



NOTICE OF MEETING

Planning Committee

Thursday 19 January 2017, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: The Planning Committee

Councillor Dudley (Chairman), Councillor Brossard (Vice-Chairman), Councillors Angell, Mrs Angell, D Birch, Finnie, Ms Gaw, Mrs Hayes MBE, Heydon, Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Skinner, Thompson and Worrall

ALISON SANDERS
Director of Corporate Services

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Email: hannah.stevenson@bracknell-forest.gov.uk
Published: 9 January 2017



Planning Committee
Thursday 19 January 2017, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

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AGENDA

Page No

1. **Apologies for Absence**

To receive apologies for absence.

2. **Minutes**

To approve as a correct record the minutes of the meeting of the Committee held on 10 November 2016.

5 - 20

3. **Declarations of Interest**

Any Member with a Disclosable Pecuniary Interest or an Affected 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 Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

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.

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 16/00707/FUL Land At The Yard, Chavey Down Road, Winkfield Row, Bracknell, Berkshire**

Change of use of the land for the siting of six two bed residential mobile park homes.

25 - 44

6. **PS 16/00846/FUL Land At Reference C012Z, Drift Road, Winkfield, Windsor, Berkshire**
Levelling of a field. 45 - 58
7. **16/00732/FUL Kingswood, Kings Ride, Ascot, Berkshire**
Demolition of existing office buildings and redevelopment to provide 59 residential units (Class C3), associated internal estate road, car parking, landscaping and open space. 59 - 82
8. **16/01202/PAC 34 Wellington Business Park, Dukes Ride, Crowthorne, Berkshire RG45 6LS**
Application for Prior Approval for the change of use from B1(a) (Office) to C3 (Residential) to form 2 no. 2 bed and 3 no. 1 bed dwellings. 83 - 88

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**PLANNING COMMITTEE
10 NOVEMBER 2016
7.30 - 9.10 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Finnie, Ms Gaw, Mrs Hayes MBE, Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle and Worrall

Also Present:

Councillor Phillips

Apologies for absence were received from:

Councillors Heydon and Thompson

69. Minutes

RESOLVED that the minutes from the meeting held on the 13 October 2016 be approved as a correct record and signed by the Chairman.

The misspelling of Councillor Mrs Ingham's name had been amended.

70. Declarations of Interest

There were no declarations of interest.

71. Urgent Items of Business

There were no urgent items of business.

72. 15/01081/FUL Old Whitelocks, Garsons Lane, Warfield, Bracknell, Berkshire RG42 6JA

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- The comments of Warfield Parish Council objecting to the proposal.
- The 7 letters of objections received as summarised in the agenda papers.

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

01. The use 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 approved plans received by the Local Planning Authority on 2 November 2015 and 12 June 2016:

Location plan at scale of 1:1250
Drawing no. 1070-04 Rev B
Drawing no. 1070-05 Rev A
Drawing no. RHPC/SP/001/B

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

03. No goods, materials, plant or machinery shall be stored outside the building on the site.
REASON: In the interests of the visual amenities of the surrounding area and the openness of the Green Belt.
[Relevant Policies: CSDPD CS7, CS9, BFBLP EN20, GB2, GB4]
04. The building shall be used for B8 storage purposes and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: In the interests of residential amenities of neighbouring properties and to ensure the development is provided with adequate car parking to prevent the likelihood of on-street car parking.
[Relevant Policies: BFBLP EN20, M9, Core Strategy DPD CS23]
05. No additional floorspace, including mezzanine floors, shall be constructed within the building connected to the use hereby approved.
REASON: To prevent an over-development of the site and to ensure adequate parking.
[Relevant Policy: BFBLP M9]
06. The building shall not be brought into use for B8 storage purposes until a scheme depicting hard and soft landscaping, including details of boundary treatment, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried 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 shall thereafter be retained.
REASON: In the interests of good landscape design and the visual amenity of the area.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

07. The building shall not be brought into use for B8 storage purposes until the means of vehicular access to the site has been constructed in accordance with planning permission 13/01033/FUL.
REASON: In the interests of highway safety.
[Relevant Policies: CSDPD CS23]
08. The building shall not be brought into use for B8 storage purposes until the associated vehicle and lorry parking and turning spaces have been surfaced and marked out in accordance with the approved drawing, ref: RHPC/SP/001/B received 12 June 2016 by the Local Planning Authority. The spaces 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 on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
- 09: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and/or re-enacting that Order with or without modification), no external lighting shall be installed on the site or affixed to the building on the site.
REASON: In the interests of the visual amenities of the surrounding area and the openness of the Green Belt.
[Relevant Policies: CSDPD CS7, CS9, BFBLP EN20, GB2, GB4]

73. **PS 16/00592/FUL Land East Of 51 To 57 Grampian Road, Sandhurst, Berkshire**

A site visit had been held on Saturday 5 November 2016 which had been attended by Councillors Birch, Brossard, Dudley, Finnie, Ms Gaw, Hill, Mrs Ingham, Mrs McKenzie and Mrs McKenzie-Boyle.

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- The comments of Sandhurst Town Council objecting to the proposal.
- The 56 letters of objections received from 24 households as summarised in the agenda papers and supplementary report.

The criteria for public speaking had been met in respect of this application and the committee was addressed by the registered speakers Mr Jeff Joslin objector to the application and Mr Derek Allen representing the applicant.

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA);

RESOLVED that the Head of Planning be authorised to **APPROVE** the application subject to the following condition(s):-

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 on 30 August 2016:

Front elevation, rear elevation, section, side elevation and Ground floor plan.
First Floor Plan

And the following plan received by the Local Planning Authority on 9 November 2016:

DA03 Site Layout
Location Plan

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

03. No development shall take place 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, Core Strategy DPD CS7]

04. 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 buildings approved in this permission.

REASON: In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.

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

05. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy,

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

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

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

06. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, 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. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing 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 location/s of 2.4m high protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s of site specific ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- 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.

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

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.

07. The development hereby permitted shall not be begun until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -
- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
 - b) Materials including porous surface finish.
 - c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
 - d) Program and method of implementation.

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

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

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

08. 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 by the Local Planning Authority. Any approved scheme shall be observed, performed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

09. The 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 approved scheme shall be implemented, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

10. 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 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.

[Relevant Plans and Policies: CSDPD CS1, CS7]

11. Within a period of 5 years from the completion of the development: -

- a) No retained tree, hedgerow or groups of shrubs (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed.
- b) Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans submitted in accordance with other conditions of this consent, which die are removed or irreparably damaged during the course of the development within a period of 5 years of the completion of the development, another tree, hedgerow or group of shrubs of the same species and size as that originally planted shall be planted at the same time.

REASON: In the interests safeguarding biodiversity.

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

12. No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP EN25]

13. During the construction phase, no deliveries shall be taken at or dispatched from the site outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: BFBLP EN25]

14. No dwelling shall be occupied until vehicular access as shown on drawing DA01 and DA02 has been constructed.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

16. Any planting to the front of the proposed dwellings will be no taller than 600mm.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

17. 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]

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

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

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

This information should also demonstrate that relevant controls are in place in order to ensure that there will be no impact on the adjacent SSSI site from

construction activities, in particular through dust management and control, and polluted runoff control.

REASON: In the interests of amenity, road safety and to protect the SSSI.

19. No materials, machinery or work should encroach on to the SSSI either before, during or after demolition, construction or ongoing use.

REASON: In the interests of protecting the SSSI.

20. The garage doors hereby approved shall be of a roller shutter design. Any replacement or repair shall only be with a roller shutter type garage door.

REASON: To ensure that the garages are still accessible while a car is parked to the front of the properties avoiding inappropriately parked cars comprising the communal reversing/turning area.

[Relevant Policy: BFBLP M9]

21. The garage accommodation shall be retained for the use of the parking of cycles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.

[Relevant Policy: BFBLP M9]

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

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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

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

[Relevant Policy: Core Strategy DPD CS10]

24. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

25. 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]

26. The protective fencing and other protection measures specified by condition 6 shall be erected in the locations agreed in writing by the Local Planning Authority 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. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. 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.

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

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

The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority. A copy of the signed inspection report shall be sent to the Local Planning Authority following each visit.

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

28. No development shall commence until a site specific method statement for the removal of all existing hard surfaced areas and/or structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) A site plan at a minimum scale of 1:200, identifying all areas where such work is to be undertaken.
 - b) Reinstatement to soft landscape area including proposed ground de-compaction works.
 - c) Timing and phasing of works.

The Construction Method Statement shall be observed, performed and complied with in full accordance with the approved details.

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

29. No development shall commence until:
- (i) a site layout plan at a minimum scale of 1:200 showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
- have been submitted to and approved in writing by the Local Planning Authority.
- Details of the site layout plan shall include: -
- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.

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

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

30. No development shall take place until:
- (i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent

revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:

- a) Existing and proposed finished levels.
- b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
- c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and
- (ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.

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

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

31. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place.

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

32. 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, addition, improvement or other alteration permitted by Classes A, E or F of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASON: -The site is in close proximity to trees which are a feature of the site where strict control over development is required by the policies of the development to ensure their protection.

74. **16/00840/FUL 12 Worcestershire Lea, Warfield, Bracknell, Berkshire RG42 3TQ**

A site visit had been held on Saturday 5 November 2016 which had been attended by Councillors Dudley, Finnie, Ms Gaw, Hill, and Mrs Ingham

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- The comments of Warfield Parish Council objecting to the proposal.
- The 2 letters of objections received from 2 households as summarised in the agenda papers.

RESOLVED that the application is recommended to be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be in accordance with the following approved plans and other submitted details:
Site Location Plan and Block Plan, JSD-16-45/01, Received 17.08.2016

Proposed Ground Floor Plan and Roof Plan, Drawing number: JSD-16-45/04,
Received 17.08.2016

Proposed Elevations, Drawing number: JSD-16-45/05, Received 17.08.2016
REASON: To ensure that the development is carried out only as approved by
the Local Planning Authority.

75. **16/00864/FUL 20 Lytchett Minster Close, Bracknell, Berkshire RG12 9RY**

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council objecting to the proposal.
- The 3 letters of objections received from 3 households as summarised in the agenda papers.
- The 1 letter of support received as summarised in the agenda papers.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date 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:

Block Plan scale 1:500 received on 6 September 2016

16-016 P03 Rev.C 'Proposed Plans' [Amended] received on 27 October 2016

16-016 P04 Rev.C 'Proposed Elevations' [Amended] received on 27 October 2016

16-016 P05 Rev.B 'Existing and Proposed Roof Plans' [Amended] received on 27 October 2016

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.

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

[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20].

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the north-facing elevation of the development hereby permitted.

REASON: In the interests of the residential amenities of the neighbouring properties of 1, 3 and 4 Morden Close, Bracknell.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

05. The 1no. window the first floor on the north-facing side elevation of the development hereby permitted, serving the en-suite bathroom, shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be fixed with the exception of a top

hung openable fanlight. Any replacement window shall be glazed and fixed to this standard, and retained as such.

REASON: In the interests of the residential amenities of the neighbouring properties of 1, 3 and 4 Morden Close, Bracknell.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

06. The development hereby permitted shall not be occupied until the 2no. off-street parking spaces as shown on drawing 16-016 P03 Rev.C 'Proposed Plans', received by the Local Planning Authority on 6 September 2016, have been provided in accordance with the approved plans. The parking spaces shall thereafter be retained for the use of the parking of vehicles at all times.
REASON: To ensure that an acceptable level of off-street parking is provided to the property, in the interests of highway safety.
[Relevant Policies: CSDPD Policy CS23, BFBLP 'Saved' Policy M9]

76. **16/00885/FUL 14 Thornbury Close, Crowthorne, Berkshire RG45 6PE**

A site visit had been held on Saturday 5 November 2016 which had been attended by Councillors Birch, Brossard, Dudley, Finnie, Ms Gaw, Hill, Mrs Ingham, Mrs McKenzie and Mrs McKenzie-Boyle.

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- The comments of Crowthorne Parish Council objecting to the proposal.
- The 3 letters of objections received as summarised in the agenda papers.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date 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 on 9 September, 23 October and 10 November 2016:
- Drawing no. 9100/04 - proposed ground floor layout
Drawing no. 9100/05 - proposed first floor layout
Drawing no. 9100/08 - proposed elevations
Drawing no. 9100/08 - roof and parking plan
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those outlined in section 11 – materials of the planning application form received 1 September 2016 by the Local Planning Authority.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20].
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order

revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed in the east and west elevations of the development hereby permitted.

REASON: In the interests of the residential amenities of the neighbouring properties.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

05. The first floor extensions hereby permitted shall not be occupied until the off-street parking spaces as shown on drawing no. 9100/08 received by the Local Planning Authority on 23 October 2016 have been provided in accordance with the approved plans. The parking spaces shall thereafter be retained for the use of the parking of vehicles at all times.

REASON: To ensure that an acceptable level of off-street parking is provided to the property, in the interests of highway safety.

[Relevant Policies: CSDPD Policy CS23, BFBLP 'Saved' Policy M9]

77. **16/00995/PAC The Braccans, London Road, Bracknell, Berkshire RG12 2XH**

This item was withdrawn from the Agenda.

CHAIRMAN

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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
19th January 2017**

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

		Case Officer	Reporting Officer
5	16/00707/FUL Land At The Yard Chavey Down Road Winkfield Row (Winkfield And Cranbourne Ward) Change of use of the land for the siting of six residential mobile park homes. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Paul Corbett	Basia Polnik
6	16/00846/FUL Land At Reference C012Z Drift Road Winkfield (Winkfield And Cranbourne Ward) Levelling of a field. Recommendation: Approve.	Michael Ruddock	Basia Polnik
7	16/00732/FUL Kingswood Kings Ride Ascot (Ascot Ward) Demolition of existing office buildings and redevelopment to provide 59 residential units (Class C3), associated internal estate road, car parking, landscaping and open space. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Sarah Fryer	Martin Bourne
8	16/01202/PAC 34 Wellington Business Park Dukes Ride Crowthorne (Crowthorne Ward) Application for Prior Approval for the change of use from B1(a) (Office) to C3 (Residential) to form 2 no. 2 bed and 3 no. 1 bed dwellings. Recommendation:	Sarah Horwood	Basia Polnik

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.

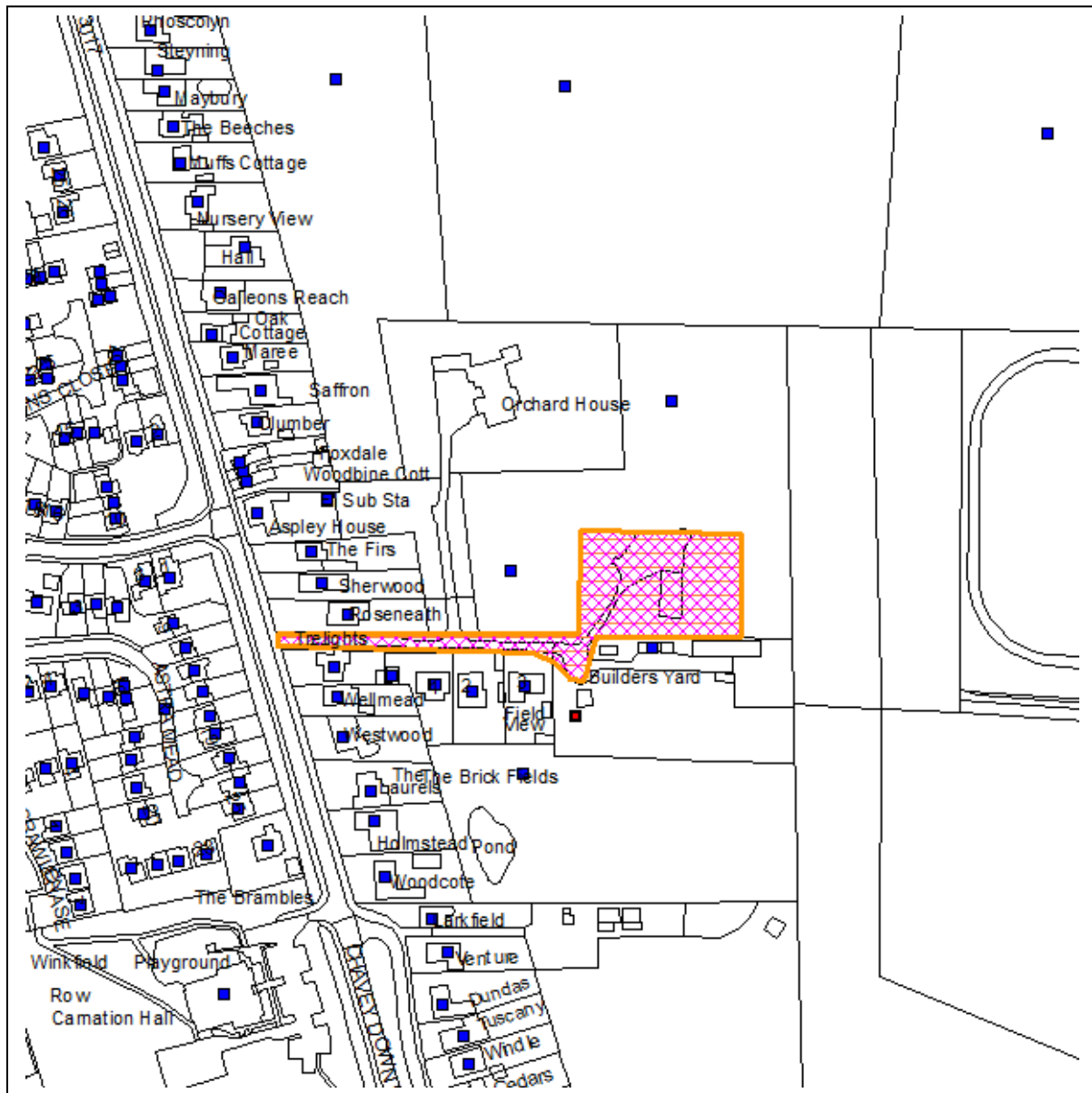
The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

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.

ITEM NO: 05	Ward:	Date Registered:	Target Decision Date:
Application No. 16/00707/FUL	Winkfield And Cranbourne	8 August 2016	3 October 2016
Site Address:	Land At The Yard Chavey Down Road Winkfield Row Bracknell Berkshire		
Proposal:	Change of use of the land for the siting of six two bed residential mobile park homes.		
Applicant:	Howard Park Homes		
Agent:	Mr Andrew Dowell		
Case Officer:	Paul Corbett, 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 proposal comprises the change of use of land for the siting 6no. two bedroomed mobile park homes on land which already has planning permission (15/00200/FUL) for a five bedroomed detached two-storey house and garage which was approved in November 2015.

1.2 Planning permission 15/00200/FUL allowed for 1no five bedroom dwelling and 2no four bedroom dwellings and 1no three bedroom dwelling to the south following the demolition of the existing buildings and structures on land defined as previously developed land.

1.3 One of the core principles contained within the NPPF (para17) is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value such as this site.

1.4 The current proposal if approved would therefore result in 6no. two bedroomed mobile homes being provided in lieu of a large five bedroomed detached two-storey house without compromising the implementation of 3 dwellings to the south as already approved under planning permission 15/00200/FUL.

1.5 Whilst this site is located within the countryside it does comprise a brownfield site with existing buildings that could be used commercially immediately abutting the existing settlement boundary of Chavey Down. The site benefits from an existing vehicular access road that will incorporate some improvement works that Highway Authority consider are sufficient to serve 6no. two bedroomed mobile park homes as well as 3 additional dwellings immediately to the south.

1.6 This proposal would also make a contribution to the local supply of housing which is a significant positive factor in its favour, taking account of the shortfall in the five-year supply housing land supply in the borough at this time.

1.7 The NPPF sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in this NPPF indicate development should be restricted.

1.8 Whilst it is acknowledged that this proposal would result in some harm it is not on balance considered to outweigh the benefits of providing much needed housing in lieu of a large two-storey 5 bed dwelling which could be erected on the site under planning permission 15/00200/FUL. It is also considered that 6no. mobile park homes would have a lesser visual impact on the rural location.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA and securing offsite reptile mitigation and highway widening works before any works commence on the site.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 6 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Outside settlement boundary
Within 5km of the SPA

3.1 The site is located on the eastern side of Chavey Down Road. The site lies adjacent to the defined settlement of Chavey Down but within an area of countryside. It is accessed via a narrow private tarmac road that also provides vehicular access to Nos.1-3 The Brickfields and Orchard House.

3.2 The site was originally part of the land parcel associated with Orchard House.

3.3 The site comprises one large building and area of hardstanding. Council records show it can be used lawfully as either as B8 (storage) or B1 Office Use.

3.4 The existing building is currently vacant.

4. RELEVANT PLANNING HISTORY

4.1 Planning permission was granted for no.4 new dwellings on a brownfield site, known as land at the yard, comprising 1no. five bedroom dwelling and garage south of Orchard House and a further 3 detached dwellings and garages adjacent to no.3 Field View following the demolition of the existing structures.

4.2 Land At The Yard Chavey Down Road Winkfield Row Bracknell Berkshire
15/00200/FUL Status: Approved (with Legal Agreement)
Erection of 1no five bedroom dwelling, 2no four bedroom dwellings and 1no three bedroom dwelling following the demolition of the existing structures.

4.3 01/01099/CLPUD Status: ALLOWED 2001
Application for a certificate of lawfulness for a proposed use to allow change of use of building from storage (B8) to business (B1).

4.4. 02/00204/FUL Status: APPROVED
Formation of pitched roof over existing flat roof. Alterations to fenestration and provision of roof lights.

4.5 02/00504/FUL Status: APPROVED (not implemented)
The erection of a single storey side extension, including roof lights, and external alterations including recladding and construction of new roof to existing office buildings (Use Class B1) following demolition and removal of existing storage buildings, containers and dormer extensions.

4.6 EN/12/00012/UBPC Status: Enforcement Notice Issued 20 August 2012
Breach: Outbuildings not demolished and landscaping not implemented as required by planning permission 09/00280/FUL

4.7 An Enforcement Notice was issued requiring the landowner to demolish and remove from the land the existing office outbuilding, including containers and hardstanding and restore to paddock area.

4.8 The applicant was seeking a Judicial Review in the High Court in respect of the original planning permission 09/00280/FUL and the requirement of the Enforcement Notice to remove the existing office building from the land. This was later withdrawn upon the granting of planning permission 15/00200/FUL.

5. THE PROPOSAL

5.1 Permission is sought for the change of use of the land for the siting of six residential mobile park homes.

5.2 The scheme proposes an access road into the site with 3 three mobile park homes positioned to the north of the access road and 3no. three mobile park homes to the south with a bin storage area positioned close to the access.

5.3 It is confirmed that each mobile park home will comprise 2 bedrooms and 2 car parking spaces.

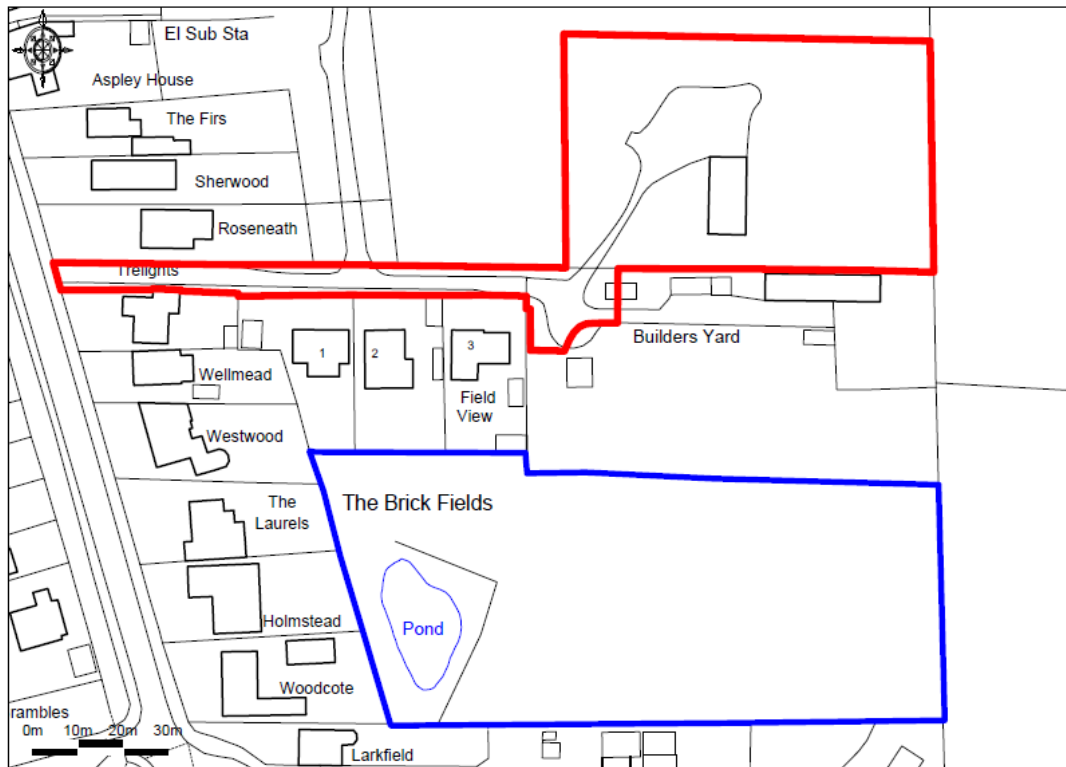
PLAN 1. Current Proposal showing a layout for 6 Mobile Park Homes



PLAN 2. Previous Approved Layout 15/00200/FUL



PLAN 3. Plan showing the off-site reptile mitigation area that will be secured as part of the S106 legal agreement.



6. REPRESENTATIONS RECEIVED

Parish Council

6.1 Winkfield Parish Council objects to this proposal on the following grounds:

The proposal represents overdevelopment of the site which is out of character with the area. The impact on local infrastructure, particularly drainage and sewerage is of concern. Furthermore, access does not support the scale of the development and the additional traffic will cause loss of amenity to neighbouring properties.

Other Letters of Representation

6.2 Fourteen objections have been received and their concerns are summarised as follows:

- Overdevelopment of this site
- Mobile park homes are out of character to the area
- Static caravans are already well catered for in this area - Cranbourne Hall & High Pines, are within 3 miles of this site
- Increase in vehicular traffic and highway safety concerns
- Impact on local services

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The following consultees have provided advice on the application that is summarised below and expanded upon within the report

Biodiversity Officer:

7.2 The Biodiversity Officer is content to support this proposal so long as the reptile mitigation can be secured in accordance with that previously secured under planning permission 15/00200/FUL.

Transportation Officer:

7.3 The Highways Officer is content to support this proposal on the basis that the private road widening works and waste vehicular turning area can be secured in accordance with that previously secured under planning permission 15/00200/FUL.

Licensing Officer:

7.4 The Licensing Officer raises no objection but advises that advises that the site will require a site licence under the Caravan Sites and Control of Development Act 1960. The site would therefore need to comply with the latest edition of the model standards, issued under section 5 of the aforementioned Act.

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
General policies	CP1 of SALP, CS1 and CS2 of CSDPD	Consistent
Land Outside Settlement	CS9 of CSDPD, Saved policy EN8 of BFBLP	Not consistent

Housing	CS15 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	SEP Retained Policy NRM6, Saved Policy EN3 of CSDPD and Policy CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Waste	CSDPD CS13	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Character Area Assessments (SPD)		
Parking standards (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 the area
- iii Impact on residential amenity
- iv Transport implications
- v Waste
- vi SPA
- vii Sustainability
- viii Trees and biodiversity
- ix Community Infrastructure Levy

i. PRINCIPLE OF DEVELOPMENT

9.2 The principle of housing on this brownfield site was previously established by planning permission 15/00200/FUL in 2015 which allowed for 1no five bedroom dwelling, 2no four bedroom dwellings and 1no three bedroom dwelling on a larger plot, following the demolition of the existing commercial buildings on the land. This proposal seeks planning permission for an alternative proposal (6no. Mobile Park Homes) on part of the site namely the plot previously identified for a large 5no. bedroomed two-storey dwelling and garage. The landowner has indicated that it is still his intention to erect the 3no. dwellings just to the south secured under planning permission 15/00200/FUL which could be part implemented.

When considering such proposals on land outside settlements BFBLP Policies EN8 and H5 states that developments should not cause harm to the character of the area or result in any environmental damage or inconvenience or danger on the public highway.

This proposal would also make a contribution to the local supply of housing and as such is representative of a positive factor in support of this proposal, taking account of the shortfall in the five-year supply housing land supply in the borough at this time.

These points are addressed in the sections that follow.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.3 This proposal is for the change of use of the land for the siting of 6no. two-bed mobile park homes and therefore the officer's assessment of this proposal is limited to the use of the land and its associated impacts on the character and appearance of this proposal compared with a five bed dwelling that could be built on this site. on this land.

9.4 The type and size of each of the mobile homes including their appearance is controlled by licensing under the Caravans Act. However the number of bedrooms in the case will be restricted to two bedrooms per unit via the S106 to ensure compliance with applicants SPA contributions agreed. The number of caravans and proposed layout is considered in principle to meet with key criteria required to gain a caravan park site licence.

9.5 In comparison with the previous proposal which in part allowed for a two-storey 5 bed roomed dwelling on this particular plot, this proposal will result in a marked density increase on this particular plot with a net increase of 5no. residential units in the form of single storey mobile park homes restricted to 2 bedrooms each.

9.6 Whilst it is acknowledged this proposal would result in more units on the site albeit of smaller unit size i.e. 2 beds, it would result in less visual impact in this particular setting by the fact that the proposed 6no. mobile park homes would all be single storey and would result in less mass and bulk when compared with a large two-storey dwelling.

9.7 The current proposal also shows that each mobile home plot will be separated by hedge planting including the site perimeter boundary which is considered to be of particular importance in reducing visual harm to the open rural countryside setting by spreading the units across the site.

9.8 It is considered that if these were normal 'bricks and mortar' houses this proposal would more than likely be considered to be too cramped as the footprint and massing of the structures would be larger. However given they are mobile homes the spacing as shown is considered to meet the separation distances required to attain a site licence. .

9.9 Planning Inspectors often state that mobile homes and caravans do not have the same element of permanence as bricks and mortar. However, a residential park home site of this scale would still result in a urbanising impact within part of the countryside. This needs to be balanced against the Council's current housing need but also whether this proposal is more harmful than a large two-storey five bed house in this location that can still be implemented up until 18th November 2018 under planning permission 15/00200/FUL which is the existing fallback position

9.10 The NPPF (Para 58) also encourages LPAs to optimise the potential of sites to accommodate development and to, create and sustain an appropriate mix of uses and this considered to be applicable as this proposal would result in a mix of accommodation.

9.11 This particular proposal has also been looked at in conjunction with the possibility of the 3no. dwellings as secured under planning permission 15/00200/FUL being implemented and it is concluded that on balance it would create an acceptable mix of accommodation to that would make a contribution, albeit small, to the Council's housing needs.

9.12 The existing eastern boundary is notably defined by a continuous line of mature trees (off-site) which frames and separates this particular plot from open fields beyond thus resulting in a boundary screening that lessens the visual impact of this form of housing now proposed on this site.

9.13 The current proposal also shows that the sites perimeter to be planted up. Each mobile home pitch will also be defined by either hedge or tree planting thus seeking to better assimilate and lessen the visual impact of the mobile homes. The proposed landscaping is of particular importance and thus will be secured by condition.

9.14 It is considered that proposed change of use of the land for the siting of 6no. mobile park homes, subject to the recommended conditions, would not result in an adverse impact on the character and appearance of the area to warrant a refusal. It would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

9.15 The change of use of the land for the siting of 6no. mobile park homes along with the with the proposed soft landscape strategy to screen the site perimeter and the fact the mobile homes are all single storey as well as retaining the intervening distances between the existing dwellings would not adversely impact upon the residential amenity of any of the immediate neighbouring properties.

9.16 As such, the proposal is not considered to have an unacceptable impact on the residential amenities of neighbouring properties and the residential amenities of the future occupiers of the homes would be acceptable subject to appropriate conditions The proposal would therefore be in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

iv TRANSPORT IMPLICATIONS

9.17 The provision of 2 car parking spaces per 2 bedroom mobile home is considered acceptable when assessed against similar sized residential unit requirements as set out in the Council's current Parking Standards.

9.18 The applicant has not shown any secure cycle provision however this can easily be secured via condition.

9.19 It is considered that 6 no. mobile park homes of 2 beds each are likely to generate a total of 16 two-way movements per day compared with a 5-bed house which is likely to generate 6 movements, a difference of 10 two-way trips per day. These trip rates are lower than a typical family dwelling and therefore likely to be attributable to the likely future occupants being older people or those desiring smaller more affordable accommodation.

9.20 In terms of access to services for future occupants the nearest bus stops are located within 400m to the north of the development along Chavey Down Road, an acceptable walking distance to a bus stop and these stops are served by the 162 and 162a bus services between Bracknell (via Whitegrove, including the Tesco superstore), Winkfield Row and Ascot. Services are infrequent (every one and half hours) and do not operate during evenings and on Sunday. Also, local facilities are limited.

9.21 The relative unsustainability of the site needs to be considered against the traffic and safety impacts of the development and the Highway Authority is satisfied that proposed access improvements along the private road, including at the access off Chavey Down

Road, suitably mitigate the impacts of these 6 proposed mobile park homes, in a similar manner to those required for the 4 dwellings approved under application 15/00200/FUL.

9.22 The Highways Officer is content to support this proposal on the basis that the private road widening works and waste vehicle turning area is secured as per that previously secured under planning permission 15/00200/FUL to ensure two standard vehicle's can still pass each other when using the lane and the waste vehicle can also turn within the lane without the reliance upon the existing driveway access to Orchard House. The applicant's site plan includes the access road but will require the landowner's permission to implement the works along the lane if this site were to be implemented before the implementation of the 3no. dwellings to the south secured as part of planning permission 15/00200/FUL. Given these highway works are considered critical to the acceptability of both proposals it is considered necessary that this element is secured as part of the S106 as this is not under the control of the applicant (although the correct notice has been served).

9.23 It is also acknowledged there are concerns that a further similar planning application could be submitted to substitute the 3 homes already approved to the south of this site. This is unlikely to be supported as this would considerably increase the trip rates using this private road which has limited capacity even with the proposed improvements to be secured as part of this proposal. It is therefore considered that whilst this proposal is considered to be acceptable any further increase in traffic using this private road is more than likely to create an access and safety concern given the likely reliance on the car in this relatively unsustainable location.

9.24 Subject to the imposition of conditions, the proposal is considered to be in accordance with Policy CS23 of the CSDPD and 'Saved' Policy M9 of the BFBLP and the NPPF and would not result adverse highway implications to warrant a refusal.

v WASTE

9.25 It is considered that the proposed location of the communal bin storage area for the 6no. mobile park homes is appropriately sited to make use of the existing waste collection arrangements within the lane. These include a new turning area specifically for the Council's waste collection vehicle. This would minimise obstruction to vehicular access and ease collection, as well as ensuring the bin store is also easily accessible by residents. This proposal is therefore considered to comply with Policy CS13 of CSDPD.

vi SPA

9.26 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 0.7 km from 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.

9.27 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. 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 SPA and financial contributions towards Strategic Access Management and Monitoring

(SAMM) measures which Natural England will spend upon the SPA land. The 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.

9.28 In this instance, the development would result in a net increase of 6 mobile homes each with two bedrooms which results in a total SANG contribution of £9,606 (£1,601 x 6)

9.29 The development is required to make a contribution restricted to 2 beds each towards Strategic Access Management and Monitoring (SAMM) which will be also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £3,156 (£526 x 6)

9.30 The total SPA related financial contribution for this proposal is £12,762.

9.31 The applicant has already agreed to secure this contribution and a restriction on the occupation of each unit of accommodation until the open space enhancement works to a SANG is completed.

9.32 Subject to the satisfactory completion of the S106 agreement the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

vii SURFACE WATER DRAINAGE

9.33 A condition is recommended to ensure that the development will be SuDS compliant, in line with the NPPF and CSDPD Policy CS1.

9.34 Subject to these conditions, the application is acceptable with regards to CSDPD Policies CS1 and the provisions of the NPPF in respect of surface water drainage.

viii TREES AND BIODIVERSITY

9.35 There are no trees on the site but it is considered necessary to secure by condition a satisfactory soft landscaping scheme to ensure the site perimeter boundary is planted as shown on the site layout drawings.

9.36 The Biodiversity Officer is supportive of this application so long as the recommended mitigation identified within the applicant's Ecological Assessment, dated August 2015, previously secured under planning permission 15/00200/FUL is secured. The existing landowner has agreed to be party to a s106 planning obligation to ensure an area outlined in blue on a plan that will accompany the s106 to secure the reptile mitigation originally identified by the Ecological Assessment dated August 2015. The Council's Legal Services section has agreed this approach to securing the off-site reptile mitigation.

9.37 Therefore subject to the completion of a s106 legal agreement that satisfactorily secures the off-site reptile mitigation and other suitably worded conditions, the proposal is considered to comply with CSDPD Policies CS1 and CS7, BFBLP Policies EN2 and EN20, and the NPPF.

ix COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.38 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 type and location of the development within the borough.

9.39 CIL is only applicable to any new build that involves the creation of additional dwellings, so is not applicable to this proposal for a change of use of the land for the siting of 6no. mobile homes.

x. BALANCING EXERCISE

9.40 Planning Inspectors often state that mobile homes and caravans do not have the same element of permanence as bricks and mortar. Nevertheless, a residential park home site of this scale would still result in some urbanising impact within part of the countryside with a proposed density that could be described as out of character or as overdevelopment. However this needs to be balanced against the Council's current housing need and the fact that this is only for 6 mobile homes. An assessment must be made as to whether this proposal is more harmful than a large two-storey five bed house in this location that can still be implemented up until 18th November 2018 under planning permission 15/00200/FUL.

9.41 Whilst it is accepted that the proposal would result in a spread of structures across the site it is considered that due to the relatively contained nature of the site, the scale of the development (6no mobile homes) and the fact it is on previously developed land the identified harm would be very localised and the proposal would not result in any unacceptable harm to the wider landscape than the five bed house that was previously allowed under planning permission 15/00200/FUL.

9.42 Mobile homes are not currently liable to community infrastructure contributions however this proposal is required to secure the SPA mitigation identified and the applicant has agreed to secure this via a S106 agreement.

9.43 It is considered that the location of the additional mobile park homes would not be unreasonably isolated from the surrounding community and within a short walking distance of a local bus service albeit limited. Therefore future occupants are likely to be reliant upon a private motor vehicle. However given the relatively short distances to local services and scale of this development this element is only given moderate negative weight.

9.44 One of the main benefits of a housing scheme to be weighed in the balance is the provision of a net increase in housing. The NPPF is a material consideration, and this seeks (para. 47) to 'boost significantly the supply of housing'. In considering this aspect, a proposal for housing needs to be deliverable. The NPPF (footnote 11) is clear that for a site to be deliverable, it should:

- be available now;
- offer a suitable location for development now; and,
- be achievable, with a reasonable prospect that housing will be delivered on the site within five years, and in particular that development of the site is viable.

9.45 The land is available now and considered in terms of its scale to provide a suitable location on previously developed land adjoining an existing settlement and by its very nature of it being for mobile homes could easily be delivered within 1-3 years.

9.46 This proposal would make a small contribution to the local supply of housing and as such is representative of a positive benefit in its support, taking account of the shortfall in the five-year supply housing land supply. It is considered that this element should be afforded substantial positive weight in the balancing of this proposal.

9.47 It is also considered the provision 6no. 2 bed mobile homes in lieu of 1no large 5 bed house would provide a better mix of smaller residential units (provided alongside the 3 dwellings that are still likely to be built under 15/00200/FUL) that are likely to be more affordable and potentially more attractive to singles, couples or the elderly. It is considered that this element should be afforded moderate positive weight in the balancing of this proposal.

9.48 Whilst it is acknowledged that this site's location relative to local services and facilities is not particularly sustainable when considered against Paragraph 34 of the NPPF. However it is close to a limited bus service giving access to local services at Whitegrove approximately 1.6 km from the site or Bracknell Town Centre within 3km of the site.

9.49 The site's scale and location relative to the existing settlement and the fact it is brownfield land with planning permission for housing does makes it suitable for redevelopment for small scale housing. It is considered that this scheme in combination with the 3no. houses that can still be implemented under planning permission 15/00200/FUL would provide an acceptable mix of tenure for the area.

9.50 It is therefore considered that on balance the benefits outweigh the adverse impacts arising from this proposal.

10. CONCLUSIONS

10.1 The proposed change of use of the land for the siting of 6no. mobile park homes each with 2 bedrooms is considered to be an acceptable alternative to a large two-storey 5 bedroomed house which was previously secured on this site under planning permission 15/00200/FUL.

10.2 Whilst it is acknowledged that this proposal would result in some harm this is very limited given the existing fallback position of the 5 bedroom house which already has consent. Therefore, on balance the harm is not considered to outweigh the benefits of providing much needed additional housing which would have a lesser visual impact on the rural location than the permitted house.

10.3 It is considered on balance that this proposal should be approved subject to appropriate conditions relating to highways, biodiversity, sustainability and landscaping and the satisfactory completion a legal agreement to secure SPA contributions and reptile mitigation. The proposal is considered to accord with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS2, CS7 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

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

01. Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).

02. Measures to provide off-site reptile mitigation

03. A non-alienation clause so that the blue land could not be sold/disposed of or developed without the red line land which is required to secure reptile mitigation.

04. The highways widening works being implemented before any works commence on the site

05. That the proposal should not be implemented in conjunction with the house and/or garage on house plot 4 permitted under planning permission 15/00200/FUL

That the Head of Planning be authorised to **APPROVE** the application subject to the following condition(s) amended, added to or deleted as the Head of Planning considers necessary:-

01. The change of use of the land 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 on 09.01.2017:

Site Location Plan

510 Rev A - Proposed Site Layout

Ecological Assessment by Biocensus (August 2015)

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

03. No more than 6 caravans (or mobile homes) shall be sited on the site at any one time.

REASON: In the interests of the character area and to safeguard the amenities of the residents both within and outside the site.

[Relevant Policies: BFBLP Saved Policy EN20, Core Strategy DPD Policy CS7

04. No mobile home hereby permitted shall be added to or extended to the extent that it falls outside of the definition of (the relevant) Caravans Act, or any other Statutory Instrument that deletes and supersedes that definition.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority in the interests of the proper planning of the area.

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

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

b) Details of semi-mature tree planting.

c) Comprehensive 5 year post planting maintenance schedule.

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

e) Means of enclosure (walls and fences etc) including fencing that is permeable to badgers at the end of both the existing and propose badger corridors.

f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any

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

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

06. 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 by the Local Planning Authority. Any site clearance during this period shall be undertaken in compliance with the approved scheme.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

07. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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]

08. The protective fencing and other protection measures specified by the previous condition shall be erected in the locations agreed in writing by the Local Planning Authority 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 protected 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.

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]

09. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) site security arrangements including hoardings
- (iv) proposed method of piling for foundations (if required)
- (v) routes to be used by construction traffic
- (vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

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

10. The development hereby permitted shall not be begun until details showing the finished floor levels of the mobile home bases, internal roads and footpaths 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]

11. No development shall take place until details of on-site refuse storage for any waste (arising from the legitimate use of the site) awaiting disposal have been submitted to and approved in writing by the Local Planning Authority. The details should include the method used to determine the size/capacity of the proposed covered bin store, and whether any additional bin storage areas will be required, and whether any such additional bin storage areas will be open air storage. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: In the interest of amenity.

12. 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 mobile homes 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]

13. 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 by the Local Planning Authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

14. The development (including site clearance and demolition) shall not be begun until:-

(i) all the buildings/structures on the site and any trees to be felled have been further surveyed for the presence of bats, (in accordance with the Biocensus report dated August 2015.) and
(ii) the further survey has been submitted to and approved by the Local Planning Authority, and
(iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or a scheme and timetable for the relocation of an bats has been submitted and approved by the Local Planning Authority. The scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

15. All ecological measures and/or works shall be carried out in accordance with the details contained in Biocensus' report dated August 2015 as approved under planning application 15/00200/FUL.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

16. The development, nor any part thereof shall be occupied until a habitat management plan has been submitted to and approved by the Local Planning Authority prior to the occupation of the development. The plan shall include:
i) description and evaluation of the features to be managed
ii) description of target habitats and species
iii) ecological potential and constraints on the site
iv) aims and objectives of management
v) appropriate management options including location and method statements
vi) prescriptions for management actions
vii) preparation of a work schedule indicating the timing of works
viii) personnel responsible for implementation of the plan
ix) monitoring and remedial measures triggered by monitoring
The approved plans shall be observed, performed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

17. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority.
The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

18. No development shall take place (including demolition, ground works and site clearance) until a method statement for the sensitive development to avoid the potential of harm to reptiles on site has been submitted to and approved by the Local Planning Authority. The content of the method statement shall include:
- the purpose and objectives for the proposed works
- detailed designs and/or working methods to achieve the stated objectives
- extent and location of the proposed works shown on an appropriate plan
- a timetable for implementation
- details of persons responsible for implementing the works
The works shall be carried out strictly in accordance with the approved details.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

19. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority, detailing the containment, control and removal of Japanese Knotweed (*Fallopia japonica*) Virginia creeper (*Parthenocissus quinquefolia*) and Cotoneaster (*Cotoneaster* sp.) on site. The measures shall be carried out strictly in accordance with the approved scheme.

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

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any mobile homes or 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 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 without prior consent from the local planning authority.

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

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

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

22. No development shall take place until the details of the internal road layout of the part of the site on which mobile homes are proposed to be sited, including localised widenings to cater for visitor parking and surfacing details, have been submitted to and approved in writing by the Local Planning Authority. No mobile home shall be occupied until the road serving it has been provided in accordance with the approved drawings.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

23. The provision of 2 car parking spaces per caravan shall be implemented as approved and retained thereafter at a ratio of 2 car parking spaces per caravan in accordance with approved plan.

REASON: To ensure that the development is provided with adequate parking facilities and to reduce the likelihood of roadside parking which would be a danger to other road users.

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

24. No mobile home shall be occupied until secure and covered cycle parking serving it has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be retained.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

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

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

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

REASON: In the interests of amenity and road safety.

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

26. 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 for the lifetime of the development.

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]

Informative(s):

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

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1,2,3,4,6,13,15,23

03. Details are required to be submitted in relation to the following conditions: 5,7,8,9,10,11,12,14,16,17,18,19,20,21,22,24,25

04. The Streetcare Team should be contacted at Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.

05. In accordance with the Caravan Sites and Control of Development Act 1960 (as amended 2006), the dimension for a caravan when assembled must not exceed 20m in length x 6.8m in width and internal height of 3.05m.

Under the Caravan Sites Act 1968 (as amended), the structure must not compose of more than two sections, which should be physically capable of being moved as one when assembled.

No development should be permitted that results in a caravan being stationed on the site that does not comply with the above legislation, or that would result in a breach of either the site licence conditions or the Model Standards 2008 for Caravan Sites in England.

The applicant will require a site licence before the site can operate as mobile home park.

Legislative updates:

http://www.legislation.gov.uk/ukxi/2006/2374/pdfs/ukxi_20062374_en.pdf

http://www.legislation.gov.uk/ukxi/2006/2374/pdfs/ukxiem_20062374_en.pdf

Please contact Bracknell Forest Councils Licencing Department for further information.

Alternative Recommendation:

In the event of the S106 agreement not being completed by 28 February 2017, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

01. The absence of a completed legal agreement to secure appropriate off-site Reptile Mitigation will result in an adverse impact on biodiversity through the direct loss of habitat and the fragmentation of the wider green network reducing ecological connectivity and is therefore contrary to paragraph 109 and 118 of the NPPF and Core Strategy Policy CS1.

02. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (February 2015).

ITEM NO: 06

Application No.
16/00846/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
7 October 2016

Target Decision Date:
2 December 2016

Site Address:

**Land At Reference C012Z Drift Road Winkfield
Windsor Berkshire**

Proposal: **Levelling of a field.**

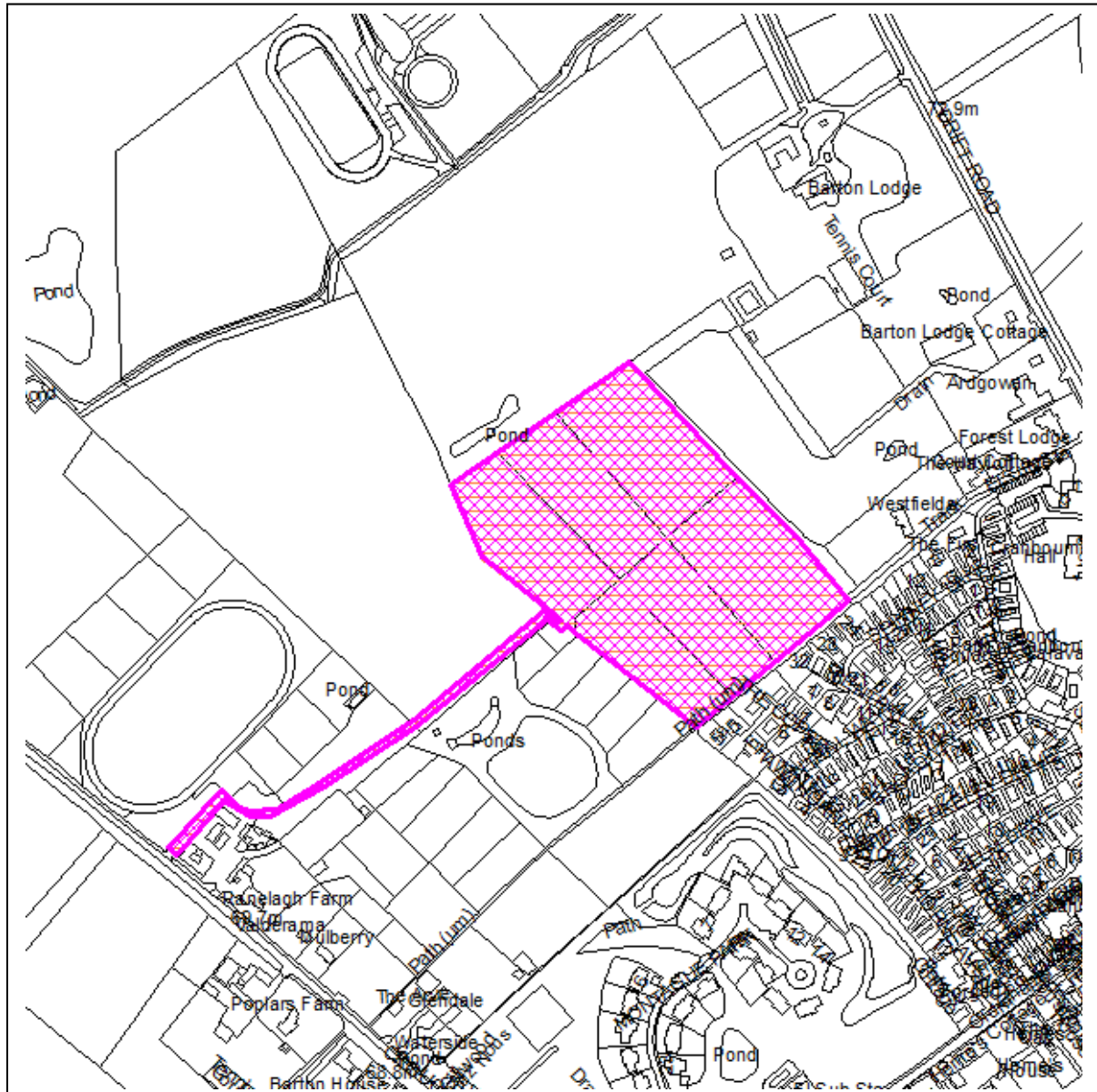
Applicant: Ms Yvette Conn

Agent: Mr Paul Dickinson

Case Officer: Michael Ruddock, 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 involves the levelling of an existing field. This would require materials to be imported onto the site from an existing access and the creation of a temporary haul road from Crouch Lane.

1.2 It is not considered that the development would result in an adverse impact on the character or visual amenities of the area or the living conditions of adjoining residents. Furthermore it is not considered that the development would result in an unacceptable impact on highway safety, trees, biodiversity, flood risk or archaeology.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is reported to the Planning Committee as more than five objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Equestrian use
Within the Green Belt

3.1 The application relates to a field sited between Drift Road and Crouch Lane, to the north of Cranbourne Hall Mobile Home Park. The site is rectangular in shape with dimensions of approximately 250m in length and 180m in width with an area of approximately 4.4ha. The submitted location plan defines the application site (outlined in red) within the wider ownership of the applicant (outlined in blue).

3.2 As existing, access to the site is from a track from Drift Road at a point approximately 280m north of the junction between Drift Road and North Street. This track also serves the residential dwellings of Court Cottage, The Hayloft and Westfields, and also provides a secondary access to the Mobile Home Park. The track is not within the ownership of the applicant.

3.3 As set out in the applicant's Supporting Statement, the site is used by the landowner for the keeping and exercising of privately owned horses. This includes schooling, training and riding of horses to provide appropriate exercise.

3.4 The site is located within the Green Belt, and is part of Flood Zone 1. It is noted that a belt of trees extends across the site from the north to the south, however none are protected by a Tree Preservation Order. A public right of way runs across the south of the site.

4. RELEVANT SITE HISTORY

4.1 Application 613037 - Outline Application for erection of one bungalow – REFUSED 1988

5. THE PROPOSAL

5.1 The proposed development is to carry out works involving levelling of the field. At present the field falls from east to west, therefore works would involve reducing levels on the eastern side of the field and raising them on the western side of the field. A fall of approximately 2m would remain across the width however this would be a more gradual and even fall equating to a gradient of around 1:80. This would provide an improved surface for the exercising and training of horses.

5.2 The new levelled area would be graded to meet existing levels, and the submitted drawing 'Proposed Re-Levelling' shows how the land will be remodelled. There is little or no embankment on three sides, and the southern end involves an embankment with a level change of approximately 1.5m over a distance of 7m-8m which would be graded into the adjacent levels.

5.3 The application relates to this engineering operation only and does not involve any change from the private equestrian use of the land. It does not involve any new buildings or structures. The existing belt of trees across the middle of the site would be removed however a buffer of between 15m and 25m would be retained around the edge of the field.

5.4 The proposed development would require materials to be imported onto the site to provide a suitable and level topsoil base for seeding. The applicant expects around 30,000 cubic tonnes of material to be required for this purpose. This equates to a maximum of 50 lorries per day over 60 days, or a 12 week period assuming a 5.5 day working week.

5.5 The application as originally submitted proposed access for the lorries over the existing track from Drift Road, however concerns were raised about the highway safety and residential amenity impacts of such a proposal. As a result the proposal has been amended with the applicants identifying an alternative route for lorries to the west via Ranelagh Farm. Lorries would access the farm via the existing entrance from Crouch Lane and then use an existing two way road to a point where a temporary haul road would be provided to access the application site. This would involve laying a membrane with a temporary hardcore base which would be removed at the end of operations and the land restored.

5.6 The below photograph illustrates the existing road, temporary haul route (marked in blue) and the application site (edged in red):



6. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

6.1 Winkfield Parish Council have concerns in relation to the impact of the proposed works on neighbouring properties and are sympathetic to the objections of neighbouring residents. WPC feel that it is important to maintain the trees bordering the area. If the officer is satisfied that the concerns of neighbours can be mitigated effectively, WPC would ask that restrictions be applied to the times in which work is permitted (Monday - Friday daytime only). We would further ask that a strict timescale be applied for the completion of levelling.

[OFFICER COMMENT: These comments were received in respect of the application as originally submitted. Comments have not been received on the amended plans at the time of writing the report.]

Other representations:

6.2 Eight objections were received in respect of the application as originally submitted. The reasons for objection can be summarised as follows:

- Highway safety concerns relating to the use of the access road from Drift Road.
- Residential amenity concerns relating to the use of the access road from Drift Road.
- Adverse impact on the Green Belt due to an increase in noise and traffic.
- Impact on a ditch in between the site and the adjacent Mobile Home Park due to potential damage or blockage.
- Increase in noise and disturbance due to the field being upgraded to act as a training facility.

[OFFICER COMMENT: The use of the field as private equestrian would not change and the excising and training of horses could occur as existing without the need for planning permission. A more intense commercial use would require planning permission in its own right.]

- The removal of the trees dividing the field will remove an important feature of the area.
- Impact on the footpath to the south of the site.

[OFFICER COMMENT: The footpath to the south is a public right of way however the application would not change the use of the land or involve any built form. The impact on this during construction is assessed below.]

- Concerns with regard to drainage.

6.3 Following the submission of amended details the neighbours who objected were re-consulted on the application. One neighbour responded to withdraw their objection. A further neighbour responded to say that the amendments were welcomed but concerns still remain with regard to drainage and noise levels.

6.4 In addition to the above, five further objections have been received from residents of Crouch Lane in respect of the amended scheme. These reasons for objection can be summarised as follows:

- Crouch Lane is unsuitable for heavy lorries. Drift Road is more suitable.
- The development would cause considerable loss of amenity to residents on Crouch Lane.

[OFFICER COMMENT: These two issues are addressed below.]

- The site is suitable for equestrian use without levelling.
- Neighbours on Crouch Lane have not been consulted on the revised proposal. The application should be deferred until all the residents of Crouch Lane and North Street have been properly notified and consulted.

[OFFICER COMMENT: There are no neighbouring properties that border the application site, therefore no additional properties should have been consulted under

the Council's Neighbour Notification Procedure. In any case, comments from residents of Crouch Lane have been included in this report and taken into account in the determination of the application. Any additional comments shall be included within the Supplementary Report.]

- If the works are needed for the stated purpose, a temporary permission should be granted to allow the works or an appropriate phasing condition with a policing mechanism required.

[OFFICER COMMENT: A condition is considered appropriate, see Condition 3 below.]

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 Recommend conditional approval following the submission of amended plans.

Environmental Health

7.2 Recommend conditional approval.

Berkshire Archaeology

7.3 Recommend conditional approval.

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	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Green Belt	CS9 of CSDPD	consistent
Character	CS7 of CSDPD, Saved policies EN2 and EN20 of BFBLP.	consistent
Residential Amenity	Saved policies EN20 and EN25 of BFBLP	consistent
Highway Safety	CS23 of CSDPD	consistent
Trees	Saved Policies EN1 and EN20 of BFBLP	consistent
Biodiversity	CS1 and CS7 of CSDPD	consistent
Flood Risk	NPPF para 103 and Footnote 20 Planning Practice Guidance on Flood Risk	N/A
Public Right of Way	Saved Policy R8 of BFBLP	consistent
Archaeology	NPPF para 141	N/A
Other publications	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).	

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of the Development
- ii Impact on character and appearance of the area
- iii Impact on a Public Right of Way
- iv Impact on residential amenity
- v Transport implications
- vi Effect on Trees
- vii Biodiversity Considerations
- viii Flood Risk
- ix Archaeology
- x Community Infrastructure Levy

i. Principle of the development

9.2 The site is located within the Green Belt, as defined on the adopted Policies Map, and therefore Policy CS9 of the CSDPD is relevant. This policy protects land outside settlements for its own sake particularly from development that would adversely affect the character, appearance or function of the land. It seeks to protect the Green Belt from inappropriate development.

9.3 The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 87-89 advise that inappropriate development is by definition harmful to the Green Belt. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Consequently the policy referred to above is considered to be consistent with the NPPF in the context of this proposal.

9.4 As the proposal is for an engineering operation only it would not involve a change of use of the land and would not result in any additional buildings. It would not result in any impact upon the openness of the Green Belt and the function of the land would remain as existing.

9.5 Paragraph 90 of the NPPF includes engineering operations in a list of other forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land in the Green Belt.

9.6 The proposal is therefore not considered to constitute inappropriate development in the Green Belt and does not conflict with the purposes of including land within the Green Belt and detract from its openness, contrary to CSDPD Policy CS9 and the provisions of the NPPF.

ii. Impact on the character and appearance of the area

9.7 The proposal would not result in any additional built form, and the use of the land would remain as existing. Given the size of the site, the proposed level changes would not be significant. As such it is considered that there would be minimal visual impact on the character of the area as a result of the proposal.

9.8 An existing road through Ranelagh Farm would be utilised to access the site. This extends approximately 200m north east from Crouch Lane and then a temporary haul route is proposed for approximately 130m between the existing road and the application site. As this would not be a permanent feature it would not result in any

long term harm to the character and appearance of the area, however a condition is considered necessary to ensure that this land is restored to its former state following completion of the development. This would ensure that there would be no long term harm to the character and appearance of the area. This condition shall also require the development to be completed within 4 calendar months of the date of commencement, to ensure that the development is completed in a timely manner and to minimise disruption. The applicants have stated that the development should be completed within a 12 week period assuming a 5.5 day working week with an additional week at either end for the construction and removal of the haul road. A separate condition will require the submission of the soft landscaping details that would be implemented following the levelling.

9.9 Due to the nature of the works they would have the potential to contaminate the land. To ensure that the soil being added to the land is not contaminated, each load must have a waste transfer note and/or a clean soil certificate so that the origin of the soil can be identified. These must be sent to the Local Planning Authority who shall inform the Council's Environmental Health Team. A condition is recommended to this effect.

9.10 It is therefore not considered that the proposed development would result in an adverse impact on the character and appearance of the area. As such it would not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. Impact on a Public Right of Way

9.11 The application site includes a public right of way along the southern boundary. The Council's Public Rights of Way Officer is satisfied that the levelling of the field would not result in any long term impacts upon the public right of way however access to this should remain for the duration of the development. The applicants will be made aware that access should remain unobstructed by way of an informative. The amended application proposing access from the west ensures that there would be no impact on the public right of way due to lorries accessing the site.

9.12 As such the proposal is not considered to be contrary to BFBLP 'Saved' Policy R8 or the NPPF.

iv. Residential Amenity

9.13 Due to the nature of the proposal it would not give rise to any concerns with regard to loss of amenity through loss of light or overbearing.

9.14 As originally proposed, access would have been taken from Drift Road along the track that serves Court Cottage, The Hayloft and Westfields. In respect of this proposal concerns were raised that the development would result in an unacceptable increase in noise and disturbance as a result of the number of lorries (a maximum of 50) that would be visiting the site during the day.

9.15 Due to these concerns the application has been revised so that access for site deliveries would be taken off Crouch Lane and through Ranelagh Farm, a site under the ownership of the applicants. The closest residential property to the access outside of Ranelagh Farm is Valderama which is located approximately 100m to the south of the access. It is not considered that taking access at this distance away would result in an unacceptable level of noise and disturbance to the properties along Crouch Lane and it is noted that the Local Planning Authority have no control over vehicle movements along Crouch Lane as existing. Furthermore neither the existing access

road nor the new temporary haul route would be in close proximity to any residential dwellings. As such, although a large number of lorries would access the site on a daily basis, it is not considered that this would result in an unacceptable increase in noise and disturbance to the detriment of the amenities of the residents of these properties.

9.16 With regard to the development site itself, as it borders residential sites to the south and east it is considered that site operation should be restricted to between 8am and 6pm Monday to Friday and between 8am and 1pm Saturday with the site closed on Sundays and Public Holidays. A condition is recommended to this effect to prevent disruption to the local area and prevent excess noise from the site, in the interests of the occupiers of the neighbouring properties. This would not conflict with the condition that requires the development to be completed within 4 calendar months, as the applicant has stated that the development should be completed within 12 weeks assuming a 5.5 day working week, with an additional week at either end for the construction and removal of the haul road.

9.17 As such it is not considered that the proposed development, as amended, would result in a detrimental effect on the amenities of the residents of the neighbouring properties. A condition will be imposed to ensure that access to the site is from Crouch Lane only and not Drift Road to ensure that there would not be an unacceptable increase in noise and disturbance to the residents of the neighbouring properties. The proposal is therefore not considered to be contrary to BFBLP 'Saved' Policies EN20 EN25 or the NPPF.

v. Transport Implications

9.18 In addition to the noise and disturbance concerns highlighted above, the original access to the site from Drift Road would have also resulted in highway safety concerns due to limited visibility for lorries exiting onto Drift Road. The Highway Authority were also concerned that the access from Drift Road was inadequate for the use of 50 lorries a day as it is not of sufficient width to allow lorries to pass each other. There was also potential for conflict between lorries and pedestrians to the detriment of highway safety.

9.19 The amended proposal taking access off Crouch Lane has addressed the previous highway safety concerns. Crouch Lane is an unclassified rural road which is not as heavily trafficked as Drift Road and the existing access is currently used by large vehicles for a working farm and stables. As such it is around 6m wide with radii to provide a suitable access for large vehicles. Adequate sight lines can be achieved to either side of the access. Furthermore while the gates are only set back around 6m from Crouch Lane, this is not a busy road and gates are likely to be open and/or manned. The proposed access would not affect any public rights of way. As it would not involve a change of use it is not considered that there would be a significant long term increase in traffic movements.

9.20 A wheel wash is required to prevent mud and debris from tracking onto local roads. Some form of traffic control through Ranelagh Farm and banksmen may be required. Advance warning signs should be provided along Crouch Lane and any temporary signs on highway verges would require a highway licence. The Highway Authority would expect the applicant to monitor and survey the highway access and carry out any necessary repairs via highway licence.

9.21 No details of personnel have been provided such as supervisors or banksmen. Details of parking provision for site operatives should be provided as should details of

access and turning for lorries within the field to ensure that lorries can exit in a forward gear.

9.22 As such a condition is recommended requiring a Site Management Plan to be submitted to and approved by the Local Planning Authority prior to the commencement of works. The Site Management Plan would be expected to address the above points. Providing that an acceptable Site Management Plan is provided it is not considered that the development would result in an adverse impact on highway safety. As such the development would not be contrary to CSDPD Policy CS23 or the NPPF.

vi. Effect on Trees

9.23 None of the trees on or adjacent to the site are protected by Tree Preservation Orders (TPOs), nor is it considered that they would merit TPOs.

9.24 The belt of trees across the centre of the site would be removed, however it is not considered that these trees provide any significant amenity value. It is noted that they could be removed at any time without consent. It is therefore not considered that their removal would result in any visual amenity concerns and it is not considered reasonable or necessary to impose a condition requiring re-planting to mitigate the loss of these trees.

9.25 The trees to be retained to the northern and eastern boundaries make more of a contribution to the visual amenities of the area. Given the buffer that would be retained around the edge of the field it is not considered that there would be any long term impact on the rooting environment of these trees. The submitted Tree Protection Strategy demonstrates that the works would not unacceptably encroach within any of the Root Protection Areas of these trees.

9.26 It is therefore not considered that the development would result in an adverse impact on trees worthy of retention. It is therefore not considered that the development would be contrary to BFBLP 'Saved' Policies EN1 and EN20 or the NPPF.

vii. Biodiversity Considerations

9.27 A Phase 1 Ecology Survey has been submitted with the application, which confirms that there are no records of protected species within or adjacent to the application site. It is therefore not considered that the development would result in an adverse impact on protected species. The hedgerows that surround the site and provide foraging habitat and shelter would not be affected.

9.28 The Ecology Survey recommends mitigation measures and enhancement proposals which will be secured by condition. A further condition will restrict site clearance within the bird nesting season. It is therefore considered that the proposal would protect and enhance biodiversity in accordance with CSDPD Policies CS1 and CS7 and the NPPF.

viii. Flood Risk

9.29 The site is not located within Flood Zone 2 or Flood Zone 3, however as it is greater than 1 hectare a Flood Risk Assessment (FRA) is required by Paragraph 103 and Footnote 20 of the NPPF. The site has an area of 4.4 hectares.

9.30 The nearest areas within Flood Zones 2 and 3 are specific watercourses over 1km away. These watercourses do not pass through the site. The site lies within Flood

Zone 1 (low probability). Table 2 within the Planning Practice Guidance on Flood Risk states that outdoor sport and recreation is a 'water compatible' use. Table 3 confirms that such uses are acceptable within all flood zones and specifically within Flood Zone 1. The guidance acknowledges that although a site specific FRA is required in these instances, this need only be brief unless certain factors or other local considerations require particular attention. A short site-specific Flood Risk Assessment was submitted in support of the application.

9.31 In this case it is not considered that the development would result in any increased flood risk on the site as involves levelling works only. Although the site would be made more level, the overall fall of the land from east to west would remain as existing albeit at a more gradual fall of 2m (equating to a gradient of 1:80 across the site). As such the amount and rate of surface water runoff would not change significantly.

9.32 The use of the site would remain as existing and the development does not involve any buildings or structures. It would not involve the creation of any artificial surface or loss of permeable surface area. No existing drains or watercourses would be affected.

9.33 As such it is not considered that the proposal would result in an increase in flood risk to the surrounding area. The proposal would therefore not be contrary to the Planning Practice Guidance in relation to Flood Risk or the NPPF.

ix. Archaeology

9.34 In view of the significant area that would be levelled it is considered that the proposal could have archaeological implications. Topsoil stripping in advance of filling on the soft geology of London Clay has the potential to impact detrimentally on any archaeological deposits that may occur throughout the site area.

9.35 Berkshire Archaeology consider that these impacts can be mitigated by an appropriate programme of archaeological work. As such a condition will be imposed to ensure that the development would not be contrary to NPPF para 141.

x. Community Infrastructure Levy (CIL)

9.36 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.

9.37 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 proposed development is not CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the local area, residential amenity, highway safety, significant trees, biodiversity, flood risk or archaeology subject to appropriate conditions.

10.2 It is therefore considered that the proposed development complies with Development Plan Policy SALP Policy CP1, CSDPD Policies CS1, CS7, CS9, and CS23, BFBLP 'Saved' Policies EN1, EN20 and EN25 and the NPPF.

11. RECOMMENDATION

11.1 **APPROVE** the application subject to the following conditions:-

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 submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 07.10.16 and 25.11.16:
041115/LEVEL
Block Plan
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The developer shall notify the Local Planning Authority in writing within 21 days of the commencement of works on site.
Within 4 calendar months of the notice period provided to the LPA, the levelling of the field authorised by this permission shall cease, and the haul road be removed and the land over which it extended returned to its former condition.
REASON: To ensure that the development is completed in a timely manner and to ensure that the impacts on the amenities in the area are kept to a minimum.
[Relevant Policy: CSDPD Policy CS9, BFBLP EN20]
04. The development shall not be begun until a scheme depicting soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.
All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development.
As a minimum, the quality of all landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision.
Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.
REASON: In the interests the visual amenities of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
05. Within one week of delivery, a waste transfer note and/or a clean soil certificate for each load must be submitted to the Local Planning Authority.
REASON: To identify the origin of the soil to protect the land from contamination.
[Relevant Policy: BFBLP EN20]

06. No levelling work or deliveries of materials shall take place outside the hours of 08.00 and 18.00 Monday to Friday and 08.00 to 13.00 Saturday nor at any time on Sundays or Public Holidays.
REASON: In the interests of the amenities of occupiers of neighbouring properties.
[Relevant Policy: BFBLP EN20, EN25]
07. Access to the site shall be from Crouch Lane only.
REASON: In the interests of the amenities of occupiers of neighbouring properties and in the interests of highway safety.
[Relevant Policy: CSDPD CS23, BFBLP EN20]
08. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
(a) Parking of vehicles of site personnel, operatives and visitors
(b) Loading and unloading of materials
(c) On-site turning for lorries
(d) Storage of plant and materials used in constructing the development
(e) Wheel cleaning facilities
(f) Temporary portacabins and welfare for site operatives
(g) Traffic control through Ranelagh Farm
(h) Advance warning signs
and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (h) above without the prior written permission of the Local Planning Authority.
REASON: In the interests of amenity and road safety.
[Relevant Policy: CSDPD CS23, BFBLP EN20]
09. The development shall be implemented in accordance with the scheme of biodiversity mitigation and enhancement measures contained within the AAe Environmental Ltd Ecological Report dated July 2016. The scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
10. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

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 subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
1. Commencement
2. Approved Plans
5. Hours of Operation
6. Access

8. Biodiversity

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

- 3. Notification of commencement
- 4. Soil
- 7. Site Management Plan
- 9. Landscaping

- 03. The applicant is advised that a public right of way is located on the southern boundary of the site. This should not be obstructed during the development of the site.
- 04. A Highway License would be required for temporary signs on highway verges. The applicant is expected to monitor and survey the highway access and carry out any necessary repairs via highway license.

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ITEM NO: 07

Application No.
16/00732/FUL
 Site Address:

Ward:
 Ascot

Date Registered:
 21 July 2016

Target Decision Date:
 20 October 2016

Kingswood Kings Ride Ascot Berkshire

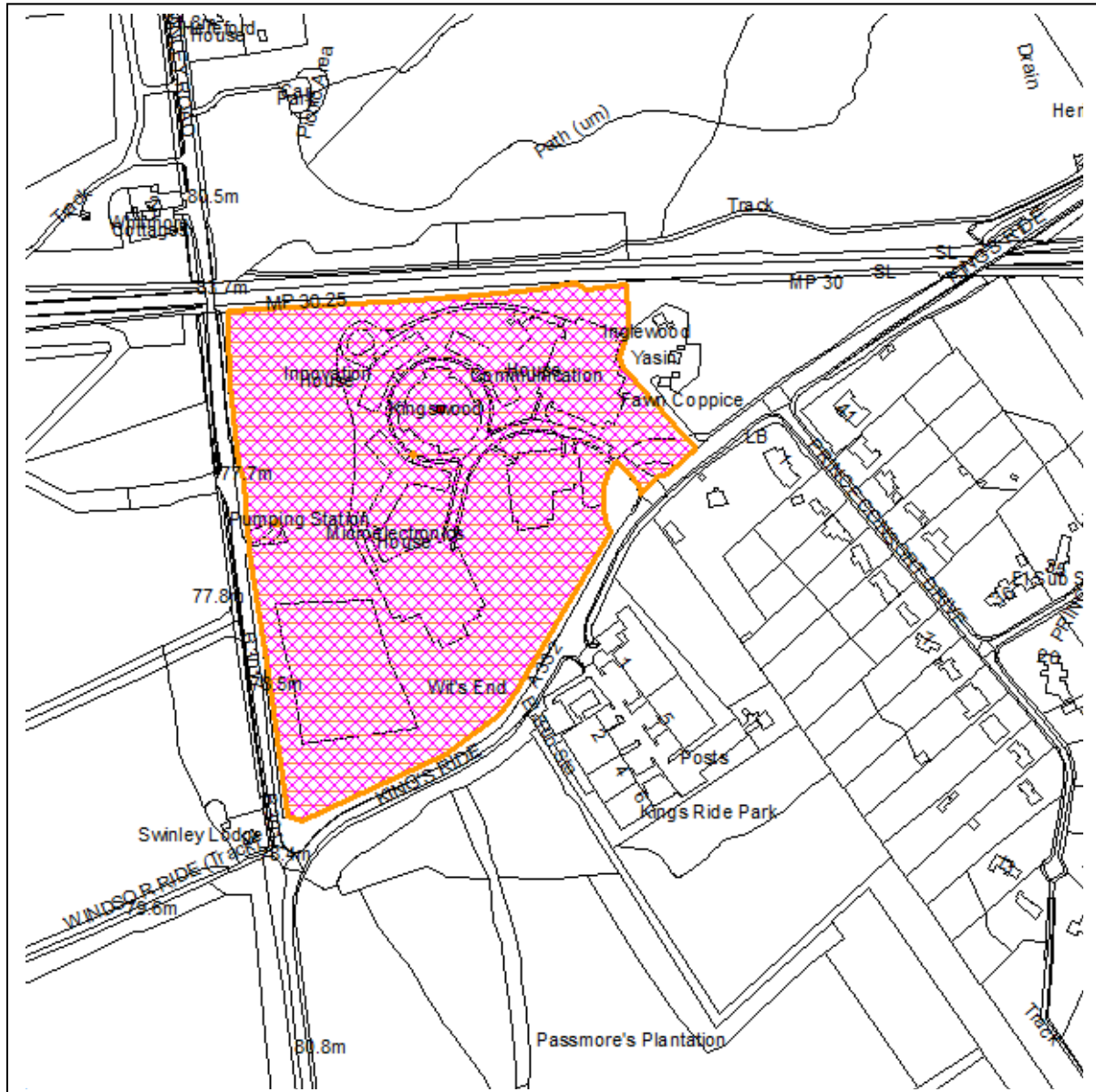
Proposal: **Demolition of existing office buildings and redevelopment to provide 59 residential units (Class C3), associated internal estate road, car parking, landscaping and open space.**

Applicant: Millgate

Agent: Ms Paula Stratford

Case Officer: Sarah Fryer, 01344 352000
development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1

RECOMMENDATION
Approve subject to S106 agreement

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Green Belt
Outside Settlement
Previously Developed Site

3.1 The 9.2ha application site is located to the north west of Kings Ride, east of Swinley Road and to the south of the Reading/Waterloo railway. The site is currently occupied by three large, modern office buildings located around a circular feature located on the northern portion of the site. There are also three large carparks with floodlighting columns and a security building closer to the entrance. The rest of the site contains a mixture of deciduous and coniferous trees with two ponds within the wooded areas. The site is generally flat.

3.2 The site is located outside the settlement boundary, and within the designated Green Belt. The residential areas of Prince Consort Drive and Prince Albert Drive lie to the east of the site along with a small commercial estate known as Kings Ride Park. To the west and north lies Swinley Forest whilst the SANG and SSSI known as Englemere Pond lies to the north on the other side of the Reading/Waterloo railway line.

4. RELEVANT SITE HISTORY

13/00858/FUL Demolition of existing office buildings and redevelopment to provide 38no residential units (class C3) together with garages, associated internal estate road, car parking, landscaping, open space and ancillary gym and swimming pool. Approved 12.08.2014.

612824 For the erection of a part two storey, part three storey building forming 98,000sq.ft of office floorspace (Class B1 use) associated parking service area and access road on land known as the Staravia site. Appeal Allowed: 07.05.1991.

5. THE PROPOSAL

5.1 This application seeks consent for the erection of 59 residential units consisting of 38 dwellings and 21 apartments consisting of;
18no. 2 bed units
15no. 3 bed units
6no. 4 bed units and,
20no. 5 bed units.

5.2 The proposal would utilise the layout of the extant 2013 application which concentrated the development on the existing areas of built form or hardsurfacing. The

apartment block would be located to the north of the site where the existing offices are located, flanked by the proposed 4 pairs of semi-detached properties. A loop extending south would contain the larger detached properties. To the north and east of the apartments a small cul-de-sac is proposed on the site of one of the car-parks containing 3 pairs of semi-detached properties and two detached dwellings.

5.3 The proposal seeks to retain the majority of the trees around the site to assist in screening the development and creating a wooded feel to the development. It is proposed to increase the screening along Kings Ride by an additional 70 trees.

5.4 The proposal also seeks to provide additional public access through the site improving the links to the walks within Swinley Forest.

6. REPRESENTATIONS RECEIVED

6.1 A total of 5 representations have been received from residents of nearby properties. The comments can be summarised as follows:

- Concerned about design of the apartments and requests something more in keeping with the area.
- The entrance to the site is situated on a busy and dangerous section of Kings Ride. The increase in dwellings proposed would result in additional cars entering and exiting the site which is of concern and result in an unacceptable level of traffic and increased number of accidents.
- Increase in residential number would have a massive impact on local environment partly due to noise and light levels but mainly due to additional traffic.
- Traffic calculations should be based upon real life examples rather than hypothetical figure based upon a use which was never fully implemented.
- The location of the development will not reduce the need to travel by car
- The increase in building footprint is 9% more than the previously approved application and as such goes against Green Belt principles.
- Roads in the area are already heavily congested and any extra traffic generated in this area will intensify the congestion.
- In contrast to the clean lines of the existing office buildings the proposed apartment block has an overbearing appearance particularly when viewed from the Englemere Pond Nature Reserve, resulting in the appearance of an overbuilt development within the Green Belt.
- Site density is too high especially when compared to nearby developments.
- Existing office blocks sympathetically designed to work with the Green Belt site and are unobtrusive and virtually invisible from Kings Ride and Swinley Road. The new plan should consider again the impact of the built form over the forest environment.
- The developers should seek to greatly improve the pedestrian/ cycle access to the site from Heatherwood Hospital where the school buses stop. [Officer comment: the developers have investigated feasibility and it does not result in a practical or safe cycle route].
- Believe that certain aspects of the proposal are out of character with the surrounding area and therefore contrary to EN20. Particular the use of terraced and semi-detached dwellings and the size/ bulk/ design of the apartment block, which reduces the openness of this Green Belt setting.

Society for the Protection of Ascot and Environs (SPAЕ)

Would object in the absence of following:-

- Greatly improved pedestrian/cycle access to site;
- a foot/cycle path from the development to Swinley road which would allow access for the residents into Swinley Forest.
- amendments to the use of terraced and semi detached dwellings and the size/bulk/design of the apartment block, which reduce the openness of this green belt setting

Kings Ride Residents Association

- Existing office blocks sympathetically designed to work with the Green Belt site and are unobtrusive and virtually invisible from Kings Ride and Swinley Road. The new plan should consider again the impact of the built form over the forest environment.
- Proposal does not promote sustainable transport. This development is a significant distance from the nearest shops and from Ascot/ Martins Heron stations.
- Concerns about the increase in traffic over the approved scheme and the impact that this could have on highway safety on Kings Ride.
- The development is proposed as open access in character with the surrounding roads. However, the application proposes gates to the development which should be removed. [Officer comment: amended plans have been submitted which show the gates removed]

Winkfield Parish Council

Raises some concern as to the increase in numbers of units proposed. Winkfield Parish Council would wish to ensure that the green boundary around the site is maintained and protected as this is important both environmentally and as part of the character of the area. The Parish Council further asks that sufficient and practicable connectivity routes (particularly walking and cycling footpaths) are put in place to serve the development.

7. SUMMARY OF CONSULTATION RESPONSES

Archaeology: No objection and no further archaeological works are required

Highways: No objection subject to conditions. Comments are discussed in more detail below

Bio-diversity Officer: No objection subject to conditions. Comments are discussed in more detail below.

Landscape Officer: Raised questions regarding visibility from Kings Ride and additional landscaping. Comments discussed in more detail below.

Lead Local Flood Authority: No objection following the submission of further drainage information.

Environmental Policy Officer: Mitigation for the SPA is required. See comments in main body of the report below.

Waste and Recycling Officer: Following revisions moving the proposed bin stores from within the basement to surface level, no objections.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	<p>CP1 of SALP: Presumption in favour of sustainable development</p> <p>CS1 of CSDPD: Sustainable Development Principles</p> <p>CS2 of the CSDPD: Locational Principles</p>	Consistent. (Para. 14 of the NPPF)
Housing	CS15 of the CSDPD: overall housing provision	Not consistent with the NPPF as it does not represent an 'objective assessment of need', and therefore carries little weight.
Affordable housing/Mix	<p>CS16 of the CSDPD: Housing Needs of the Community</p> <p>CS17 of the CSDPD: Affordable Housing</p>	Consistent. (Para. 50 of the NPPF).
Green Belt	<p>CS9 of CSDPD: Development on Land outside settlements</p> <p>Saved policy H5 of BFBLP: New dwellings outside settlements</p> <p>Saved policy GB1 of BFBLP : Building in the Green Belt</p> <p>Saved policy GB2 of BFBLP - Change of use of land within the Green Belt</p>	Not consistent when considered against housing proposals.
Design & Character	<p>CS1 (viii) of the CSDPD</p> <p>CS7 (i) & (iii) of CSDPD: Design</p> <p>Saved policy EN20 (i) of BFBLP: Design considerations in new development</p>	Consistent with para. 17, 56, and 109 of the NPPF.
Open Space provision	<p>CSDPD Policy CS8: Recreation and Culture</p> <p>Saved Policy R4 of the BFBLP: Provision of open space of public value</p>	<p>Consistent with paras. 72 & 74 of the NPPF.</p> <p>Consistent with the NPPF Chapter 8.</p>
Noise	Saved Policy EN25 of the BFBLP: Noise and other pollution	This is considered to be consistent with paras. 17(4), 17(7) and 109(4) of the NPPF.

SPA	SEP Policy NRM6: Thames Basin Heaths Special Protection Area CSDPD Policy CS14: Thames Basin Heaths Special Protection Area Saved Policy EN3 of the BFBLP: Nature Conservation	Consistent with the NPPF (Chapter 11)
Supplementary Planning Documents (SPD)		
Parking Standards SPD 2016		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Binfield Parish Neighbourhood Plan		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Principle of development
- ii Impact on the openness of the Green Belt
- iii Residential amenity.
- iv Impact on Highway safety
- v Ecology
- vi Land Contamination
- vii Drainage
- viii Trees
- ix Securing necessary infrastructure / CIL
- x Thames Basin Heaths Special Protection Areas (SPA)
- xi Affordable Housing

i. Principle of Development

9.1 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 NPPF is a material consideration.

9.2 Paragraph 14 of the NPPF sets out that for decision takers this means:

- approving development proposals that accord with the development plan without delay, and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits assessed against the policies in this Framework taken as a whole: or
 - specific policies in this Framework indicate development should be restricted.

9.3 Paragraph 49 of the NPPF states that 'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.

9.4 Bracknell Forest Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing sites. Accordingly, policies which have a presumption against residential development in the countryside are considered out of date and the weight that can be attributed to them decreases. This applies to the following Development Plan Polices:

- Core Strategy Policy CS2
- Core Strategy Policy CS9
- 'Saved' Bracknell Forest Borough Local Plan Policy EN8
- 'Saved' Bracknell Forest Borough Local Plan Policy H5

- 'Saved' Bracknell Forest Borough Local Plan Policy GB1

9.5 The application therefore should be considered in relation to the presumption in favour of sustainable development, as set out in SALP Policy CP1 and paragraph 14 of the NPPF. In effect the principle objection to the residential proposal falls away, and the application should be considered against the in date policies of the Development Plan and the Policies contained within the NPPF. Permission should only be refused where the harm arising from the application would significantly and demonstrably outweigh the benefits of the scheme. The benefits and harm of the development are considered in the following sections of the report.

Loss of the employment use

9.6 The loss of the employment use of the site was explored and accepted during the 2013 application. The site is not a defined employment use and despite successive marketing strategies, the landlords have been unable to fill the offices. Therefore there is no objection to the loss of the employment use.

ii Impact on the openness of the Green Belt

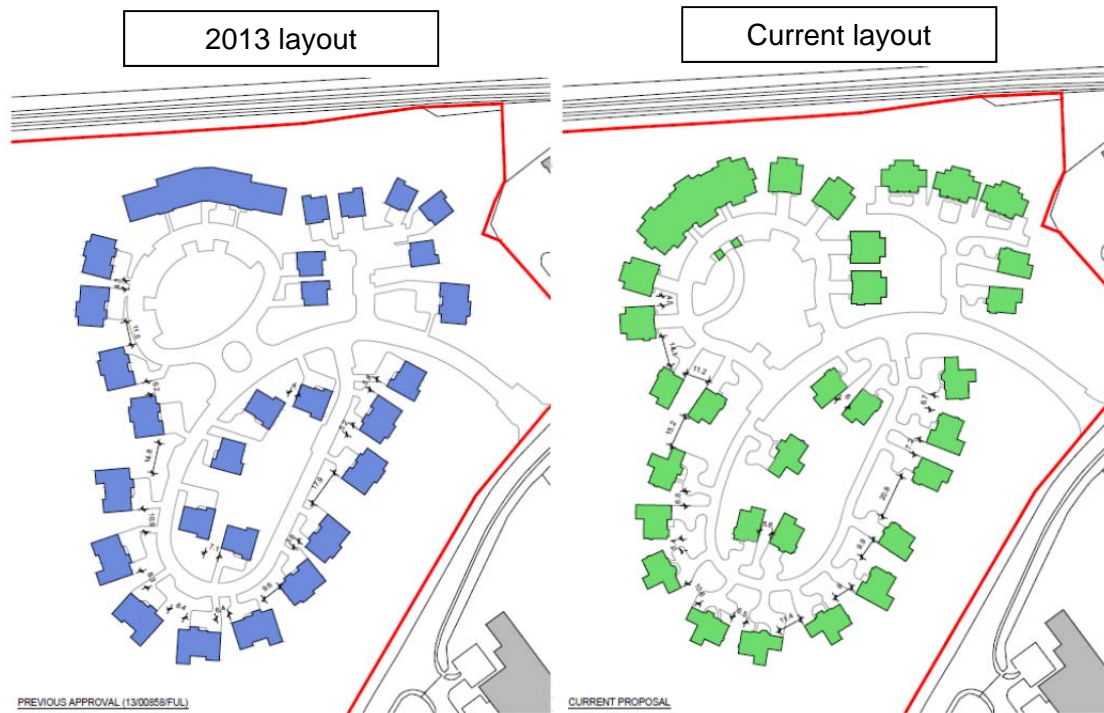
9.7 The application site is located within the Metropolitan Green Belt. Chapter 9 of the NPPF considers development within Green Belts and states that 'the essential characteristics of Green Belts are their openness and their permanence'.

9.8 Paragraph 89 states that LPAs should regard the construction of new buildings as inappropriate development but lists a number of exceptions including at point 6:-

9.9 'Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'

9.10 Accordingly the redevelopment of this brown field site is not considered to be inappropriate development providing there is no greater impact upon the openness of the Green Belt. In considering this impact, factors such as massing, location and height of the proposed buildings, together with any increase in traffic to the site and changes to the patterns of traffic will be considered. The extent to which the proposed residential use would differ to the existing use in terms of everyday noise and general activity, lighting of the buildings and site is also considered to be important. Although the current use could be said to encroach into the countryside, the proposed use will be assessed by considering whether any change in impact would amount to an increased degree of encroachment with a greater impact upon the openness of the Green Belt.

9.11 In a number of recent appeal decision, Inspectors have given considerable weight to the 'fallback' position. The extant 2013 application is therefore a material consideration in this assessment. That application approved new building on areas of hardstanding as well as the footprint of existing buildings and this approach has been replicated in this application. Given that this extant consent is a material consideration, there is no objection to the layout as proposed.



9.12 The proposal results in an increase in volume of the built form equating to 3.5% across the whole development and an increase in the built footprint over and above the existing office buildings of 4305 sq.m. to 7290 sq.m. The additional dwellings, would also have an impact upon the traffic movements, residential paraphernalia and noise and activity.

9.13 The proposed development, however, results in a decrease in hardstanding across the site of 42.8% compared to the existing situation. Following concerns raised by the officer, the maximum height of the dwellings has been reduced by 0.5m across the development (to 9m for the houses and 12.5m for the apartment block). This represents an overall reduction in the height of buildings across the site as the office blocks have a height of 12.65m. All the pitched roofs on the garages have been replaced with flat roofs behind a parapet and the detached garages have been removed, reducing the clutter between the proposed dwellings and the overall massing of the proposals from those originally submitted.

9.14 The proposal results in broadly the same layout as the previously approved scheme within the site. Whilst there is an increase in the built form across the site from the extant scheme (of 188 sq.m. of built footprint), and an increase in volume of 3.7%, these increases are not considered to be material when considering the whole development. The average size of gap between the properties has been increased, breaking up the bulk and mass of development further. Overall there is still a significant reduction in hardstanding across the site, from both the extant permission and existing office development.

9.15 It is therefore considered that, taking account of the previously approved scheme and the existing development on site, the current proposal would not have a greater impact upon the openness of the Green Belt. The proposal is therefore considered to comply with Point 6 of paragraph 89 of the NPPF.

Impact on character and appearance of the area, including landscape impact

9.16 Policy CS7 of the CSDPD seeks a high quality of design for all development In Bracknell Forest. This should be achieved by building upon the local character, respecting local patterns of development and enhancing the landscape.

9.17 The site currently contains three office buildings located centrally within the northern part of the site. The existing buildings are three storeys and set within areas of woodland. Three car parking areas are provided within the site. The existing buildings are well screened from Kings Ride, but can be glimpsed from the railway line and are viewed through landscaping from the adjacent properties of Inglewood, Yasin and Fawn Coppice.

9.18 The applicants have sought to replicate the character of Prince Consort Drive within this application as the closest development to the proposal. This area is described within the Character Area Assessments as being of low density development of large houses set within generous plots. Houses are large, constructed out of brick and tile with some render. The dwellings here are set back from the highway, enabling substantial landscaping to be provided to the front reflecting the rural location of the development.



9.19 This application consists of 12 different house types of 2.5 storeys with the 2nd floor within the roof. The range of house types provides variety and interest within the streetscene. All the dwellings are of brick and tile construction with chimneys, and front facing gables. Most dwellings incorporate integral garages with an area of off-street parking within the curtilages of the dwellings. All the dwellings are set back from the highway and within large plots incorporating woodland and space for planting to the front of the dwellings.

9.20 It is considered that the design of the dwellings has been improved since the previous application, with a better proportion of roof tile to brick walls. The variety and choice of materials reflects the character of the dwellings, and the variety of materials used within Prince Consort Drive.

9.21 The apartment block is of traditional design and treatment with a strong vertical emphasis. The third floor has been set back and has the appearance of a mansard. Elements either side step down from the central section. Whilst an objection has been received on the appearance of the apartments, it is not felt to be justified. The proposed proportions and fenestration details are considered appropriate to a building of this size and height. Overall the appearance and design of the apartments is considered appropriate within the setting provided by the site.

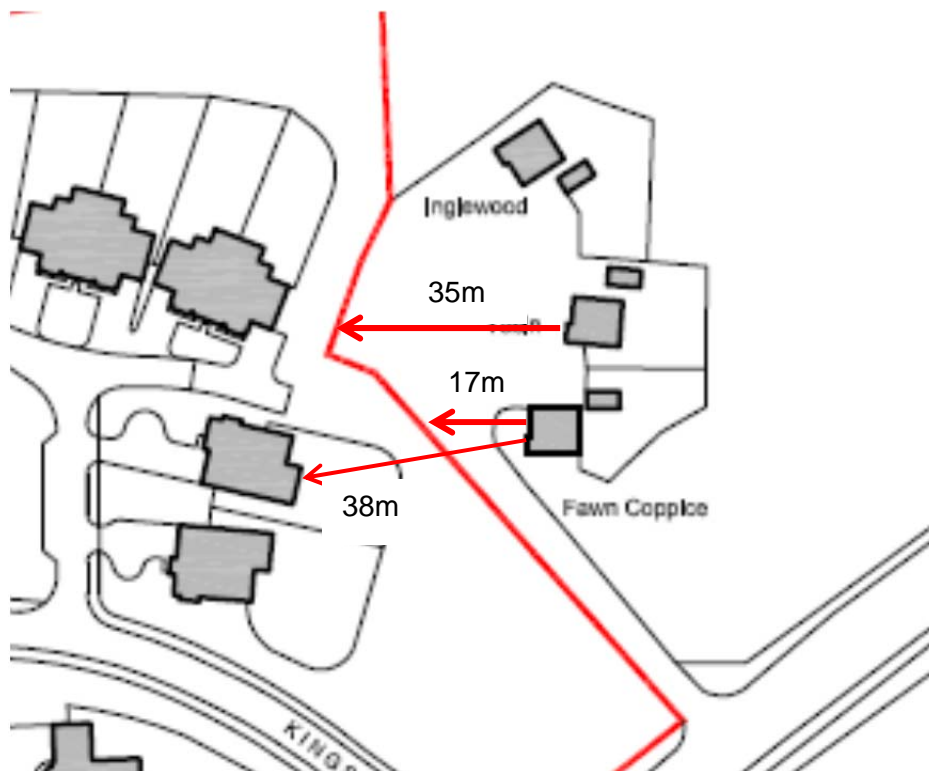
9.22 The landscape proposals seek to retain the trees around the edge of the site, maintaining the screening they provide and enhancing it with additional tree planting to the south of the site and boundary with Kings Ride. As noted above the proposed development is largely contained within the footprint of the existing buildings and hardstanding on the site and replicates the site layout approved in 2014. The development has been designed with a sylvian feel; dwellings are set back from the highway to enable large green areas and planting to be incorporated to the front of dwellings. As also noted above the average gap between properties has been increased since the previous 2013 application, increasing glimpses of the woodland beyond. In this respect the proposal seeks to replicate the character and appearance of properties within Prince Consort Drive in accordance with the Character Area Assessments SPD. Overall it is therefore considered that the proposal maintains and respects the character of the site and would be of an appropriate design and appearance which complies with Polices CS7 of the CSDPD and 'Saved' EN20 of the

BFBLP.

iii Residential amenity.

9.23 Saved Policy EN20 of the BFBLP seeks to protect the amenity of surrounding properties. It requires the Council to have regard to ensuring that new development does not adversely affect the amenity of surrounding properties and adjoining areas.

9.24 The closest properties to the application site are three detached houses east of the site: Inglewood, Yasin, and Fawn Coppice. These are approximately 15-35m from the eastern boundary of the site and between 45-60m from the closest houses (on plots 53-55 inclusive).



9.25 Proposed houses to the Kings Ride boundary are positioned approximately 35-40m back from the site frontage. Houses in Prince Consort Drive accessed from the south side of Kings Ride are the closest residential properties to the access and southern boundary of the site. These properties are positioned over 100m from the proposed houses. The proposed landscaping belts surrounding the site are considered to help screen the proposal and provide additional screening interrupting views around the site.

9.26 The application has been submitted with a Lighting Impact Appraisal, which concludes that the proposal will introduce a new source of light into the area. The existing site is occupied by office buildings with floodlights which were observed to cause glare for adjacent residential properties. The redevelopment therefore has the potential to have beneficial impacts. It will still be necessary to ensure that lighting associated with the proposal is effectively designed so that where possible, the situation after the development is not detrimental compared with the existing situation. This can be addressed by condition.

9.27 In conclusion, the nearest residential properties are located in excess of 38m from the proposed dwellings in the case of the eastern boundary, and 100m to the south. At these

distances it is not considered that the proposal would result in any unacceptably adverse impacts upon the amenities of surrounding residents. Lighting levels are considered to be acceptable and are not considered to be obtrusive on the Green Belt site, particularly when compared to lighting already in place to serve the office buildings.

9.28 Accordingly the proposal is considered to be acceptable in terms of its impact on the residential amenities of existing residents and considered to be in accordance with Policy EN20 of the BFBLP.

iv Impact on Highway safety

9.29 It is noted that planning permission was granted for 38 residential units (13/00858/FUL) and while this permission has not been implemented it is a material planning consideration.

9.30 This current planning application (16/00732/FUL) is for 59 residential units and while this would generate more traffic than 38 residential units, the traffic generation would be lower than the extant use of Kingswood as offices. The applicant has provided a Transport Statement to explain this which is accepted by the Highway Authority.

Access

9.31 Kingswood takes access off the A332 King's Ride which is an important distributor road between Bagshot, Ascot and Windsor with a 40mph speed limit. The existing access is a relatively wide bell-mouth with adequate sight-lines and a right-turn lane. This access was designed to serve the business park and is therefore considered adequate for residential traffic, including Council refuse lorries.

9.32 The Transport Statement notes: 'In order to improve pedestrian facilities at the junction onto Kings Ride the development will provide a new section of footway on the north side of the access road junction to link the internal footways with the existing traffic island on the north side of the junction. These works were required as part of the 2014 consent and will be secured via a planning condition with the detailed design of the works being undertaken through a S278 Highways Agreement'.

9.33 The existing verge on the western side of King's Ride required for a footway is included within the red line and the ancient highway boundary extends some 2 metres from the carriageway. Also, while there are some tree stumps across the frontage of an adjacent access, these are on the highway and can be removed to provide a new footway. The provision of a footway towards Prince Consort Drive and northwards towards Ascot would improve site accessibility.

9.34 The Proposed Site Plan indicates that the existing footway around the southern side of the bell-mouth would be extended towards an existing refuge to improve pedestrian access southwards. The provision of footways and pedestrian improvements should be secured by planning condition. There is some street lighting which would assist pedestrians crossing and the exact scheme details could be dealt with via a s278 agreement.

9.35 Kingswood is in a relatively unsustainable location, as the nearest shops and facilities are in Ascot some 2 km (1.2 miles) north-east of the site. This is outside of the recommended maximum walking distances to a Town Centre. The existing footway on the eastern side of Kings Ride heading northwards towards Ascot terminates short of Prince Albert's Bridge and a simple dropped crossing point is required to enable pedestrians to cross the road to the continuous footway on the opposite side. There is good visibility for pedestrians to cross at this point and the road is not too wide and this would assist in maximising pedestrian access

for this site, in addition to the proposed improvements at the site access. This will be secured through the s278 agreement and suitably worded planning condition.

9.36 Kings Ride is not a bus route and the nearest bus stops are located on the A329 London Road. This is around 1.4 km from the development which is a considerable walk. Also, while there is a footway along Swinley Road heading north, there is no crossing point at the junction with Kings Ride and the footway terminates over the railway bridge before recommencing at Whitmore Cottages (north of the railway bridge). There may be public access to Englemere Pond Nature Reservoir (north of the railway bridge), though access through to Kingswood is restricted by the railway line.

9.37 Both Martins Heron and Ascot rail station are around 2.5 km away which exceeds practical walking distances for commuting, and pedestrian links are limited. There are no dedicated cycle facilities locally, though cycle parking to comply with the parking standards should be provided to encourage those who may cycle.

9.38 The Highway Authority acknowledges that the existing office use is not ideally located from a sustainability perspective. The application has explored a number of ways to improve the pedestrian links, through access improvements, to improve the site's sustainability.

Parking

9.39 The proposed parking provision complies with the Council's parking standards (2016) with double garages (6 metres by 6 metres) being counted as one parking space and single garages (3 metres x 6 metres) not being counted as parking spaces, though these smaller garages could be used for cycle parking and general storage.

9.40 The Proposed Site Plan indicates that plots 1 to 18 have adequate driveway and turning space which would provide a safety benefit for vehicles exiting residential driveways.

9.41 Amended plans have been submitted removing 3 tandem spaces after concerns were raised that this could result in under-use of parking for these 4 bed dwellings and potentially leading to on-street parking. The revised parking results in a more practical parking solution.

9.42 The provision of 18 visitor spaces exceeds the requirements for 59 dwellings. There are no visitor spaces serving plots 1 to 15, though these plots are served by large driveways which could accommodate some short-term visitors.

9.43 The Transport Statement notes, 'allocated parking for the apartments is provided within a basement. The spaces within the basement are "over sized" and measure 3.0m x 5.5m with a minimum manoeuvring aisle width of 6.0m. The ramp down to the basement has a carriageway width of 4.8m and a gradient of 1 in 10 with transition gradients of 1 in 20 at the top and bottom of the ramp. The basement also contains individual secure storage areas for each apartment which can accommodate 2 cycles'. Such a layout is acceptable to the Highway Authority.

Road adoption and servicing, including refuse collection

9.44 The Highway Authority would seek to adopt residential estate roads serving this level of development to ensure access, including for refuse collection.

9.45 The Transport Statement notes, 'the proposed site layout follows the general arrangement of the approved residential scheme. The existing access road junction onto Kings Ride will be retained as will the existing access road into the site. The main spine road will have a 6.0m wide carriageway with 2m footways on either side'. This layout would be

more than adequate; however, drainage, street lighting works etc may be required to make this existing road fit for road adoption by the Council.

9.46 The provision of a 5 metre wide carriageway looped access road with a 2 metre wide footway for plots 17 to 47 and 56 to 59 would be adequate for all road users and plots 48 to 55 are to be served by a 5 metre wide shared surface cul-de-sac with a turning head for refuse vehicles. Some of these road widths and footway provision appears to provide an over-generous amount of hard-standing, but vehicle tracking indicates that this is required for refuse vehicle access. The provision of footways and service margins around carriageways provides suitable visibility at accesses and junctions.

9.47 The Transport Statement indicates that the road serving plots 1 to 15 would remain private and a 4.8 metre wide shared surface would enable cars to pass at low speed and provide an adequate environment for pedestrians and cyclists. The provision of landscaped verges would provide visibility between vehicles exiting driveways and pedestrians. Vehicle tracking has been provided to demonstrate that a refuse vehicle could manoeuvre around the private access-way; however, as this is to be a private road, the Council's Waste Collection should be consulted regarding access. The two looped access-ways are likely to improve pedestrian permeability.

Trips

9.48 The Transport Statement notes that this proposed scheme of 59 dwellings is likely to generate in the region of 341 two-way movements per day. While this is greater than the potential 220 movements arising from the consented scheme for 38 dwellings, it would be less than the potential 1,334 movements which could be generated by the extant offices.

9.49 The development would be CIL liable and monies could be used to fund transport improvements in the area to mitigate the cumulative highway impacts of development. Construction traffic, including deliveries and contractor parking, could be controlled by a construction management plan secured by planning condition.

v Ecology

9.50 The submitted survey report identifies the site as supporting habitats of high biodiversity value i.e. acid grassland and heathland.

9.51 Heathland and acid grassland are Habitats of Principal Importance for Conservation under the NERC Act. Therefore, the protection of these habitats and the species they support needs to be demonstrated in the application in line with the council's legal duty and CSDPD policies CS1 and CS7.

9.52 The originally submitted Biodiversity Mitigation Plan and Landscape Management Manual provided some information about how these habitats will be affected and what areas will be restored or created.

9.53 This site has large areas away from the housing that could be restored to heathland and/or acid grassland that should be shown on drawings in the Biodiversity Mitigation Plan and Landscape Management Manual to demonstrate protection and enhancement of biodiversity. The NPPF (paras 9 and 109) encourages development that aims for net loss and preferably a net gain in biodiversity and this application site has the opportunity to create more heathland.

9.54 The landscape management manual has been amended to increase the amount of heathland creation from 10-30%. The application demonstrates protection and enhancement of biodiversity in line with policies CS1 and CS7.

9.55 Conditions are requested to:-

- Ensure that works are carried out in accordance with the approved Bio-diversity Mitigation Plan
- restrict external lighting unless agreed, to protect bat foraging routes and other wildlife from unnecessary light pollution.
- secure a scheme of ecological monitoring and retention of the bio-diversity mitigation.

9.56 Accordingly subject to conditions above, the application would result in a net gain in bio-diversity, specifically in the creation of acid grassland and heathland, two significant habitats. It is therefore considered to comply with Policy CS1 and CS7 supported by NPPF paragraphs 9 and 109.

vi Drainage

9.57 The proposal was supported by a Flood Risk Assessment and a drainage strategy. A Sustainable Drainage System (SuDs) has been incorporated into the design which consists of permeable paving and geo-cellular soakaways. Surface water from the dwellings would be piped to the soakaways

9.58 Following the submission of further details and clarification, the proposed drainage strategy is considered to be acceptable and would deal sufficiently with surface water. The management of the SuDs features for the lifetime of the development should be secured through a condition.

9.59 Subject to the imposition of conditions to secure full drainage details and implementation of the approved details, the proposal is considered to comply with the NPPF section 10 supported by the Ministerial statement on Sustainable drainage systems dated 18th December 2014.

viii Trees and Landscaping

9.60 The character of the site is defined by the trees that surround it and those within the site. This creates a wooded character, limiting views and enclosing the open areas of the site.

9.61 The scheme proposes the removal of 74 trees, consisting of one grade A tree with the rest comprising grade B or C trees. None of the trees within the site are protected by a TPO. The trees to be lost are to be removed either because they are unsafe or dying, to enable the proposed development to be accommodated or to open up space to enable the creation of heathland.

9.62 The arboriculture report and tree survey submitted with the application states that the number of trees to be removed would not detrimentally affect the character or appearance of the site. Additional tree planting to reinforce the screening around the site is proposed and the specific details of this can be conditioned.

9.63 The landscape officer has raised concerns as plots 1-5 have been moved closer to Kings Rise compared with the extant permitted scheme and close boarded timber fences would be visible from Kings Ride. Under amended plans dwellings have been moved back within their plots by 1-2m to accommodate increased landscaping to the front and still retain a landscaping belt in excess of 15m along Kings Ride. It is considered that during the winter

months glimpses of the properties would be seen and careful consideration to the boundary treatments will be needed. In this respect this proposal is not considered significantly different to the extant scheme which also had proposed a landscaping belt of 15m.

9.64 It is considered that there is sufficient space to accommodate additional landscaping where it is necessary to increase the screening. A condition should be imposed to secure this.

9.65 The proposal could be considered contrary to Policy EN1, which seeks to protect tree and hedgerow cover; however given that the trees are not protected, and that the removal of some trees and scrub would enable the creation of additional heathland, a habitat of international importance, it is felt that any harm is outweighed by these benefits. Given the fall back position of the approved scheme also removing a similar amount of trees, in this instance the proposed removal of trees is considered acceptable.

ix Securing necessary infrastructure / CIL

9.66 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.

9.67 Guidance in the Planning Obligations SPD, which came into effect (with CIL) on 6 April 2015, is relevant.

9.68 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. It applies to any new build but in the case of outline applications is calculated when reserved matters are submitted.

9.69 If this application were to be approved, CIL payments would be collected following commencement of the development. CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These comprise:-

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

9.70 CIL receipts could be spent on items not listed on the Regulation 123 list that meet the government criteria on CIL spending.

x Thames Basin Heaths Special Protection Areas (SPA)

9.71 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the

Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 2.58 km from 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.

9.72 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. 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 SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The 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.

9.73 In this instance, the development would result in a net increase of 18 x 2-bed, 15 x 3 bed, 6 x 4 bed and 20 x 5 bed dwellings which results in a total SANG contribution of £140,417.

9.74 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £46,015.

9.75 The total SPA related financial contribution for this proposal is £186,432. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG are 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 SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

xi Affordable Housing

9.76 Policies CS16 and CS17 of the CSPD (in relation to housing needs and affordable housing) are relevant to this proposal. The Council's affordable housing policy applies to proposals involving 15 net dwellings or more. On such sites there is a requirement for 25% of the proposal to be affordable housing. For this development this equates to a requirement of 15 dwellings.

9.77 However, the applicant has submitted an affordable housing statement drawing attention to the Written Ministerial Statement originally made on the 28 November 2014, which provides an incentive for the development of brownfield sites containing vacant buildings. The Vacant Building Credit (VBC) allows a financial credit equivalent to the existing gross floor space of the relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought.

9.78 Accordingly where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant

buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.

9.79 When this is applied in this case, the requirement for affordable provision reduces to 4.65 dwellings. As in the case of the 2013 application the applicant is not proposing that the affordable housing provision be met on site. It is proposing that it is either met off-site by provision within a surrogate site or by a financial contribution. Following advice from an independent assessor the off-site contribution has been worked out as £406,875. Both approaches are considered acceptable and should be secured by a s106 agreement.

xii Sustainability issues

9.80 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards. Information regarding water usage has been submitted which demonstrates that the average water used per person per year would be 105 litres, below the 110 litres target.

9.81 CSDPD Policy CS12 seeks a reduction in the potential emissions and energy usage. The Sustainability and Energy Statement seeks to demonstrate how the development can achieve a 10% reduction in carbon dioxide emissions and provide at least 20% of energy requirements from on-site renewable energy generation. Due to inconsistencies within the submitted calculations, further information has been sought to demonstrate that the proposal complies with Policy CS12. This matter can be addressed by a suitably worded condition.

10. PLANNING BALANCE

10.1 As noted above the Council is unable to demonstrate a 5 year supply of land for housing. It therefore falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

10.2 Unlike the general countryside Policy, Green Belt Policy still carries significant weight when balancing the benefits of the proposal against the harm caused.

The balancing process

10.3 The proposal would result in an additional 11 dwellings above the previous scheme and an additional 59 dwellings in total towards the 5 year housing land supply and significant weight can be attributed to this. It would also result in some economic benefits.

10.4 The application proposes the re-development of a brown-field site and with an increase in the amount of heathland within the site achieved by removing areas of the trees to create open areas. Additional planting and better management of the woodland is also proposed to benefit the local wildlife. All of these are considered to be environmental benefits of the scheme.

10.5 In terms of the Green Belt, the proposal results in a reduction of hard surfacing across the site as a whole. Whilst there is a small increase in volume (3.5%) and an increase in built form, there would still be an overall reduction in the heights of buildings from the

existing office buildings. Compared with the extant 2013 permission the proposed layout, although incorporating more units, appears looser and increases the gaps between dwellings, reducing the appearance of massing across the site. Accordingly, and giving weight to the fallback position of the implementation of the extant scheme, it is not considered that the proposal would result in harm to the openness of the Green Belt and is therefore considered acceptable in terms of the impact upon the Green Belt.

10.6 It is acknowledged that the development is not well located in terms of reducing the need to travel or dependence upon the private car. The proposal does not adjoin any settlement boundary and is also relatively isolated socially from community facilities. These attributes do not accord with either the environmental or social roles the NPPF attributes to sustainable development.

10.7 The applicant has investigated improving cycle links and pedestrian links towards Ascot. Unfortunately due to constraints the cycle link would involve cyclists crossing the highway several times, which would not be safe or conducive to encouraging cyclists to use the route. The applicant has put forward a scheme to make a crossing at Kings Ride to join the footpath on the opposite side of the road. However, the site is still isolated and could not be considered to be a sustainable site.

10.8 The existing office use would be predominantly served by cars and weight needs to be given to the fall back position of the extant scheme and the applicant's rights, through the prior notification procedure to change the offices into residential units. In this instance the unsustainable location of the site is not considered to significantly and demonstrably outweigh the benefits of the application.

10.9 It is considered that the proposal is acceptable in terms of the impact upon the Green Belt, no highway safety implications would arise from the proposal. The proposal would result in improvements to the bio-diversity of the area whilst contributing to the housing land supply in the Borough. Whilst not in a sustainable location, this as discussed above is not a substantive reason for refusal. In conclusion there is no demonstrable harm arising that would outweigh the benefits of the proposal given the history and nature of this site. The application is recommended for approval.

RECOMMENDATION

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

- SPA mitigation measures; and
- The provision of an off-site affordable housing contribution or provision of the affordable housing requirement on a surrogate site

The Head of Planning be authorised to APPROVE the application subject to the following conditions:

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:

14-P1053-LP (Site location plan)

Biodiversity Mitigation Plan (Viewpoint Associates LLP) Rev. D 7.12.2016
 Landscape Management Manual (Viewpoint Associates LLP) Rev C 08.12.2016
 Reptile Mitigation Plan and Bat and Bird Box Scheme (Viewpoint Associates LLP)
 Rev C 07.12.2016
 Surface Water Drainage Strategy 28922/P/001 Rev P3
 Geocellular Soakaway (crate system) 32075/C/SD013 Rev P3
 14-P1053-105 Rev A (proposed site sections and streetscene (Sheet 1 of 2))
 14-P1053-106 Rev A (proposed site section and street scenes (sheet 2 of 2))
 14-P1053-100 Rev A (house type - 1A plans and elevations)
 14-P1053-111 Rev A (house type - 1B plans and elevations)
 14-P1053-112 Rev A (house type - 2A, plans and elevation)
 14- P1053-113 Rev A (house type - 2B plans and elevations)
 14-P1053-114 Rev A (house type - 3A plans and elevations)
 14-P1053-115 Rev A (house type - 3B plans and elevations)
 14-P1053-116 Rev A (house type - 4A plans and elevations)
 14-P1053-117 Rev A (house type – 5A plans and elevations)
 14-P1053-118 Rev A (house type – 6A plans and elevations)
 14-P1053-119 Rev A (house type – 6B plans and elevations)
 14-P1053-120 Rev A (house type - 7A plans and elevations)
 14-P1053-121 Rev A (house type – 7B plans and elevations)
 14-P1053-125 Rev A (apartment block front and side elevations)
 14-P1053-122 Rev A (apartment block basement level)
 14-P1053-127 Rev B (proposed basement access, gates, bin and ramp)
 14-P1053-100 Rev C (proposed site plan)

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

03. The development hereby approved shall be finished in accordance with the materials specifications contained within the following documents:

Materials schedule

External Materials Specification - Apartments

External Materials Specification - House type 1A-1B Plots 19-22 & 44-47

External Materials Specification - House type 1A-1B Plots 56-59

External Materials Specification - House type 2A

External Materials Specification - House types 3A-3B Plots 17-18

External Materials Specification - House type 3B

External Materials Specification - House type 4A

External Materials Specification - House type 5A

External Materials Specification - House type 6A Plot 8

External Materials Specification - House type 6A

External Materials Specification - House type 6B Plot 7

External Materials Specification - House type 6B

External Materials Specification - House type 7A

External Materials Specification - House type 7B

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

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

04. Notwithstanding the approved plans dwelling shall be occupied 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 buildings approved in this permission.

REASON: In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.

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

05. The development 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 and the development shall be carried out in accordance with the approved details.
REASON: In the interest of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
06. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies Core Strategy DPD CS23]
07. No dwelling shall be occupied until a means of access for pedestrians and cyclists has been constructed 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 cyclists and pedestrians.
[Relevant policies: BFBLP M6, Core Strategy DPD CS23]
08. The gradient of private driveways shall not exceed 1 in 12.
REASON: To ensure that adequate access to parking spaces and garages is provided.
[Relevant policies: Core Strategy DPD CS23]
09. No dwelling shall be occupied until the areas shown as being for car parking in the approved plan has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority and those areas shall not thereafter be used for any purpose other than the parking of vehicles.
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]
10. No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for off-site highway works including the footway and island works along Kings Ride. The development shall not be occupied until the off-site highway works have been completed in accordance with the approved details.
REASON: In the interests of highways safety and to improve connectivity to the site.
[Relevant policies: Core Strategy DPD CS23]
11. No development shall take place until a scheme has been submitted to and approved in writing to accommodate:
(a) Parking of vehicles of site personal, operative and visitors
(b) Loading and unloading of plant and vehicles
(c) Storage of plant and materials used in constructing the development
(d) Wheel cleaning facilities
(f) Temporary Portacabins and welfare for site operatives
Each facility will be retained throughout the course of construction of the development, free from any impediment to its designated use.
REASON: In the interests of amenity and road safety
[Relevant policies: CSDPD CS23 CS7]

- 12: Prior to occupation, the recommendations regarding land contamination, contained within the Peter Brett report project reference 28922/001 rev 1 Dated June 2016 must be implemented in full and a verification report must be completed by a suitably qualified person and submitted to, and approved by, the Local Planning Authority.
 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.
 [Relevant policies: BFBLP EN25]
13. No superstructure works shall take place until a scheme for protecting the proposed dwellings/ gardens from noise from the railway line north of the site has been submitted to and approved in writing by the local planning authority. The scheme shall accord with the Peter Brett Associates. Noise and Vibration Impact Assessment June 2016. The scheme shall be implemented as approved.
 REASON: To ensure that the amenities of the future residents is not adversely affected by noise.
 [Relevant policies: BFBLP EN25]
14. All ecological measures and/or works shall be carried out in accordance with the details contained in Viewpoint Associates Biodiversity Mitigation Plan dated December 2016 and Reptile Mitigation Plan and Bird and Bat Box Scheme dated December 2016 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 for approval within three months of the first occupation of any dwelling hereby approved.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: CSDPD CS1]
15. No part of the development shall be occupied until a scheme for informing buyers and residents about reptiles in gardens and the surrounding area and their importance has been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in accordance with the scheme.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: CSDPD CS1 CS7]
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 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 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 without prior consent from the local planning authority.

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

17. The areas shown for biodiversity mitigation purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.

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

18. No development shall take place until full details of the drainage system have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall be in accordance with the approved plans (ref: PBA Drawing 28922/P/001 P4). The details shall include:
- Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels and drawings as appropriate.
 - Confirmation that the maximum discharge level of any infiltration SuDS feature above the seasonally high ground water level, there should be at least 1m between the base of the structure and the groundwater table.
 - A management plan containing details of the maintenance and operation of the drainage scheme for the development over the life time of the development.

REASON: To ensure the maintenance and operation of the sustainable drainage scheme for the lifetime of the development.

[Relevant policies: NPPF, Chapter 10]

19. No building or use hereby permitted shall be occupied until the sustainable urban drainage system 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 agreement for the management and maintenance of the drainage scheme shall be submitted and approved by the local planning authority.

REASON: to ensure the maintenance and operation of sustainable drainage scheme for the lifetime of the development.

[Relevant policies: NPPF Chapter 10]

20. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith.

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

[Relevant Policy: Core Strategy DPD CS10]

21. No superstructure works shall be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 20%).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
- 1- Time
 - 2- Plans
 - 3- Materials
 - 8- Driveway gradient
 - 14- Ecological report
 - 16- Removal of Permitted development
 - 17- Retention of bio-diversity areas
 - 20 - Sustainability statement.

The following conditions require discharge prior to the super structure being started:

- 5- Finished floor level
- 11- Site management
- 21- Energy demand assessment

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

- 4- Boundary treatments
- 6- Vehicle access
- 7- Pedestrian and cycle access
- 9- Car parking
- 10- Off site highway works
- 12- Land contamination
- 15 - Reptile information
- 19- Sustainable drainage

03. Information and advice on refuse and recycling arrangements can be found at:
<http://www.bracknell-forest.gov.uk/guidance-notes-for-new-developments-waste.pdf>

In the event of the s106 planning obligation(s) not being completed the Head of Planning be authorised to REFUSE the application on the grounds of:

01. In the absence of a planning obligation to secure contributions towards affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough local Plan and Policy CS16 of the Core Strategy Development Plan Document.
02. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD (29 March 2012). In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would be contrary to Policy NRM6 of the

South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan and Policy CS14 of the Core Strategy Development Plan Document.

ITEM NO: 08	Ward:	Date Registered:	Target Decision Date:
Application No.	Crowthorne	8 December 2016	2 February 2017
16/01202/PAC			
Site Address:	34 Wellington Business Park Dukes Ride Crowthorne Berkshire RG45 6LS		
Proposal:	Application for Prior Approval for the change of use from B1(a) (Office) to C3 (Residential) to form 2 no. 2 bed and 3 no. 1 bed dwellings.		
Applicant:	Mr M Jourdan		
Agent:	Day Tanner Ltd		
Case Officer:	Sarah Horwood, 01344 352000 development.control@bracknell-forest.gov.uk		

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



1. SUMMARY

1.1 Prior approval is sought for the change of use of 34 Wellington Business Park from B1(a) offices to 5no. flats.

1.2 The proposal would not result in contamination issues or flood issues. Further, there would be no adverse transport and highway implications and no adverse impact of noise from surrounding commercial premises on the future occupiers of the proposed flats.

1.3 Prior approval can be granted.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 This prior approval must be determined and a decision issued accordingly within 56 days.

3. PLANNING STATUS AND SITE DESCRIPTION

3.1 34 Wellington Business Park is a two storey unit accessed via a no through road from Dukes Ride.

3.2 There is parking to the front of the building.

3.3 To the north and north-west are residential dwellings. Within the business park itself are further offices along with former offices which have already been converted under the prior approval process to residential units at 35-36 and 37-38 Wellington Business Park. Further, prior approval was granted by the Planning Committee in August 2016 for 8no. residential units at 32 Wellington Business Park, (LPA ref: 16/00735/PAC).

4. RELEVANT SITE HISTORY

4.1 There have been no planning applications submitted relating to 34 Wellington Business Park since planning permission was granted for the unit as part of the wider construction of the business park.

5. THE PROPOSAL

5.1 Prior approval is sought for the change of use of 34 Wellington Business Park from Class B1(a) (offices) to C3 (dwellinghouses) in accordance with Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5.2 It is proposed to convert the office floor space into 3no. 1 bedroom and 2no. 2 bedroom dwellings.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 No comments received at time of printing report. Any comments will be reported in the supplementary report.

Other representations:

6.2 None received at time of printing report. Any representations will be reported in the supplementary report.

6.3 The 21 days for the site notice expires on 11 January 2017. Any further comments received past the deadline of the Committee Report will be included on the Supplementary Report.

7. SUMMARY OF CONSULTATION RESPONSES

Transportation Officer

7.1 No objection.

Environmental Health Officer

7.2 No objection.

8. PRINCIPLE OF DEVELOPMENT

8.1 In assessing this type of prior approval application the Council can only assess whether the proposal is likely to result in transport and highway implications, contamination issues, flooding issues and impacts of noise from commercial premises on the intended occupiers of development.

8.2 If there are no implications associated with these matters, the development is considered to be permitted development.

9. ASSESSMENT

9.1 Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows 'development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.'

9.2 The legislation is set out as follows:

O.1

Development is not permitted by Class O if:

- (a) the building is on article 2(5) land and an application under paragraph O.2(1) in respect of the development is received by the local planning authority on or before 30th May 2019;"
- (b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order—
 - (i) on 29th May 2013, or
 - (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- (c) the site is, or forms part of, a safety hazard area;
- (d) the site is, or forms part of, a military explosives storage area;
- (e) the building is a listed building or is within the curtilage of a listed building; or
- (f) the site is, or contains, a scheduled monument.

O.2.

(1) Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) contamination risks on the site,
- (c) flooding risks on the site, and
- (d) impacts of noise from commercial premises on the intended occupiers of the development, and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

Interpretation of Class O

O.3. For the purposes of Class O "commercial premises" means any premises normally used for the purpose of any commercial or industrial undertaking which existed on the date of the

application ...and includes any premises licensed under the Licensing Act 2003(a) or any other place of public entertainment.

Officer note: this is applicable in assessing whether any existing commercial premises would result in noise to the intended occupiers of the development under section O.2(d).

Section W sets out the procedure to be followed where a developer is required to apply for prior approval to the Local Planning Authority under any class falling within Part 3.

9.3 The assessment of the proposed development in accordance with the above legislation is as follows:

9.4 Paragraph O.1 compliance:

- The building is not on article 2(5) land and an application has been made on or before 30 May 2019.
- The building was last used for a use falling within Class B1(a) offices (currently still in use as a B1(a) office).
- The site does not form part of a safety hazard area.
- The site does not form part of a military explosives storage area.
- The building is not listed or within the curtilage of a listed building
- The site is not and does not contain a scheduled monument.

Paragraph O.2 conditions:

(a) Transport and highways impacts of the development

Access

9.5 The site takes off an adopted road which is subject to a 30mph speed limit and is suitable for residential access given it currently serves the Wellington Business Park, as well as Bowman Court and part of Wellington College. There is a lit footway linking the site and Duke's Ride for access to local shops, as well as the railway station. The applicant will need to investigate residential bin collection arrangements with the Council and should be advised of this by way of informative.

Parking

9.6 The office is currently served by 5 parking spaces and these would remain to serve the 2no. 2 bedroom and 3no. 1 bedroom flats proposed. The provision of 5 parking spaces represents a shortfall of 3 spaces compared with the Council's parking standards set out in the Parking Standards SPD (2016) of 8 spaces, including one visitor space.

9.7 Units 35 and 36 Wellington Business Park were granted prior approval for change of use from office to residential under application 13/00854/PAC for 8no. 2 bed residential units with 14 parking spaces. This was 2 spaces below the Council's parking standards for residents and 1 space below visitor requirements, a total shortfall of 3no. spaces. This proposal would also generate a shortfall of 3no. spaces (including a visitor space), the same as that considered acceptable as part of application 13/00854/PAC. It is not considered that there would be such a material impact to the surrounding highway as a result of this proposal.

9.8 A further material consideration in relation to highway impacts is that the applicant's cover letter notes '*Crowthorne rail station is located adjacent to the site entrance and the site is approximately 1.5km to the west of Crowthorne village centre with local shops closer to the site on Duke's Ride. Given the location of the site close to local shops and services as well as the train station that level of provision is considered wholly appropriate*'. Thus the Council's Highway Officer considers the provision of one parking space per flat to be adequate.

9.9 It is also considered that given the close proximity of the site to the railway station, this may reduce car use and ownership. 5no. cycle spaces are to be provided on site which would likely encourage higher usage of cycles.

9.10 There is a nearby public car park providing free parking for up to 2 hours and this could accommodate one visitor space during the day based on observations. There are no restrictions on its use during evenings and overnight. Time limited parking restrictions (8am and 6pm, Monday to Friday) are in operation to restrict overspill parking by the railway station and the remaining offices. However, the demand for on street parking on the nearby highway would not be at the same time as that of the surrounding offices, with demand being in the evenings and weekends, outside of normal office hours. It is therefore likely parking could be accommodated on the nearby highway and the LPA could not demonstrate any adverse impact to the surrounding highway network.

Trips

9.11 5no. flats are likely to generate 14 to 18 two-way trips per day, including 2 movements in both peak periods and this is likely to be lower than the potential estimated 30 to 36 trips per day generated from the permitted office use.

9.12 To summarise, it is not considered that the shortfall of 3no. parking spaces would have an adverse impact upon the surrounding highway network. The site is in a sustainable location, close to the railway station, shops and village centre; cycle provision would be provided on site; there is a nearby car park for evening and overnight use; the proposed residential development would generate fewer vehicular movements in comparison to the existing office use and any on-street parking currently associated with the existing business park operation would be unlikely to conflict with the times when prospective residents would wish to park on the access road serving the business park.

9.13 As such, it is not considered that there would be such a material impact to the surrounding highway as a result of this proposal therefore it is not considered that any adverse transport and highways impacts would result due to the development.

(b) Contamination risks on the site

9.14 34 Wellington Business Park is not situated on land that has been indicated as a potential contaminated land site. It is therefore not considered that there are any contamination risks on the site.

(c) Flooding risks on the site

9.15 The site is within Flood Zone 1 and not considered to have any critical drainage issues. It is therefore not considered that there are any flooding risks on the site.

(d) Impacts of noise from commercial premises on the intended occupiers of the development.

9.16 The site would have the benefit of surrounding offices in Wellington Business Park being used primarily during the weekdays and would not generate noise during the evenings and weekends when future occupiers of the proposed residential units would be more at risk of disturbance.

9.17 The Council's Licensing Section provided details of all licenced premises within close proximity to the application site which include premises where the sale of alcohol is permitted. The Council's Environmental Health Officer raised no concern about nearby licensed premises and resulting impact from noise on the intended future occupiers of the development. It is therefore not considered that there would be any adverse impact of noise from surrounding commercial premises on the future occupiers of the proposed flats.

(e) Other matters

9.18 The site is located within 5km of the Thames Basin Heaths Special Protection Area. It is a condition of any planning permission granted by a general development order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority has given written approval under the Habitats Regulations 2010. The prior approval process does not in itself constitute approval under these Regulations.

9.19 This proposal would create additional dwellings and is located within an area where additional dwellings would lead to a significant impact on the SPA, if not mitigated. The decision notice should therefore include an informative advising the applicant how to apply for approval under the Habitats Regulations 2010 and that a Section 106 Agreement must be entered into in the event of prior approval being granted.

9.20 Further, this prior approval relates only to the use of the building. Any external alterations would require the submission of a full planning application.

10. CONCLUSION

10.1 The proposal would not result in contamination issues or flood issues. Further, there would not be any adverse transport and highway implications and no adverse impact of noise from surrounding commercial premises on the future occupiers of the proposed flats.

11. RECOMMENDATION

11.1 Prior Approval is required and Prior Approval can be granted. The proposal complies with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

1. This decision is based on the following:-

- drawing no. 3416/101 Rev B received 8 December by the Local Planning Authority

2. Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

Informatives

1. It is a condition of the consent given by the General Permitted Development Order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority (the Council) has given written approval under the Habitats Regulations 2010. This Prior Approval Notice does NOT constitute approval under the Habitats Regulations. The Council and Natural England are of the view that any residential development between 400 metres and 5 kilometres of the boundary of the Thames Basin Heaths Special Protection Area or residential development of 50 or more dwellings between 5 kilometres and 7 kilometres of such boundary cannot be approved under the Habitats Regulations unless a planning obligation is entered into under Section 106 of the Town & Country Planning Act 1990 to ensure that the development has no adverse impact upon the Special Protection Area. Your development falls within one of the two types of development referred to in the heading above.

2. Any external alterations proposed would require the submission of a full planning application.

3. Information and advice on refuse and recycling arrangements can be found at:
<http://www.bracknell-forest.gov.uk/guidance-notes-for-new-developments-waste.pdf>