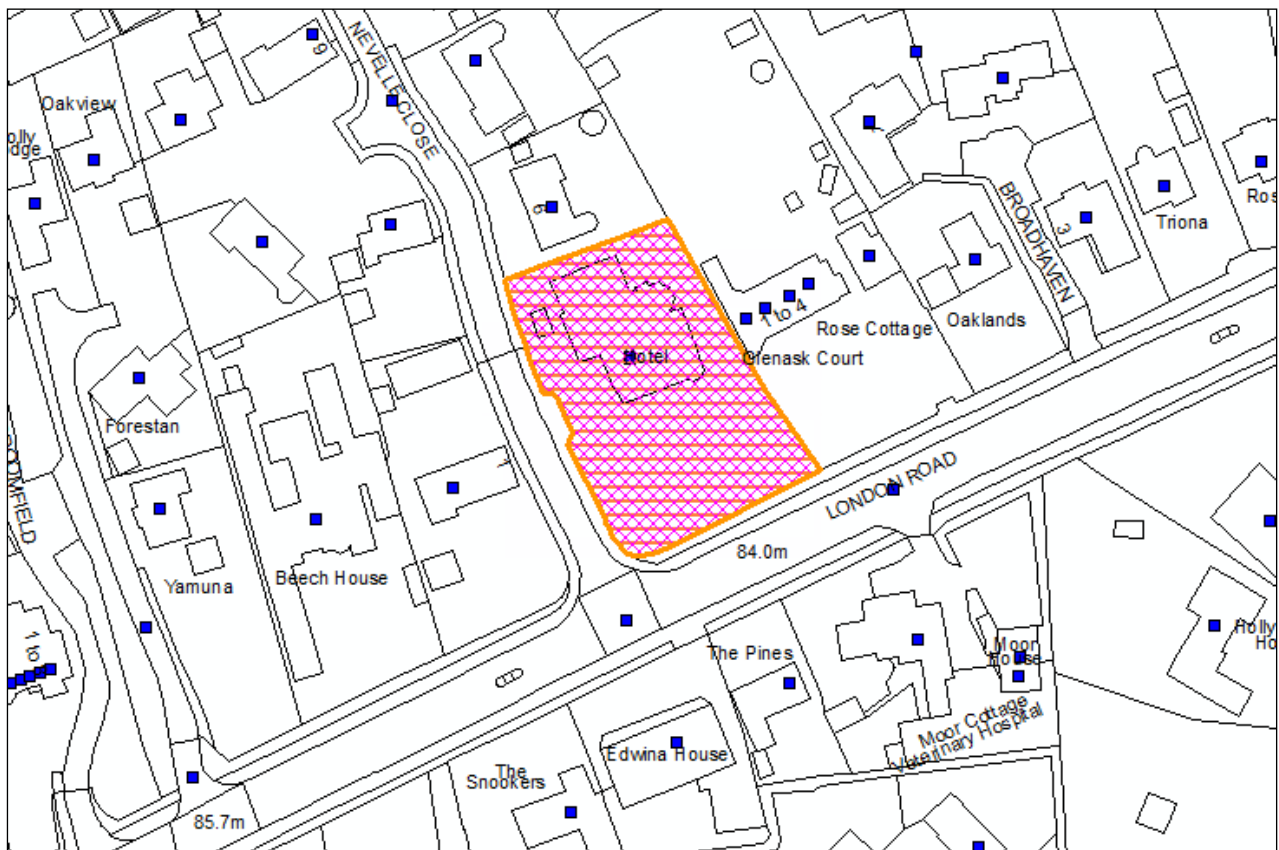
Applicant: Mr Nath

Agent: Mr Alistair Lloyd

Case Officer: Margaret McEvit, 01344 352000

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 have an adverse impact on trees that 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.

RECOMMENDATION

The Assistant Director Planning be recommended to refuse permission for reasons 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 Advisory Planning Committee at the request of Cllr. Harrison.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Land within the settlement area.

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) and 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.

3.5 The site is located within an Area of Special Housing Character (BFBLP Policy H4).

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 ensure 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 ensure 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

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 Four letters of objection have been received raising the following planning considerations:

- concerns that overspill parking would take place in Nevelle Close, a private road with covenants preventing obstruction of driveways and footways in Nevelle Close.
- vehicular access could be secured from London Road to allow Nevelle Close to enforce its own parking restrictions on the private road.
- flat 4 would overlook 1 Nevelle Close. Existing trees between the site and 1 Nevelle Close should remain to maintain privacy.
- the development would increase light pollution in the area.

7. SUMMARY OF CONSULTATION RESPONSES

Tree officer

7.1. Objects to the proposed development on the grounds that the parking layout, bin and cycle storage and relationship to the existing trees along London Road and Nevelle Close will result in unjustified further encroachment into already heavily pressured rooting areas and will adversely affect the future health of protected trees.

The proposed layout will not retain sufficient sustainable planting space for the replacement TPO Beech, which is a statutory requirement on this site.

Highways officer

7.2 Advises that two of the parking spaces are very close to a balcony and to the proposed bin store. No objection on the grounds of access or traffic impact have been made.

Biodiversity Officer

7.3 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF	Weight to be attributed, with reference to para. 213 of NPPF
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Sustainable development principles	SALP Policy CP1	Para. 11(d) refers to 'policies which <u>are most important for</u> determining the application 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
Supplementary Planning Documents (SPD):			
Parking Standards SPD (2016)			
Other publications:			
National Planning Policy Framework (NPPF) (2019) National Planning Policy Guidance (NPPG) (2019)			

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 the proposed flat 4 would overlook 1 Nevelle Close. However, there is a distance of approximately 24m between the properties, with an intervening road and it is considered that the relationship between the two properties is relatively unchanged over the current position.

9.9 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

9.10 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. The previous appeals included proposals to extend car parking into the area in front of the property.

9.11 The collapse of the Beech was dealt with under the Tree Preservation Order legislation. Under this process, the site owners have a statutory duty to replace the tree. The replacement tree is automatically protected under the legislation and all original restrictions apply.

9.12 Statutory replacement planting for the Beech T1 is particularly relevant in relation to any proposed development on this site. Sufficient space must be retained to allow the planting of this tree and sustain its long-term growth and ultimate average size (which will be in excess of 20-25m in height with a crown spread in excess of 10-11m). As such, whilst the original tree no longer exists, the replacement must be factored in as a material arboricultural constraint based on its future average size.

9.13 The site was the subject of dismissed planning appeals 08/00935/FUL & 10/00360/FUL that included extensive alterations to and loss of the green space in front of the property to accommodate additional parking. This area forms a substantial part of the minimum Root Protection Areas (RPAs) of the existing trees. Impact on these was part of the reason for their dismissal at appeal.

9.14 At the time of the most recent appeal in 2010, photographs submitted to the inspectorate indicated that the area in front of the property was lawned. The extension of car parking into this lawned area was dismissed by both inspectors and the car parking currently taking place in this area does not appear to have the benefit of planning permission. The inspector considering the appeal for planning application 10/00360/FUL stated that:

“11. The Council and the appellant have produced differing assessments of the likely impact of the proposed car parking and manoeuvring arrangements on the health of these trees. In many cases the health of the trees is already compromised to a degree by the proximity of their rooting areas to the hard surfaced roads and pavements or to buildings. It is important therefore that their rooting areas should not be further compromised. I appreciate that the appellant intends to use a porous surface for the car parking and manoeuvring areas and that most of the new parking bays would be outside of the rooting areas where oil and fuel spillages would have less effect. However, I am concerned that the increase in the areas over which vehicles would be parked and would drive and the increase in number of traffic movements could cause root compaction which could be harmful to the trees’ health.”

9.15 Any impact on these areas is therefore relevant and previous appeal decisions are a material planning consideration when determining this current planning application. Since these appeal decisions, some of this previously lawned area has been surfaced for use as an extended parking area consisting of shallow plastic matting infilled with a gravel finish. This covers a significant proportion of the accurate RPAs of existing trees including those protected on site.

9.16 The current treatment of the area described above is considered to be an informal, inappropriate shallow surfacing over an existing soft landscaping area. This is likely to be causing damage in terms of ground compaction in RPAs and should not be viewed as a permanent formal parking area that justifies the construction of new widespread permanent parking over the majority of this area as proposed in this application. This structure can be easily removed to reinstate the original soft landscaping underneath to ensure trees are properly safeguarded and RPAs fully respected. Its presence also does not justify construction of a formal extensive parking area on arboricultural grounds at the expense of causing pressure to and safeguarding RPAs or preventing sustainable replacement tree planting. Works to provide this parking area appear to have been carried out subsequent to the two appeal decisions that considered and dismissed proposals to provide additional car parking within this area.

Submitted Method Statement

9.17 The submitted Method Statement does not contain any comprehensive impact assessment in accordance with BS 5837 guidance. Conclusions regarding development impact are also based on inaccurately represented RPAs and an incomplete survey. Consequently, it is not considered to take adequate account of the existing pressures already being placed on the rooting environment of the protected trees in particular and is considered unrealistic and inconsistent with good arboricultural practice.

9.18 The suggested use of a No Dig structure is not supported by any compelling evidence including a site-specific design. Recommendations consist of generic guidance based on a concept. This does not reliably demonstrate certainty of outcome.

9.19 The Method Statement makes only brief references to the removal of hard standing. This is not considered to constitute a comprehensive method statement and is not specific to the ground conditions in all areas of the site where works would be required so they are considered to constitute generic guidance notes and do not support the specific proposals on this site.

9.20 The proposed Cellular Confinement System (CCS), a no dig installation, is not based on any site-specific engineered design and the Method Statement does not address how ground level differences on site and level changes between structures would be addressed. It constitutes generic guidance and implies that it can be used in any situation to construct within the RPA of trees regardless of the circumstances or the extent of encroachment. If this is being implied, this is not the case. Industry standards (i.e. BS 5837) do not advocate its use in any situation and advises that the default position should be that structures are located outside the RPAs of trees to be retained. However, where there is an overriding justification for construction within the RPA, technical solutions might be available that prevent damage to the trees.

“7.4.1 General

Where permanent hard surfacing within the RPA is considered unavoidable, site-specific and specialist arboricultural and construction design advice should be sought to determine whether it is achievable without significant adverse impact on trees to be retained. NOTE Specialist arboricultural advice includes, for example, advice on the tolerance of a tree species to the installation of a permanent hard surface within the RPA or tolerance of salt damage (see 7.4.2.4)”.

9.21 It is considered that there is no overriding justification and hard surfacing within the RPA is avoidable. Parking to meet parking standards is dictated by the scale of the proposed extension which could reasonably be reduced in size to reduce the parking requirement and therefore the need to accommodate parking spaces within RPAs. The proposed CCS only helps to mitigate impact compared to standard construction methods. It does not avoid it altogether. It should therefore only be used where encroachment has been fully justified.

9.22 The Method Statement also specifies the use of herbicide treatment prior to laying the CCS which is considered to be unnecessary and potentially damaging to rooting area of trees.

Root Protection Areas

9.23 The minimum RPA distributions shown on the submitted Tree Protection Plan are not considered an accurate representation. These do not take sufficient account of existing structures and the effect these are likely to have on natural root growth in certain areas. These are shown as simplistic circles. This implies they are surrounded by entirely natural ground conditions where there are no structures that might influence normal growth. This is not considered to be the case.

9.24 The protected Limes around the boundaries are situated next to boundary walls with the areas beyond being predominantly covered by the adopted footpaths and roads. The footings of the walls will already be limiting natural root growth beyond the site to a certain degree. The adopted roads and footpaths are highly compacted, impermeable structures that are constructed to a significant depth below typical rooting depth to meet adoptable standards. The public footpath along London Rd was widened

relatively recently. This included reducing the width of the already narrow grass verge between the path and boundary wall to just 1.6m. Lighting was also placed with underground ducting along the edge of the widened path within the grass verge. These works will have removed significant root growth in this area.

9.25 Combined with other issues including the anaerobic conditions within and below these structures and the significant heat variations they can generate (which also limits root growth), they represent a significant constraint to the natural rooting environment of the Limes. Root growth beyond the walls and within and underneath them is therefore likely to be substantially reduced or in the case of the road almost non-existent compared to the surrounding more natural rooting environments and shallower structures that exist within the application site. Consequently, these areas cannot reasonably be factored in as a primary rooting area sufficient to sustain normal long-term vitality and vigour. They would also not be sufficient to offset the damage and pressures that will occur by the extension of parking into the undisturbed RPA that remain within the site. The RPAs shown in these areas should be represented as polygons and predominantly offset within the application site where growing conditions are likely to be more conducive. This will extend the RPA further within the application site than shown. The importance of a realistic assessment of the RPA distribution, including allowance for existing constraints is supported by advice in sections 4.6.2 & 4.6.3a of BS 5837 which advises as follows.

“The RPA for each tree should initially be plotted as a circle centred on the base of the stem.

Where pre-existing site conditions or other factors indicate that rooting has occurred asymmetrically, a polygon of equivalent area should be produced. Modifications to the shape of the RPA should reflect a soundly based arboricultural assessment of likely root distribution.

Any deviation in the RPA from the original circular plot should take account of the following factors whilst still providing adequate protection for the root system:

- a. the morphology and disposition of the roots, when influenced by past or existing site conditions (e.g. the presence of roads, structures and underground apparatus);
- b. topography and drainage;
- c. the soil type and structure;
- d. the likely tolerance of the tree to root disturbance or damage, based on factors such as species, age, condition and past management.”

9.26 Advice in BS 5837 sets clear boundaries that should not be crossed without clear justification. It also heavily influences the tolerance of trees to any further loss of natural rooting environment caused by unjustified construction encroachment into undisturbed areas or areas which are likely to still contain significant root growth even where informal shallow structures may exist. Any impact assessment based on inaccurately represented RPAs is therefore considered unreliable and misleading as they are a fundamental consideration in relation to any development.

Layout Concerns



9.27 The proposed layout does not acceptably address key issues. No consideration is made of the need for maintenance of adequate undeveloped green space to accommodate and sustain the replacement protected Beech in its required location. The layout does not allow for the sustainable planting of the replacement TPO Beech. The proposed planting of the tree in close proximity to the proposed structure and within the competing zones of the adjacent un-surveyed Holly and Lime is impractical and unsustainable given the tree's future growth and ultimate scale.

9.28 Beech will attain an average ultimate height and radial spread of 22-23m + and 10-11m respectively. The trunk will attain an average diameter of between 900mm and potentially in excess of 1m. This requires significant construction free green space around it to sustain it in the long term and mitigate the risk of direct physical conflict with any adjacent structures. This is not provided by the current parking layout. This would require substantially scaling back to achieve and can only realistically be achieved by reducing the scale of the building extension.

9.29 The proposed parking layout does not make provision for the maintenance of minimum undisturbed rooting area around the Limes along the front boundary factoring in accurate minimum RPAs. The proposed parking layout (in particular parking bays 23 and 24) shows parking located closer to the Lime trees on the front and side

boundaries than the existing structure. Although informal hard standing may already exist here, this area is not a designated parking area and does not justify the construction of formal parking spaces from an arboricultural perspective. What exists already has an adverse impact on the rooting environment of T2, T3 and T4. Continued use and formal parking bays in close proximity to these trees will exacerbate pressures to severely prune or remove trees. T4 in particular has been the subject of such applications in the past. The provision of parking spaces in such proximity to protected trees would be contrary to best practice and is unacceptable in principle. The current distance between structures and protected trees on the front boundary of the site has been measured on site as 8m from inside the boundary wall. Given the constraints already imposed on the rooting environments of the Limes along the front boundary, no construction closer than 8m from the wall is considered acceptable regardless of technical design as it would have a detrimental impact on the health and long-term management of these important trees and be contrary to good arboricultural practice and BS 5837 guidance. This is supported by the following guidance in Section 5.3.2 of British Standard 5837 (2012) 'Trees in relation to design, demolition and construction- Recommendations'.

“5.3.2 The cumulative effects of incursions into the RPA, e.g. from excavation for utility apparatus, are damaging and should be avoided. Where there is evidence that a tree has been previously subjected to damage by construction activity, this should be taken into account when considering the acceptability of further activity within the RPA.”

9.30 The bin and cycle storage would also be located unacceptably close to Limes T2 and T3. This area of the site should be reverted back to soft landscaping.

Conclusion

9.31 The parking layout bin and cycle storage and relationship to the existing trees along London Road and Nevelle Close will result in unjustified further encroachment into already heavily pressured rooting areas. Regardless of technical design this is considered to constitute overdevelopment that will adversely affect their health.

9.32 The proposed layout will not retain sufficient sustainable planting space for the replacement TPO Beech, which is a statutory requirement on this site that must be complied with irrespective of this planning application. The application would be contrary to Policies EN1, EN20 & CS7.

iii Highway Issues

Access

9.33 The site is currently a small scale hotel and the access is located off B3408 London Road via a private road known as Nevelle Close. The existing access appears to be reused for this proposal which is acceptable in principle. The proposal makes some slight alterations to the existing boundary wall near to the junction with London Road to provide access to the proposed bin store. Refuse bins can be wheeled along the footway to the rear of the refuse vehicle. The cycle store provision is adequate and could be controlled by conditions. The larger main store will also be conditioned.

Parking

9.34 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.

9.35 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. The car park is proposed to include gravel as part of the CCS so it will be important to ensure that spaces are adequately marked out and signed. 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.

9.36 The applicant has suggested 20% active and 20% passive electric vehicle parking provision which is acceptable. However due to the sensitive tree lined nature of the site and the changes in the level of use of electric vehicles in the future it will be necessary for details to demonstrate how the impact of suitable infrastructure such as ducting can be provided for the entire parking area to ensure future changes can be made without detriment to the surrounding trees or the access road.

iv Biodiversity Issues

9.37 A Bat Survey Report has been submitted with the application and concludes that there are no roosting bats within the existing building though the trees and the vegetation around the site is considered to be of “high” suitability for commuting and foraging bats and should be retained where possible.

9.38 The report does not address concerns about other species which may be present on the site, particularly badgers which are recorded in the area and anecdotally known to cross London Road at this location. As a minimum, the boundary treatments for this site should be made permeable by provide gaps approx. 20cm square. This can be subject to a condition.

v Community Infrastructure Levy (CIL)

9.39 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.

9.40 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.

9.41 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.

9.42 Guidance in the Planning Obligations SPD, is relevant. Bracknell Forest Council

Community Infrastructure Levy (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.

vi Thames Basin Heath SPA

9.43 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.

9.44 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.

9.45 The total SPA related financial contribution for this proposal is £64,438. A S106 agreement will be required to secure this contribution. This has not yet been secured.

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.

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, however it is considered that the removal of the existing temporary parking area and replacement with a larger parking area will result in further encroachment into already heavily pressured rooting areas. The area proposed for car parking in front of the property has been considered and dismissed by two previous inspectors and the current parking in this area does not appear to have planning permission for such use..

10.4 The proposed No Dig method of providing the parking spaces does not avoid construction impact on tree root protection areas (RPAs) and advice in British Standard 5837 (2012) "Trees in relation to design, demolition and construction- Recommendations" is that any structures should be located outside RPAs unless there is overriding justification for such works. The proposed cycle store and bin store are also proposed within close proximity to protected trees along the boundaries of the site on London Road and Nevelle Close.

10.5 The proposed layout does not make adequate provision for the replacement of a Beech tree covered by TPO which was previously removed on site.

10.6 The proposed development is considered to have an adverse impact on trees protected by TPOs 198 and 745 which make an important contribution to the landscape

character and appearance of the area and would therefore be contrary to Policies EN1 and EN20 of the BFBLP and policy CS7 of the CSDPD.

10.7 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 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

That the Assistant Director: Planning be recommended to REFUSE the application for the following reasons:

01. The proposed development will have an adverse impact on trees which make an important contribution to the landscape character and appearance of the area and as such would be contrary to Policies EN1 and EN20 of the Bracknell Forest Borough Local Plan & Policy CS7 of the Core Strategy Development Plan Document.

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

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 07

Application No.
21/00594/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
11 June 2021

Target Decision Date:
6 August 2021

Elim New Road Crowthorne Berkshire RG45 6NA

Proposal: **Proposed erection of four 2 bedroom residential apartments in two blocks following the demolition of the existing property with associated parking, refuse and cycle stores.**

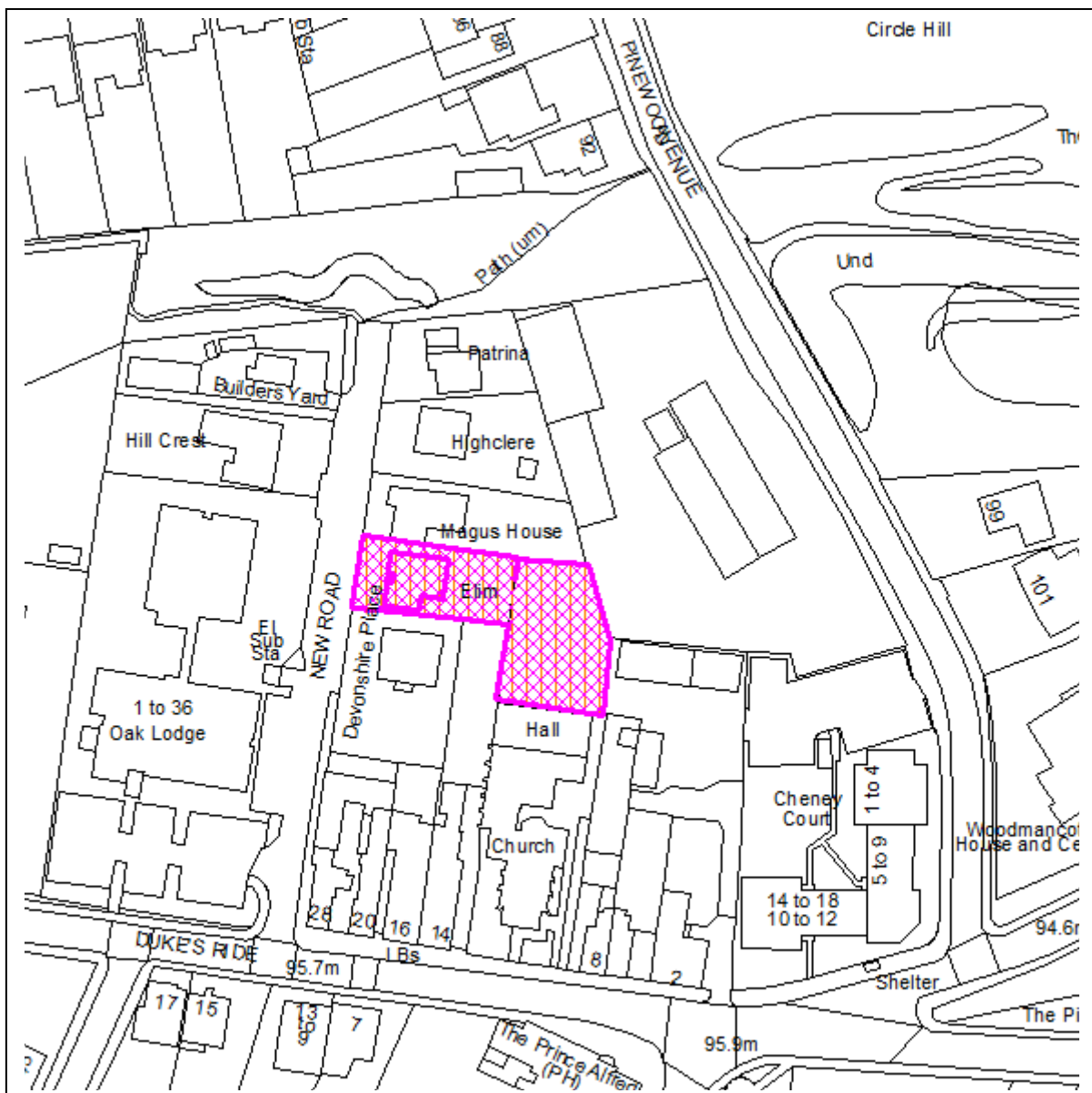
Applicant: Mr D Peters

Agent: Mr Jason O'Donnell

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 proposed development relates to a site within the settlement boundary and is therefore acceptable in principle.

1.2 The proposal would not adversely affect the residential amenities of neighbouring dwellings/buildings and acceptable living conditions would be provided for future occupiers of the proposed flats. The proposal would not adversely impact upon the character and appearance of the surrounding area.

1.3 No adverse highway safety implications would result, with sufficient on-site parking provision, cycle and bin storage. Parking for adjoining office and B8 uses is provided to Council Standards.

1.4 Conditions are recommended in relation to trees, biodiversity and energy sustainability.

1.5 A legal agreement pursuant to section 106 of the Town and Country Planning Act 1990 is required to secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION
The Assistant Director: Planning be recommended to approve the application subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.

2. REASON FOR REPORTING APPLICATION TO THE ADVISORY PLANNING COMMITTEE

2.1 The application has been reported to the Advisory 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
Character Area – Area C Crowthorne Centre

3.1 The application site is a 0.086 hectare parcel of land located to the east of the highway on New Road.

3.2 There is an existing dwelling on site which fronts onto New Road with a rear garden. Beyond the rear garden is an area of hardstanding which has been used for parking connected to a lawful office modular building and lawful B8 storage building, both used by a local plumber. The office, B8 building and hardstanding are accessed off Dukes Ride.

3.3 To the north of the site lies a residential dwelling known as Magus House, to the south is an office building at Devonshire Place and to the east is a modular office building and B8 storage building.

4. RELEVANT SITE HISTORY

4.1 The most recent applications relating to the site are:

12/00752/FUL approved November 2012 for retention of hardstanding for parking (approved after the expiry of 2 previous temporary planning permissions in 2007 and 2009 for the hardstanding).

20/00926/FUL withdrawn May 2021 for erection of six residential apartments following demolition of the existing property.

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 4no. 2 bedroom residential apartments in two blocks following the demolition of the existing dwelling, with associated parking, refuse and cycle stores.

5.2 Plots 1 and 2 would be sited fronting onto New Road. The building would be 7.07m wide x 12.02m deep, with an eaves height of 4.5m and ridge height of 8.01m. Plots 3 and 4 would be sited to the rear of plots 1 and 2. The building would be 10.22m wide x 8.39m deep, with an eaves height of 3.97m and ridge height of 8.03m.

5.3 Each of the 4 plots would comprise an open plan kitchen and living area, 2no. bedrooms and a bathroom. Plot 2 would have the addition of an en-suite bathroom.



5.4 Vehicular access to the proposed development would be taken from New Road, leading to a communal parking area with 8no. parking spaces. A cycle store is proposed along the north-eastern boundary of the site. A bin collection point is proposed close to the site frontage onto New Road, with bins for each plot proposed to be stored within the communal landscaped areas around the 2no. buildings.

5.5 A previous application, ref: 20/00926/FUL was withdrawn in May 2021 for the redevelopment of the site for 6no. apartments. This revised scheme has reduced the number of units proposed to 4, along with reductions in the size and heights of the proposed buildings and a reduction in the amount of hard surfacing for parking.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council

6.1 Refusal is recommended for the following reasons:

1. Over development of site and loss of amenity.
2. Traffic generation on an unadopted road which is narrow and in poor repair - 4 two bedroomed flats with the potential of up to 8 vehicles.
3. Lack of parking - although there are 8 spaces given the potential of 8 vehicles for residents there is no provision for visitor parking.
4. The Methodist Church holds children's activities in the rear hall and the height and the closeness of the rear block could be termed as overlooking and possibly putting the safeguarding of the children at risk.

Other representations

6.2 7no. letters of objection received which raise the following:

- Overlooking and loss of privacy to adjoining properties.
- Backland development and is contrary to Bracknell Forest Council's Design SPD.
- Overdevelopment of the site.
- A house or bungalow would be more appropriate than flats.
- Impact on unadopted road due to additional houses, with an increase in traffic and increased requirement for maintenance or damage to the road.
- Increase in traffic will impact upon pedestrian safety. New Road is well used by pedestrians.
- No visitor or disabled parking is proposed.
- Proposal will displace parking onto surrounding roads/car parks and increase demand in the evenings/weekends.
- Concerns about larger vehicles or emergency vehicles accessing existing properties along New Road and the development site itself
- The area of land at the rear of Elim is not "land locked". The applicant owns land to the south and to the east boundaries of the proposed site so a new or altered vehicular access is not needed at the expense of a neighbouring property
- A petition was submitted for the previous application on this site, with concerns raised about the access being via New Road, car parking and over development. This should be considered as part of this application.
- Resulting impacts to Magus House including increased traffic and noise pollution, the likelihood of trespass and potential for theft/burglary/vandalism, loss of daylight and sunlight.
- Development out of keeping with the area.
- Environmental concerns due to bins from pests and odour. Who will be responsible for shrubs/planting and maintenance of bin areas?
- The church, and the attached halls are used not only as a place of worship both on Sundays and during the week, but also by other local groups including for dance lessons,

playgroups. Given these uses, the occupiers of the proposed development may lodge noise complaints against the current and historic uses of the Church.

- Impact on daylight/sunlight at the church hall as a result of plots 3 and 4. Will also increase lighting costs for the church.
- Poor private amenity space provided.
- Trees removed prior to submission of planning application.
- Inappropriate mix of dwelling sizes.
- Impact to adjoining properties from construction of the development.

7. SUMMARY OF CONSULTATIONS RESPONSES

Highways Officer

7.1 No objection subject to conditions.

Biodiversity Officer

7.2 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP Policies CR1 and CR4 of Crowthorne Neighbourhood Plan	Consistent
Residential Amenity	Saved Policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LAs 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		
Thames Basin Heath Special Protection Area (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12).

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF. In particular, Policy CS2 permits development within defined settlements.

9.4 The site is located within the Defined Settlement as designated by the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area, highway safety, etc.

ii. Residential amenity

Magus House

9.5 Plots 1 and 2 would be set 6.5m from the side boundary with Magus House, with a 7m separation distance between the buildings at the closest point. The front and rear elevations of the proposed building would not project beyond that of Magus House and would therefore not appear overbearing or result in loss of daylight to the occupiers.

9.6 Two rooflights are proposed on the northern elevation facing Magus House. A planning condition is recommended to ensure that these windows are 1.7m above internal floor level to protect the adjoining occupiers from overlooking. A further planning condition is recommended restricting additional windows on the side (northern) elevation facing Magus House at first floor level and above.

9.7 Plots 3 and 4 would be set 13m from the side boundary of Magus House, with a 24m separation distance to the rear elevation at the closest point. In view of these separation distances, plots 3 and 4 would not appear overbearing or result in loss of daylight to the occupiers. Further, given the separation distances and the siting of plots 3 and 4 relative to Magus House, any first floor front facing windows would have oblique views towards the rear elevation and rear garden of Magus House that would not result in an unacceptable level of overlooking. No windows are proposed on the side (northern) elevation facing Magus House

and a planning condition is recommended to restrict windows on this elevation at first floor level and above.

9.8 The proposed internal access road leading to the parking bays serving the development would be sited close to the northern boundary with Magus House. Whilst this would result in some disturbance, given the number of residential units proposed (4no. 2 bed flats) and that acoustic fencing and planting is proposed along the northern boundary, details of which will be secured by condition, the resulting impact would not be significantly harmful to the occupiers of Magus House. Part of the former rear garden of Elim has been used for parking connected to a lawful office and B8 building used by a local plumber since at least 2007 and this area would remain in use for parking for the proposed residential units.

Devonshire Place

9.9 Plots 1 and 2 would be set 1m from the boundary with Devonshire Place, a building lawfully used as an office, with a 2m separation distance between the buildings. Due to the siting of plots 1 and 2 relative to Devonshire Place, the building would not appear overbearing or result in loss of daylight to front and rear facing windows.

9.10 Plots 3 and 4 would be set approximately 18m from Devonshire Place and would therefore not appear overbearing or result in loss of daylight/sunlight to the existing office building.

Crowthorne Methodist Church

9.11 Plots 1 and 2 would be located approximately 16m from the rear of the church hall at the closest point, with the proposed building orientated 90 degrees to the hall. As such, plots 1 and 2 would not appear overbearing or result in loss of daylight/sunlight to the church hall. First floor windows on the rear elevation of plots 1 and 2 would have oblique views towards the rear elevation of the church hall that would not result in unacceptable overlooking.

9.12 Plots 3 and 4 would be set 2.7m from the boundary with the church, with a 3.2m separation distance between the rear of the church hall and flank wall of plots 3 and 4 at the closest point. The building proposed would have an eaves height of 4m, with the roof hipped away from the boundary to mitigate its visual prominence when viewed from the church hall, so as to not result in an unacceptable overbearing impact to the church hall.

9.13 No windows are proposed in the side (southern) elevation of plots 3 and 4 facing the church hall and a planning condition is recommended to restrict windows on this elevation.

Daylight and sunlight assessment for Devonshire Place and Crowthorne Methodist Church

9.14 A daylight and sunlight assessment has been submitted with the application which assesses the impact of the proposed development on the levels of daylight and sunlight to the 2 closest buildings to the application site. These are the Methodist Church (its hall which is the closest part to the application site boundary which has windows serving class/school rooms and a kitchen) and Devonshire Place (which has side facing windows serving a kitchen at ground floor and office and WC at first floor). The detailed assessment has been undertaken in accordance with the Building Research Establishment's (BRE) Site Layout Planning for Daylight and Sunlight - a Guide to Good Practice.

9.15 Whilst these buildings are not in residential use, the BRE guidelines refer to non-residential buildings "*where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostel, small workshops and some offices.*", and the impact on these buildings has been assessed accordingly.

9.16 The assessment concludes that there would be no undue loss of daylight or sunlight to Devonshire Place or the Church Hall as a result of the proposed development, fully satisfying all BRE requirements for both daylight and sunlight.

Oak Lodge

9.17 To the east/south-east lies Oak Lodge which contains retirement apartments. There would be a 25m separation distance between plots 1 and 2 and Oak Lodge at the closest point, with New Road as an intervening feature in-between. As such, the proposed development would not appear overbearing or result in unacceptable overlooking to the building or its grounds.

Future occupiers of proposed flats

9.18 There would be a 16.8m separation distance between the rear elevation of plots 1 and 2 and the front elevation of plots 3 and 4. Given this distance, the siting of the 2 buildings within the plot and the positioning of proposed windows, there would not be unacceptable levels of overlooking between the 2no. proposed buildings. The buildings would also not appear overbearing or result in loss of daylight/sunlight to each respective plot.

9.19 To the north-east of plots 3 and 4 is a builder's merchant accessed from Pinewood Avenue, with some land surrounding the building used for storage of materials. The site operates weekdays between 7.30am and 5pm, and 8am until midday on Saturdays which are not unsociable hours. Future occupiers of plots 3 and 4 would be aware of this existing nearby use and there are other residential uses within close proximity to the builder's merchants.

9.20 To the east of plots 3 and 4 is an existing building in B8 use. The building is used by a local plumber for storage purposes, with an office serving the plumbing business located directly to the south of the B8 building. Given the use of the building for B8 storage which is contained within the building itself, this would not be a noise generating use that would adversely impact future occupiers of plots 3 and 4. The B8 building is set approximately 5.5m from the rear elevation of plots 3 and 4, orientated at 90 degrees to the proposed building and would therefore not appear unduly overbearing to the detriment of future occupiers.

9.21 Sufficient on-site parking would be provided, along with cycle and bin storage and communal amenity areas around the proposed buildings for future occupiers of the proposed dwellings.

9.22 As such, the proposal would not be considered to have any unacceptable adverse effect on the residential amenities of neighbouring properties/buildings and acceptable living standards would be provided for future occupiers of the proposed flats, in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

9.23 The site is located within the Crowthorne Centre Study Area defined within the Character Area Assessments SPD (2010). The SPD identifies that the area is focused around the local high street with a variety of uses. In addition to the High Street there are more non-residential uses on Kings Road and Dukes Ride. The SPD identifies the area as urban in character, with higher density development and larger buildings which are between 2 and 4 storeys high.

9.24 Bracknell Forest Council's Design SPD was adopted in March 2017 and seeks to secure good design and high quality development. The Design SPD sets out a number of

recommendations that are relevant to the proposed development. Of particular relevance are the following recommendations:

- The form of new buildings, including roofs should relate well to those found in the local context.
- Backland development should not be highly visible from the main street frontage, not harm the existing character of the area, relate to a site of sufficient size and shape to accommodate the number of dwellings; not be taller than the existing buildings.
- Parking for houses should not dominate the streetscene.
- Site dwellings so that all of their associated requirements, including outdoor space, parking and waste and recycling storage/collection, can also be arranged appropriately within a plot.

9.25 The Crowthorne Neighbourhood Plan forms part of the Development Plan and is used in determining planning applications in Crowthorne Parish. The Plan was 'made' by Bracknell Forest Council on 9 June 2021.

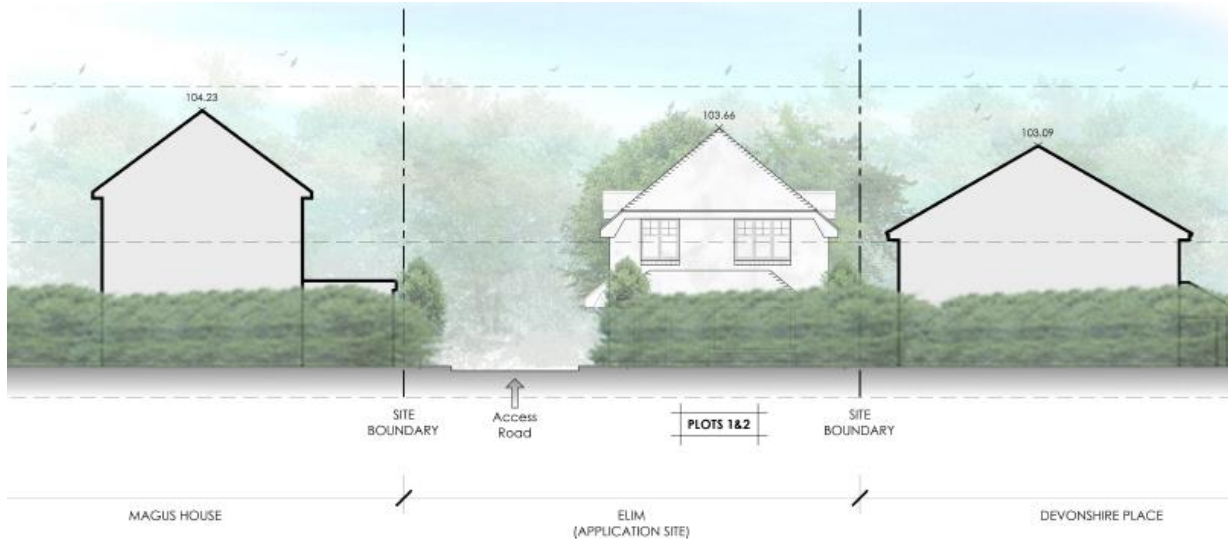
9.26 Policy CR1 of the Plan refers to high quality design and states: Development proposals in the neighbourhood area should demonstrate high quality design that responds to and integrates with local surroundings and landscape context as well as the existing built environment.

9.27 Policy CR4 of the Plan refers to Promoting Good Design in Crowthorne Centre and states: Development proposals in the Crowthorne Centre Character Area will be supported, provided they have had regard to the following attributes that form the essential character of Crowthorne Centre... high-density building development on the periphery of the High Street.

9.28 Plots 1 and 2 would address New Road, with Plots 3 and 4 set back 35.8m from the site frontage, constituting backland development. The density of development would be 50 dwellings per hectare. The Character Area Assessments SPD and Policy CR4 of the Crowthorne Neighbourhood Plan identify the surrounding area as urban in character with higher density developments and the proposed development would be an efficient use of land on a site within an urban location, close to Crowthorne Centre and on a plot larger in size than adjoining dwellings.

9.29 The development proposed would not appear cramped within the site, with sufficient separation distances between adjoining buildings and the proposed buildings, communal amenity areas around each building, and soft landscaping around the site. An internal access road, on-site parking in accordance with Bracknell Forest Council's Parking Standards SPD, bin and cycle storage (including a bin collection point) would also be provided. The NPPF encourages the effective use of land, particularly in meeting the need for new homes and it is considered that this proposal would comply with this objective, with the net gain of 3no. residential units on a site within the settlement boundary and in a sustainable location, within close proximity to Crowthorne Centre.

9.30 Plots 1 and 2 would be sited on a similar building line to that of the existing dwelling on site, and similar to that of existing buildings directly to the north at Magus House and to the south at Devonshire Place. The building would be set back 6m from the site frontage at the closet point, with sufficient space for a bin collection point and soft landscaping between the building and the site frontage onto New Road. Plots 1 and 2 would be two storeys high, with a ridge height of 8.01m. There is an increase in site levels along New Road from south to north and the submitted street scene drawing demonstrates that the eaves and ridge height of plots 1 and 2 would assimilate well with adjoining buildings directly to the north and south.



9.31 Plots 3 and 4 would be set back 35.8m from the front boundary of the site with New Road, and would be two storeys high, with a ridge height of 8.03m. Given the setback of plots 3 and 4, the siting of the building within the plot and the positioning of plots 1 and 2 and the adjoining building at Devonshire Place, plots 3 and 4 would not be readily visible from New Road. Plots 3 and 4 would be set some 50m from both Pinewood Avenue to the east and Dukes Ride to the south, and with intervening buildings in-between, plots 3 and 4 would also not appear readily visible from these public vantage points, in accordance with the Design SPD.

Plots 1 and 2

Plots 3 and 4



FRONT ELEVATION (west facing)
Scale 1:100 @ A2



FRONT ELEVATION (west facing)
Scale 1:100 @ A2

9.32 The proposed buildings have been designed so as to have the appearance of detached dwellings, which characterise the northern end of New Road. Plots 1 and 2 would have a pitched roof, and would be dual frontage, with the principal elevation facing onto New Road comprising an entrance door, canopy and windows, and the northern elevation facing the internal access road with an additional entrance door with small canopy and windows. Plots 3 and 4 would have a hipped roof, with windows set into the eaves, a canopy over the entrance door and soldier coursing around the windows. Buildings along New Road and Dukes Ride comprise a mix of pitched and hipped roofs or gables fronting the road and there

is no uniformity to design. The proposed buildings would reflect the design seen in the surrounding area and would therefore be acceptable.

9.33 The development would be served by an internal access road 4.1m wide which would lead to the communal parking area for 8no. cars, towards the rear of the site. The parking would be set back 30m from the site frontage with New Road and therefore, would not appear unduly prominent in the street scene. Soft landscaping is proposed within the site, particularly along the northern boundary of the internal access road and around the parking bays which would provide some softening to the hard landscaped areas proposed. Cycle storage is proposed along the eastern boundary in a timber store which would be acceptable. Bin storage for each plot would be accommodated within the amenity areas around each of the buildings, with a formal bin collection point close to New Road which would be screened by soft landscaping.

9.34 Planning conditions are recommended to secure details of materials, landscaping and boundary treatment, in the interests of the visual amenities of the surrounding area.

9.35 The proposed development would therefore not result in unacceptable harm to the character and appearance of the surrounding area and as such would accord with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD, the Design SPD, the Character Area Assessments SPD, Policies CR1 and CR4 of the Crowthorne Neighbourhood Plan and the NPPF.

iv. Transport implications

Access

9.36 Access is proposed onto an unadopted section of New Road. Visibility splays are shown on the submitted drawing to Manual for Streets 15mph speeds. Slightly longer visibilities are likely to be available in practice. Given the unmade surface of the road, 15mph is considered to be an acceptable approach speed.

9.37 The proposed access is 4.1m wide with adjacent margins. This is sufficient for two cars to pass at slow speed and compliant with the Council's Highways Guide for Development. The proposed width of the access road would also be sufficient for a fire tender and the entrance to plots 3 and 4 would be within 45m of the access to the site for a pump appliance, in accordance with Manual for Streets.

Car and Cycle Parking

9.38 Four 2-bedroom flats are proposed, with provision of 8 car parking spaces and 8 secure, covered cycle spaces, meeting the requirements set out in Table 6 of the Parking Standards SPD. The turning area is sufficiently sized to turn into and out of spaces, compliant with paragraph 8.351 and Figure 8.18 of Manual for Streets.

9.39 As the development is less than 5 units, there is no requirement for visitor parking.

9.40 The existing area of hardstanding to the east of the rear garden of Elim is currently used for parking by an adjoining office and B8 storage building. The retention of the hardstanding was approved in 2012 for parking. However, the parking requirements for the existing office and B8 use in accordance with the Parking Standards SPD can be met around the respective buildings (a total of 4-5 spaces are required for these lawful uses) without the use of the existing area of hardstanding where plots 3 and 4 and the parking court is proposed as part of this current application. The area of hardstanding approved in 2012 provided an over-proliferation of parking for the existing lawful office and B8 uses.

Trips

9.41 Based on trip rates from the TRICS database, the proposed development would generate around 14 trips over the day as a whole. This does not take into account any offset from trips which would be generated by the existing building on the site.

9.42 A bin collection point is proposed within 25m of the adopted highway section of New Road to the south. Individual bins for each unit will be stored within the amenity space surrounding each of the 2no. proposed buildings.

9.43 Subject to the imposition of conditions, the proposal is considered to be in accordance with CS23 of the CSDPD, Saved Policy M9 of the BFBLP, the Parking Standards SPD and the NPPF and would not result in a detrimental impact on highway safety.

v. Trees

9.44 There are trees on and surrounding the site which are not subject to Tree Preservation Orders. The site also is not located within a Conservation Area.

9.45 The application is accompanied by an Arboricultural Implications Assessment and Method Statement. It is proposed to remove a line of Beech along the northern boundary which were originally planted as a hedge but have been left unmanaged and overgrown; and to remove a multi-stemmed, previously coppiced Sycamore along part of the southern boundary. These trees are classed as either category C or U trees and there is no objection to their removal. Replacement tree planting is proposed within the site including Beech and Oak which would be of improved amenity value and which can be secured by condition.

9.46 There is a holly within the garden of Magus House which will be cut back to the boundary under common law. It's root protection area will be safeguarded with existing hardstanding removed sensitively and the existing subbase retained and incorporated into the new access. This can be secured by condition.

9.47 Proposed parking bays along the northern boundary would be located outside the root protection area of an off-site Copper Beech tree which would therefore not be impacted upon.

9.48 A group of off-site Leyland cypress close to the south-eastern corner of the site would be safeguarded by protective fencing. However, no development is proposed within the root protection area (RPA).

9.49 Subject to the imposition of conditions to safeguard adjoining off-site trees and secure replacement tree planting within the site, the proposal is considered to be in accordance with Policy EN1 of the Bracknell Forest Borough Local Plan and the NPPF and would not result in an adverse impact on trees.

vi. Biodiversity

9.50 The existing dwelling is single storey with a small roof space, and as such falls into the group of buildings with a decreased probability of supporting bats as defined by Natural England in their standing advice on protected species.

9.51 Planning conditions are recommended to enhance biodiversity on site, including no site clearance during the main bird nesting season and provision of biodiversity enhancements including bird and bat boxes and appropriate landscaping.

9.52 Subject to the above conditions, the development would be in accordance with Policies CS1 and CS7 of the CSDPD, consistent with the NPPF.

vii. Thames Basin Heath Special Protection Area (SPA)

9.53 In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) Bracknell Forest Council (BFC) has carried out a Habitats Regulations Assessment of the proposed development.

9.54 The following potential adverse effects on habitats sites were screened out of further assessment:

- Loss of functionally linked land (TBH SPA)
- Air pollution from an increase in traffic (TBH SPA, Windsor Forest and Great Park)
- Special Area of Conservation (SAC), Thursley, Ash, Pirbright and Chobham SAC and Chilterns Beechwoods SAC)

9.55 Recreational pressure on the TBH SPA was screened in for Appropriate Assessment.

9.56 BFC, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (TBH SPA) along with any larger developments comprising over 50 net new dwellings within the 5-7km zone is likely to have a significant effect on the integrity of the TBH SPA, either alone or in-combination with other plans or projects.

9.57 This site is located within the 400m-5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures. For clarification, part of the building proposed on plots 3 and 4 falls within the 400m SPA buffer but the entrance to the building on plots 3 and 4 and the vehicular access to the site is located outside 400m of the SPA buffer and is therefore acceptable

9.58 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to BFC towards the cost of measures to avoid and mitigate against the effect upon the TBH SPA, as set out in BFC's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (April 2018)

9.59 The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the TBH SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. Bracknell Forest Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.60 In this instance, the development would result in a net increase of four x 2-bedroom dwellings replacing a single 3-bedroom dwelling within the 400m-5km TBH SPA buffer zone which results in a total SANG contribution of £14,660.

9.61 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £1,761 which is also calculated on a per bedroom basis.

9.62 The total SPA related financial contribution for this proposal is £16,421. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of any dwelling until BFC has confirmed that open space enhancement works to a SANG have been completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with South East Plan Saved Policy NRM6, saved policy EN3 of the Bracknell Forest Borough Local Plan (2002), Policy CS14 of the Core Strategy Development Plan Document (2008), the Thames Basin Heaths Special Protection Area Supplementary Planning Document and the National Planning Policy Framework.

viii. Community Infrastructure Levy (CIL)

9.63 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.64 CIL applies to any new build (except outline applications and some reserved matters applications) including those that involve the creation of additional dwellings. 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.

9.65 The application site lies within the Crowthorne/Sandhurst CIL charging zone.

ix. Energy sustainability

9.66 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement in relation to water usage (average water use of 110 litre/person/day). A planning condition is recommended to secure the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

9.67 Policy CS12 of the CSDPD requires development proposals for less than five net additional dwellings to provide at least 10% of their energy requirements from on-site renewable energy generation. A planning condition is recommended to secure the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD.

x. Drainage/SuDS

9.68 The application site is located within Flood Zone 1. A condition is recommended to ensure that the hard surfaced areas proposed for access and on-site parking/turning are SuDS compliant.

10. CONCLUSION

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. The proposal would result in a net increase of 3no. residential units to contribute to Bracknell Forest Council's housing supply.

10.2 The proposal would not adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions would be provided for future occupiers of the proposed dwellings. The proposal would not adversely impact upon the character and appearance of the surrounding area.

10.3 No adverse highway safety implications would result, with sufficient on-site parking provision, cycle and bin storage. Parking for adjoining office and B8 uses is provided to Council Standards.

10.4 Conditions are recommended in relation to trees, biodiversity and energy sustainability.

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

10.6 The application is therefore recommended for approval, subject to the completion of a s106 agreement.

11. RECOMMENDATION

11.1 Following the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure planning obligations relating to the Thames Basin Heaths SPA;

That the Assistant Director: Planning be recommended 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 received by the Local Planning Authority:

Drawing no. P20/06/S/301 Rev D received 30 November 2021

Drawing no. P20/06/S/302 received 11 June 2021

Drawing no. P20/06/S/310 received 11 June 2021

Drawing no. P20/06/S/320 received 11 June 2021

Drawing no. P20/06/S/330 Rev C received 22 November 2021

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 buildings 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 rooflights in the roof slopes of plots 1 and 2 facing north and south shall at all times be no less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring buildings.

[Relevant Policies: BFBLP EN20]

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the side (northern and southern) elevations of the 2no. buildings hereby permitted, except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring buildings.

[Relevant Policies: BFBLP EN20]

07. The flats 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 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 landscaping as approved shall thereafter be retained and maintained.

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

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

08. The flats hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The details shall include the installation of acoustic fencing along the northern boundary of the site. 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 and retained as such thereafter.

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 the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation, 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 CS12]

11. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be complied with during construction.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

12. The development hereby permitted (including demolition) shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON: To ensure that wildlife is not adversely affected by the proposed development.
[Relevant Policies: BFBLP EN20, CSDPD CS1 and CS7]

13. All existing trees, hedgerows and groups of shrubs shown to be retained in the document/plans of the Arboricultural Survey Implications Assessment and Arboricultural Method Statement by RMTTree Consultancy Ltd shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision.

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]

14. The protective fencing and other protection measures specified by condition 13 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 fenced 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]

15. The removal of existing hard surfaced areas within the minimum Root Protection Area (RPA's) of trees to be retained shall be undertaken in accordance with document/plans of the Arboricultural Survey Implications Assessment and Arboricultural Method Statement by RMTTree Consultancy Ltd.

REASON: In order to safeguard tree roots.

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

16. No development (other than the construction of the access) shall take place until the access onto New Road has been constructed in accordance with the approved drawing (P20/06/S/301 Rev D received 30 November 2021) and provided with the visibility splays shown on the approved drawing of at least 2.4m x 17m in each direction along New Road. The visibility splay areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

17. The flats hereby permitted shall not be occupied until the access road and associated car parking and turning space has been surfaced and marked out in accordance with the approved drawing (P20/06/S/301 Rev D received 30 November 2021). The car parking spaces shall thereafter be kept available for parking at all times.

REASON: In the interests of highway safety and 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]

18. The flats hereby permitted shall not be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawings (P20/06/S/301 Rev D received 30 November 2021 and P20/06/S/330 Rev C received 22 November 2021) and retained as such thereafter.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

19. No gates shall be provided at the vehicular access to the site.

REASON: In the interests of highway safety and accessibility of all road users to the development.

[Relevant Policies: CSDPD CS23]

20. The development hereby permitted (including demolition) shall not be begun until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include as a minimum:

- (i) Details of the parking of vehicles of site operatives;
- (ii) Areas for loading and unloading of plant and materials;
- (iii) Areas for the storage of plant and materials used in constructing the development;
- (iv) Location of any temporary portacabins and welfare buildings for site operatives;
- (v) Details of any security hoarding;
- (vi) Details of any temporary external lighting of the site during demolition and construction;
- (vii) Measures to control the emission of dust, dirt, noise and odour during demolition and

construction;

- (viii) Measures to control surface water run-off during demolition and construction;
- (ix) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (x) Details of wheel-washing facilities; and
- (xii) Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

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

REASON: In the interests of highway safety and to mitigate and control environmental effects during construction of the development.

[Relevant Policies: BFBLP EN20, EN25, M9; CSDPD CS1, CS7, CS23]

21. The access road, parking and turning areas 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: CSDPD CS1, BFBLP EN25]

Informatives:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

- 03. Materials
- 04. Slab level
- 09. Sustainability Statement
- 10. Energy Demand Assessment
- 12. Biodiversity enhancements
- 20. Construction Environmental Management Plan

3. The applicant is advised that the following conditions require discharging prior to occupation:

- 07. Landscaping
- 08. Boundary treatments

4. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

- 01. Time limit
- 02. Approved plans
- 05. Rooflights
- 06. Restrictions on windows
- 11. No site clearance during bird nesting season (details required if during the season)
- 13, 14, 15. Tree protection
- 16. Access and visibility
- 17. Parking
- 18. Cycle parking
- 19. No gates at vehicular access

21. SuDS

In the event of the S106 agreement not being completed by 31 March 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application on the grounds of:

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

Unrestricted Report

ITEM NO: 08

Application No.
21/00780/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
5 August 2021

Target Decision Date:
4 November 2021

Site Address:

Winkfield Manor Forest Road Ascot Berkshire

Proposal:

Demolition of the existing buildings and erection of 18no. residential dwellings utilising the existing access off Forest Road, including parking, landscaping, and ancillary works.

Applicant:

Rectory Homes

Agent:

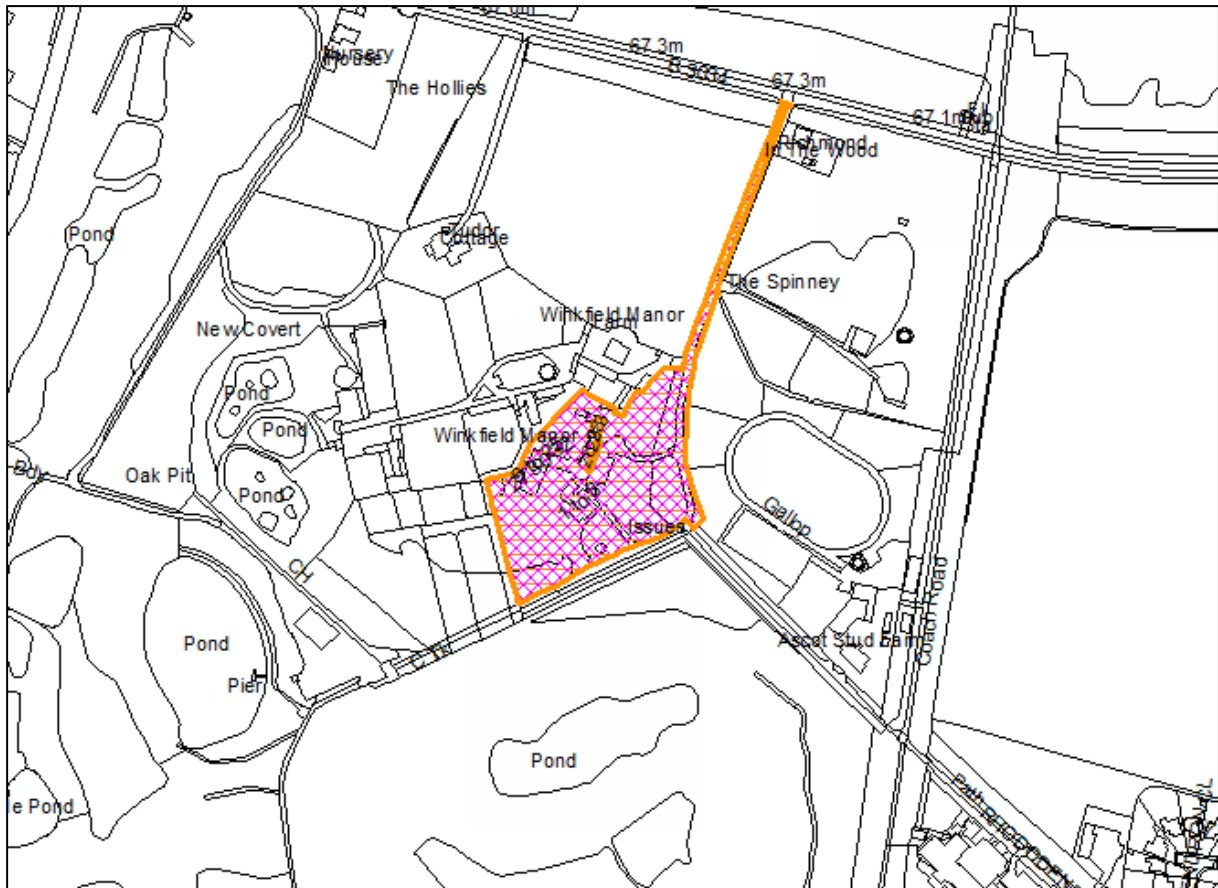
Mr H Venners

Case Officer:

Jo Male, 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 application proposes the re-development of previously developed land within the Green Belt and will not have a greater impact on the openness of the Green Belt than the existing use. Whilst the scheme would result in a net loss of residential units on the site, the existing units are sub-standard and re-provision of the same number in a manner that meets appropriate design and size standards would not be consistent with the site's Green Belt location.
- 1.2 The historic significance of the site and adjoining designated heritage assets has been taken into account and, in light of the advice of the Council's Historic Buildings advisor, it is concluded that the proposed development is of an appropriate design and will not cause harm to the significance of any designated heritage asset. Furthermore, whilst the proposed development would result in the total loss of a non-designated heritage asset, in taking a 'balanced judgment' on this issue, it is considered that the benefits of redeveloping this previously developed site to provide housing, are sufficient to outweigh the harm resulting from the loss of the existing Manor Building and associated 'stable block', given the significance of these assets.
- 1.3 The development will result in a net reduction in traffic movements compared with the extant use of the site, if this were brought back into full use and on this basis, it is not considered that a highways objection to the proposed scheme could be sustained. The proposed development is of a high-quality design and will provide an appropriate standard of amenity for future occupiers. All other issues relating to drainage, biodiversity and landscaping can be dealt with by means of appropriate conditions and approval is recommended.

RECOMMENDATION
The Assistant Director Planning be recommended to approve the application subject to a s106 Agreement and the conditions set out in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is reported to the Advisory Planning Committee at the request of Councillor Virgo.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
The site lies within the Green Belt
Affects the setting of Registered Historic park and garden and Listed Buildings

- 3.1 The application site extends to 1.7ha and is located to the south of Forest Road, accessed via a 215m (approx.) driveway which also serves Richmonds in the Woods which is located on the site's road frontage and Winkfield Park Farm which is located to the north of the application site.

- 3.2 It contains Winkfield Manor which comprises the remnants of a Georgian/Edwardian house which was proposed for addition to the Bracknell Forest Local List and which is considered a non-designated heritage asset within the terms of the NPPF. However, the Manor has been the subject of an arson attack which has left the historic part of the building burnt out.
- 3.3 To the north-east of the Manor is a terrace of 'farm cottages' dating from c.1905, and to their rear is a modern L-shaped Building which was added (in the 1970s). The site is currently unoccupied but was last used to provide 33 units of sheltered accommodation.
- 3.4 The building is considered to affect the setting of the Grade II* Registered Historic Park and Garden at Ascot Place and in particular the Coach Road, where it is within 200m and has limited inter-visibility with them. The house is also within 94m of the Grade II Listed Tudor Cottage and 300m of the Grade II Listed Ascot Place Gate Piers. The application has been advertised as affecting the setting of these listed buildings.
- 3.5 The site lies within the Green Belt.

4. RELEVANT SITE HISTORY

20412 Change of use to provide residential accommodation for the elderly. Approved.

600213 Change of use to Warden controlled single persons Hostel. Approved.

602030 Conversion of existing house and 'cottage block' to flats, erection of a new wing of flats to replace demolished wing and demolished bungalow. Approved following reference to the Secretary of State.

LBC/022/76 Demolition of south-west wing of building. Approved following reference to the Secretary of State.

5. THE PROPOSAL

- 5.1 Full planning permission is sought for the demolition of the existing buildings and erection of 18no. residential dwellings including parking, landscaping and associated works. The development will be accessed via the existing private access driveway from the B3034 Forest Road which currently serves the site together with Winkfield Manor Farm and 'Richmond in the Wood'.
- 5.2 The development comprises 4 elements: a Manor House, small barn, stable block and gatehouse. The dwelling mix comprises:
 - 15no. 3-bedroom units
 - 2no. 2-bedroom units
 - 1no. 4-bedroom unit
- 5.3 The design scheme for the site references the current arrangement, as a country estate with the main house surrounded by associated outbuildings of ancillary scale. The proposed 'Manor House' comprises 4no. 3-bedroom dwellings across 2.5 floors being situated approximately on the site of the existing Winkfield Manor building. Two terraces, totaling 11no. 3-bedroom dwellings are located to its north and north-west.

Plots 1 - 11 ('the stable block') have a double pitched roof and 'through-eaves' windows which serves to keep the overall height of the roof down (maximum of 7.4m above ground level).

- 5.4 A 'small barn' is located adjacent to the site's northern boundary close to a brick wall (approximately 2.25m in height) and providing 2no. 2 bedroom units. Finally, a single detached house with garage is located to the east of these units and is provided as an entrance building, albeit that it would face into the site rather than address the entrance. This would be provided with its own enclosed garden, following comments received from the Biodiversity Officer. Plots 1 - 13 would also have small, enclosed gardens, however the majority of the amenity space would be provided within the wider parkland setting of the development.

6. REPRESENTATIONS RECEIVED

- 6.1 Winkfield Parish Council make the following observations on the application:

'WPC has concerns pertaining to the adequacy of the access track and access onto Forest Road. It is further noted that no cycle storage is shown on the plans. WPC would ask that provision be made for electric vehicle parking'.

- 6.2 Six letters of objection have been received which raise the following concerns:

- Transport Statement overestimates level of traffic generation associated with previous use and so conclusion that development will lead to reduction in traffic is false
- Accepted by all parties that access not sufficient to accommodate 2-way traffic flows and if there is any risk that the development will not result in a reduction in traffic activity, the Highways Authority should raise an objection to the scheme
- Proposed passing bays within the scheme will not mitigate impacts along access road
- Planning Authority should satisfy itself that there are passing bays within the application site boundary and available within the rights of access enjoyed by the site
- Object to use of drive of Richmonds in the Wood as passing place - no consent for this has been sought or given
- Lack of visibility along access driveway particularly when entering from east
- Swept path analysis provided only for cars and not larger vehicles such as horse boxes
- Applicant should acquire sufficient land to provide appropriate passing bays
- Traffic generation and consequent adverse impact on highway safety
- Questions whether permission was granted for topographical survey to be undertaken and if not, whether the plan should be admissible [Officer Note: This is a private legal matter and does not relate to the planning merits of the proposal].
- Request for protection of front lawn to Richmonds in the Woods during construction works
- Access drive is not of sufficient width to allow development of the scale proposed, lacking a pedestrian footway and sufficient visibility to the passing space
- Units on Plots 12 - 14 are too close to the boundary with Winkfield Manor Farm and could cause noise and disturbance to its residents and the competition horses stabled there.
- Development extends beyond existing site coverage and potentially too close to old oak (possibly 500 years old).
- Overdevelopment in Green Belt area
- Roads and local facilities unable to cope with further development

- Units will be unaffordable to local people
- Land should be redeveloped to provide recreational facility with affordable access

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

No objection in light of evidence provided relating to traffic generation, recommends conditions.

Heritage Advisor

No objections in principle to the development subject to appropriate conditions.

Archaeology

Recommends that a scheme of archaeological works is secured by condition to assess the extent and significance of surviving archaeology and mitigate harm.

Local Lead Flood Authority (LLFA)

No objection. Recommends conditions.

Urban Design Officer

No objection.

Biodiversity

Provides detailed comments which have been addressed through the submission of a Biodiversity Net Gain metric and proposed conditions.

Tree Service

No Objection

Landscape Officer

Detailed comments provided as set out within the report and which have been addressed through the provision of revised plans and additional information.

8. DEVELOPMENT PLAN

8.1 The Development Plan for the purposes of determining this application includes the following:

- o Policy NRM6 of the South East Plan (May 2009)
- o Core Strategy Development Plan Document (February 2008) (CSDPD)
- o Bracknell Forest Borough Local Plan (Saved Policies) (January 2002) (BFBLP)
- o Site Allocations Local Plan (July 2013) (SALP)
- o Bracknell Forest Policies Map (2013)

8.2 Winkfield Neighbourhood Plan is at an early stage in preparation and currently can be afforded no weight.

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Heritage Issues
- iii. Design and Impact on Character and Appearance of Area

- iv. Trees and Landscape
- v. Impact on Nearby Premises
- vi. Highway Implications
- vii. Biodiversity
- viii. Environmental Effects
- ix. Energy and Sustainability
- x. Waste
- xi. Drainage
- xii. Affordable Housing
- xiii. Impact on Thames Basin Heaths SPA
- xiv. Community Infrastructure Levy (CIL) and Planning Obligations

i. Principle of Development

9.2 The site is located in the Green Belt as designated by the Bracknell Forest Policies Maps (2013).

9.3 Chapter 13 of the NPPF (2021) refers to protecting Green Belt land. Para 137 states:

'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.

9.4 Paras 147 and 148 state:

'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances...When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'.

9.5 Paras 149 and 150 set out what may constitute appropriate development in the Green Belt. These include (inter alia): -

149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.6 Whilst Policy GB1 of the BFBLP is broadly consistent with the aims of the NPPF to protect the Green Belt from inappropriate development, it pre-dates the NPPF and therefore does not make reference to potential for limited infilling or redevelopment of previously developed sites, and accordingly is given limited weight in this regard.

9.7 Policy CS9 of the Core Strategy Development on Land Outside Settlements states:

"The Council will protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land; and

- i. Protect the defined gaps within or adjoining the Borough from development that would harm the physical and visual separation of settlements either within or adjoining the Borough.
- or
- ii. Maintain the Green Belt boundaries within Bracknell Forest and protect the Green Belt from inappropriate development"

9.8 The application proposes the complete redevelopment of previously developed land (PDL) and therefore the principle of the development can be consistent with Green Belt policy provided that the development 'would not have a greater impact on the openness of the Green Belt than the existing development'.

9.9 The NPPG provides guidance under the heading 'What factors can be taken into account when considering the potential impact of development on the openness of the Green Belt?' and states:

'Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation'.

9.10 The site is currently occupied by the former Manor building, cottages and the 1970s building all of which are concentrated in the northern part of the site. Hardstanding comprising a circular access road, encircles an undeveloped area to the south-east of these buildings which supports some significant trees and some drainage features.

9.11 The application proposes the replacement of all of these existing buildings with new development, which broadly reflects the siting of the original buildings save for the 'small barn' and the 'gate house' which are located to the north and east of the original stable buildings. The replacement Manor House also extends some 10m further to the south than the current position. However, the siting of the development does ensure that buildings are pulled away from the site's north-western boundary, although parking spaces remain in this area.

9.12 The applicant has been requested for information to allow a quantitative assessment of whether the proposed development would have a materially greater impact on openness than the existing. This is set out in tabular form below:

	Existing	Proposed	% Change
Floor area	1911sq.m	2509 sq.m	+ 31%
Building Footprint	1286 sq.m	1405 sq.m	+ 9%
Amount of Hardstanding	2796 sq.m	1923 sq. m	- 31%
Total Site Coverage	4064sq.m	3328sq.m	- 18%

Volume	9491 cubic metres	9316 cubic metres	- 2%
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9.13 It will be noted that there is no increase in the total volume of development on site, although the total floor area does increase. This has been achieved by the more efficient use of space within buildings, providing accommodation within the roof space whilst keeping roofs as low as possible.

9.14 From the topographical survey submitted, the heights of the existing buildings are as follows:

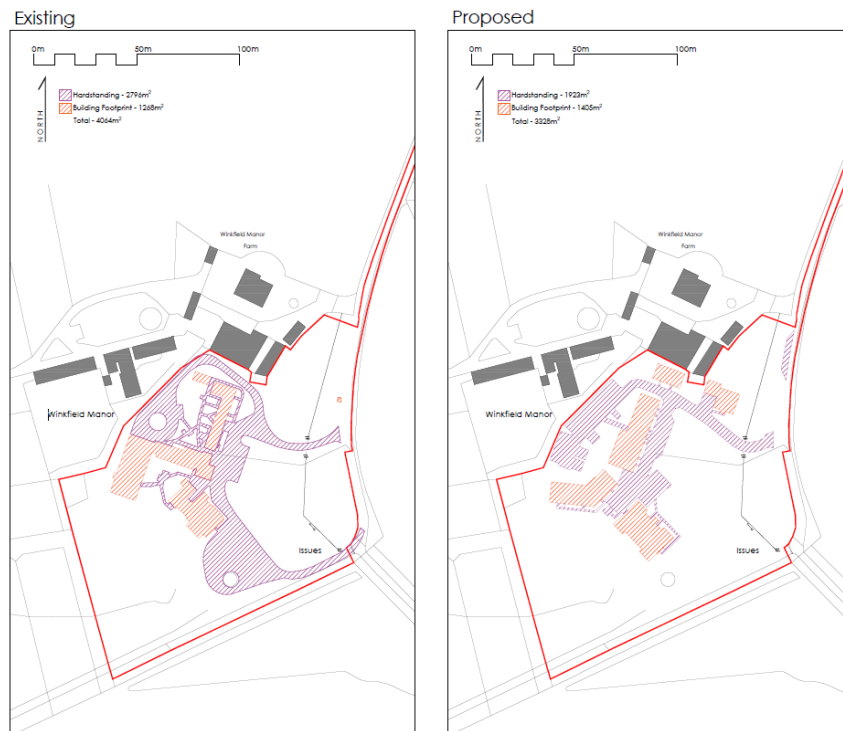
Manor House - 8.36m
 1970s extension - 8.04m
 Stable Cottages - 8.08m

By contrast, the height of the replacement buildings are:

Manor House - 9.16m
 Stable Cottage - 7.4m (max)
 Small Barn - 8.14m
 Gate House - 8.0m

9.15 Whilst it is noted that the overall height of the main building exceeds that of the original Manor House by 0.8m, it is considered that its scale is commensurate with its design as the focal building within the site, and given its setting within the site, it is not considered that it will have any material visual impact on the openness of the Green Belt.

9.16 The amount of hardstanding has been reduced, through the removal of the circular access road which allows the land to the south of the Manor House to be returned to an undeveloped form, with the proposed hardstanding located to the north of the site. This reduction in the spread of built development on the site is considered beneficial in terms of the openness of the Green Belt. A drawing showing a comparison of the existing and proposed building footprints and areas of hardstanding is included below:



9.17 Whilst it is accepted that the positioning of units 12, 13 and 14 extends the envelope of development marginally, this is within an area that is enclosed by a brick wall and as a result of this degree of containment it is not considered that the proposed development would have a greater visual impact upon the openness of the Green Belt. The proposal draws built form (not including hardstanding) away from the site's more open, north-western edge in the location of the existing 1970s block and this provides a compensatory reduction in the spread of buildings.

9.18 In terms of vehicular activity, the comments of the Highway Officer (provided in more detail below) confirm that the proposed development will result in a net reduction of vehicle movements to the site.

9.20 Given that there would be a net reduction in volume of development on the site, the proposed development would, given its contained nature, not have a materially greater visual impact upon the character of the site, and would result in a net reduction in traffic movements, it is considered that it would not have a greater impact on the openness of the Green Belt than the existing development. It therefore can be considered 'appropriate' in Green Belt terms under para. 149 g) as the complete redevelopment of previously developed land.

9.21 Also of relevance to the principle of development is Policy H11 of the BFBLP which is considered to be consistent with the NPPF and which seeks to significantly boost the supply of housing, since it seeks to retain the existing housing stock. The proposal would result in the removal of the existing sheltered accommodation on the site resulting in a loss of 15 net units (33 currently, 18 proposed).

9.22 Policy H11 states that 'development which would result in any loss of the existing dwelling stock will not be permitted except where

(iii) community benefits would result which could not be achieved by other means'.

- 9.23 The current development on site provided sheltered, elderly persons accommodation. However, the site has been vacant since 2018 and the existing buildings are considered unfit for purpose with many of them failing to meet minimum size standards. The original Manor House has been subject to an arson attack and a surveyor's report has been submitted indicating that it is not safe and capable of re-building. For both of these reasons the redevelopment of the site is necessitated.
- 9.24 Given the Green Belt designation of the site, it is not considered that an alternative scheme could be produced, which provides an equivalent number of units to those present, whilst not having an additional impact upon the openness of the Green Belt. The scheme provides high quality, family accommodation contributing to the Council's supply of housing which is considered a benefit. In light of these considerations, it is considered that the total reduction in number of units on the site is acceptable, consistent with Policy H11(iii).

ii. Heritage Issues

Impact on Non-designated/designated Heritage Assets

- 9.25 The application proposes the demolition of Winkfield Manor, a non-designated heritage asset. The main building was damaged by fire in 2019. The application is accompanied by a Structural Engineer's report which details the damage to the building and recommends that it should be completely re-built.
- 9.26 The potential to retain this building was considered as part of a pre-application advice process and it was accepted that, in light of the findings of this structural report, that the main Winkfield Manor was beyond reasonable repair such that its demolition and replacement could be accepted. However, at this time, it was suggested that consideration be given to the retention of the farm cottages.
- 9.27 An updated Heritage Assessment has been provided in support of the demolition of the Farm Cottages (Donal Insall Associated, April, 2021). This states that the core of the Farm Cottages was almost certainly originally built in 1898, as part of the 'creation' of Winkfield Manor. The Farm Worker Cottages are a terrace of 5 small cottages, with 2 storey gable fronted bookends containing smaller 1 ½ storey modest cottages of brick under tile and simple canopies and car-parking to the front. The building is in a vernacular style with plain tiled roofs, and the brickwork is identified as Flemish bond below the stringcourse, and with mainly stretcher bond above it. This is suggested to support the view that the first floor was added or rebuilt later. Since this time, the elevation has been repointed in Portland cement and re-fenestrated with uPVC windows and doors.
- 9.28 The Council's Heritage Advisor has been consulted on the current application and comments:
- 'The proposed replacement buildings would be 1 and a half storeys high principally with the main house being two storeys high. The designs all appear to be in-keeping with the historic setting of the site, making use of a range of materials applicable to the style of each building including brick for the 'Manor House', Gate Lodge and stable block with timber for the barn. The designs incorporate a range of architectural detailing which would give the development some character and interest including round headed windows, porticos, slate roofs, dormer windows, stone detailing, hipped roofs and gauged brick window arches'.
- 9.29 He concludes:

'The main Georgian building has been subject to long-term neglect and subsequent arson attack rendering the main structure uneconomic to repair. Given the location within the setting of two Grade II Listed Buildings and part of the Grade II* Registered Historic Park and Garden, any replacement buildings will need to be sympathetic and subordinate to the character of existing Listed Buildings in the area and respect the landscape character of the site and maintain the openness of the Green Belt.

Whilst the proposed replacement Manor House and the architectural style of the Barn and Stable Block are considered acceptable in principle, the historic Farm Cottages retain architectural and historic character as a non-designated heritage asset. However, they are not considered to be of such value that their demolition would result in 'substantial harm'.

Given the loss of the original Georgian building and Stable block paragraph 197 (now para. 203) of the NPPF would apply:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets a balanced judgement will be required having regard of the scale of any harm or loss and the significance of the heritage asset'.

Therefore, there are no objections in principle to the development subject to appropriate conditions'.

- 9.30 In light of the advice of the Council's Heritage Advisor it is concluded that the proposed development is of an appropriate design and will not cause harm to the significance of any designated heritage asset. Whilst the proposed development would result in the total loss of a non-designated heritage asset, in taking a 'balanced judgment' on this issue, it is considered that the benefits of redeveloping this previously developed site to provide housing, are sufficient to outweigh the harm resulting from the loss of the existing Manor Building and associated 'stable block', given the significance of these assets.

Archaeology

- 9.31 The Council's Archaeological Advisors (Berkshire Archaeology) have been consulted and have confirmed their view that the application has archaeological implications on account of the potential for currently unrecorded archaeological assets to be impacted by the development. This conclusion is consistent with those of the Archaeological Desk Based Assessment submitted with the application.
- 9.32 It is therefore recommended that a scheme of archaeological works is secured by condition to assess the extent and significance of surviving archaeology and mitigate harm.

iii. Design and Impact on Character and Appearance of Surrounding Area

- 9.33 Core Strategy Policy CS1 deals with sustainable development and expects new development to make efficient use of land, buildings and infrastructure. Policy CS7 deals with the design of new development and expects proposals:
- to build on existing urban character, respecting patterns of development; to provide safe communities;
 - to enhance the landscape and promote biodiversity;
 - to aid movement through accessibility, connectivity, permeability and legibility; and,

o to provide a high quality public realm and innovative architecture.

- 9.34 BFBLP Policy EN20 requires development to be in sympathy with the character and appearance of the local environment and appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views.
- 9.35 These policies are consistent with Chapter 12 of the NPPF and are therefore considered to have significant weight. The NPPF attaches great importance to the creation of high quality buildings and places (para.124). Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.36 The Council's Urban Design Officer was consulted at both pre-application stage and during the course of the current application. She has indicated that she is generally happy with the design of the proposal which has been amended in respect of Plot 14 to address her initial concerns. In general, it is considered that the application proposes a high quality development which complies with policies CS1, CS7 and EN20 of the development plan, and Chapter 12 of the NPPF.

iv. Trees and Landscape

- 9.37 Policy ENV1 of the BFBLP indicates that planning permission will not be granted for development which would result in the destruction of trees and hedgerows important to the character and appearance of the townscape.

- 9.38 The Tree Service provided initial comments indicating:

'The application was supported with a BS5837 survey that is not contested. The only adverse impact might be the removal of the group that is formed of trees T8 - T13 & T15 at the northern end of the site and that currently present a modicum of screening of the development from Forest Road, but given that the application site is set so far back from Forest Rd, the impact will not be unduly detrimental to the landscape and visual amenity for a public vantage point. The majority of trees are to be retained on the site'.

- 9.39 Since these comments were made, the scheme has been amended to retain these trees due to the re-siting of Plot 14.

- 9.40 In commenting on the submitted scheme, the Landscape Officer commented:

'It is stated that the amount of built volume is reduced compared to the existing buildings, but the built form is extended to a wider area, especially where the 'Gate House' and 'Small Barn' are proposed. The proposal for 18 dwellings also results in large areas of car parking that do not fit the character of the site.

Veteran characteristics were identified in the submitted tree survey for tree T23, that is located outside the site to north west. It is an important tree, and a concern is that the proposed dwelling (Rural Barn) is located adjacent to the 15m RPA with all of the garden area located within the RPA. Any groundworks for patios etc. would be likely to cause damage to this important tree. Further advice should be sought from the Tree Service.

The proposed 'Gate House' would result in loss of a group of trees. The loss of trees would make the new house appear more prominent and replacement tree planting should be included along the entrance to enhance screening to the site.

It is stated that the scheme provides lines of sight through the gaps between the buildings. It is also shown on the Illustrative Landscape Framework as 'Long and medium range views to wider landscape and mature landscape features', but the views through have been compromised with the placement of the proposed bin store directly in the gap between the 'Manor House' and 'Stable Block South'. The Proposed Contextual Elevation A-A appears misleading as the gap between the buildings is shown wider than in reality as the 'Stable Block North' building is drawn as a section, rather than the full elevation that would show the accurate gap size.

The landscape strategy is well considered and retains and enhances the woodland features and the parkland character of the site. The landscape strategy is supported in principle, but the above comments should be considered.

If the application is recommended for approval a landscape condition must be included'.

- 9.41 The applicants submitted an additional report (Sylva Consultancy Memo dated 18.10.2021) in relation to the potential veteran characteristics of T23. This concludes:

'In accordance with the BS5837:2012, tree T23 has been identified as a category A1. Whilst comments were made in relation to the tree having veteran characteristics, these characteristics, were not deemed to be key habitat features of a Veteran tree. As such it was concluded inappropriate to list the tree as a category A3 tree. Table 1 of BS5837:2012 identifies Veteran trees should be categorised as A3 trees within the tree survey schedule. Category A3 trees are identified as having mainly cultural values, including conservation.

The Woodland Trust's Ancient Tree Guide No. 4 leaflet documents key habitat features of a Veteran tree are:

- o Evidence of decay processes, such as hollowing in the trunk, fruit bodies of fungi known to cause wood decay and cavities or rot holes (e.g., where limbs have broken off or bark is damaged).
- o Significant amounts of dead wood: many dead limbs or branches (larger than 20cm in diameter) in the crown or fallen.

The arboricultural report comments that T23 has veteran characteristics.

Notwithstanding this, it was concluded that the features visually observed from within the site were not key habitat features as identified above. Consequently, the tree was graded as a category A1 tree in respect of this'.

- 9.42 The issue of T23 (which lies outside the site) as a veteran tree has been discussed with the Tree Service which concurs with the findings of the above report and who advise that it does not appear to meet all of the criteria for identification as a veteran tree. However, in any case, it confirms that it would only be possible to require a 15m RPA zone from the centre of the tree to be kept free of development. This is indicated on the site layout plan, and therefore the positioning of Unit 12 in relation to this tree is considered acceptable.

- 9.43 However, it should be noted that any development within the curtilage of this plot would have the potential to impact upon this tree and accordingly, all permitted development rights for hardstanding, extensions and outbuildings will be removed (also justified due to the site's Green Belt status). Furthermore, full details of the means of enclosure, to

this and other plots will be required in order to ensure that this tree is not impacted on by its installation.

9.44 The Landscape Officer's other concern, re the loss of trees resulting from the location of the Gatehouse has been addressed through the re-location of this unit. Whilst the location of the bin store remains located between the Manor House and the Stable Block, this will be low level and screened and it is not considered that it would materially compromise the views through the site.

9.45 Accordingly, the scheme is considered acceptable from an arboricultural and landscape point of view, subject to the afore-mentioned conditions.

v. Impact on Nearby Premises

9.46 Given the characteristics of the site, degree of separation from adjacent development and the nature/location of surrounding uses it is not considered that the proposed development would have an adverse impact on adjacent premises or occupiers.

9.47 The site is relatively isolated, with the only immediately adjacent property, Winkfield Manor Farm being located to the north and north-west of the site. The dwelling at Winkfield Manor Farm is located some 30 metres from the site's northern boundary, however equestrian buildings are located immediately adjacent to the northern and western boundaries of the site, screened from it in part by a substantial brick wall.

9.48 The owner/occupier of the adjacent property has raised concern that the proposed development lies immediately adjacent to a stable yard where international competition horses are kept, therefore potentially causing upset and complete disruption to the animals and the residents of Winkfield Manor Farm. However, it is noted that the lawful use of the site would result in a degree of activity and disturbance and that although it is reasonable to impose conditions to limit the environmental impacts of the construction phase, it would not be reasonable to refuse permission on this ground given the lawful use of the site and the reduction in number of units proposed.

vi. Highway Implications

Access and Passing

9.49 It has come to light that the passing opportunities along the access road put forward by the applicant's highways consultant cannot be achieved within the ownership boundary of the applicant. Accordingly, the lack of passing places is likely to result in vehicles reversing over significant distances along the access road if they were to meet a vehicle in the opposite direction. In the Highway authority's view, this does not provide safe and suitable access to the site and is likely to result in an unacceptable impact on highways safety, including conflicts with non-motorised road users who have no alternative route but the narrow access road to access the site from Forest Road and larger delivery, servicing and emergency service vehicles. Accordingly, under normal circumstances this would result in an objection on highway safety grounds.

9.50 Nevertheless, in this instance, the Highway Authority remains satisfied with the trip rate analysis provided in the applicant's Transport Statement and notes that this shows that there is likely to be a reduction in vehicular trips compared with the extant use of the site, if this were brought back into full use. Accordingly, the highways objection is negated by the accepted trip rate analysis.

9.51 The applicant has proposed a 2 to 3 vehicle long passing bay at the southern end of the access road, within land that the applicant controls. Sections of access road below 3.7m in width are limited to areas where a fire tender would be unlikely to need to operate as they are not adjacent to built development. Nevertheless, Manual for Streets paragraph 6.7.3 (referring to the Building Regulation requirements around 'Access and Facilities for the Fire Service') states that "if an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Officer". Details of such consultation has not been seen by the Highway Authority and should be secured by condition.

Refuse Collection

9.52 The site is unlikely to be served by Bracknell Forest Council's refuse vehicle if the access road is not built to adoptable standard, which the applicant has stated they do not have control of in order to implement works. Accordingly, refuse collection is likely to be via a private operator. It is noted that this would not result in any reduction in council tax for residents, despite them not receiving BFC refuse collection.

Parking

9.53 The proposed car parking space numbers comply with the Council's Parking Standards SPD (March 2016). The garage for plot 14 must be conditioned to have a roller-door as there is insufficient length for the spaces in front of the garage for plot 14 from the door in order that it can open if an up-and-over door is provided. A nib is required at the end of the parking aisle for plots 16, 17 and 18's parking, so that the end spaces can be accessed effectively [a revised plan indicating this has been submitted].

9.54 The visitor's space adjacent to plot 15's parking clashes with the pedestrian access to plots 1-4. A minor amendment to the pedestrian access would resolve this issue [a revised plan indicating this has been submitted]. Details of cycle parking should be requested by condition.

vii. Biodiversity

9.55 CSDPD Policy CS1 states that development will be permitted which protects and enhances the quality of natural resources including biodiversity. CSDPD Policy CS7 states that development proposals will be permitted which promote biodiversity.

9.57 These policies are considered to be consistent with the NPPF which states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity.

9.58 In accordance with the Core Strategy policies CS1 and CS7, development will be encouraged which demonstrates that it protects and enhances biodiversity. The Royal Town Planning Institute in "Planning for Biodiversity" achieves this through the following approach:

- 1) Information - survey information
- 2) Avoidance - avoiding impacts
- 3) Mitigation - reducing impacts
- 4) Compensation - offsetting impacts
- 5) New Benefits - achieving net gain for biodiversity with a 10% gain being sought.

9.59 Following the initial comments of the Biodiversity officer, the applicant has submitted additional information, in response to which, the Biodiversity Officer has commented:

The updated Ecological Impact Assessment, site layout and correspondence has been reviewed against the previous biodiversity issues:

1. Biodiversity net gain
2. Potential impacts on stream
3. Veteran tree buffer zone
4. Stag beetle habitat

Some further information is required that may be covered by conditions. However, there are two outstanding issues, namely:

- o SuDS management - the responsibility for all ponds on the site should be within the control of a private management company and not residents to avoid impacts on protected species and achieve biodiversity net gain.
- o Veteran tree - the proposed road and garden of plot 12 are still located within the buffer zone for T23, an irreplaceable veteran tree which is against Standing Advice from Natural England.

1. Biodiversity net gain

A biodiversity metric (excel file named 'Appendix 4' and pdf file named 'Appendix 4 (002)' which includes coloured coded habitat site plans) has been submitted which predicts a net gain of 13.20% in area habitats (baseline 5.87 units, predicted 6.64 units). River units increase by 58.10% and hedgerow by 100%. Habitat enhancements are proposed for the ditch/stream, grassland, urban trees and woodland.

The proposal plans also include a number of ecological enhancements including strengthening of the woodland areas through tree planting, enhancement of some rough grassland to form wildflower buffer areas, creation and planting of attenuation basins and widening and planting of the existing stream. Full details of this need to be shown in the detailed landscaping design and delivered by a Landscape and Ecological Management Plan (LEMP) secured by condition.

The Biodiversity metric (both excel and pdf files) should be added to the list of approved documents by planning condition.

The council will require s106 contribution for monitoring of the biodiversity net gains to achieve their predicted habitat type and condition (habitat areas 0.92 excluding gardens and development area).

2. Potential impacts on stream

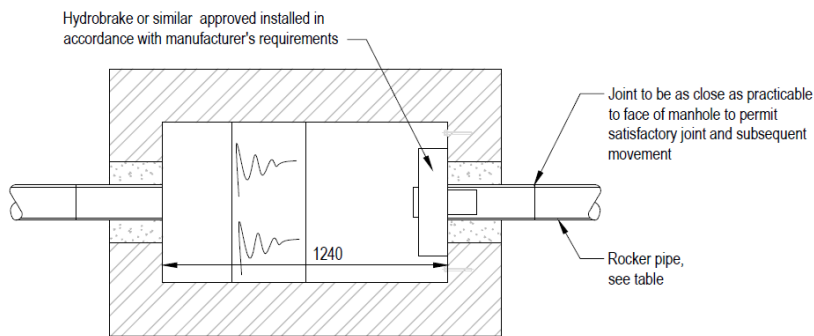
The flood risk assessment drawing Proposed Drainage Layout shows that the bed of the ditch would be lowered by approx. 0.3m at the location of the new outfall near plot 14. Re-grading is proposed to achieve a flatter gradient and lower bed level at the outfall for the length of the ditch north until it meets the next outfall. This could have negative or positive impacts depending on how the channel is managed. Works must avoid the creation of steep banks and an incised channel that may prevent the growth of marginal planting. Exact re-grading along the banks is not shown, only the relative levels of the existing and proposed channel.

The arboriculturalist's memo has concluded there are unlikely to be impacts from the ditch works on tree root zones mainly due to the lowering being made by removing silt from the ditch channel where tree roots are unlikely to be.

The biodiversity metric shows that the full length of stream (120m) is proposed for enhancement so this will need to be included within detailed landscaping plans and the LEMP.

The Flood Risk Assessment shows there are two HydroBrake flow control chambers from the ponds to the ditch. These features could trap and kill amphibians using the ponds including great crested newts. Therefore, the drainage details should be modified to provide an escape ramp.

An extract from the Drainage Construction Details drawing 8210105-1401 P1 is annotated in red to show a slope required to allow animals to climb back out of the chamber. This must have a rough surface created either by ridges or using a coarse aggregate in the cement.



HYDROBRAKE MANHOLE DETAILS
Scale: 1:20

Either the existing drawings should be revised or a condition for detailed drainage should be secured. [Planning Officer Note: The recommendation includes a condition requiring the submission and approval of a detailed drainage scheme].

The FRA also mentions in section 7.20 that any SUDS or drainage serving a single property will be the responsibility of future owners. It appears this would apply to the smallest pond adjacent to plot 14. This causes some concern given the potential for great crested newts to be present and the predicted 'good' condition that the ponds are allocated as rain gardens in the biodiversity metric. This would mean that the pond was subject to individual tastes of residents which could vary widely in their biodiversity value.

All of the pond areas should be managed by a landscape company on behalf of the residents to ensure consistency and competency that will allow protection of biodiversity.

In addition, Table 3 of the FRA includes management regime but the instructions for the basins (ponds) could easily be mis-interpreted such as "Manage other vegetation and remove nuisance plants" are recommended for management "Monthly at start, then as required."

This information and the recommendations of the Ecological Impact Assessment should be incorporated into a Landscape and Ecological Management Plan for the management company.

3. Veteran tree buffer zone

The positions of the road and garden of plot 12 do not appear to have changed with respect to the buffer zone of T23, a veteran tree.

Veteran trees are considered irreplaceable habitat alongside ancient woodland in paragraph 180 of the NPPF. Standing advice from Natural England indicates that a minimum buffer of 15 times the tree diameter should be used to protect veteran trees or 5 metres from the canopy edge, whichever is greater. The buffer zone should comprise semi-natural habitats and should avoid gardens or SuDS.

Veteran trees require additional space to allow their natural process of degeneration (such as shedding limbs and accumulation of deadwood) which is highly valuable for biodiversity. Placing a road and garden within the buffer zone is against Standing Advice from Natural England and will lead to long term conflict that will prevent the retention of the tree in a natural form.

Therefore, the design of the development should be revised to allow for a buffer zone comprising entirely of semi-natural habitat to protect the veteran tree. However, if the case officer is minded to approve the current design, permitted development rights should be removed for this plot to avoid any further urban creep such as paving, extensions and outbuildings.

4. Stag beetle habitat

The Ecological Impact Assessment includes a recommendation for relocating the dead tree stump within the southeast corner of the site. This should be shown as a location on the landscape plans and detailed within the LEMP.

General comments relating to biodiversity

The Ecological Impact Assessment includes a range of protective measures during construction that should be incorporated within a Construction Environment Management Plan by condition.

9.60 These comments identify 2no. outstanding issues, one relating to SuDS management and one relating to the adjacent 'veteran tree'. The latter issue has been the subject of discussion with the Tree Service as reported above, and it is considered that since the Tree Officer does not consider that the tree meets all of the criteria of being a veteran tree', and given the development's degree of separation from this tree, the scheme is acceptable in this regard, subject to the removal of permitted development rights as also recommended by the Biodiversity Officer.

9.61 In respect of the SUDS, the Drainage Engineer has recommended that detailed drainage plans and management plans for the drainage system be secured by condition. It is considered that the issues raised by the Biodiversity Officer in terms of requiring a means of escape for wildlife and appropriate management of the drainage ponds and other features, can be addressed pursuant to these conditions and an informative drawing the applicant's attention to these requirements is recommended.

9.62 In addition to the above issues, the Binfield Badger Group made representations in relation to the application. For reasons of wildlife security these are not detailed within this report, however they have been addressed to the satisfaction of the Biodiversity Officer.

viii. Environmental Effects

9.63 The Environmental Health Officer has been consulted in respect of the application and comments:

'Whilst the Council holds no specific information to indicate that the application site or the area surrounding the site may be contaminated, on a precautionary basis the

possibility of contamination should be considered when a potentially sensitive development, such as residential, is proposed. This is in accordance with the National Planning Policy Framework (NPPF 2021)) and the principles of sustainable development.

Should contamination be encountered during development a full assessment of the contamination at the site would be required followed by remediation (and validation) if found to be necessary. In accordance with the NPPF 2021, after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990'.

- 9.64 Conditions are recommended to address the above issue, together with those requiring submission and approval of a Construction Method Statement, and one restricting working hours in order to control the environmental impact of the development during the construction phase.

ix. Energy and Sustainability

- 9.65 Policy CS10 requires the submission of a Sustainability Statement demonstrating how current best practice in the sustainable use of natural resources has been incorporated. Such a Statement can be secured by condition.

- 9.66 Policy CS12 requires submission of an Energy Demand Assessment which should demonstrate how 20% of the development's energy requirements will be met from on-site renewable energy generation and how potential carbon dioxide emissions will be reduced by at least 10%.

- 9.67 The application is accompanied by an Energy Statement undertaken by Blew Burton Ltd. which indicates that the requirements of Policy CS12 will be met by a combination of air source heat pumps and photo voltaic panels. The Council's Renewable Energy Officer has commented; 'I have a little concern about plot 14 and the amount of PV planned, concerning sufficient roof area. But there is sufficient overall.' A condition is recommended.

x. Waste

- 9.68 The Waste and Recycling Officer commented:

'I have taken a look at the site plans and it is not clear what properties the two bin collection points in front of plots 6 & 11 are for.

All houses need to have access to store their bins in the rear gardens and present bins to the nearest adopted highway. There are no marked rear gate access for any of the properties on the site plans. The bin store for 15-18 is large enough to house the individual bins required for these properties'.

- 9.69 In response to these concerns identified, the applicant contacted the Officer directly and confirmed that it was intended that details of the gates to the gardens be provided as part of the landscaping scheme. The Officer responded that this could indeed be confirmed at a later stage as part of the landscaping proposals. However, she also noted that there is not enough room within the collection points to accommodate the number of bins required. Accordingly, it is recommended that a condition be imposed seeking further information on this issue.

xi. Drainage

9.70 The Council's Drainage Consultant has been consulted and states 'We have reviewed the submitted information and have some concerns with the limited information provided with respect to the regrading of the ditch however consider that this could be addressed in a suitably worded planning condition'.

9.71 The conditions recommended also require the submission of a detailed drainage scheme and information about the future management of SuDS on the site, and it is considered that the required details can address the comments of the Biodiversity officer in respect of escape routes for amphibians and in relation to the future management of the ponds for biodiversity value. An informative to this effect is recommended.

xii. Affordable Housing

9.72 CSDPD Policy CS17 seeks to secure affordable housing on suitable sites and the Planning Obligations SPD seeks affordable housing provision on developments providing a net increase of 15 units or more, of 25% subject to viability. As the proposal would not represent a net increase in dwellings there would be no requirement to provide on-site affordable housing provision (15 dwelling loss).

xiii. Impact on Thames Basin Heaths SPA

9.73 The proposed development results in a net reduction in the number of residential units on site and accordingly, will not result in harm to the integrity of the SPA. As a result, no relating mitigation measures are required.

xiv. Community Infrastructure Levy (CIL) and Planning Obligations

CIL

9.74 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.

9.75 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.

S106

9.76 The Council's Implementation Officer has identified the need for a s106 to cover:

- o Contribution towards monitoring of biodiversity net gain (0.92ha for 30 years).
- o Final SuDS Specification and Management and Maintenance plan to secure management of the SuDS for the lifetime of the development and monitoring sum of £8000 to enable the Council to monitor/inspect SuDS for their lifetime.

10. THE PLANNING BALANCE

10.1 The application proposes the redevelopment of this existing, previously developed site within the Green Belt to provide 18no. residential dwellings. It is considered that the proposed development would not have a greater impact upon the openness of the Green Belt than the existing development such that the application is consistent with

Green Belt policy. Given the sub-standard size and condition of the existing development, and the limitations to redevelopment provided by Green Belt policy, it is considered that community benefits in terms of providing high quality housing derive from the proposed scheme such that it can also be considered consistent with Policy H11 of the development plan.

- 10.2 The proposed development provides a high-quality design solution to the site which reflects the historic form of the existing development and there is considered to be no objection to the scheme on heritage grounds. Whilst the absence of passing places along the access road raises some concern, it is accepted that the scheme will result in a net reduction in the number of vehicle movements to the site when compared with the lawful use should this be brought back into full use and, on this basis, the access arrangements are considered acceptable.
- 10.3 All other issues raised can satisfactorily be addressed by conditions. No other material considerations have been identified that would weigh against permission being granted in this instance and accordingly, the application is recommended for conditional approval, subject to the completion of a section 106 obligation.

11. RECOMMENDATION

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

- Contribution towards monitoring biodiversity net gain
- Final SuDS Specification and Management and Maintenance plan to secure management of the SuDS for the lifetime of the development and monitoring sum of £8000 to enable the Council to monitor/inspect SuDS for their lifetime.

that the Assistant Director: Planning be recommended 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 (as amended).
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:
Location Plan 3698.101 Rev A
Site Plan 3698.101 Rev M
Proposed Plans and Elevations Plots 1- 5 3698.102 Rev C
Proposed Plans and Elevations Plots 6-11 3698.103 Rev B
Proposed Plans and Elevations Plots 12 - 13 3698.104 Rev A
Proposed Plans and Elevations Plot 14 3698. 105 Rev D
Proposed Plans Plots 15 - 18 3698. 106 Rev B
Proposed Elevations Plots 15 - 18 Rev A
Appendix 4 Biodiversity Metric 3.0

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

03. No structure hereby permitted shall be built above existing ground level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The submitted samples shall include the following:
a) Sample panel of all facing materials, including a sample panel(s) of brickwork 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 works are to be provided on site and retained on site during the course of construction; and
c) Sample of the stone detailing material for the works are to be provided on site and retained on site during the course of construction.
The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area and to ensure that the development provides an appropriate alternative to the non-designated heritage asset that was originally present on site.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the dwellings in relation to a fixed datum point in the surrounding area have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no enlargement or addition permitted by Classes A, B, D and E of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwellings hereby permitted.
REASON: The site is located within the Metropolitan Green Belt where strict controls over the form, scale and nature of development are required to maintain the openness of the Green Belt and in order to ensure the long-term protection of adjacent trees.
[Relevant Policies: BFBLP GB1 and EN1, Core Strategy DPD CS7 and CS9]
06. Notwithstanding the provisions of Part 1 Class F of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no hard surface shall be provided for any purpose within the curtilage of the dwelling houses.
REASON: In the interests of the health of nearby trees
[Relevant Policies: BFBLP EN1, Core Strategy DPD CS7]
07. No part of the development shall 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 in full for each building approved in this permission before its occupation.

REASON: In the interests of the privacy of future occupants and to ensure safeguarding of existing retained trees, hedges and shrubs.

08. Notwithstanding the provisions of Part 2 Class A of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls, or other means of enclosure, shall be erected on the site, other than those approved pursuant to Condition 07 of this permission.

REASON: To retain the open character of the development commensurate with its Green Belt character and in the interests of the long-term health of adjoining trees. [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

09. No development (including demolition and site clearance) shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- (i) the control of noise
- (ii) the control of dust, smell and other effluvia
- (iii) the control of rats and other vermin
- (iv) the control of surface water run-off
- (v) the proposed method of piling for foundations (if any)
- (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

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

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

10. No development (including demolition and site clearance) shall take place, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority.

The CEMP shall include as a minimum:

- (i) Location of the access for demolition and construction vehicles;
- (ii) Routing of construction traffic (including directional signage and appropriate traffic management measures);
- (iii) Details of the parking of vehicles of site operatives and visitors;
- (iv) Swept path plans demonstrating that the largest anticipated construction vehicle can arrive in a forward gear, turn around on site and depart in a forward gear onto the adopted highway and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use.
- (v) Areas for loading and unloading of plant and materials;
- (vi) Areas for the storage of plant and materials used in constructing the development;
- (vii) Location of any temporary portacabins and welfare buildings for site operatives;
- (viii) Details of any external lighting of the site;
- (ix) Measures to control surface water run-off during construction;
- (x) Measures to prevent ground and water pollution from contaminants on-site;
- (xi) Details of wheel-washing facilities;
- (xii) Measures to minimise, re-use and re-cycle materials and waste arising from demolition;
- (xiii) Measures to minimise the pollution potential of unavoidable waste;
- (xiv) Measures to dispose of unavoidable waste in an environmentally acceptable manner;
- (xv) details of measures to mitigate the impact of demolition and construction activities on ecology, in particular the protection of any badger sett in or adjacent to the site; and

(xvi) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority. The approved Construction Environmental 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

Relevant Policies: BFBLP EN20, EN25; Core Strategy DPD CS1, CS7

11. The development hereby permitted (including demolition and site clearance) shall not be begun until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs shown to be retained on the approved drawings, 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 include an approved development layout plan at a minimum scale of 1:200 and show the following:-

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal; shown clearly with a broken line.
- d) Proposed locations of protective barriers, that are a minimum height of 2.0 metres and supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 2) and which include appropriate weatherproof signage (such as "Keep Out - Construction Exclusion Zone") affixed at regular intervals to the outside of the protective fencing structure.
- e) Illustrations of the proposed protective barriers to be erected.
- f) Proposed location and illustration of ground protection measures within the root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent ground compaction and contamination.
- g) Annotations at regular intervals, of the minimum protective distances between barriers and trunks of retained trees.
- h) All fenced-off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

Tree protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works/building construction works/hard landscaping works.

The development shall be carried out in accordance with the approved scheme and programme.

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]

12. No demolition or construction work shall take place outside the hours of 08:00 and 18:00 Monday to Friday; 08:00 and 13:00 Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: SEP NRM10, BFBLP EN25]

13. No structure hereby permitted shall be built above existing ground level 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: Core Strategy DPD CS10]
14. The development hereby permitted shall be implemented in accordance with the submitted Energy Statement and thereafter the buildings constructed by the carrying out of the development shall be operated in accordance with the submitted Energy Statement.
The renewable energy shall be installed and made operational in accordance with the Energy Statement prior to occupation of the dwellings hereby permitted.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS12]
15. If contamination is found at any time during site clearance, groundwork or construction, the discovery shall be reported as soon as possible to the Local Planning Authority. A full contamination risk assessment shall be carried out and if found to be necessary, a 'remediation method statement' shall be submitted to the Local Planning Authority for written approval. Should no evidence of contamination be found during the development a statement to that effect shall be submitted to the Local Planning Authority.
REASON: To protect future occupiers and users of the site from the harmful effects of contamination
16. Works shall be carried out in accordance with the approved 'remediation method statement' (submitted to comply with condition 15) and a final validation report shall be submitted to the Local Planning Authority before the site (or relevant phase of the development site) is occupied.
REASON: To protect future occupiers and users of the site from the harmful effects of contamination
17. No development other than demolition shall take place until details of the regrading of the ditch are provided. The approved works shall be implemented as part of the drainage scheme for the site prior to the occupation of any dwelling hereby approved.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
18. No development other than demolition shall take place until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority. These shall include:
Results of intrusive ground investigations demonstrating the depth of the seasonally high groundwater table.
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.
Confirmation of the gully spacing calculations to demonstrate that they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.

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

19. No development other than demolition shall take place until a drainage strategy detailing any on- and off-site drainage works, along with proposed points of connection, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed and no dwelling hereby permitted shall be occupied until the approved drainage works have been implemented. 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.
20. No development other than demolition shall take place 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. The surface water drainage of the site shall be implemented, maintained and managed 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.
21. No building 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.
22. Prior to practical completion of any property 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, 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
23. No dwelling hereby permitted shall be occupied until evidence of legal covenants associated with the deeds of properties relating to any aspects of a drainage system(s) that passes through private ownership but serves multiple properties is submitted to 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.
24. 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: CSDPD CS1, BFBLP EN25]

25. No dwelling hereby permitted shall be occupied until hard and soft landscaping works have been completed in full accordance with a landscaping scheme that has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme 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; and
 - b) details of semi mature tree planting; and
 - c) comprehensive 5 year post planting maintenance schedule; and
 - d) underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes; and
 - e) means of enclosure (walls and fences etc); and
 - f) paving including open spaces, paths, steps and ramps, patios, cycle routes, driveways, parking courts, play areas etc. with details of proposed materials and construction methods; and
 - g) recycling/refuse or other storage units; and
 - h) other landscape features (water features, seating, trellis and pergolas etc).

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, as a minimum, the quality of all 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 next 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]

26. No part of the development shall be occupied until details of on-site refuse storage (including any open air storage facilities) 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: Core Strategy DPD CS13]

27. No dwelling shall be occupied until visibility splays of 2.4m x 120m onto Forest Road shown on the approved drawing 8210105/6101 within Appendix I of the Transport Statement have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
28. No dwelling shall be occupied until that part of the access road which provides access to it and its parking along with the passing bay adjacent to the access road north-east of plot 14 has been constructed in accordance with the approved plans. Thereafter the passing bay adjacent to the access road north-east of plot 14 shown on approved plans shall be kept available for passing of vehicles at all times and no parking or waiting shall be permitted in this passing bay at any time.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
29. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces and turning space shall thereafter be kept available for parking and turning at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of inconsiderate or obstructive parking within the development which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
30. No development shall take place until details of consultation and agreement with the fire service including inter alia about fire appliance access and in relation to sections of the access road which are narrower than 3.7m in width has been submitted to and approved in writing by the Local Planning Authority. The approved access arrangements for fire appliances shall thereafter be retained.
REASON: To allow safe and suitable access by service and emergency vehicles.
[Relevant Policies: NPPF paragraphs 110 b) and 112 d)]
31. The garage accommodation for plot 14 shall:
(a) have garage doors which are of a roller shutter design. Any replacement or repair shall only be with a roller shutter type garage door.
(b) be retained for the use of the parking of at least one vehicle and for cycle parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of inconsiderate or obstructive parking within the development which would be a danger to other road users and to ensure that the garage is still accessible while a car is parked to the front of the property avoiding inappropriately parked cars comprising the access road.
[Relevant Policy: BFBLP M9]
32. No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities with at least one secure covered cycle space per bedroom for each property. No dwelling shall be occupied until the approved cycle parking for that dwelling has been implemented. The approved facilities shall be retained.
REASON: In the interests of accessibility of the development to cyclists.

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

33. Any gates provided shall open away from the adopted highway and be set back a distance of at least 6.0 metres from the edge of the carriageway of the adjoining highway of Forest Road.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
34. No dwelling shall be occupied until off-site highway works comprising an uncontrolled crossing point with tactile paving and footway return for pedestrians to access bus stops on Forest Road has been constructed in accordance with drawing 8210105/6102 within Appendix K of the Transport Statement and in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of accessibility and to facilitate access by pedestrians to public transport.
[Relevant Policies: BFBLP M6 and M8, Core Strategy DPD CS23 and CS24]
35. No development shall take place until a programme of archaeological work (which may comprise more than one phase of works) has been implemented in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.
REASON: The site lies within an area of unknown archaeological potential. The condition will ensure that any archaeological remains within the site are adequately investigated and recorded in order to advance our understanding of the significance of any buried remains to be lost and in the interest of protecting the archaeological heritage of the Borough.
36. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the practical completion of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - g) Details of the body or organization responsible for implementation of the plan
 - h) On-going monitoring and remedial measures
- The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
The approved plan will be implemented in accordance with the approved details.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

37. No development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. An ecological site inspection report confirming the implementation of the approved enhancements shall be submitted within three months of the first occupation of the first dwelling hereby approved.
The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
38. 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, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans with vertical calculation planes and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed.
REASON: In the interests of nature conservation
39. If more than 2 years elapse between the previous badger survey and the commencement of the development, an updated survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.
REASON: In the interests of minimizing the impact of development on biodiversity.
40. No development other than demolition shall take place until details of the locations and infrastructure which will be provided to enable at least 20% (1 in 5) of all residential and visitor parking spaces to be readily adaptable to provide electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the electric vehicle enabling infrastructure has been provided in accordance with the approved details. The electric vehicle enabling infrastructure shall thereafter be retained.
REASON: To ensure that the development is provided with adequate access to electric vehicle charging infrastructure in the interests of sustainability.

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: 4, 9, 10, 11, 30, 35 and 37
The following conditions require discharge prior to commencement of demolition other than demolition: 17, 18, 19, 20 and 40
The following conditions require discharge prior to the occupation of the dwellings hereby approved: 7, 21, 23, 25, 26, 27, 28, 29 and 34
The following condition requires discharge prior to any above ground works being commenced: 3, 13 and 32
The following conditions require discharge prior to the practical completion of the development: 22 and 36
No details are required to be submitted in relation to the following conditions however they are required to be complied with: 1, 2, 5, 6, 8, 12, 14, 15, 16, 24, 31, 33, 38 and 39.
03. The details of the means of enclosure to Plot 12, submitted pursuant to condition 07 of this permission, shall include details of its construction within the root protection area (RPA) of the off-site tree (T23) and will be required to demonstrate that the proposed works will not have any adverse impact upon the health of this significant tree.
04. The Landscaping Scheme and LEMP required by conditions 18 and 20 should include the relocation of the dead tree stump as recommended within the Ecological Impact Assessment in order to provide an appropriate stag beetle habitat. The submitted Biodiversity Metric also shows that the full length of the stream (120m) is proposed for enhancement and details of these enhancement measures will also need to be included within the detailed landscaping plans and the LEMP.
05. The Council's waste and recycling team should be contacted to ascertain whether the Council's refuse vehicles and operatives will serve the development, given that access to it is via a route which does not comply with the Council's design standards. If the Council's refuse vehicle and operatives will not serve the site, then the residents of the development would need to be provided with private refuse collection. No discount or refund is provided to residents who are not served by the Council's refuse collection in these instances.
06. The applicant's attention is drawn to the need for the detailed drainage scheme submitted pursuant to condition 18 to include appropriate escape routes for amphibians from the Hydrobrake flow control chamber and for the details of the future management of the ponds and other drainage features submitted pursuant to condition 20 to take into account the impact on biodiversity of any proposed management.

07. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via <https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=04%7C01%7Cdevelopment.control%40bracknell-forest.gov.uk%7Cbb1a1102218c4f9806a208d96d66859d%7Cf54c93b70883478fbf3d56e09b7ca0b7%7C0%7C0%7C637661109357470005%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=tmReWnTwAtosMnE2%2BU8%2FZqpP%2Bf79MmD%2FXjG6hfGqo1Q%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.

08. Thames Water would advise that where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdevelopers.thameswater.co.uk%2FDeveloping-a-large-site%2FApply-and-pay-for-services%2FWastewater-services&data=04%7C01%7Cdevelopment.control%40bracknell-forest.gov.uk%7Cbb1a1102218c4f9806a208d96d66859d%7Cf54c93b70883478fbf3d56e09b7ca0b7%7C0%7C0%7C637661109357470005%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=QCwH9fTXLmR8vwXQrPr9tXdtIEQ9MRLjPeAAYgCENvI%3D&reserved=0>.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

09. The applicant will be required to enter into a Highways Act Section 278 agreement with the Highway Authority in order to form the off-site highway works, comprising an uncontrolled crossing point with tactile paving and footway return for pedestrians to access bus stops on Forest Road. 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@bracknellforest.gov.uk, to agree the construction details and enter into 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 licences 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.

10. This information and the recommendations of the Ecological Impact Assessment should be incorporated into a Landscape and Ecological Management Plan for the management company.

In the event of the s106 agreement not being completed by 16th March 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reason:

01. In the absence of a planning obligation securing the implementation, maintenance and monitoring of biodiversity net gain measures, the proposal is contrary to paras. 8c and 174d of the NPPF.

02. In the absence of a planning obligation securing management and monitoring of the SuDS for the lifetime of the development, the proposed development is contrary to para. 169 of the NPPF.

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Unrestricted Report

ITEM NO: 09

Application No. 21/00808/FUL	Ward: Warfield Harvest Ride	Date Registered: 16 August 2021	Target Decision Date: 11 October 2021
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Site Address: **Derryquin 8A Priory Lane Warfield Bracknell
Berkshire RG42 2JU**

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

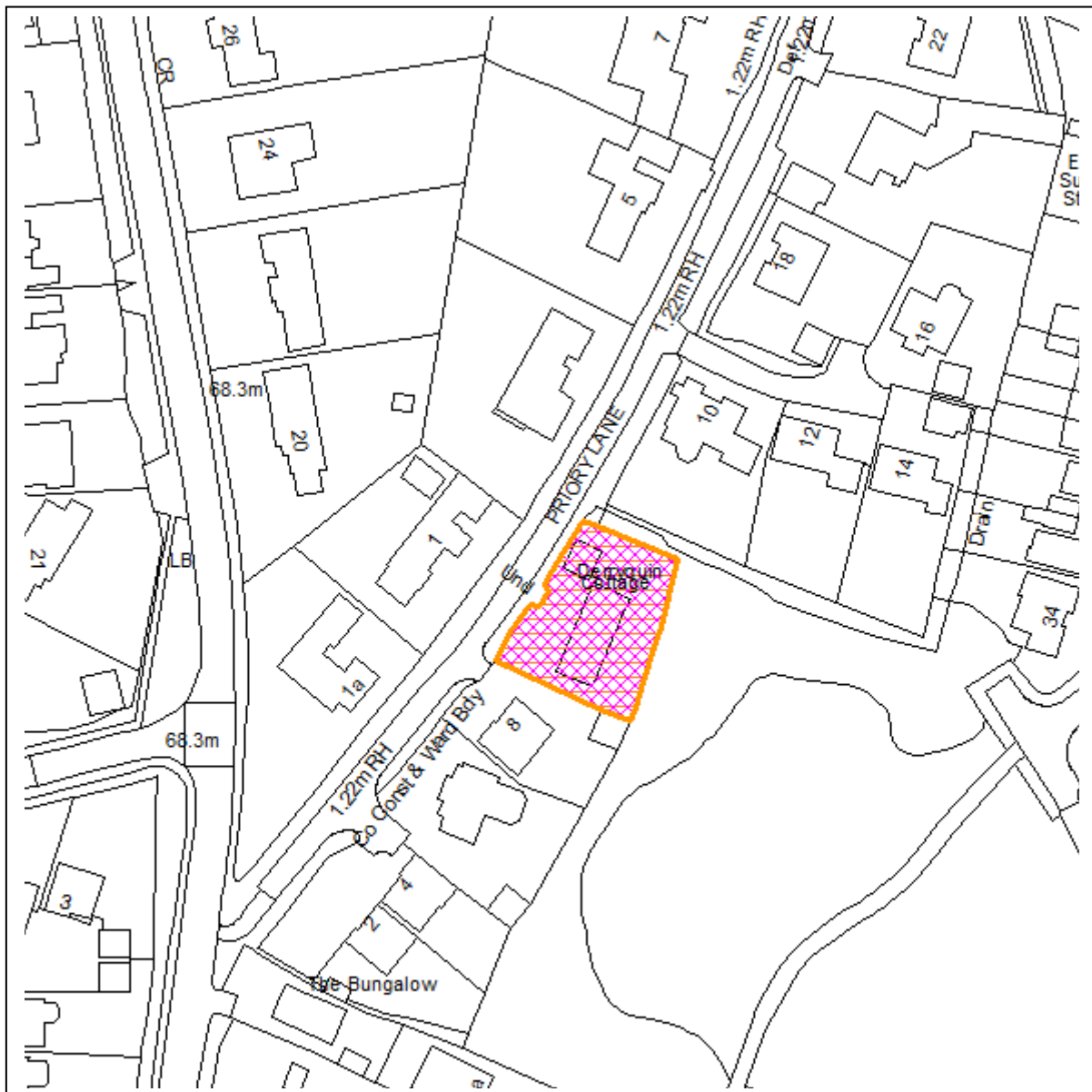
Applicant: DR, MR AND MISS OSMAN, NOUMAN AND NARDIA JANJUA AND MUNIR

Agent: Mr Kaleem Janjua

Case Officer: Olivia Jones, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

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

RECOMMENDATION

The Assistant Director: Planning be recommended to approve the application subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.
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2. REASON FOR REPORTING APPLICATION TO THE ADVISORY PLANNING COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within a defined settlement boundary

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

4. RELEVANT SITE HISTORY

4.1 The most recent applications relating to the site are:

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

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

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

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

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

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

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

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

5. THE PROPOSAL

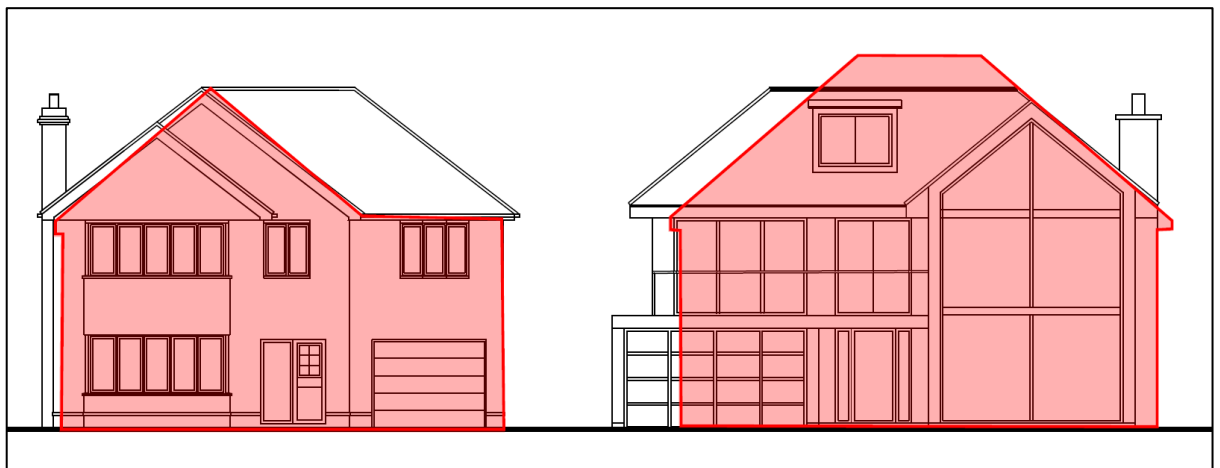
5.1 The proposed development is for the erection of two detached dwellings following demolition of the existing dwelling and garage. The existing vehicular crossover is proposed to be widened.

5.2 The dwelling on Plot 1 would have two storeys and space in the roof. The dwelling would have four bedrooms, an integral garage and a driveway with space for two cars. Side access would be provided to the rear garden, which would have an area of 112 square metres. The dwelling would be constructed in a traditional style, with traditional materials.

5.3 The dwelling on Plot 2 would have three storeys (including a basement level) and space in the roof. The dwelling would have four bedrooms, an integral garage and a driveway with space for two cars. Side access would be provided to the rear garden, which would have an area of 131 square metres. The dwelling would be constructed in a contemporary style.

5.4 The vehicular crossover would be widened to 4.1 metres. The existing boundary hedgerow is proposed to be replaced with a hedgerow of European Hornbeam, with a 1.8m wall proposed behind the new hedgerow.

5.5 The scheme is similar to approved permission 19/00594/FUL which granted consent for 2no. dwellings on this site. The following plans illustrate the comparison between the schemes (the red highlighted area indicates the previously approved plans):



6. REPRESENTATIONS RECEIVED

Warfield Town Council

6.1 Objection on the following grounds:

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

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

Other Representations

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

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

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

7. SUMMARY OF CONSULTATIONS RESPONSES

Biodiversity Officer

7.1 No objection

Tree Officer

7.2 No objection

Highway Officer

7.3 No objection

Drainage Officer

7.4 No objection

Environmental Health Officer

7.5 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

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

Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policies EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Character Area Assessments SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Biodiversity
- vi. Trees
- vii. Drainage
- viii. Sustainability
- ix. Thames Basin Heath SPA
- x. Community Infrastructure Levy (CIL)
- xi. Other considerations

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development

is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers, upon the character and appearance of the area, trees, biodiversity etc.

ii. Impact on Character and Appearance of Surrounding Area

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

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

- 9.12 Parking is proposed to the front, with a soft landscaping plan to mitigate the expanse of hard landscaping. The planting plan is considered to soften the appearance of the development and would be secured by condition.
- 9.13 Access to the rear for both properties is proposed, which would allow for secure bin and bicycle storage.
- 9.14 A Hawthorne hedge is proposed along the frontage to screen the boundary wall. This hedge would be secured by planning condition. No entrance gates are proposed.
- 9.15 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, Character Area Assessments SPD (2010) and the NPPF.

iii. Residential Amenity

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

Overlooking

- 9.17 There are no dwellings located or proposed on the land to the rear of the application site. As such, it is considered that the rear facing windows would not result in adverse overlooking.
- 9.18 Balconies are proposed on both dwellings. These balconies would have privacy screens at least 1.7m high on either side in order to prevent unacceptable levels of overlooking. These screens would be secured by condition.
- 9.19 No upper storey side windows are proposed to serve habitable rooms. It is recommended that a condition is imposed restricting upper storey side windows to be obscure-glazed and top opening only. All side facing rooflights would be restricted to being no lower than 1.7m above floor level.
- 9.20 The nearest dwelling would be at least 22m from the front elevation of the opposite dwelling, 1 Priory Lane. This separation distance is considered sufficient to avoid unacceptable levels of overlooking from the front elevations.

Overbearing

- 9.21 The proposed dwelling on Plot 2 would be separated from the neighbouring property to the south, 8 Priory Lane, by approximately 9 metres. The proposed dwelling on Plot 1 would be separated from the neighbouring property to the north, 10 Priory Lane, by approximately 18 metres. This separation distance is considered sufficient to avoid adverse overbearing impacts.
- 9.22 The proposed dwelling on Plot 2 would project past the rear elevation of the dwelling on Plot 1 by approximately 3 metres. There would be a separation distance of

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

Overshadowing

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

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

iv. Highways

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

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

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

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

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

v. Biodiversity

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

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

vi. Trees

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

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

vii. Drainage

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

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

viii. Sustainability

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

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

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

ix. Thames Basin Heaths SPA

9.39 Bracknell Forest Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (TBH SPA) along with any larger developments comprising over 50 net new dwellings within the 5 - 7km zone is likely to have a significant effect on the integrity of the TBH SPA, either alone or in combination with other plans or projects.

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

- 9.41 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to Bracknell Forest Council towards the cost of measures to avoid and mitigate against the effect upon the TBH SPA, as set out in Bracknell Forest Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (April 2018)
- 9.42 The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the TBH SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. Bracknell Forest Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.
- 9.43 In this instance, the development would result in a net increase of two 4-bedroom dwellings replacing the existing 4-bedroom dwelling within the 400m – 5km TBH SPA buffer zone which results in a total SANG contribution of £6,838.
- 9.44 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £1,021 which is also calculated on a per bedroom basis.
- 9.45 The total SPA related financial contribution for this proposal is £7,859. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of any dwelling until Bracknell Forest Council has confirmed that open space enhancement works to a SANG have completed. Subject to the completion of the S106 agreement, the proposal would not have an adverse effect on the integrity of the SPA and would comply with South East Plan saved Policy NRM6, saved policy EN3 of the Bracknell Forest Borough Local Plan (2002), Policy CS14 of the Core Strategy Development Plan Document (2008), the Thames Basin Heaths Special Protection Area Supplementary Planning Document and the National Planning Policy Framework.

x. Community Infrastructure Levy (CIL)

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

xi. Other Considerations

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

10. CONCLUSIONS

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

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

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

11. RECOMMENDATION

11.1 Following the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure planning obligations relating to the following measures:

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

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

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

Received 08.09.21:

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

Received 21.09.21:

Construction Management and Demolition Plan

Received 30.09.21:

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

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

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

Received 05.10.21:
Tree Protection Plan (12 Rev B)

Received 18.10.21:
Extended Phase 1 Habitat Survey

Received 20.10.21:
Biodiversity Enhancement Strategy

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

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

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

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

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

3. The external materials used in the construction of the development hereby approved shall match those set out in the approved Materials Schedule (Received 01.10.21).
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. No construction works shall take place until details showing the finished floor levels of the dwellings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
5. All hard and soft landscaping shown in the approved Landscape Layout Plan (10 A Rev B) (Received 01.10.21) shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be

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

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

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

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

[Relevant Policy: BFBLP EN20]

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

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

[Relevant Policy: Core Strategy DPD CS10]

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

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

[Relevant Policy: Core Strategy DPD CS12]

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

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

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

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

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

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

[Relevant Policy: BFBLP EN20]

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

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

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

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

18. No dwelling hereby permitted shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the details submitted under condition 17. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.

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

19. No development shall take place until a contaminated land Phase I report (Desk Top Study) has been carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The Desk Top Study shall be submitted to, and approved in writing by, the local planning authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

REASON: In the interests of nature conservation

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

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

of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

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

27. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the dwellings approved in this permission.

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

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

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Although they must be complied with, no details are required to be submitted in relation to the following conditions:
 - (1) Commencement
 - (2) Approved Plans
 - (3) Materials
 - (5) Hard and Soft Landscaping
 - (6) Bin Store
 - (7) Sustainability Statement
 - (8) Energy Demand Assessment
 - (9) Restriction on upper storey windows
 - (10) Rooflights
 - (11) Privacy screens

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

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

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

In the event of the S106 agreement not being completed by 31 March 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application on the grounds of:

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

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Unrestricted Report

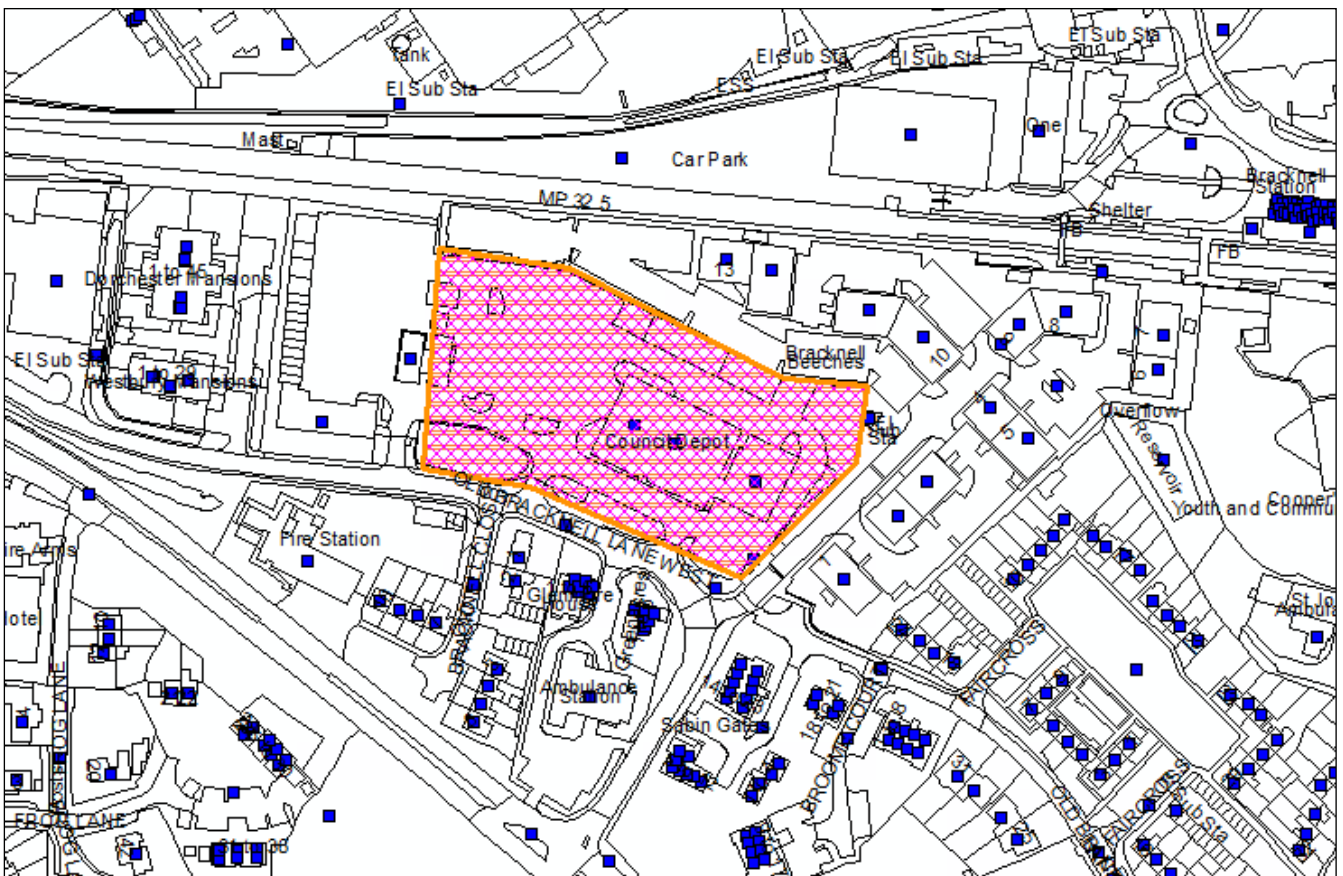
ITEM NO: 10

Application No. 21/00853/3	Ward: Wildridings And Central	Date Registered: 9 September 2021	Target Decision Date: 9 December 2021
Site Address: The Commercial Centre Old Bracknell Lane West Bracknell Berkshire			

Proposal: **Demolition of existing buildings (except Building D). External and Internal Refurbishment of Building D (Building 2 proposed). Erection of Building 1 which comprises of 2 workshops, 1 storage unit and office space to run the commercial activities. Reconfiguration and new surfaces treatment for private and commercial vehicle parking. New external landscaping, vehicle wash and cycle parking. New boundary fence line to the West.**

Applicant: Mr Richard Payne
 Agent: Mr Stuart Green
 Case Officer: Jo Male, 01344 352000
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Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1. SUMMARY

- 1.1 The application proposes the redevelopment of the Council's Depot for its existing purpose. The site comprises a housing allocation within the Site Allocations Local Plan (2013) with an indicative capacity of 115 units. It is adjoined to the north, east and west by other housing allocations which have, in part, been delivered or are the subject of a current planning application, such that the area has an emergent residential character.
- 1.2 The site's allocation requires an alternative location for the Council's Depot to be found, and this has not been possible. The application proposes the redevelopment of the site for its lawful use. However it consolidates development on the eastern side of the existing depot site, facilitating the retention of an area of approximately 0.6ha on the western side to be identified for possible future residential development.
- 1.3 The design and layout of the development reflects the functional requirements of the site and provides parking in excess of the Council's Parking Standards. Issues of drainage, biodiversity net gain and landscaping have been addressed within the application and approval is recommended.

RECOMMENDATION
The Assistant Director: Planning be recommended to approve the application subject to an appropriate mechanism between Council Departments to secure necessary provisions and the conditions set out in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is reported to the Advisory Planning Committee because Bracknell Forest Council has an ownership interest in the land and/or is the applicant.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
The site lies within the settlement boundary
Policy SA1 of SALP

- 3.1 The site extends to 1.1 ha and comprises part of the Council's commercial centre which provides a depot for the Council and its commercial partners. It is used to store and maintain a fleet of commercial vehicles and to store associated equipment and materials such as lawnmowers and grounds maintenance equipment, lampposts and wheelie bins.
- 3.2 An area of 0.6ha, located on the site's western side, which currently also comprises part of the depot, is excluded from the application site and is identified for potential future residential development.
- 3.3 The site is located to the north of Old Bracknell Lane West and is served by 2no. access points onto this highway. The road boundary is marked by an established hedgerow.

- 3.4 The site is currently occupied by predominantly single storey buildings, although mezzanine floors are provided within 2no. of the workshop buildings which are of an industrial scale. The area around the buildings is laid to hardstanding to provide allocated parking or storage to serve the existing users.
- 3.5 To the east of the site, lies the access road serving Bracknell Beeches office development, with the parking serving this development wrapping around the Commercial Centre site along its northern edge. At the north-western corner of the site, within the area intended to be retained for future residential development, the site extends up to the boundary of the railway line where there is extensive tree cover.
- 3.6 To the west is the site of the former Blueprint House which has recently been developed to provide 72no. flats in 2no. 6 storey buildings known as Dorchester Mansions and Westbury Mansions.
- 3.7 To the south of Old Bracknell Lane West, lies the rear of the fire station which fronts Downshire Way and some 2 storey residential development.
- 3.8 The site is identified as a housing allocation by Policy SA1 of the Site Allocations Local Plan. It has an indicative capacity of 115 net new units based on a developable area of 1.53ha. This residential allocation extends to cover the land to the north and east of the application site (SHLAA site 317 Bracknell Beeches) and land to its west (SHLAA site 230) which are collectively known as Land at Old Bracknell Lane West and which has an estimated capacity to provide 203 units.

4. RELEVANT SITE HISTORY

- 4.1 The site has no planning history relevant to the consideration of the current proposal.

5. THE PROPOSAL

- 5.1 The application proposes the demolition of the main workshop building on site and the erection of a building which would provide 3 bays for workshop and storage uses at the rear with a single storey element at the front providing office space and meeting facilities.
- 5.2 The single storey element would accommodate an area of plant behind a louvred screen and a range of photo voltaic panels sited behind a parapet roof. The rear element would rise to a height of 10.7m and would accommodate a green roof. The building would be finished in buff brick with composite metal cladding to the upper level of the workshop element and coloured laminated sheeting to provide visual interest to the office element. Secure cycle parking would be provided to the front of the building.
- 5.3 The existing brick built building located along the site's northern boundary would be refurbished including a replacement roof and doors to provide storage and workshop facilities.
- 5.4 The remainder of the site would be given over to vehicle parking with car parking provided to the front (south) of the site, including 5no. disabled bays and 18no. that would be provided with electric charging points. Commercial vehicle parking would be located to the rear of the site where the existing fuel store would be retained. The

vehicle wash area would be re-sited centrally within the site and an existing storage area in the site's north-eastern corner would be retained in its current use.

- 5.5 The buildings on the wider Depot site, not included under the terms of this application are intended to be demolished under permitted development rights subject to a prior approval process set out in the General Permitted Development Order (2015) (as amended).

6. REPRESENTATIONS RECEIVED

- 6.1 Bracknell Town Council considers that there is 'No objection' to the proposed application.
- 6.2 No other representations have been received.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

No objection subject to conditions.

Biodiversity Officer

Confirms that biodiversity net gain is demonstrated. Recommends conditions and a s106 contribution to cover monitoring of biodiversity net gain on the area (0.151ha) of new/retained habitats.

Landscape Officer

Landscape scheme submitted post submission of application so comments awaited. If submitted scheme unacceptable, a landscaping condition could secure details of appropriate planting and its future maintenance.

Lead Local Flood Authority (LLFA)

No objection, recommends conditions.

Archaeology

Council's Archaeological Advisor advises that further archeological works are required to evaluate whether archaeological deposits are present and have survived previous activity on site. Recommends a condition.

Environmental Health Officer

No objection. Recommends conditions.

Implementation Officer

Provides details of necessary obligations relating to highway agreements and biodiversity net gain.

Renewable Energy Officer

Comments awaited.

Thames Water

No objection.

8. DEVELOPMENT PLAN

8.1 The Development Plan for the Borough includes the following:

Site Allocations Local Plan (2013) (SALP)
Core Strategy Development Plan Document (2008) (CSDPD)
'Saved' Policies of the Bracknell Forest Borough Local Plan (2202) (BFBLP)
'Retained' Policies of the South East Plan (2009) (SEP)
Bracknell Forest Policies Map (2013)

The application site also lies within the designated Bracknell Town Neighbourhood Plan area such that the Bracknell Town Neighbourhood Plan (2021) applies.

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations
- v. Drainage Implications
- vi. Biodiversity Implications
- vii. Sustainability Implications
- viii. Securing Necessary Infrastructure

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration.

9.3 The NPPF confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 11 sets out that for decision takers this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.4 The Commercial Centre is identified as a housing allocation within the development plan (Policy SA1 of SALP), with an indicative capacity of 115 dwellings. It was envisaged to form part of a comprehensive residential redevelopment of this area in

conjunction with the adjacent sites. The delivery of this allocation has commenced with the development of 2no. apartment blocks to the west of the Depot site, Westbury Mansions and Dorchester Mansions, and there is a current application (ref: 21/00701/FUL) relating to the Bracknell Beeches site to its east, which is currently being considered by the Local Planning Authority.

- 9.5 The site profile set out in Appendix 3 of the SALP for the Commercial Centre identifies a set of requirements for any residential development on the site and these include provision of an alternative location for The Depot.
- 9.6 Policy SA5 of the SALP relates to Land at Transport Research Laboratory (TRL), Crowthorne. This allocation for mixed-use development includes the identification of a depot site between the community facilities and the SANG, specified as being required to enable the redevelopment of the Council's existing site in Bracknell. It is understood however, that this site was discounted at concept stage due to its location, size and the cost of creating access to the site.
- 9.7 The preferred use of the application site is for residential purposes in order to allow a comprehensive development of this area. However, it is understood that a suitable, alternative location cannot be found for the Depot and therefore it is proposed to redevelop the commercial centre for its current, lawful use. The use would be consolidated into a more limited part of the site in order to release the western part of the site for a potential future residential scheme.
- 9.8 Policy CS2 of the CSDPD sets out the locational principles for development and confirms that development will be permitted within defined settlements and on allocated sites. Development will be required to be consistent with the character and accessibility of the settlement.
- 9.9 The site lies within the settlement boundary for the purposes of the development plan. It proposes the redevelopment of part of the site for its existing, lawful use. As a result, there is no objection in principle to the proposed development.

ii) Impact on Character and Appearance of the Area

- 9.10 Core Strategy Policy CS1 deals with sustainable development and expects new development to make efficient use of land, buildings and infrastructure. Policy CS7 deals with the design of new development and expects proposals:
- to build on existing urban character, respecting patterns of development; to provide safe communities;
 - to enhance the landscape and promote biodiversity;
 - to aid movement through accessibility, connectivity, permeability and legibility;
- and,
- to provide a high quality public realm and innovative architecture.
- 9.11 BFBLP Policy EN20 requires development to be in sympathy with the character and appearance of the local environment and appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views.
- 9.12 These policies are consistent with Chapter 12 of the NPPF and are therefore considered to have significant weight. The NPPF attaches great importance to the creation of high quality buildings and places (para.124). Good design is a key aspect of sustainable development, creates better places in which to live and work and helps

make development acceptable to communities. The Council also has adopted supplementary planning documents (SPDs), most notably the Design SPD and the Streetscene SPD which also require high quality development within the borough.

- 9.13 The area has a changing character due to the residential allocations within the development plan and it is acknowledged that any development on this site should not prejudice the redevelopment of adjoining sites in accordance with development plan policy.
- 9.14 The scale and design of the building is largely determined by its proposed use and the redevelopment of the site has been designed in order to make the most efficient use of the available land and provide an opportunity for an alternative development on the western part of the site. However, the retention of the existing uses on site, and their consolidation into a smaller area does have implications for the relationship of the buildings and uses with the perimeter of the site.
- 9.15 The comments of the Urban Design Officer raise particular concern with regard to the relationship of the development to the site's boundaries and the lack of space for landscaping which would provide a valuable buffer between the proposed residential development on the adjoining sites and the Commercial Centre. The absence of additional landscaping along the site's frontage, and within the parking areas within the site is also noted. Further concerns are raised in relation to the continuing use of the land in the site's north-east corner as a storage facility, in an area which adjoins the proposed shared amenity space to serve the Bracknell Beeches development as identified in application 21/00701/FUL, although a decision on this application is still pending. Furthermore, concerns are raised that the design and siting of the building are inappropriate in this location which is on a highly visible corner, and it is recommended that any building be used to create a focal point when approaching the site from the south along Old Bracknell Lane West and provide a level of activation within the streetscene.
- 9.16 Specific constraints of the site and operational requirements of the existing use have largely dictated the design of the development and it is noted that the site is already highly developed.
- 9.17 There is an existing, established privet hedge along the site's road frontage which will be retained, other than for a length of 5m which will be removed in order to facilitate the extension of the pedestrian footway into the site in order to improve accessibility. A landscaping scheme has recently been submitted and whilst this does not indicate additional tree planting along the site's frontage as this is likely to be within the highway, it does show planting within a number of beds within the site and along the site's western boundary which will assist in softening the appearance of the extensive areas of parking within the site.
- 9.18 The scheme indicates the main building located closer to the site's eastern and southern boundaries than the existing development. However, this is in an area which is contained by an existing retaining wall which extends along the frontage of the site eastwards from the site's access and then returns northwards in a dog-leg along part of the site's eastern boundary with the Bracknell Beeches site. Trees and vegetation along these boundaries are all set at a height of approximately 2m above the ground level of the proposed building and in some instances lie outside of the application site.
- 9.19 If the building was moved further away from this eastern boundary, in order to provide a landscape buffer to the adjacent development, any planting would have a negligible impact upon the streetscene due to the fact that it would be situated at a lower level

to the adjacent land. It is recognised that the land levels even out towards the rear (north) of the site and that the continued use of this area for storage purposes has the potential to impact on future users of the adjacent land as residential amenity space should such a residential scheme be permitted. However, since this represents a continuation of the existing use of this area, it is not considered that the current application could be resisted on this ground and any adjacent residential development will be required to consider the impact of this existing use. The boundary of the site is currently marked by a wire fence, with the Bracknell Beeches development having a 5m (approx.) high timber slatted fence on their side which provides visual screening to this area.

- 9.20 It is accepted that the design and location of the building do not provide a focal point on this highly visible corner. However, due to the constraints of the site, particularly the change in levels, this is likely to be difficult to achieve. Any repositioning of the building more centrally within the site to increase its visual presence within the streetscene would relocate it further away from the visually prominent corner and would impact upon the operational requirements of the site. Whilst the building is utilitarian in design, it is consistent with the lawful use of the site and attempts have been made to improve its visual appearance through the use of varied materials and a green roof.
- 9.21 In light of these considerations it is considered, on balance, that the proposed development would have an acceptable impact upon the character and appearance of the area consistent with development plan policy and the NPPF.

iii. Impact on Residential Amenity

Impact on occupants of neighbouring properties

- 9.22 The application proposes the redevelopment of the site for its existing lawful use. As a result there would be no increase in noise, disturbance or vehicular activity associated with the site which would have a material adverse impact upon the amenities of the adjacent occupiers. The proposed new building is set at a minimum distance of 25 m from the nearest dwellings, 1 – 6 Greenacres, on the south side of Old Bracknell Lane West and, as already stated, would be set at a lower level to the road and behind an established hedge. As a result, it would not adversely affect the amenities of any existing adjacent residents.
- 9.23 It is acknowledged that the surrounding area will, as a result of the SALP allocations, accommodate an increasing number of residents and that the operation of the Depot includes some early morning operations and the storage of materials/vehicular activity close to the site's boundaries. However, these are associated with its lawful use which any future occupier should be aware of and can be mitigated for as part of any adjacent residential scheme. Accordingly, the potential impact on the amenities of future occupiers is not a reason to resist this development.

iv. Transport and Highways considerations

Access

- 9.24 Amended plans and swept path drawings have been provided, which respond to the Highway Authority's initial comments. The entrance gates onto Old Bracknell Lane West, have been changed on the amended plans and now open into the site with a set-back of circa 7 metres from the through-carriageway of Old Bracknell Lane West.

9.25 The locations of the vehicular entrance and exit are the same as the two eastern access/egresses to/from the existing operation on the site. A short section of additional footway is proposed into the site entrance connecting the site to the existing footway on Old Bracknell Lane West, improving pedestrian connectivity compared with the existing situation (compliant with BFBLP policy M6).

Parking

9.26 Parking space numbers and sizes of spaces are designed to meet the operational requirements of the site, the proposed parking more than meets the requirements of the Parking Standards SPD (March 2016). 18 electric vehicle charging-enabled spaces are proposed in the central southern parking area, which is supported by the Highway Authority. Cycle parking is proposed as a mix of secure, covered, stands and Sheffield-style stands for visitors adjacent to the entrance to Building 1. Lockers and showers are provided for staff within Building 1.

9.27 The Highway Authority has no objection to the proposed development which meets the requirements of BFBLP Policy M9 and recommends conditions.

v. Drainage Implications

9.28 The Drainage Engineer initially raised a number of concerns in relation to the proposed drainage scheme and requested additional information. This has been supplied and the Drainage Engineer confirms that it addresses previous concerns and that approval is recommended subject to conditions.

9.29 Thames Water has confirmed that it has no objection to the submitted scheme.

vi Biodiversity Implications

9.30 To demonstrate how the application protects and enhances biodiversity, further information was required in relation to Biodiversity net gain and long term tree protection. Specifically, a biodiversity net gain metric was requested to demonstrate measurable biodiversity net gain and to allow for future monitoring.

9.31 The Biodiversity Officer has confirmed that, given the current highly developed state of the site, the scheme shows a large net gain and recommends that a contribution be secured to provide for the monitoring of this biodiversity net gain based on an area of new/retained habitats of 0.151ha.

9.32 In relation to tree protection, the Biodiversity Officer notes that the Preliminary Ecological Assessment (PEA) submitted with the application concludes that there are limited habitats on the site with the exception of existing trees and hedgerows but that these offer habitat for a range of faunal groups such as bats, birds and invertebrates adapted to urban areas.

9.33 The existing hedgerow and trees on the eastern boundary of the site are narrow, but do combine with existing trees on the adjacent Bracknell Beeches site to form a notable band of semi-natural vegetation with potential to support a wide range of species. Concern was raised that the position of the new building would overlap with the canopy of existing trees along the eastern boundary and that crown pruning would be required. This issue has been considered on site to assess the level of potential conflict. Due to the fact that the trees are set 2m above ground level on the top of the retaining wall and their canopies have limited spread, it has been concluded that there will not be significant conflict with these trees. It has been confirmed that any limited future pruning required, would not impact upon the biodiversity net gain calculations.

- 9.34 The Biodiversity Officer comments that the application provides an opportunity to improve the green infrastructure within a highly urbanised site and welcomes the inclusion of a green roof to provide value for a range of invertebrates and birds. The PEA includes a range of recommendations to protect biodiversity during construction and to enhance it in the long term including bird/bat boxes, retention of deadwood and native species planting.
- 9.35 In respect of external lighting, a recommendation within the Ecological Assessment indicated 'Exterior lighting on the new buildings should be avoided, particularly facing on to the site boundaries, but where essential, lighting should make use of low UV lamps e.g. warm white LED lamps, and be controlled using passive infrared sensors so that lighting operates only when necessary'. A submitted lighting scheme does not accord with these recommendations and is not considered acceptable by the Biodiversity Officer. Accordingly, it is recommended that a condition be imposed on any permission securing a scheme of lighting for the site which is sympathetic to biodiversity.

vii. Sustainability Implications

- 9.36 Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how potential carbon emissions will be reduced by at least 10% and how at least 20% of the development's energy requirements will be met from on-site renewable energy generation.
- 9.37 The application is accompanied by a RIBA Stage 3 Energy report which proposes the use of 30sq.m of photovoltaic panels.
- 9.38 The comments of the Energy Sustainability Officer are awaited.

viii. Securing Necessary Infrastructure

Community Infrastructure Levy (CIL)

- 9.39 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.
- 9.40 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. The Council is currently applying a nil rate to non-residential development (other than retail development), such that the current proposal would not be CIL liable.
- ##### Legal Obligations
- 9.41 Agreements under the Highway Act may be required in relation to the formation of the footway connection into the site from Old Bracknell Lane West.
- 9.42 A monitoring fee in relation to biodiversity net gain will also be required and this will necessitate authorisation and transfer of the appropriate amount between budgets within the relevant Council departments.

10. THE PLANNING BALANCE

- 10.1 The application proposes the redevelopment of the site for its current, lawful use as the Council's commercial centre (depot). Whilst the site is allocated for housing within the SALP, this allocation was subject to an alternative location being found for the depot and this has not been possible. There is therefore no objection, in principle, to the redevelopment of the site for its existing lawful use, consistent with Policy CS2 of the CSDPD.
- 10.2 The scheme seeks to make efficient use of available land consistent with Policy CS1 of the CSDPD and the NPPF by focusing development in the eastern side of the site, potentially releasing land on its western side for a future residential scheme. The design and layout of the scheme has been largely dictated by the functional requirements of the use but does incorporate additional planting and biodiversity enhancements. The proposed development will not intensify the existing use of the site and, will not adversely affect the amenity of adjoining occupiers and is considered to be consistent with policies CS7, EN20 and M9 of the development plan.
- 10.3 No other material considerations have been identified that would weigh against permission being granted in this instance and accordingly, the application is recommended for conditional approval, subject to the completion of a section 106 obligation.

11. RECOMMENDATION

- **Following appropriate measures being agreed to secure payment of the required fee for monitoring of biodiversity net gain**

that the Assistant Director: Planning be recommended 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 3 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 in accordance with the plans hereby approved which were received and validated by the Local Planning Authority:

5198632-ATK-00-XX-DR-AR-PL001 P1 Site Location Plan
5198632-ATK-00-XX-DR-AR-PL003 P1 Site Block Plan – Demolition (as it relates to development within the application site)
5198632-ATK-00-XX-DR-AR-PL004 P2 Site Block Plan Proposed
5198632-ATK-00-XX-DR-AR-PL006 P1 Proposed Site Sections
5198632-ATK-01-00-DR-AR-PL0010 P1 Building 1 GA Plan Level 0
5198632-ATK-01-01-DR-AR-PL0011 P1 Building 1 GA Plan Level 1
5198632-ATK-01-R1-DR-AR-PL0012 P2 Building 1 Roof Plan
5198632-ATK-01-ZZ-DR-AR-PL0013 P1 Building GA Elevations
5198632-ATK-XX-ZZ-DR-AR-PL0014 P1 Building1 GA Sections
5198632-ATK-02-XX-DR-AR-PL021 P1 Building 2 GA Plan Proposed
5198632-ATK-02-R2-DR-AR-PL022 Building 2 - Roof Plan - Existing and Proposed
5198632-ATK-02-XX-DR-AR-PL026 P1 Building 2 GA Sections Proposed
5198632-ATK-XX-XX-DR-CE-908001 P02 Site Layout Plan

5198632-ATK-ARB001 PO1 Tree Protection Plan
5198632-ATK-XX-XX-RP-CE-908000 - Drainage Strategy
5198632-ATK-XX-XX-DR-CE-908002 PO1 Proposed Drainage Layout Plan
Biodiversity Net Gain Calculation and Biodiversity Enhancement Proposals November
2021 Biodiversity metric 3.0 The Commercial Centre – Bracknell 16.11.2021
REASON: To ensure that the development is constructed as approved by the Local Planning Authority.

03. No structure hereby permitted shall be built above ground level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.

04. No part of the development hereby permitted shall be begun until details showing the finished floor level of Building 1 in relation to a fixed datum point in the surrounding area have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

05. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected for the duration of operational works to implement the development hereby approved by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision.
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]

06. No building hereby permitted shall be occupied until hard and soft landscaping works have been completed in full accordance with a landscaping scheme that has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme 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; and
- b) details of semi mature tree planting; and
- c) comprehensive 5 year post planting maintenance schedule; and
- d) underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes; and
- e) means of enclosure (walls and fences etc); and
- f) paving including open spaces, paths, steps and ramps, patios, cycle routes, driveways, parking courts etc. with details of proposed materials and construction methods; and
- g) recycling/refuse or other storage units; and
- h) other landscape features.

Where a development is to be phased a landscaping scheme for each phase shall be submitted which, in addition to those items listed above, shall include details of the landscaping to be provided within that phase, including structural landscaping and landscaping for communal areas. No building shall be occupied within a Phase until all the structural and communal landscaping for that Phase has been completed in addition to the landscaping associated with that building.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme. As a minimum, the quality of all 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 next 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]

07. No development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. An ecological site inspection report confirming installation of the approved enhancements shall be submitted within three months of the first occupation of the building hereby approved. The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation and biodiversity.

08. No development shall take place until a scheme of archaeological works (which may comprise more than one phase of works) has been implemented in accordance with a written scheme of investigation, which has been submitted to and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

REASON: The site lies within an area of unknown archaeological potential. The condition will ensure that any archaeological remains within the site are adequately investigated and recorded in order to advance our understanding of the significance of any buried remains to be lost and in the interest of protecting the archaeological heritage of the Borough.

09. No development (including any demolition or site clearance) shall take place, until a Construction (and Demolition) Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include as a minimum:

- (i) Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
- (ii) Details of the parking of vehicles of site operatives and visitors;
- (iii) Areas for loading and unloading of plant and materials;
- (iv) Areas for the storage of plant and materials used in constructing the development;
- (v) Location of any temporary portacabins and welfare buildings for site operatives;
- (vi) Details of any security hoarding;
- (vii) Details of any external lighting of the site;
- (viii) Details of the method of piling for foundations;
- (ix) Measures to control the emission of dust, dirt, noise and odour during demolition and construction;
- (x) Measures to control surface water run-off during demolition and construction;
- (xi) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xii) Details of wheel-washing facilities during both demolition and construction phases; and
- (xiii) Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear throughout the demolition and construction phase of the development.

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

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

Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

10. The new building (Building 1) within the site shall not be brought into use until:

- (a) a means of access for pedestrians to the site from the existing footway on the northern side of Old Bracknell Lane West has been constructed in accordance with the approved plans and with construction details which have been submitted to and approved in writing by the Local Planning Authority; and
- (b) the pedestrian routes within the site have been surfaced and marked out in accordance with the approved plans.

The means of access for pedestrians from Old Bracknell Lane West and pedestrian routes within the site shall thereafter be kept available for movement of pedestrians during all? times when the site is operational.

REASON: In the interests of accessibility, to facilitate access by pedestrians and to minimise the scope for conflicts between vehicles and pedestrians.

[Relevant Policies: BFBLP M6 & M7, Core Strategy DPD CS23, NPPF paras 110 b) and 112 a) & c)]

11. The new building (Building 1) within the site shall not be brought into use until the associated vehicle parking spaces, turning and circulation areas have been surfaced and marked out:

- (a) in accordance with the approved plans;
- (b) providing 5 disabled parking bays;
- (c) providing at least 18 parking bays enabled with electric vehicle charging infrastructure with an output of at least 7kW per bay.

The parking spaces, turning and circulation areas shall thereafter be kept available for parking, turning and circulation of vehicles at all times and the electric vehicle charging infrastructure shall be maintained in working order.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which would be a danger to other road users, to provide for the needs of people with disabilities and reduced mobility, and to enable charging of plug-in and other ultra-low emission vehicles.

[Relevant Policies: BFBLP M7 & M9, Core Strategy DPD CS23, NPPF para 112 b) & e)]

12. The new building (Building 1) within the site shall not be brought into use until the cycle parking spaces have been provided in the locations identified for cycle parking on the approved plans and shower facilities and lockers have been provided for cyclists 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 M9, Core Strategy DPD CS23, NPPF para 110 a)]

13. The gates provided at the site access and egress onto Old Bracknell Lane West shall be no closer to the adopted highway of Old Bracknell Lane West than shown on the approved plans and shall open away from the adopted highway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

14. The new building within the site shall not be brought into use until details of the vehicle wash including details of any means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The vehicle wash shall thereafter be provided, retained and maintained in accordance with the approved details.

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

15. The sound rating level (established in accordance with BS4142:2014) of any plant, machinery, washing equipment and equipment installed or operated in connection with this permission shall not exceed, at any time, the prevailing background sound level at the nearest residential or noise sensitive property.

If the plant, machinery or equipment is to be enclosed details of the enclosure shall be sent to the Local Planning Authority for their approval before the development commences.

Reason: To protect [future residents of the site and] the occupants of nearby residential properties from noise

16. Notwithstanding any details submitted with the application, no floodlighting or other forms of external lighting shall be installed on the site or affixed to any buildings unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall be aimed at mitigating the impact of lighting on biodiversity and the amenities of adjoining residential occupiers and shall:

- a) include location, height, type and direction of light sources and intensity of illumination
- b) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- c) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed on the site.

REASON: In the interests of minimising the impacts of the development on local residents and biodiversity.

17. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Public Holidays.

REASON: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period

18. No development shall take place until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- Results of CCTV survey of existing drainage network to ensure condition and suitability of connection.

- 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.

- Confirmation of the gully spacing calculations to demonstrate that they are capable of conveying the rainfall volumes as set out in the approved Drainage Strategy.

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

19. No development shall commence 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 occupiers 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.

20. The new building (Building 1) hereby permitted shall not 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.

21. Prior to practical completion of the new building (Building 1) 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, 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.

22. No building hereby permitted (Buildings 1 and 2) shall be occupied or the use commenced until a GIS shape file for the drainage and SUDS system serving the site as agreed with the Local Planning Authority is submitted to 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.

23. 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: CSDPD CS1, BFBLP EN25]

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: 4, 7, 8, 18 and 19

The following conditions require discharge prior to the occupation of the new building hereby approved: 6, 10, 11, 12, 14, 20 and 22

The following condition requires discharge prior to the practical completion of the approved works: 21

The following conditions require discharge prior to any above ground works being commenced: 3

No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 5, 13, 15, 16, 17 and 23.

03. The formation of the footway connection into the site from Old Bracknell Lane West and any incidental works affecting the adopted highway (including verge, footway or carriageway) shall be approved by, and a licence obtained from, the Highways and Transport Section at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk, who shall be contacted to agree the construction details and to grant a licence or appropriate 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 licences 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. The applicant's attention is drawn to the fact that this permission only relates to demolition of existing buildings/structures within the application site as identified on the Site Location Plan 5198632-ATK-00-XX-DR-AR-PL001 P1. Any further demolition works

indicated on Drawing 5198632-ATK-00-XX-DR-AR-PL003 P1 Site Block Plan – Demolition will need to be considered against the provisions of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for which prior approval of the Local Planning Authority is required or will require the grant of a separate planning permission.

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