



## **NOTICE OF MEETING**

### **Planning Committee**

**Thursday 20 July 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, Mrs Hayes MBE, Heydon, Dr Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Phillips, Skinner, Thompson and Worrall

ALISON SANDERS  
Director of Corporate Services

### **EMERGENCY EVACUATION INSTRUCTIONS**

- 1 If you hear the alarm, leave the building immediately.
- 2 Follow the green signs.
- 3 Use the stairs not the lifts.
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If you require further information, please contact: Hannah Stevenson  
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Published: 10 July 2017



**Planning Committee**  
**Thursday 20 July 2017, 7.30 pm**  
**Council Chamber, Fourth Floor, Easthampstead House,**  
**Bracknell**

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

**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 22 June 2017 .

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3. **Declarations of Interest**

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

Any Member with an affected Interest in a matter must disclose the interest to the meeting and must not participate in discussion of the matter or vote on the matter unless granted a dispensation by the Monitoring officer or by the Governance and Audit Committee. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.

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 16/01195/FUL Land East Of Avery Lane and North Of Watersplash Lane, Warfield, Bracknell, Berkshire**

Erection of 116 dwellings with associated landscaping, infrastructure works and open space of public value served by vehicular access from north-south link road and pedestrian/cycle link to Watersplash Lane.

37 - 62
6. **PS 16/01253/FUL Land South Of Fairclough Farm, Newell Green, Warfield, Bracknell, Berkshire**

Erection of 54 no. dwellings with associated parking, landscaping and open space and vehicular access onto Newell Green.

63 - 88
7. **PS 16/01274/FUL Land At Watersplash Lane, Warfield, Bracknell, Berkshire RG42 4ST**

Demolition of existing buildings and erection of 43 dwellings with associated accesses (to land to west and to Watersplash Lane), parking and landscaping.

89 - 130
8. **13/00155/COND Street Record, Peacock Lane, Bracknell, Berkshire**

Amendment to details approved pursuant to condition 29 (Masterplan/Design Statement) of outline planning permission 623523. (Note for clarification: this application provides for residential rather than commercial development on 4no. land parcels at Jennetts Park lying north of Peacock Lane)

131 - 138
9. **PS 13/00783/REM Land North Of Peacock Lane, Peacock Lane, Bracknell, Berkshire**

Submission of details of layout, scale, appearance, access and landscaping for the erection of 128no. dwellings accessed from Peacock Lane with associated access roads, pedestrian and cycle links, car parking, landscaping (including drainage) and associated works pursuant to outline planning permission 98/00288/OUT (623523).

139 - 154
10. **PS 16/00401/FUL Whitelocks Farm, Garsons Lane, Warfield, Bracknell, Berkshire RG42 6JD**

Change of use from equestrian/livery barns to 3 units for B2/B8 use.

155 - 168
11. **16/01263/FUL Handpost Farm, Bracknell Road, Warfield, Bracknell, Berkshire RG42 6LD**

Erection of 4 no. 4 bedroomed detached dwellings following the demolition of existing buildings.

169 - 184
12. **17/00331/FUL Binfield Parish Council, Benetfeld Road, Binfield, Bracknell, Berkshire RG42 4EW**

Erection of two single storey extensions and proposed alterations with

185 - 196

associated parking.

13. **17/00434/FUL Land At Sterling Court, The Redwood Building and Chiltern House Broad Lane Bracknell Berkshire RG12 9GU**

Erection of 99 apartments (including affordable dwellings), provision of car parking and communal amenity space following demolition of existing office buildings. (Resubmission of application 16/00889/FUL with updated parking survey)

197 - 220
  
14. **17/00477/FUL Tumi, Gold Cup Lane, Ascot, Berkshire SL5 8NP**

Erection of a single storey rear extension, first floor front roof extension and conversion of loft into habitable space including installation of 2 no. dormers and a lantern, following removal of bay window to front.

221 - 232
  
15. **17/00603/FUL 27 Top Common, Warfield, Bracknell, Berkshire RG42 3SH**

Erection of two storey rear extension, replacement windows and front door, three additional windows in the northern side elevation and extension of existing driveway.

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**PLANNING COMMITTEE  
22 JUNE 2017  
7.30 - 9.34 PM**



**Present:**

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, Finnie, Mrs Hayes MBE, Heydon, Mrs Ingham, Mrs Mattick, Mrs McKenzie-Boyle, Thompson and Worrall

**Also Present:**

Councillors Turrell

**Apologies for absence were received from:**

Councillors Leake, Mrs McKenzie, Phillips and Skinner

**2. Minutes**

**RESOLVED** that the minutes of the meeting of the Committee held on 18 May 2017 be approved as a correct record and signed by the Chairman.

**3. Declarations of Interest**

There were no declarations of interest.

**4. Urgent Items of Business**

There were no urgent items of business.

**5. PS 16/01091/FUL Meadow View and Eden Vale, Chavey Down Road, Winkfield Row, Bracknell, Berkshire RG42 7PN**

A site visit had been held on Saturday 17 June 2017 which had been attended by Councillors Dudley, Mrs Hayes MBE, Dr Hill, Mrs Ingham, Mrs McKenzie-Boyle, Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council recommending refusal.
- 21 letters of objection as summarised in the Agenda Papers.

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

01. mitigation of impacts on the Thames Basin Heaths SPA;

**RESOLVED** that the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details.

01 Proposed Plans and Elevations: Plots 1 & 2 – LPA received 04.11.17

02 Proposed Plans and Elevations: Plot 3 – LPA received 04.11.17

03 G Proposed Site Layout – LPA received 09.06.17

04 A Proposed Cycle Stores – LPA received 08.06.17

Ecology Report (November 2016) – LPA received 18.11.17

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

03. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. No development shall take place until samples of the materials to include bricks and roof tiles and other hard surfaces 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 Saved Policy EN20, Core Strategy DPD Policy CS7]

05. 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]

06. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia and also vehicle routing and delivery times. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity.

07. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of amenity.

08. 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) specifications of control of noise arrangements for construction and demolition.
- (ii) methodology of controlling dust, smell and other effluvia
- (iii) site security arrangements including hoardings
- (iv) proposed method of piling for foundations
- (v) construction and demolition methodology
- (vi) construction and demolition working hours
- (vii) 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.

09. 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 Policy CS10]

10. 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:

(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 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]

11. No development shall be commence until the applicant has submitted to the Local Planning Authority written confirmation from Thames Water that the existing mains sewer has sufficient capacity accommodate both surface water and foul water discharge rates as set out in their Drainage Strategy dated May 2017 without increasing flood risk off-site. The final Drainage Strategy shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained and maintained for the lifetime of the development.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Plans and Policies: CSDPD CS1]

12. 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.

REASON: In the interests of amenity and road safety.

13. 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 by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

14. The dwelling(s) hereby permitted 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 footway. The dimensions shall be measured along the edge of the drive and the back of the footway 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]

15. No dwelling shall be occupied until the associated vehicle parking 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]

16. No dwelling shall not be occupied until the secure cycle parking stores as approved have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces and facilities shall thereafter be retained.

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

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

17. 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]

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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. REASON: In the interests of nature conservation [Relevant Plans and Policies: CSDPD CS1, CS7]

19. All ecological measures and/or works shall be carried out in accordance with the details contained in Aspect Ecology's report dated November 2016 and maintained as such thereafter.

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

20. No works shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be performed, observed and complied with.

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

21. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved boundary treatments shall be implemented and maintained thereafter.

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

22. If within a period of 5 years from the completion of the development: -  
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 without the prior written consent of the Local Planning Authority.

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

23. 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 minimum height 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.
- j) Note stating that tree protection measures are to be routinely monitored by site visits undertaken at maximum 4 week intervals by a person suitably qualified and experienced arboriculturalist appointed by the developer/ site owner. Signed copies of the inspection report to be sent to the Council's Planning Department following each visit.

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

24. The protective fencing and other protection measures specified by condition 23 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 (unless agreed otherwise in writing by the Local Planning Authority). 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,

- g) 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.

h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

25. 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.
- f) Confirmation that routine monitoring site visits are to be undertaken at maximum 4 week intervals by a person suitably qualified and experienced arboriculturalist.

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 Authority following each visit.  
REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

26. No development shall commence 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 in its entirety, 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) Specific methodology for marrying into the existing adopted highway.
- e) Program and method of implementation and arboricultural supervision.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the dwelling. The No Dig structure shall be retained in perpetuity thereafter.  
REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

27. 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

28. No development shall commence until a site specific method statement for the implementation of all services located within Root Protection areas of retained trees using trenchless technology only has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) a site layout plan at a minimum scale of 1:200 specifying the proposed location where this methodology is to be used
- b) Specific method to be used
- c) programme for the phasing and timing of works

The development shall be carried out under arboricultural supervision 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  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

29. No development shall take place until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
- b) Details of semi mature tree planting.
- c) Comprehensive 5 year post planting maintenance schedule.
- d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
- e) Means of enclosure (walls and fences etc)
- f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- g) Recycling/refuse or other storage units, play equipment
- h) Other landscape features (water features, seating, trellis and pergolas etc).

#### Implementation

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 EN1 and EN20, CSDPD CS7]

30. 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. 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.

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

31. 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, B, C, D E and F of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASON: The site is affected by a Tree Preservation Order/contains 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.

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

6. **16/00391/OUT Garth Works, Kennel Lane, Warfield, Bracknell, Berkshire**

A site visit had been held on Saturday 17 June 2017 which had been attended by Councillors Dudley, Mrs Hayes MBE, Dr Hill, Mrs Ingham, Mrs McKenzie-Boyle, Phillips and Thompson.

The Committee noted:

- The comments of Warfield Parish Council recommending refusal.
- 6 letters of objection and 1 letter of representation as summarised in the Agenda Papers.

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

01. mitigation of impacts on the Thames Basin Heaths SPA;

**RESOLVED** that the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990

02. Approval of the details of the scale of the buildings(s), appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990

03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

04. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details.

- Proposed Block Plan 290\_pln\_601/G 02.06.17
- Proposed Site Layout 290\_pln\_605/D 02.06.17

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

05. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFBLP EN20, Core Strategy DPD 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. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia and also vehicle routing and delivery times. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity.

08. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that

they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of amenity.

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) specifications of control of noise arrangements for construction and demolition.
- (ii) methodology of controlling dust, smell and other effluvia
- (iii) site security arrangements including hoardings
- (iv) proposed method of piling for foundations
- (v) construction and demolition methodology
- (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. No development shall take place until details in respect of measures to:

(a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;

(b) Minimise the pollution potential of unavoidable waste;

(c) Dispose of unavoidable waste in an environmentally acceptable manner;

have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all building operations.

REASON: In the interest of amenity.

11. The development hereby permitted shall be implemented in accordance with the water efficiency measures as set out in the Sustainability Statement dated 14th April 2016 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]

12. 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:

(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 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]

13. The development hereby permitted shall not be commenced until details for the design of the sustainable drainage scheme in accordance with the submitted drainage strategy (reference: 'Odyssey Markides Technical Note Dated June 2017)

have been submitted to and approved in writing by the local planning authority. The details shall include:-

- Proposed permeable paving

REASON: To prevent the increased risk of flooding

[Relevant Policy: Planning Practice Guide 'Flood Risk and Coastal Change' as amended 15/04/2015]

14. No building hereby permitted shall be occupied until details of the management regime to be employed for the purposes of implementing and maintaining the drainage scheme, as set out in the 'Odyssey Markides Technical Note Dated June 2017', has been submitted to and approved in writing by the Local Planning Authority. Thereafter the on-going maintenance will be carried out by the agreed parties.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Plans and Policies: CSDPD CS1]

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

(a) Parking of vehicles of site personnel, operatives and visitors

(b) Loading and unloading of plant and vehicles

(c) Storage of plant and materials used in constructing the development

(d) Wheel cleaning facilities

(e) Temporary portacabins and welfare for site operatives

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

REASON: In the interests of amenity and road safety.

16. 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 by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

17. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. Those areas 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 adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

18. No dwelling shall be occupied until the associated vehicle parking 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]

19. The garage accommodation shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.



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

[Relevant Policy: BFBLP M9]

20. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing(s)/detail(s).

REASON: In order to ensure bicycle facilities are provided.

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

21. 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]

22. 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]

23. No development 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 protective barrier/s.

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.

- 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.

24. 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]

25. 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: -

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]

**7. 16/00914/FUL Land At Lower Broadmoor Road and Cricket Field Grove, Crowthorne, Berkshire**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Crowthorne Parish Council recommending approval.
- 9 representations received from residents of surrounding properties. Consisting of 6 objections, 1 in support and 2 providing comments.

It was noted that one Councillor abstained from voting.

Following the completion of a planning obligation 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 Basins Heath Special Protection Area (SPA).
02. Provision of on-site affordable housing
03. Measures to secure improvements to the footpath linking Cricket Field Grove with Furze Hill Crescent.
04. Measures to secure the lease of the sports pitches, parking and facilities.
05. Securing the main vehicular access and footways as privately maintainable with

permissive rights for the public at all times;

06. The developer informing all future purchasers of the private status of the roads and footways within the site and that they, not the Council, will be responsible for them in perpetuity.

07. The developer agreeing to indemnify the Council's waste collection vehicles from damage that may occur from entering a private road.

08. Secure the management and maintenance of the proposed SuD's's drainage features.

**RESOLVED** that 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 received by the Local Planning Authority:

#### Layouts

101502-BAR-SC-01 Rev H (Planning Layout)  
101502-BAR-SC-02 Rev H (Information Layout)  
101502-BAR-SC-03 Rev G ( Heights Layout)  
101502-BAR-SC-05 Rev G (Unit types Layout)  
101502-BAR-SC-07 Rev G (Land use Plan)  
101502-BAR-SC-06 (Location Plan)  
5138\_P\_007 Rev A (Landscape masterplan)  
6360\_PDL01 C (Drainage Strategy)

#### Flats

101502-B1-E1 Rev D (Apartment Block 1 Elevations)  
101502-B1-E2 Rev D (Apartments Block 1 Elevations)  
101502-B1-E3 Rev D (Apartments Block 1 Elevations)  
101502-B1-E4 Rev C (Apartment Block 1 Elevations)  
101502-B1-P1 Rev E (Apartment Block 1 Gnd Floor Plan)  
101502-B1-P2 Rev E (Apartment Block 1 First Floor Plan)  
101502-B1-P3 Rev E (Apartment Block 1 Second Floor Plan)  
101502-B1-P4 Rev E (Apartment Block 1 Third Floor Plan)  
101502-B2-E1 Rev C (Apartment Block 2 Elevations)  
101502-B2-E2 Rev A (Apartment Block 2 Elevations)  
101502-B2-E3 Rev C (Apartment Block 2 Elevations)  
101502-B2-E4 Rev B (Apartment Block 2 Elevations)  
101502-B2-P1 Rev D (Apartment Block 2 Gnd Floor Plan)  
101502-B2-P2 Rev D (Apartment Block 2 First Floor Plan)  
101502-B2-P3 Rev D (Apartment Block 2 Second Floor Plan)  
101502-B2-P4 Rev C (Apartment Block 2 Third Floor Plan)

#### Dwellings

101502-AB-E1 (Abingdon Elevations)  
101502-AB-P1 (Abingdon Floor Plans)  
101502-AL-E1 Rev B (Alderney Elevations)  
101502-AL-P1 Rev A (Alderney Plans)  
101502-AV-E1 Rev B (Alverton Elevations)  
101502-AV-E3 Rev A (Alverton Elevations)  
101205-AV-E4 Rev A (Alverton Elevations)  
101205-AV-P1 Rev A (Alverton Floor Plans)

101205-AV-P2 (Alverton Floor Plans)  
101205-AV-P3 (Alverton Floor Plans)  
101502-EN-E1 (Ennerdale Elevations)  
101502-EN-E3 (Ennerdale Elevations)  
101502-EN-E4 (Ennerdale Elevations)  
10152-EN-P1 Rev A (Ennerdale Floor Plans)  
101502-MA-E1 Rev A (Maidstone Elevations)  
101502-MA-E2 Rev A (Maidstone Elevations)  
101502-MA-P1 Rev A (Maidstone Floor Plans)  
101205-NO-E1 Rev A (Norbury Elevations)  
101502-NO-P1 Rev A (Norbury Floor Plans)  
101502-RA-E1 Rev A (Radleigh Elevations)  
101502-RA-P1 Rev A (Radleigh Floor Plans)  
101502-RI-E1 Rev A (Richmond Elevations)  
101502-RI-E2 (Richmond Elevations)  
101502-RI-E3 (Richmond Elevations)  
101502-RI-P1 (Richmond Floor Plans)  
101502-WV-E1 (Woodvale Elevations)  
101502-WV-P1 (Woodvale Floor Plans)

Sports Pitches:

5138\_P\_001 (Overview Plan Sports Pitches and SANG Provision)  
5138\_P\_002 (SANG Provision)  
5138\_P\_005 (Sports Pitch Sections)  
S138\_P\_003 (Sports Pitch Provision)  
101502-CF-E1 Rev B (Changing Facilities)  
101502-CF-P1 Rev B (Changing Facilities)  
6360-PDL-02 A (Drainage Strategy)

Bins and Carports

10152-BS01 Rev A (Bin and Cycle Store type 01)  
101502-CP01 (Covered Parking type 01)  
101502-CP02 (Covered Parking Type 02)  
101502-CP05 (Covered Parking Type 05)  
101502-CP06 (Covered Parking Type 06)  
101502-CP07 (Covered Parking Type 07)  
101502-CP08 (Covered Parking Type 08)  
101502-CP09 (Covered Parking Type 09)  
101502-SH01 (Cycle Shed 01)  
101502-SH02 (Cycle Shed 02)  
101502-SUB01 Rev A (Substation)

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

03. No superstructure development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the visual amenities of the area and to protect the setting of nearby listed buildings and registered historic park and garden.

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

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings, including the sports amenity block,

hereby approved in relation to fixed datum points showing the proposed and existing land levels across the site 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 interests of the character of the area.

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

05. No development shall take place 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.

- (f) Routing and timing of demolition and construction traffic

The details of (f) shall be implemented and complied with as approved during the course of construction of the development.

REASON: In the interests of amenity and road safety.

06. The development hereby permitted shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the 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) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction working hours
- (vii) 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.

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

[Relevant policies: BFBLP EN25]

07. No superstructure works shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme. The development shall be carried out in accordance with the approved scheme.

REASON: For the purpose of protecting and enhancing bio-diversity

[Relevant Plans and Policies: CSDPD Policy CS1, CS7]

08. The proposal hereby permitted shall be carried out in accordance with the details within the Arboricultural Impact Assessment dated June 2016 as amended by the Arboricultural Impact Assessment: Addendum dated March 2017.

REASON: To safeguard trees and other vegetation considered worthy of retention in the interests of the visual amenity of the area.

[Relevant Plans and Policies: BFBLP Policy EN1]

09. The development hereby permitted shall not be occupied until:

- 1) details of both hard and soft landscaping works, and
- 2) a comprehensive five year post planting maintenance schedule

have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.

The details in respect of 1), above 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) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
- d) Means of enclosure (walls and fences etc)
- e) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- f) Recycling/refuse or other storage units, play equipment
- g) Other landscape features (water features, seating, trellis and pergolas etc).

Each plot shall be landscaped and completed in full accordance with the approved soft landscape planting scheme, prior to its first occupation. All other hard landscape elements of the approved landscape scheme shall be carried out prior to the occupation of the last dwelling on 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' 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]

10. No development shall take place within the application area until the applicant, their agents or successors in title have secured and implemented a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will provide for:

- i) A programme of site investigation and recording or alternative appropriate mitigation within the area of archaeological interest. Development will not commence within the area of archaeological interest until the site investigation has been satisfactorily completed.
- ii) A programme of post investigation assessment, analysis, publication, dissemination and

archiving. This part of the condition shall not be discharged until these elements of the programme have been fulfilled in accordance with the programme set out in the WSI.

REASON: In the interest of protecting archaeology of the site  
[Relevant Plans and Policies: BFBLP EN7 and NPPF]

11. Prior to commencement of development full detailed design of the proposed scheme must be submitted and approved in writing by the LPA. The design shall accord with the strategy set out in WSP FRA and revised drainage strategy design drawing no. 6360-PDL-01-Rev C for Site A and Drawing No. 6360-PDL-02 A for Site B. The design shall be supported by a Geotechnical report to be submitted to the council, which will include additional testing to confirm the infiltration rates in accordance with full BRE 365 compliant test results. The Geotechnical report will confirm the depth and design of the infiltration structures to ensure that there is no risk to slope stability as a result of the proposed strategy and confirm that the design takes into consideration the full hydrological and hydrogeological context of the site to ensure there is no increased risk of flooding off-site. Calculations demonstrating that the structures are sufficiently sized, taking into account the accurate contributing areas and including an allowance for urban creep of 10%, to accommodate the 1 in 100 year + 40% climate change storms shall be included in the submission. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme.  
Reason: To ensure the site can be adequately drained and prevent flooding.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

12. Prior to commencement of development confirmation that the proposed drainage strategy does not impact on any areas of contaminated land shall be submitted to and approved in writing by the LPA.  
Reason: To ensure the site can be adequately drained without pollution the ground water.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

13. No gates shall be provided at any of the vehicular access to the site.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

Conditions relating to the residential development at Cricket Field Grove

14. No dwelling shall be occupied until the vehicle and pedestrian access serving that dwelling has been constructed and provided 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: CSDPD CS23]

15. No dwelling or apartment shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with approved drawing 101502-BAR-SC-02 rev H. The spaces, including those within carports, shall not thereafter be used for any purpose other than parking and turning.  
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.  
[Relevant Policies: BFBLP M9, CSDPD CS23]

16. No superstructure development relating to the residential element shall take place until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, as required under optional Building Regulation Part G, 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]

17. The development relating to the residential element of the site 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]

18. No dwelling 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: For the purpose of protecting and enhancing bio-diversity

[Relevant Plans and Policies: CSDPD Policy CS1, CS7]

19. No aspect of the development (including site clearance and demolition) off Cricket Field Grove shall commence until a scheme to mitigate the impact of the development on bats has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

- o details of methods to avoid killing, injury or disturbance to bats during development
- o details of the provision of temporary roosts during construction
- o details of the provision of replacement roosts
- o details of habitat management and enhancement, e.g. suitable lighting and planting
- o details of appropriate post construction monitoring

The mitigation scheme shall be implemented in accordance with the approved details, unless otherwise approved in writing by the local planning authority. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

REASON: For the purpose of protecting and enhancing bio-diversity

[Relevant Plans and Policies: CSDPD Policy CS1, CS7]

20. Before the commencement of development of the residential element off Cricket Field Grove hereby permitted, the proposed vehicular access's off Cricket Field Grove shall be formed and provided with visibility splays in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent



carriageway and at all times maintained clear of any obstruction exceeding 0.6 metres in height.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

21. Prior to the first occupation of any dwelling hereby permitted, a scheme for the removal and landscaping of the parking spaces located on the north side of Cricket Field Grove shall be submitted to and approved in writing. The scheme shall be implemented as approved prior to the first occupation of the dwellings.

REASON: To ensure that there is no increase in parking spaces within 400m of the SPA.

[Relevant Policies: Core Strategy DPD CS14, South East Regional Plan, Saved Policy NRM 6]

22. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development)(England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which could be a danger to other road users.

[Relevant Policy: BFBLP M9]

23. No apartment or dwelling shall be occupied until secure and covered parking for bicycles relevant to that block or plot has been provided in accordance with the approved drawing(s)/detail(s).

REASON: In order to ensure bicycle facilities are provided.

[Relevant Policies: BFBLP M9, CSDPD CS23]

Conditions relating to the sports pitches and SANG area.

24. The sports pitches or SANG shall not be used until the parking and vehicle access has been constructed and provided in accordance with plan 5138.P.003 which have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

25. Prior to the first use of the sports pitches hereby permitted, a management plan for the maintenance of the proposed ditches shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include measures to monitor water quality and manage the ditches and associated reedbeds. The management, maintenance and monitoring shall be carried out in accordance with the approved plan.

REASON: To protect run-off into the Butter Stream and the receiving SSSI, SPA in the interest of bio-diversity

[Relevant Plans and Policies: CSDPD CS1 and CS7]

26. The new playing fields shall be provided in accordance with the details set out in the planning application, specifically drawing nos. 5138\_P\_003 and 101502-CF-PL before first occupation of the development hereby permitted. They shall be made available for use in accordance a timetable to be submitted and approved by the Local Planning Authority prior to the first occupation.

REASON: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with Development Plan Policy  
[Relevant Plans and Policies: CSDPD CS8 and BFBLP SC3]

27. No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and
- (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with a timeframe specified within the scheme required above. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

REASON: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with Development Plan Policy  
[Relevant Plans and Policies: CSDPD CS8]

28. Notwithstanding the approved drawings, before the commencement of development of the sports pitches, details of the bridge connecting the two sports playing fields shall be submitted to and approved in writing by the local planning authority. The details shall be implemented in accordance with the approved details prior to the sports pitches being first used.

REASON: In accordance with health and safety and to enable maintenance.  
[Relevant Plans and Policies: CSDPD Policy CS1, CS7]

29. Before the commencement of development of the SANG and Sports Pitches hereby permitted, the proposed vehicular access's off Lower Broadmoor Road shall be formed and provided with visibility splays in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway and at all times maintained clear of any obstruction exceeding 0.6 metres in height. The works shall be completed prior to first use.

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

**8. 17/00003/FUL Tesco Stores Ltd, Whitton Road, Bracknell, Berkshire RG12 9TZ**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council recommending approval.
- 5 letters of objection 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 submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 03.04.17 and 08.06.17:

WCRG12-PL-002 (Rev A)

WCRG12-PL-003 (Rev A)

WCRG12-PL-004 (Rev A)

WCRG12-PL-005 (Rev B)

WCRG12-PL-006

WCRG12-PL-007

WCRG12-PL-008

WCRG12-PL-009

WCRG12-PL-010

WCRG12-PL-011 (Rev A)

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

03. The operation hereby permitted shall not be open to customers outside 08:00 hours to 19:00 hours Monday to Saturday, and 10:00 hours to 16:00 hours Sunday and Bank Holidays. No lighting shall be operational outside these hours.

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

[Relevant Policies: BFBLP EN20, EN25]

04. The development shall be carried out in accordance with the Alan Tulla Lighting document 'Survey Report and Recommendations' dated 21 March 2017.

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

[Relevant Policies: BFBLP EN20, EN25]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order), no external lighting shall be installed on the site or affixed to any structure on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority except for any lighting which may be shown on the approved drawings.

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

[Relevant Policies: BFBLP EN20, EN25]

06. No part of the car wash facility shall be operational until the 2.7m high acoustic fence has been erected. The fence shall be maintained as such thereafter for the duration of the operation of the car wash facility hereby approved.

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

[Relevant Policies: BFBLP EN20, EN25]

9. **17/00248/3 Rural Rides, Pump Lane, Ascot, Berkshire SL5 7RW**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council.
- No representations had been received from neighbouring properties.

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

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

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

2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:

Site Location Plan and Block Plan, Drawing number: 5072/070, Received 07.04.2017  
Proposed Elevation and Floor Plan, Drawing number: 5072/071, Received 07.04.2017

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated in the submitted application form.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

10. **17/00341/FUL 13 Priory Lane, Warfield, Bracknell, Berkshire RG42 2JU**

A site visit had been held on Saturday 17 June 2017 which had been attended by Councillors Dudley, Mrs Hayes MBE, Dr Hill, Mrs Ingham, Mrs McKenzie-Boyle, Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Warfield Parish Council recommending refusal.
- Objections had been received from 9, 10, Augusta (16), 22, 26 and 30 Priory Lane and were summarised in the Agenda Papers.

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

01. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:

Site Location Plan, Received 22.03.2017

Block Plan, Received 22.03.2017

Proposed Elevations, Drawing reference: Appendix One, Received 22.03.2017

Proposed Cross Section, Drawing reference: Appendix Two, Received 22.03.2017

Soft Landscaping Plan, Received 05.06.2017

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

02. Within one month of the date of this decision, the fence hereby approved shall be stained with a natural creocote dark stain.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

03. The soft landscaping scheme submitted in support of the development hereby approved shall be followed. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, with two months of this approval. As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced within two months 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]

04. The hedge hereby approved shall hereafter be retained at a density as stated in the submitted Soft Landscaping Scheme. It shall be maintained at the height of no less than 1.5 metres. It shall be retained for as long as life of the approved fence.

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

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

11. **17/00442/PAC Building 2 Technology House, The Boulevard, Cain Road, Bracknell, Berkshire RG12 1WP**

This item was withdrawn from the Agenda.

12. **17/00557/RTD Telecommunications Mast, Foresters Way, Crowthorne, Berkshire**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.

**RESOLVED** that the application be delegated to the Head of Planning to grant **PRIOR APPROVAL** following the expiration of the consultation period for the siting and appearance of the development subject to compliance with the following conditions:

01. Drawing no. BRF018 001 Rev D received 26 May 2017

Drawing no. BRF018 002 Rev D received 26 May 2017

Drawing no. BRF018 003 Rev D received 26 May 2017

02. The existing 14.7m high mast shall immediately be removed following the installation of the replacement mast hereby permitted once it is operational and the existing mast has been decommissioned.

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

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

03. The replacement mast hereby approved shall be painted Grey RAL 7035.

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

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

04. The Komodo cabinet hereby approved shall be painted Green RAL 6009.

REASON: In the interests of the visual amenities of the area.  
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

**CHAIRMAN**

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS  
AGENDA CAN BE FOUND ON OUR WEBSITE  
[www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)**

**PLANNING COMMITTEE  
20th July 2017**

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

	<b>Case Officer</b>	<b>Reporting Officer</b>
<p>5. 16/01195/FUL Land East Of Avery Lane and North Of Watersplash Lane Warfield (Binfield With Warfield Ward) Erection of 116 dwellings with associated landscaping, infrastructure works and open space of public value served by vehicular access from north-south link road and pedestrian/cycle links to Watersplash Lane. Recommendation:</p>	Martin Bourne	Martin Bourne
<p>6. 16/01253/FUL Land South Of Fairclough Farm Newell Green Warfield (Binfield With Warfield Ward) Erection of 52 no. dwellings with associated parking, landscaping and open space and vehicular access onto Newell Green. Recommendation:</p>	Martin Bourne	Martin Bourne
<p>7. 16/01274/FUL Land At Watersplash Lane Warfield Bracknell (Binfield With Warfield Ward) Demolition of existing buildings and erection of 43 dwellings with associated accesses (to land to west and to Watersplash Lane), parking and landscaping. Recommendation: Approve.</p>	Matt Lunn	Martin Bourne
<p>8. 13/00155/COND Street Record Peacock Lane Bracknell Berkshire (Binfield With Warfield Ward) Amendment to details approved pursuant to condition 29 (Masterplan/Design Statement) of outline planning permission 623523. (Note for clarification: this application provides for residential rather than commercial development</p>	Martin Bourne	Martin Bourne

on 4no. land parcels at Jennetts Park lying north of Peacock Lane)

Recommendation: Approve.

- |     |   |                |               |
|-----|---|----------------|---------------|
| 9.  | 13/00783/REM<br>Land North Of Peacock Lane Peacock Lane<br>Bracknell<br>(Binfield With Warfield Ward)<br>Submission of details of layout, scale, appearance, access and landscaping for the erection of 128no. dwellings accessed from Peacock Lane with associated access roads, pedestrian and cycle links, car parking, landscaping (including drainage) and associated works pursuant to outline planning permission 98/00288/OUT (623523).<br>Recommendation: Approve. | Martin Bourne  | Martin Bourne |
| 10. | 16/00401/FUL<br>Whitelocks Farm Garsons Lane Warfield<br>(Winkfield And Cranbourne Ward)<br>Change of use from equestrian/livery barns to 3 units for B2/B8 use.<br>Recommendation:   | Sarah Horwood  | Basia Polnik  |
| 11. | 16/01263/FUL<br>Handpost Farm Bracknell Road Warfield<br>(Winkfield And Cranbourne Ward)<br>Erection of 4 no. 4 bedroomed detached dwellings following the demolition of existing buildings.<br>Recommendation:   | Sarah Horwood  | Basia Polnik  |
| 12. | 17/00331/FUL<br>Binfield Parish Council Benetfeld Road Binfield<br>(Binfield With Warfield Ward)<br>Erection of two single storey extensions and proposed alterations with associated parking.<br>Recommendation: Approve.  | Matthew Miller | Basia Polnik  |
| 13. | 17/00434/FUL<br>Land At Sterling Court, The Redwood Building and Chiltern House Broad Lane<br>(Bullbrook Ward)<br>Erection of 99 apartments (including affordable dwellings), provision of car parking and communal amenity space following demolition of existing office buildings. (Resubmission of application 16/00889/FUL with updated parking survey)<br>Recommendation: Approve.   | Simon Roskilly | Martin Bourne |



- |     |  |                   |              |
|-----|--|-------------------|--------------|
| 14. | 17/00477/FUL<br>Tumi Gold Cup Lane Ascot<br>(Ascot Ward)<br>Erection of a single storey rear extension, first floor front roof extension and conversion of loft into habitable space including installation of 2 no. dormers and a lantern, following removal of bay window to front.<br>Recommendation: | Olivia Jones      | Basia Polnik |
| 15. | 17/00603/FUL<br>27 Top Common Warfield Bracknell<br>(Warfield Harvest Ride Ward)<br>Erection of two storey rear extension, replacement windows and front door, three additional windows in the northern side elevation and extension of existing driveway.<br>Recommendation: Approve.                   | Shannon<br>Kimber | 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.

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**ITEM NO: 5**

Application No.  
**16/01195/FUL**  
Site Address:

Ward:  
Binfield With Warfield

Date Registered:  
5 December 2016

Target Decision Date:  
6 March 2017

**Land East Of Avery Lane and North Of Watersplash Lane Warfield Bracknell Berkshire**

Proposal:

**Erection of 116 dwellings with associated landscaping, infrastructure works and open space of public value served by vehicular access from north-south link road and pedestrian/cycle link to Watersplash Lane.**

Applicant:

Mr Tim Noden

Agent:

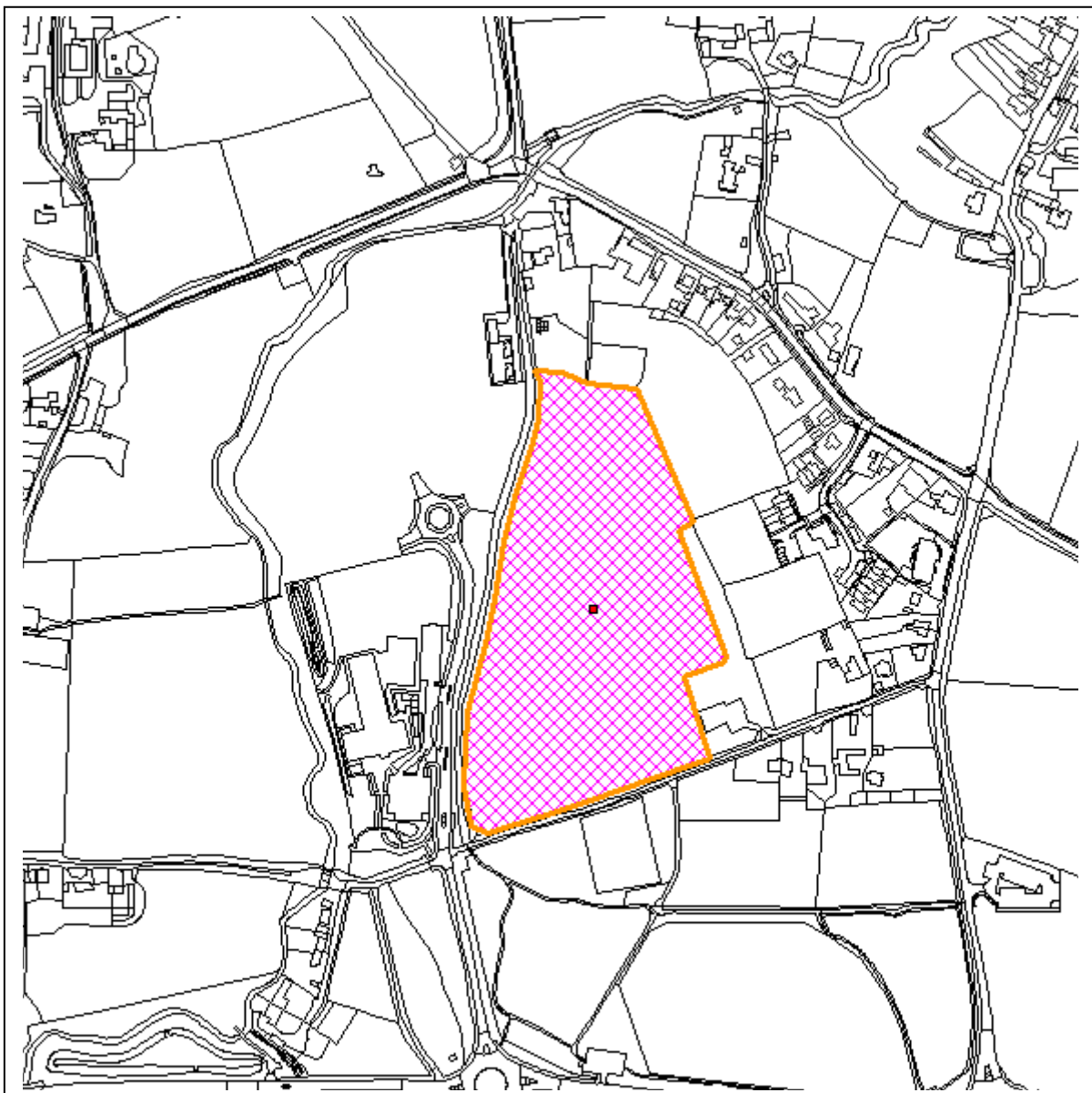
Mr Greg Blaquiere

Case Officer:

Martin Bourne, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## Introduction – comprehensive development at Newell Green

The application site forms part of a wider development area being promoted by a consortium of three developers (known as the Western Consortium) at Newell Green who have land holdings located to the north and south of Watersplash Lane, between Sopwith Road/Avery Lane to the west and Newell Green to the east.

The area forms part of the Warfield Strategic Allocation, as identified in the Bracknell Forest Site Allocation Plan (SALP), adopted July 2013 – Policy SA9 refers. This strategic policy is supported by the site specific guidance set out within the Warfield Supplementary Planning Document (SPD) and the Warfield Area 1 Masterplan. The planning policy framework is based upon the delivery of a comprehensive mixed use development for 2,200 dwellings and the associated physical and social infrastructure.

Planning applications have been submitted on three parcels of land which will deliver 211 dwellings in total across land parcels 2, 3 and 4 as shown in Figure 1 below (please note that area 1. Bovis Homes shown on the plan is not subject to a planning application at this stage):

1. Bovis Homes
2. Harrow Estates
3. Millgate Homes
4. Kitewood Investments

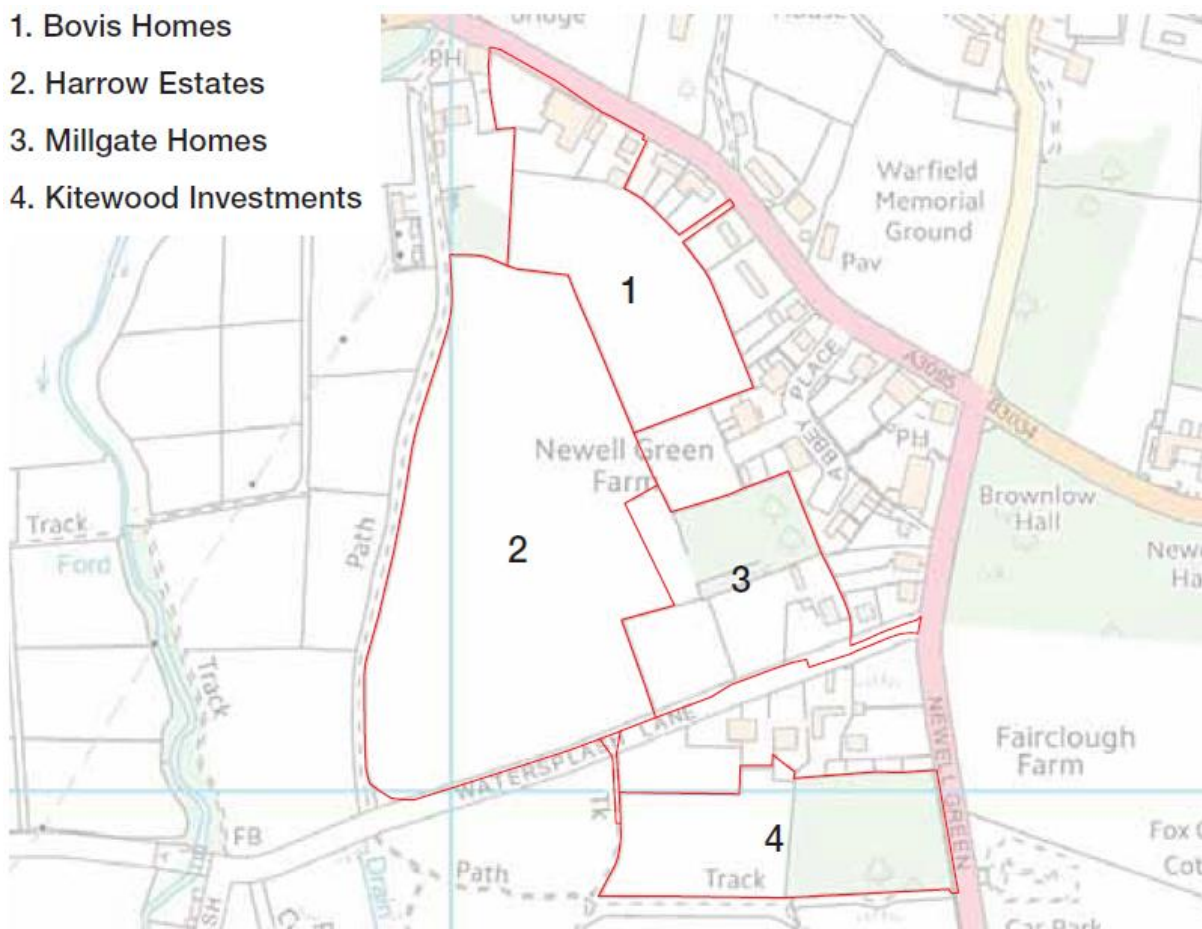


Figure 1 – Newell Green Development Area

The submission of the three applications at Newell Green is a culmination of joint working between officers of this Council, the consortium (comprising Harrow Estates, Millgate Homes and Kitewood Investments) and the Homes and Communities Agency's Advisory Team for Large Applications (ATLAS). The consortium completed a Planning Performance Agreement (PPA) in March 2016 to secure the delivery of development at Newell Green based upon a strategy to that would:

- i) Secure the submission of applications within the separate landholdings held by the members of the consortium.
- ii) Secure a Development Framework Document (DFD) to show how the four application proposals join together spatially as a co-ordinated whole.
- iii) Secure an overarching Infrastructure Delivery Plan (IDP) for the area of Newell Green to set out what infrastructure would be delivered by when, where and by whom.

The PPA was signed by the landowners/developers of all 4 development parcels as shown in Figure 1, i.e. including the Bovis land (parcel 1). Bovis have not, due to commercial reasons, submitted an application pursuant to the agreed strategy but discussions continue to take place with the landowner to bring forward this land parcel having regard to the adopted planning policy framework and the DFD submitted by the consortium.

Development at Warfield is dependent upon the delivery of housing alongside the necessary supporting infrastructure. This is complicated by the multiple landholdings across the strategic allocation and the introduction of the Community Infrastructure Levy (CIL) in 2015 and CIL Regulation 123 (3). The introduction of Regulation 123 (3) now means that a local planning authority cannot use more than five planning obligations or Section 278 Agreements (counted from April 2010) to provide infrastructure or pool contributions towards a single infrastructure project or type of infrastructure.

The Planning Obligations Supplementary Planning Document (SPD), February 2015, sets out the Council's approach to securing infrastructure by planning obligations and explains the relationship with the Community Infrastructure Levy (CIL). At Warfield the distinction is made between specific on site infrastructure and strategic infrastructure to be secured through a s106 planning obligation and CIL as summarised in Table 1 below:

Section 106	CIL
Local Transport Infrastructure	Strategic Transport Infrastructure
Travel Plan	Secondary Education
Waste Recycling	Post - 16 Education
Primary Education (inc. nursery)	Special Educational Needs
Green Infrastructure to include: a) Open Space of Public Value (OSPV), i.e. land (ha) and/or off-site financial contributions; ii) Special Protection Area (SPA) Avoidance and Mitigation, i.e. SAMP and bespoke SANG	Library Facilities
Affordable Housing	Built Sports Facilities
Community Facilities	

The effect of Regulation 123 is that the Council has to ensure that the limit of five s106 contributions for any one infrastructure project is not exceeded. Given the need to secure comprehensive development and to secure the delivery of infrastructure, the Council, has sought to resist isolated development within Warfield and, assisted by ATLAS, has encouraged landowners to work together. The Council's strategy has been supported by Inspectors on appeal at Fairclough Farm, Newell Green (application reference 13/00027/OUT) and Old Farmhouse Row, Abbey Place (application reference 14/00980). In the case of Abbey Place, the Inspector was made aware of the discussions with the consortium at Newell Green and commented as follows:

*'It is the Council's preference that developers should co-ordinate their activities to limit the number of separate proposals, and therefore the number of contributions. This does not seem an unrealistic objective; for example a consortium has been formed to develop the majority of the land around the appeal site, and it is likely to be in the mutual interest of the parties involved to cooperate in the allocation of the necessary infrastructure and land costs. Indeed this is would be an essential part of a successful scheme, because the Council indicate that they are not in a position to implement the infrastructure projects themselves, even if in receipt of the necessary funds.'* (paragraph 18 refers)

The development strategy for Newell Green enables each application to be considered on its own merits having regard to the principles of the comprehensive development of Warfield. In order to secure the delivery of on site and off site infrastructure, the applications will be linked by a Framework s106 Agreement. Within the s106 Agreement, each application will be treated as a separate phase as if it formed part of a single application. The applications will be defined as 'parcels' within the s106 Agreement but will be capable of being built out in any sequence, subject to compliance with the overarching access strategy and the delivery of any identified infrastructure requirements. Each application parcel will pay instalments of the contribution required from Newell Green towards the wider strategic infrastructure. In this way, the obligation will constitute a single obligation for the purposes of Regulation 123 (3) of the CIL regulations. Site specific obligations will also be included within the framework s106 Agreement. Section x of this report sets out the heads of terms relating to the current application.

The strategy for Newell Green is a response to the s106 'pooling restriction' imposed by Regulation 123(3) and subject to planning permission being granted will:

- i) Allow individual members of the consortium to bring forward housing development within Newell Green, contributing to the Council's 5 year housing land supply and development at Warfield.
- ii) Establish a mechanism for the funding/and or provision of necessary infrastructure which is legally robust and,
- iii) Ensure that housing development and infrastructure delivery is co-ordinated both within Newell Green and the remainder of the Warfield strategic allocation.

## **1. SUMMARY**

1.1 This application seeks full planning permission for the erection of 116 no. dwellings with associated parking, landscaping and open space and vehicular access towards Sopwith Road to the west.

1.2 The site is allocated for residential development in the Site Allocations Local Plan. The proposed development is considered to be acceptable in terms of its impact on the character and appearance of the area and on the living conditions of nearby residents. There are no overriding highway concerns. The comprehensive development of this site with two others nearby (reported elsewhere on this agenda) will accord with the strategic site allocation, and supporting policies, and documents including the Newell Green Development Framework Document (DFD).

<b>RECOMMENDATION</b>
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Approve subject to conditions and a S106 agreement
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## **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**



2.1 This application is reported to Planning Committee as more than 5 objections have been received.

### 3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Allocated site: SALP Policy SA9 – Land at Warfield
Trees on site boundary covered by TPO 686
Within 5km buffer of the Thames Basin Heaths Special Protection Area

3.1 The site is broadly triangular in shape comprising 4.76 ha of open land under grass which generally falls downwards to the north. It is bounded to the south by Watersplash Lane and to the west by Avery Lane. Both these boundaries are vegetated with tall hedges and freestanding trees. The eastern boundary is more open containing a ditch along part of its length.

3.2 The site is located adjacent to the Newell Green area of Warfield, which includes existing properties on Forest Road to the north and east together with a wider network of agricultural fields.

### 4. RELEVANT SITE HISTORY

4.1 There is no relevant planning history.

### 5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of 116 dwellings with associated landscaping, infrastructure works and open space of public value to be served by vehicular access from the north-south link road (Sopwith Road) and pedestrian/cycle links to Watersplash Lane.

5.2 The dwellings mix proposed comprises:-

- 2no. two and a half storey blocks accommodating 16no. flats (6 x one bedroom and 10 x 2 bedroom flats)

- 100 no. detached, semi-detached and terraced houses (12 x 2 bedroom and 17 x 3 bedroom) – two, two and a half and three storey.

5.3 Twenty-nine of the dwellings (25% of the total) are to be affordable.

5.4 The houses and flats are of varied designs with examples of hipped, half-hipped and gabled roofs. Features include roof dormers, front-facing gables and projecting porches. The height of the houses ranges from about 8m to nearly 12m (the height of the single three-storey house), while the flats are just over 10m to the ridge of the roof. Some integral garages are proposed but typically where garages/car ports are provided they are detached. Proposed materials include red and brown bricks, dark brown boarding and cream render with red/brown plain tiles for the roofs.

5.3 Car parking is proposed in parking courts serving the flats. All houses have on-plot parking spaces sometimes with a carport or garage. Visitor parking spaces are also proposed across the site.

5.4 Roads and pavements are proposed in black tarmac with blockwork being used for traffic calming features. Blockwork is also proposed for shared-surface accessways. Private drives are generally in resin-bonded gravel.

5.5 A variety of boundary treatments are proposed including walls and timber fences with hedges, low timber fences and low railings for front gardens.

5.6 An area of open space containing a play area (LAP) and a pond – linked to the SuDS for the site - is proposed at the northern end of the site. A length of the proposed north-south greenway from Watersplash Lane to land to the north also lies within the site.

5.7 Vehicular access is shown to the site's boundary with Avery lane. From here a connection will be formed to the north-south link road (Sopwith Road) to the west (to be the subject of a separate application). Vehicular access is also proposed to the land to the east of the application site with, in addition, two footpath/cycleway links to Watersplash Lane to the south.

## **6. REPRESENTATIONS RECEIVED**

6.1 Objections have been received from 9 properties raising matters which may be summarised as follows:-

- the proposed development would result in a piecemeal form of development which would prejudice the comprehensive delivery of a wider area with related infrastructure and measures to safeguard the integrity of the SPA. It is therefore contrary to the development plan and associated guidance
- would obstruct use of Avery Lane as a by-way and destroy the rural and beautiful lane
- concerns about tree removal and impact on vegetation beside Watersplash and Avery Lanes – harmful effect on wildlife
- the 3 storey buildings are too tall, not in keeping with the surrounding area and will have a negative effect on the old village of Warfield
- the density of building is too high
- impact on character and appearance of area
- impact on residential amenity
- the proposed north-south greenway will lead to a bend on a busy 'A' road

### Warfield Parish Council

6.2 Recommend refusal:-

Recommend refusal:

- 3 storey buildings are out of character with the area, and their location on the higher side of the site makes them protrude.

## **7. SUMMARY OF CONSULTATION RESPONSES**

### Highway Officer

7.1 No objection subject to conditions and s106 agreement.

### SuDS Officer

7.2 No objection subject to conditions and s106 agreement.

### Biodiversity Officer

7.3 No objection subject to the lighting strategy being amended to address the light spill on corridors that will be used by bats.

[Officer comment: these matters are addressed in the report below]

Tree Officer

7.4 Detailed comments provided which have been noted in considering the layout.

Archaeology consultant

7.5 Comments set out below.

Environmental Health:

7.6 No objection subject to conditions.

Waste and Recycling Officer

7.7 All looks fine for waste, bin stores at the flats are a good size and access looks fine for all properties.

**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	CP1 of SALP: Presumption in favour of sustainable development  CS1 of CSDPD: Sustainable Development Principles  CS2 of the CSDPD: Locational Principles	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	CS16 of the CSDPD: Housing Needs of the Community  CS17 of the CSDPD: Affordable Housing	Consistent. (Para. 50 of the NPPF).
Design & Character	CS1 (viii) of the CSDPD  CS7 (i) & (iii) of CSDPD: Design  Saved policy EN20 (i) of BFBLP: Design considerations in new development	Consistent with para. 17, 56, and 109 of the NPPF.

Open Space provision	CSDPD Policy CS8: Recreation and Culture  Saved Policy R4 of the BFBLP: Provision of open space of public value	Consistent with paras. 72 & 74 of the NPPF.  Consistent with the NPPF Chapter 8.
Noise and pollution	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)
Parking Standards SPD		
Streetscene SPD		
Design SPD		
Character Area Assessments SPD (Chapter 4 - Northern Villages)		
Warfield SPD		
Newell Green DFD		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Bracknell Forest Borough Landscape Character Assessment (LUC) 2015 Design SPD		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:-

- i Principle of development
- ii Design, layout and impact on the character and appearance of the area
- iii Residential Amenity
- iv Highways
- v Drainage
- vi Archaeology
- vii Biodiversity
- viii Securing necessary infrastructure / CIL
- ix Thames Basin Heaths Special Protection Areas (SPA)
- x Affordable Housing
- xi Sustainability issues
- xii Waste and Recycling

### i. Principle of Development

9.2 The application site lies within an area identified in Policy CS5 of the 2008 Core Strategy Development Plan Document (CSDPD) - comprising land to the north of Whitegrove and Quelm Park and to the south of Forest Road and south of Harvest Ride - for a comprehensive, well designed mixed-use development including:

- i. residential; and
- ii. employment; and

iii. social and physical infrastructure; and  
iv. measures to avoid and mitigate the impact of the residential development upon the Thames Basin Heaths Special Protection Area.  
to be delivered during the period 2017 to 2026.

9.3 As noted in the Introduction above SALP Policy SA9 allocates land at Warfield for a comprehensive well designed mixed-use development, including the following:  
2,200 residential units (including affordable housing).  
Employment.  
Neighbourhood centre.  
Two Primary Schools.  
Multi-functional community hub.  
On-site open space and Suitable Alternative Natural Greenspace (SANG).

9.4 The Warfield Supplementary Planning Document (SPD) (2012) provides guidance on this development. It includes a number of 'development principles' including W2, 'Design Principles', which refers to a Concept Plan which identifies this application site for residential development. Development principle W2 states that a single overall detailed masterplan or set of detailed masterplans which will fit together to cover the site in a comprehensive manner should be provided. The site is located within the Area 1 Masterplan which has been endorsed by the Council as it was considered to be technically sound and met the requirements of SALP Policy SA9. The Masterplan provides parameters and design principles to set the context for development proposals, and again confirms the development of the site for residential purposes.

9.5 As explained in the Introduction this application site is one being promoted by the Western Consortium.

9.6 In summary the application is considered to be acceptable in principle: the site lies within a defined settlement and is identified for residential development in the documents referred to above. The remainder of the report considers the details of the proposal.

## **ii Design, layout and impact on character and appearance of the area**

9.7 The layout follows the Framework Masterplan in the Development Framework Document (DFD) with a 'principal street' running from where the link from Sopwith Road crosses Avery Lane through the centre of the site to Watersplash Lane on the site's southern boundary. This street has space for soft landscaping, including new tree planting, on its northern/eastern side. A similar approach is followed on the Kitewood application (16/01253/FUL) reported elsewhere on this agenda.

9.8 The principal street provides for two vehicular links eastwards to serve the Millgate site (application 16/01274/FUL refers) and one to serve the land to the north of that which is not currently the subject of a planning application. There is no direct vehicular access proposed to Watersplash lane but two footpath/cycleway links to it are proposed on the site's southern boundary.

9.9 A green area containing a pond is proposed on the northern part of the site with a children's play area (LAP). The DFD identifies the importance of the vegetation on the site's western and southern boundaries requiring 'sensitive treatment along Watersplash Lane and Avery Lane (transition from urban edge to surrounding context), with lower density residential areas set back from the existing tree belt'. It is considered that the layout complies with this with detached houses, generally served by private drives, fronting towards these boundaries.

9.10 The Tree Officer would have preferred a greater separation from trees in places but all buildings lie outside root protection areas (RPAs) and, aside from the vehicular link to the west and

the pedestrian/cycle links to the south, only small areas of hard surfacing are within RPAs. Three trees are proposed for removal to provide the vehicular access to the west together with a small number of lesser quality trees and boundary vegetation.

9.11 A significant amount of soft landscaping is proposed across the site. This includes street tree planting on one side of the principal street, with additional tree planting along secondary streets and around the pond on the northern part of the site. Shrub and hedge planting is proposed across the site including around the proposed flats. Taking this new planting, which can be secured by condition, into account the impact of the proposal on trees and vegetation is considered acceptable.

9.12 The application site adjoins Area A, Newell Green, of the Northern Villages study area in the Character Areas Assessment SPD. It is considered that the more recent DFD provides more relevant guidance for the application site than this SPD but the proposal is considered to comply with the recommendation that new development should 'retain and reinforce tree and hedgerow planting in keeping with the local landscape pattern'.

9.13 The form of development is considered to comply with the DFD's notation of a 'simple built form based upon perimeter blocks with clear distinctions between the public and the private realm and defined frontages'.

9.14 With a gross density of 24dph the proposal is just below the bottom of the range for the site contained in the DFD (of 25-35dph) and below that proposed in the Warfield SPD (of 35dph). A lower density is considered appropriate to ensure adequate space for clearance from the vegetation bounding Avery Lane and Watersplash Lane, and to provide space for planting within the site, and the resulting shortfall in housing numbers is not considered over-riding in this instance.

9.15 The DFD proposes 2/2.5 storey buildings across the site with a limited number up to 3 storeys at key locations. This guidance is complied with. Most of the houses are two storey with some 2.5 storey accommodation, including the two flat blocks which are in a more spacious setting next to the north-south greenway. A single three-storey house is proposed forming a landmark building at the north end of the principal street.

9.16 A variety of dwelling designs are proposed. It is considered that these will give the development a distinctive character without detracting from the character of existing and proposed buildings nearby. The materials proposed are considered to be acceptable with the use of some weatherboarding providing a visual link to the proposed housing on sites to the south and east (reported elsewhere on this agenda).

9.17 Overall the impact of the proposed development on the character and appearance of the area is considered to be acceptable and to accord with the Warfield SPD and Newell Green DPD, and relevant development plan policies including CSDPD CS7 and BFBLP EN20 and the Design SPD.

### **iii Residential amenity.**

9.18 No existing dwellings immediately adjoin the site's boundaries. The closest are on the south side of Watersplash Lane and at Old Farmhouse Row to the east. The nearest houses are some 50m from the site's boundaries and given this distance it is not considered that any unacceptable impacts from loss of privacy, sunlight or daylight will arise or any overbearing impacts. It is not considered that any increase in pedestrian/cycle usage of Watersplash Lane will materially impact on the living conditions of nearby residents.

9.19 The mutual impacts of the development proposed on this site and on the Millgate site to the east (application 16/01274/FUL) have been considered and it is concluded that the siting relationships are acceptable.

9.20 Overall it is not considered that the proposal would result in any unacceptably adverse impacts upon any existing and/or proposed residential amenity and would therefore comply with Saved BFBLP Policy EN20 proviso (vii) and the NPPF and the Design SPD.

#### **iv Highways**

##### Access to the site

9.21 The site is located within Area 1 of the Warfield housing allocation. The site will be accessed via an extension to the central roundabout on the newly created link road that runs between Harvest Ride and Forest Road. The link road has been designed to accommodate traffic from this part of the development and the scale proposed.

9.22 The applicant has indicated the alignment of the access to the site but no detailed design of the extension to the roundabout has been provided. As the extent of work is outside the current red line a 'Grampian style' condition will be required to secure this link (see condition 07).

##### Internal access design and accessibility

9.23 The site is relatively flat and thus the roads across the site will be able to be suitably designed to consider the needs of all users. Indicative levels have been provided and these are all within the limits of safe access. Detailed design at adoption stage will secure the full design of the routes within the site.

9.24 The main internal road leading into the heart of the development is 5.5m wide with 2m wide footways on either side.

9.25 There are a series of roads within the parcel that serve the development and other parcels to be developed. These roads are generally 4.8m wide as they serve lower levels of development; this is accordance with BFC design guidance.

9.26 The majority of the roads have dedicated footways but there are some that are designed as a shared surface as they do not connect to wider development.

9.27 In addition there are some drives that serve a low number of dwellings and it is expected these would remain private. Such drives occur against Avery Lane with an element against Watersplash Lane. These drives are 4.1m wide to provide adequate access for residents.

9.28 The proposed junctions shown all have adequate spacing and visibility for the expected road speeds. Two speed control features are indicated. The detailed design of these features can be dealt with through a S38 agreement.

9.29 The main routes within the site and the dedicated pedestrian/cyclist connections will be sought for adoption and the S106 should secure this requirement.

9.30 In respect of pedestrian and cyclist facilities there are direct specific connections only for these users at the southern end of the site which will connect to Watersplash Lane and this will provide a safe route for users to connect to the link road and toucan crossing which provides access to the school and the greenway beyond. It also provides access onto the footway/cycleway on the link road that links to Harvest Ride and towards the existing development in the area and towards the town centre. There is also a main route that runs north to south along

the eastern boundary and this route will, via Watersplash Lane, connect up to another site and onto Newell Green. In time this route will provide a suitable extension of the east/west greenway, which has already been delivered, in part, by Berkeley Homes to the west.

9.31 In terms of links to the north the plans indicate routes heading towards a site to be developed and this would provide a direct connection to Forest Road. However at the present time there is no application submitted for the adjoining site which means such links cannot be delivered at present. Such routes will provide a good link to a bus route, the memorial ground and local pubs and restaurants which would be of benefit. The lack of this route at present does reduce the ease connectivity and distance walked for such users and thus it is advised that suitable improvements to Avery Lane (at least in part) should be investigated to provide a more direct suitable link. This may also be considered in line with wider improvements that may be sought to the route to enhance its status as a byway. Clearly with a break in it due to the access road passing over it a traffic regulation order will be required to remove vehicular use over part of the lane, this will need to be covered by the applicant through S106.

9.32 A lighting plan has been provided; details can be secured by condition. It is expected that the main routes and adopted routes out of the site will be lit to make them useable at all times of the day and year and private drives, although not adopted, should have an appropriate form of lighting for security and this may be by bollard lighting for example.

9.33 The northernmost road that runs past plot 1 to plot 6 has no formal turning head and the reversing distance is too great and could cause road safety impacts. Accordingly a temporary turning head is proposed by removing plot 116. This temporary turning head can be removed once the site adjacent is developed at a future date. A condition is recommended to control this requirement (condition 16).

#### Public transport

9.34 In regards to connections to public transport routes, the current routes run along Harvest Ride to the south and A3095 to the north. Access to the Harvest Ride is well provided with routes through the site, however enhanced stop facilities are likely to be sought as the current bus travels down Newport Drive to collect passengers and this provides an additional distance to walk and a level of delay which could be improved. Enhancements in the form of new stops and flags and crossing facilities on Harvest Ride would help shorten the walk distance and improve the service for users and it is anticipated that contributions towards this will be required from this site and the other applications being considered in this area.

9.35 The public transport route that runs to the north via the A3095 will also provide a benefit to the site. At present there is no direct route for pedestrians from this site. However once the link road is complete pedestrians will be able to walk northwards via Avery Lane to the A3095. The site layout has been designed to allow for links into the land adjacent to the east and it is envisaged that a dedicated pedestrian route which is shorter for pedestrians will occur once this parcel of land is developed.

9.36 The current bus service along the A3095 is a hail and ride service and in that respect users have no defined location to wait to catch the bus. Usage is currently low on this stretch of road but the introduction of the developments in the area and the new traffic signal junction at the three legged cross means that more formal facilities for such users is likely to be required and contributions will be sought for such a facility.

#### Parking

9.37 Across the site parking in has been provided to standard in relation to the dwellings with on plot parking provided for the majority of the dwellings. For some plots additional parking has been



provided to comply with standards where garage parking does not meet with current standards. Car ports have been used and this is welcomed as they provide covered parking that has been observed elsewhere to be used.

9.38 Visitor parking is distributed across the site and is within the adoptable highway or adjacent to it.

9.39 Cycle parking can take place within garages or secure stores in gardens; there is adequate cycle parking for the flats. This can be conditioned. Rear access to all plots has been provided.

### Traffic impact

9.40 In terms of traffic impact the applicant has considered both the individual impact this site will have and the wider impact of the surrounding sites as they will in the majority of cases access through this site. At the time of preparing the assessment the final layout of the sites were not known and thus the level of housing assumed is slightly greater than actually proposed. Such an approach provides a robust analysis of the likely impacts on the highway network.

9.41 Further modelling work has been carried out to address the issues raised by the Highway Officer. The results indicate that subject to the improvements to be secured by s106 agreement/CIL the proposed development will not give rise to any significant harm to the road network.

### Construction Management

9.42 The applicant has provided a construction environmental and management plan with the application. The plan submitted covers the parameters that would be expected but further work is required so it recommended that a condition is imposed to control such matters with phasing plans for development being secured within the S106.

### S106 requirements

9.43 It is recommended that following highway matters are secured by s106 agreement:-

- adoption of majority of roads and pedestrian/cycle links within the site up to and including site boundaries;
- S278 and S38 agreements will be required to be entered into for the site;
- indemnity to cover the Council's cost of using the link road to access the site whilst it is not adopted with a possible further alternative indemnity to protect the Council should the road be adopted at the time of implementation and this may be covered under S278 agreement;
- dedication of land at Newell Green to allow access improvements works to be implemented in relation to the wider development of Area 1;
- a travel plan for the site and wider sites;
- contributions towards or the carrying out works on Larks Hill open space to provide interim pedestrian/cyclist connection between sites;
- contributions towards implementing a toucan crossing on Newell Green to ensure safe connectivity to the wider development of the area including schools and a local centre;
- contributions towards, or the carrying out, wider improvements along the Harvest Ride corridor to improve capacity and/or accessibility for non-car modes;
- contributions towards, or the carrying out, of enhancements to Avery Lane to improve access to the area (to include a TRO to remove vehicular rights in part).

### Conclusion on highway matters

9.44 The application has been amended to address concerns raised by the Highway Officer. Conditional approval is recommended following completion of a s106 agreement.

#### **v Drainage**

9.45 The site is not situated in a Flood Zone. The overall strategy for the surface water drainage on this proposed development refers to the use of sustainable drainage systems (SuDS). The site is shown to be at some degree of surface water flood risk but as part of the submitted Flood Risk Assessment (FRA) surface water modelling has been undertaken to demonstrate that the site is actually at a much lower level of flood risk and that suitable mitigation can be provided. The mitigation is provided in the form of the Eastern Swale which is delivered between this site and the adjacent development (Millgate Homes – ref 16/01274/FUL). The applicant has set out that the swale will ensure there is adequate provision for the existing overland flow route through the site. The applicant has also confirmed they have undertaken a robust assessment of swale design and following a request from the Lead Local Flood Authority (LLFA) have assessed the impact of the scheme on downstream restrictions.

9.46 The full design of the swale falls between the two sites. As such only cross-sections and details of the swale where they fall within the application site have been provided within each application. The provision of the swale is required to mitigate the risk described at both sites and therefore delivery of the full swale must be secured via planning conditions or obligations. Further details to support the design of the swale, the BWB hydraulic modelling and the associated structures should be submitted as detailed design progresses.

9.47 The applicant has identified three sub-catchments present within the site; the proposed drainage strategy transfers the sub-catchments to the north. Whilst this is not the preferred approach of the LLFA the applicant has followed this approach given concern over the ability of the Avery Lane ditches to receive flow. The applicant has provided calculations to demonstrate that this impact of the sub-catchment transfers can be fully mitigated, thus complying with Planning Policy. A significant volume of storage has been provided in the scheme to mitigate the increased runoff rates. The applicant has restricted the proposed development runoff during a 1 in 100 year event to the existing 1 in 2 year greenfield runoff rate for the northern sub-catchment to mitigate the increased volumes.

9.48 The drainage strategy utilises a strategic balancing pond, storage tank, tanked culverts and permeable paving. The pond details include a raised berm to the northern side of the pond. This is indicated to be approximately 800mm above existing ground level. The bund will need to be designed to ensure it is capable of retaining water above ground and therefore detailed geotechnical design will be required to support this. Confirmation that a watching brief is in place for the designer and sign-off by the engineer should be provided to the Local Planning Authority on completion of the works. The FRA refers to further source control measures that will be incorporated as detailed design progresses to provide adequate treatment stages.

9.49 The calculations have slightly over-estimated storage in car parking areas, and through the factors applied to the scheme. However the LLFA has discussed this issue with the applicant and as the bulk of the storage volume is provided within the pipe network and pond it is therefore understood that this can be refined during detailed design.

9.50 The applicant has set out that they will seek for the surface water system to be adopted by Thames Water with the balancing pond and swale being offered for adoption by BFC. The permeable paving will be privately maintained by a private management company. Arrangements for the maintenance and management of the private features will be secured through a Section 106 Agreement.

9.51 The Council's Senior Engineer (SuDS) recommends that the application be approved subject to the conditions/obligations contained in the Recommendation below. It is therefore concluded that the proposals would comply with Chapter 10 of the NPPF and Planning Practice Guidance.

## **vi Archaeology**

9.52 In accordance with Paragraph 128 of the NPPF the applicant has submitted with their application an '*Archaeological Desk-Based Assessment*' (Thames Valley Archaeological Services, August 2016). This considers the archaeological potential of the application site and the likely impacts of the proposal upon the buried archaeological heritage.

9.53 The Council's advisor considers that the report is a reasonable assessment of the archaeological potential of the application area. No known heritage assets, either designated or undesignated, are known within the application site, however field walking, exploratory archaeological evaluation and archaeological investigation in the vicinity of the site have characterised the archaeological potential of the wider area, including the application site.

9.54 In particular the assessment notes the presence of:-

1. a Middle Iron Age settlement, dated to the 3rd and 2nd centuries BC, consisting of two roundhouses and ancillary structures less than 100m to the south of the application site
2. two medieval enclosures and other features containing pottery of late 11th to 14th century date, possibly infields or paddocks close to settlement, 220m to the west of the application area along Watersplash Lane
3. two undated rectangular crop mark enclosures recorded on aerial photographs recorded to the south of the site (although not evident as buried remains during an exploratory archaeological exercise in 1992 immediately to the south of the application area).

9.55 The site therefore lies within an area of archaeological potential and the advisor recommends that a programme of works is sought to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 141 of the NPPF and local plan policy. The exploratory field evaluation should comprise the investigation of a number of trial trenches. The results of this exploratory exercise will determine if there are any areas of archaeological interest that should be subject to further investigation either prior to the commencement of, or during, development. The applicant should therefore provide within their programme for potentially two phases of archaeological investigation prior to the commencement of development.

9.56 A condition is recommended to secure the above. With this the application is considered to comply with the NPPF and relevant development plan policies.

## **vii Biodiversity**

9.57 An ecological assessment has been undertaken at this site to assess the ecology and biodiversity interests of the site and the impact of the proposed development. The application site is not considered to be of particularly high intrinsic value from an ecology and nature conservation perspective. In order to demonstrate protection and enhancement of biodiversity in the course of the consideration of the application the Biodiversity Officer sought further information and amendments to address:

- providing adequate space for sustainable green corridors
- retention of dark corridors for bats
- planting native species in public open space.

9.58 This has been provided and can be secured by condition. It is therefore concluded that with suitably worded conditions a detailed planting and biodiversity enhancement scheme can be secured to ensure that the proposals demonstrate protection and enhancement of biodiversity in line with CSDPD policies CS1 and CS7.

### **viii Securing necessary infrastructure / CIL**

9.59 The proposal would be CIL liable and is located in the 'Land at Warfield' charging zone with a CIL rate of £220 per square metre.

9.60 The introduction at the start of this report sets out the strategy to secure the delivery of infrastructure to meet the needs of the development whilst not prejudicing the future development of Warfield as a whole. Without prejudice to the outcome of the decision by this Committee, discussions have commenced with respect to the content of the framework s106, which will include mechanisms to secure:-

- Affordable Housing – 25% of the total number of dwellings, comprising 70% affordable rented and 30% intermediate housing to be completed and transferred to a Registered Housing Provider.
- Open space on site delivery including provision; maintenance and transfer.
- Thames Basin Heaths SPA mitigation - Suitable Alternative Natural Greenspace (SANG) (the Wellers Lane SANG would provide mitigation for the impact of the development on the SPA)
- Travel plan – a travel plan would be submitted to and approved by the Council prior to first occupation.
- Access to the development from Sopwith Road - to be secured through a 'Grampian' style condition to ensure the approval and provision of the access prior to the commencement of development. The access route to ensure connectivity between land parcels to the north of Watersplash Lane (i.e. to serve the Harrow Estates development (application 16/01195/FUL refers) and land parcels to the north and east within the Warfield development area).
- Sustainable Urban Drainage Systems (SuDS) to secure the future maintenance and management of SuDS features on site.
- The delivery of roads; the provision of adopted footways and cycleways to serve the development parcel and to ensure connectivity between parcels
- The phasing of the development.

9.61 In addition, financial contributions will be secured towards the following:

- Furniture and ICT fit out of Warfield Primary School (Sopwith Road);
- Off-site open space to secure improvements towards the Warfield Memorial Ground (a nominated project within the Warfield SPD and located to the north of the site in Osborne Lane);
- Warfield community hub (at the planned neighbourhood centre off Newell Green)
- Off-site transport enhancements
- Strategic Access Management & Monitoring (SAMM)

9.62 The precise details of the s106 remain to be finalised and therefore it is recommended that the decision be delegated to the Head of Planning to continue discussion and complete the framework s106 agreement to secure the necessary infrastructure in respect of this site and the two other applications submitted by the consortium at Newell Green.

### **ix Thames Basin Heaths Special Protection Areas (SPA)**

9.63 In accordance with the SPA SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG). As noted above, the Wellers Lane SANG would provide mitigation for this development and the other Newell Green sites.

9.64 The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL). This is equal to 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

9.65 An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works to be secured by the CIL have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

9.66 The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it. See section 3.4 in the SPA SPD for more information.

9.67 The level of contributions is calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1.

9.68 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). In the absence of any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.69 Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.70 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, and permission may be granted.

### **x Affordable Housing**

9.71 The application was accompanied by an Affordable Housing Statement as part of the joint approach to the development of land at Newell Green explained in the Introduction to this report. This Statement sets out the proposed housing mix for each of the three sites for which applications have been submitted to date (this site, and those covered by applications 16/01253/FUL and 16/01274/FUL) for market and affordable housing. Overall this provides for at least 25% of the total number of dwellings on the three sites – a mix of flats and houses - to be affordable. This complies with the Council's policy.

9.72 For the site covered by this application 29 of the 116 dwellings (25%), comprising 16no. one and two bed roomed flats and 13no. houses (2 and 3 bedroom), are proposed to be affordable. This is considered to be acceptable. Subject to this affordable housing being secured through an appropriate legal agreement it is therefore considered that the proposal would comply with Policy H8 of the BFBLP, Policies CS16 and CS17 of the CSDPD and the Planning Obligations SPD.

### **xi Sustainability issues**

9.73 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards.

9.74 CSDPD Policy CS12 seeks a reduction in the potential emissions and energy usage.

9.75 Both of these can be secured by a condition will be imposed requiring the submission of the energy statement.

## **xii Waste and Recycling**

9.76 The Waste and Recycling Officer has confirmed that the bin storage serving the proposed flats is adequate. The houses on the site are located within acceptable carry distances of the proposed adoptable roads or there is space on private drives for bin collection points which comply with guidance.

## **10 CONCLUSION**

10.1 This site is an allocated site located within the settlement and therefore the proposed development is considered to be acceptable in principle. The proposed dwellings, 25% of which will be affordable, will contribute to the Council's housing supply which is a material consideration.

10.2 In accordance with the development plan and related guidance the applicant has worked with others within the Newell Green Consortium to secure the comprehensive development of this part of the Warfield allocation setting the foundation for further development across the wider allocation and securing the provision of appropriate infrastructure/impact mitigation through a framework s106 agreement.

10.3 The impact of the proposed development on the character and appearance of the area is considered acceptable and in accordance with relevant guidance.

10.4 The Highway Authority is satisfied with the proposed access to the site for pedestrians, cyclists and vehicles subject to conditions and a Section 106 agreement. The cycle and vehicle parking proposed meets the Council's standards and adequate provision is made for the storage and collection of waste.

10.5 The impact of the proposal on the living conditions of the occupiers of nearby properties and of future residents on the site and on adjoining sites has been carefully considered. The scheme is considered acceptable in this regard.

10.6 It is concluded that the proposed development provides residential accommodation in accordance with the development plan, NPPF and relevant guidance. The application is therefore recommended for approval as per the Recommendation below.

## **11. RECOMMENDATION**

Following the completion of planning obligations secured by a framework Section 106 agreement, under Section 106 of the Town and Country Planning Act 1990, associated with this application and with applications 16/01253/FUL and 16/01274/FUL submitted by the consortium of developers at Newell Green (considered elsewhere on this agenda) relating to:

- the provision of on-site affordable housing
- the provision of on-site open space
- Thames Basin Heaths SPA mitigation
- a Travel plan
- access to the development from Sopwith Road
- the provision and long-term maintenance of sustainable drainage (SuDS)
- the delivery of roads, footways and cycleways

- the phasing of the development

and financial contributions towards:

- furniture and ICT fit out of Warfield Primary School (Sopwith Road);
- off-site open space improvements
- Warfield community hub (at the planned neighbourhood centre off Newell Green)
- off-site transport enhancements
- SPA Strategic Access Management & Monitoring (SAMM)

the Head of Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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

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

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

- 161832E\_A\_P001\_Rev B Location Plan
- 161832E\_A\_P010\_Rev U Layout
- 161832E\_A\_P011 Rev F Parking Layout
- 161832E\_A\_P013\_Rev D Affordable Layout
- 161832E\_A\_P015-Rev C-Street Elevation 1
- 161832E\_A\_P016-Rev C-Street Elevation 2
- 161832E\_A\_P017-Rev C-Street Elevation 3
- 161832E\_A\_P018-Rev C-Street Elevation 4
- 161832E\_A\_P019-Rev C-Street Elevation 5
- 161832E\_A\_P020-Rev C-Street Elevation 6
- 161832E\_A\_P021-Rev C-Street Elevation 7
- 161832E\_A\_P030 Rev D Hardworks
- 161832E\_A\_P031 Rev D Softworks
- 161832E\_A\_P033.pdf Attenuation Basin Cross Sections
- 161832E\_A\_P100 Rev A-Temporary Turning Head
- 161832E\_PA \_ 001-Rev A-House type - LUDLOW
- 161832E\_PA \_ 002-Rev A-House type - LUDLOW
- 161832E\_PA \_ 003-Rev C-House type - WARWICK
- 161832E\_PA \_ 004-Rev C-House type - WARWICK
- 161832E\_PA \_ 005-Rev A-House type - AMBERLEY
- 161832E\_PA \_ 006-Rev A-House type - AMBERLEY
- 161832E\_PA \_ 007-House type - WORCESTER+
- 161832E\_PA \_ 008-House type - WORCESTER+
- 161832E\_PA \_ 009-House type - OXFORD+
- 161832E\_PA \_ 010-House type - OXFORD+
- 161832E\_PA \_ 011-Rev B-House type - YORK (SEMI) DR
- 161832E\_PA \_ 012-Rev A-House type - YORK (SEMI) DR
- 161832E\_PA \_ 013-Rev A-House type - YORK (SEMI) DR
- 161832E\_PA \_ 014-Rev A -House type - SHAFTESBURY
- 161832E\_PA \_ 015-Rev A -House type - SHAFTESBURY
- 161832E\_PA \_ 016-House type - BALMORAL
- 161832E\_PA \_ 017-Rev A House type - HIGHGATE 5
- 161832E\_PA \_ 018-Rev A House type - HIGHGATE 5
- 161832E\_PA \_ 019-Rev A House type - HIGHGATE 5
- 161832E\_PA \_ 020-House type - RICHMOND
- 161832E\_PA \_ 021-House type - RICHMOND

161832E\_PA \_ 022-House type - RICHMOND  
161832E\_PA \_ 023-Rev A-House type - TOWER  
161832E\_PA \_ 024-Rev A-House type - TOWER  
161832E\_PA \_ 025-Rev A-House type - TOWER  
161832E\_PA \_ 026-Rev A-House type - TEME  
161832E\_PA \_ 027-Rev A-House type - Dart  
161832E\_PA \_ 028-Rev B-House type - TAVY  
161832E\_PA \_ 029-Rev B-House type - Tavy Tavy  
161832E\_PA \_ 030-Rev B-House type - Tavy Tavy 3  
161832E\_PA \_ 031-Rev A-Typical Carport  
161832E\_PA \_ 032-Rev C-Affordable apartment  
161832E\_PA \_ 033-Rev D-Affordable apartment  
161832E\_PA \_ 034-Rev D-Affordable apartment  
161832E\_PA \_ 035-Rev C-Affordable apartment  
161832E\_PA \_ 036-Rev B-Affordable apartment  
161832E\_PA \_ 037-Rev C-Affordable apartment  
161832E\_PA \_ 038-Rev B-Affordable apartment  
161832E\_PA \_ 039-Rev A-Affordable apartment  
161832E\_PA \_ 040-Rev A-Affordable apartment  
161832E\_PA \_ 041-Rev A-Affordable apartment  
161832E\_PA \_ 042-Rev A-Affordable apartment  
161832E\_PA \_ 043-Rev A-Affordable apartment  
161832E\_PA \_ 044-Rev A-Affordable apartment  
161832E\_PA \_ 045-Rev A-Affordable apartment  
161832E\_PA \_ 050-House type - YORK (SEMI) DR  
161832E\_PA \_ 051-Typical Carport  
161832E-LA-P001-F.pdf Public Open Space General Arrangement Plan 1 of 3  
161832E-LA-P004-C.pdf Public Open Space Planting Schedules  
36151-001-001 A – Site access roundabout proposed 4th arm  
Drainage StrategyWAR-BWB-HDG-XX-DR-EN-0002 S2 revision P9  
Arboricultural Impact Assessment and Method Statement (ACD 04.05.2017)  
13020-1-D Lighting strategy.

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

03. The following windows:-

- plots 74-81: 1st floor west-facing bathroom window
- plots 89-96: 1st floor south-facing bathroom window

hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

04. The following windows:-

- plots 74-81: 1<sup>st</sup> floor west-facing kitchen windows
- plots 89-96: 1<sup>st</sup> floor south-facing kitchen windows and 2<sup>nd</sup> floor west facing living/dining room window

hereby permitted shall at all times be high-level windows having a cill height of not less than 1.7 metres above internal floor.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

05. No superstructure development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been



submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

06. The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site 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 interests of the character of the area.

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

07. The development hereby permitted shall not be begun until a vehicular link has been constructed to base course level connecting the north-south link road (Sopwith Road) to the western boundary of the application site in the location shown on the Proposed Site Layout (drawing 161832E/A/P010/U).

REASON: To ensure access to the site during the construction phase and thereafter in the interests of amenity and highway safety.

[Relevant Policies: Core Strategy DPD CS23]

08. No dwelling shall be occupied until a means of pedestrian, cycle and vehicular access to it has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

09. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6m measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. No dwelling shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of any driveway serving it and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall 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]

11. The gradient of private drives 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]

12. No gates shall be provided on any vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

13. No dwelling shall be occupied until the associated vehicle parking has been provided in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

14. The garage accommodation shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

[Relevant Policy: BFBLP M9]

15. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (general Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which could be a danger to other road users.

[Relevant Policy: BFBLP M9]

16. No dwelling shall be occupied until the visitor car parking spaces shown on the approved layout drawing have been provided and signed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The spaces with their associated signage shall thereafter be retained available for the use of occupiers of, and visitors to, the buildings hereby permitted.

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]

17. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings.

REASON: In order to ensure bicycle facilities are provided.

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

18. No dwelling hereby approved on plots 105-108 (inclusive) and 113-115 (inclusive) shall be occupied until a turning head has been provided between plots 110 and 115 as shown on drawing 161832E\_A\_P100 Rev A-Temporary Turning Head. This turning head shall thereafter be kept available for use until the Local Planning Authority has confirmed in writing that an acceptable alternative turning facility has been provided.

REASON: In the interests of amenity and highway safety.

[Relevant Policies: Core Strategy DPD CS23]

19. No flat hereby permitted shall be occupied until bin storage serving it has been provided in accordance with the approved details. The bin storage shall thereafter be retained.

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

[Relevant Policies: BWLP WLP6 and WLP9]

20. No development shall take place 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.

REASON: In the interests of amenity and road safety.

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

REASON: In the interests of nature conservation.

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

22. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:-

- o measures to avoid harm to biodiversity
- o features provided to mitigate the loss of habitat (e.g. ponds, hibernacula)
- o habitat enhancements (not mitigation)
- o on-going management of new features/habitat

The mitigation scheme shall be implemented in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

23. 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 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]

24. 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, unless the Local Planning Authority gives written consent to any variation.

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

25. No development shall commence until details of boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatments have been provided in accordance with the approved details.

REASON: In the interests of the appearance of the site  
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

26. Prior to the commencement of development, the applicant, their agents or successors in title, will secure the implementation of a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will be undertaken in accordance with the approved document.

REASON: To understand the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance  
Relevant Policies: in accordance with Paragraph 141 of the NPPF

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties

28. 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) specifications of control of noise arrangements for construction and demolition.
- (ii) methodology of controlling dust, smell and other effluvia
- (iii) site security arrangements including hoardings
- (iv) proposed method of piling for foundations
- (v) construction and demolition methodology
- (vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
- (vii) methods of disposal of green and commercial waste

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.

[Relevant Plans and Policies: EN25 BFBLP]

29. 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]

30. 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:

- (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]

31. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected during the course of building works in accordance with the details contained in the 'Land North of Watersplash Lane and East of Avery Lane, Newell Green - Arboricultural Impact Assessment and Method Statement (ACD 26.10.2016).

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]

32. The development shall not be begun until a full detailed design of the proposed surface water system has been submitted to and approved in writing by the Local Planning Authority. The drainage design shall accord with the strategy set out in BWB Drawing No. WAR-BWB-HDG-XX-DR-EN-0002 S2 revision P9. Details of:-

- design of permeable paving including confirmation of construction, depths to invert levels, cover levels and maximum storage volumes in accordance with the approved drainage strategy;
- detailed design of balancing pond, headwalls, sediment fore-bays, control structures, associated earthworks specification, and confirmation that suitable supervision is in place for the construction of the bund;
- design of attenuation tanks; and
- results of the 1 in 1, 1 in 2, 1 in 30 and 1 in 100 year and 1 in 100 year +40% storm for the detailed scheme and confirmation that runoff rates accord with the BWB FRA Revision P8 shall be submitted to support the detailed scheme design which shall also include confirmation of exceedance routes through the development.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

33. The development shall not be begun until the detailed design of the complete swale in the north-south greenway (including lengths of it covered by planning application 16/01274/FUL) has been submitted to and approved in writing by the Local Planning Authority. The design shall include cross-sections with finished floor levels of adjacent properties relative to 1 in 100 year level + climate change level, proposed structures, check dams, and water meadow features. The supporting hydraulic model shall be submitted including baseline results, demonstrating that flood risk is not increased off-site as a result of the scheme.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

34. No dwelling hereby approved shall be occupied until an Inspection and Validation report confirming that the pond has been constructed in accordance with the Approved Earthworks specification has been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

#### Informative(s)

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

an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The developer is advised that a section 278 Agreement will be required for works within the highway.

03. Land Drainage Act Consent from Bracknell Forest Council will be required for works to existing ditches, including structures and outfalls.

In the event of the s106 planning obligations not being completed by 31 July 2017 the Head of Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:-

1. 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, Policies CS5 and CS14 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).

2. In the absence of a planning obligation to secure 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, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.

3. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, community, and educational facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures, a travel plan, open space, community and educational facilities, the proposal is contrary to Policies R5 and M4 of the Bracknell Forest Borough Local Plan, Policies CS6, CS8, and CS24 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Warfield Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).

**ITEM NO: 6**

Application No.  
**16/01253/FUL**  
 Site Address:

Ward:  
 Binfield With Warfield

Date Registered:  
 22 December 2016

Target Decision Date:  
 23 March 2017

**Land South Of Fairclough Farm Newell Green  
 Warfield Bracknell Berkshire**

Proposal: **Erection of 54 no. dwellings with associated parking, landscaping and open space and vehicular access onto Newell Green.**

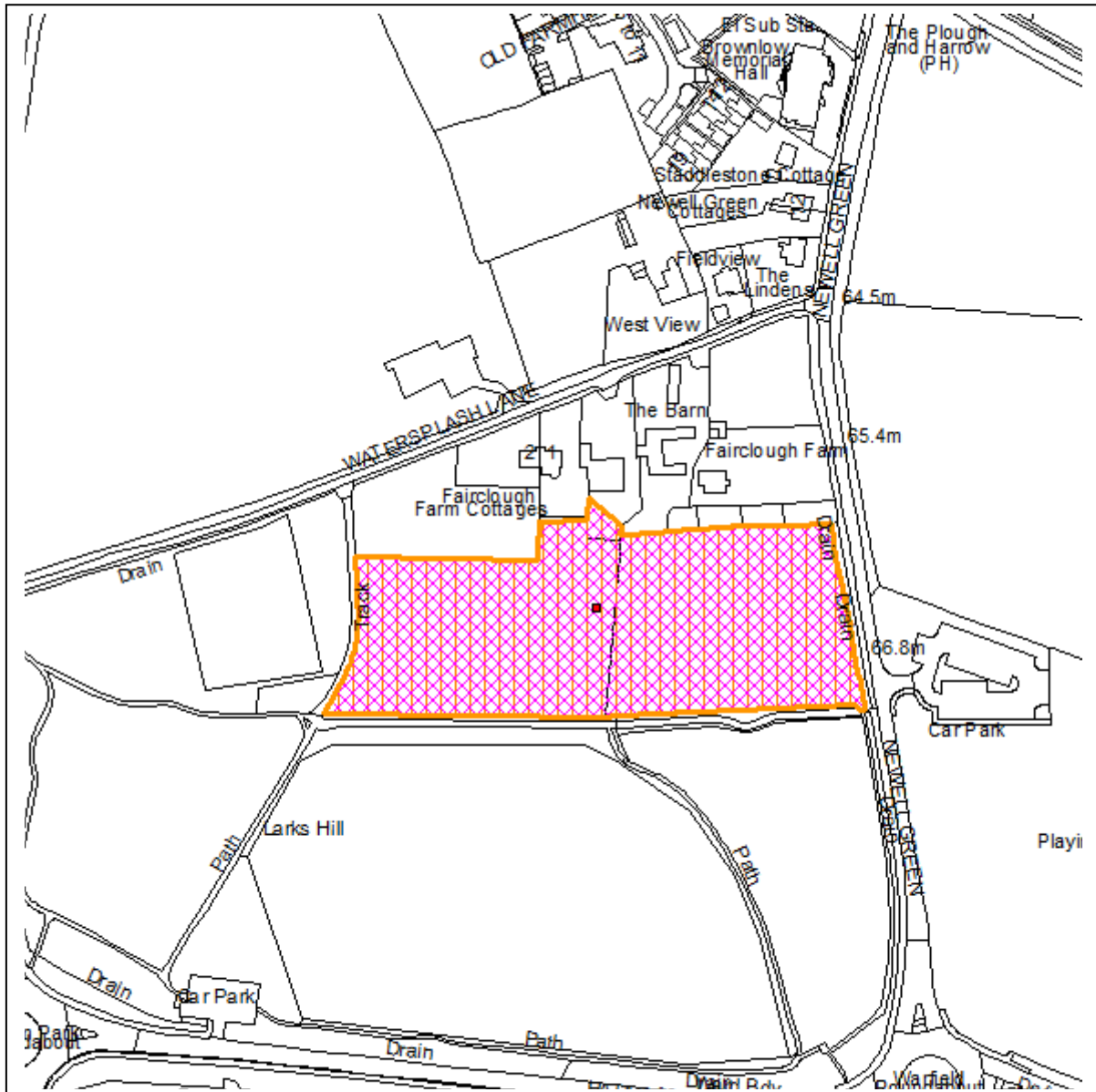
Applicant: Ms Sara Sweeny

Agent: RPS CgMs

Case Officer: Martin Bourne, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## Introduction – comprehensive development at Newell Green

The application site forms part of a wider development area being promoted by a consortium of three developers (known as the Western Consortium) at Newell Green who have land holdings located to the north and south of Watersplash Lane, between Sopwith Road/Avery Lane to the west and Newell Green to the east.

The area forms part of the Warfield Strategic Allocation, as identified in the Bracknell Forest Site Allocation Plan (SALP), adopted July 2013 – Policy SA9 refers. This strategic policy is supported by the site specific guidance set out within the Warfield Supplementary Planning Document (SPD) and the Warfield Area 1 Masterplan. The planning policy framework is based upon the delivery of a comprehensive mixed use development for 2,200 dwellings and the associated physical and social infrastructure.

Planning applications have been submitted on three parcels of land which will deliver 211 dwellings in total across land parcels 2, 3 and 4 as shown in Figure 1 below (please note that area 1. Bovis Homes shown on the plan is not subject to a planning application at this stage):

1. Bovis Homes
2. Harrow Estates
3. Millgate Homes
4. Kitewood Investments

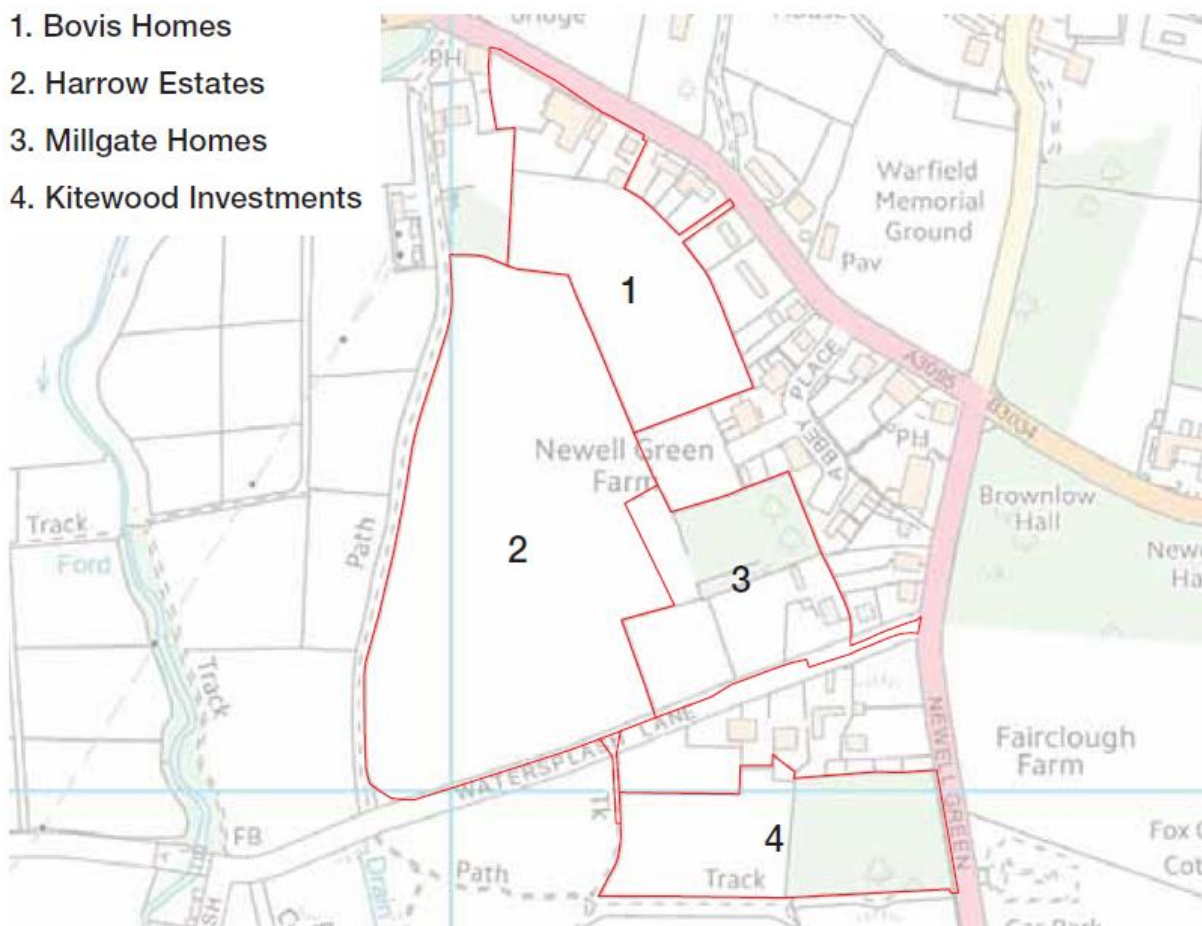


Figure 1 – Newell Green Development Area

The submission of the three applications at Newell Green is a culmination of joint working between officers of this Council, the consortium (comprising Harrow Estates, Millgate Homes and Kitewood Investments) and the Homes and Communities Agency's Advisory Team for Large Applications (ATLAS). The consortium completed a Planning Performance Agreement (PPA) in March 2016 to secure the delivery of development at Newell Green based upon a strategy to that would:



- i) Secure the submission of applications within the separate landholdings held by the members of the consortium.
- ii) Secure a Development Framework Document (DFD) to show how the four application proposals join together spatially as a co-ordinated whole.
- iii) Secure an overarching Infrastructure Delivery Plan (IDP) for the area of Newell Green to set out what infrastructure would be delivered by when, where and by whom.

The PPA was signed by the landowners/developers of all 4 development parcels as shown in Figure 1, i.e. including the Bovis land (parcel 1). Bovis have not, due to commercial reasons, submitted an application pursuant to the agreed strategy but discussions continue to take place with the landowner to bring forward this land parcel having regard to the adopted planning policy framework and the DFD submitted by the consortium.

Development at Warfield is dependent upon the delivery of housing alongside the necessary supporting infrastructure. This is complicated by the multiple landholdings across the strategic allocation and the introduction of the Community Infrastructure Levy (CIL) in 2015 and CIL Regulation 123 (3). The introduction of Regulation 123 (3) now means that a local planning authority cannot use more than five planning obligations or Section 278 Agreements (counted from April 2010) to provide infrastructure or pool contributions towards a single infrastructure project or type of infrastructure.

The Planning Obligations Supplementary Planning Document (SPD), February 2015, sets out the Council's approach to securing infrastructure by planning obligations and explains the relationship with the Community Infrastructure Levy (CIL). At Warfield the distinction is made between specific on site infrastructure and strategic infrastructure to be secured through a s106 planning obligation and CIL as summarised in Table 1 below:

Section 106	CIL
Local Transport Infrastructure	Strategic Transport Infrastructure
Travel Plan	Secondary Education
Waste Recycling	Post - 16 Education
Primary Education (inc. nursery)	Special Educational Needs
Green Infrastructure to include: a) Open Space of Public Value (OSPV), i.e. land (ha) and/or off-site financial contributions; ii) Special Protection Area (SPA) Avoidance and Mitigation, i.e. SAMP and bespoke SANG	Library Facilities
Affordable Housing	Built Sports Facilities
Community Facilities	

The effect of Regulation 123 is that the Council has to ensure that the limit of five s106 contributions for any one infrastructure project is not exceeded. Given the need to secure comprehensive development and to secure the delivery of infrastructure, the Council, has sought to resist isolated development within Warfield and, assisted by ATLAS, has encouraged landowners to work together. The Council's strategy has been supported by Inspectors on appeal at Fairclough Farm, Newell Green (application reference 13/00027/OUT) and Old Farmhouse Row, Abbey Place (application reference 14/00980). In the case of Abbey Place, the Inspector was made aware of the discussions with the consortium at Newell Green and commented as follows:

*'It is the Council's preference that developers should co-ordinate their activities to limit the number of separate proposals, and therefore the number of contributions. This does not seem an unrealistic objective; for example a consortium has been formed to develop the majority of the land around the appeal site, and it is likely to be in the mutual interest of the parties involved to cooperate in the allocation of the necessary infrastructure and land costs. Indeed this is would be an essential part of a successful scheme, because the Council indicate that they are not in a position to implement the infrastructure projects themselves, even if in receipt of the necessary funds.'* (paragraph 18 refers)

The development strategy for Newell Green enables each application to be considered on its own merits having regard to the principles of the comprehensive development of Warfield. In order to secure the delivery of on site and off site infrastructure, the applications will be linked by a Framework s106 Agreement. Within the s106 Agreement, each application will be treated as a separate phase as if it formed part of a single application. The applications will be defined as 'parcels' within the s106 Agreement but will be capable of being built out in any sequence, subject to compliance with the overarching access strategy and the delivery of any identified infrastructure requirements. Each application parcel will pay instalments of the contribution required from Newell Green towards the wider strategic infrastructure. In this way, the obligation will constitute a single obligation for the purposes of Regulation 123 (3) of the CIL regulations. Site specific obligations will also be included within the framework s106 Agreement. Section 9(ix) of this report sets out the heads of terms relating to the current application.

The strategy for Newell Green is a response to the s106 'pooling restriction' imposed by Regulation 123(3) and subject to planning permission being granted will:

- i) Allow individual members of the consortium to bring forward housing development within Newell Green, contributing to the Council's 5 year housing land supply and development at Warfield.
- ii) Establish a mechanism for the funding/and or provision of necessary infrastructure which is legally robust and,
- iii) Ensure that housing development and infrastructure delivery is co-ordinated both within Newell Green and the remainder of the Warfield strategic allocation.

## **1. SUMMARY**

1.1 This application seeks full planning permission for the erection of 52 no. dwellings with associated parking, landscaping and open space and vehicular access onto Newell Green.

1.2 The site is allocated for residential development. It forms part of the Warfield strategic allocation within the Site Allocations Local Plan. The proposed development is considered to be acceptable in terms of its impact on the character and appearance of the area, including the SANG at Larks Hill, and on the living conditions of nearby residents. There are no overriding highway concerns. The comprehensive development of this site with two others nearby (reported elsewhere on this agenda) will accord with the strategic site allocation, and supporting policies, and documents including the Newell Green Development Framework Document (DFD).

<b>RECOMMENDATION</b>
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Approve subject to conditions in Section 11 of this report and a S106 agreement
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## **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

2.1 This application is reported to Planning Committee as more than 6 objections have been received.

### 3. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
Within settlement boundary
Allocated site: SALP Policy SA9 – Land at Warfield
Within 5km buffer of the Thames Basin Heaths Special Protection Area

3.1 The 1.58ha site is broadly rectangular in shape. It is bounded to the east by the A3095 Newell Green and to the south and west by the Larks Hill open space which is a 'suitable alternative natural greenspace' (SANG). Land to the north contains a number of dwellings, paddocks and a barn which generally access on to Watersplash Lane.

3.2 The western part of the site consists of an area of pasture. The eastern part of the site is not cultivated or grazed and contains areas of scrub. There are mature hedgerows on the eastern, north-eastern and southern boundaries of the site. The western boundary is formed by a post and rail fence. The western half of the northern boundary is open in character.

3.3 There are a number of young trees within the proposed site boundary and several mature trees within the roadside hedgerow on the eastern edge of the site.

3.4 The site levels generally fall from east to west with the lowest point in the south-western corner.

### 4. RELEVANT SITE HISTORY

12/00373/OUT Outline application, with details of access and layout, for erection of 40no. dwellings and 70 bedroom care home, with access from Warfield Road, landscaping and parking. REFUSED 07.08.2012

13/00027/OUT Outline application for erection of 40no. dwellings and 70 bedroom care home. REFUSED – APPEAL DISMISSED 02.05.2014

### 5. THE PROPOSAL

5.1 full planning permission is sought for the erection of 52 no. dwellings with associated parking, landscaping and open space and vehicular access onto Newell Green.

5.2 The dwellings mix proposed is as follows:-

- Two blocks of flats (located either side of the access to Newell Green):-

- Plots 1-11 (2 and 3 storey): 11 flats - 5 x one bedroom and 6 x 2 bedroom flats
- Plots 47-52 (2 storey): 6 flats - 4 x one bedroom and 2 x 2 bedroom flats

- 2 no. 2 bedroom maisonettes (2 storey)

- 1 no. 1 bedroom FoG (2 storey)

- 32 no. detached/semi-detached/terraced houses - 6 x 2 bedroom, 21 x 3 bedroom, 3 x 4 bedroom and 2 x 5 bedroom – (two and two and a half storey).

5.3 Apart from two terraces, which have hipped roofs, the buildings are gabled. Proposed materials include red and buff bricks, black weatherboarding and red clay tile-hanging with red/grey plain tiles for the roofs. The houses vary in height between about 9m and 11m. The tallest element of the flats building is about 12.5m to the ridge of the roof.

5.4 Car parking is proposed in parking courts serving the flats and some of the houses. Other houses have on-plot parking comprising carports and drives.

5.5 An area of open space containing a play area (LAP) is proposed at the eastern end of the site with a footpath link to the Larks Hill open space to the south. An open area containing a SuDS basin is proposed in the south-west corner of the site.

5.6 Vehicular access is taken from the A3095 Newell Green. A priority (T-) junction is proposed but space is provided for this to be replaced by a compact roundabout in the future if this is required.

## **6. REPRESENTATIONS RECEIVED**

6.1 Objections have been received from 14 properties raising matters which may be summarised as follows:-

- Inappropriate and piecemeal development
- this is very close to the large Woodhurst development and is unnecessary
- the 3 storey buildings are too tall, not in keeping with the surrounding area and will have a negative effect on the old village of Warfield
- proposed buildings are too close to dwellings to the north, they will overlook and overshadow homes, they are intrusive, and will destroy privacy and block out sunshine and light.
- there is serious risk of disturbance in terms of noise, fumes and other odours to nearby dwellings
- cockerels are kept at nearby properties - any future buyers of properties on the proposed development must be made aware of the noise
- the density of building is too high compared with other parts of the western consortium site and out of character with the surrounding area - more green areas are necessary
- there is insufficient parking.
- the development would significantly urbanise the area.
- the site is of archaeological interest
- the development will have a negative impact on the surrounding natural habitats
- the proposed density and height of houses would have a negative effect on Larks Hill open space.
  - Larks Hill SANG will be affected by noise and street lights
- potential risk of flooding as Fairclough Cottages are below the ground level of proposed site.
- noise and fume pollution will greatly increase, having a negative and destructive effect on the environment
- T-junction will have major and disruptive impact on traffic flow on Newell Green
- increase of population will have a huge effect on traffic, making access onto Newell Green more dangerous and difficult and dangerous to cross for those seeking to access Larks Hill.
- this area is very popular with dog owners. The safety and calm of this much-loved environment will be compromised by overbearing buildings and fumes, as well as additional traffic
- object on the grounds of road safety and access onto Newell Green which is already extremely difficult to join during the rush hour.
- concerns re vehicular access to serve potential development on land to the north.

### Warfield Parish Council

6.2 Recommend refusal:-

- 3 storey buildings are out of keeping with the area.
- Insufficient visitor parking.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highway Officer

7.1 No objection subject to conditions and s106 agreement.

### SuDS Officer

7.2 No objection subject to conditions and s106 agreement.

### Biodiversity Officer

7.3 The following points should be addressed to ensure that biodiversity on site and in the area are protected and enhanced in line with CSDPD policies CS1 and CS7:

- Assessing the eastern hedgerow
- Quantifying mitigation for habitats
- Mitigation for breeding birds and bats
- Amendment or condition for construction management of biodiversity
- Amendment or condition for detailed lighting design

*[Officer comment: these matters are addressed in the report below]*

### Tree Officer

7.4 There are no trees within the site that merit protection by TPO. Based on this layout, the trees shown for retention may not be appropriately protected and others will grow to present shading and proximity issues to adjoining properties. *[Officer comment: these comments have been noted in considering the layout]*

### Archaeology consultant

7.5 Comments set out below.

### Environmental Health:

7.6 No objection subject to conditions.

### Waste and Recycling Officer

7.7 Looks fine; the bin stores all look large enough.

## 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	CP1 of SALP: Presumption in favour of sustainable development  CS1 of CSDPD: Sustainable Development Principles	Consistent. (Para. 14 of the NPPF)

	CS2 of the CSDPD: Locational Principles	
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	CS16 of the CSDPD: Housing Needs of the Community  CS17 of the CSDPD: Affordable Housing	Consistent. (Para. 50 of the NPPF).
Design & Character	CS1 (viii) of the CSDPD  CS7 (i) & (iii) of CSDPD: Design  Saved policy EN20 (i) of BFBLP: Design considerations in new development	Consistent with para. 17, 56, and 109 of the NPPF.
Open Space provision	CSDPD Policy CS8: Recreation and Culture  Saved Policy R4 of the BFBLP: Provision of open space of public value	Consistent with paras. 72 & 74 of the NPPF.  Consistent with the NPPF Chapter 8.
Noise and pollution	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)
Parking Standards SPD		
Streetscene SPD		
Design SPD		
Character Area Assessments SPD (Chapter 4 - Northern Villages)		
Warfield SPD		
Newell Green DFD		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Borough Landscape Character Assessment (LUC)		

## 9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:-

- i Principle of development
- ii Design, layout and impact on the character and appearance of the area
- iii Residential Amenity
- iv Highways
- v Drainage
- vi Archaeology
- vii Biodiversity
- viii Trees and landscaping
- ix Securing necessary infrastructure / CIL
- x Thames Basin Heaths Special Protection Areas (SPA)
- xi Affordable Housing
- xii Sustainability issues
- xiii Waste and Recycling

### **i Principle of Development**

9.2 The application site lies within an area identified in Policy CS5 of the 2008 Core Strategy Development Plan Document (CSDPD) - comprising land to the north of Whitegrove and Quelm Park and to the south of Forest Road and south of Harvest Ride - for a comprehensive, well designed mixed-use development including:

- i. residential; and
  - ii. employment; and
  - iii. social and physical infrastructure; and
  - iv. measures to avoid and mitigate the impact of the residential development upon the Thames Basin Heaths Special Protection Area.
- to be delivered during the period 2017 to 2026.

9.3 As noted in the Introduction above SALP Policy SA9 allocates land at Warfield for a comprehensive well designed mixed-use development, including the following:

2,200 residential units (including affordable housing).

Employment.

Neighbourhood centre.

Two Primary Schools.

Multi-functional community hub.

On-site open space and Suitable Alternative Natural Greenspace (SANG).

9.4 The Warfield Supplementary Planning Document (SPD) (2012) provides guidance on this development. It includes a number of 'development principles' including W2, 'Design Principles', which refers to a Concept Plan which identifies this application site for residential development. Development principle W2 states that a single overall detailed masterplan or set of detailed masterplans which will fit together to cover the site in a comprehensive manner should be provided. The site is located within the Area 1 Masterplan which has been endorsed by the Council as it was considered to be technically sound and met the requirements of SALP Policy SA9. The Masterplan provides parameters and design principles to set the context for development proposals, and again confirms the development of the site for residential purposes.

9.5 As explained in the Introduction this application site is one being promoted by the Western Consortium.

9.6 In summary the application is considered to be acceptable in principle: the site lies within a defined settlement and is identified for residential development in the documents referred to above. The remainder of the report considers the details of the proposal.

## **ii Design, layout and impact on character and appearance of the area**

9.7 The layout follows the Framework Masterplan in the Development Framework Document (DFD) with a 'principal street' running through the centre of the site, from Newell Green, with dwellings accessed from it. This street has space for soft landscaping, including new tree planting, on its northern side. A similar approach is followed on the Harrow Estates application (16/01195/FUL) reported elsewhere on this agenda.

9.8 The principal street provides for a future vehicular link to land to the north-west of the site, with a secondary access at the eastern end of the site providing a possible link to land to the east of the dwelling Fairclough Farm. A footpath/cycleway link on the western edge of the site, north of plot 29, links to the principal street to provide a route for cyclists from Newell Green to Watersplash Lane using an existing footpath on the northern edge of the Larks Hill open space the upgrade of which can be secured by condition.

9.9 An area of open space containing a children's play area (LAP) is proposed at the eastern end of the site. The DFD identifies the importance of the mature hedge running along the site's southern boundary and proposed buildings are sited away from it (outside the root protection area) to avoid causing it damage. One break in it is proposed, at its eastern end, to accommodate a footpath link on the western side of the LAP which will link the principal street to a footpath which runs along the northern edge of the Larks Hill open space at this point. This is an important link to make from the site as the path will form part of the east-west greenway proposed in the Warfield SPD which will link right across the new Warfield development.

9.10 In accordance with the DFD the density of development is generally higher at the eastern end of the site - which is opposite the proposed neighbourhood centre on the east side of Newell Green - with flats, maisonettes and short terraces as well as semi-detached houses on this part of the site. At the western end of the site the density is generally lower with detached and link-detached houses.

9.11 Built development close to the boundary with the Larks Hill open space is either set-in from the boundary, or is side-on, to minimise the impact on the SANG by avoiding an unbroken line of buildings when the site is viewed from the south. The lower density at the western end of the site will reduce the impact of built development on the part of the site which is most open to views from Larks Hill.

9.12 The proposed dwellings – both flats and houses – have a distinctive design with the widespread use of weatherboarding as a material and gabled roofs drawing on the design cues provided by The Barn, a timber barn converted to a dwelling, which lies to the north of the site. This design approach is considered appropriate given the site's extensive boundary with the Larks Hill open space to the south.

9.13 Some of the buildings proposed are relatively tall with a number of two and a half storey houses on the north side of the principal street (all to the south are no higher than two storeys). The part three-storey flats fronting Newell Green complies with the DFD Urban Form Principles (Fig 7.1) for a 'key building' on the site's Newell Green frontage opposite the proposed community centre. Locating taller houses on the north side of the principal street reduces their impact on the SANG. Their impact on the properties to the north is considered acceptable (see below).

9.14 The site is identified as parcel 'm', and a small part of parcel 'gg', on the schedule of accommodation contained in the Warfield SPD (Figure 5) with suggested densities of 40/35 dph respectively. At 33 dph the density of development contained in the application is below these figures. This is the result of a number of factors including the mix of development – a range of dwellings are proposed from flats to detached houses – and the need to ensure that the



development does not impact unacceptably on the SANG to south and west of the site and the properties to the north.

9.15 Overall the impact of the proposed development on the character and appearance of the area is considered to be acceptable and to accord with the Warfield SPD and Newell Green DPD, and relevant development plan policies including CSDPD CS7 and BFBLP EN20 and the Design SPD.

#### **iv Residential amenity.**

9.16 Three existing dwellings lie immediately to the north of the application site: Fairclough Farm (accessed from Newell Green), The Barn and 1 Fairclough Farm Cottages (all accessed from Watersplash Lane). No. 2 Fairclough Farm Cottages is separated from the application site by a paddock while a storage barn, which lies to the west of The Barn, received prior approval for the change of use from an agricultural building to a dwelling house in May this year (17/00288/PAA).

9.17 The separation distances between the nearest habitable windows on the proposed dwellings and these existing (and approved) dwellings and their private garden areas all comply with those contained in the Design SPD. The second floor windows serving habitable rooms on the proposed houses on the northern part of the application site are high-level (minimum cill height of 1.7m). Obscure glazing is proposed where bathrooms face towards this boundary. Although some of the houses and elements of the nearest proposed flats block are taller than two storeys, given the given the separation distances involved it is not considered that any unacceptable loss of light or visually overbearing impact will result.

9.18 It is possible that land lying between the application site and Watersplash Lane may come forward for development at some point in the future. It is not considered that the development proposed on the current application site would prejudice this occurring.

9.19 The proposals will put more traffic onto Newell Green but given the flows it already carries it is not considered that this will have a material impact on the living conditions of nearby residents.

9.20 The relationships between new dwellings proposed on the site have been considered and are considered to be acceptable.

9.21 Overall it is not considered that the proposal would result in any unacceptably adverse impacts upon any existing and/or proposed residential amenity and would therefore comply with Saved BFBLP Policy EN20 proviso (vii) and the NPPF and the Design SPD.

#### **v Highways**

##### Access to the site

9.22 The site is located within Area 1 of the Warfield housing allocation. The site will be accessed via a new junction onto Newell Green. In designing the access the applicant has taken account the wider development of Area 1 and the need to access the other side of Newell Green. The applicant has indicated that a compact roundabout can be achieved to serve both sides of the road and land is to be safeguarded on the application site to provide such a facility.

9.23 The application has been amended to show footway and cycleway connections into the site provided on their final alignment with a transition so that cyclists heading from the south can enter the site and adjoin the carriageway safely from the shared footway/cycleway outside the site.

9.24 The T junction arrangement indicates that Newell Green will also be widened to 6m around the site access and this will provide an improved access for road users.

9.25 Visibility splays of 2.4m x 56m in both directions have been shown and this is acceptable for the speeds of the road. In the future with the roundabout speeds will be more regulated due to the junction arrangement (roundabout) and this is also expected to further control speeds along the road.

#### Site layout

9.26 In respect of the site layout, the road serving the development will be 5.5m wide with footways on either side serving the housing. This is acceptable for the scale of the development proposed. On the northern side of the road there is also a landscaped margin that will be part of the adoptable highway. Such a margin is acceptable in principle but trees located within it would be subject to commuted sums. There is a turning head at the western end of the road and this provides sufficient space for delivery and refuse vehicles to turn around.

9.27 The development provides a 3m wide pedestrian/cycle link in the north western corner of the site and this connects into Larks Hill open space to provide a connection to Watersplash Lane thus providing a connection for pedestrians towards the link road and the local school.

9.28 The access road has also been extended up to the boundary to provide an access to the land to the north which is also part of the developable area set out under the Warfield SPD. Such a provision will allow for this site to be developed at a later date. When the adjacent site is developed it is expected that an improved pedestrian/cycle link to Watersplash Lane will be provided. Details of the enhancements required to Larks Hill could include surface treatment and lighting. These off-site works should be secured as part of the s106 agreement.

9.29 The internal road within the site that serves plots 1-13 has been designed to adoptable standards and extended to the boundary. This will allow development to the north of this area to be served from the site and this will reduce pressure on the existing access or the need for further accesses onto Newell Green, which is a benefit.

9.30 The scheme has been amended to provide rear access to plots to allow access for refuse and cycle parking.

#### Parking

9.31 Across the site parking has been provided to standard, with on-plot parking provided for the majority of the dwellings. Disabled parking has been introduced into the parking areas for the flats. Car ports have been used which is welcomed as they provide covered parking that has been observed elsewhere to be used more often.

9.32 Visitor parking is provided to standard. It is distributed across the site and most of it is accessed from roads which are likely to be adopted.

9.33 Pedestrian visibility will be required (2m x 2m) where a footway runs past a driveway and the landscaping proposed will need to take this into account.

9.34 Cycle parking is shown for the flats in internal/external stores. For the houses secure stores in gardens are propose. The provision this can be conditioned.

#### Traffic impact

9.35 The traffic impact of this site has been covered in a wider Transport Assessment for the 3 sites in the area to establish what the cumulative impact would be. Comments on the adequacy of information currently submitted have already been provided under the Harrow planning

application in this regard. In relation to this site the traffic figures show that the T junction with Newell Green, and the roundabout option associated with the development of the remainder of the Area 1 development, operates satisfactorily.

### Construction Management

9.36 In respect of this site it is expected that construction access will be via Newell Green. The site access will need to be formed prior to any development of the site. Information on expected construction routing can be dealt with through the s106.

### S106 requirements

9.37 It is recommended that following highway matters are secured by s106 agreement:-

- adoption of majority of roads and pedestrian/cycle links within the site up to and including site boundaries;
- S278 and S38 agreements will be required to be entered into for the site;
- indemnity to cover the Council's cost of using the link road to access the site whilst it is not adopted with a possible further alternative indemnity to protect the Council should the road be adopted at the time of implementation and this may be covered under S278 agreement;
- dedication of land at Newell Green to allow access improvements works to be implemented in relation to the wider development of Area 1;
- a travel plan for the site and wider sites;
- contributions towards or the carrying out works on Larks Hill open space to provide interim pedestrian/cyclist connection between sites;
- contributions towards implementing a toucan crossing on Newell Green to ensure safe connectivity to the wider development of the area including schools and a local centre;
- contributions towards, or the carrying out, wider improvements along the Harvest Ride corridor to improve capacity and/or accessibility for non-car modes;
- contributions towards, or the carrying out, of enhancements to Avery Lane to improve access to the area (to include a TRO to remove vehicular rights in part).

### Conclusion on highway matters

9.38 The application has been amended to address concerns raised by the Highway Officer. Conditional approval is recommended following completion of a s106 agreement.

## **vi Drainage**

9.39 The site is not situated in a flood plain and is shown to be at low risk of surface water flooding. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to support the Application. Since the FRA was submitted the site layout has been revised and the LLFA have raised various concerns which the applicant has addressed through emails and revised Technical Notes.

9.40 The site drains partially to the north and to the west. The applicant has proposed an outfall to the west and has determined allowable discharge rates for the whole site based on the Greenfield runoff rates for only the western catchment area of 0.53Ha. The drainage strategy proposed utilises a combination of permeable paving and bio-retention areas draining to a proposed basin located in the south western corner of the site. To overcome issues surrounding the adoption of the highways, the applicant revised their design to provide an adoptable piped network to serve

private areas, with the highway being drained via a bio-retention strip to ensure a high level of water quality treatment is provided.

9.41 Discharge from the site will ultimately be into the Larks Hill open space via a new swale to be constructed by the developer under licence by Bracknell Forest Council. This will be subject to further detailed design and agreed commuted sums. The construction of this off-site swale can be secured by a planning condition. It will be noted that the Parks and Countryside Development Officer has no objection to the proposed works within Larks Hill open space.

9.42 The Applicant has submitted calculations demonstrating how the SUDS scheme can attenuate runoff from the site to replicate the existing characteristics. In accordance with the Bracknell LFMRS a 10% increase in impermeable area is required on this type of development to take into account urban creep.

9.43 The FRA sets out the foul strategy to connect to an existing private 100mm diameter pipe which has been transferred to public ownership under the 2011 Regulations. The condition and capacity of this sewer is unknown and the LLFA would recommend that a Grampian style condition is imposed to ensure that any reinforcement of the system is completed prior to occupation to ensure that there is no increased risk in flooding off-site.

9.44 The Council's Senior Engineer (SuDS) recommends that the application be approved subject to the conditions contained in the Recommendation below. It is therefore concluded that the proposals would comply with Chapter 10 of the NPPF and Planning Practice Guidance.

## **vii Archaeology**

9.45 In accordance with Paragraph 128 of the NPPF the applicant has submitted with their application an '*Archaeological Desk-Based Assessment*' (Thames Valley Archaeological Services, August 2016). This considers the archaeological potential of the application site and the likely impacts of the proposal upon the buried archaeological heritage.

9.46 The Council's advisor considers that the report is a reasonable assessment of the archaeological potential of the application area. No known heritage assets, either designated or undesignated, are known within the application site, however field walking, exploratory archaeological evaluation and archaeological investigation in the vicinity of the site have characterised the archaeological potential of the wider area, including the application site.

9.47 In particular the assessment notes the presence of:-

1. a Middle Iron Age settlement, dated to the 3rd and 2nd centuries BC, consisting of two roundhouses and ancillary structures less than 100m to the south of the application site
2. two medieval enclosures and other features containing pottery of late 11th to 14th century date, possibly infields or paddocks close to settlement, 220m to the west of the application area along Watersplash Lane
3. two undated rectangular crop mark enclosures recorded on aerial photographs to the south of the site (although not evident as buried remains during an exploratory archaeological exercise in 1992 immediately to the south of the application area).

9.48 The site therefore lies within an area of archaeological potential and the advisor recommends that a programme of works is sought to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 141 of the NPPF and local plan policy. The exploratory field evaluation should comprise the investigation of a number of trial trenches. The results of this exploratory exercise will

determine if there are any areas of archaeological interest that should be subject to further investigation either prior to the commencement of or during development. The applicant should therefore provide within their programme for potentially two phases of archaeological investigation prior to the commencement of development.

9.49 A condition is recommended to secure the above. With this the application is considered to comply with the NPPF and relevant development plan policies.

### **viii Biodiversity**

9.50 The formation of a new vehicular access on the site's Newell Green frontage, with associated sight lines, requires the removal of the existing vegetation. In the light of this the Biodiversity Officer requires mitigation to ensure there is no net loss of biodiversity. Planting along the western boundary can provide mitigation for the hedgerow to be lost but there may be an opportunity to replace the hedgerow on the eastern boundary to the front of the apartments. Planting on both boundaries would provide a positive impact on biodiversity by increasing the length of hedgerow above the baseline.

9.51 The applicant has submitted a planting strategy drawing showing new hedgerow planting on the Newell Green frontage together with tree planting, as referred to above, and wetland planting around the pond in the south-western corner of the site. Comments made by the Biodiversity officer have been forwarded to the applicant and an informative is included in the Recommendation advising the applicant to refer to these in drawing up detailed landscaping and wildlife mitigation proposals.

9.52 The applicant has submitted a lighting strategy but this does not provide detail about the specification of the lights to be used or any light contour plan to show how the light spill will project across the site. A condition is recommended to secure both this information and the implementation of an acceptable scheme.

9.53 With suitably worded conditions a detailed planting and biodiversity enhancement scheme can be secured to ensure that the proposals demonstrate protection and enhancement of biodiversity in line with CSDPD policies CS1 and CS7.

### **viii Trees and Landscaping**

9.54 The site does not contain any trees protected by a TPO. As noted above, trees and other vegetation will be lost on the site's Newell Green frontage along with a number of trees within the site. The submitted planting strategy shows new tree planting along the principal street (in accordance with the DFD) and also around the flats and in parking courts. This planting, the details of which can be secured by condition, will be important both in terms of the quality of the resulting streetscene but also biodiversity by mitigating the impact of loss of vegetation elsewhere on the site.

9.55 With this new tree planting the proposal is considered to comply with Policy EN1 of the BFBLP.

### **ix Securing necessary infrastructure / CIL**

9.56 The proposal would be CIL liable and is located in the 'Land at Warfield' charging zone with a CIL rate of £220 per square metre.

9.57 The introduction at the start of this report sets out the strategy to secure the delivery of infrastructure to meet the needs of the development whilst not prejudicing the future development of Warfield as a whole. Without prejudice to the outcome of the decision by this Committee,

discussions have commenced with respect to the content of the framework s106, which will include mechanisms to secure:-

- Affordable Housing – 25% of the total number of dwellings, comprising 70% affordable rented and 30% intermediate housing to be completed and transferred to a Registered Housing Provider.
- Open space on site delivery including provision; maintenance and transfer.
- Thames Basin Heaths SPA mitigation - Suitable Alternative Natural Greenspace (SANG) (the Wellers Lane SANG would provide mitigation for the impact of the development on the SPA)
- Travel plan – a travel plan would be submitted to and approved by the Council prior to first occupation.
- Access to the development from Sopwith Road - to be secured through a 'Grampian' style condition to ensure the approval and provision of the access prior to the commencement of development. The access route to ensure connectivity between land parcels to the north of Watersplash Lane (i.e. to serve the Harrow Estates development (application 16/01195/FUL refers) and land parcels to the north and east within the Warfield development area).
- Sustainable Urban Drainage Systems (SuDS) to secure the future maintenance and management of SuDS features on site.
- The delivery of roads; the provision of adopted footways and cycleways to serve the development parcel and to ensure connectivity between parcels
- The phasing of the development.

9.58 In addition, financial contributions will be secured towards the following:

- Furniture and ICT fit out of Warfield Primary School (Sopwith Road);
- Off-site open space to secure improvements towards the Warfield Memorial Ground (a nominated project within the Warfield SPD and located to the north of the site in Osborne Lane);
- Warfield community hub (at the planned neighbourhood centre off Newell Green)
- Off-site transport enhancements
- Strategic Access Management & Monitoring (SAMM)

9.59 The precise details of the s106 remain to be finalised and therefore it is recommended that the decision be delegated to the Head of Planning to continue discussion and complete the framework s106 agreement to secure the necessary infrastructure in respect of this site and the two other applications submitted by the consortium at Newell Green.

### **x Thames Basin Heaths Special Protection Areas (SPA)**

9.60 In accordance with the SPA SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG). As noted above the Wellers Lane SANG would provide mitigation for this development and the other Newell Green sites.

9.61 The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL). This is equal to 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

9.62 An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works to be secured by the CIL have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

9.63 The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management

measures on the SPA to mitigate the effects of new development on it. See section 3.4 in the SPA SPD for more information.

9.64 The level of contributions are calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1.

9.65 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). In the absence of any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.66 Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.67 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, and permission may be granted.

#### **xi Affordable Housing**

9.68 The application was accompanied by an Affordable Housing Statement as part of the joint approach to the development of land at Newell Green explained in the Introduction to this report. This Statement sets out the proposed housing mix for each of the three sites for which applications have been submitted to date (this site, and those covered by applications 16/01195/FUL and 16/01274/FUL) for market and affordable housing. Overall this provides for at least 25% of the total number of dwellings on the three sites – a mix of flats and houses - to be affordable. This complies with the Council's policy.

9.69 For the site covered by this application, 13 of the 52 dwellings (25%), comprising 5 x 1 bedroom and 8 x 2 bedroom flats, are proposed to be affordable. This is considered to be acceptable. Subject to this affordable housing being secured through an appropriate legal agreement it is therefore considered that the proposal would comply with Policy H8 of the BFBLP, Policies CS16 and CS17 of the CSDPD and the Planning Obligations SPD.

#### **xii Sustainability issues**

9.70 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards.

9.71 CSDPD Policy CS12 seeks a reduction in the potential emissions and energy usage.

9.72 Both of these can be secured by a condition will be imposed requiring the submission of the energy statement.

#### **xiii Waste and Recycling**

9.73 The Waste and Recycling Officer has confirmed that the bin storage serving the proposed flats and maisonettes is adequate. The houses on the site are located within acceptable carry distances of the proposed adoptable principal street or are provided with bin collection points which comply with guidance.

### **10. CONCLUSION**

10.1 This site is an allocated site located within the settlement and therefore the proposed development is considered to be acceptable in principle. The proposed dwellings, 25% of which will be affordable, will contribute to the Council's housing supply which is a material consideration.

10.2 In accordance with the development plan and related guidance the applicant has worked with others within the Newell Green Consortium to secure the comprehensive development of this part of the Warfield allocation setting the foundation for further development across the wider allocation and securing the provision of appropriate infrastructure/impact mitigation through a framework s106 agreement.

10.3 The impact of the proposed development on the character and appearance of the area is considered acceptable and in accordance with relevant guidance.

10.4 The Highway Authority is satisfied with the proposed access to the site for pedestrians, cyclists and vehicles subject to conditions and a Section 106 agreement. The cycle and vehicle parking proposed meets the Council's standards and adequate provision is made for the storage and collection of waste.

10.5 The impact of the proposal on the living conditions of the occupiers of nearby properties and of future residents on the site and on adjoining sites has been carefully considered. The scheme is considered acceptable in this regard.

10.6 It is concluded that the proposed development provides residential accommodation in accordance with the development plan, NPPF and relevant guidance. The application is therefore recommended for approval as per the Recommendation below.

## **11. RECOMMENDATION**

Following the completion of planning obligations secured by a framework Section 106 agreement, under Section 106 of the Town and Country Planning Act 1990, associated with this application and with applications 16/01195/FUL and 16/01274/FUL submitted by the consortium of developers at Newell Green (considered elsewhere on this agenda) relating to:

- the provision of on-site affordable housing
- the provision of on-site open space
- Thames Basin Heaths SPA mitigation
- a Travel plan
- access to the development from Sopwith Road
- the provision and long-term maintenance of sustainable drainage (SuDS)
- the delivery of roads, footways and cycleways
- the phasing of the development

and financial contributions towards:

- furniture and ICT fit out of Warfield Primary School (Sopwith Road);
- off-site open space improvements
- Warfield community hub (at the planned neighbourhood centre off Newell Green)
- off-site transport enhancements
- SPA Strategic Access Management & Monitoring (SAMM)

the Head of Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-



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

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

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

Site Location Plan: Drawing Ref: 15-P1243-LP

Site Context Plan: Drawing Ref: 15-P1243-CPb

Coloured Site Plan: Drawing Ref: 15-P1243-C100c

Plots 15-16 & 21-22 Floor Plans and Elevations: Drawing Ref: 15-P1243-110a

Plots 27 Floor Plan and Elevations: Drawing Ref: 15-P1243-111a

Plots 30 Floor Plan and Elevations: Drawing Ref: 15-P1243-112a

Plots 28 & 29 Floor Plans and Elevations: Drawing Ref: 15-P1243-113a

Plots 18, 19 & 20 Floor Plans and Elevations: Drawing Ref: 15-P1243-114a

Plots 23, 24, 25 & 26 Floor Plans and Elevations: Drawing Ref: 15-P1243-115a

Plots 41, 42, 43 & 44 Floor Plans and Elevations: Drawing Ref: 15-P1243-116a

Plots 45, 46, 47 & 48 Floor Plans and Elevations: Drawing Ref: 15-P1243-117a

Plots 17 (car port) Floor Plan and Elevations: Drawing Ref: 15-P1243-118a

Plot 32 Floor Plan and Elevations: Drawing Ref: 15-P1243-119a

Plots 33, 34 & 35 Floor Plans and Elevations: Drawing Ref: 15-P1243-120a

Plots 36, 37 & 38 Floor Plans and Elevations: Drawing Ref: 15-P1243-121a

Plots 39 & 40 Floor Plans and Elevations: Drawing Ref: 15-P1243-122a

Plot 31 Floor Plans and Elevations: Drawing Ref: 15-P1243-123a

Plots 1- 14 Floor Plans: Drawing Ref: 15-P1243-124a

Plots 1-14 Elevations: Drawing Ref: 15-P1243-125a

Plot 49-54 Floor Plans and Elevations: Drawing Ref: 15-P1243-126a

Car Ports, garages and bin stores plan: Drawing Ref: 15-P1243-27

Streetscene A-A & B- B: Drawing Ref: 15-P1243-130a

Streetscene C-C: Drawing Ref: 15-P1243-130a

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

03. The following windows:-

- plots 21 and 24: first-floor side-facing

- plots 25 and 26: second floor rear-facing

hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

04. The following windows:-

- plots 14 to 20 (inclusive) and 27: second floor rear-facing

hereby permitted shall at all times be high-level windows having a cill height of not less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

05. No superstructure development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

06. The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site 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 interests of the character of the area.

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

07. No development (other than the construction of the access) shall take place until the access to Newell Green 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]

08. No dwelling shall be occupied until a means of pedestrian, cycle and vehicular access to it has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

09. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6m measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. No dwelling shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of any driveway serving it and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall 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]

11. The gradient of private drives 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]

12. No gates shall be provided on any vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

13. No dwelling shall be occupied until the associated vehicle parking has been provided in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

14. The garage accommodation shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

[Relevant Policy: BFBLP M9]

15. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (general Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without

modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which could be a danger to other road users.

[Relevant Policy: BFBLP M9]

16. No dwelling shall be occupied until the visitor car parking spaces shown on the approved layout drawing have been provided and signed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The spaces with their associated signage shall thereafter be retained available for the use of occupiers of, and visitors to, the buildings hereby permitted.

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]

17. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings.

REASON: In order to ensure bicycle facilities are provided.

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

18. No flat hereby permitted shall be occupied until bin storage serving it has been provided in accordance with the approved details. The bin storage shall thereafter be retained.

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

[Relevant Policies: BWLP WLP6 and WLP9]

19. No development shall take place 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.

REASON: In the interests of amenity and road safety.

20. 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, Core Strategy CS1, CS7]

21. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:-

- o measures to avoid harm to biodiversity
- o features provided to mitigate the loss of habitat (e.g. ponds, hibernacula)
- o habitat enhancements (not mitigation)
- o on-going management of new features/habitat

The mitigation scheme shall be implemented in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

22. 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 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]

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

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

24. No development shall commence until details of boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatments have been provided in accordance with the approved details.

REASON: In the interests of the appearance of the site  
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

25. Prior to the commencement of development, the applicant, their agents or successors in title, will secure the implementation of a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will be undertaken in accordance with the approved document.

REASON: To understand the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance

Relevant Policies: in accordance with Paragraph 141 of the NPPF

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties

27. 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) specifications of control of noise arrangements for construction and demolition.

(ii) methodology of controlling dust, smell and other effluvia

(iii) site security arrangements including hoardings

(iv) proposed method of piling for foundations

(v) construction and demolition methodology

(vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site

(vii) methods of disposal of green and commercial waste

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.

[Relevant Plans and Policies: EN25 BFBLP]

28. 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]

29. 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:

(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]

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

31. 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.

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]

32. The development hereby permitted shall not be begun until details of the design of the sustainable drainage scheme shown on Stuart Michael Associates Drawing No. 5376.420 dated June 2016 issued by Tim Woods in June 2017 have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:-

- a) information about the temporary drainage facilities;
- b) details of pond design; bio-retention design; permeable paving design; eastern ditch crossing design with associated headwalls and freeboard to adjacent properties finished floor levels; and confirmation of measures to be put in place to reduce the risk of blockages or siltation of all structures and controls; and
- c) flood water exceedance routes, both on and off-site;

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

33. The development hereby permitted shall not be begun until the Larks Hill swale, as indicated on Stuart Michael Drawing No. 5376.420 dated June 2016 issued by Tim Woods in June 2017, has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

34. The development hereby permitted shall not be begun until details of a scheme for the disposal of foul water has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be carried out before the development or any part thereof is occupied.

REASON: In order to ensure the provision of adequate foul drainage to serve the development.

[Relevant Policy: BWLP WLP6]

#### 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. In drawing up the scheme to mitigate the impact on biodiversity and soft landscaping proposals required by conditions 18 and 20 reference should be made to the BFC Biodiversity Officer's comments dated 26.01.2017.

03. The developer is advised that a section 278 Agreement will be required for works within the highway.

In the event of the s106 planning obligations not being completed by 31.07.2017 the Head of Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:-

1. 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, Policies CS5 and CS14 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).
2. In the absence of a planning obligation to secure 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, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.
3. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, community, and educational facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures, a travel plan, open space, community and educational facilities, the proposal is contrary to Policies R5 and M4 of the Bracknell Forest Borough Local Plan, Policies CS6, CS8, and CS24 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Warfield Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).

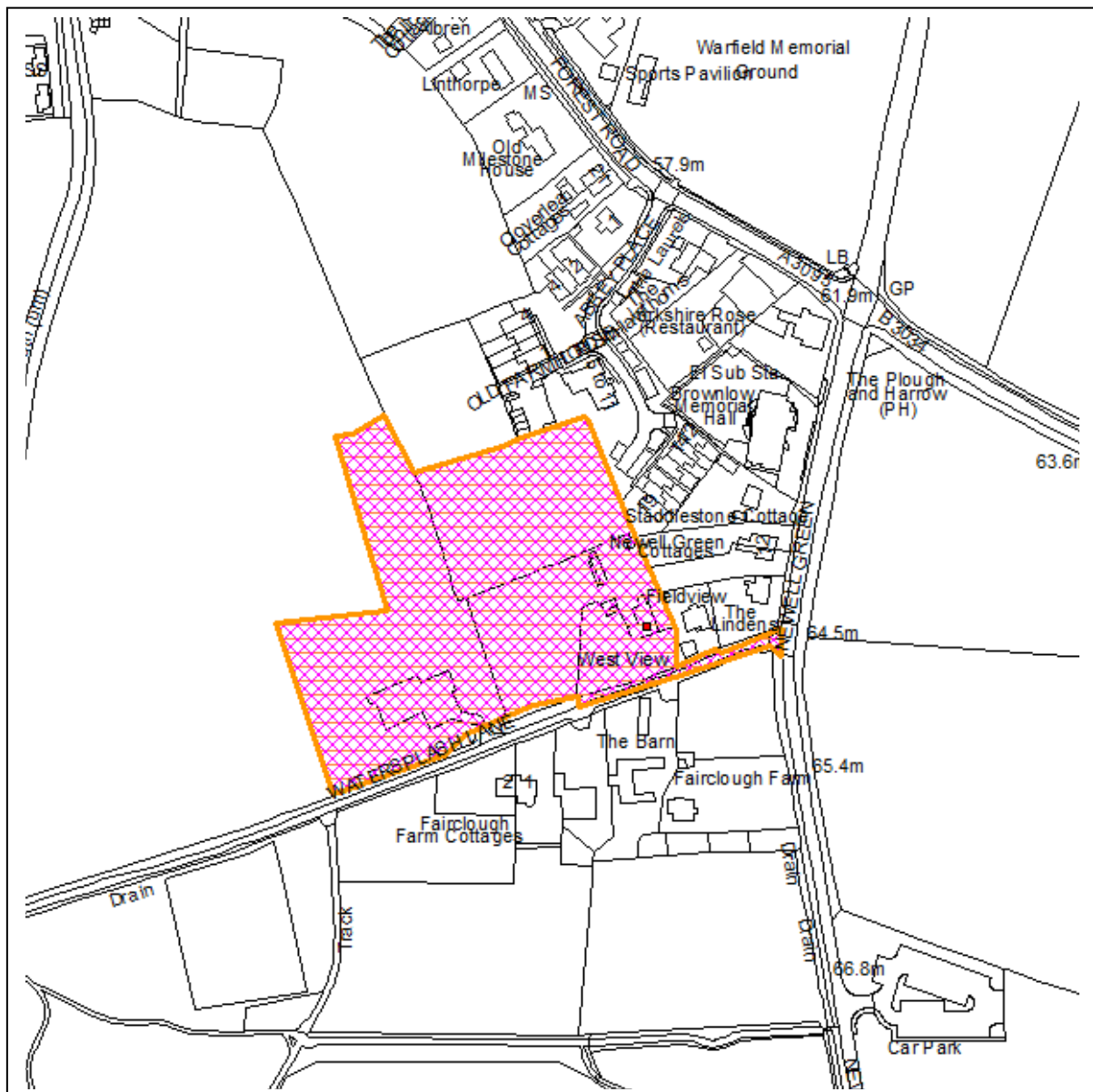
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**ITEM NO: 7**

Application No.	Ward:	Date Registered:	Target Decision Date:
<b>16/01274/FUL</b>	Binfield With Warfield	22 December 2016	23 March 2017
Site Address:	<b>Land At Watersplash Lane Warfield Bracknell Berkshire RG42 4ST</b>		
Proposal:	<b>Demolition of existing buildings and erection of 43 dwellings with associated accesses (to land to west and to Watersplash Lane), parking and landscaping.</b>		
Applicant:	Millgate		
Agent:	(There is no agent for this application)		
Case Officer:	Matt Lunn, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## Introduction – comprehensive development at Newell Green

The application site forms part of a wider development area being promoted by a consortium of three developers (known as the Western Consortium) at Newell Green who have land holdings located to the north and south of Watersplash Lane, between Sopwith Road/Avery Lane to the west and Newell Green to the east.

The area forms part of the Warfield Strategic Allocation, as identified in the Bracknell Forest Site Allocation Plan (SALP), adopted July 2013 – Policy SA9 refers. This strategic policy is supported by the site specific guidance set out within the Warfield Supplementary Planning Document (SPD) and the Warfield Area 1 Masterplan. The planning policy framework is based upon the delivery of a comprehensive mixed use development for 2,200 dwellings and the associated physical and social infrastructure.

Planning applications have been submitted on three parcels of land which will deliver 211 dwellings in total across land parcels 2, 3 and 4 as shown in Figure 1 below (please note that area 1. Bovis Homes shown on the plan is not subject to a planning application at this stage):

1. Bovis Homes
2. Harrow Estates
3. Millgate Homes
4. Kitewood Investments

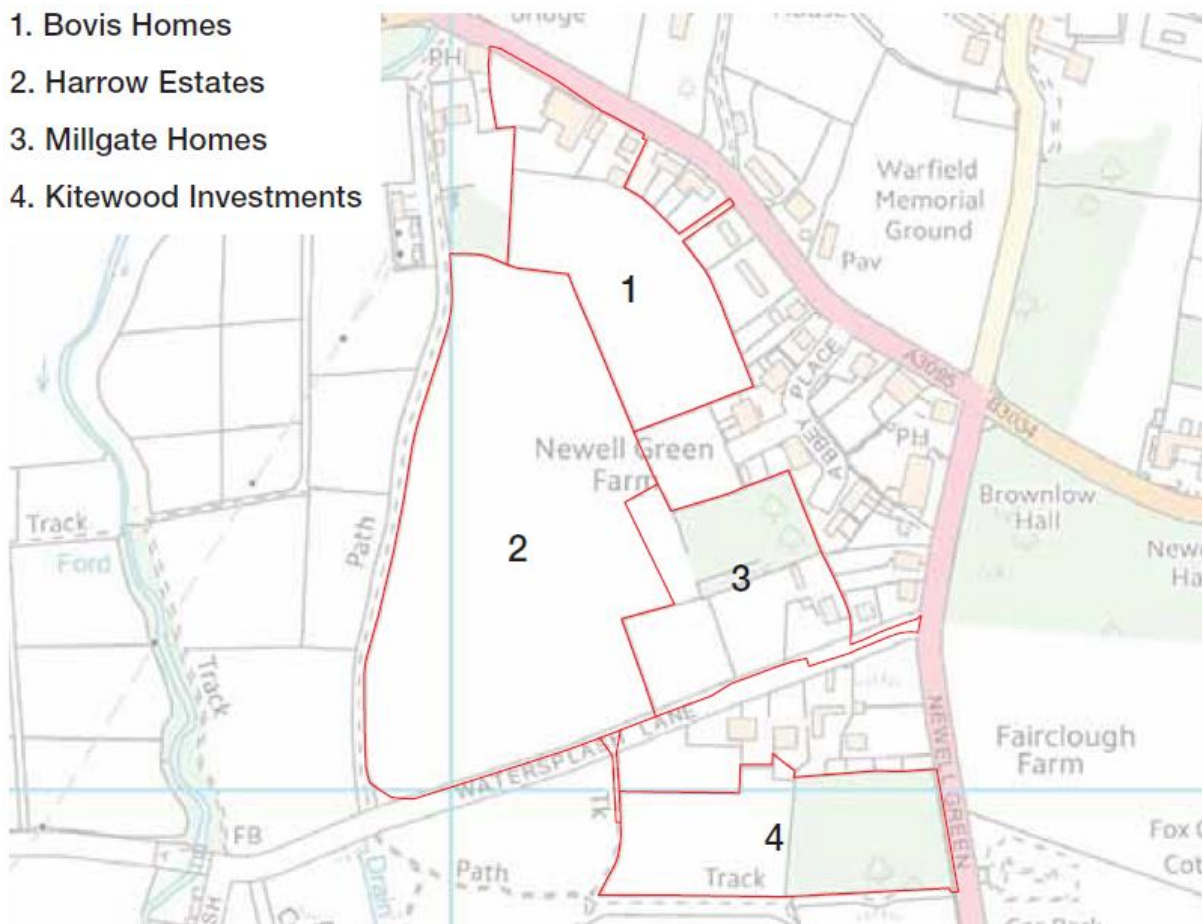


Figure 1: Newell Green Development Area

The submission of the three applications at Newell Green is a culmination of joint working between officers of this Council, the consortium (comprising Harrow Estates, Millgate Homes and Kitewood Investments) and the Homes and Communities Agency's Advisory Team for Large Applications

(ATLAS). The consortium completed a Planning Performance Agreement (PPA) in March 2016 to secure the delivery of development at Newell Green based upon a strategy to that would:

- i) Secure the submission of applications within the separate landholdings held by the members of the consortium.
- ii) Secure a Development Framework Document (DFD) to show how the four application proposals join together spatially as a co-ordinated whole.
- iii) Secure an overarching Infrastructure Delivery Plan (IDP) for the area of Newell Green to set out what infrastructure would be delivered by when, where and by whom.

The PPA was signed by the landowners/developers of all 4 development parcels as shown in Figure 1, i.e. including the Bovis land (parcel 1). Bovis have not, due to commercial reasons, submitted an application pursuant to the agreed strategy but discussions continue to take place with the landowner to bring forward this land parcel having regard to the adopted planning policy framework and the DFD submitted by the consortium.

Development at Warfield is dependent upon the delivery of housing alongside the necessary supporting infrastructure. This is complicated by the multiple landholdings across the strategic allocation and the introduction of the Community Infrastructure Levy (CIL) in 2015 and CIL Regulation 123 (3). The introduction of Regulation 123 (3) now means that a local planning authority cannot use more than five planning obligations or Section 278 Agreements (counted from April 2010) to provide infrastructure or pool contributions towards a single infrastructure project or type of infrastructure.

The Planning Obligations Supplementary Planning Document (SPD), February 2015, sets out the Council's approach to securing infrastructure by planning obligations and explains the relationship with the Community Infrastructure Levy (CIL). At Warfield the distinction is made between specific on site infrastructure and strategic infrastructure to be secured through a s106 planning obligation and CIL as summarised in Table 1 below:

Section 106	CIL
Local Transport Infrastructure	Strategic Transport Infrastructure
Travel Plan	Secondary Education
Waste Recycling	Post - 16 Education
Primary Education (inc. nursery)	Special Educational Needs
Green Infrastructure to include: a) Open Space of Public Value (OSPV), i.e. land (ha) and/or off-site financial contributions; ii) Special Protection Area (SPA) Avoidance and Mitigation, i.e. SAMM and bespoke SANG	Library Facilities
Affordable Housing	Built Sports Facilities
Community Facilities	

The effect of Regulation 123 is that the Council has to ensure that the limit of five s106 contributions for any one infrastructure project is not exceeded. Given the need to secure comprehensive development and the delivery of infrastructure, the Council, has sought to resist isolated development within Warfield and, assisted by ATLAS, has encouraged landowners to work together. The Council's strategy has been supported by Inspectors on appeal at Fairclough Farm, Newell Green (application reference 13/00027/OUT) and Old Farmhouse Row, Abbey Place

(application reference 14/00980). In the case of Abbey Place, the Inspector was made aware of the discussions with the consortium at Newell Green and commented as follows:

*'It is the Council's preference that developers should co-ordinate their activities to limit the number of separate proposals, and therefore the number of contributions. This does not seem an unrealistic objective; for example a consortium has been formed to develop the majority of the land around the appeal site, and it is likely to be in the mutual interest of the parties involved to cooperate in the allocation of the necessary infrastructure and land costs. Indeed this is would be an essential part of a successful scheme, because the Council indicate that they are not in a position to implement the infrastructure projects themselves, even if in receipt of the necessary funds.'* (paragraph 18 refers)

The development strategy for Newell Green enables each application to be considered on its own merits having regard to the principles of the comprehensive development of Warfield. In order to secure the delivery of on site and off site infrastructure, the applications will be linked by a Framework s106 Agreement. Within the s106 Agreement, each application will be treated as a separate phase as if it formed part of a single application. The applications will be defined as 'parcels' within the s106 Agreement but will be capable of being built out in any sequence, subject to compliance with the overarching access strategy and the delivery of any identified infrastructure requirements. Each application parcel will pay instalments of the contribution required from Newell Green towards the wider strategic infrastructure. In this way, the obligation will constitute a single obligation for the purposes of Regulation 123 (3) of the CIL regulations. Site specific obligations will also be included within the framework s106 Agreement. Section 9ii(x) of this report sets out the heads of terms relating to the current application.

The strategy for Newell Green is a response to the s106 'pooling restriction' imposed by Regulation 123(3) and subject to planning permission being granted will:

- i) Allow individual members of the consortium to bring forward housing development within Newell Green, contributing to the Council's 5 year housing land supply and development at Warfield.
- ii) Establish a mechanism for the funding/and or provision of necessary infrastructure which is legally robust and,
- iii) Ensure that housing development and infrastructure delivery is co-ordinated both within Newell Green and the remainder of the Warfield strategic allocation.

## **1. SUMMARY**

1.1 The application proposes the demolition of an existing property and the erection of 43no. dwellings, comprising 24no. apartments in 3 blocks and 19no. houses, along with open space, landscaping and parking.

1.2 The site is allocated for residential development. It forms a part of the Warfield strategic allocation within the Bracknell Forest Site Allocations Local Plan (2013). The design of buildings and layout of the development is considered to be appropriate for the area. Its relationship with adjoining properties is considered acceptable, landscaping and on-site open space is considered to soften the impact of the development on the area, car parking and bin storage is provided to

standard and highway and drainage works are considered acceptable. This planning application is therefore recommended for conditional approval.

<b>RECOMMENDATION</b>
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The Head of Planning be authorised to grant planning permission subject to conditions in Section 11 of this report following the completion of a Section 106 legal agreement.
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## 2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as a result of receiving more than 5 objections.

## 3. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
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Within settlement boundary
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Allocated site- SALP Policy SA9 – Land at Warfield
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Within 5km buffer of the Thames Basin Heaths Special Protection Area
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3.1 The site occupies a 1.49 ha area, and is part previously developed land and part greenfield land located within a defined settlement.

3.2 The site comprises:

- i) an existing 3 bed detached bungalow 'West View' set in substantial grounds with several outbuildings;
- ii) a previously demolished property to the west formerly know as 'Sumanga Farm'; and
- iii) land to the north which is a mix of hardstanding and neglected grassland. The site lies to the north of Watersplash Lane from which the site is currently accessed.

3.3 A ditch easement runs north-south through the site, continuing north, and there are several significant trees within and flanking the site.

3.4 The southern frontage with Watersplash Lane is heavily vegetated with deciduous trees and remnants of old hedgerow to the west, and large coniferous trees screening West View to the east. Across Watersplash Lane to the south lie several semi-detached and detached dwellings on large plots with various outbuildings. The east of the site abuts the recently built housing development of Abbey Place, Fieldview and Newell Green Cottages. To the north lies the small cul-de-sac of Old Farmhouse Row (part of the Abbey Place development) and neglected paddock land, subject of the recent planning refusal (PINS ref: APP/R0335/W/15/3131136). To the west lie open fields bounded by trees, which are subject to the current planning application by Harrow Estates for 116 dwellings currently being considered.

## 4. RELEVANT SITE HISTORY

4.1 The development site is made up of two parts:

1. West View is a large detached house that is currently inhabited; and
2. Sumanga Farm to the west that was demolished some years ago – the site currently lies empty.

### 4.2 Site-specific

- 08/00617/FUL – Demolition of existing house, stables and outbuildings. Erection of new detached dwelling house and detached garage.

Appeal allowed on 6 May 2009 – permission not implemented and lapsed.

- 14/01029/FUL – Erection of 18no dwellings with associated parking, access and landscaping following demolition of existing dwelling and outbuildings.

Refused on 30 January 2015, for reasons:

- piecemeal development that would prejudice the delivery of infrastructure, good design and the movement strategy for Warfield;
- access would compromise highway safety;
- failure to provide appropriate infrastructure mitigation;
- failure to provide affordable housing;
- unacceptable impact on the Special Protection Area (SPA); and
- failure to demonstrate appropriate drainage.

### 4.3 Wider area

- 16/00115/FUL – a) Erection of 56no. dwellings with associated access, open space and infrastructure, following demolition of 2no. dwellings and Warfield Garage, on land off Forest Road; and b) change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG), with associated works, on land north of Westhatch Lane, Warfield.

Refused on 29 July 2016 primarily due to the proposal prejudicing the comprehensive delivery of development at Warfield.

4.4 The following two appeal decisions are relevant and are a material consideration in the assessment of the current application:

- Fairclough Farm - Erection of 40 dwellings and 70 bedroom care home (13/00027/OUT, dismissed on appeal on 2 May 2014): a land parcel within the wider Warfield development. Amongst the reasons for dismissing the appeal, was concerns relating to prejudicing comprehensive redevelopment.
- Old Farmhouse Row - Erection of 10 dwellings (14/00980/FUL, dismissed on appeal on 9 February 2016): relates to land within the wider Warfield development. Amongst reasons for dismissing this appeal were issues relating to failing to contribute towards a comprehensive approach to the development of Warfield.

4.5 Additionally, within the wider Warfield strategic development area, the following application is relevant in demonstrating the Council's commitment to the comprehensive development of the area:

- Land North Of Harvest Ride and South of Forest Road and East of West End Lane, Warfield - Erection of up to 750 residential dwellings including 60-bed senior living scheme, new two form-entry primary school and new north-south link road. (13/01007/OUT, planning permission Granted on 28 October 2014).

## 5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of 43no. dwellings, comprising 19no. houses and 24no. apartments, with access, parking, communal amenity spaces and a north-south green corridor (the 'greenway'). Housing will be a mix of 2 and 2.5 storeys in height, and the apartments will be in three blocks, each 2.5 storeys high. The proposed mix is:

8 x 1 bed apartments  
 16 x 2 bed apartments  
 12 x 3 bed houses  
 4 x 4 bed houses  
 3 x 5 bed houses

5.2 Of which 26% of dwellings (11no.) will be affordable, comprising:

3 x 1 bed apartments  
 6 x 2 bed apartments  
 2 x 3 bed houses

5.3 There are three main points of access, with plots 1-5 served from Watersplash Lane, plots 6-31 served from Harrow's adjoining land to the west and plots 32-43 served from the south-easternmost corner of Harrow's land to the west. A further point of access for pedestrians and cyclists is gained from the existing Sumanga Farm access on Watersplash Lane along the proposed greenway.

5.4 Dwellings are traditional in style, with a mix of gabled and hipped roofs. Proposed materials include red brick, red tile hanging, grey/stone weatherboarding and slate/red roof tiling. A condition is recommended to require full details of materials to be submitted for approval.

5.5 Existing good quality trees will be retained. The landscaping scheme includes extensive tree and hedge planting, including reverting the West View – Watersplash Lane frontage back to hedging and tree species that respect the semi rural character of Watersplash Lane.

5.6 Two areas of open space are proposed: i) an area for recreation to the south of plots 35-43 and ii) the 'greenway', that follows an existing ditchline from Watersplash Lane northwards, containing a footpath and area for play, and will also serve a drainage function.

5.7 Car parking is proposed in parking courts and car ports serving the flats and some of the houses. Other houses have on-plot parking and garages.

5.8 Limited engineering works to Watersplash Lane are proposed.

5.9 The submitted scheme follows extensive pre-application discussions with both individual developers and the Western Consortium steering group. The applicant has responded positively to officer recommendations.

## **6. REPRESENTATIONS RECEIVED**

### **6.1 Warfield Parish Council:**

Recommend Refusal for the following reasons:

- i) 3 storey construction out of keeping with the area.
- ii) Plots 14-21 create unacceptable level of overlooking contrary to requirements of the SPD.
- iii) The council consider the access of units onto Watersplash Lane inappropriate and should be accessed through the development site.
- iv) Insufficient visitor parking.

### **6.2 Other representations:**

Objections from 12 properties were received. Summary of issues raised:

#### Design

- i) Proposal is not sympathetic to the character of Newell Green.
- ii) Object to proposed 3-storey buildings. This is not in keeping with the surrounding area, where the tallest building is 2.5 storeys, and would impact the privacy of existing neighbouring properties.
- iii) Density and scale is excessive.
- iv) Plots 14-21 abutting existing dwelling is not a key location where 3-storey buildings would be appropriate. Windows in the roof to the rear will overlook existing properties.
- v) Plots 14-17 need to be brought forward in line with plots 18-22.
- vi) To reduce visual impact on Abbey Place, the ground level should be reduced by 500-750mm.

#### Transport

- i) Public transport links in the immediate surrounding area are not sufficient.
- ii) The safety of vehicles and pedestrians on the surrounding highway will be compromised.
- iii) Inadequate parking.
- iv) The location of parking will increase light, noise and car pollution levels for Old Farmhouse Row. Turning the parking area 180 degrees would reduce the impact.
- v) Result in added traffic congestion, particularly on the already busy A3095 linking Bracknell to Maidenhead.
- vi) Some comments refer to the Abbey Place appeal site and cycle safety issues on a path connecting development at Newell Green to Forest Road in between properties Albren and Linthorpe, as featured on the Area 1 Masterplan. This is not relevant to this planning application.



### Watersplash Lane

- i) Allowing access onto Watersplash Lane would set a precedent for other parcels of land seeking to gain access on the lane.
- ii) Access to Plots 1-5 does not adhere to the Council's intention to maintain the character of Watersplash Lane. All access should be via the new internal road through the Harrow site.
- iii) Unnecessarily large sized turning head which could lead to issues such as being used as parking for the apartments and to go for a walk. This area must be for turning only and enforced using double yellow lines.
- iv) Widening of Watersplash Lane will spoil the lane's character.
- v) Allowing access and the large increase in traffic onto Watersplash Lane would have highway safety issues, cause damage and disruption.
- vi) Retention of trees and hedging screening plots 1-5 should be a condition.

### Green Infrastructure

- i) Insufficient landscaping and open space for leisure or for children to play.
- ii) Open space is on the fringe and should be brought into the development to allow residents to meet and communicate and for children to play in safety.
- iii) There should be no removal of trees. New trees will not provide screening or effective landscaping for at least a decade.
- iv) Loss of green space would have a detrimental impact on wildlife.
- v) Plans fail to provide sufficient buffer between new and existing development.
- vi) Trees along the boundary to the rear of plots 14-22 need to be retained as a buffer and supplemented by additional buffer landscaping.

### General

- i) Applications should have been submitted and considered together. This amounts to piecemeal development.
- ii) Local services such as GP surgeries and schools don't have the capacity to cope with this development.
- iii) Development will lead to noise and disturbance.
- iv) Quality of life would be improved if plots 6-11,12,13 were removed.

6.3 One further comment was received:

1. Access to a field to the west of where Watersplash Lane is proposed to be blocked off must be maintained. Watersplash Lane is an ancient highway, owned by the roadside landowner, therefore powers relating to road closures cannot be applied.

6.4 Following material changes to the application post-submission, neighbouring properties were notified of changes concerning: i) boundary treatment, ii) landscaping and highway works on Watersplash Lane, and iii) the design of plots 14-17; and given the opportunity to comment further. The following new issues were raised:

### Warfield Parish Council:

Recommend Refusal for the following reasons related to recent changes to the plans, and in particular proposals for the lane/hedgerow:

- i) Proposed changes would be detrimental to the character, street scene and look and feel of the lane.
- ii) The lane is an extension of the East West Greenway up to Cabbage Hill and therefore the lane should be left as is allowing safe passage for pedestrians, cyclists etc..
- iii) The numerous indigenous species should be retained in the hedgerow.

6.5 Objections from a further 21 properties were received:

#### Access

- 1. Access of plots 1-5 onto Watersplash Lane is unnecessary, as the layout could easily be changed to enable access off the main link road, then no works to Watersplash Lane would be necessary.
- 2. Access onto Newell Green will exacerbate traffic congestion at the Plough and Harrow junction.
- 3. Allowing access onto Watersplash Lane would compromise the safety of pedestrians, cyclists and horse riders who regularly use the lane.

#### Lighting

- 1. Street lighting proposed down Watersplash Lane is not necessary, out of character and will have a negative impact on wildlife.

#### Landscaping

- 1. Object to the removal of the hedge along the West View boundary. It provides good screening and privacy.
- 2. The loss of hedgerow and replacement with post and rail fencing would erode the character of the area.
- 3. The indigenous trees between the Leylandii hedge and the lane must be retained.
- 4. New hedging and trees will take years to become effective screening.
- 5. The hedgerow along Watersplash is habitat for many species of wildlife and should be retained.

6.6 One representation supporting the proposal was received.

## **7. SUMMARY OF CONSULTATION RESPONSES**

Transport Officer: No objection subject to conditions and s106 agreement.

SuDS Officer: No objection subject to conditions and s106 agreement.

Biodiversity Officer: No objections subject to conditions.

Tree Officer: No objection in principle. Comments addressed in report.

Environmental Health Officer: No objection. Recommends conditions.

Waste and Recycling Officer: No objection.

Archaeology: Comments set out below.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:-

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS5, CS16, CS17 of CSDPD, Saved policy H8 of BFBLP and SA9 of SALP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LAs setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD, Saved policy M6 of BFBLP	Consistent
Infrastructure mitigation	CS6, CS8 CS23 and CS24 of CSDPD, Saved policy R4 of BFBLP	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Warfield SPD		
Parking standards SPD		
Planning Obligations SPD		
Thames Basin Heath Special Protection Area SPD		
Design SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		
The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems		

## **9. PLANNING CONSIDERATIONS**

9.1 The key issues for consideration are:-

- i. Principle of development
- ii. Design, layout and impact upon character of the area
- iii. Residential amenity
- iv. Transport
- v. Ecology
- vi. Drainage
- vii. Archaeology
- viii. Trees and landscaping
- ix. Open space of public value
- x. Securing necessary infrastructure / CIL
- xi. Thames Basin Heaths Special Protection Areas (SPA)
- xii. Affordable housing
- xiii. Sustainability issues
- xiv. Waste management

### **i. PRINCIPLE OF DEVELOPMENT**

9.2 The Core Strategy DPD (February 2008) first identified the area of Warfield for 'a comprehensive, well designed mixed-use development' comprising 2,200 dwellings in policy CS5 'Land North of Whitegrove and Quelm Park (Parish of Warfield)'.

9.3 This strategic site is allocated in the Site Allocations Local Plan (SALP) (July 2013), Policy SA9 – Land at Warfield. The land lies within the defined settlement, therefore development is considered acceptable in principle. Policy SA9 requires a mixed use development including:

2,200 residential units (including affordable housing)

Employment

Neighbourhood Centre

Two Primary Schools

Multi-functional Community Hub

On-site Open Space and Suitable Alternative Natural Greenspace (SANG).

9.4 The Warfield SPD (February 2012) provides design, infrastructure and delivery guidance on how the development at Warfield could be implemented. This divides the development of the area into 4 phases and explains the need for a comprehensive approach to the development of the site and specifically the need for a masterplan.

9.5 Core Strategy DPD Policy CS2 sets out a number of locational principles for new development within Bracknell Forest states that 'Development will be permitted within defined settlements and on Allocated Sites. The site is within a defined settlement and is therefore in accordance with Policy CS2. Given that the development site is allocated for development, lying within the defined settlement, the development is acceptable in principle and the relevant Development Plan policies, outlined above relating to the principle of the proposed development are considered up to date and

consistent with the NPPF. Notwithstanding this, consideration also needs to be given to whether the proposed development is in accordance with Policies CS5 and SA9 requiring comprehensive delivery to meet sustainable development objectives.

### **Other material considerations**

9.6 The NPPG explains that development proposals should reflect the requirement for good design set out in national and local policy. The relevant Local planning policy is set out within policy EN20 (to be read in conjunction with policies EN22 and M4); the CSDPD policy CS7 refers; SALP policy SA9 Land at Warfield refers and detailed guidance as set out in the Warfield SPD, specifically within Section 4 – Design Strategy and Urban Design Principles and the Design SPD.

9.7 The proposal is located within Area 1 as defined by the Warfield SPD. Policy W2 sets out the Design Principles and explains that the design strategy and the design principles should inform the design and layout of all development proposals that come forward for the site. The Warfield SPD defines character areas, and the application site is mostly located in Character Area 5 (Newell Green South) whilst the Watersplash Lane frontage is in Character Area 1 (Neighbourhood Centre). The Warfield SPD sets out the following guidance with respect to these areas:

- The east end of Watersplash Lane should be maintained as a semi-rural lane and continue to provide access for existing residents and dwellings.
- Development should front onto Watersplash Lane whilst retaining the existing trees and hedgerows as a green buffer area.
- Trees and hedgerows should be retained and layouts should take into account the important trees and planting, including the trees covered by Tree Preservation Orders.
- This area should be verdant in character with significant areas provided for new trees and landscaping.
- The area should be informal, providing a mix of dwelling types. Within parcels, there will be opportunities to create internal mews areas and shared street courtyards.
- Plot sizes and set backs should vary creating an informal area and interest within the streetscene.

9.8 The Area 1 Masterplan responds to requirements set out in the Warfield SPD and provides the parameters and design principles to set the context for development proposals, and is a material consideration in the assessment of this planning application. The application has been assessed on its response to the following key masterplan design principles:

- The access strategy, with development orientated towards Bracknell town centre, to minimise traffic impact on Forest Road.
- Provision of c.55 units (this area includes the 'Old Farmhouse Row' parcel to the north, subject to a recent refusal for 10 dwellings, as referred to in the planning history). The majority accessed off Sopwith Road (new north-south link road) and a small element accessed off Watersplash Lane.
- The density of the development i.e. the masterplan seeks to secure 35 dwellings per hectare (dph).
- Provision of a pedestrian and cycle link to Abbey Place.
- The 'stopping up' of Watersplash Lane to the west of the proposed access to this development to vehicular traffic. Pedestrian, cycle and horse access is maintained. A

principal street linking the Kitewood site to Harrow Estate's site across Watersplash Lane was originally intended in the Area 1 Masterplan access strategy. (This is no longer the case. The current proposal would have far less an impact on Watersplash Lane).

- Integration of SuDS as green features within the development.
- Traditional architecture and use of materials, reflective of local vernacular, and street forms that reflects the rural green informal character of Newell Green.
- Development that fronts onto Watersplash Lane.
- Denser development along main streets and to the back of the existing village.
- Building heights predominantly 2 storey, limited number of 3 storey buildings at key locations.
- Predominantly detached and semi-detached house types and some short terraces. Limited number of apartments at key locations.
- Variety of housing types and forms.
- Informal street appearance.
- Boundary treatments predominantly soft landscape, including hedges and a variety of informal front garden planting.
- Predominantly on plot parking with parking courts and on street parking in denser development.
- Retention of existing vegetation where possible with planting enhancements.
- Street trees to soften up the streetscape.

9.9 The Character Areas SPD (2010) provides further design recommendations and can be afforded significant weight. It provides guidance to supplement Core Strategy Policy CS7 (Design). The southern part of this application lies within Area A (Forest Road/Osborne Lane) of the Northern Villages study area. Key recommendations relevant to this proposal are:

- Development along the main streets should most appropriately be in the form of semi detached or small terraces of houses (2 storeys high);
- Infill development at the rear of plots could differ slightly in character without impacting negatively on the settlement. However, existing frontage conditions should be retained;
- Development within the village fringes should retain the looser, more open and less formal development pattern;
- Retain roadside and waterside hedgerows and hedgerow trees;
- Front boundaries to be formed by hedgerows or low brick walls; side boundaries linking to older property to use brick walls;
- New development should retain and reinforce tree and hedgerow planting in keeping with the local landscape pattern; and
- Boundary treatments should be in line with existing boundaries as there is a risk of loss of locally distinctive road frontage.

9.10 Having regard to this adopted planning policy, officers supported by ATLAS worked with the developer of this parcel of land as part of the wider development area of Newell Green to draw together a Development Framework Document (DFD). This submitted DFD brings together these design principles and has informed this proposal. It is not an adopted policy document but has been submitted to assist the assessment of the individual applications and demonstrate compliance with the planning policy framework for Warfield.

9.11 This proposal will be considered in the context of these policies and principles under their respective headings that follow.

## ii. DESIGN, LAYOUT AND IMPACT UPON CHARACTER OF THE AREA

9.12 The Warfield SPD indicated densities of 35 dph within this part of the application site (parcel 'k' in the figure 5 Schedule of Accommodation). The DFD has demonstrated that this could not be achieved whilst having regard to the key principles of adopted policy. This section demonstrates how layout and design of the development has sought to deliver development whilst having regard to the character of the area. Although development of 29 dph rather than 35 dph has been achieved, this is a consequence of the need to respond to specific on site constraints: drainage, ditch line, existing trees and landscaping; whilst securing a quality environment with trees/landscaping and meeting the parking /highway requirements.

9.13 The layout follows the Framework Masterplan in the DFD. Development consists of three distinct development parcels, each having a different point of access, and two other key elements: the north-south greenway and works to Watersplash Lane. Each element will now be considered in turn in the context of planning policy requirements and the submitted DFD.

### Properties accessed off Watersplash Lane (Plots 1-5)

9.14 In accordance with the Area 1 masterplan and Warfield SPD access principles, a limited number of dwellings, Plots 1-5, are accessed off Watersplash Lane from a single point access. Dwellings comprise 2x 4 bed (plots 1,2,4,5) and 1x 5 bed (plot 3) and are detached and two-storeys in height. The houses are traditional in design, with red brick elevations and tile hanging, and are of a lower density compared to the rest of the development.

9.15 Dwellings front onto Watersplash Lane and are well set back to allow for a sensitively landscaped frontage.



**Figure 2: Plot 1-5 layout**



**Figure 3: Plot 3**

9.16 The existing screen of large conifers will be removed and replaced by native mixed species hedging and English oak trees with 'parkland fencing' that will over time create an attractive buffer sympathetic to the lane's heritage and rural character. Whilst the parkland fencing somewhat

formalises the boundary, it is traditional in style and in combination with landscaping the impact will be softened.

9.17 The depth of rear gardens and distance from side boundaries allow for appropriate separation, landscaping and boundary treatment. Garages for plots 2-4 are detached and set further back from the house, whilst plots 1 and 5 have integral garages that wrap around the left and right flanks of this development parcel.

9.18 All properties will benefit from small landscaped front gardens, supplemented by a grassed area south of the access driveway along Watersplash Lane.

9.19 The main access will be block paved, with gravel driveways, to define shared surface.

9.20 Following improvements made during the course of the application, the design and layout are now considered to accord with planning policy objectives and guidance. Issues relating to this sensitive edge have been satisfactorily addressed, the amenity of surrounding properties is safeguarded and the proposed development would make a positive contribution to the character of the area.

Properties in the north parcel accessed from Harrow Estate's land (Plots 6-31)

9.21 Access is gained from Harrow Estate's land from the west across the greenway. The access road is lined with trees on both sides, creating a green gateway, softening the built form beyond. Dwelling design is traditional with red brick elevations and weatherboarding, making this parcel distinct whilst sympathetic to the character of the area.

9.22 To the south of the access road, set back from the pavement running south of the main carriageway, lies a 2.5 storey north-facing apartment block (plots 6-11) providing 6 dwellings (2x 1 bed, 4x 2 bed). The block abuts the greenway to the west, separated by a hedged buffer, and is accessed both from the main access to the north and from the resident's parking court to the south.



**Figure 4: Plots 6-31 layout**



9.23 Residents on the ground floor have access to surrounding amenity space through French windows, and on the first floor balconies offer an active frontage and natural surveillance onto the greenway.

9.24 The two side windows on the ground and first floors of the east elevation both serve kitchens and are offset from non-habitable windows on neighbouring properties 12 & 13, therefore there are no privacy issues.

9.25 A pair of 2 storey semi-detached houses, plots 12 and 13 (2x 3 bed), are located 3m to the east. These dwellings benefit small landscaped front gardens providing separation from the shared surface carriageway to the north. Windows on both side elevations provide light into stairwells and therefore do not present any privacy issues. The rear gardens are bounded by a brick wall defining access to the parking area to the rear.

9.26 To the north of the main entrance opposite plots 6-11 is another 2.5 storey apartment block (plots 23-31) providing 9 dwellings (3x 1 bed, 6x 2 bed) set amongst amenity space. Orientated eastwards, it backs onto the greenway to the west where several balconies on the first and second floor provide active frontage and natural surveillance. The north elevation is appropriately set-in from the boundary, where land is allocated for development. This northern boundary is defined by landscaping with 1.5m high chain link fencing planted with hedging to soften the impact of this development on what is currently open land. To the east, in front of the block lies the parking court with an area of amenity space for residents.

9.27 Collectively, the two apartment blocks north and south of the access road have a presence on the streetscene that creates a legible gateway into the development of a higher density that is considered appropriate in this location, without adversely impacting the amenity of surrounding properties.

9.28 At the turning head located at the furthest point east of the main access are plots 14-22. The southernmost dwellings, plots 14-17, comprise two sets of 2x 3 bed 2.5 storey semi-detached houses that mirror each other. Windows on the side elevations provide light to stairwells, therefore the privacy between future occupiers within the development is assured. The ridge height is 9.75m with living accommodation in the roof. The rear roofline has 2 sets of small roof lights per dwelling.

9.29 Depth of the rear gardens varies from a minimum of 13m to 15.5m. Beyond the 1.8m high close board fence line lies existing properties of Newell Green Cottages and 19 Abbey Place. The majority of existing trees are to be retained and supplemented by further hedge and tree planting in order to provide a buffer to the existing dwellings beyond the boundary to the east of the site. Car parking is provided in bays to the front beyond small landscaped gardens.

9.30 To the north are plots 18 and 19, a 2 x 4 bed semi-detached block comprising a 2.5 storey central element and two storey flanks with accommodation over integral garages. This block faces down the main access road and so acts as the landmark building defining the entrance to the development. The front elevation is set back from the shared surface turning head beyond a small landscaped area. In front of each garage are a further two parking spaces. The rear gardens are approximately 15m long with existing established trees and a large Oak subject to a tree preservation order (TPO), that are to be retained. Each property has a roof light and dormer window on the rear roofline. Given the indirect angle window to window, 24m separation and

vegetation obscuring the sightline with 19 Abbey Place, the design is considered to be appropriate and will not have an unacceptable impact on the amenity or privacy of residents.



Figure 5: Plots 6-11



Figure 6: Plots 18 & 19

9.31 A 3x 3-bed terraced block comprising plots 20-22 is located in the north easternmost corner of the development. The southernmost pair (plots 20 & 21) are 2.5 storeys high and plot 22, the northernmost house, is 2 storeys high. To the front of this block is a small landscaped strip forming front gardens and car parking bays. Plot 22 is set slightly further in from both front and rear elevations and therefore benefits from a slightly larger garden. This has the effect of lessening the impact of development on Abbey Place. Whilst an ash tree is to be removed in the rear garden of plot 22, leading to increased exposure to the apartment block of 5-11 Abbey Place, proposed tree and hedge planting will provide a net gain in vegetation that will compensate for this loss over time.

9.32 The boundary to the rear of plots 14 to 22 has been identified as being particularly sensitive given its proximity to existing properties. Recommendations to the applicant that have been incorporated into the landscape design have helped to create a landscaped buffer that ensures that the interface between this development and the existing settlement is sympathetic. Coupled with sympathetic built form, plots 14-22 are considered to strike an appropriate balance between making efficient use of land in delivering homes without having an unacceptable impact on the amenity of existing or proposed dwellings.

#### Properties in the southern parcel accessed from Harrow Estate's land (Plots 32-43)

9.33 This parcel, containing plots 33-43, consists of an apartment block (plots 35-43) and a terraced block (plots 33-34) lying to the north of Watersplash Lane and to the west of the southern section of the north-south greenway. Again, building design is traditional, characterised by red brick elevations.

9.34 The 2.5 storey apartment block (containing 3x 1-bed and 6x 2-bed) is in a 'key location', as identified in the DFD, at the gateway to the greenway and at the end of the cul-de-sac. This is considered to be an appropriate location for a taller building with more presence to define the gateway, vary the built form and create legibility. The block is well set back from Watersplash Lane beyond a tree line and hedgerows. The front elevation is set back 3m from the greenway with an open frontage. This provides presence and natural surveillance on the greenway without being overwhelming. The block is set amongst a small area of amenity space and is linked to the open

space to the south via a gap in the hedge where there is a densely vegetated frontage to Watersplash Lane and a significant oak tree subject to a TPO. To the rear beyond an area of landscaping is the main access with parking area, bin and cycle storage. Being of traditional design and of a suitable scale, the block is considered to respond appropriately to the planning policy design objective in this key location without having an unacceptable impact on the amenity of surrounding dwellings and existing properties to the south of Watersplash Lane.



Figure 7: Plots 32-43 layout



Figure 8: Plots 35-43

9.35 Plots 32-34 lie to the north beyond a 4m wide gap that allows for landscaping and a path that provides access to the greenway from the west. They form a 2-storey terraced block consisting of 3x 3-bed units facing east onto the greenway. The rear gardens back onto the car parking court.

9.36 Over the fence of plot 32 to the northwest lies a car parking court serving an apartment block within the land owned by Harrow Estates. The nearest habitable from plot 32 to this block is about 22m and would be an indirect view, as such there are not considered to be any unacceptable adverse impacts on either property's amenity.

#### North-south greenway

9.37 A 'greenway' is proposed that runs north-south bisecting the site from the existing entrance to Sumanga Farm along an existing ditch line, creating a link north into the Harrow Estate's development parcels and further into the surrounding area. Of substantial length and breadth, it has been incorporated into the development as a multi-functional green corridor for drainage, recreation, a car-free route for pedestrians and cyclists and as a corridor for biodiversity. The northern section, beyond the main access road to plots 6-31 will provide a small landscaped area for play. Landscaping proposed has been selected to maximise biodiversity potential.

9.38 The greenway has been provided in accordance with the submitted DFD and will provide a car-free route for the development, encouraging residents to walk or cycle and will not lead to any adverse impacts on the amenity of dwellings.

#### Watersplash Lane works

9.39 Highway engineering works are proposed to Watersplash Lane from the junction with Newell Green to the stopping up of Watersplash Lane to the west of the gated access to Larks Hill. Works are limited to what is considered to be the minimum required to enable access to plots 1-5 and futureproof safe access on what is already a popular route, and with development in the area usage this will increase as a route to get to school and the new neighbourhood centre planned to the east of Newell Green. Describing works from east to west, works include:

- Shifting of the main carriageway northwards and changing the junction radii onto Newell Green;
- Existing carriageway widened to 4.8m for approximately 20m from Newell Green, before tapering to 3.8m wide that continues to the access to plots 1-5, a distance of around 58m from Newell Green. From the access to plots 1-5 westwards the edging ties into the existing carriageway width.
- Creation of 12m long 1.2m wide footpaths either side of the access linking onto the existing network along Newell Green;
- Landscaped strip to the north (0.8m wide) of the access comprising native mixed species, running along the fenceline with The Lindens to retain a vegetated entrance to the lane;
- Re-edging of the carriageway, with minimal raised kerb – the majority is flush with the road with the purpose simply to retain the road and prevent breaking up of the edge;
- Three lighting columns from Newell Green access to the entrance to the turning head;
- Reconditioning of the ditch line to the north of the lane with culverting of small sections.
- Removal of line of large Leylandii conifers along West View, replaced with native mixed species hedging and English Oak trees planted along the frontage;
- Creation of a turning head suitable for refuse and emergency vehicles at the entrance to the greenway – in a similar position to the existing access to Sumanga Farm; and
- Installation of wooden bollards to block-up Watersplash Lane immediately to the west of maintenance access to Larks Hill.

9.40 Proposed works follow extensive dialogue with highway engineers to understand and then minimise the need for works. As a result the extent and impact of works has reduced. Works currently proposed are now considered to accord with planning policy requirements – kept to a minimum to safeguard access for pedestrians, cyclists and horse riders whilst minimising the impact on the semi-rural character of the lane.

9.41 Overall, in design and layout terms, although density falls below what the SPD seeks for this area, given the constraints and sensitivities on and surrounding the site, development proposed is considered to be an appropriate response to the context of the site and is therefore considered acceptable.

### *External appearance of the buildings*

9.42 The proposed buildings are traditional in style, and feature architectural detailing and use a range of materials that reflect the locality. Dwellings have a mix of gabled and hipped roofs with slate/red roof tiling, with roofspace served by windows in front gables and small dormer and roof lights. Elevations will be built using different shades of red brick with weatherboarding, with detail comprising balconies and porches. The proposed choice of external materials has been informed by the local context and the character and appearance of the surrounding area. Full details of materials will be conditioned to be submitted for approval.

### **iii. RESIDENTIAL AMENITY**

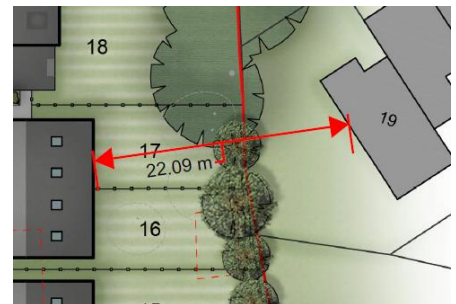
#### Impact upon the living conditions of adjoining properties

9.43 Several objections were received in relation to the impact on existing resident's amenity and privacy. Specific guidance on separation distances is provided in the recently adopted Design SPD. While some matters of general amenity have been addressed above, the following section seeks to address some of the specific concerns raised and the relationship to other properties nearby having regard to design guidance.

#### *19 Abbey Place*

9.44 Following privacy concerns raised by the resident, the applicant lowered the ridge height of plots 14-17 and replaced dormer windows with roof lights on the rear roof line, and agreed to retain more trees than originally proposed along the fence line.

9.45 The rear elevation of the nearest dwelling, plot 17, is 22m away from the side elevation and habitable rooms of 19 Abbey Place. This separation distance complies with those set out in the Design SPD which recommends a minimum separation of 22m when there is direct sight line. Furthermore there is an established line of deciduous trees along the fence line between proposed development and this sensitive edge with Abbey Place that would act as an effective visual buffer. Further landscaping is proposed that will bolster the buffer over time.

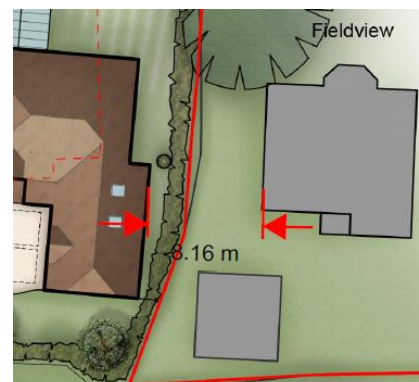


#### *Newell Green Cottages*

9.46 The rear gardens of plots 14-17 exceed 30m and the separation distance of rear elevations exceed 50m beyond 1.8m close board fencing and boundary landscaping. No unacceptable loss of amenity or privacy will result.

#### *Fieldview*

9.47 The side elevation of plot 1 is set in 3m from the eastern boundary and 8m from the side elevation of Fieldview to the east. The boundary treatment proposed is 1.8m close boarded fencing and native mixed species hedging. Windows on plot 1's first floor side elevation are two small bathroom windows and two small roof lights. Separation is considered appropriate and subject to a

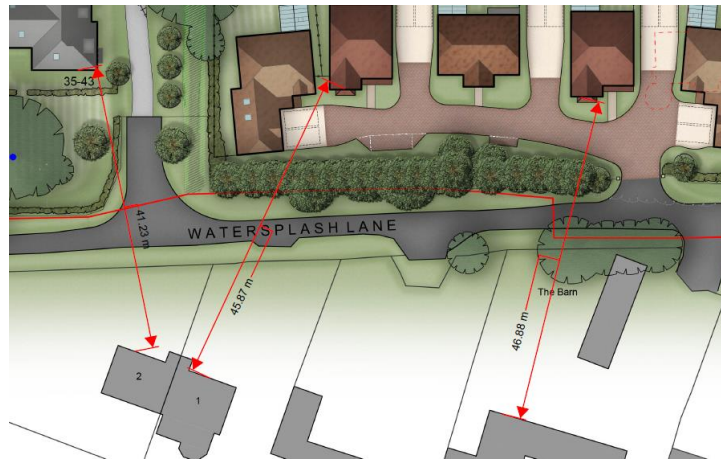


condition requiring the bathroom windows to be obscure glazed, no privacy issues on Fieldview will result.

*Properties to the south of Watersplash Lane*

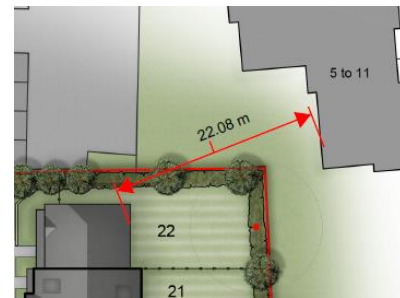
9.48 Plots 1-5 are set back approximately 15m to the north of the lane, whilst the nearest garage elevations, with living space above on plots 1 and 5 are set back 8-10m. Separation to existing properties to the south of Watersplash Lane are in excess of 30m, and, whilst the conifers will be removed, replacement landscaping including a native hedgerow and oak trees, will over time continue to soften the visual impact.

9.49 Separation between the apartment block (plots 35-43) and Fairclough Farm Cottages is 40m, with a mature oak tree and proposed landscaping serving to obscuring the view. Upon assessment, whilst there will be an inevitable visual impact on existing properties, the proposal sufficiently addresses planning policy built form and landscaping objectives to create a frontage sympathetic to the character of the lane and will not lead to any unacceptable impact on the amenity or privacy of existing properties.



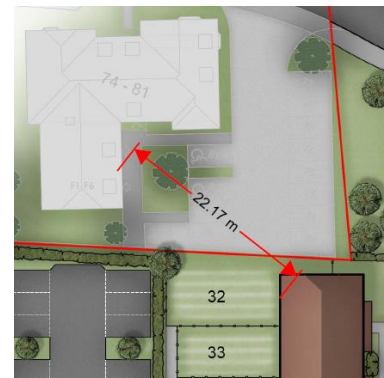
*5-11 Abbey Place*

9.50 The rear elevation of the nearest dwelling, plot 22, is 22m away from the existing apartment block's elevation, and views between habitable rooms are indirect, complying with the separation distances set out in the Design SPD. Boundary landscaping is also proposed which will further soften the boundary over time.



*Harrow Estate's adjacent land*

9.51 Plot 32 lies about 22m away from a proposed apartment block – the closest property on this adjacent development site. Further to this, views between habitable rooms will be indirect; therefore the relationship accords with the Design SPD and is acceptable.



9.52 On consideration of the impacts of this proposal on existing neighbouring properties, the proposal would not result in any unacceptably adverse impacts upon any existing and/or proposed residential amenity and would therefore comply with Saved BFBLP Policy EN20(vii), the NPPF and the Design SPD.

#### **iv. TRANSPORT**

##### Access

9.53 The proposal is in accordance with the Area 1 Masterplan principles of access. The majority of the site (plots 6-43) will be accessed off Sopwith Road. Roads providing access from the west through Harrow Estate's land can accommodate the traffic associated with this proposal. A limited number of dwellings (plots 1-5) will be accessed off Watersplash Lane. Road alterations are proposed on Watersplash Lane to mitigate the traffic and to enhance access by non car modes. Detail of works is provided in section 9.1(ii).

##### On site roads

9.54 The road serving plots 6-31 is 4.8m wide with 2m wide footpaths either side. From the apartment blocks this turns into a shared surface into the turning head area with a suitable location to introduce pedestrians into the road being designed in. The road serving plots 32-43 is a 4.8m wide shared surface. The applicant has provided details that demonstrate that turning heads can cater for refuse collection, and the transport officer has confirmed that access design is acceptable. The s106 will secure permissible rights for the public to access through private areas onto adoptable infrastructure that is being provided.

##### Watersplash Lane works

9.55 For access to plots 1-5, proposed engineering works to Watersplash Lane include widening the first 20m (approx.) to 4.8m and introduce improved footway connections into the lane from Newell Green by utilising land currently within the curtilage of The Lindens on Newell Green. Such an improvement will be of benefit to the operation of the access for both vehicles and pedestrians. The road then narrows to around 3.7m wide past the existing property up to the new site entrance where it widens at the point where the access into the site adjoins it. Past this point the lane is left at the current width until a formal turning head is formed where the current access to Sumanga Farm is located. This is welcomed as currently there is limited turning available along the Lane. The applicant has demonstrated that the design provides for turning for refuse vehicles and other pantechnicons. Whilst use of the turning head by delivery trucks for properties along the greenway is a risk, they will be named off the internal road network so the risk will be lowered. The use of parking restrictions such as double yellow lines is hoped to be avoided.

9.56 The principle of Watersplash Lane works is accepted by the transport officer and will be approved as part of drawings: Scheme Layout Sheet 1 – 5603.602 Rev C & Scheme Layout Sheet 2 – 5603.603 Rev C. It has been highlighted that design alterations, such as street lighting and kerb detailing, might be needed following further detailed design under the S278 agreement. This would require planning consent by way of a non-material amendment application.

9.57 It should be noted that the scheme as indicated is required to mitigate the development impact and any future demand from development to the south side of the lane. It should be noted that mitigation as shown is not only to cater for vehicular traffic but pedestrian and cyclist traffic

which will increase from development in the wider area. The principle of the design is to ensure that a balance is achieved between highway safety improvements with that of maintaining the character of the lane.

### Parking

9.58 Across the site resident parking has been provided to standard, as are visitor spaces that are spread across the development. Parking courts and car ports have mainly been used, with some garages.

9.59 Whilst it is noted that some parking spaces are located in front of units that they are not linked to, the harm to the design and layout in exploring layout alternatives was considered to outweigh the parking benefit.

9.60 Cycle parking for apartment blocks is in secure cycle storage and overall provision meets standards.

### Traffic Impact

9.61 The traffic impact of this site has been covered in a wider Transport Assessment for the consortium to establish what the cumulative impact would be. The applicant has considered both the individual impact this site will have and the wider impact of the surrounding sites, as the majority of development will share access onto Sopwith Road.

9.62 The applicant has modelled traffic from the consortium's original proposal of four development parcels, whereas now only three make up the consortium, to establish the impact the development will have compared to the current situation and as part of the wider development of the area. The applicant has used the Bracknell Forest Multi Modal Traffic Model. In that regard the impact on the local road network will be less than tested. Furthermore the assessment does consider a higher level of housing for each parcel compared to that actually proposed as alterations to the layout have led to a change in the numbers proposed. Such an approach provides a robust analysis of the likely impacts on the highway network.

9.63 A final technical note is awaited but, whilst the modelling identifies pressure on several junctions, it is expected that the results will not indicate any significant harm to the road network. Previous and interim assessment work has not indicated any particular junction operating over capacity. It is acknowledged that further changes to the road network are envisaged in time but these will be established through the wider development of the housing allocation for the area.

### Section 106

9.64 The s106 legal agreement covering all three consortium site, will include the following provisions related specifically to this site:

- i) Provision for adopting of highways and footpaths;
- ii) Contributions towards a crossing on Newell Green to ensure safe connectivity to the wider development of the area including schools and a local centre;
- iii) Contributions towards, or to carry out, wider improvements along the Harvest Ride corridor to improve capacity and/or accessibility for non car modes.



## Conclusion

9.65 In consideration of transport matters, subject to works as proposed undertaken and outstanding matters secured by condition, the transport officer raises no objections and it is considered that the proposal would not result in any highway safety issues. The proposal is considered to comply with Policies CS23 and CS24 of the CSDPD and Saved policy M9 of the BFBLP.

## v. ECOLOGY

9.66 Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity. This is supported by the NPPF – Section 10 that seeks to conserve and enhance the natural environment.

9.67 The reports submitted collectively provide a satisfactory ecological assessment of the site. The site's ecological value is limited to hedgerows, wet ditch, trees around the boundaries and a historic bat roost in West View, Watersplash Lane. The site is likely to provide important bat foraging and bird nesting habitat for a range of species due to its unlit nature and dense vegetation cover, though it has some sections where the hedgerow includes conifers that have a lower value. If the hedge is replaced with a species rich native hedgerow and native trees, this would provide a higher biodiversity value in the long term. The proposal is to remove the conifers and replace them with biodiversity-rich native hedge and tree species.

9.68 All significant, good quality trees are being retained. Although the removal of vegetation including many conifers surrounding West View will be to the short term detriment of limited biodiversity; landscaping proposed, which includes many native mixed species hedging and trees, will in the medium to long term provide added benefit that is more sustainable in this location.

9.69 Further recommendations were made in the report that will be delivered through lighting and landscaping design and secured by condition.

9.70 In conclusion, subject to conditions the proposal will not significantly affect biodiversity, with parts of the scheme delivering clear benefits.

## vi. DRAINAGE

9.71 The Planning Practice Guidance 'Flood Risk and Coastal Change' as amended 15/04/2015 advises under para. 079 that when considering major development, as defined under the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

9.72 The site is located in Flood Zone 1 and has areas within the site boundary indicated to be a surface water flood risk. The Applicant has submitted a Flood Risk Assessment and SuDS strategy. The site will provide central swale, along the greenway, that will mitigate the risk of surface water flood risk present.

9.73 The submitted surface water modelling to demonstrate how the creation of the swale will reduce the risk of flooding to the site has not been reviewed by the Lead Local Flood Authority (LLFA), therefore further details regarding the design of structures levels and details regarding the capacity of the swale over the complete route will be secured by condition.

9.74 The use of permeable paving is proposed to provide the storage volume required to attenuate the runoff from the site to permitted discharge rates. Following discussions with the LLFA revised calculations have been submitted and the applicant has confirmed that adequate provisions for utilities have been made in the design. The applicant's strategy has resulted in the requirement for very small orifice plates to be utilised on the outfalls from the permeable paving. This is of concern to the LLFA and access to the control structures will need to be carefully considered to ensure the risk of blockages is minimal, and careful design to ensure adequate silt traps and filtration are present throughout the design. Frequent inspection and maintenance will be key to ensuring these controls are able to operate and the applicant has confirmed that this will be identified in the management and maintenance plans to be secured by s106.

9.76 Calculations provided by the Applicant have demonstrated that the post development 1 in 100 year event can be attenuated to approximately the 1 in 2 year greenfield rate thereby mitigating any impact on increased volumes.

9.77 No elements of the proposed scheme will be adopted by either BFC or Thames Water, and ownership of the SuDS features will be transferred to a Private Management Company who will be responsible for their maintenance and operation. As such the LPA should secure the maintenance through S106 Obligation.

9.78 The Council's Senior Engineer (SuDS) recommends that the application be approved subject to conditions. It is therefore concluded that the proposals would comply with Chapter 10 of the NPPF and Planning Practice Guidance.

## **vii. ARCHAEOLOGY**

9.79 In accordance with Paragraph 128 of the NPPF the applicant has submitted an 'Archaeological Desk Based Assessment' that considers the archaeological potential of the application area and the likely impacts of the proposal upon the buried archaeological heritage. It advises that no known heritage assets, either designated or undesignated, are known within the application site, however the assessment notes the presence of several archaeological features in the vicinity. Whilst there is archaeological potential on the site, this is only likely to be agricultural features of local significance with no remains of national importance anticipated.

9.80 The Council's archaeological consultee has advised that whilst the report's conclusions are somewhat at odds with the known evidence for Iron Age settlement a short distance to the south and a medieval settlement a short distance to the west, this assessment is satisfactory and that further archaeological investigation of the application area can be secured by condition.

9.81 In conclusion, with the recommended condition, this application would comply with the NPPF and BFBLP policy EN6.

## viii. TREES AND LANDSCAPING

9.82 There are several trees subject to Tree Preservation Orders (TPO) on the site:

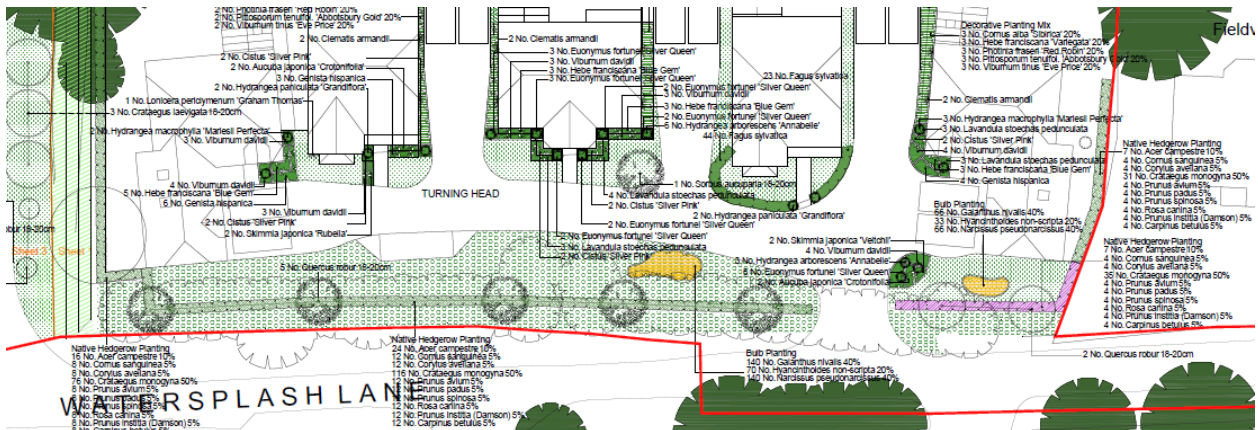
- i) TPO 569 – covers a group of Field Maple, an Ash and an Oak on the eastern boundary with Abbey Place.
  - The ash (T19) is identified as poor quality and is proposed to be removed. Whilst the tree officer has raised concerns regarding the trees removal, upon site visit the tree was inspected and the comment in the submitted tree report stating: “extensive crown die-back, ivy covered” to justify removal was considered to be valid. Two trees are proposed to be planted as replacement.
  - The group of Field Maple (T18) are not ideally located in the rear passageway accessing the rear garden of plot 21. They were however originally proposed for removal, but given their importance in terms of a buffer to Abbey Place and landscape character, they have been required to be retained. An alternative rear garden access arrangement was explored however would lead to an awkward arrangement and an erosion of the planted buffer with the apartment block to the rear of plot 22. Whilst not ideal, this is considered to be an acceptable compromise. The applicant has confirmed that the path and trees will be conveyed to plot 21.
  - The Oak (T17) – the tree officer raised concerns over the fencing configuration and potential ownership issues in future. The applicant has since confirmed that the tree, lying on the boundary, is not entirely in their ownership. The tree will be conveyed to plot 19.
- ii) TPO 686 – protects an individual Oak (T28) and the strip of Oak and Sycamore along the north of Watersplash Lane to the west of the entrance to Sumanga Farm. The relationship between T28 and the proposed flats has improved with increased distance; this is now acceptable. A Sycamore (T25) is identified as low quality for removal, that upon site inspection is considered acceptable. Extensive planting proposed along this boundary will mitigate this loss.

9.83 Further to these there are many other trees of varying quality on site. West View is enveloped in relatively recently introduced Leylandii conifers, particularly noticeable along Watersplash Lane. Given the sensitivity regarding works proposed here, specific commentary on this matter is provided below. All trees of good quality are to be retained.

### Leylandii conifers along Watersplash Lane

9.84 The vast majority of hedgerow along Watersplash Lane is unaffected by this proposal. The only section of hedgerow to be removed as part of this proposal is along the frontage of West View. This section is about 75m long and is several metres wide comprising many large previously topped Leyland Cypress conifers, interspersed with some suppressed native trees of low quality that could be remnants of an older hedgerow that has been smothered by conifers over time. Whilst vegetated, this frontage is considered to be of particularly low quality that is unsustainable in this location and, being a recently developed fast-growing hybrid tree, is not in keeping with the semi-rural character of the lane. Additionally, the tree service advised that given tree works required and soil preparation on land that is to be planted, it would be unviable to successfully retain any of the existing trees. Better landscaping and screening can be achieved through a substantial and quality landscaping scheme which should use native species as implicit in retained planning policy.

9.85 By recommendation to the applicant, the landscape proposal is to replace this hedge with a native, mixed-species hedgerow and seven English oak trees that will provide a long term solution in keeping with the traditional character of the Lane.



9.86 Following appropriate soil preparation, planting and watering, the hedge and trees will begin to provide an effective green buffer within 2-3 years.

9.87 This part of the scheme contributes towards a key planning objective which is to protect and enhance Watersplash Lane’s character, heritage and biodiversity when an opportunity arises. Whilst in the short term the loss of the hedge will be apparent, landscaping will quickly establish to soften the frontage with species that will be of great benefit to Watersplash Lane. These works will also enable drainage ditches to be restored.

9.88 The biodiversity officer and tree service are supportive of these works.

9.89 The tree officer has advised that the proximity of trees to properties and tree protection measures to be put in place during construction as per plan TMC-13059-S Rev F is acceptable.

9.90 In terms of landscaping, a comprehensive scheme of quality planting is proposed. This includes trees lining the main access, structural planting along the greenway and around the perimeter and hedgerows, with particular emphasis on native species for the purpose of benefiting residential amenity, biodiversity and local character throughout the development and surrounds.

9.91 To conclude, tree retention/removal, tree protection and landscaping proposed is considered acceptable in accordance with Policy EN1 and EN2 of the BFLP.

**ix. OPEN SPACE OF PUBLIC VALUE [complete]**

9.92 Two areas of open space are being provided:

- i) The greenway (approx. 1,850 sqm), will create a green corridor benefitting biodiversity and will be an area for recreation. It comprises a north-south path connecting Watersplash Lane into Harrow Estate’s greenway that continues north, an area for play and a ditch line

that serves a SuDS function. Landscaping has been carefully designed with a variety of native species, from meadow grassland to large deciduous trees, to maximise biodiversity potential.

- ii) An area to the south of plots 35-43 (approx. 680sqm) will provide a landscaped area for recreation, and is linked to the greenway.

9.93 Compliance with the Council's adopted open space standards would require the site to deliver 0.42ha of open space. In accordance with provisions set out in the Planning Obligation SPD, because of the proximity of open space near to the site that could benefit from further investment (the Warfield SPD identifies a number of off-site projects), mitigation for the residual 0.17ha not provided on site will be delivered off-site in the form of a financial contribution, which the applicant has agreed to, towards improving the capacity of an existing area of open space. Subject to this being secured by s106, this proposal satisfies requirements set out in SALP policy SA9 and the Warfield SPD.

## **x. SECURING NECESSARY INFRASTRUCTURE / CIL**

9.94 The proposal would be CIL liable and is located in the 'Land at Warfield' charging zone with a CIL rate of £220 per square metre.

9.95 The introduction at the start of this report sets out the strategy to secure the delivery of infrastructure to meet the needs of the development whilst not prejudicing the future development of Warfield as a whole. Without prejudice to the outcome of the decision by this Committee, discussions have commenced with respect to the content of the framework s106, which will include mechanisms to secure:

- Affordable Housing – 26% of the total number of dwellings, comprising 70% affordable rented and 30% intermediate housing to be completed and transferred to a Registered Housing Provider;
- On-site open space, including provision; maintenance and transfer;
- Thames Basin Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) (the Wellers Lane SANG would provide mitigation for the impact of the development on the SPA);
- Travel plan – a travel plan would be submitted to and approved by the Council prior to first occupation;
- Access to the development from Sopwith Road – the access route to ensure connectivity between land parcels to the north of Watersplash Lane;
- Sustainable Drainage Systems (SuDS) to secure the future maintenance and management of SuDS features on site;
- The delivery of roads, the provision of adopted footways and cycleways to serve the development parcel and to ensure connectivity between parcels;
- The phasing of the development.

9.96 In addition, financial contributions will be secured towards the following:

- Furniture and ICT fit out of Warfield Primary School (Sopwith Road);
- Off-site open space to secure improvements towards the Warfield Memorial Ground (a nominated project within the Warfield SPD and located to the north of the site on Osborne Lane);
- Warfield community hub (at the planned neighbourhood centre off Newell Green);

- Off-site transport enhancements;
- Strategic Access Management & Monitoring (SAMM).

9.97 The precise details of the s106 remain to be finalised and therefore it is recommended that the decision be delegated to the Head of Planning to continue discussion and complete the framework s106 agreement to secure the necessary infrastructure in respect of this site and the two other applications submitted by the consortium at Newell Green.

#### **xi. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)**

9.98 This site is located approximately 4.8 km from the boundary of the SPA and therefore in accordance with the Thames Basin Heaths SPA Avoidance and Mitigation SPD is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures. Mitigation is in the form of providing Suitable Alternative Natural Greenspace (SANG) and making a Strategic Access Management and Monitoring (SAMM) financial contribution.

9.99 In accordance with the SPA SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is SANG. As this development is part of the SA9 – Land at Warfield planning policy allocating land for 2,200 dwellings, the Council would require a bespoke SANG provided in kind and for it to be maintained in perpetuity.

9.100 The SANG must be of adequate size to provide at least 8ha per 1000 new population for all dwellings within 400m to 5km of the SPA based upon an average dwelling occupancy in Bracknell Forest of 2.31 persons per dwelling. It must be demonstrated that the SANG area is of a sufficient quantum to meet the requirements of a particular proposal. The formula for this calculation is as follows:

9.101  $42 \text{ dwellings (net increase)} \times 2.31 \text{ persons per dwelling average} = 97 \text{ new population} / 1,000 \times 8\text{ha} = 0.78\text{ha SANG required (minimum)}$

9.102 The applicant has confirmed that the development proposals will incorporate avoidance, mitigation and enhancement measures in the form of the off-site SANG at Weller's Lane (planning ref: 15/01161/FUL). Planning consent for the stand alone SANG at Weller's Lane has been granted. The Council can therefore confirm that SANG capacity exists on this SANG and that this development lies within the 4km catchment of the Wellers Lane SANG.

9.103 An occupation restriction will be included in the Section 106 Agreement to ensure that the SANG is provided to standard before the development is occupied. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

9.104 SAMM funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it. Paragraph 3.5.8 of the Appropriate Assessment Screening Report (December 2016) states that the applicant will make a contribution towards the SAMM

project. The total SAMM contribution is £25,813, calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1.

9.105 To conclude, a Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). Absent any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.106 Provided that SANG and SAMM measures set out above are secured by section 106 agreement the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

## **xii. AFFORDABLE HOUSING**

9.107 The applicant has confirmed that plots 33-43 will be affordable, comprising 3x 1-bed and 6x 2-bed in the apartment block and 2x 3 bed in the terraced block. Totalling 11 dwellings, this equates to at 26.2% of net dwellings being affordable. The proposed tenure mix is 70% affordable rent and 30% intermediate housing, meeting the council's Affordable Housing requirements set out in Section 5.8 of the Planning Obligations SPD, and the dwellings are considered to be of an appropriate mix.

9.108 Therefore subject to securing this level of provision by s106, the applicant has met the requirements of CSDPD Policy CS17 and BFBLP Policy H8.

## **xiii. SUSTAINABILITY ISSUES**

9.109 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres per person per day.

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

9.111 The applicant has submitted a satisfactory Sustainability & Energy Statement and a condition will be imposed to secure this.

## **xiv. WASTE MANAGEMENT**

9.112 The Waste & Recycling Manager has advised that the bin access and storage arrangements for housing are appropriate. Following a minor change to the configuration of bins in the bin storage for the apartment blocks and the inclusion of combination locks to ensure that only the residents that live in the flats have access to it, this is now also considered to be acceptable.

9.113 The proposal therefore meets the requirements set out in the council's waste guidance.

## **10. CONCLUSION**

10.1 This proposed development is on an allocated site located within defined settlement and therefore is acceptable in principle. The 43 dwellings, of which at least 25% will be affordable, will contribute to the Council's housing supply, which is a material consideration, and the delivery of SALP Policy SA9.

10.2 A number of objections were received, and the report has sought to address matters raised.

10.3 In terms of overall design, layout and visual character, subject to appropriate materials, the development is considered to meet planning policy objectives and is appropriate in the location, delivering housing that provides a sense of place and is sympathetic to the surroundings.

10.4 Proposed vehicle access, lighting, parking layout and number of parking spaces are acceptable to the Highway Authority subject to funding for off site highway works secured by section 106.

10.5 Highway works and landscaping to Watersplash Lane have been carefully considered, and are considered to strike an appropriate balance between meeting highway safety objectives, providing landscaping that over time will deliver net conservation benefits and minimising adverse impacts on the lane's character.

10.6 The impact of the proposal on the living conditions of the occupiers of nearby properties has been considered and found to be acceptable.

10.7 It is concluded that the proposed development makes a valuable contribution towards the borough's housing supply without unacceptably compromising the character and appearance of the area, residential amenity or highway safety. The applicant has worked with others within the consortium to secure the comprehensive development of this part of the Warfield allocation at Newell Green both in terms of design and infrastructure delivery to the satisfaction of the Council. The application is therefore recommended for approval, subject to appropriate conditions and the completion of a Section 106 legal agreement to secure the provisions referred to in Section 9(x).

## **11. RECOMMENDATION**

11.1 Following the completion of planning obligations secured by a framework Section 106 agreement, under Section 106 of the Town and Country Planning Act 1990, associated with this application and with applications 16/01195/FUL and 16/01253/FUL submitted by the consortium of developers at Newell Green (considered elsewhere on this agenda) relating to:

- the provision of on-site affordable housing
- the provision of on-site open space
- Thames Basin Heaths SPA mitigation
- a Travel plan
- access to the development from Sopwith Road



- the provision and long-term maintenance of sustainable drainage (SuDS)
- the delivery of roads, footways and cycleways
- the phasing of the development

and financial contributions towards:

- furniture and ICT fit out of Warfield Primary School (Sopwith Road);
- off-site open space improvements
- Warfield community hub (at the planned neighbourhood centre off Newell Green)
- off-site transport enhancements
- SPA Strategic Access Management & Monitoring (SAMM)

the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:

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

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

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

15-P1219 –C101 Rev F – Site Plan  
 15-P1219-110 – Plots 1 (Handed) & 5 – Plans and Elevations  
 15-P1219-111 – Plots 2 & 4 – Plans and Elevations  
 15-P1219-112 – Plot 3 - Plans and Elevations Plan  
 15-P1219-113 – Plots 6 through 11- Proposed Plans  
 15-P1219-114 – Plots 6 through 11- Proposed Elevations  
 15-P1219-115 – Plots 12 and 13 - Plans & Elevations  
 15-P1219-116 Rev A – Plots 14, 15, 16 & 17 - Plans and Elevations  
 15-P1219-117 – Plots 18 & 19 - Plans & Elevations  
 15-P1219-118 – Plots 20, 21 & 22- Plans & Elevations  
 15-P1219-119 Rev A – Plots 23 through 31- Proposed Plans  
 15-P1219-120 Rev A – Plots 23 through 31- Proposed Elevations  
 15-P1219-121 Rev B – Plots 32, 33 & 34- Plans & Elevations  
 15-P1219-122 Rev B – Plots 35 through 43 - Proposed Floor Plans  
 15-P1219-123 Rev B – Plots 35 through 43 - Proposed Elevations  
 15-P1219-124 Rev C Garages, Carports, Bins, Cycles - Plans and Elevations Plan  
 13059-AIA-C – 13059-AIA-C – Arboricultural Impact Assessment (December 2016)  
 TMC-13059-S Rev F – Tree Survey & Constraints - AIA2  
 TMC-13059-L Rev L – Tree Protection Plan - AIA3  
 MILG20938-11HJSheet 1 of 3 – Soft Landscaping Plan - Sheet 1 Plan  
 MILG20938-11J Sheet 2of3 – Soft Landscaping Plan - Sheet 2 Plan  
 MILG20938-11J Sheet 3 of 3 – Soft Landscaping Plan - Sheet 3 Plan  
 MILL20938Man Rev A – May 2017 – Soft Landscaping Management and Maintenance Plan  
 WLW-903 Rev J – Hard Landscaping, Boundaries, and External Lighting Plan  
 Scheme Layout Sheet 1 – 5603.602 Rev C – Watersplash Lane works  
 Scheme Layout Sheet 2 – 5603.603 Rev C – Watersplash Lane works

SMA Drawing No. 5063.401 Revision C – Drainage strategy

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

03. The following windows:-

- plot 1: first floor east facing

hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

04. No superstructure development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

05. The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site 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 interests of the character of the area.

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

06. The development hereby permitted shall not be begun until a vehicular link has been constructed to base course level connecting the north-south link road (Sopwith Road) to the western boundary of the application site in the location shown on the Proposed Site Layout (drawing 161832E/A/P010/U) submitted with planning application 16/01195/FUL.

REASON: To ensure access to the site during the construction phase and thereafter in the interests of amenity and highway safety.

[Relevant Policies: Core Strategy DPD CS23]

07. The dwellings hereby approved on plots 1-5 shall not be occupied until the off site works on Watersplash Lane have been completed in accordance with the approved scheme (plan ref. Scheme Layout Sheet 1 – 5603.602 Rev C & Scheme Layout Sheet 2 – 5603.603 Rev C).

REASON: In the interests of highway safety and the character and appearance of Watersplash Lane.

[Relevant Policy: BFBLP EN20, M4 CSDPD CS7, CS23]

08. The dwellings hereby approved on plots 1-5 shall not be begun until a plan showing visibility splays has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

09. No dwelling shall be occupied until a means of pedestrian, cycle and vehicular access to it has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6m measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

11. No dwelling shall be occupied until the associated vehicle parking has been provided 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]

12. The garage accommodation shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

[Relevant Policy: BFBLP M9]

13. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (general Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which could be a danger to other road users.

[Relevant Policy: BFBLP M9]

14. No development shall take place until details of the signing for visitor car parking spaces have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

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]

15. The gradient of private drives 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]

16. 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]

The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.

REASON: In the interests of accessibility of the development to cyclists.  
[Relevant Policies: SEP T4, BFBLP M9, Core Strategy DPD CS23]

17. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings.

REASON: In order to ensure bicycle facilities are provided.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

18. No flat hereby permitted shall be occupied until bin storage serving it has been provided in accordance with the approved details. The bin storage shall thereafter be retained.

REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.  
[Relevant Policies: BWLP WLP6 and WLP9]

19. No development shall take place 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.

REASON: In the interests of amenity and road safety.

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

A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

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

21. 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, Core Strategy CS1, CS7]

22. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:-

- o measures to avoid harm to biodiversity
- o features provided to mitigate the loss of habitat (e.g. ponds, hibernacula)
- o habitat enhancements (not mitigation)
- o on-going management of new features/habitat

The mitigation scheme shall be implemented in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

23. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on bats has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

- details of methods to avoid killing, injury or disturbance to bats during development
- details of the provision of temporary roosts during construction
- details of the provision of replacement roosts
- details of habitat management and enhancement, e.g. suitable lighting and planting
- details of appropriate post construction monitoring

The mitigation scheme shall be implemented in accordance with the approved details, unless otherwise approved in writing by the local planning authority. 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]

24. 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 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]

25. All planting comprised in the approved soft landscaping works shall be carried out and completed in full accordance with the approved landscaping plan (plan ref. MILG20938-11HJSheet 1 of 3 – Soft Landscaping Plan - Sheet 1 Plan, MILG20938-11J Sheet 2of3 – Soft Landscaping Plan - Sheet 2 Plan & MILG20938-11J Sheet 3 of 3), 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 shown on approved drawing WLW-903 Rev J 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, unless the Local Planning Authority gives written consent to any variation.

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

26. No dwelling shall be occupied until its associated boundary treatments have been provided in accordance with the approved details (plan ref. WLW-903 Rev J, MILG20938-11HJSheet 1 of 3 – Soft Landscaping Plan - Sheet 1 Plan, MILG20938-11J Sheet 2of3 – Soft Landscaping Plan - Sheet 2 Plan & MILG20938-11J Sheet 3 of 3).

REASON: In the interests of the appearance of the site  
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

27. Prior to the commencement of development, the applicant, their agents or successors in title, will secure the implementation of a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will be undertaken in accordance with the approved document.

REASON: To understand the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance  
Relevant Policies: in accordance with Paragraph 141 of the NPPF

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties

29. 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) specifications of control of noise arrangements for construction and demolition.
- (ii) methodology of controlling dust, smell and other effluvia
- (iii) site security arrangements including hoardings
- (iv) proposed method of piling for foundations
- (v) construction and demolition methodology
- (vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
- (vii) methods of disposal of green and commercial waste
- (viii) routing of construction lorries

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.

[Relevant Plans and Policies: EN25 BFBLP]

30. The development hereby permitted shall be implemented in accordance with the submitted Sustainability & Energy Statement (7th December 2016).

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

[Relevant Plans and Policies: CSDPD Policy CS12]

31. Development shall not commence until full detailed design of the proposed surface water system have been submitted to and approved in writing by the Local Planning Authority. Drainage design shall accord with the strategy set out in SMA Drawing No. 5063.401 Revision C. Details shall include:

- i. Design of permeable paving including confirmation of construction specification, depths to invert levels, filtration measures, cover levels and maximum storage volumes in accordance with the approved drainage strategy.
- ii. Results of the 1 in 1, 1 in 2, 1 in 30 and 1 in 100 year and 1 in 100 year +40% storm for the detailed scheme and confirmation that runoff rates accord with the SMA Revised Technical Report dated 23/06/17
- iii. Confirmation of exceedance routes through the development and detailed levels design to ensure flood volumes are contained within the site without impacting on properties.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

32. Prior to commencement of development the detailed design of the complete swale and works to Watersplash Lane shall be submitted to and approved in writing by the Local Planning Authority. The design shall include cross-sections with finished floor levels of adjacent properties relative to 1 in 100 year level + climate change level, proposed structures, check dams, and water meadow features. The supporting hydraulic model shall be submitted including baseline results, demonstrating that flood risk is not increased off-site as a result of the scheme.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

33. The development shall not be begun until the detailed design of the complete swale in the north-south greenway (including lengths of it covered by planning application 16/01195/FUL) has been submitted to and approved in writing by the Local Planning Authority. The design shall include cross-sections with finished floor levels of adjacent properties relative to 1 in 100 year level + climate change level, proposed structures, check dams, and water meadow features. The supporting hydraulic model shall be submitted including baseline results, demonstrating that flood risk is not increased off-site as a result of the scheme.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

34. The development hereby permitted shall not be begun until details of a scheme for the disposal of foul water has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be carried out before the development or any thereof is occupied.

REASON: In order to ensure the provision of adequate foul drainage to serve the development.  
[Relevant Policy: BWLP WLP6]

#### Informative(s)

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

02. The developer is advised that a section 278 Agreement will be required for works within the highway.

03. Land Drainage Act Consent from Bracknell Forest Borough Council will be required for works to the existing ditches, including structures and outfalls.

In the event of the s106 planning obligations not being completed by 31<sup>st</sup> July 2017 the Head of Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:-

1. 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, Policies CS5 and CS14 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Thames



Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).

2. In the absence of a planning obligation to secure 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, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.

3. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, community, and educational facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures, a travel plan, open space, community and educational facilities, the proposal is contrary to Policies R5 and M4 of the Bracknell Forest Borough Local Plan, Policies CS6, CS8, and CS24 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Warfield Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).

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**ITEM NO: 8**

Application No.  
**13/00155/COND**

Site Address:

Ward:  
Binfield With Warfield

Date Registered:  
6 September 2013

Target Decision Date:  
1 November 2013

**Street Record Peacock Lane Bracknell Berkshire**

Proposal:

**Amendment to details approved pursuant to condition 29 (Masterplan/Design Statement) of outline planning permission 623523. (Note for clarification: this application provides for residential rather than commercial development on 4no. land parcels at Jennetts Park lying north of Peacock Lane)**

Applicant:

Persimmon Homes and Redrow Homes

Agent:

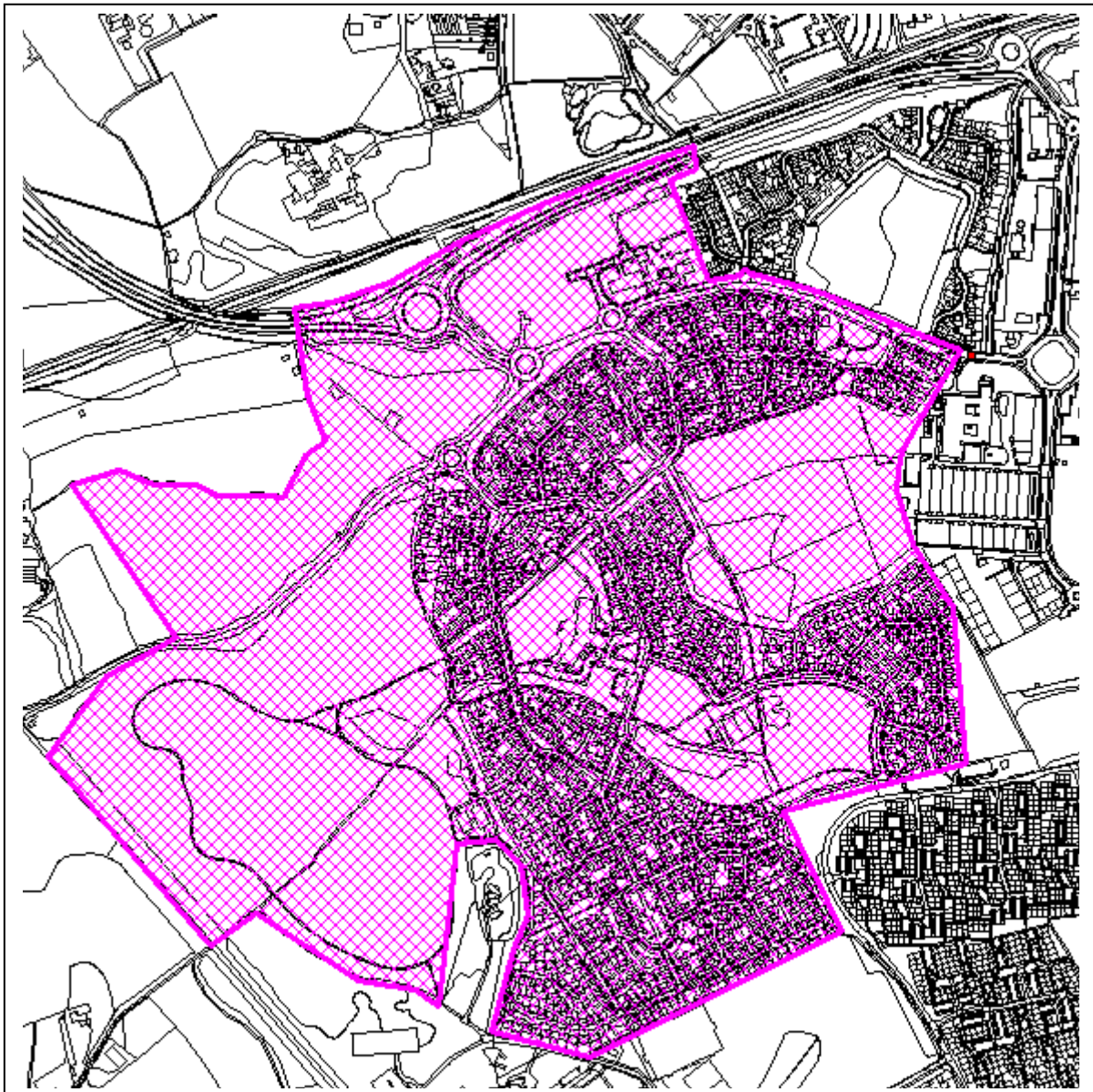
Pegasus Group

Case Officer:

Martin Bourne, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 This application seeks to amend the Peacock Farm Masterplan and the Design Statement approved under condition 29 of outline planning permission 98/00288/OUT (623523), to allow land parcels C1, C2, C3 and C6, lying to the north of Peacock Lane, to be developed for residential rather than commercial purposes.

1.2 The use of this land for residential development, at 70 dwellings per hectare, would accord with Policy SA2 of the Site Allocations Local Plan and would assist in delivering new dwellings in the period to 2026.

1.3 The amended Design Statement shows access arrangements and a layout broadly similar to that currently approved with buildings fronting Peacock Lane and the new access roads to the north. Taller flat blocks are proposed along the northern and western frontages to provide corner/gateway features and to help shelter the centre of the site from road noise from Berkshire Way. Areas of amenity space are shown, together with street planting along main roads, to provide greenery within the site and soften and screen areas of car parking.

1.4 The impacts on the character and appearance of the area, the listed buildings at Peacock Farm and the living conditions of nearby residents arising from the proposed changes to the Masterplan/Design Statement are considered to be acceptable and no greater than those associated with the commercial use of the land. No objections are raised by the Highway Authority.

<b>RECOMMENDATION</b>
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That application 13/00155/COND be APPROVED.
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### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

2.1 The application is reported to Planning Committee at the discretion of the Head of Planning to enable application 13/00783/REM, reported elsewhere on the agenda, to be considered should this application be approved.

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

<b>PLANNING STATUS</b>
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SALP Policy SA2 – Other land within defined settlements
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Land within defined settlement
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Within 5km of SPA
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Within 2km of an SSSI (Wykery Copse)
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Listed building on adjoining site (Peacock Farm)
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3.1 The land affected by this application - which has an area of about 1.94ha - is located within a wider area bounded by Peacock Lane to the south, Vigar Way to the west, Berkshire Way to the north and the Peacock Farm PH and housing at Butler Close/Jardine Place to the east. The natural fall of the land is downwards to the north and the east but the site has been made more level in recent years with the filling of the land; it still generally lies at a lower level than Peacock Lane and Berkshire Way. Access roads running north from Peacock Lane have been constructed but the remainder of the site is vacant and overgrown.

3.2 The wider area described above includes land wrapping around to the west and north of the affected land parcels which is shown on the Masterplan as land for a Park and Ride site, and land to the north-east which is reserved for small business units.

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

4.1 98/00228/OUT Outline application for new residential neighbourhood (approximately 64 ha) and country park (approximately 37 ha) incorporating dwellings, a primary school, neighbourhood centre, recreation facilities, retained woodland, nature conservation areas, wildlife corridors and play areas. Development of an area of mixed use on land north of Peacock Lane (approximately 5.1 ha) incorporating a public house (including conversion of Peacock Farm buildings) a park and ride site and employment area. Provision of all necessary ancillary services and facilities including structural landscaping, incidental open space, balancing ponds and road, public transport, cycle and pedestrian works including a new junction on Berkshire Way and works to Peacock Lane - APPROVED 17.05.2004 following signing of legal agreement.

4.2 Peacock Farm Masterplan/Design Statement submitted pursuant to condition 29 of Outline planning permission 623523 - APPROVED June 2005

4.3 Minor amendment to Masterplan/Design Statement to allow hotel to be located on either land parcel C1 or land parcel C6 - APPROVED March 2008.

4.4 10/00777/REM: Submission of details of scale, layout, appearance and landscaping for the filling of land to adjust ground levels for the future park and ride facility and adjacent commercial areas, using fill from elsewhere on the Jennett's Park development, pursuant to outline planning permission 98/00288/OUT (623523) - APPROVED December 2010.

4.5 13/00783/REM Submission of details of layout, scale, appearance, access and landscaping for the erection of 129no. dwellings accessed from Peacock Lane with associated access roads, pedestrian and cycle links, car parking, landscaping (including drainage) and associated works pursuant to outline planning permission 98/00288/OUT (623523) - NOT YET DETERMINED – reported elsewhere on this agenda

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

5.1 Condition 29 of outline planning permission 98/00288/OUT (623523) states:-

No details of reserved matters shall be submitted until a Master Plan (comprising a written statement, schedule and plan) has been submitted to and approved in writing by the Local Planning Authority. The Master Plan shall be in substantial accordance with the principles shown on the 'Indicative Master Plan' (drawing 982184/2) submitted with the application and shall contain the following details:

- (a) the disposition of the development within the site including the proposed land uses and density of development
- (b) the principles of vehicular, pedestrian and cyclist access to the development
- (c) the landscaping principles for the development
- (d) the design principles for the development.

The details comprised in the reserved matters shall comply in all respects with the approved Master Plan.

REASON: In the interests of the proper planning of the area and because the development is the subject of an Environmental Impact Assessment and any material alteration to the layout may have an impact which has not been assessed by that process.

5.2 As currently approved the Masterplan/Design Statement provides for the following mixed use development on land north of Peacock Lane:-

- a 1.6ha Park and Ride site
- a 0.5ha site for small business units (minimum floorspace 1,500 sq m)
- re-use of the Peacock Farm buildings, with extensions, as a public house
- offices
- hotels
- electricity sub-station.

5.3 To date only the public house (the Peacock Farm PH on land parcel C5) and electricity sub-station, adjacent to Berkshire Way, have been provided.

5.4 This application seeks to amend the Masterplan/Design Statement approved in 2005, and subsequently amended in 2008, insofar as it relates to land parcels C1, C2, C3 and C6 which lie on the north side of Peacock Lane. The Masterplan is proposed to be amended to show these land parcels forming part of the residential rather than commercial area at Jennett's Park. The Design Statement contains a Land Account with a table for the residential areas including the area of each land parcel, the density of development envisaged on it and a resulting total number of dwellings. The following modification to this table is sought through this application:-

Area	Land Use	Development Area (ha)	Density per ha	Total Dwellings
Land Parcels C1, C2, C3 and C6 (re-numbered as H24-27 inclusive)	Residential	1.94	70	135

5.5 The density of 70 dph is derived from the SALP (see below).

5.6 Figure 42 from the Design Statement, as proposed to be amended, shows residential buildings in place of commercial buildings on land parcels C1, C2, C3 and C6. The buildings front Peacock Lane and the new access roads to the north. The vehicular access points on to Peacock Lane are as built. The main change proposed to the access road is a link between that serving the Park and Ride site and that to the east.

5.7 The application has been amended in the course of its consideration.

## 6. REPRESENTATIONS RECEIVED

Binfield Parish Council:

6.1 No comments received.

6.2 No other representations were received.

## 7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer:

7.1. No objection to the application as amended.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The main planning policies and associated guidance applying to this site include:-

	<b>Development Plan</b>	<b>NPPF</b>
General policies	SA2 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent
Housing	CS16 of CSDPD	Consistent
Housing at Peacock Farm	PH1.2 of BFBLP	-
<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD		
Streetscene SPD		
Design SPD		
<b>Other publications</b>		
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 development
- ii Impact on character and appearance of the area
- iii Impact on the setting of Peacock Farm as a listed building
- iv Impact on residential amenity
- v Transportation considerations

### i. PRINCIPLE OF DEVELOPMENT

9.2 The main issue is the use of the site for residential rather than commercial development. The land parcels in question form a large part of the Land North of Peacock Lane site allocated for housing in Policy SA2 of the SALP. The overall allocated site, which includes further adjoining land to the north-east, has an estimated capacity of 182 dwellings based on a development density of 70 dwellings per hectare.

9.3 It is considered that the proposed amendment to the Masterplan and the associated changes to the Design Statement – providing for residential development at 70 dph - is in accordance with Policy SA2 of SALP and is therefore acceptable in principle.

### ii. IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

9.4 As currently approved the following is shown on land parcels C1, C2, C3 and C6 in Figures 42 and 43 in the Design Statement:-

- a 100 bed hotel (up to 4 storeys) with associated parking on land parcels C1 or C6
- a small hotel on land parcel C6 in association with the adjacent public house
- 2 to 4 storey offices – total floorspace up to 6,500 sq m (N.B. condition 47 of the outline planning permission restricts the total amount of B1 (business) and B2 (industrial) floorspace on the employment area north of Peacock Lane to a maximum of 8,000 sq m gross external floorspace. The small business units provided for on land parcel C4 are proposed to have a minimum floorspace of 1,500 sq m).

9.5 Notations on the currently approved Figures 42 and 43 include:-

- buildings maximising frontage onto Peacock Lane and addressing corner
- buildings forming visual stops to entrance road and access road
- corner or gateway features address roundabout and entrance into commercial area
- feature landscape zone
- new commercial buildings set back to improve setting of listed buildings
- 2-4 storey office/hotel buildings.

9.6 Figure 42 from the Design Statement, as proposed to be amended, shows residential buildings, in place of commercial buildings, on these land parcels. The vehicular access points on to Peacock Lane are as built. The main change proposed to the access road is a link between that serving the Park and Ride site and that to the east. The notes repeat many of those set out above; new comments are:-

- taller buildings along northern and western frontages
- amenity areas sheltered from noise by built development
- parking around (northern) edge of development to free up amenity space in the interior of the scheme
- street planting along main roads to green and soften areas of car parking.

9.7 Houses are shown fronting Peacock Lane and the main access running north from it. This is considered in keeping with development on the south side of Peacock Lane. Three larger flats buildings are shown. One lies in the south-west corner of the site on the north-east side of the roundabout junction of Vigar Way with Peacock Lane. A larger, landmark building is considered appropriate here, addressing the roundabout.

9.8 Two further blocks of flats are shown on the northern boundary of the site, closer to Berkshire Way. The eastern of these will provide a visual stop to the entrance road from Peacock Lane as envisaged in the existing Design Statement for commercial development on this land. The western block will be a landmark, corner building when viewed from Berkshire Way. Both buildings will help shield proposed landscaped amenity areas, and the houses and their gardens to the south, from road noise from Berkshire Way.

9.9 The illustrative planting is considered appropriately located to soften the appearance of the proposed buildings and associated parking areas and complementary to the planting undertaken south of Peacock Lane.

### **iii Impact on the setting of listed buildings at Peacock Farm**

9.10 Figures 42 and 43 of the existing Design Statement show three storey commercial buildings with associated car parking areas to the west of Peacock Farm. The proposed Design Statement shows smaller residential buildings. Subject to suitable designs and appropriate materials these dwellings are likely to have less impact on the setting of the listed building than the approved commercial scheme.

### **iv IMPACT ON RESIDENTIAL AMENITY**

9.11 Given the distance of the proposed buildings from the nearest existing dwellings with, in some cases, Peacock Lane in between it is not considered that the proposed form of development shown would be likely to have any greater impact on the living conditions of the occupiers of nearby dwellings than the proposed commercial development it is intended to replace.

### **iv TRANSPORTATION CONSIDERATIONS**



9.12 The vehicular access points from Peacock Lane are unchanged from the existing Design Statement and the layout of the access roads within the site is quite similar, the main difference being a through road linking the access roads running north from the two roundabouts on Peacock Lane. This will improve the site's permeability and is acceptable to the Highway Officer.

9.13 Safe pedestrian crossing points within the land parcels and to the south of Peacock Lane, and to the Peacock Farm PH, are indicated. These will be of particular importance to provide access to the facilities at Jennett's Park (primary school, community centre, open spaces etc).

9.14 No details of parking numbers are provided in the Design Statement but the broad location of parking in courts behind the proposed houses and adjoining the flats provides scope for an acceptable detailed parking solution.

## **10. CONCLUSIONS**

10.1 The use of land parcels C1, C2, C3 and C6 for residential, rather than commercial purposes is in accordance with SALP Policy SA2 and is considered to be acceptable. The proposed density of development, the disposition of development - including vehicular and pedestrian access and space for amenity space and planting - and the design principles are considered to be acceptable in terms of their impact on the character and appearance of the area, the impact on listed buildings at Peacock Farm and the living conditions of nearby residents. The amendments to the Masterplan and Design statement sought are therefore considered to be acceptable.

## **11. RECOMMENDATION**

That the amendments to the Peacock Farm Masterplan/Design Statement comprising:-

- a) Peacock Farm Masterplan (Figure 07) received 04 May 2017
- b) Mixed Use Development Area – North of Peacock Lane (Figure 42) received 03 July 2017
- c) Land Account received 03 July 2017

be **APPROVED**.

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**ITEM NO: 9**

Application No.  
**13/00783/REM**

Ward:  
Binfield With Warfield

Date Registered:  
17 September  
2013

Target Decision Date:  
17 December 2013

Site Address:

**Land North Of Peacock Lane Peacock Lane Bracknell  
Berkshire**

Proposal:

**Submission of details of layout, scale, appearance, access and landscaping for the erection of 128no. dwellings accessed from Peacock Lane with associated access roads, pedestrian and cycle links, car parking, landscaping (including drainage) and associated works pursuant to outline planning permission 98/00288/OUT (623523).**

Applicant:

Persimmon Homes & Redrow Homes

Agent:

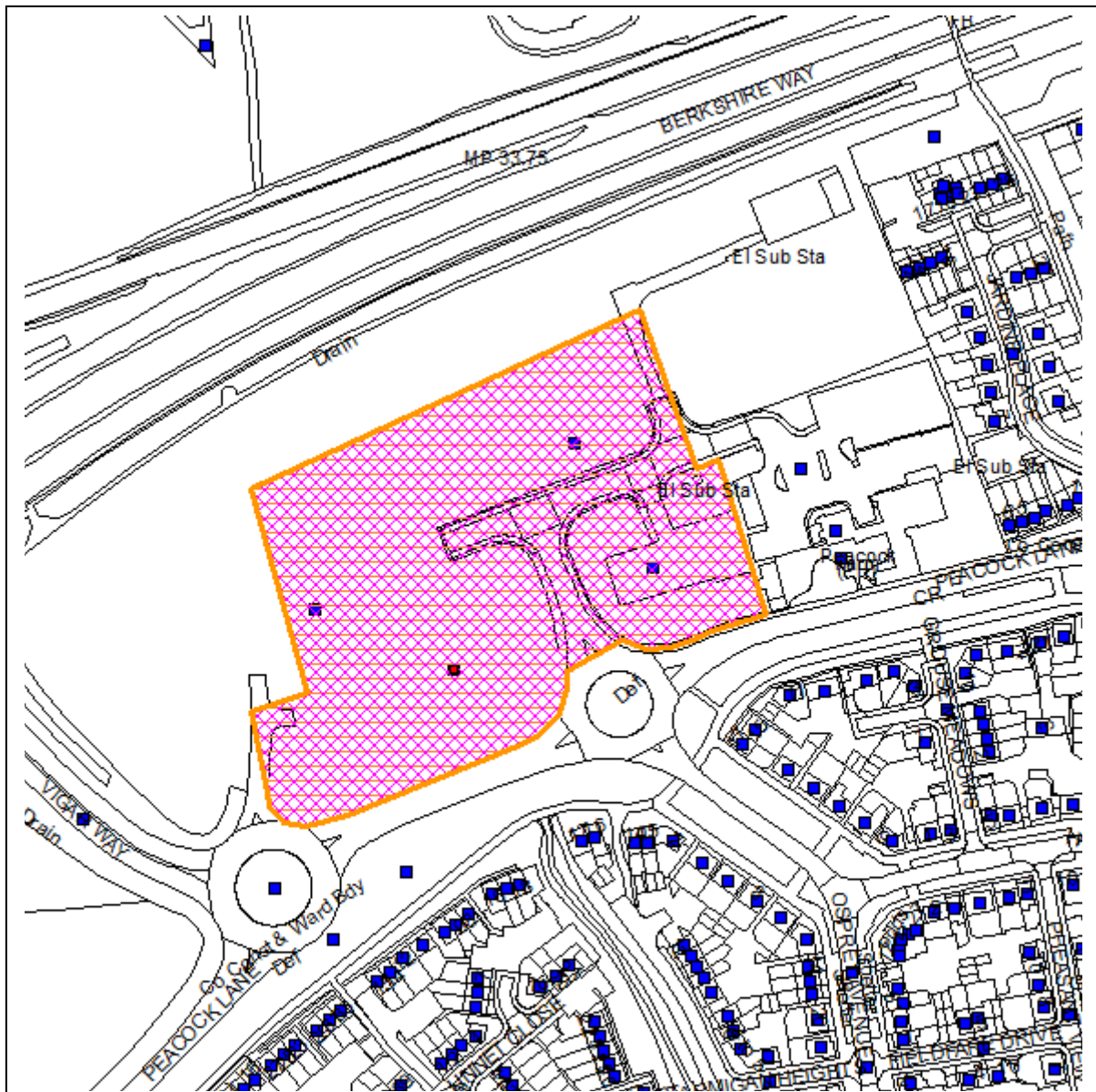
Pegasus Planning Group

Case Officer:

Martin Bourne, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## 1. SUMMARY

1.1 Reserved matters approval is sought for the erection of 129no. dwellings in the form of three blocks of flats, houses and flats over garages (FoGs) with associated access roads and amenity open space on land originally proposed for commercial development.

1.2 The principle of the proposed use is in line with the SALP which allocates this site for higher density residential development. The form of development accords with the proposed changes to the Peacock Farm Master Plan/Design Statement considered elsewhere on this agenda. The design and layout is considered acceptable for this visually prominent site with adequate access and car parking, taking account of the impact on the setting of the listed buildings at Peacock Farm. The impact on the highway network and on the living conditions of nearby residents is considered acceptable. Mitigation of the impacts of the development, including those on the SPA, is secured by obligations associated with the outline planning permission for the overall Jennett's Park development.

<b>RECOMMENDATION</b>
Reserved matters approval 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 Planning Committee following the receipt of more than 5 objections.

## 3. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
Land within defined settlement
Identified for residential development in SALP (Policy SA2)
Within 250m of a landfill site (parts of site)
Within 5km of SPA
Within 500m of an SSSI (Wykery Copse)

3.1 The 1.94 hectare application site lies on the north side of Peacock Lane. It is bounded to the east partly by vacant land allocated for small business units and partly by Peacock Farm, where listed buildings were converted to a public house/restaurant in 2008, together with its car park and associated outbuildings. To the west and north is vacant land, itself bounded to the west and north by Vigar Way/Berkshire Way, which is allocated for use as a park and ride (P+R) site.

3.2 The site itself is vacant, overgrown land containing partly built roads put in to serve the commercial development originally intended for this part of the Jennett's Park development. Some of it has been filled (see planning history below) but it generally slopes down gently from Peacock Lane towards Berkshire Way. There are no mature trees on the site.

## 4. RELEVANT SITE HISTORY

4.1 98/00288/OUT (623523): Outline application for new residential neighbourhood (approximately 64 ha) and country park (approximately 37 ha) incorporating dwellings, a primary school, neighbourhood centre, recreation facilities, retained woodland, nature conservation areas, wildlife corridors and play areas. Development of an area of mixed use on land north of Peacock Lane (approximately 5.1 ha) incorporating a public house (including conversion of Peacock Farm buildings) a park and ride site and employment area. Provision of all necessary ancillary services

and facilities including structural landscaping, incidental open space, balancing ponds and road, public transport, cycle and pedestrian works including a new junction on Berkshire Way and works to Peacock Lane – APPROVED May 2003

4.2 Peacock Farm Masterplan/Design Statement submitted pursuant to condition 29 of Outline planning permission 623523 - APPROVED June 2005

4.3 06/00720/REM: Submission of details of siting, design, external appearance and landscaping for commercial development area infrastructure access road and services providing access to land parcels C1 - C6 – APPROVED October 2006

4.4 07/01272/REM: Erection of temporary building for use as community centre – APPROVED January 2008

4.5 10/00777/REM: Submission of details of scale, layout, appearance and landscaping for the filling of land to adjust ground levels for the future park and ride facility and adjacent commercial areas, using fill from elsewhere on the Jennett's Park development, pursuant to outline planning permission 98/00288/OUT (623523) – APPROVED December 2010

4.6 13/00155/COND: Details pursuant to condition 29 (Master Plan Design Statement) of planning permission 623523 (note for clarification: amendment to approved Master Plan Design Statement to provide for residential development north of Peacock Lane) – NOT YET DETERMINED (considered elsewhere on this agenda).

## **5. THE PROPOSAL**

5.1 Reserved matters approval is sought (including details of layout, scale, appearance, access and landscaping), pursuant to the outline planning permission for the Jennett's Park development as a whole, for the erection of 129no. dwellings with pedestrian, cycle and vehicular access from Peacock Lane.

5.2 The dwellings mix proposed is as follows:-

- Three blocks of flats:-
  - Block A (3 and 4 storey): 17 flats - 10 x one bedroom and 7 x 2 bedroom flats
  - Block B (4, 5 and 6 storey): 32 flats - 11 x one bedroom and 21 x 2 bedroom flats
  - Block C (3, 4 and 5 storey): 48 flats - 18 x one bedroom and 30 x 2 bedroom flats
- 3 no. 2 bedroom FoGs (2 storey)
- 29 no. 3 bedroom semi-detached/terraced houses – two, two and a half and three storey).

5.3 Car parking is proposed in parking courts behind the proposed houses fronting on to Peacock Lane (generally open but with some car ports and car barns) together with undercroft and surface parking serving the blocks of flats.

5.4 Areas of amenity space are proposed to serve the blocks of flats but, in line with the SALP, there is no requirement for on-site open space given the proximity of the site to open space at Peacock Meadows to the south-west.

5.5 The application has undergone a series of amendments in the course of its consideration chiefly to improve the quality of the design of the flat blocks and to provide a higher parking ratio.

5.6 Assuming that the application reported elsewhere on the agenda to amend the Peacock Farm Masterplan/Design Statement (application 13/00155/COND) is approved this application can be considered as a reserved matters application pursuant to outline planning permission 98/00288/OUT (623523). That permission was subject to a condition (no. 28) stating that the development shall not exceed 1500 dwellings. Some 1300 dwellings have been approved on land south of Peacock Lane so with the additional 129 dwellings for which reserved matters approval is now sought this total will not be exceeded.

5.7 Whilst the current proposals involves the loss of land originally allocated for commercial development it does not preclude the development of an 'area of mixed use on land north of Peacock Lane (approximately 5.1 ha) incorporating a public house (including conversion of Peacock Farm buildings), a park and ride site and employment area' as included in the description of the outline planning permission.

## **6. REPRESENTATIONS RECEIVED**

### Binfield Parish Council:

#### 6.1 Recommend refusal:-

1. The dwellings are too high and out of keeping with the existing area and the design statement.
2. The noise from the adjacent A329 will be excessive and there is an absence of a bund and adequate landscaping to alleviate the noise.
3. There are no local amenities such as shops.
4. The Committee were concerned that the parking capacity was inadequate.
5. The Committee were also concerned that there needs to be suitable access for various service vehicles
6. There is insufficient soft landscaping.

### Other representations:

#### 6.2 Twelve objections have been received raising concerns which may be summarised as follows:-

- The size and style of the four, five and six storey flats are not in keeping with the rest of Wykery Copse and Jennett's Park and will dwarf surrounding properties
- This very high rise will give an incorrect perception of the street scene of the town one would expect to see when entering Bracknell down its main artery
- The design does not follow the original Jennett's Park Master Plan
- this number of dwellings will lead to an unsightly block appearance with the resulting loss of an open and pleasant view to local residents
- The designs of the houses are not in keeping with the rest of Jennett's Park and Wykery Copse; designs should be kept similar so the estate is kept as a cohesive one.
- No more building applications should be granted until services and shops have been allocated, confirmed and established.
- the increase in number of dwellings would cause further traffic jams entering Jennett's Park roundabout to the A329 from Vigar Way and increase traffic along Peacock Lane.
- there will be a large increase in the number of residents on the north side of Peacock Lane needing pedestrian access to the main Jennett's Park development (School, Parks, Shops,

Community Centre) and the single Pelican crossing at Butler Drive is inadequate, also the 40mph speed limit would be too high for what would now be considered a residential road.

- insufficiency of off-street parking for new residents.

6.3 There were two further representations:

6.4 One supported the application but suggested that alterations need to be made to Peacock Lane to reduce the speeds and the volume of traffic that use this road with the road reduced to a 30mph zone, and traffic calming measures put in place.

6.5 The other included a comment that consideration should also be made to the need for a commercial area - there is now far too much office space within the Bracknell area, which will never be filled.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highways Officer:

7.1 The Highway Authority has no objection subject to conditions.

### Environment and Public Protection:

7.2 Raised concerns regarding noise and air quality which have been addressed by the submission of additional information.

### Lead Local Flood Authority

7.3 No objection.

### Biodiversity Officer

7.4 The submitted landscape strategy should include biodiversity enhancements such as native tree, shrub, hedgerows and herb-rich seed mix/turf where currently more ornamental species are proposed. Recommends a condition to secure this.

### Environmental Policy Officer (SPA)

7.5 Suitable mitigation already secured.

### Waste and Recycling officer

7.6 No objection.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:-

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policies EN1 and EN20 of BFBLP	Consistent

Parking	CS23 of CSDPD, Saved policy M4 and M9 of BFBLP	Consistent
Housing	CS16 of CSDPD	Consistent
Accessibility	CS7 of CSDPD, Saved Policy EN22 of BFBLP	Consistent
Biodiversity	CS1(vii) and CS7 (iii) of CSDPD	Consistent
Noise	Saved Policy EN25 of BFBLP	Consistent
SPA	Retained SEP Policy NRM6, CS14 of CSDPD and Saved policy EN3 of BFBLP	Consistent
Housing at Peacock Farm	PH1.2 of BFBLP	-
<b>Supplementary Planning Documents (SPD)</b>		
Design SPD		
Streetscene SPD		
Parking Standards SPD		
Thames Basin Heaths Special Protection Area SPD		
Planning Obligations SPD		
<b>Other publications</b>		
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 development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Impact on the setting of listed buildings at Peacock Farm
- v Transportation considerations
- vi Biodiversity
- vii Thames Basin Heaths Special Protection Area (SPA)
- viii Infrastructure contributions
- ix Sustainability
- x Drainage
- xi Noise and air quality
- xii Environmental Impact Assessment

### i. PRINCIPLE OF DEVELOPMENT

9.2 The site lies within a defined settlement and the principle of building on it has been established by outline planning permission 98/00288/OUT (623523). The Masterplan/Design Statement approved pursuant to the outline planning permission identified this part of the Jennett's Park development for commercial use (offices and hotel(s)). No proposals for such uses have come forward and in the 2013 SALP the application site, and land adjoining it to the north-east, was allocated for residential development at a density of 70 dph (giving a total of 182 dwellings).

9.3 The SALP sets out a list of requirements for the site which may be summarised as follows:-

- investigation and remediation of any land contamination;
- affordable housing [see (xii) below]
- impact of the development upon the local road network [see (v) below]
- noise (in relation to the proximity of the site to the A329) [see (iii) below]



- setting of the adjacent Listed Building (Peacock Farm) [see (iv) below]
- demonstration of adequate waste water capacity [see (x) below]
- mitigation of impacts [see (viii) below]
- SPA mitigation [see (vii) below].

9.3 An application to amend the approved Master Plan/Design Statement (13/00155/COND) in line with the SALP is considered elsewhere on this agenda. If this amendment is approved then this reserved matters application for residential development will be in compliance with condition 29 of the outline planning permission.

9.4 The details contained in this reserved matters application are assessed against the Masterplan/Design Statement, development plan policies and the NPPF in the remainder of this report.

## **ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

### Layout

9.5 The proposed layout utilises the existing vehicular accesses from roundabouts on Peacock Lane serving land to the north. The main access is that running north from the roundabout junction of Peacock Lane with Osprey Avenue. Two and 2.5 storey houses are proposed fronting Peacock Lane to either side of this junction and then fronting this access road as it runs north into the site. A visual stop to this road is formed by flat Block C. This building, which has a landscaped courtyard in front of it, rises from 3 storeys, next to the access road, to 5 storeys towards the site boundary. The access road running east to serve the Peacock Farm PH is fronted on its south side by a further pair of semi-detached houses and a flat over a garage (FoG).

9.6 Running west, to link with an access road connecting to the roundabout on Peacock Lane forming a junction with Vigar Way, the access road runs to the south of flat Block B, a 4-6 storey high building marking the site's north-west corner. The visual stop on this length of road is formed by two FoGs running parallel to the site's western boundary.

9.7 The landmark building on the site's south-western corner – the Peacock Lane/Vigar Way roundabout – is flat Block A, a part 3, part 4 storey building.

9.8 The main parking areas are in the form of parking courts serving the houses located either side of the main access road into the site. Flat Blocks B and C have undercroft parking with further surface parking adjoining the flats. Flat Block A has parking to the north and east.

9.9 The layout draws on principles contained in the Design Statement approved for commercial development on the site, with buildings fronting roads and larger/taller buildings forming 'corner' or 'gateway' features. Space is provided for planting to enhance the street scene and to visually soften and break up large areas of parking.

9.10 The blocks of flats have internal bin stores at ground floor level as do the FoGs. All the houses have access to their rear gardens to allow bins to be stored there during the week and presented for collection within 25m of adopted highways on collection days. To assist this, bin collection points are proposed in the parking courts serving the groups of houses either side of the main access into the site.

### Scale

9.11 The site capacity for residential development set out in the SALP is based on 70 dph. To seek to accommodate the resulting numbers on the site (1.94 ha @ 70 DPH = 135 dwellings) the majority of the dwellings (77%) are in the form of flats and the flat blocks have elements ranging

from 3 to 6 storeys in height. The number of dwellings proposed in the application as amended (129) is slightly below the SALP figure (135 dwellings) but the shortfall is not considered of overriding concern. The Design Statement recognises that there may be minor variations from approved densities (Section 10.0 – Land Account).

9.12 The houses on the site are two and 2.5 storeys in height (the house on plot 11 immediately to the south of flat Block C could be considered 3 storeys). This is in keeping with the nature of housing fronting Peacock Lane in the vicinity of the site and respects the setting of Peacock Farm (see below).

9.13 The site lies in an open setting, particularly the western and northern elements, with the dual carriageway of Berkshire Way and the railway line to the north and open space at Peacock Meadows to the west beyond Vigar Way (also a dual carriageway). In line with the Peacock Farm Design Statement and SALP it is considered that parts of the site can accommodate large, tall buildings without them appearing visually overbearing or causing amenity issues. Indeed, it is considered beneficial to have buildings of such a scale both to provide visual interest on this gateway site to Bracknell and also to help screen the houses and their gardens on the southern and eastern parts of the site from the traffic noise from Berkshire Way.

#### Appearance

9.14 The overarching design aim has been for the houses on the site's Peacock Lane frontage to be in keeping with the development on the south side of Peacock Lane and Peacock Farm PH, Butler Drive/Jardine Place to the east, and also to provide a visual link to the flat blocks on the site's northern and western edges. The houses, therefore, are of a relatively simple design with front or side-facing gables, unfussy fenestration/dormers and visual interest being provided by the use of a variety of materials – bricks, render and weatherboarding (again picking up design cues from buildings nearby).

9.15 This approach means that the houses do not appear out of keeping in relation to the proposed flats which are of a contemporary design with flat/monopitch roofs and simple window designs. The bulk and massing of the flats is broken up with varied storey heights/roof lines, projecting elements and large corner balconies. A variety of materials are proposed to create visual interest with brickwork, render and weatherboarding.

#### Landscaping

9.16 The layout provides space for soft landscaping with the houses set back from Peacock Lane to allow for front gardens large enough to accommodate tree and shrub planting. Each of the flat blocks has amenity space which can be landscaped and space is provided within the parking courts for tree and shrub planting to be undertaken. A condition is recommended to be imposed to secure full planting details and this can ensure that the enhancements sought by the Biodiversity Officer can be secured.

#### Conclusions on impact on the character and appearance of the area

9.17 It is considered that this is a well-designed scheme which addresses the site's constraints and opportunities whilst broadly achieving the quantity of development sought in the SALP. It is therefore concluded that the submitted details would be in sympathy with the character and appearance of the area and would accord with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

### **iii. IMPACT ON RESIDENTIAL AMENITY**

9.18 The nearest dwellings to the application site are those on the south side of Peacock Lane and those lying to the east. To the south of Peacock Lane houses at Grouse Meadows lie a minimum of about 27m from the edge of the application site (which at this point would accommodate two storey houses fronting on to Peacock Lane). These existing dwellings lie at a higher level than the application site and are separated from it by Peacock Lane and the landscaped strip to the south of it which contains a footpath/cycleway.

9.19 Houses to the west of Osprey Avenue which front onto Peacock Lane lie further away from the application site and the landscaped strip to the south of Peacock Lane is mounded at this point. Dwellings at Jardine Place to the east of the site are over 85m from the application site boundary with the Peacock Farm PH and its parking areas or the site allocated for small businesses in between.

9.20 The closest distance between a proposed block of flats and an existing dwelling is about 50m (between Block A and houses at Linnet Close, south of Peacock Lane). Given these separation distances it is not considered that the proposed development will give rise to any unacceptable impacts on the living conditions of nearby dwellings in terms of loss of sunlight/daylight or privacy or overbearing impacts. The outlook from properties looking over the application will change, and there will be increased traffic flows, but such impacts would have been associated with the development of the site for the commercial purposes which were originally approved.

9.21 The main impact on the living conditions of future residents would be traffic noise from Berkshire Way, Vigar Way and Peacock Lane. The layout has been designed so that the amenity areas serving the flats and the gardens to the proposed houses are, as far as possible, protected from road noise by nearby buildings. A condition (no. 26) imposed on the outline planning permission requires a scheme for protecting proposed buildings/gardens from road noise to be submitted to and approved before works are undertaken and for the mitigation works to be completed before the dwellings are occupied. The proximity of the Peacock Farm PH to proposed dwellings has also been considered but is not felt to be a matter of overriding concern subject to suitable boundary treatments (to be secured by condition).

9.22 Overall it is not considered that the proposed development would result in any unacceptably adverse impacts on the amenities of nearby residents and/or the amenity of future occupiers and the application is therefore compliant with CSDPD Policy CS7 and saved BFBLP Policy EN20 of the BFBLP and the NPPF.

#### **iv. IMPACT ON THE SETTING OF LISTED BUILDINGS AT PEACOCK FARM**

##### Listed Building Description

9.23 Peacock Farmhouse and Peacock barn and outbuildings are grade II listed buildings. The farmhouse and outbuildings are used as a public house and restaurant. The main farmhouse dates from the 16th century, being built of timber framing with the outer walls re-faced in brick probably during the early 18th century.

9.24 The listed outbuildings form a shallow, U-shaped range of late 16th and early 18th century barns. The outbuildings consist of an east-west cattle shed linking the main farmhouse to the north-south timber-framed barn and a further east-west brick-built barn is joined to its southern gable.

9.25 Also within the curtilage of the listed buildings are several other farm buildings. These include a well-built 19th century softwood timber-framed barn to the west of the site; a Dutch barn to the north-west of the site; and a single storey, a pre-fabricated structure is located to the east of the site.

## The Setting of Listed Buildings

9.26 Legal cases relating to issues of the setting of listed buildings have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.27 Section 66(1), on the determination of applications affecting the setting of a Listed Building, states that:-

*'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

9.28 The two Listed Buildings are partly screened from the adjacent proposed development site to the west by Dutch barn and barn/cart shed. The main visual impacts on the settings of the Grade II Listed Buildings would potentially result from construction on Plots 1 to 14.

## Building Heights

9.29 The proposed building heights for the land immediately to the west of Peacock Farm (Plots 1 to 14) consists of 3no. two storey houses and 1no. one storey car barn building plus 5no. two-and-a-half storey houses.

9.30 The 3 buildings immediately adjacent to Peacock Farm consist of two storey houses (Plots 1 and 14) (c.8m high) and an associated one storey car barn building (c.6m high maximum). The 5no. two-and-a-half storey houses (Plots 5 to 11) are separated from Peacock Farm by the intervening housing plots. Parking and access is to the rear of the houses, thereby not affecting the streetscene.

9.31 The area of land further to the west of the access road consists of 14no. two/two-and-a-half storey semi-detached/terraced houses (Plots 15 to 30) fronting the main road and a part three storey/part four storey block of flats (Block A) on the corner plot.

9.32 The block of flats to the rear (Blocks B and C) consist of part three to part six storey blocks.

9.33 The heights of the proposed two-and-a-half storey and two storey semi-detached house and single storey car barn adjacent to Peacock Farm are considered to be acceptable in relation to the scale of the existing farm buildings. An existing large one-and-a-half storey Dutch barn and two storey timber boarded cart shed/barn provide screening from the main Listed Buildings, and in any case, are located over 30m to the east of the site.

9.34 Although the five and six storey flats to the rear (Blocks B and C), along A329 Berkshire Way, may register in some oblique views from in front of Peacock Farm this is not considered to be significant due to the slope of the ground and screening from existing and proposed buildings.

9.35 The design of the proposed buildings adjacent to Peacock Farm specifies 'grey-tiled', traditional pitched roofs'. The exterior buildings materials would consist of brick (Plot 14 and all garages), render (Plots 1 to 5 and 11 and 12), ashlar effect (Plots 7 and 8), tile hanging (Plots 6 and 7) and timber boarding (Plots 10 and 13). The blocks of flats located to the rear of the site facing the A329 Berkshire Way would be finished in timber-boarding, brick and render. The roofs are specified as mono-pitched single ply.

## Conclusions on listed building matters

9.36 The specified heights of the proposed semi-detached houses and car barn adjacent to the Grade II Listed Peacock Farm Buildings are considered to be of an appropriate scale in relation to the existing buildings. However, additional information and specification will be required to be submitted together with appropriate samples of the proposed roof materials, bricks, ashlar effect finish, render and weatherboarding.

9.37 It is therefore concluded that subject to the use of appropriate materials the proposed development would accord with the relevant parts of CSDPD Policies CS1 and CS7 and the NPPF. Full details of materials are recommended to be secured by condition.

## **v TRANSPORTATION CONSIDERATIONS**

### **Access**

9.38 Access to the site is via existing roundabout junctions that are located on Peacock Lane. The main access to the site serves the Peacock Farm public house and would have served the commercial uses that were previously proposed. The road layout that was previously approved and constructed to access this area is to be reused. The road is at least 6m wide and this is adequate to serve the proposed housing development as well as the public house.

9.39 The proposal also seeks to utilise the road that adjoins the Vigar Way roundabout that would have served the park and ride site. The road is also constructed and is wide enough to serve this development. The two junctions are connected via an internal road that has been suitably designed for the scale of the proposals and in doing this traffic from the site can be easily distributed over the two junctions which will reduce the demand at any one junction and help balance the demand on the local road network.

9.40 There are also proposals to connect to the existing cycle network which is located on the southern side of Peacock Lane to improve access for pedestrians and cyclists to facilities to the south and east of the site. These proposals involve providing footpath/cycleways on the north side of Peacock Lane and splitter islands on Peacock Lane/Sparrowhawk Way roundabout to make it easier for pedestrians and cyclists to cross the road. A condition is included in the Recommendation to secure the off-site works proposed.

9.41 Due to the nature of the road layout access for deliveries and refuse is provided and there are some turning areas that will allow for such vehicles to turn around as necessary.

### **Parking**

9.42 Car parking for the proposed flats and houses is provided across the site in the form of car barns, car ports below flats, undercroft parking below flats and parking courts. Each dwelling has parking meeting the council's standards. A total of 28no. visitor spaces are provided, spread across the site. This exceeds the Council's standard. Spaces suitable or use by disabled people are provided.

9.43 The proposal provides parking to standards with visitor parking distributed across the site, Some parking is provided within rear parking courts and adequate pedestrian links through to the front of dwellings are proposed.

9.44 Cycle parking has been provided at ground floor level in the flat blocks with cycle parking for the houses in stores in the garden areas.

### **Traffic Impact**

9.45 The applicant has provided a Transport Statement in relation to the development and compared it to the original permitted use in the masterplan. The document demonstrates that the proposed B1 use on the site would have generated a similar level of trips during the peak hours and the slight changes in direction of flow created by the site in either peak hour are nominal. Furthermore, as noted above, two points of entry to the site are proposed thus spreading the traffic unlike the commercial scheme.

9.46 Overall it is felt that the proposal would not have a detrimental impact on the operation of the local road network.

#### Conclusion on highway matters

9.47 The application has been amended to address concerns raised by the Highway Officer. Conditional approval is therefore recommended.

#### **vi BIODIVERSITY**

9.48 As the site has been left vacant for a number of years its potential to provide a habitat for wildlife has increased. Accordingly the Biodiversity Officer recommends that conditions be imposed to secure the implementation and retention of a scheme for the provision of biodiversity enhancements. These conditions are included in the Recommendation.

#### **vii IMPACT ON SPA**

9.49 Reserved matters approvals are required to be assessed under Article 6(3) of the Habitats Directive and Regulation 48 of the Habitats Regulations.

9.50 Taking into account the avoidance measures provided within the Section 106 Agreement dated 17 May 2004 and the Supplementary Unilateral Undertaking dated 5 June 2007 (which provide mitigation through the SANG at Peacock Meadows), the Council is able to form the view that there is no risk that this project for which authorisation is sought through the reserved matters application is "likely to have a significant effect" on the SPA on its own. In addition as there is not likely to be any negative impact there is no risk the application will have a significant impact in combination with other plans or projects.

#### **viii INFRASTRUCTURE CONTRIBUTIONS**

9.51 This is a reserved matter pursuant to an outline planning permission granted before CIL was introduced in the Borough. The development is not, therefore, CIL liable. The s106 agreement, as amended, associated with the outline planning permission secured in kind infrastructure and services, and contributions to off-site provision for up to 1500 dwellings and commercial development on the site including:-

- a primary school
- a community centre
- active and passive open space
- SANG
- affordable housing
- transportation improvements including works to Peacock Lane, a link from that road to Berkshire Way and associated roundabout junctions
- public art
- a shop (currently under construction).

#### **ix SUSTAINABILITY**

9.52 The outline application to which this reserved matters application is pursuant was approved before the CSDPD was adopted so there is no specific requirement for a sustainability statement or renewable energy in this instance.

#### **x DRAINAGE**

9.53 Foul and surface water drainage is secured by the outline planning permission and a condition (no. 40) imposed on it.

#### **xi NOISE AND AIR QUALITY**

9.54 The site is bounded by Peacock Lane to the south and Berkshire Way, a dual carriage-way, lies to the north. A condition imposed on the outline planning permission (26) requires a scheme for protecting buildings/gardens in any phase from road noise to be submitted and approved before the development of that phase is begun. The Environmental Health Officer felt that in this instance it would be beneficial for details of traffic noise monitoring and attenuation measures to be submitted to the Council for review at this stage.

9.55 Accordingly a noise report has been prepared. This confirms that road noise is an issue and recommends a combination of acoustic glazing and ventilation for facades facing the roads/pub. The Environmental Health Officer has considered this report and is satisfied that subject to conditions:-

- securing the implementation of the recommendations in the report, and
- requiring the testing of buildings post-completion with no building to be occupied until it meets the standards set out in BS8233:2014.

9.56 The Environmental Health Officer also requested that the applicants carry out an air quality (AQ) assessment to ascertain whether they will be creating Air Quality Management Area (AQMA) by building residential accommodation in this area. An AQ report has been prepared. The detailed atmospheric dispersion modelling undertaken for the first year in which the development is expected to be fully operational (2019) shows predicted pollutant concentrations to be well within the relevant health-based air quality objectives at the façades of proposed receptors. It therefore concludes that air quality is acceptable at the development site, making it suitable for the proposed uses. The development does not, in air quality terms, conflict with national or local policies, or with measures set out in BFBC's Air Quality Action Plan. There are no constraints to the development in the context of air quality.

9.57 The Environmental Health Officer is happy with the AQ report but believes that the Dust Management Plan contained within it should be added to the site's Working Method Statement. A Working Method Statement is required under condition 27 of the outline planning permission. An informative is recommended to pick up the Environmental Health Officer's request.

#### **xii ENVIRONMENTAL IMPACT ASSESSMENT**

9.58 An Environmental Impact Assessment was required in conjunction with outline planning application 623523 and it was accompanied by an Environmental Statement. As explained in section 5 above the current reserved matters application will not result in the maximum number of dwellings permitted under the outline planning permission (of 1500) being exceeded. If approved and implemented it will result in 129 dwellings being constructed in place of up to 6500 sq m of B1 office floorspace, a 100 bedroom hotel and possibly also a smaller hotel. The difference in the volume of traffic generated by the residential development in place of the commercial development is not significant.

9.59 The commercial scheme proposed office and hotel buildings of between 2 and 4 storeys in height. The buildings proposed in the current application range from two storey houses to flat

blocks, one of which has a 6 storey element. Given that storey heights in commercial buildings typically exceed those in residential buildings it is not considered that the proposed development will be materially taller and bulkier than that approved under the original Design Statement.

9.60 The impact on the Thames Basin Heaths is satisfactorily mitigated.

9.61 Taking these matters into account it is not considered that the development detail the subject of this application will result in an impact which has not been assessed by the original EIA.

## 10. CONCLUSIONS

10.1 This reserved matters application accords with the Peacock Farm Masterplan/Design Statement, as proposed to be amended, and Policy SA2 of the SALP; the dwellings provided will make a contribution to the Council's 5 year housing land supply. The proposed details are considered to be acceptable in terms of the impact of the proposed development on the character and appearance of the area, the setting of listed buildings at Peacock Farm and the living conditions of nearby residents and of future residents of the dwellings. Parking to meet the Council's standards is provided as part of the scheme and the access arrangements are acceptable. The impact of the development on infrastructure, local services and the SPA is mitigated by obligations secured in association with the outline planning permission.

10.2 The application is therefore recommended for approval.

## 11 RECOMMENDATION

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

01. The development hereby permitted shall be carried out only in accordance with the following plans:-

14.022.100 29 Site Layout Colour  
14.022.A01B House Type A Leicester  
14.022.B01B House Type B Leicester  
14.022.B02B House Type B Leicester  
14.022.C01C House Type B Nottingham  
14.022.C02C House Type B Nottingham  
14.022.D01B House Type D Chester  
14.022.20H Flat Type A  
14.022.21H Flat Type A  
14.022.22H Flat Type A  
14.022.23H Flat Type A  
14.022.24G Flat Type A  
14.022.30J Flat Type B  
14.022.31J Flat Type B  
14.022.32J Flat Type B  
14.022.33J Flat Type B  
14.022.34J Flat Type B  
14.022.35J Flat Type B  
14.022.36J Flat Type B  
14.022.CB Car Barn  
EF\_BK01\_M.1C F series Type 101  
EF\_BK01\_M.1D F series Type 101  
EF\_BK02\_M.1D F series Type 136-137  
EF\_BK02\_M.1D F series Type 136-137  
EF\_BK14\_M.1C F series Type 142  
EF\_BK14\_M.1C F series Type 142



14.022.45D Block C Elevations  
14.022.41C Block C First Floor  
14.022.44C Block C Fourth Floor  
14.022.40C Block C Ground Floor  
14.022.42C Block C Second Floor  
14.022.43C Block C Third Floor  
EF\_FOG\_M.1A F series Type FOG  
EF\_FOG\_M.1A F series Type FOG  
7425-CB3-02 Triple Car Barn  
7425-CB3-01 Triple Car Barn

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

02. No development shall be commenced until all outstanding details of hard and soft landscaping works 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 Plans and Policies: BFBLP EN20, CSDPD CS7]

03. There shall be no restrictions on the use of the car parking spaces shown on the approved plan as visitor parking for the occupiers of, or visitors to, any of the dwellings hereby permitted.

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 Plans and Policies: BFBLP M9]

04. No development shall be commenced until all outstanding details of external materials 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 Plans and Policies: BFBLP EN20, CSDPD CS7]

05. The development hereby permitted shall not be commenced until a method statement for carrying out the installation of tree root barriers in the vicinity of the trees to be planted adjacent to any adoptable highway and service trenches, pipes, sewers, conduits, etc. has been submitted to and approved in writing by the Local Planning Authority. The method statement shall describe works designed to minimise any adverse impact caused by tree roots to these surfaces, structures and services, and likewise prevent damage to tree roots caused by location, installation and repair of below ground services.

The method statement shall include:

- a) An approved planning layout to 1:200 scale showing the accurate trunk position of the trees in relation to the proposed works,
- b) Layout and construction profile drawings, and
- c) Construction implementation method statement including timing/phasing of the works.

The root barrier installation shall be carried out, and services located, in full accordance with the approved details.

REASON: In order to safeguard the adopted highways and below ground services, to safeguard new trees, and in the interests of the visual amenity of the area.

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

06. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting serving the car parking areas and pedestrian footpaths including lighting units and levels of illumination. The approved scheme for each area shall be implemented before the first use of that area and the lighting retained in accordance therewith.

REASON: In the interests of the amenity of neighbouring property, the character of the area and to ensure the safe use of the parking courts.

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

07. No development shall take place 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 performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

Retention of ecological mitigation/bat roost feature

08. Any areas shown for bat roost and bird nesting purposes in the approved scheme of biodiversity enhancements 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]

09. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. All boundary treatments shall provide for the free movement of wildlife to and from the site.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

10. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for the following off-site highway works:  
- works to improve pedestrian/cycle access from the site to routes on the south side of Peacock Lane, including works on the north side of the road.

No dwelling hereby approved shall be occupied until the off site highway works have been completed in accordance with the approved scheme.

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP M4, CSDPD CS23]

### Informatives

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

02. Details submitted to satisfy condition 27 (working method statement) of outline planning permission 98/00288/OUT (623523) should include a Dust Management Plan, as shown in table 5.4 of the RPS Air Quality Assessment (JAP9722 Rev 0).

**ITEM NO: 10**

Application No.  
**16/00401/FUL**

Ward:  
Winkfield And  
Cranbourne

Date Registered:  
23 May 2016

Target Decision Date:  
18 July 2016

Site Address:

**Whitelocks Farm Garsons Lane Warfield Bracknell  
Berkshire RG42 6JD**

Proposal:

**Change of use from equestrian/livery barns to 3 units for B2/B8 use.**

Applicant:

Mr R J Scott

Agent:

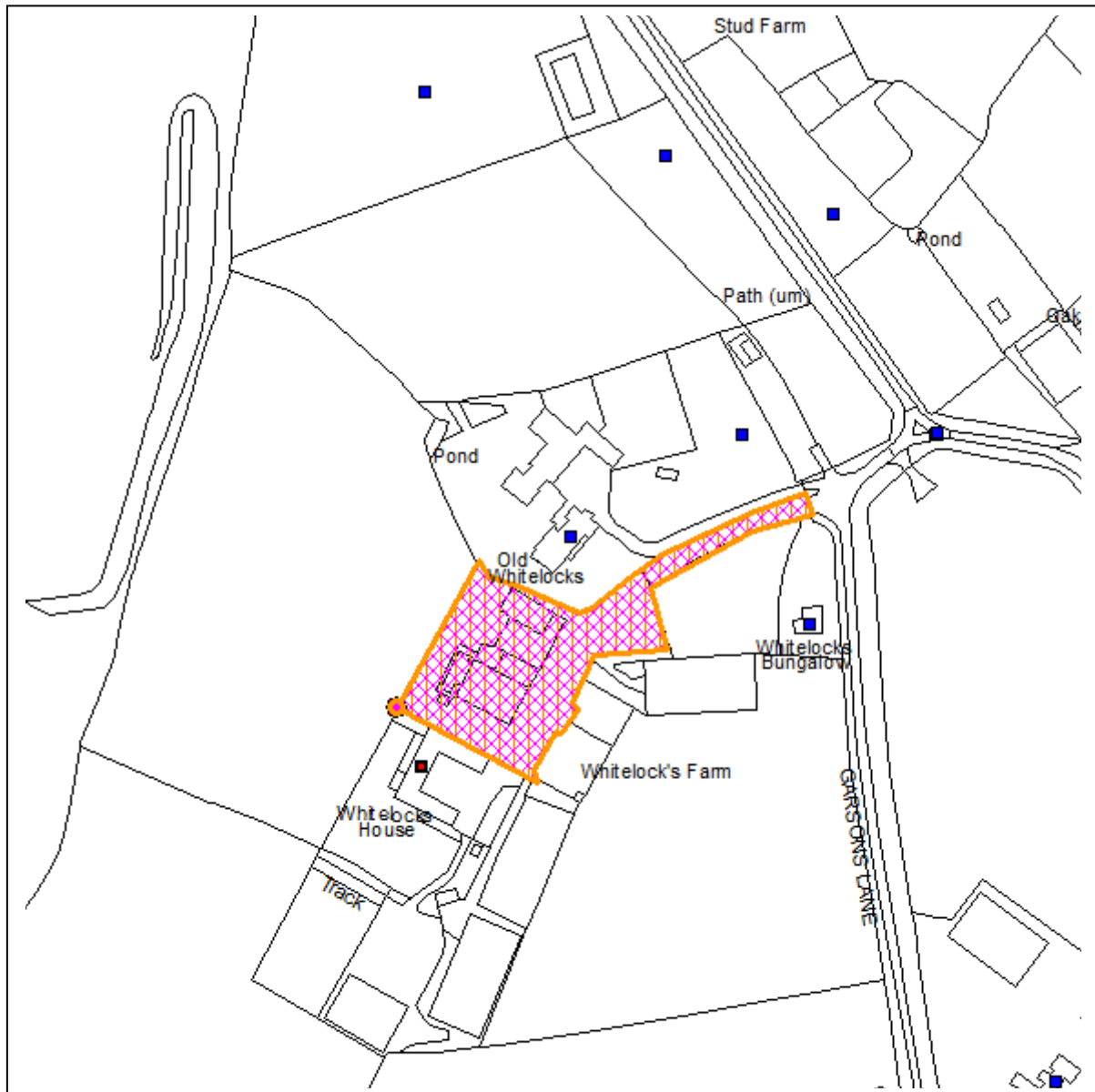
Ms Deirdre Wells

Case Officer:

Sarah Horwood, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 The proposed change of use from equestrian/livery barns to 3 units for B2/B8 use would constitute appropriate development within the Green Belt, would not adversely impact upon the openness of the Green Belt and would not detract from the character of the area. Further, the proposal would not adversely impact upon the residential amenities of neighbouring properties and no adverse highway implications would result. There would be no ecological implications.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report
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### **2 . REASON FOR REPORTING APPLICATION TO COMMITTEE**

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

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

<b>PLANNING STATUS</b>
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Within Green Belt
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3.1 Whitelocks Farm lies to the west of Garsons Lane, with a vehicular access to the site located to the north of Whitelocks Bungalow (which is under the applicant's ownership). The site comprises numerous buildings, some of which have been in equestrian use. There is a manege, external parking areas and a mobile home on the application site, along with a lawful carpenter's workshop and residential accommodation. To the east, south and west of the existing buildings on site are open fields used as paddocks.

3.2 Directly to the north of the buildings subject to this application lies a dwelling known as Old Whitelocks. There are further dwellings to the south-east of the application site on Garsons Lane, sited to the east of the highway.

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

4.1 There is an extensive planning history relating to Whitelocks Farm in relation to use for equestrian/livery purposes dating back to 1992. The most relevant applications are:

-618009 approved 1992 for continued use of 3 existing agricultural barns as livery/stud use and continued use of land for floodlit riding arena and lunging ring. (Retrospective Application).

-618336 approved 1992 for use of riding arena, lunging ring and floodlighting without compliance with Condition 4 of planning permission 618009.

-618337 approved 1992 for construction of floodlit riding arena.

-622687 approved 1998 for retrospective change of use of 6 no. calf pens to 6 stables and of paddock to car park.

-622868 approved 1998 for change of use of part of barn to stables.

-622869 approved 1998 for change of use of agricultural building to indoor riding school arena.

-08/00012/LDC granted 2008 for application for a certificate of lawfulness for the unfettered residential occupation of Whitelocks as a dwelling, the retention of a single storey rear extension forming conservatory to Whitelocks, a creche building and a carpenter's barn and workshop.

-14/00501/LDC refused 2015 for Certificate of lawfulness for the use of land for the stationing of a mobile home for residential use. An appeal was lodged against the refusal of the LDC which was subsequently allowed.

4.2 For information, the site has comprised equestrian uses since the 1970s. From 1997, up until 2009, the site was a managed livery. From 2009, it became a DIY livery.

## **5. THE PROPOSAL**

5.1 Full permission is sought for the change of use from equestrian/livery barns to 3 units for B2 (general industrial) and B8 (storage and distribution) use.

5.2 The building is currently in situ and it is proposed to sub-divide it internally into 3no. units. Unit 1 will have an internal floor space of 98sqm; Unit 2 will have an internal floor space of 175sqm and Unit 3 will have an internal floor space of 235sqm. Further, there is a covered lean-to to the rear of the barn with a floor area of 72sqm. Units 1-3 are proposed to be utilised for flexible B2/B8 use and the covered lean-to store is proposed for B8 use. Each unit has a roller shutter door on the front elevation providing access to each respective unit.

5.3 No external alterations are proposed to the barn to facilitate the change of use from equestrian to B2/B8 use. Further, no mezzanine floors are proposed within the building.

5.4 The proposed use of the barn for B2/B8 purposes along with the covered store would be served by 16 parking spaces. There is an existing parking area around the barn which currently serves the equestrian uses along with the lawful carpenter's workshop. Some of the existing parking would be allocated to the proposed B2/B8 use and there would be no extension to the existing parking area by way of new hardstanding given there is sufficient on site parking for both the proposed uses and existing uses.

5.5 Soft landscaping in the form of new hedging is proposed close to the parking areas to provide screening.

5.6 For clarification, the existing workshop building (adjoining Unit 1 and the lean to store) benefits from lawfulness under LDC ref: 08/00012/LDC as a carpenter's barn and workshop and is not subject to this application. Further, the existing mobile home/portacabin to the rear of the carpenter's workshop benefits from lawfulness under LDC ref: 14/00501/LDC and is not subject to this application.

## **6. REPRESENTATIONS RECEIVED**

### Warfield Parish Council

6.1 Recommend refusal for the following reasons:

The proposed development exceeds the accepted level set out in BFC policy GB4 (re-use and change of use of buildings within the Green Belt) specifically:

- 4.57 (v) the proposed change of use results in a net increase of more than 500 square metres of floorspace under classes B1 to B8
- 4.57 (vi) the Parish Council believe that the change of use will cause significant environmental, road safety and traffic generation problems.

Other representations

6.2 11no. letters of objection have been received which can be summarised as follows:

- Inappropriate development in the Green Belt
- The site will be turned into an industrial park
- Site is visible in autumn/winter so harmful to the Green Belt
- Exceeds 500sqm for change of use of buildings
- Surrounding lanes not wide enough for large vehicles to pass safely, damaging road and grass verges
- Increase in vehicular movements and size of vehicles connected to use
- Increased risk to other users of the surrounding lanes such as cyclists, horse riders, walkers, etc. due to vehicle traffic
- Application increases probability of serious injury/death due to vehicle traffic
- Increased noise/pollution/emissions in the Green Belt due to proposed uses
- Urbanising impact
- Shortage of stabling in the Green Belt
- No mains drainage
- If allowed, limits should be imposed on weight and size of vehicles

6.3 1no. letter of support has been received which can be summarised as follows:

- Will bring jobs and revenue to the area, enabling the area to prosper.

**7. SUMMARY OF CONSULTATION RESPONSES**

Highways Officer

7.1 No objection subject to conditions.

**8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION**

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

	<b>Development Plan</b>	<b>NPPF</b>
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General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Green Belt	CS9 of CSDPD, Saved Policy GB4 of BFBLP	CS9 is consistent GB4 is more descriptive, not entirely consistent with NPPF
Biodiversity	CS1 and CS7 of CSDPD	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Community Infrastructure Levy (CIL)		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Residential amenity
- iii. Impact on character and appearance of the area
- iv. Impact on highway safety
- v. Impact on trees
- vi. Impact on biodiversity
- vii. Community Infrastructure Levy

### i. Principle of development

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

9.3 Site Allocations Local Plan (SALP) Policy CP1 refers to the presumption in favour of sustainable development as outlined in the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to improve the economic, social and environmental conditions within the area. Planning applications that accord with the Development Plan for Bracknell Forest Council shall be approved without delay unless material considerations indicated otherwise. Where there are no policies relevant to the application or the relevant policies are considered to be out of date, then permission shall be granted unless material considerations indicate otherwise. It further states that where there are no policies relevant to the application or relevant policies are out-of-date at the time of making the decision, then permission will be granted unless material considerations indicate otherwise, taking into

account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate that development should be restricted.

9.4 The site is located within the Green Belt, as shown on the Bracknell Forest Borough Policies Map (2013).

9.5 As the site is located within the Green Belt, the main considerations from a policy perspective are:

1. Whether the proposed development constitutes inappropriate development in the Green Belt;
2. The effect of the proposal on the openness of the Green Belt.

9.6 The NPPF stresses the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open, and the essential characteristic of Green Belts is their openness and permanence (para. 79). The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (para. 87), and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (para 88). The construction of new buildings in the Green Belt should be regarded as inappropriate, subject to certain exceptions (paras. 89 and 90)

9.7 The following paragraphs of the NPPF relating to the Green Belt are of specific relevance to this application, especially as Green Belt development plan policies are not entirely consistent with the NPPF and therefore carry limited weight:

Para 79 - the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Para 87 - makes it clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Para 88 - substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

Para 90 lists forms of development that are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt. The re-use of buildings provided that the buildings are of permanent and substantial construction is included on the list of development that may not be inappropriate.

9.8 Core Strategy Policy CS9 refers to the need to protect the Green Belt from inappropriate development and seeks to protect land outside the defined settlements for its own sake, particularly from development that would harm the character, appearance or function of the land.

9.9 Saved Policy GB4 of the BFBLP allows for the re-use and change of use of buildings within the Green Belt. "Within the Green Belt, the change of use and adaptation of existing buildings will only be acceptable where:

- (i) the impact of the proposal on the existing open, rural, and undeveloped character of the Green Belt will not be materially greater than that of the present use; and
- (ii) strict control is exercised over the extension of re-used buildings, and the associated land around them which might conflict with the existing open, rural, and undeveloped character of the Green Belt; and
- (iii) the building is of permanent construction and its scale, design, bulk and form are in keeping with its surroundings; and



- (iv) the proposed change of use or adaptation would not be detrimental to the character of the building, its surroundings and landscape setting; and
- (v) the proposed change of use, within any individual building or complex of buildings within a close proximity, would not result in a net increase of more than 500 square metres of business, industrial, distribution or storage (use Classes B1 to B8) floorspace; and
- (vi) the proposal would not cause significant environmental, road safety or traffic generation problems; and
- (vii) the proposed change of use of the building is small scale and appropriate to a rural area."

9.10 The NPPF allows for the re-use of buildings provided that the buildings are of permanent and substantial construction, however GB4 goes further than the NPPF and provides the 7 criteria listed above that the proposal should be assessed against. As this policy is not entirely in conformity with the NPPF, the approach set out within the NPPF carries greater weight. [officer note: this addresses the objection comments from both the Parish Council and other objectors in relation to the application proposing a change of use of more than 500sqm floor area given limited weight is afforded to Saved Policy GB4 given it is not entirely consistent with the NPPF].

9.11 Section 3 of the NPPF refers to supporting a prosperous rural economy. Para 28 states that the expansion of all types of business and enterprises in rural areas should be supported; both through the conversion of existing buildings and well designed new buildings.

- 1) Whether the proposal constitutes inappropriate development within the Green Belt

9.12 The application proposes the re-use of an existing equestrian/livery barn for B2/B8 uses. The proposal must be tested against the criteria contained in the Bracknell Forest Borough Local Plan Policy GB4 and Policy CS9 in the Core Strategy Development Plan Document in so far as they are consistent with the NPPF to assess if it is appropriate development in the Green Belt.

9.13 Paragraph 90 of the NPPF states: "Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are... the re-use of buildings provided that the buildings are of permanent and substantial construction;" The existing buildings are considered to be of "permanent and substantial construction" given that they are constructed from brickwork, cladding and corrugated roof sheeting. The proposal therefore constitutes appropriate development in principle in the Green Belt.

9.14 The proposed change of use of the barn to B2/B8 purposes is considered to be in general accordance with 'Saved' Policy GB4 as follows (although limited weight is given to this policy given it is not entirely consistent with the NPPF):

- As the proposal does not increase the built form on site it is considered that there is no greater impact upon the open undeveloped character of the Green Belt than at present.
- There are no extensions or alterations proposed to the building to facilitate the change of use to B2/B8.
- The proposed change of use would result in a net increase of more than 500 square metres of business, industrial, distribution or storage (use Classes B1 to B8) floorspace given the total floor area of the buildings subject to this application equates to 579sqm, however Saved Policy GB4 of the BFBLP is more restrictive than the requirements set out in the NPPF (the caveat for the re-use of buildings in the Green Belt in accordance with the NPPF is solely that the building should be of permanent and substantial construction as per para. 90) and therefore limited weight is given to Saved Policy GB4 given it is not in compliance with the NPPF.
- The buildings are of sound, substantial construction due to their design. The buildings were insulated in 2015 internally with blockwork (not requiring planning permission as internal

alterations) and no further alterations are required to the building externally to facilitate the change of use to B2/B8 uses.

- Adequate space exists on site to provide on-site parking and turning required connected to the proposed use of the building for B2/B8 purposes. No additional hardstanding would be required to provide the required parking provision connected to both the proposed and existing uses and additional soft landscaping is proposed on site.

9.15 Further, the proposal would support economic growth in a rural area by the conversion of existing buildings to create B2/B8 uses in accordance with para 28 of the NPPF.

9.16 In summary, it is considered that the scale and nature of the development connected to the change of use of the buildings to B2/B8 uses is not inappropriate development within the Green Belt and would support economic growth in a rural area.

## 2) Effect of the proposal upon the openness of the Green Belt

9.17 Para. 79 of the NPPF indicates that 'openness' is an essential characteristic of the Green Belt. The term openness is not defined in the NPPF, however given the lack of definition; it could reasonably be interpreted as the absence of built development. Openness can be harmed by (among other things) new built form, external storage, extensive hard standing, car parking and boundary walls or fencing. Landscapes are very important to the openness and amenity of the Green Belt. The visual impact on landscape forms part of the consideration of harm, and is not just associated with views from public vantage points.

9.18 The NPPF states that certain forms of development are not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purpose of including land within the Green Belt.

9.19 It is not considered that the scale and nature of the development proposed would impact upon the purposes of including land within the Green Belt. There are no extensions or additions proposed to the building which ensures that the proposal would not harm the open undeveloped character of the Green Belt. The building is already in situ and the application is for its conversion only.

9.20 In relation to vehicular movements connected to the former livery use, it is estimated by the applicant/agent that this generated around 100 vehicular movements per day given the number of horses that were on site connected to the livery use. The proposed B2/B8 uses could generate in the region of 30-40 two way vehicular movements (a total of 60-80 vehicular movements) per day which would be less than that of the former livery use which would also be beneficial to the openness of the Green Belt.

9.21 No additional hardstanding would be required on site to provide the required level of parking provision. The areas where on site parking is proposed to serve the proposed B2/B8 uses would be screened by soft landscaping.

9.22 To further protect the openness of the Green Belt, a planning condition is recommended to ensure no external storage of machinery, equipment, materials, etc, occurs outside of the buildings. A condition is also recommended in relation to operational hours of the proposed B2/B8 uses which would restrict when the proposed uses could operate. The former livery operated 365 days a year without any restriction on hours. The proposed B2/B8 uses could be restricted by condition in relation to operational hours which would control movements to and from the site.

9.23 To summarise, the re-use of existing buildings which are of permanent and substantial construction within the Green Belt are acceptable in principle in accordance with para 90 of the

NPPF. No extensions are proposed to the existing buildings to facilitate their changes of use to B2/B8 uses. There would be a reduction in vehicular movements associated with the proposed B2/B8 uses when compared to the former livery use on site. The proposal is therefore not considered to have a detrimental impact upon the openness of the Green Belt. Further, the proposal would support economic growth in a rural area, in accordance with paragraph 28 of the NPPF. The proposal therefore accords with Policy CS9 of the CSDPD, Saved Policies GB1 and GB4 of the BFBLP and the NPPF, subject to assessing other material planning considerations including impact on residential amenity, highway safety, etc.

## **ii. Residential amenity**

9.24 The nearest residential dwellings to the application site outside of the ownership of the applicant is Old Whitelocks, approximately 10m away to the north of the barn subject to the proposed change of use (unit 3). The use of the 3no. barns for B2/B8 use could generate some noise due to the nature of the proposed uses, however a planning condition is recommended to ensure all activities connected to the proposed uses are restricted to inside the building and further, a condition is recommended in relation to operational hours of the proposed uses. The equestrian/livery use that has taken place on site since the 1990s has not been restricted by condition and therefore people could attend the site at any time, on any day, 365 days a week, with up to an estimated 100 vehicular movements per day connected to the former livery use. Restricting the operational hours of the proposed B2/B8 uses would be of benefit to the residential amenities of adjoining properties.

9.25 Further, the buildings subject to the change of use have been relined with blockwork insulation which would further mitigate potential for noise. Therefore, subject to appropriate conditions, it is not considered that the level of noise and disturbance to surrounding properties would be detrimental to their residential amenities to a level that would warrant refusal of the application. If the level of noise were to become unacceptable to residential amenity, it could be considered a Statutory Nuisance and could be dealt with by the Council's Environmental Health department under their statutory powers.

9.26 A planning condition is recommended that requires details of any air ventilation/extraction systems to be submitted and approved by the LPA prior to their installation (if applicable). However, at this stage, the buildings are proposed to be used for flexible B2/B8 uses so such systems may not be required. A condition is therefore recommended should this be necessary.

9.27 The proposed change of use from equestrian/livery to B2/B8 use is predicted to generate in the region of 30-40 two way vehicular movements per day (a total of 60-80 movements per day). The equestrian use on the site is estimated to have generated up to 100 vehicular movements per day with individual owners visiting the site to attend to their horses along with vehicles delivering feed/hay, etc. As such, vehicular movements to and from the site connected to the proposed B2/B8 uses would be similar to or reduced from that connected to the former equestrian/livery use and would not result in a level of noise and disturbance to surrounding properties that would be detrimental to their residential amenities.

9.28 No alterations are proposed to the existing parking area; however soft landscaping is proposed around the parking areas to provide some screening to adjoining residential properties.

9.29 As such, the proposal is not considered to adversely affect the residential amenities of neighbouring properties, in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

### **iii. Impact on character and appearance of surrounding area**

9.30 No external alterations would be required to the existing barn itself or the external parking area to facilitate a change of use to B2/B8 use.

9.31 Soft landscaping is proposed along the eastern and western boundaries of the application site, close to the external parking to provide further screening to the parking and turning area when viewed from outside of the site. A planning condition requiring details of landscaping is recommended to be imposed.

9.32 A planning condition is recommended to prohibit external storage. This would be beneficial to the visual amenities and rural character of the area viewed from outside of the application site.

9.33 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

### **iv. Highway safety**

9.34 The site takes access off Garsons Lane, an unclassified country lane which is currently used for access to working farms, as well as residential properties and by pedestrians, cyclists and horse-riders.

9.35 The site access road and junction are wide enough to accommodate traffic movements, including large vehicles adequately and safely. While Garson Lane is generally a narrow country lane, there are some passing opportunities and the lane widens towards the junction with the A330 Cock Lane. No changes are proposed to access arrangements.

9.36 Adequate access, parking and turning for lorries would be available on the site access road and adjacent to the building.

9.37 16 parking spaces are proposed to comply with the Council parking standards (2016) for 579m<sup>2</sup> of B2/B8 use. It is advised that parking be secured by planning condition to be provided prior to occupation, as shown on the submitted Parking Plan. No changes are proposed to the existing parking spaces shown on the Parking Plan.

9.38 579m<sup>2</sup> of B2/B8 workshop and storage use could generate in the region of 30 to 40 two-way vehicle movements per day based on survey data from other sites. The existing equestrian use of the buildings may generate more traffic movements by individual owners visiting/tending horses on a daily basis and larger vehicles delivery feed/transporting horses etc.  
[officer note: it has been estimated that the vehicular movements connected to the former livery use were up to 100 movements per day].

9.39 The removal of some equestrian use from the site will in itself reduce some horse-riding on local roads.

9.40 Subject to the imposition of a condition relating to the provision of parking and turning spaces prior to the buildings being brought into B2/B8 uses, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF and would not result in adverse highway implications.

**v. Biodiversity**

9.41 Due to the substantial design of the existing barn comprising blockwork, cladding and sheet roofing, the building would not be suitable for bats or birds, including barn owls. As such, an ecological survey is not required.

**vi. Community Infrastructure Levy (CIL)**

9.42 The proposed B2/B8 use are not CIL chargeable as set out in the Council's Community Infrastructure Levy Charging Schedule.

**10. CONCLUSIONS**

10.1 The proposed change of use from equestrian/livery barns to 3 units for B2/B8 uses would constitute appropriate development within the Green Belt, not adversely impact upon the openness of the Green Belt and would not detract from the character of the area. The proposal would not adversely impact upon the residential amenities of neighbouring properties. Further, the proposal would support economic growth in a rural area, in accordance with paragraph 28 of the NPPF.

10.2 No adverse highway implications would result from the proposal. There would be no ecological implications.

10.3 The scheme is not CIL liable.

10.4 The proposal is therefore considered to comply with CSDPD Policies CS1, CS7, CS9, CS23, Saved Policies EN20, GB4, M9 of the BFBLP and the NPPF. The application is therefore recommended for conditional approval.

**11. RECOMMENDATION**

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

1.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.

2.The development hereby permitted shall be carried out only in accordance with the approved plans received by the Local Planning Authority on 23 May 2016 and 2 March 2017:

Drawing no. AAN.15.541.1 Rev A

Block plan

Site location plan

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

3. The units 1-3 (inclusive) hereby approved shall be used for B2 and B8 purposes only 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, the Green Belt 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]

4.No machinery shall be operated, no processes shall be carried out and no deliveries taken at or dispatched from the site connected to the B2 and B8 uses hereby approved outside the following times:

(a) 08.00 hours to 18.00 hours Monday to Friday; and

(b) 08.00 hours to 13.00 hours Saturdays,

and not at any time on Sundays or public/bank holidays.

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

[Relevant Policies: BFBLP EN20, EN25]

5.The B2 and B8 uses hereby approved shall not take place anywhere on the site except within the buildings as approved.

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

[Relevant Policies: BFBLP EN25]

6. No goods, materials, plant or machinery shall be stored or operated outside the buildings connected to the B2 and B8 uses hereby approved on site.

REASON: In the interests of the visual amenities of the surrounding area, residential amenities of neighbouring properties and openness of the Green Belt.

[Relevant Policies: CSDPD CS9, BFBLP EN20, GB1, GB4]

7. No air ventilation systems/extraction systems shall be installed in the buildings subject to the B2/B8 uses hereby approved except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The noise level shall not cause the existing background level (as at the date of this permission) to increase whilst in operation. Any systems shall be installed and operated in accordance with the approved scheme (if applicable).

REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

[Relevant Policies: BFBLP EN25]

8. No additional floorspace, including mezzanine floors, shall be constructed within the buildings connected to the uses hereby approved.

REASON: To prevent an over-development of the site and to ensure adequate parking.

[Relevant Policy: BFBLP M9]

9. The units hereby approved shall not be brought into use for B2/B8 purposes until a scheme depicting hard and soft landscaping, including details of boundary treatment, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5

years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained as such.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

10. The units hereby approved shall not be brought into use for B2/B8 purposes until the associated vehicle and lorry parking and turning spaces have been 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]

#### Informatives

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

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

1. Time limit
2. Approved plans
3. Restrictions on use
4. Operational hours/days
5. Use contained within buildings
6. No external storage
7. No extraction/ventilation systems (unless details submitted to and approved by LPA)
8. No mezzanine floors
10. Parking and turning

The following conditions require discharge prior to the building being brought into use:

9. Landscaping

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**ITEM NO: 11**

Application No.  
**16/01263/FUL**

Ward:  
Winkfield And  
Cranbourne

Date Registered:  
10 January 2017

Target Decision Date:  
7 March 2017

Site Address:

**Handpost Farm Bracknell Road Warfield Bracknell  
Berkshire RG42 6LD**

Proposal:

**Erection of 4 no. 4 bedroomed detached dwellings following the  
demolition of existing buildings.**

Applicant:

Mr & Mrs Went

Agent:

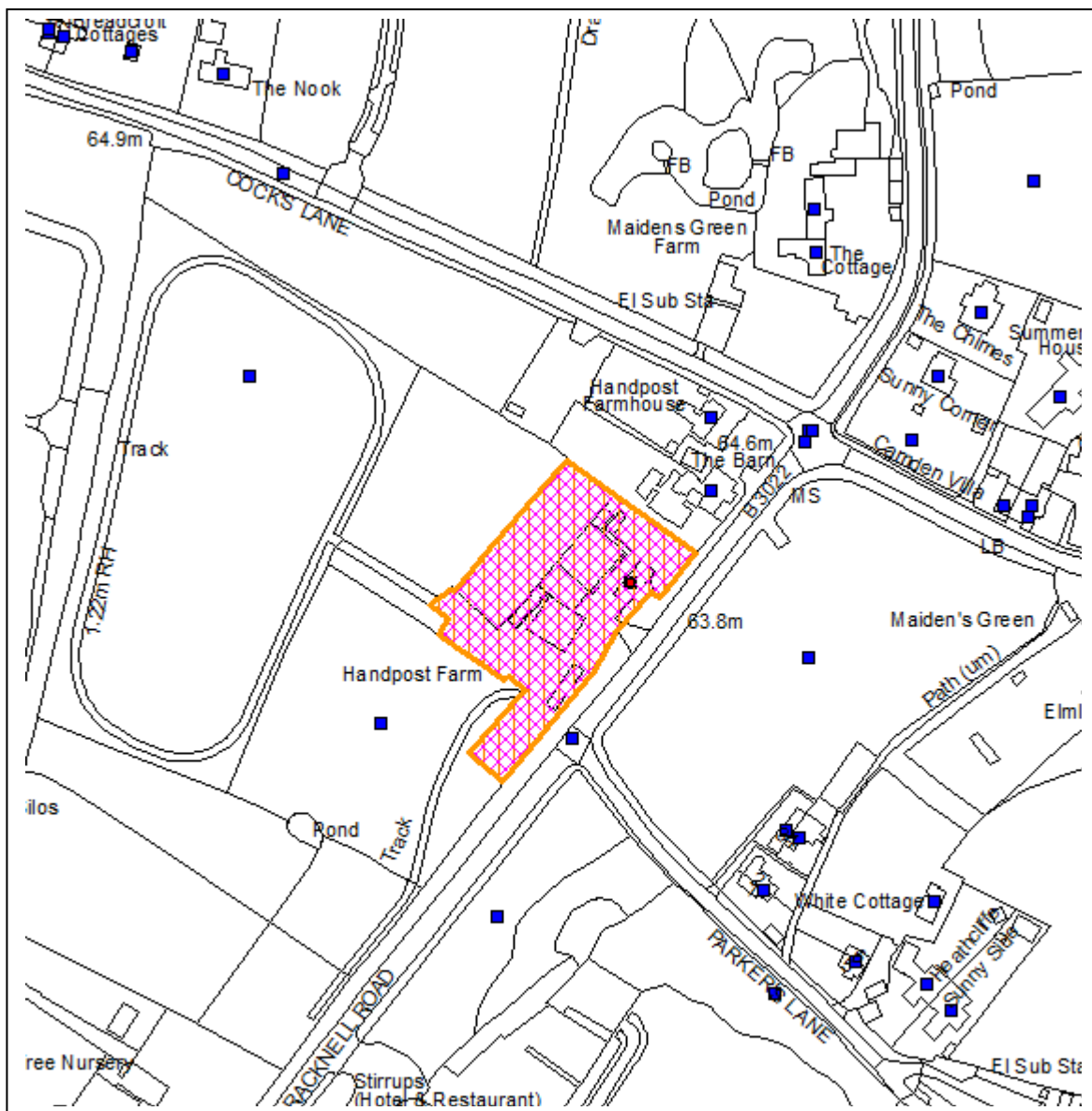
Miss Christine Dadswell

Case Officer:

Sarah Horwood, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 The proposal is for the erection of four detached dwellings on land at Handpost Farm which is previously developed land in the Green Belt. The redevelopment of the site would not harm the openness of the Green Belt. Further, the development would not result in an adverse impact on the character and appearance of the area, adjoining listed buildings, residential amenity, highway safety or biodiversity. The scheme is outside the 5km buffer of the SPA and as such does not require SPA mitigation. The proposal would be CIL liable.

<b>RECOMMENDATION</b>
Planning permission be granted subject to the conditions set out in Section 11 of this report.

### **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**

<b>PLANNING STATUS</b>
Outside settlement, within Green Belt
Within 5km to 7km of SPA

3.1 The site is bounded to the north by land associated with Handpost Farmhouse, beyond which is Cock's Lane; to the west by a paddock and open land; to the south by Oaktree Nursery; and to the east by Bracknell Road, beyond which is open land and residential properties in Maidens Green.

3.2 The site benefits from lawfulness for equestrian use, with buildings to the central and southern most parts of the site, and a manege to the west. There is a considerable amount of hardstanding on the site.

3.3 The site is not within 5km of the SPA.

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

4.1 The relevant site history is set out below:

-16/00801/LDC granted October 2016 for an application for a certificate of lawfulness for the continued use of the whole site for equestrian purposes including the use of existing buildings for stables, the use of paddocks for keeping of non-agricultural horses and use of parts of the site for training horses.

### **5. THE PROPOSAL**

5.1 The proposal is for the demolition of the existing equestrian buildings on site, and the erection of four detached dwellings. The dwellings would be of a barn-style design, arranged in a courtyard arrangement around a central parking area. Each house would have a private garden.

5.2 Each proposed house would have 4 bedrooms. Unit 1 would be one and a half storeys high with a maximum ridge height of 6.18m, with its garden to the west and to the south. Unit 2 would be located to the west of the site (to the north of unit 1) and would be mainly single storey with accommodation in the roof space, with a maximum height of 6.64m (including the chimney – 8.3m). It would also have its garden to the west. Unit 3 would be to the north west of the site. It would be one and half storeys with a maximum height of 6.19m, with its garden to the north. Unit 4 would be single storey with a maximum height of 5.12m, with its garden to the east.

## **6. REPRESENTATIONS RECEIVED**

### Parish Council

6.1 Winkfield Parish Council provided observations on the application, setting out that the officer should ensure:

- that the application is acceptable within Green Belt legislation and local regulation;
- that sufficient off-road parking is provided, including for visitors, to avoid creating a problematic situation on the narrow Bracknell Road; and
- that proper drainage and sewerage is provided to avoid exacerbation of historical issues.

### Other responses received

6.2 8 objections were received, stating that:

- The land is Green Belt and in the Northern Parish review, it states that open gaps should be retained
- Inappropriate development in the Green Belt due to size
- Visual impact on area
- Increased number of vehicle movements it will generate and impact to highway
- The site is not previously developed land (PDL) as under Annex 2 of the NPPF, it states that PDL “excludes land that is or has been occupied by agricultural or forestry buildings” which is the case
- It is outside the Class Q permitted development rights in relation to number of houses and floor area (officer note: this is an application for planning permission, not an application for prior approval and therefore this is not a consideration as part of this application)
- No rationale other than to support profiteering of the owners of the site for its redevelopment
- Area close to here has already been given the green light for overdevelopment and destruction of the environment. This used to be a semi rural community but has been destroyed by recent planning permissions
- Would affect the setting of Handpost Farmhouse which is possibly the oldest house in Maidens Green Village
- Is not a brownfield site
- If the outbuildings are no longer required for agricultural purposes then the buildings should be demolished and land returned to green fields or appropriate change of use applied for.

6.3 3 letters of support were received, stating that:

- Proposed development does not increase footprint and does not have any more impact on the Green Belt than the existing use
- Site is in disrepair and four dwellings newly built would be a vast improvement
- Don't consider there would be any increased impact on infrastructure as stable yard as existing has far more movements than 4 residential dwellings could
- Proposed dwellings are attractive and would be welcome addition to the area

- Will improve the landscape of the site which is currently decaying and would be a valuable addition to the area.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highways:

7.1 No objection subject to conditions.

### Environmental Health:

7.2 No objection subject to conditions.

### Biodiversity Officer:

7.3 No objection subject to conditions.

### Conservation Officer:

7.4 No objection subject to conditions.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1, CS2, CS8, CS9 of CSDPD Saved policies EN8 and H5 of BFBLP	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Green Belt	CS9 of CSDPD, Saved Policy GB1	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Biodiversity	CS1, CS7 of CSDPD	Consistent
Sustainability	CS10, CS12 of CSDPD	
<b>Supplementary Planning Documents (SPD)</b>		
Parking Standards SPD		
Design SPD		
<b>Other publications</b>		
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 Listed buildings
- iv Impact on residential amenity
- v Transport implications
- vi Impact on biodiversity
- vii Impacts on SPA

## **i. Principle of development**

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.3 The site is located within the Green Belt and therefore 'Saved' Policy GB1 of the Bracknell Forest Borough Local Plan (BFBLP) and Policy CS9 of the Core Strategy Development Plan Document (CSDPD) are relevant. These policies seek to protect the Green Belt from inappropriate development.

9.4 These policies are considered to be consistent with the aims of the NPPF, including the following core planning principles: to ensure that decisions are genuinely plan-led; to take account of the different roles and character of different areas, to protect the Green Belt and recognise the intrinsic character and beauty of the countryside; and to seek positive improvements in the quality of the built and natural environment.

9.5 Section 9 of the NPPF contains specific policies relating to development within the Green Belt. Para. 87-88 set out that inappropriate development is, by definition, harmful to the Green Belt and that the construction of new buildings should, other than with certain exceptions set out in paragraph 89, be regarded as inappropriate in the Green Belt. One of the exceptions listed in paragraph 89 is 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'. The BFBLP and CSDPD are both silent on the redevelopment of previously developed land within the Green Belt, and as such this should be assessed under Paragraph 89 of the NPPF.

9.6 The glossary within the NPPF sets out that previously developed land means land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. The definition also includes a list of exceptions, including agricultural or forestry buildings.

9.7 In 2016, a certificate of lawfulness was granted (ref. 16/00801/LDC) on the site for "the continued use of the whole site for equestrian purposes including the use of existing buildings for stables, the use of paddocks for keeping of non-agricultural horses and use of parts of the site for training horses".

9.8 Equestrian uses are not excluded from the NPPF definition of previously developed land, and as such the built up areas of the site, i.e. those currently comprising buildings and associated hardstanding, are considered previously developed land. As such, the general principle of redeveloping these parts of the site is therefore acceptable, subject to the caveat in the NPPF that the redevelopment of the site 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.

### Impact on openness

9.9 The four proposed dwellings would be located to the front of the site, on the area currently occupied by large equestrian buildings and hardstanding. The existing buildings on the site are large scale and placed close together, forming a wall of development. The proposed site layout demonstrates that there would be gaps between the dwellings, creating a more visually permeable and open development. In addition, there would be a reduction of hard landscaping on the site, due to the introduction of rear gardens on the area currently occupied by the manege and the current area of hard landscaping to the south west of the site also being soft landscaped, as a garden area for unit 1.

9.10 The footprint and volume of the proposed development on the site would be reduced when compared to the existing buildings on site. There are currently 7 buildings on the site. The footprint of the dwellings would be 659 square metres, whereas the footprint of the existing buildings is 945.6 square metres. This is a reduction of 286.6 square metres, or 30.3%. The volume of development on the site would also be reduced, from 3,435 cubic metres to 2,819 cubic metres. This is a reduction of 616 cubic metres, or 17.9%. The replacement of the existing buildings would, therefore, reduce the built form on the site to the benefit of the openness of the Green Belt. As such, the redevelopment of the site would not harm the openness of the Green Belt, would improve views through the site and between the proposed buildings and include additional soft landscaping.

9.11 The existing 7 buildings on site vary from approximately 2.5 metres tall to 6.2 metres tall. The proposed four dwellings vary in height from 5.1 metres to 6.5 metres tall. Given the reduction in the number of buildings on site, the reduction in footprint and volume and the similar maximum height of the buildings, it is not considered that the proposals would harm the openness of the Green Belt in terms of bulk and mass.

9.12 The rear gardens for units 2 and 3 would be on the area currently occupied as a manege. The manege constitutes previously developed land, as it is a permanent structure on the land, but is open in nature. However, its replacement with residential gardens would not have a greater impact on the openness of the Green Belt, especially as the manege could be subject to paraphernalia such as riding jumps and hoops. It is considered that any domestic paraphernalia in the proposed houses' gardens would not have a greater impact on the Green Belt than this. Permitted developments for outbuildings would be restricted by condition.

### Impact on purpose of including the land within the Green Belt

9.13 The five purposes for including land within the Green Belt are set out in paragraph 80 of the NPPF. These are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring town merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.14 As the curtilage of the dwellings is clearly defined on the site plan as being contained to the area of the site that is currently developed with equestrian buildings, hard landscaping and the manege, it would not lead to further, sprawling development in to the Green Belt and would not result in towns merging. By being contained to the current area of built form on the site, the proposal would also not result in encroachment into the countryside. The setting and special character of historic towns would be unaffected by this proposal. In terms of urban regeneration, although this is a Green Belt site, it would result in the effective re-use of a previously developed site. As such, the proposed development would not conflict with the purposes of including land within it.

9.15 The proposed redevelopment of the site for four residential units is, therefore, acceptable in principle in line with BFBLP 'Saved' Policy GB1, CSDPD Policy CS9 and the NPPF.

## **ii. Impact on character and appearance of the area**

9.16 Views of the proposed dwellings would be possible from Bracknell Road; however there is existing hedgerow along the front boundary of the site which would provide screening to the proposed development. The existing buildings are sited closely together, dominated by hard surfacing to the front of the site, along with the manege to the rear. The proposed layout of the dwellings would spread the development across the site, thus increasing the views between the buildings and in particular through to the open land to the rear of the site with the further benefit of increasing the amount of soft landscaping on site. This would help to minimise the visual impact of the new built form and would be an improvement to the current arrangement of buildings and hardstanding.

9.17 The proposed dwellings would be set out in a courtyard formation. They would be barn-style in appearance. It is considered that the proposed layout and design of the dwellings would be sympathetic to the rural character of the area.

9.18 The dwellings would be served by a parking and turning area located in a central position in the site. Private amenity space would be provided for each dwelling, proportionate to the size of the dwellings. This would result in the removal of buildings, hardstanding and the manege to the rear of plots 1-3 and its replacement with soft landscaping to the benefit of the rural area. Planning conditions are recommended in relation to landscaping and boundary treatments.

9.19 The proposed dwellings would be finished in a mix of brick and timber on the external walls and clay and slate tiles on the roof. This palette of materials would be sympathetic to the rural area and would contribute to their barn-style appearance.

9.20 Subject to the proposed condition regarding materials, landscaping and boundary treatments, it is considered that the development would not result in an adverse impact on the character and appearance of the area or the host property, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

## **iii. Impact on Listed buildings**

9.21 Section 66(1) of the (Listed Buildings and Conservation Areas) Act 1990 relates to the determination of applications affecting the setting of a Listed Building and states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' Recent legal cases relating to issues of the setting of listed buildings have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.22 The NPPF (paragraph 128) requires applicants, 'to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance'. Paragraph 131 of the NPPF states that, local planning authorities should take into account 'the desirability of sustaining and

enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation’.

9.23 CSDPD Policies CS1 and CS7 seek to preserve and enhance the historic environment, and saved BFBLP Policy EN20 sets out the importance of preserving the character and appearance of an area, including in relation to adjoining buildings.

9.24 The proposed development site forms part of the setting of Handpost Farm, but is in separate ownership to the Grade II Listed Handpost Farmhouse, the Grade II Listed former barn and the Grade II Listed granary. The farmhouse is physically detached from the proposed development whilst the Listed barn forms the boundary between the two land-holdings. A single storey dwelling which is physically attached to the Grade II Listed barn is of poor quality and detracts from the character of the Listed Building.

9.25 The proposed development site has an existing dwelling and a number of largely modern agricultural style buildings which are generally of a poor quality and detract from the setting of the Listed Buildings.

9.26 In principle of the proposal to remove a number of the inappropriate utilitarian and modern buildings from the setting of the Listed Buildings is supported and would enhance the setting of the Listed Buildings by better revealing their significance. On site the existing barns and stables and manege are of a poor quality construction and of varying sizes. These include two large barns of corrugated metal construction with the remainder being timber stable buildings with some smaller buildings situated either side of the access.

9.27 The proposed new buildings would be confined to the existing area of the site which has already been developed and there would be no encroachment into the surrounding undeveloped parts of the site. The new hedge boundary would be formed between the new development and the existing Listed Buildings at Handpost Farm.

9.28 Following pre-application discussions, the proposed dwellings show an improved design. In particular the new Unit 4 design, which was previously considered too large and too close to the Listed barn, has been reduced in size, with greater separation from the Grade II Listed barn. The greater distance from the Listed Building, the smaller footprint and the simpler and more regular design is considered to reduce the harm to the setting of the Listed Barn which together with the enhancement from the removal of the existing outbuildings is considered to preserve the setting of the Listed Buildings.

9.29 Overall the proposed designs for single and one-and-half storey buildings is considered to be the right approach to preserving the character of the adjacent Listed Buildings. The previous over-proliferation of dormer windows, rooflights and garages has been reduced and the development is less sprawling and more in-keeping with the setting of the Listed Buildings. Overall the amended design has reduced the bulk and mass of the buildings and improved the layout, increasing openness and separateness of the buildings leading to less visual clutter.

9.30 The reduction in the number of buildings, the total footprint and the overall volume of the proposed new buildings from the current farm buildings is to be welcomed. The removal of inappropriate modern farm buildings and their replacement with a development more in-keeping with the settings of the Listed Buildings is considered to preserve the setting of the Listed Buildings. The designs are more coherent and simpler with more defined elevations and therefore there is no objection in principle to the development. A condition is recommended regarding materials which would include brickwork, roof tiles and windows.



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

9.31 The proposed dwellings are in excess of 90 metres from the closest residential properties on Parkers Lane to the south-east of the site and in excess of 100 metres from the Camden Villa, the closest residential property to the north-east. Given these distances, it is not considered that the proposed development would impact on the residential amenities of these properties. There are no residential properties in the vicinity to the west of the site.

9.32 The closest residential property to the proposed dwellings is The Barn, to the north of the application site. There would be a 9.5m separation distance between the flank wall of plot 3 and the flank wall of The Barn at its closest point and 12.7m separation distance between the flank wall of plot 4 and The Barn at the closest point. Windows and doors proposed in the flank wall of plot 3 at ground floor level facing The Barn would not result in overlooking and loss of privacy to the adjoining dwelling given their positioning at ground floor level and that new boundary hedging is proposed along the northern boundary. At first floor level in the flank wall facing The Barn is a window serving a bedroom as proposed. This would be sited 5.5m from the boundary with The Barn and would look over the rear garden of the adjoining property. Given there would be overlooking to the rear garden, this window is to be obscure glazed and fixed shut with the exception of top opening fanlight, restricted by condition to address this issue. It should be noted that the room is also served by 2no. rooflights which are openable and provide both a source of light and ventilation; as such, no issues would result from the window being obscure glazed and fixed shut. Plot 4 is single storey in height. Windows and doors proposed in the flank wall facing The Barn would therefore be at single storey level and given new boundary hedging is proposed along the northern boundary, plot 4 would not result in overlooking and loss of privacy to the adjoining dwelling.

9.33 In relation to the residential amenities of the future occupiers of the proposed dwellings, due to the siting of the dwellings, they would not appear overbearing to each respective plot. There are first floor windows in the side elevations of plot 2 facing the rear garden of plot 1, the side wall of plot 3 where there is a window at first floor level serving a bedroom and have oblique views over the garden of plot 3. It is recommended that these first floor side facing windows in plot 2 are conditioned to be obscure glazed and fixed shut to avoid overlooking to plots 1 and 3. A window is proposed at first floor level in the side elevation of plot 3, set some 7m from the boundary. Due to the siting of plots 2 and 3, there would be oblique views from this window over part of the rear garden of plot 2; however as this would be at an oblique angle, it would not result in adverse overlooking and loss of privacy to plot 2. All proposed dwellings would have windows/doors facing onto the parking and turning area, providing natural surveillance. Private amenity space would be provided for each dwelling along with sufficient on site parking provision for each. As such, there would be acceptable residential amenity provided for future occupiers of the proposed dwellings.

9.34 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, and would also provide an acceptable level of amenity for future occupiers, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended condition.

#### **v. Transport implications**

##### **Access**

9.35 An existing farm access off Bracknell Road, Warfield is to be used for access to these 4 new houses and no changes are proposed. Visibility splays of 2.4m by 90m can be achieved in either direction within the highway boundary and this is more than adequate for an access serving 4 houses off a classified road which is subject to a 30mph speed limit. This existing access is a wide dropped kerb around 9m wide which narrows to around 4.8m through an

existing gated access set back around 8m from the main road and two vehicles would be able pass at the access and be clear of the road.

9.36 Each of the dwellings would be located within 30m of the main road and therefore residents could haul their wheelie bins to the roadside for collection by the Council. A refuse vehicle would not enter the site.

### **Parking**

9.37 Each of these 4-bed houses is to be provided with 3 parking spaces to comply with the Council's parking standards (2016) and these are 2.4m by 4.8m based on the Proposed Site Plan (drawing 336-05-P4) with at least 6m of access/turning space to enable vehicles to exit the development onto the main road in a forward gear. Also, the plan indicates that there would be adequate access/turning space for domestic delivery vehicles.

### **Traffic and Sustainability**

9.38 The site is not considered to be in a sustainable location as there are no local facilities (shops, schools, surgery etc.) within acceptable walking distances. There is a garden centre and hotel/restaurant in close proximity to the development. Cycling may be an option for some. Cycle storage would be provided in the form of a garden shed in each respective plot which is acceptable. This residential development is served by the 162/162a bus services between Bracknell and Ascot, however, this an infrequent service.

9.39 4 new houses are likely to generate in the region of 32 two-way trips per day, including one or two movements in both peak periods. The existing use would generate some equestrian traffic and while this is likely to be lower than the traffic generated by 4 houses and residential use, trips would differ from equestrian uses with reference to Policy M4, *'development which would result in a material increase in the use of an existing highway will not be permitted unless appropriate pedestrian, cycling and public transport routes and facilities and provided and/or improved and any reasonably required highway works undertaken'*; the traffic impacts of 4 houses would be relatively low.

9.40 It is noted that the historic crossroads at Bracknell Road/Cock Lane/Winkfield Lane/Maidens Green creates conflict and safety issues and there is limited visibility to the left for vehicles exiting Bracknell Road. However, the additional traffic created by 4 houses would be low compared with the existing traffic passing through this junction. Also, not all traffic from these 4 houses would use this junction. The Highway Authority has a minor planned improvement scheme (signs, road marking, etc.) to highlight the presence of the crossroads, particularly when approaching from the south along Bracknell Road. Also, the development may be CIL liable and some monies could be available to fund local transport improvements to mitigate the cumulate transport impacts of development at this junction which is on the CIL Regulation 123 list. A condition is recommended to secure details of construction traffic, including deliveries and contractor parking.

9.41 Subject to the proposed conditions, the proposal is acceptable in line with CS DPD Policy CS23, BFBLP Policy M9 and the NPPF.

### **vi. Impact on biodiversity**

9.42 An ecological survey was required as part of this application due to its location in a rural area with the demolition of buildings and its location within 100m of a pond with potential to support great crested newts.

9.43 A phase 1 survey was subsequently submitted in March 2017 which concluded further surveys were required in relation to bats and great crested newts, along with further information on nesting birds.

9.44 In May 2017, a report in relation to great crested newts was submitted which concluded they were not present. As such, no further action was required. A bat survey was subsequently submitted in June 2017 which addressed both bats and nesting birds and appropriate mitigation measures.

9.45 Subject to the imposition of conditions, including the provision of bat and bird boxes and lighting, the proposal would not adversely impact upon biodiversity and would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

#### **vii. SPA**

9.46 The site is between 5 and 7 km of the SPA, and therefore no SPA contributions are required to mitigate impacts on the SPA.

#### **viii. CIL**

9.47 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.

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

9.49 In this case, the proposal would be CIL liable as it comprises the creation of new dwellings. The dwelling falls within the Northern Parishes charging area. A liability notice will be issued in the event of planning permission being granted.

#### **ix. Other matters**

9.50 Drainage issues have been raised by the Parish Council. A planning condition is recommended in relation to the development incorporating surface water drainage that is SuDS compliant. Sewage connection can be dealt with by the Council's Building Regulations department and the relevant Statutory Undertaker.

### **10. CONCLUSIONS**

10.1 The proposed development is within the Green Belt, however it comprises previously developed land. As such, subject to the proposal not harming the openness of the Green Belt, or being contrary to the purposes of including land in the Green Belt, the proposal is acceptable in principle. It is not considered that the development would result in an adverse impact on the character and appearance of the area, the Listed Buildings, residential amenity, highway safety or biodiversity. The proposal would provide a net addition of 3 houses within the Borough. It is therefore considered that the proposed development complies with Development Plan policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS8 CS7 and CS23, BFBLP 'Saved' Policies EN8, EN20 and M9, the Parking Standards SPD, the Design SPD and the NPPF.

10.2 The application is therefore recommended for conditional approval.

## 11. RECOMMENDATION

### To APPROVE the application subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority on 10 January 2017, 3 March 2017, 30 June 2017:

01/P4: Location Plan

02/P6: Block Plan

05/P7: Proposed Site Plan

06/P4: Unit 1: Floor Plans and Elevations

07/P4: Unit 2: Floor Plans and Elevations

08/P3: Unit 3: Floor Plans and Elevations

10/P3: Unit 4: Floor Plans and Elevations

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

3. No development shall commence 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]

4. No development shall commence until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

5. The first floor windows in the side elevations of plot 2 and the first floor window in the side (north-east) elevation of plot 3 hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight that is no less than 1.7m above internal floor level of the room that the window serves.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in any roof space or at first floor level or above in the side elevations of plot 2 and plot 3 and in any roof space in the rear elevation of plot 4 of the buildings hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

7. 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 enlargement, addition, improvement or other alteration permitted by Classes A, B, D and E of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASON: The site is located within the Green Belt where strict controls over the form, scale and nature of development apply.

[Relevant Policies: BFBLP GB1, CSDPD CS9]

8. No development shall commence 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. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such.

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

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

9. No development shall commence 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.

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

10. No development shall commence 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]

11. No development shall commence until the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on site renewable energy generation. The development shall be implemented in accordance with the Assessment, as approved, and retained as such thereafter.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

12. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

13. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

14. No dwelling shall be occupied until the covered and secure cycle parking facilities have been implemented in accordance with the approved plans. The facilities shall thereafter be retained.

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

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

15. No development shall commence 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.

REASON: In the interests of amenity and road safety.

16. 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]

17. 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: CSDPD CS1]

18. No development shall commence until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan showing the location of these enhancements, has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved scheme and therefore retained as such.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1]

19. 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.
  - c) details of the lighting units, levels of illumination direction of illumination, hours of use. 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.
- REASON: In the interests of nature conservation and visual amenity.  
[Relevant Policies: CSDPD CS1, BFBLP EN20, EN25]

20. No development shall commence (including initial site-clearance) until a detailed scheme, and programme for its implementation for the protection of existing trees 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. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:

- a) Accurate trunk positions and canopy spreads of all existing trees
- b) Minimum 'Root Protection Areas' of all existing trees
- c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, 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.
- d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
- e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- f) Illustration/s of the proposed fencing structure/s to be erected.

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

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

21. The protective fencing and other protection measures specified by condition 20 shall be erected prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.

- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

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

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

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

#### Informatives

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

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

- 3. Materials
- 4. Finished floor levels
- 8. Landscaping
- 9. Boundary treatments
- 10. Sustainability Statement
- 11. Energy Demand Assessment
- 15. Site organisation
- 18. Bat and bird boxes
- 20. Tree protection

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

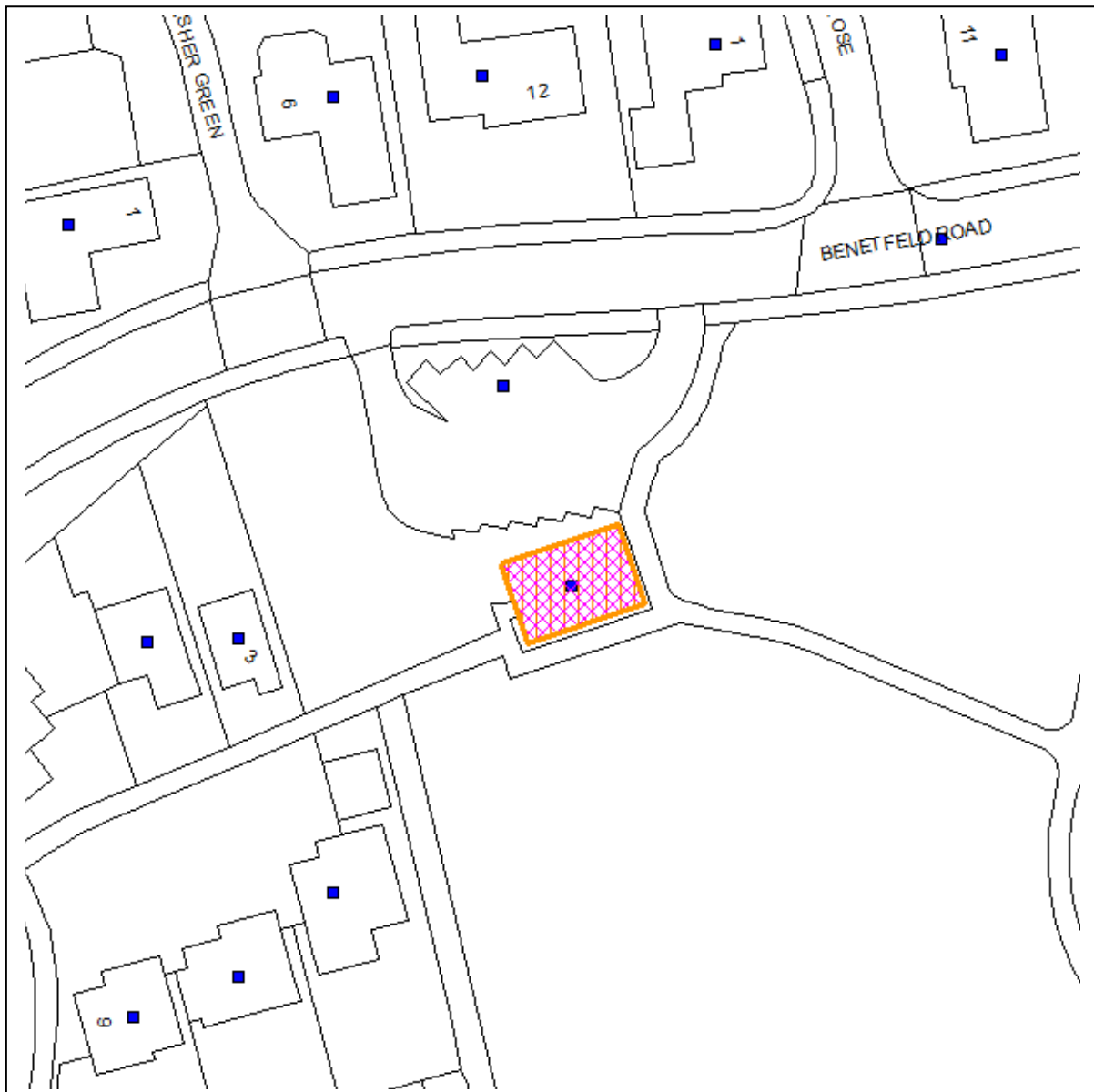
- 01. Time limit
- 02. Approved plans
- 5. Obscure glazing
- 6. Restrictions on windows
- 7. Removal of permitted development rights
- 12. Access
- 13. Vehicle parking
- 14. Cycle provision
- 16. SUDS
- 17. Bird nesting season
- 19. Site lighting
- 21. Tree restrictions

3. The Streetcare Team should be contacted at Bracknell Forest Council, 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.



<b>ITEM NO: 12</b>	Ward:	Date Registered:	Target Decision Date:
Application No. <b>17/00331/FUL</b>	Binfield With Warfield	31 March 2017	26 May 2017
Site Address:	<b>Binfield Parish Council Benetfeld Road Binfield Bracknell Berkshire RG42 4EW</b>		
Proposal:	<b>Erection of two single storey extensions and proposed alterations with associated parking.</b>		
Applicant:	Ms Ally Wickham, Parish Clerk		
Agent:	Mr Steve Wolstenholme		
Case Officer:	Matthew Miller, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 The proposed development is the erection of two single storey extensions and proposed alterations with associated parking.

1.2 While the proposal would be contrary to Binfield Neighbourhood Plan Policy ENV3 in respect of constituting additional development within a designated Local Green Space, it is considered that in this instance the circumstances of the application give rise to 'very special circumstances', which, when conducting the balancing exercise, provide adequate justification for the development. Furthermore, it is not considered that it would have an adverse impact on the character and appearance of the host building or surrounding area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended conditions.

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

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

<b>RECOMMENDATION</b>
Planning permission be granted subject to conditions in Section 11 of this report

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

<b>PLANNING STATUS</b>
Within defined settlement Designated area of Local Green Space

3.1 The property comprises the main office building of Binfield Parish Council - a single storey rectangular building with a pitched roof. The building is served by a car park to its front and is bordered to the south, west and east by the Foxley Fields Local Green Space – which consists mainly of grassed areas, and various planting bordering the site. It includes tennis courts, an all-weather sports pitch with two children's play areas (for younger and older children). Public footpaths serve the area.

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

4.1 The relevant planning history of the site can be summarised as follows:

612381

Erection of 89sq.m. single storey building for use as Parish Council Office, land south of Benetfeld road and east of Wythemede.

Approved (1987)

12/00083/FUL

Installation of solar panels on south facing roof (retrospective).

Approved (2012)

### **5. THE PROPOSAL**

5.1 The proposed development consists of the following:

(i) The proposed single storey western side extension would measure 6.4 metres in width, 7.7 metres in depth, and 5.2 metres in height. It would have a dual-pitched roof with two roof lights, and would form a meeting room.

(ii) The proposed single storey eastern side extension would also project past the rear elevation of the existing building. It would measure 8.8 metres in width at the side, with a width of 14.7 metres at the rear. It would have a total depth of 16.5 metres. A roof canopy would project from the eastern, northern and southern sides of this extension, with a patio area. The enlargement would have a total height of 5.8 metres, with a dual-pitched gable ended roof. It would provide various facilities to accommodate a community centre.

(iii) Alterations are proposed to the existing parking area to the front, involving an enlargement of hardstanding to accommodate additional parking, and changes to soft landscaping. It is also proposed to provide a community garden to the immediate rear of the existing building.

(iv) The existing solar panels serving the building are proposed to be extended, with an additional solar panel section proposed. Two front-facing and four east-facing (side) roof windows are proposed to be installed.

5.2 During the process of the application additional information has been received from the applicant to provide what the applicant considers 'very special circumstances' in support of placing additional development within a Local Green Space for office and community purposes.

## **6. REPRESENTATIONS RECEIVED**

6.1 A total of 18no. support comments have been received in respect of the proposal. They can be summarised as follows:

- additional community facilities are required within Binfield, and the proposal would form an important community hub for the local residents of all ages;
- while the proposal would result in the loss of sections of the Local Green Space, the overall loss would be limited and would involve the loss of less utilised areas;
- the proposal would enable greater use and functionality of the Foxley Fields Open Green Space as a whole;
- additional community facilities are required to support the increasing local population, particularly in view of the housing developments underway;
- enlarging the capacity of the Parish Offices would only be of benefit to the local community;
- the proposal would provide additional parking spaces to assist the significant existing on-street parking issues within Benetfeld Road; and
- the proposed design of the development is of a high standard.

6.2 A total of 7.no objections have been received in respect of the proposal. They can be summarised as follows:

- it has not been demonstrated that there is a need to enlarge the parish offices, and to include community facilities including a café and event room;
- alternative facilities are available elsewhere within Binfield, and the existing community facilities are underused;
- the proposed location is not appropriate for the intended use or for expansion of an office building;
- the proposal would result in a loss of the Open Green Space, and this would be contrary to the Binfield Neighbourhood Plan;

- the proposal would result in an adverse impact on highway safety, through increasing parking requirements on a highway that already experiences a significant level of on-street parking;
- the proposal would result in an increased level of litter being left within the Foxley Fields Open Green Space;
- the proposal would result in increased noise pollution to the detriment of the occupants of the neighbouring residential properties; and
- there is the potential presence of a covenant on the land that prevents its development [Officer Comment: covenants are not a planning matter; they are subject to separate legal mechanisms. The above matters are addressed in the full report below].

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highway Officer

7.1 The Highway Officer raises no objection the proposal, subject to the imposition of planning conditions which are discussed in further detail in the main report below.

### Landscape Officer

7.2 No objection.

7.3 As Binfield Parish Council are the applicant for this proposal, they have not provided a consultation comment.

7.4 No further statutory or non-statutory consultations have been required.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved Policy EN20 of BFBLP.	consistent
Residential Amenity	Saved policies EN20 and EN25 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Local Green Space Designation	ENV3 of Binfield Neighbourhood Plan	consistent
<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD (2016)		
Design SPD (2017)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF)		
Planning Policy Guidance (PPG)		
CIL Charging Schedule		

## 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 residential amenity
- iv Transport implications
- v Community Infrastructure Levy

#### **i. Principle of the development**

9.2 Binfield Neighbourhood Plan Policy ENV3 has designated the area in which the property is sited as the Foxley Fields Local Green Space. Policy ENV3 states that any new development within these designated Local Green Spaces shall be considered inappropriate, as these areas shall be kept permanently open except in very special circumstances.

9.3 Policy ENV3 accords with paras. 14 and 76 of the NPPF, which state that development shall be restricted in land designated as Local Green Space, except in very special circumstances.

9.4 The Binfield Neighbourhood Plan makes reference to the provision of community facilities, however the applicable policies (CF1, CF2 and CF3) relate to the provision of healthcare facilities, facilities within the Blue Mountain development, and the provision of allotment space. These policies therefore have minimal relevance to this application.

9.5 The proposal would constitute a significant level of development within a designated Local Green Space. This would also involve some loss of existing undeveloped open land to the sides and rear of the existing building. While the land that would be lost to accommodate the additional hardsurfaced parking area on the western edge of the site is not actively utilised, again it has been designated as part of the Local Green Space, and so the full weight of the policy applies.

9.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). The applicant has therefore identified what it considers 'very special circumstances' to support and justify the siting of the proposed development within a designated Local Green Space.

9.7 Firstly, in terms of office use (the expansion of the existing Parish Council office), the applicant has demonstrated an increase in the number of staff employed within the Parish Council, and project that this number will increase significantly by 2026. This increase is in view of the increasing population of Binfield (which has also been evidenced) due to the village's previous expansion, the further expansions under way and planned further housing development. As the applicant states in its submissions, an increase in population gives rise to an increase in workload to the Parish Council, and therefore there is a need to employ additional staff.

9.8 Additional office space is therefore required to accommodate an increased level of staff, through desk space and meeting and storage areas, as well as supporting amenity facilities. The Parish Council provides a key community role and a variety of statutory local government services, and therefore the accommodation of adequate office facilities is of high significance.

9.9 Furthermore, the applicant has argued that there is a lack of a suitable alternative locations to accommodate a larger office. There are limited available areas within the defined settlement of Binfield of adequate size that are not already allocated for housing

development, with no empty buildings readily available to transfer into. The Farley Wood Centre is itself located in an Area of Local Green Space, and the cost of locating within the Blue Mountain development is too high. It is also more cost-effective to construct an extension to an existing building rather than construct a new building outright.

9.10 The second matter of consideration is the siting of the proposed community hub within an Area of Local Green Space. The applicant has provided empirical evidence of the high demand on existing community facilities. Data for the Farley Wood Centre was collected during a period from April to June 2016, and a second dataset obtained for July to September 2016. This data identified that approximately 70% of all bookings (including 'one-off' booking and requests for regular bookings (e.g. weekly events)) could not be accommodated, within both time periods. A standard weekly timetable for Farley Wood events has also been provided, showing very limited spare capacity.

9.11 The applicant requested booking data from the Binfield Memorial Hall but was unsuccessful in obtaining information. However the applicant has provided evidence of bookings also being turned away from this facility.

9.12 The St Marks Church and All Saints Church in Binfield also provide existing community facilities, however it is acknowledged that the type of activities that could be offered by these facilities is limited.

9.13 The local library and scout hut also provide community facilities, but again are limited in the type of activities that can be offered, especially in view of their size, and are highly utilised as existing with limited spare capacity.

9.14 It is noted that representations received by the Local Planning Authority (section 6 of the report) suggest that existing community facilities within Binfield do have spare capacity, this has not been quantified to the same level or evidenced in the same manner as the applicant's submission. As a result greater weight can be given to the applicant's submission in respect of this matter.

9.15 Weight is given by the Local Planning Authority to the fact that the proposed Blue Mountain development will provide a community facility. However, it is acknowledged that this facility has been proposed to cater for increased demand within Binfield, including from the Blue Mountain development itself, when existing demand is already high.

9.16 In addition to the applicant's very special circumstance claim of existing demand for community facilities being high, a second very special circumstance is claimed stating that the proposal would enhance and enable increased use of the Local Green Space. The facility would provide a café and toilet facilities to support a large number of users of the Green Space for a more lengthy visit. It is argued that the provision of the community facilities would serve to improve the overall attractiveness of the Foxley Fields Local Green Space for visitors. Therefore, although the proposal would involve the addition of built form within a Local Green Space, the applicant suggests that in this instance the development would enable more effective use of the Local Green Space and secure its community value and importance. This is one of the key aims of Binfield Neighbourhood Plan Policy ENV3.

9.17 While not considered a very special circumstance, weight is also given to the fact that the proposal would result in a limited loss of the existing Local Green Space. The applicant suggests that the additional built form equates to a loss of less than 1% of the Green Space. While this figure has not been corroborated, it is clear from the submitted information that the loss would be limited. That said, any loss of any section of Local Green Space is contrary to Binfield Neighbourhood Plan Policy ENV3.

9.18 The applicant's submitted very special circumstances are considered to provide sufficient justification for the proposal. This conclusion has been reached by carrying out the balancing exercise, for both the office and community uses. The forecast increase in the Parish Council staffing levels combined with the lack of alternative location provides strong grounds to justify this element of the development within the Local Green Space. This is particularly the case as the existing Parish Council office is already located within it. Weight is given to the fact that the organisation provides a greater community benefit in comparison to a private business.

9.19 Compelling evidence has been submitted to support the claim that existing community facilities have limited spare capacity. Significant weight is given to the logical and reasonable assertion that the proposed community facility will enable, enhance and provide long-term benefit to the remainder of the Local Green Space, which would be of benefit to the local community, and accord with the principles of sustainable development as outlined within the NPPF.

9.20 It is considered appropriate that in the event of granting planning permission, a condition be imposed to restrict any change of use which may be allowed under permitted development rights. This is in order to maintain the community benefit of the development, which is critical to its acceptability.

9.21 While the proposal would be contrary to Binfield Neighbourhood Plan Policy ENV3 in constituting additional development within a designated Local Green Space, it is considered that in this instance the circumstances of the application give rise to 'very special circumstances', which, when conducting the balancing exercise, provide adequate justification for the development. The proposal is therefore considered acceptable in principle, and in line with the tests of the NPPF, subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, etc. These matters are assessed below.

## **ii. Impact on the character and appearance of the area**

9.22 It is considered that the proposed extensions would be of high quality design, and would not be out of character with the surrounding built form, mainly the primary school to the east, and the dwellings to the north west. The single storey height of the overall development and the use of dual-pitched, gabled roof structures with high levels of glazing are appropriate to the character of the area and surrounding buildings. It is noted that the public library to the northwest also comprises a significantly glazed design and a semi-circular elevation. The proposal seeks to achieve a modern design which is attractive and appropriate to its intended use.

9.23 While the extensions would result in a significant enlargement of the existing building, its single storey, dual-pitched design respects the character of the original building.

9.24 The Local Green Space defines the immediate character of the area and it is considered that the appearance of the proposed built form and hardstanding could be softened by the addition of planting. Some indicative landscaping has been shown on the submitted plans, notably to the front of the existing property. It is recommended that a planning condition be imposed to secure full details and implementation of a soft landscaping scheme, to include planting types and maintenance schedules, and also the retention of existing planting where appropriate.

## **iii. Impact on residential amenity**

9.25 The nearest properties to the proposed extensions are the dwellings to the north (6 Fisher Green, 12 Benetfeld Road, and 1 Caswell Close) and to the west (3 and 4 Wythemedede). The minimum separation distance to these properties is 40 metres to the north, and 16 metres to the west.

9.26 In view of the above separation distances and the single storey nature of the proposal, it is not considered that it would result in an adverse impact on the amenities of the occupants of these properties.

9.27 While the car park is to be extended to the western side, up to the boundary with the property of 3 Wythemedede, it is not considered that the siting of a car park in the vicinity of a defined urban, residential area, where there is also an existing car park facility, would be detrimental to the amenities of the occupants of the neighbouring properties.

9.28 It is acknowledged that the proposal would be likely rise to generate some noise, in view of its use. The proposal is sited on a Local Green Space which will generate noise related to recreational activity, and is also sited in close vicinity to an existing primary school. It is not considered that any increase in recreation-related noise would be inappropriate in such a location, or result in a significant adverse impact in comparison to the existing situation.

9.29 It is noted that objection has also been raised to potential increased littering on site. However the existing Local Green Space does provide bins and the proposal would provide accommodation for refuse. In any case, the incidence of littering would constitute a site management matter for the applicant.

#### **iv. Transport Implications**

9.30 The Highway Officer has been consulted on the proposal.

9.31 Benetfeld Road is an adopted residential road with a 20 miles per hour speed limit, which also provides access to a local primary school, the library and the Parish Council offices. There are some parking restrictions to control on-street parking demand.

9.32 The existing car park is served by an 'in' and 'out' arrangement and no changes are proposed to this. The proposal will increase the use of the car park, however adequate sight-lines can be achieved and the current parking restrictions assist with this.

9.33 The proposed development would include a café, activity space, display area and kitchen plus a meeting room and resource room. This will create a community facility of around 220 square metres and 20 car parking spaces are to be provided. The floor plan shows 32 covers in the café (plus 12 outside) and a 14-seat meeting room. Also, there would be some staff in the kitchen and office and as such, there could be around 40 people present at any one time. The development could generate in the region of 200 two-way trips per day.

9.34 Therefore the provision of 20 parking spaces is considered to be reasonable when acknowledging that this would be a community facility serving a large residential catchment who could access the site on-foot or by bike. Existing public footpaths assist in enabling this. Two disabled parking spaces are proposed and this would represent 6% of provision in line with the parking standards. Cycle parking would be provided.

9.35 The new parking bays are shown on the plans as 2.4m by 4.8m to comply with current standards and would be permeable to comply with SUDs guidance. The new car park layout



is to include signs and markings indicating a one-way system and this should improve circulation and a drop-off bay is proposed.

9.36 Some minor alterations are proposed to redirect footpaths to and around the enlarged building. There are existing footways along Benetfeld Road and the area is lit. The applicant may need to seek formal permission from the Council's Streetcare Team to undertake the alterations to the footways, as a separate matter to planning permission.

9.37 It is recommended that conditions be imposed to require and maintain visibility splays for pedestrians in respect of the parking layout change, and to ensure the undertaking and subsequent retention of the proposed additional vehicle and cycle parking areas.

## **v. 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 location of the development within the borough and the type of development.

9.39 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted). The creation of additional floor space for office and community use purposes is not development that is CIL liable.

## **10. CONCLUSIONS**

10.1 While the proposal would be contrary to Binfield Neighbourhood Plan Policy ENV3 in respect of constituting additional development within a designated Local Green Space, it is considered that in this instance the circumstances of the application give rise to 'very special circumstances', which, when conducting the balancing exercise, provide adequate justification for the development.

10.2 Furthermore, it is not considered that the proposal would have an adverse impact on the character and appearance of the host building or surrounding area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended conditions. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN20, EN25 and M9, the Design SPD, the Parking Standards SPD, and the NPPF.

## **11. RECOMMENDATION**

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 31 March 2017:

16292 205 P7 'Building Plan – As Proposed'  
16292 210 Rev. P3 'Roof Plan 'As Proposed'  
16292 255 Rev. P6 'Site & Car Park Plan – As Proposed'  
16292 305 Rev. P7 'Elevations – As Proposed'

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 building.

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 material change of use shall occur on the site pursuant to the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON: To ensure the use of the development remains appropriate to the location within an Area of Local Green Space.

[Relevant Policies: Core Strategy DPD CS1, CS2; Binfield Neighbourhood Plan Policy ENV3]

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, and in the interests of nature conservation.

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

06. The development shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the entrance and exit points and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall 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]

07. The development shall not be occupied until the associated vehicle parking has been surfaced and marked out in accordance with drawing 16292 255 Rev. P6 'Site & Car Park Plan – As Proposed', received by the Local Planning Authority on 31 March 2017. 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]

08. The development shall not be occupied until the parking for bicycles has been provided in accordance with drawing 16292 205 P7 'Building Plan – As Proposed', received by the Local Planning Authority on 31 March 2017.

REASON: In order to ensure bicycle facilities are provided, in the interests of highway safety.

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

09. The development (including the proposed hardstanding) shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.

[Relevant Policies: CSDPD CS1, BFBLP EN25]

## INFORMATIVES

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. 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. Commencement
2. Approved Plans
3. Materials
4. Change of Use
5. Landscaping
6. Visibility Splays
7. Parking
8. Cycling
9. SuDS

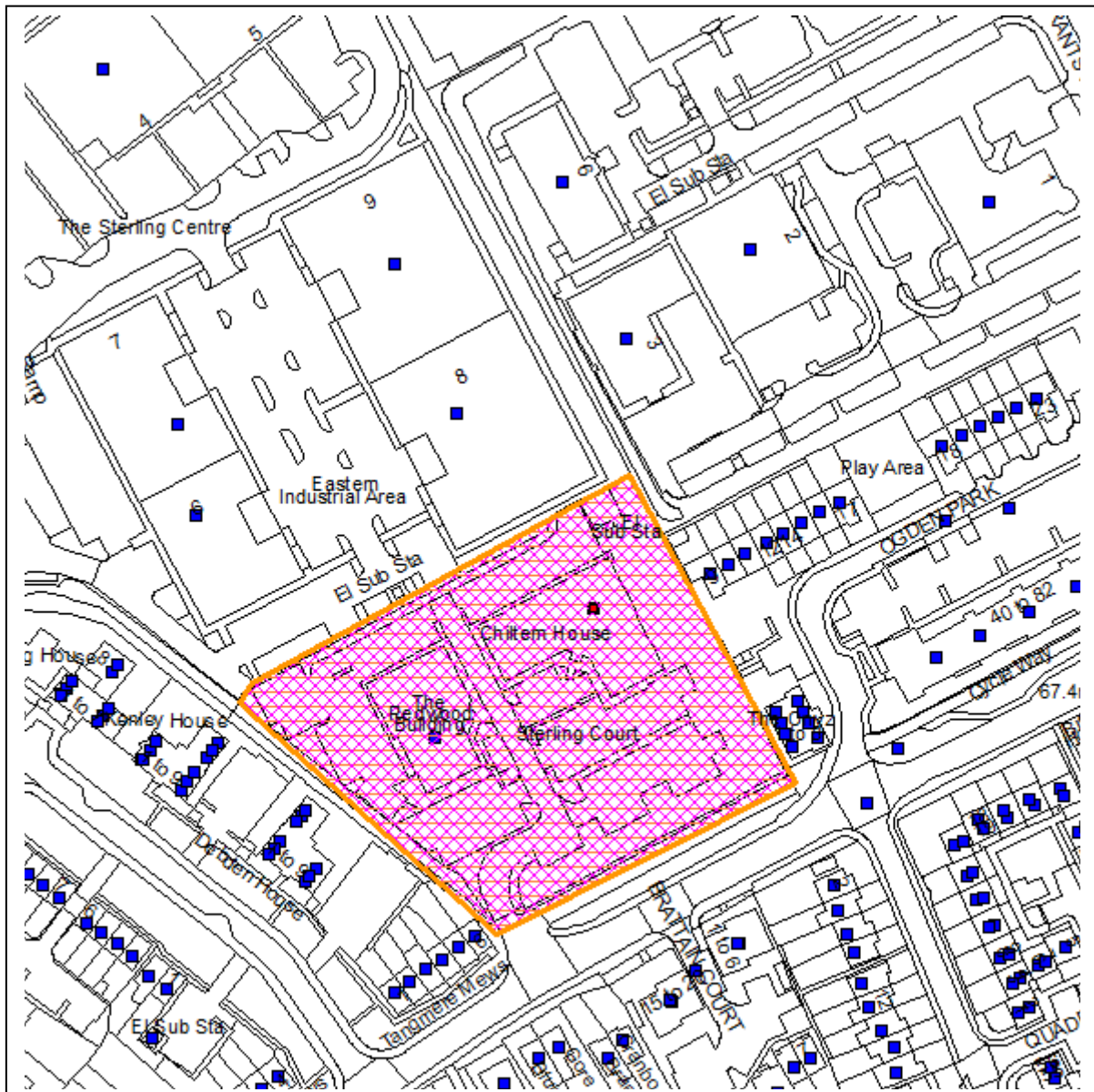
03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

04. In respect of any alterations to existing public footways, The Street Care Team should be contacted at the Environment, Culture and Communities Department, 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.

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<b>ITEM NO: 13</b>	Ward:	Date Registered:	Target Decision Date:
Application No. <b>17/00434/FUL</b>	Bullbrook	3 May 2017	2 August 2017
Site Address:	<b>Land At Sterling Court, The Redwood Building and Chiltern House Broad Lane Bracknell Berkshire RG12 9GU</b>		
Proposal:	<b>Erection of 99 apartments (including affordable dwellings), provision of car parking and communal amenity space following demolition of existing office buildings. (Resubmission of application 16/00889/FUL with updated parking survey)</b>		
Applicant:	McConnell		
Agent:	Mrs Claire Steele		
Case Officer:	Simon Roskilly, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 The application represents an almost identical resubmission of the previously refused scheme (16/00889/FUL) and provides for the erection of 4no. blocks of apartments providing a total of 99 apartments (40no. 1 bedroom and 59no. 2 bedroom apartments), along with parking, amenity space and landscaping.

1.2 This submission contains two pieces of additional survey evidence which support the view that parking provision below the baseline standard is acceptable in this case.

1.3 Legal advice has been submitted by the applicant addressing the previously refused application and the associated reasons for refusal. This has been summarised at paragraph 4.4 of this report.

1.4 The site is allocated for residential development in the Site Allocations Local Plan. With appropriate materials and finishes the proposed buildings are considered to be in keeping with the area. The relationship with adjoining properties is acceptable and the car parking proposed, although below the Council's standard, is considered adequate for the location and form of development proposed. There are no over-riding highway safety implications.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report and a Section 106 legal agreement.
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### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

2.1 The application has been reported to the Planning Committee at the request of Cllr Angell as the proposal does not meet the Council's parking standards.

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

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

Within settlement boundary-
-----------------------------

Allocated site- SALP Policy SA1- Chiltern House & Redwood Building (SHLAA site 318)
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Within 5km buffer to the Thames Basin Heaths Special Protection Area
--

3.1 The site occupies a 0.89 ha area, and is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map.

3.2 The site comprises of two vacant office blocks with surface parking, a single entry point from Broad Lane and the remnants of a service road with a planted bund. There is treed screening running the whole length of the boundary with properties at Sycamore Rise, running along the frontage of the site with the service road and also along the full length of the boundary with Ogden Park.

3.3 The site lies between two sites, Ogden Park and Sycamore Rise that have been developed in the last 15 years or so with a mixture of town houses and apartments.

3.4 The adjoining Ogden Park site, located east of the site, is mainly comprised of 3-4 storey blocks with both driveway parking and parking courts.

3.5 Sycamore Rise comprises of 2 storey dwellings fronting Broad Lane with 3 storey flatted buildings further back from the frontage. Land at the application site is significantly lower (about a storey height) than land at Sycamore Rise.

3.6 To the north of the site is the Eastern Industrial Area whereby there are a number of two storey warehouse buildings with associated parking. There are two warehouse buildings located side on to the development site with parking along the northern boundary

3.7 The site is the subject of an easement securing a right of way from Broad Lane to an existing electricity substation located within the north east corner of the site. The right of way needs to be retained.

3.8 The application site includes a redundant service strip adjacent to Broad Lane which is currently stopped up at each end.

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

4.1 The site is in commercial use although the buildings are currently vacant. Redevelopment of the site to provide 2 office buildings was granted in 1989 by application 614896 (c. 3,700sqm of B1 floor space).

4.2 14/01217/OUT- Outline planning application for the erection of 71 no. apartments (18no. 1 bed, 47 no. 2 bed and 6no. 3 bed) following demolition of Chiltern House and The Redwood Building (including 18 No. affordable apartments). Outline application to consider means of access and layout. (All matters reserved). WITHDRAWN March 2016.

4.3 16/00889/FUL- Erection of 99 apartments (including affordable dwellings), provision of car parking and communal amenity space following demolition of existing office buildings. REFUSED AT COMMITTEE MARCH 2017.

4.4 Following refusal of application 16/00889/FUL the applicant obtained a legal opinion which they now wish to be made public. The following paragraphs from the opinion best set out the applicant's position:-

*'4. The planning application proposed 115 parking spaces for 99 apartments. The car parking spaces were delivered through a mixture of both undercroft parking (at ground floor below Blocks B, C and D) and surface parking spread around the site.*

*5. The level of parking proposed was below that required by the Council's parking standards. If strictly applied those standards would have required proposed 178 spaces, whereas the development proposed 115 spaces in total, a difference of 63 spaces.*

*6. Bellway submitted evidence to demonstrate that the 115 spaces would be sufficient to meet the parking needs of residents and visitors. This included parking surveys undertaken at the neighbouring developments Ogden Park and Sycamore Rise. The Highway Authority has also undertaken inspections of the sites surveyed. Officer's confirmed in the Officer Report to Committee that "These inspections have verified the results that were presented in the applicant's surveys."*

*7. The Officer' Report to Committee records in relation to these surveys that: "9.35 The survey work indicates that an average provision of parking at a ratio of 1.16 spaces per dwelling would be appropriate to cater for the demand for this site. This ratio takes into consideration a worse case scenario with the inclusion of on street parking from the surveys being included in the demand. The on street parking that was observed could be partially being used by surrounding dwellings or the non-flatted element of the sites surveyed." (emphasis added)*

8. Thus, the proposed development included a number of spaces at a higher ratio than was actually required to accommodate the total parking demand at the neighbouring developments of Ogden Park and Sycamore Rise since on street parking was also taken into account.

9. The Council's Highway Officer and Planning Officers were in full agreement with the amount of parking provision being proposed in the application. The Officer Report to Committee explained: "9.36 The site provides a ratio of 1.16 spaces per dwelling (115 spaces for 99 units) and this is deemed acceptable in light of the observations made on the surveyed sites and the surrounding area. 9.37 If parking were provided to current standards a total provision of 178 spaces would be required and this would include visitor provision. The site currently provides 63 spaces fewer than the full standard but the evidence provided by the applicant, coupled with the observations made on site by Highways Officers, supports a lesser provision. This approach accords with the Parking Standards SPD which allows some flexibility in the application of requirements where robust evidence demonstrates that this is appropriate (paragraph 1.7). There is no evidence therefore that the level of parking proposed would have any adverse impact on road safety and certainly not any severe impacts that would justify refusal on transport grounds in accordance with paragraph 32 of the NPPF."

10. Notwithstanding the Officer's recommendation that, subject to completion of an appropriate planning obligation, the application should be approved, the Committee resolved to refuse planning permission on three grounds.

11. The second and third grounds of refusal relate to matters which I have no doubt can and would be resolved through the execution of an appropriate planning obligation (they relate to afford housing and a contribution towards SANG enhancement works).

12. The first reason for refusal was:

"The proposal would not comply with the Local Planning Authority's standards in respect of vehicle parking. This would be likely to encourage on-street parking and therefore have a detrimental impact upon road safety and the flow of traffic. The proposed development would therefore be contrary to Policy M9 of the Bracknell Forest Borough Local Plan, Policy CS23 of the Core Strategy Development Plan Document and Bracknell Forest Borough Parking Standards (2016)."

13. Thus the Committee rejected the appraisal conducted by Bellway's transportation engineers and the views of the Council's own professional expert officer who advised that the evidence was robust and that it established that the parking proposed was appropriate.'

4.5 The legal opinion concludes that the lack of any evidence available to members to justify refusal of planning permission means that the decision amounts to unreasonable behavior and that this is one of the grounds under which costs can be sought at appeal.

## **5. THE PROPOSAL**

5.1 Full planning permission is sought for the erection of 99 apartments, car parking and communal amenity spaces. The development will take the form of 4no. blocks (Blocks A-D). All blocks will be 4 storeys high; Blocks A and D also have 2 and 3 storey elements. The blocks are intended to house 40no. 1 bedroom and 59no. 2 bedroom apartments.

5.2 The proposed buildings are of a contemporary flat roof design, with elements of the top floor set back comprising a glazed lightweight construction. There is a variation in the height of the parapet walls and enclosed balconies. Materials have not as yet been stated but the elevation drawings suggest that the blocks will be built of buff bricks with some render. A condition is recommended to be imposed requiring full details of materials to be submitted for approval.



5.3 The existing trees to the front will be removed as will some on the north-eastern boundary of the site. However new planting is proposed along the boundary with Ogden Park and to the front of the site along Broad Lane. The existing trees along the south-western boundary with Sycamore Rise will be retained.

5.4 An area of public amenity space will be created within the centre of the site, accessible to all four blocks, with there also being areas of open space/landscaping located to the east of Blocks C and D and west of Block D on the Broad Lane frontage.

5.5 Access to the site comes via the existing access that will be widened to provide a safer access for both cars and pedestrians. The access road largely follows the existing service easement route to a substation within the north east corner of the site.

5.6 The proposal has been revised over the course of its consideration to address layout, residential amenity and highway safety concerns. This has resulted in the reduction of one apartment and the increase of one parking space.

## **6. REPRESENTATIONS RECEIVED**

### Bracknell Town Council:

#### 6.1 Observation:-

Bracknell Town Council would like to ensure that this application complies with BFBC parking standards to prevent parking congestion in this area. [Officer Comment: These concerns are addressed in section 9 - Transport Implications however the scheme is considered to comply with the adopted parking standards]

### Other representations:

6.2 1no. objection has been received. The concerns raised have been summarised below:-

- Lack of parking, traffic and highway safety. [Officer Comment: These concerns are addressed in section 9 - Transport Implications]

## **7. SUMMARY OF CONSULTATION RESPONSES**

### Environmental Health

Recommends conditional approval.

### Transportation Officer

Recommend approval subject to conditions and obligations secured by way of a Section 106 Legal Agreement.

### Tree Officer

No comments to make.

### Waste Officer

No objection.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:-

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS16, CS17 of CSDPD, Saved policy H8 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LAs setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD		
Planning Obligations SPD		
Thames Basin Heath Special Protection Area (SPD)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		
The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems		

## 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. Biodiversity
- vi. Sustainability (resources)
- vii. Affordable Housing
- viii. Thames Basin Heaths Special Protection Area
- ix. Drainage
- x. Planning obligations

## **i. PRINCIPLE OF DEVELOPMENT**

### Site Allocations Local Plan (SALP)

9.2 The application site relates to land included within Policy SA1 - previously developed land within the defined settlement, Chiltern House & Redwood Building (SHLAA site 318).

9.3 Prior to the site's allocation in the SALP the site was designated as employment land. Any issues regarding the loss of employment land were assessed at the time the SALP was examined. As such residential development on this site is acceptable in principle.

9.4 A profile for this site is contained in Appendix 3 of the adopted SALP. The capacity of the site is shown as 71 units, based on a density of 80 dwellings per hectare, although if a greater number of units were to be acceptable on site this would not conflict with the policy. The site profile contains the following requirements:-

- Investigation and remediation of any land contamination;
- Provision of affordable housing;
- Transport Assessment to assess the impact of the development upon the local road network, junctions and roundabouts;
- Appropriate ecological surveys and mitigation of any impacts;
- Demonstrate that there is adequate waste water capacity both on and off site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure;
- Mitigation of impacts in accordance with Limiting the Impact of Development SPD, and/or other relevant legislation/policy/guidance;
- Make financial contributions towards existing Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring and take any other measures that are required to satisfy Habitats Regulations, the Council's Thames Basin Heaths SPA Avoidance and Mitigation Strategy and relevant guidance in agreement with Natural England;

9.5 This is not a comprehensive list, and there may be other requirements.

9.6 An assessment, of the proposal in relation to the site profile requirements can be found within the 'assessment of other issues' below.

### Other development plan policies relevant to the principle of development

9.7 Core Strategy DPD Policy CS2 sets out a number of locational principles for new development within Bracknell Forest, including a sequence of allocation, directing development to the Town Centre first, followed by previously developed and other land within defined settlements. The site is within a defined settlement and is previously developed land. Policy CS2 states that development will be permitted within defined settlements and on allocated sites. The proposed development is therefore in accordance with Policy CS2.

### Conclusion on the principle of development

9.8 The relevant Development Plan policies outlined above relating to the principle of the proposed development are considered to be up to date, and consistent with the NPPF. For the reasons set out above it is concluded that the proposed residential development is acceptable in principle as the site is located within the settlement. Therefore the principle of the proposal is considered in accordance with Policy CS2 (insofar as it relates to locational principles) and CS15 of the Core Strategy and the NPPF.

## **ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

### **(i) Site Layout**

9.9 As noted above the application site currently contains two vacant office blocks with surface parking.

9.10 The four blocks of apartments (A-D) are proposed broadly within the four corners of the site with a central area of amenity space which will be visible upon accessing the site.

9.11 The layout is considered to have achieved the right balance between built form, hardstanding and amenity space/landscaping.

9.12 Although trees to the front of the site will be removed an area of land to the east of the site access will be landscaped with some new tree planting. The area to the front of the site, that is outside of the applicant's ownership, will also allow for landscaping including some trees to be planted depending on the level of services that lie beneath the former service road. This can be secured by condition and S106 obligation.

9.13 A number of trees along the site's eastern boundary with Ogden Park will be removed however a significant number of trees will be retained close to no. 9 Ogden Park, with areas closer to the front of the site being earmarked for new planting. Although there will be new hardstanding in places along the eastern side of the development site it is considered that the number of trees to be retained, and the proposed landscaping, will provide an adequate green gap between the proposed buildings and properties at Ogden Park.

9.14 On the western boundary of the site, with Sycamore Rise, a substantial number of the existing trees will be retained along a bank. The bank of trees, again like that on the eastern boundary, helps to screen properties at Sycamore Rise from the application site. When entering the site from Broad Lane the trees being retained on the western boundary will create a green softer edge to the front of Block A.

9.15 In order to provide car parking the site will contain a substantial amount of hardstanding, although where possible undercroft parking has been provided. However parking areas have been broken up with landscaping which will also create a better outlook for residents. Where possible ground floor apartments look onto areas of landscaping which can be accessed via private entrances.

9.16 The central area of landscaped amenity space is accessible to all and will give the site a focal point when approaching the centre of the site from Broad Lane.

9.17 Overall the site is considered to be laid out sympathetically creating a development that will have a sense of place and provide a pleasant outlook for future residents.

### **(ii) External appearance of the buildings**

9.18 As highlighted earlier in this report the 4no. buildings will be predominately 4 storey. It is considered important that an acceptable transition in storey height/bulk and massing is achieved when the development is read within the Broad Lane streetscene.

9.19 There are two storey properties to the front of Sycamore Rise on Broad Lane and a 4 storey apartment block at the front of Ogden Park. The applicant has designed the bulk and massing of blocks A and D so that it acknowledges this transition from 2 storey (west) through to 4 storey (east). Blocks A and D both have western elements that start off as two storey, then move to 3

storey and then eventually to 4 storeys, equivalent to the bulk and massing of the apartments at Ogden Park.

9.20 Blocks B and C are both predominantly 4 storey in height, and with both blocks backing onto an existing employment area with larger buildings, the bulk and massing of these buildings is considered in keeping with their surroundings.

9.21 The external appearance of the buildings has been designed in such a way that the 4 storey elements are broken up with the inclusion of recessed features. The features give the elevations a vertical emphasis. This, along with the use of suitable materials, will provide interesting elevations when read within the streetscene and provide the height required to deliver the amount of accommodation commensurate with this sustainable location.

9.22 Overall, subject to the imposition of suitable conditions, it is considered that the proposal would not adversely affect the character and appearance of the area. The application is therefore considered to be in accordance with BFBLP Policies EN20 and CSDPD Policies CS1 and CS7 and the NPPF.

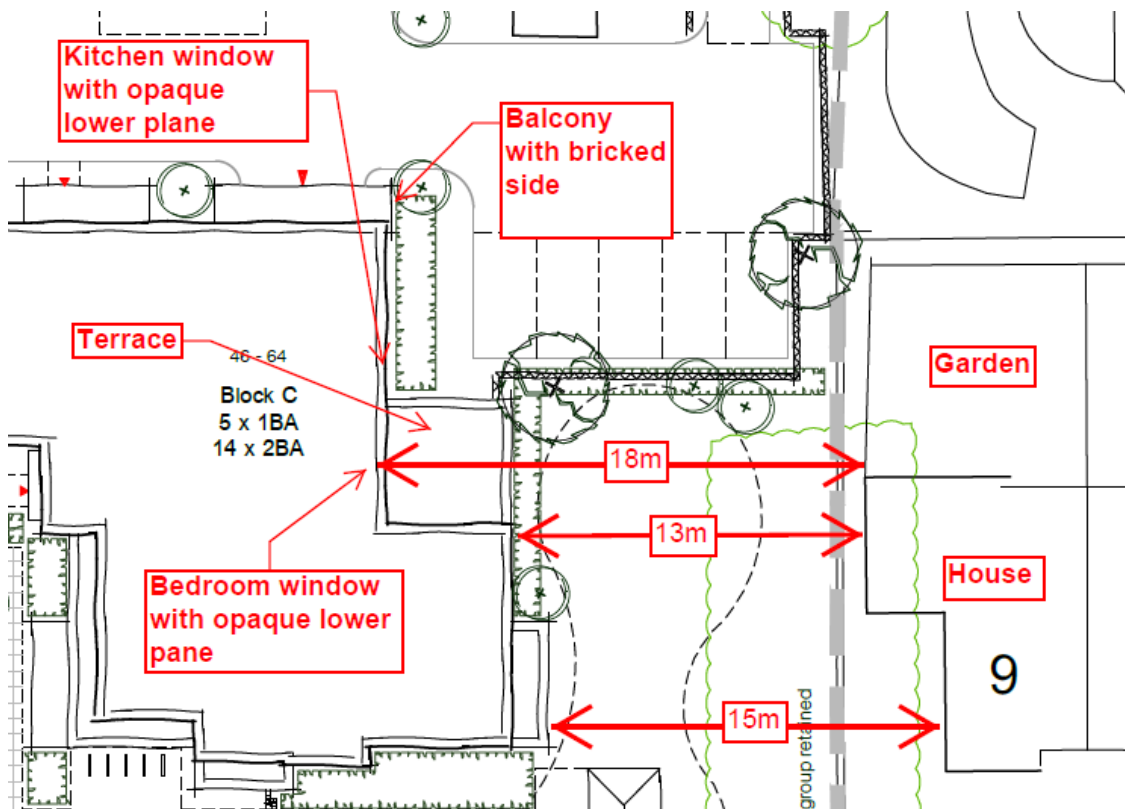
### **iii. RESIDENTIAL AMENITY**

(i) Impact upon the living conditions of adjoining properties

9.23 The impact on the properties considered to be those most affected by the proposal, has been assessed as follows:

#### *9 Ogden Park*

9.24 The 4 storey block of apartments (Block C) would be located a minimum of 13m from the boundary with no. 9 Ogden Park. There are no side-facing habitable windows in no. 9 Ogden Park facing the application site. The side elevation of the rear element of Block C contains bedroom and kitchen windows at first, second and third-floor level that would face towards the side of the rear garden at no.9 Ogden Park. As this part of Block C is set away from the eastern boundary the distance from the windows to the side boundary fence is 18m which is considered adequate to avoid any unacceptable loss of privacy. To lessen any perceived overlooking, however, the lower panels of the facing windows above first-floor level will be opaque. With these design features it is not considered that the rear garden of no. 9 Ogden Park will be unacceptably overlooked or suffer any undue overbearing effect or loss of light given the distance of the proposed flats from the boundary.



*1-8 Ogden Park*

9.25 Apartments 1-8 at Ogden Park have no habitable windows in the west elevation facing the application site and, being apartments there are no private garden areas that could be overlooked. Therefore it is not considered that the proposed development will result in any adverse impacts upon the residential amenity of 1-8 Ogden Park.

*Kenley House, Sycamore Rise*

9.26 Kenley House has no habitable windows looking directly towards the application site. Due to its orientation the proposed kitchen and lounge windows in the side of Block B would not directly look into any habitable rooms at Kenley House. Block B would also not appear overbearing.

*Debden House, Sycamore Rise*

9.27 Debden House contains habitable windows that look north and south and not east towards the application site. Due to the orientation of Blocks A and B there would be no direct loss of privacy. The application site is approximately one storey lower than land at Sycamore Rise, hence there is a treed bank that rises within the development site towards the boundary with both Kenley House and Debden House. The development is also not considered to appear overbearing.

*6 Tangmere Mews, Sycamore Rise*

9.28 Again, like that of the two apartment blocks at Sycamore Rise, no. 6 Tangmere Mews does not directly look out onto the tallest (4 storey) part of Block A. The western corner of Block A consists of 2 and 3 storey elements that, when read in the context of the site levels, are approximately one storey lower than the residential property at Tangmere Mews. The fact that there is no direct overlooking, and that there are significant differences with levels, means that there will be no significant loss of privacy nor would Block A, due to its design, appear overbearing when viewed from these houses or their gardens.

## (ii) Living conditions of future residents

9.29 Due to its orientation and design the proposed development does not result in any adverse overlooking and/or overbearing impacts between any of the proposed residential units. However in order to prevent any noise from the employment area north of the site adversely affecting units that face north (Blocks B and C) a condition will be imposed seeking details of noise mitigation measures to be submitted, approved and implemented as such.

### Conclusion on residential amenity:

9.30 Given the assessment made above the proposal, subject to conditions, is not considered to result in any significantly harmful impacts upon residential amenity. As such is considered to comply with saved BFBLP Policy EN20 criterion (vii) and the NPPF.

## **iv. TRANSPORT IMPLICATIONS**

### Access

9.31 The proposal seeks to utilise the existing access to the development to serve the proposal. The current access is wide at around 5.8m wide at the entrance to the site. However the junction has large radii making the access even wider at its intersection with Broad Lane. The current access has good visibility in either direction and is adequate for the speed of the road. The applicant has proposed a 2m footway on the western side of the access and a 3m wide section of cycleway on the eastern side of the junction which terminates within the site. This will link up with works to be carried out on land to the front of the site which is currently a redundant service road.

9.32 The access road would follow a similar line to the existing road but with alterations to improve the curvature of the road to improve access for all users. The applicant has provided vehicle tracking demonstrating that larger vehicles leave sufficient road space for cars entering and exiting the development.

9.33 An indicative scheme has been submitted to show the potential changes that could take place on land to the front of the site occupied by a former service road. This indicates how an improvement to the existing pedestrian and cycle infrastructure can be achieved and this will help integrate the proposal into the local area. It is advised that a S106 is required to either:

- secure the ability for the applicant to undertake works to Broad Lane and service road under licence (with the Council and Highway Authority); or,
- pay an agreed sum for such works to be carried out by the council prior to occupation of the site.

It is understood that positive discussions over the land outside the site are on-going with the council.

### Parking

9.34 The applicant has undertaken some additional surveys on top of the ones that were submitted with the previous application (16/00889/FUL). Again the surveys are of similar developments in close proximity of this proposal namely Ogden Park and Sycamore Rise to evaluate likely parking demand for this proposal. Comparisons have also been made with other more recently consented schemes in the area (Foundation House). The Highway Authority has also undertaken inspections of the sites surveyed. These inspections have verified the results that were presented in the applicant's surveys.

9.35 The survey work indicates that the sites either side of the development site currently operate at a lower than 1.16 spaces per dwelling ratio and therefore the ratio put forward would be appropriate to cater for the demand for this site. This ratio takes into consideration a worse case

scenario with the inclusion of on street parking from the surveys being included in the demand. The on street parking that was observed could be partially being used by surrounding dwellings or the non-flatted element of the sites surveyed.

9.36 The site provides a ratio of 1.16 spaces per dwelling (115 spaces for 99 units) and this is deemed acceptable in light of the observations made on the surveyed sites and the surrounding area.

9.37 If parking were provided to full current standards a total provision of 178 spaces would be required and this would include visitor provision. The site is proposed to provide 63 spaces (35%) fewer than the full standard.

9.38 The two flatted developments on either side of the application site (Ogden Park and Sycamore Rise) have been assessed as to how their parking provision compares to the current adopted parking standards. The flatted development at Sycamore Rise consists of 26 flats and currently provides 34 off road parking spaces when 54 spaces would be required today, which would make it 37% lower than the current standard. The flatted development at Ogden Park consists of 63 flats and currently provides 84 spaces that are allocated to the flats with an additional 9 on-street unallocated spaces that could be used by both the occupants of the flats and houses. Therefore for the purpose of this exercise the 84 spaces are for the flats when 136 would be required today, which would be 38% lower than the current standard (32% if you include the 9no. off street spaces).

9.39 Looking at the most recent parking space occupancy surveys 19 of the 34 spaces (56%) at Sycamore Rise were occupied between the hours of 01:00 – 05:00 Tuesday 23<sup>rd</sup> May 2017. This then, when you look at the total number of flats on site, provides a ratio of 0.7 spaces per dwelling. At Ogden Park 56 of the 84 spaces (67%) were occupied between the hours of 01:00 – 05:00 Tuesday 23<sup>rd</sup> May 2017. Again when you look at the total number of flats on site provides a ratio of 0.88 spaces per dwelling. [Please note that the 2016 survey of both sites resulted in 23 spaces being used at Sycamore Rise (ratio of 0.88) and 62 spaces being used at Ogden Park (ratio of 0.98).]

9.40 The above exercise confirms that the two existing flatted developments have parking that is a similar percentage below the current parking standard to that proposed at the application site. Furthermore the survey evidence indicates that the adjoining sites are operating at a lower ratio to that of the 1.16 spaces per dwelling being proposed on this site.

9.41 As such the evidence provided by the applicant, coupled with the observations made on site by Highways Officers, supports the lesser provision proposed. This approach accords with the Parking Standards SPD which allows some flexibility in the application of requirements where robust evidence demonstrates that this is appropriate (paragraph 1.7). It also complies with saved Policy M9 in the adopted Local Plan. The supporting text to this policy (Paragraph 6.57) states:

*“There may be circumstances where a more flexible approach to parking standards is justified. These might include instances where the promotion of alternative means of travel to the private motor vehicle, or a good existing public transport service, warrants a reduction in the adopted standard in respect of a particular site or development, and where certain types of residential accommodation warrant a lower provision.”*

There is no evidence therefore that the level of parking proposed would have any adverse impact on road safety and certainly not any severe impacts that would justify refusal on transport grounds in accordance with paragraph 32 of the NPPF.



9.42 It is advised that parking should be allocated at 1 space per unit with the remaining visitor spaces being kept as such and signed accordingly. A car park management plan will be required for the site by condition to ensure parking areas are controlled adequately.

9.43 Vehicle tracking has been provided demonstrating how on-site parking will work on site. The tracking demonstrates that the spaces, shown within open parking courts and undercroft areas, can be satisfactorily accessed and there are no signs of conflict.

9.44 10% of the parking spaces will be suitable for disabled use which complies with the borough parking standards. This could include visitor parking.

9.45 The applicant highlights that cycle parking will be to current standards and this will be achieved under and outside the building. It appears that the covered spaces under each building will comply with the number required for the number of units within it. The outdoor spaces will be available for visitors. Such facilities should be covered to provide some level of protection. The applicant will need to supply details of the cycle stands to ensure they are adequate and suitable for the space provided. These details can be conditioned.

#### Traffic Impact

9.46 The applicant has looked at the existing use of the site and compared it with trip rates for a typical flatted residential development. Furthermore, as an additional comparison, a trip rates analysis of the Sycamore Rise and Ogden Park flatted elements of the development has been assessed. The results indicate that the number of two way trips in the peak hours, and over the day, will reduce compared to the existing office use. The proposed use will generate in the region of 43 two-way trip in the AM peak and 31 two way trips in the PM peak hour respectively. This compares to 72 two-way trips and 64 two way trips in the AM and PM peak hours for the office use.

9.47 Due to the proposed change in use, the general direction of traffic flow will change in either peak hour with the majority of traffic exiting in the morning peak associated with residential use and the majority of traffic associated with an office use would be entering the site. The reverse is expected in the evening peak hour. However the increases are quite small (additional 26 trips out in AM peak and 11 in during the evening peak) and these need to be seen in the context of other trips by these uses during those hours, i.e. incoming trips in the AM peak and outgoing trips in the PM peak hours. Furthermore any such increases would be spread across the peak hours. Overall it is felt that the traffic impact from the site will reduce but at worst be no greater than the existing lawful use of the site.

9.48 To conclude, with suitable conditions and planning obligations, the proposal is not considered to result in any unacceptable highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

#### **v. BIODIVERSITY**

9.49 There will be a loss of trees on site in order to deliver an allocated site for residential development. However adequate trees will remain, and with additional planting, there will be on-site green infrastructure in order to sustain the ecology of the site. The proposal is therefore considered acceptable in terms of biodiversity and therefore accords with Core Strategy Policies CS1 and CS7 and the NPPF.

#### **vi. SUSTAINABILITY (RESOURCES)**

9.50 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability

Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. An adequate Sustainability Statement has been received therefore a condition is recommended to be imposed in order to secure this.

9.51 Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. An acceptable Energy Demand Assessment has been submitted therefore again a condition is recommended to be imposed in-order to secure this.

## **vii. AFFORDABLE HOUSING**

9.52 The Vacant Building Credit (VBC), introduced in a Written Ministerial Statement on 28 November 2014, applies when assessing the on-site affordable housing provision.

9.53 Under this, where there is an overall increase in floorspace in a proposed development, the Local Planning Authority should calculate the amount of affordable housing contributions required from the development as set out in its Local Plan. A 'credit' is then applied which is the equivalent of the gross floorspace of any relevant vacant buildings being demolished as part of the scheme which is then deducted from the overall affordable housing contribution calculation. In this instance due to the vacant office buildings presently on the site, the VBC results in a reduction in the number of on-site affordable dwellings to be provided from 25 (25% of 99) to 16.

9.54 The 'credit' for this site has been calculated in the following way:-

- existing floorspace: 2870 sq m
- proposed floorspace: 7927 sq m
- net increase in floorspace proposed = +5057 sq m.

9.55 The net increase in floor area as a proportion of the proposed is 0.64 (5057 / 7927). Applying the Vacant Building Credit would result in the following:-

- 25 units x 0.64 = 16 dwellings that need to be affordable.

9.56 The above calculation has been checked by the Housing Officer and, therefore, subject to securing the on-site provision of 16no. affordable dwellings, this provision meets the requirements of CSDPD Policy CS17, BFBLP Policy H8 and the Planning Obligations SPD.

## **viii. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)**

The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.

9.57 In accordance with the SPA SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG). As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest).

9.58 The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. This is equal to 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

9.59 An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works to be secured by the CIL have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

#### Strategic Access Management and Monitoring (SAMM) Contribution

9.60 The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it. See section 3.4 in the SPA SPD for more information.

9.61 The level of contributions are calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1.

#### Conclusion

9.62 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). In the absence of any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.63 Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.64 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, and permission may be granted.

#### **ix. DRAINAGE**

9.65 The Planning Practice Guidance 'Flood Risk and Coastal Change' as amended 15/04/2015 advises under para. 079 that when considering major development, as defined under the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

9.66 The submitted Flood Risk Assessment sets out that this is a redevelopment of an existing site, and as such the amount of hardstanding present will decrease post development. The applicant has identified the need to undertake infiltration tests at the site, if infiltration is not viable the applicant has liaised with Thames Water to agree a discharge rate from the site. The Applicant has provided preliminary calculations to demonstrate that the permeable paving provided across the site will provide sufficient storage to meet the required discharge rates. Some surcharging is shown in the 1 in 1year event which is not acceptable but this is likely due to the controls used and can be reviewed as detailed design progress. This can be conditioned.

#### **x. PLANNING OBLIGATIONS**

9.67 The proposal would be CIL liable however the site lies within the Central Bracknell Charging Zone in which the CIL rate is zero.

9.68 The following obligations will be included within a Section 106 Legal Agreement:-

- Provision of affordable Housing;
- Thames Basin Heaths SPA mitigation;
- Securing highway improvement works to the front of the site

## **10. CONCLUSIONS**

10.1 This site is an allocated site located within the settlement and therefore the proposed development is considered to be acceptable in principle. The 99 apartments, of which 16 will be affordable, contribute to the Council's housing supply which is a material consideration.

10.2 An objection was received. The report has sought to address this objection.

10.3 In terms of visual character, and subject to appropriate materials and finishes, the development is considered to be sympathetic within the streetscene. The layout, bulk, massing and design are considered to again provide a development in keeping with its surroundings that provides a sense of place.

10.4 The proposed vehicular access to the site, parking layout and number of on-site spaces (which have been assessed in the light of surveys of adjoining sites) are acceptable to the Highway Authority subject to conditions and a Section 106 securing off site highway works.

10.5 The impact of the proposal on the living conditions of the occupiers of nearby properties, in terms of the proposed apartments themselves, parking and access, has been carefully considered. The scheme is considered acceptable in this regard.

10.6 It is concluded that the proposed development provides residential accommodation without compromising the character and appearance of the area, residential amenity or highway safety. The application is therefore recommended for approval subject to appropriate conditions and the completion of a Section 106 legal agreement to secure the matters referred to in Section 9(x).

## **11. BOUROUGH SOLICITORS COMMENTS**

11.1 The Planning Practice Guidance (March 2014) advises that members are involved in planning matters to represent the interests of the whole community and must maintain an open mind when considering planning applications. Where members take decisions on planning applications they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations where they relate to relevant planning matters.

11.2 A material planning consideration is one which is relevant to making the planning decision in question (eg whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, relevant to this application, Members will note that parking can be a material planning consideration.

11.3 The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided it has regard to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

11.4 Members are advised at paragraph 4 of the report that the Council has received legal advice from the applicant in regards to the applicant's former identical application Ref 16/00889/FUL. This application was refused by Members' on 24<sup>th</sup> March 2017 contrary to the officer recommendation on the substantive ground of parking. Given that the current application is identical it is considered relevant to bring this advice to the Members' attention.

11.5 In considering paragraph 4 of the report Members are reminded that each application must be determined upon its own merits and with an open mind. Each application should also be determined in accordance with the development plan and any other material considerations giving full consideration to any supporting evidence in the planning balance. Government guidance states that decisions made without objective analysis could amount to unreasonable behavior and potentially expose the Council to a potential risk of costs in any subsequent appeal.

## **12. RECOMMENDATION**

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

01. provision of on-site affordable Housing;
02. mitigation of impacts on the Thames Basin Heaths SPA;
03. securing improvement works to the existing service road and verge

The Head of Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents:-

- 081506-BEL-TV-01 Rev F Planning Layout
- 081506-BEL-TV-02 Rev D Information Layout
- 081506-BEL-TV-03 Rev D Storey Heights
- 081506-BEL-TV-04 Rev E Tenure Layout
- 081506-BEL-TV-05 Rev D Unit Type Layout
- 081506-BEL-TV-06 Location Plan received
- 081506-BEL-TV-07 Rev C Existing Building Overlay
- 081506-A-E1 Rev A Apartment Block A Elevation 1
- 081506-A-E2 Rev A Apartment Block A Elevation 2
- 081506-A-E3 Rev A Apartment Block A Elevation 3
- 081506-A-E4 Rev A Apartment Block A Elevation 4
- 081506-A-P1 Rev A Apartment Block A Ground Floor Plan
- 081506-A-P2 Rev A Apartment Block A First Floor Plan
- 081506-A-P3 Rev A Apartment Block A Second Floor Plan
- 081506-A-P4 Rev A Apartment Block A Third Floor Plan
- 081506-C-E1 Rev A Apartment Block C Elevation 1
- 081506-C-E2 Rev B Apartment Block C Elevation 2
- 081506-C-E3 Rev A Apartment Block C Elevation 3
- 081506-C-E4 Rev A Apartment Block C Elevation 4
- 081506-C-P1 Rev B Apartment Block C Ground Floor Plan
- 081506-C-P2 Rev B Apartment Block C First Floor Plan
- 081506-C-P3 Rev B Apartment Block C Second Floor Plan
- 081506-C-P4 Rev B Apartment Block C Third Floor Plan

081506-D-E1 Apartment Block D Elevations 1  
081506-D-E2 Apartment Block D Elevations 2  
081506-D-E3 Apartment Block D Elevations 3  
081506-D-E4 Apartment Block D Elevations 4  
081506-D-P1 Apartment Block D Ground Floor Plan  
081506-D-P2 Apartment Block D First Floor Plan  
081506-D-P3 Apartment Block D Second Floor Plan  
081506-D-P4 Apartment Block D Third Floor Plan  
081506-B-E1 Rev A Apartment Block B Elevation 1  
081506-B-E2 Apartment Block B Elevation 2  
081506-B-E3 Rev A Apartment Block B Elevation 3  
081506-B-E4 Rev A Apartment Block B Elevation 4  
081506-B-P1 Rev B Apartment Block B Ground Floor Plan  
081506-B-P2 Rev B Apartment Block B First Floor Plan  
081506-B-P3 Rev B Apartment Block B Second Floor Plan  
081506-B-P4 Rev C Apartment Block B Third Floor Plan  
081506-A-CS01 Rev A Cycle Store 01 Plan and Elevations.

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

03. No superstructure works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. Prior to construction of the permitted buildings details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

05. Prior to construction of the permitted buildings comprehensive details of both hard and soft landscaping works shall be 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.
- g) A phasing scheme for completion of the planting works linked to the completion of individual blocks of flats hereby permitted. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved phasing scheme, in the nearest planting season (1st October to 31st March inclusive) following the completion or first occupation of all blocks within an individual phase.

h) A phasing scheme for completion of the hard landscaping works linked to the completion of individual blocks of flats hereby permitted All hard landscaping works shall be carried out and completed prior to the completion or first occupation of all blocks within an individual phase. 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. No demolition or site clearance shall begin until details of a scheme (Demolition Method Statement) to control the environmental effects of demolition work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia and also vehicle routing and delivery times. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity.

08. Prior to construction of the permitted buildings, a scheme (Working Method Statement) to control the environmental effects of construction work shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia and also vehicle routing and delivery times. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity

09. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays or public holidays.

REASON: In the interest of amenity.

10. No demolition or site clearance shall take place until details in respect of measures to:

- (a) Minimise, re-use and re-cycle waste arising from demolition;
  - (b) Minimise the pollution potential of unavoidable waste; and
  - (c) Dispose of unavoidable waste in an environmentally acceptable manner;
- have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all demolition operations.

REASON: In the interest of amenity.

11. Prior to construction of the permitted buildings details in respect of measures to:

- (a) Minimise, re-use and re-cycle waste;
  - (b) Minimise the pollution potential of unavoidable waste; and
  - (c) Dispose of unavoidable waste in an environmentally acceptable manner;
- shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all building operations.

REASON: In the interest of amenity.

12. The development hereby permitted shall be implemented in accordance with the submitted Energy Demand and Sustainability Statement (August 2016) and thereafter the buildings constructed by the carrying out of the development shall be operated in accordance with the submitted Energy Demand and Sustainability Statement (August 2016).

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

[Relevant Policy: Core Strategy DPD CS10 and CS12]

13. No construction works shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. If the results of infiltration testing show that this is unviable the strategy should proceed on the rates agreed with Thames Water and set out in the Banners Gate Flood Risk Assessment. The scheme shall also include:-

- o Discharge Rates
- o Discharge Volumes
- o Details of the measures to secure the maintenance and management of SUDS features
- o Sizing of features - attenuation volume
- o Infiltration tests to be undertaken in accordance with BRE365
- o Detailed drainage layout with pipe numbers
- o The provisions of SUDS permeable paving in accordance with the Banners Gate FRA
- o Details of how the scheme shall be maintained and managed after completion.

All works that form part of the approved scheme shall be carried out in accordance with the approved details before the development or any part thereof is occupied, and shall be managed and maintained thereafter in accordance with the approved details.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

14. No demolition or site clearance shall take place until a scheme (for demolition works) 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 free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

15. Prior to construction of the permitted buildings a scheme (for construction works) shall be submitted to and approved in writing by the Local Planning Authority, to accommodate:

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

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

REASON: In the interests of amenity and road safety.



16. Prior to construction of the permitted buildings a scheme to demonstrate that the internal noise levels within the residential units, especially those closest to the rear boundary of the site, will conform to the "indoor ambient noise levels for dwellings" guideline values specified within BS 8233: 2014, Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the building to which they relate and be retained thereafter.

REASON: In the interest of residential amenity.

17. No dwelling shall be occupied until the access and junction improvement works with Broad Lane have been completed in accordance with the approved drawings.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

18. No dwelling shall be occupied until a plan showing visibility splays within the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. 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 adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

19. No dwelling shall be occupied until the associated vehicle parking, visitor parking and turning space serving the apartment block within which it is located has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The spaces shall not thereafter be used for any purpose other than parking and turning.

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]

20. Prior to the construction of the permitted buildings a scheme shall be submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No apartment block shall be occupied until the approved cycle parking facilities for that block have been provided in accordance with the approved scheme. The facilities shall thereafter be retained.

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

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

21. 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]

22. No apartments shall be occupied until a Car Park Management Plan, including details of the allocation of spaces and the location of disabled spaces, has been submitted to and approved in writing by the Local Planning Authority. The approved Car Park Management Plan shall be performed, observed and complied with.

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]

23. No information has been submitted regarding potential existing contamination of the site with harmful substances. The records held by this Department do not indicate any contamination on this site. However, should evidence of contamination be discovered, then a scheme to deal with this contamination should be submitted and approved in writing by the Local Planning Authority. The scheme should include an investigation and assessment to identify the extent of

contamination and the measures to be taken to avoid risk to the public, buildings and environment, when change of use takes place. The approved scheme shall be performed, observed and complied with.

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]

24. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation, for the protection of all existing trees, hedges and shrubs shown to be retained on approved plans 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. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:-

- a) Plans at a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012,
- b) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- c) Illustration/s of the proposed fencing structure/s to be erected.

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

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

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

25. If any trees or hedgerows shown to be retained on the approved plans are removed, uprooted, destroyed, die or become diseased during the course of the development within a period of 5 years of the completion of the development, another tree or hedgerow of the same species and size as that originally planted shall be planted at the same place. REASON: In the interests safeguarding visual amenity.

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

26. No apartment shall be occupied until the bin storage provision for that apartment has been built in accordance with the provisions shown on the approved plans. The approved facilities shall thereafter be retained.

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

27. No dwelling hereby approved shall be occupied until a means of access to it for pedestrians and cyclists has been constructed in accordance with the approved plans.

REASON: In the interests of accessibility and to facilitate access by cyclists and pedestrians.

[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

### Informatives:

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

02. No details are required to be submitted in relation to the following conditions:  
1, 2, 6, 9, 12, 21, 23, 25 and 26.

03. The applicant is advised that the following conditions require discharging prior to commencement of works:  
3, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 20, and 24.

04. The following conditions require discharge prior to the occupation of the dwellings hereby approved:  
17, 18, 19, 22, 26 and 27.

05. The Chief Engineer (Highways) should be contacted at Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 351668, 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.

In the event of the S106 planning obligation(s) not being completed by 20<sup>th</sup> September 2017 the Head of Planning be authorised to **REFUSE** the application on the grounds of:-

01. In the absence of a planning obligation to secure affordable housing provision in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 of the Core Strategy Development Plan Document and to Supplementary Planning Guidance on Affordable Housing (adopted September 2003),

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 Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.

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**ITEM NO: 14**

Application No.  
**17/00477/FUL**  
 Site Address:

Ward:  
 Ascot

Date Registered:  
 22 May 2017

Target Decision Date:  
 17 July 2017

**Tumi Gold Cup Lane Ascot Berkshire SL5 8NP**

Proposal:

**Erection of a single storey rear extension, first floor front roof extension and conversion of loft into habitable space including installation of 2 no. dormers and a lantern, following removal of bay window to front.**

Applicant:

Mrs A Kaur

Agent:

Mr Kashif Bashir

Case Officer:

Olivia Jones, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 Full planning permission is sought for:

- (i) The erection of a single storey side and rear extension with roof lantern;
- (ii) The erection of a first floor front extension following the removal of a bay window to the front;
- (iii) The erection of a front porch; and
- (iv) A loft conversion, hip to gable roof enlargement, and installation of two dormer windows.

1.2 It should be noted that the majority of the single storey side and rear extension was granted under the prior approval procedure (planning permission 17/00198/PAH). The loft conversion, dormer windows, and the majority of the roof enlargement were granted under 17/00175/CLPUD.

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

1.4 Given the fall back position gained by the certificate of lawfulness and the notification of prior approval, the proposed additional development would not have an increased significant impact on the character and appearance of the surrounding area, or the residential amenity of the neighbouring properties, and would be acceptable in terms of highway safety and parking, subject to proposed conditions.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report
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### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

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

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

<b>PLANNING STATUS</b>
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Within settlement boundary
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3.1 Tumi is a detached bungalow located on the south west side of Gold Cup Lane. There is parking available to the front of the dwelling. The surrounding area is predominantly residential, and the application site is not located within any relevant designated area.

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

4.1 The relevant planning history can be summarized as follows:

4808  
1 pair and 2 detached bungalows  
Approved 12.12.1958

5252  
Application for bungalow and garage.

Approved 05.06.1959

604628

Erection of single storey rear extension forming enlarged lounge and new bedroom.

Approved 24.09.1979

17/00198/PAH (not yet implemented)

Prior approval application for the erection of single storey rear and side extension.

Prior Approval Granted 05.04.2017

17/00175/CLPUD (not yet implemented)

Certificate of lawfulness for the proposed erection of a single story side extension and conversion of loft into habitable accommodation with roof enlargement and rear dormer.

Approved 12.04.2017

4.2 There are no conditions restricting permitted development rights on any of the above planning permissions.

## 5. THE PROPOSAL

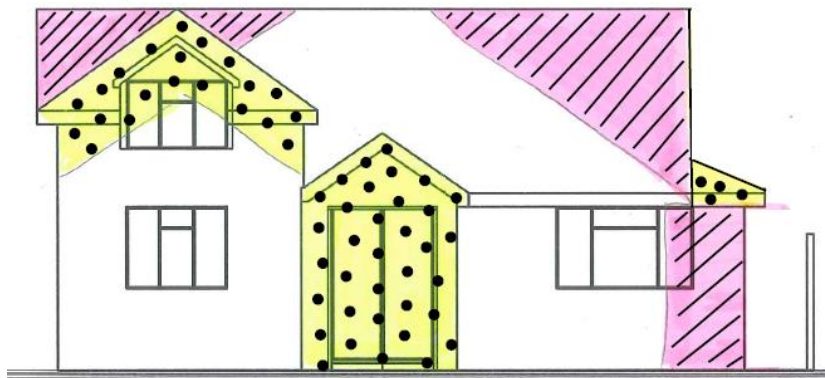
5.1 The proposed single storey side and rear extension would have a maximum depth of approximately 15.1 metres, a maximum width of approximately 10.1 metres, a maximum height of approximately 3.5 metres and a maximum eaves height of approximately 2.8 metres.

5.2 The proposed first floor front extension would have a maximum depth of approximately 6.2 metres, a maximum width of approximately 4.2 metres, a maximum height of approximately 5.3 metres and a maximum eaves height of approximately 4.28 metres.

5.3 The proposed porch would have a maximum depth of approximately 2.5 metres, a maximum width of approximately 2.5 metres, a maximum height of approximately 3.4 metres and a maximum eaves height of approximately 2.7 metres.

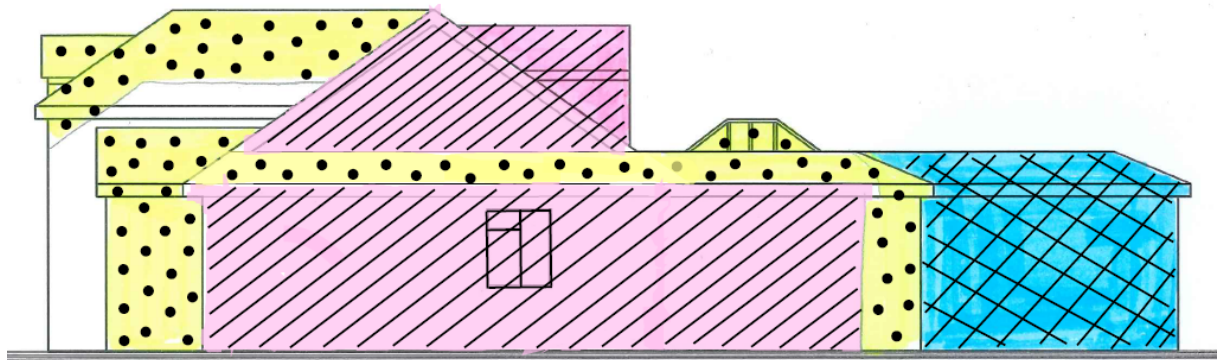
5.4 The loft conversion, hip to gable roof enlargement, and installation of two dormer windows would create additional roof space of approximately 74 cubic metres. The roof enlargement would not increase the height of the existing roof.

5.5 The following plans show the elements previously approved under a certificate of lawfulness (dashed), prior approval notification (hatched) and the proposed new development (dotted):



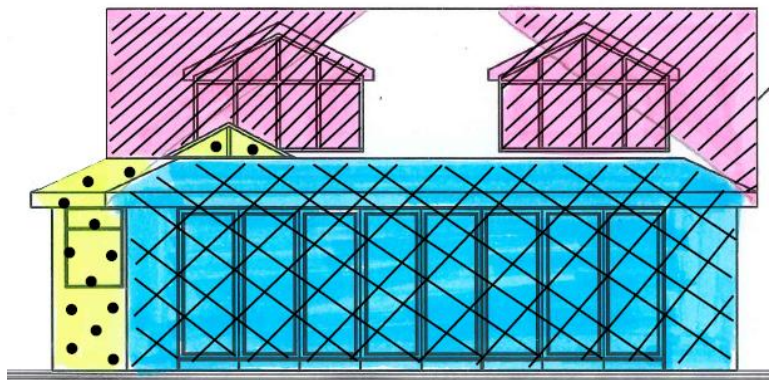
proposed front elevation

5.6



Proposed side elevation

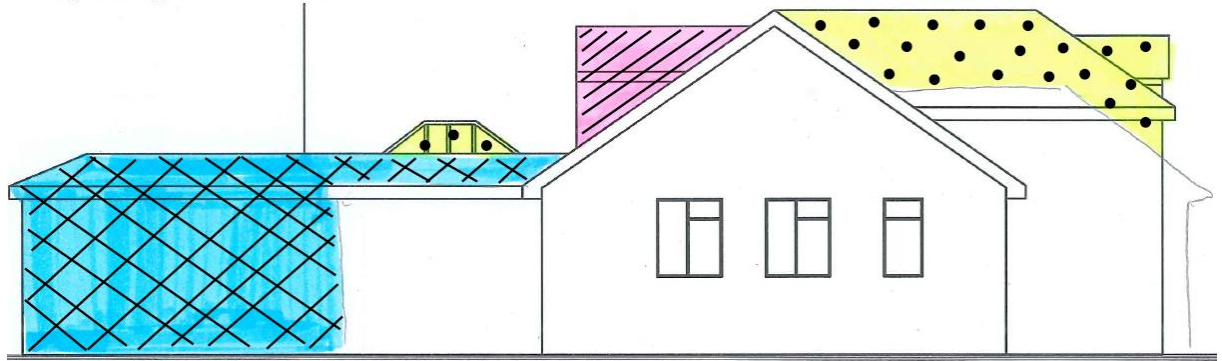
5.7



proposed Rear Elevation

5.8

Single Rear Approved Ref.no. 17/00198/PAH



Proposed side elevation

5.9

**6. REPRESENTATIONS RECEIVED**

Winkfield Parish Council:

6.1 Winkfield Parish Council raised no objections to this application.

Other Representations:



6.2 7 Objections have been received that can be summarised as follows:

- i) The proposed rear extension would have an overlooking and overbearing effect.
- ii) The proposed development would be out of character within the streetscene.
- iii) The proposed dormer windows would cause overlooking.
- iv) The proposal would constitute overdevelopment of the site.
- v) Insufficient off street parking would be provided.
- vi) The proposed roof enlargement and side extension would cause overshadowing.

6.3 Following the receipt of a parking plan one objection was withdrawn.

6.4 *[Officer Note: The impact of the proposed development on the character of the area is considered in section 9.ii) of this report. The impact of the proposed development on the residential amenity of the neighbouring properties is considered in section 9.iii) of this report. The parking implications of the proposed development are considered in section 9.iv) of this report].*

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highway Authority:

7.1 The Highway Authority has raised no objections to proposed development provided that three off-street parking spaces can be provided. These parking spaces would be retained by a planning condition.

7.2 No other statutory or non-statutory consultations have been required.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policy EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 39 refers to LPAs setting their own parking standards for residential development
<b>Other publications</b>		
National Planning Policy Framework (NPPF) Design Supplementary Planning Document 2017 Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (SLPDS) Parking SPD (2016)		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations

v. Community Infrastructure Levy

**i. Principle of Development**

9.2 Tumi is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), SC2 (Location Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

**ii. Impact on Character and Appearance of Surrounding Area**

9.3 The proposed single storey side and rear extension would be mostly screened from the streetscene. Given that the side extension would have a shallow lean-to roof, and would only protrude to the side of the existing dwelling by approximately 1 metre, it is not considered that it would have an impact on the streetscene. Concern was raised over the large expanse of low level roof caused by the proposed rear extension, which would be visible from the properties adjoining the rear garden of 'Tumi'. As this element would not be visible from the highway, it would not be considered to have an impact on the streetscene or character of the area. In addition, weight must be given to the fact that the proposed rear element was previously granted under 17/00198/PAH, and the additional roof lantern and side extension would not have a significant impact on the visual impact of the proposed extension.

9.4 The first floor front extension would have an open gable roof which would be a complementary design to the proposed gable roof. In addition, the proposed development would involve the loss of the bay window, which would set the dwelling back from the highway by approximately 0.4 metres. Whilst the proposed front extension would be visible in the streetscene, the streetscene is very varied with a couple of two storey dwellings. In addition, 'Tumi' is located at the end of the cul-de-sac, and due to this location, it is not considered that the proposed extension would have a significant effect on the character of the area.

9.5 The proposed porch would be set back from the proposed first floor front extension, and would appear subservient in height. It is not considered that the proposed porch would have a significant impact on the streetscene.

9.6 The proposed hip to gable roof enlargement would be visible from the streetscene, and would constitute a significant amount of additional bulk. However, the neighbouring property, 'The Chalet' has a similar pitched roof (albeit with hipped ends to reduce the bulk). As 'The Chalet' is significantly taller than 'Tumi', it is not considered that this roof enlargement would appear out of keeping with the streetscene. The proposed dormer windows would not be visible from the highway, and therefore would not have an impact on the character of the area. In addition, weight must be given to the fact that the majority of the roof enlargement would be permitted development, as has been confirmed under the certificate of lawfulness application 17/00175/CLPUD and the lean-to roof would not have a significant impact on the visual impact of the proposed extension.

9.7 The proposed materials would be similar to those used on the existing dwelling.

9.8 The cumulative impact of the proposed development would result in a dwelling significantly larger than the original dwelling. However, the majority of the proposed works could be built under permitted development. The addition of the first floor extension, and the side extension would not have a significant additional impact on the

design of the dwelling and it is therefore considered that the proposed development would not be unacceptable in terms of its impact on the character and appearance of the area.

9.9 The proposal would therefore be in line with CSDPD Policy CS7, 'Saved' BFBLP Policy EN20 and the NPPF.

### **iii. Impact on Residential Amenity**

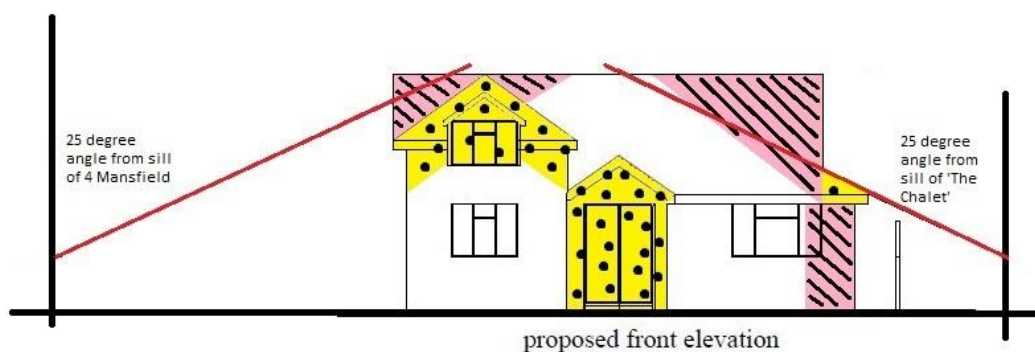
#### Single storey side and rear extension

9.10 The proposed single storey side and rear extension would be located approximately 28.5 metres away from 11 Darwall Drive. The proposed extension includes windows to the rear, which would be 5 metres closer to 11 Darwall Drive than the existing windows. As the proposed development would be single storey, it is considered that a sufficient separation distance would remain and there would be no significant increase in the potential for overlooking. As the proposed development is single storey, the proposal would not appear unduly overbearing to 11 Darwall Drive. Due to the position of the proposed development, there would be no potential for overshadowing of 11 Darwall Drive.

9.11 The proposed development would be located approximately 3.5 metres away from 'The Chalet'. Whilst there would be an additional ground floor window facing 'The Chalet', the separation distance and the presence of a 1.8 metre boundary fence ensures that there would not be a significant overlooking impact. Due to the single storey nature of the proposed development, it is not considered that the extension would appear significantly overbearing. 'The Chalet' has a rear extension (planning permission 14/00823/FUL) which extends to approximately 1 metre from the existing garage of 'The Chalet'. This garage extends further than the proposed extension at 'Tumi'. As this element of the proposed development is single storey in nature, it is not considered the proposal would be adversely overbearing to 'The Chalet'.

9.12 The proposed development would be located approximately 9 metres away from 4 Mansfield Close. There would be no additional windows in the elevation which faces 4 Mansfield Close and therefore there would be no impact in terms of overlooking. In any case, there is a 1 metre timber fence and 2 metre hedging on the boundary between 'Tumi' and 4 Mansfield Close which would screen the proposed development. A condition would be imposed to restrict side windows on the extensions. Due to the single storey nature of the proposed development, it is not considered to be significantly overbearing.

9.13 A loss of light assessment was undertaken to assess the impact of the proposed development on the side windows of 4 Mansfield Close and 'The Chalet'. The BRE SLPDS is used as a guideline for assessing potential loss of light and the acceptable levels of loss to light. A 25 degree line is drawn on the horizontal plane from the sill height of the closest window serving a habitable room at the affected residential property.



9.14 The lines intersect the proposed development and therefore there would be some loss of light caused by the proposed development. The impact onto 4 Mansfield Close and 'The Chalet' would be caused solely by the certificate of lawfulness element, and therefore this can only be given limited weight.

#### First floor front extension

9.15 The proposed first floor extension would be located approximately 10 metres from 'The Chalet' and 8.5 metres from 4 Mansfield Close', and would have no side facing windows. Concern was raised that this element would have an overbearing and overshadowing effect on 4 Mansfield Close. The footprint of the dwelling would not be sited any closer to 4 Mansfield Close than the existing dwelling, and the ridge height would not increase. In addition, the proposed extension would not extend any further forward than the existing front elevation; it is not considered that the proposed front extension would have a significant overbearing impact onto 4 Mansfield Close.

9.16 With regards to loss of light, an assessment was undertaken. The BRE SLPDS is used as a guideline for assessing potential loss of light and the acceptable levels of loss to light. A 25 degree line is drawn on the horizontal plane from the sill height of the closest window serving a habitable room at the affected residential property. Due to the separation distance between the two properties, this line does not intersect the first floor front extension. It is therefore considered that there would not be a significant overshadowing impact on 4 Mansfield Close.

9.17 The proposed first floor extension would be located approximately 20 metres from 'Foulis'. However, 'Foulis' is currently a bungalow with no first floor windows, and therefore it is not considered that the additional window in the first floor extension would have an adverse overlooking impact on 'Foulis'. Given that 'Foulis' is located on the opposite side of the road, it would not be affected by the proposed first floor extension in terms of overbearing or overshadowing.

#### Porch

9.18 The proposed porch would be located approximately 7.5 metres from 'The Chalet'. Given the single storey nature and the separation distance between the proposed porch and 'The Chalet', and that no side windows are proposed, it is not considered that the proposed porch would have an adverse impact on 'The Chalet' in terms of overlooking, overbearing or overshadowing. The location of the proposed porch in relation to the other neighbouring properties means it would not have an adverse impact on their residential amenity.

## Roof enlargement

9.19 The proposed loft conversion, hip to gable roof enlargement, and installation of two rear facing dormer windows, would not cause an overlooking issue onto 4 Mansfield Close because no side windows are proposed in the roof. Additionally, the additions to the roof would not appear overbearing to 4 Mansfield Close due to the separation distance between the two properties, and that the ridge height would not be increased.

9.20 Whilst the proposed side extension would bring the roof closer to 'The Chalet', as 'The Chalet' is taller than 'Tumi' it would not appear unduly overbearing. There are no proposed windows in the roof that would cause overlooking into 'The Chalet'. The proposed roof enlargement would cause an overshadowing impact onto 'The Chalet' as discussed in 9.14. However, as the roof enlargement would be considered permitted development this cannot form a reason for refusal.

9.21 Concern was raised that the proposed dormer windows would cause an overlooking impact onto 11 Darwall Drive. The proposed dormer windows would be located approximately 38 metres from the rear elevation of 11 Darwall Drive, which is considered a sufficient separation distance that there would not be a significant overlooking impact. In addition, it must be considered that the two dormer windows were granted under 17/00175/CLPUD; therefore the fall back position would include these two dormer windows. The addition of the side extension and the first floor front extension would not cause additional harm in terms of overlooking.

9.22 The proposed development would be acceptable in line with 'Saved' BFBLP Policy EN20.

### **iv. Transport and Highways Considerations**

9.23 The existing dwelling has 3 bedrooms. The dwelling would have 4 bedrooms following the development. As such the residential standards in the SPD require 3 parking spaces.

9.24 A parking plan was submitted which shows three parking spaces within the curtilage of the dwellinghouse, which would be considered acceptable. A planning condition would be imposed to ensure that these parking spaces are provided before the development can be occupied, and that they are retained.

9.25 The proposal would therefore be in line with CSDPD Policy CS23 and 'Saved' BFBLP Policy M9.

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

9.26 Following the introduction on the 6<sup>th</sup> April 2015 of the Community Infrastructure Levy (CIL), all applications for planning permission will be assessed as to whether they are liable. As this development is a householder application, it will not be liable for a charge.

## **10. CONCLUSIONS**

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or surrounding area. The development would not result in a negative impact on the residential amenity of the neighbouring properties, or on highway safety. It is therefore considered that the proposed development complies with 'Saved' policies M9 and EN20 of the BFBLP, Policies CS2, CS7 and CS23 of the CSDPD and the NPPF.

## 11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:  
Proposed Floor Plan, Elevations and Block Plan, Drawing number: D1564-02, received by the LPA on 17.09.2015  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance those of the existing dwelling.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20, CSDPD CS7]
4. The development hereby approved shall not be occupied until the associated vehicle parking has been provided 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]
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the side elevations of the extension hereby permitted except for any which may be shown on the approved drawing(s).  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]

### 11.2 Informative(s):

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
  1. Time limit
  2. Approved plans
  3. Materials match existing
  4. Parking layout

## 5. Windows

3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
5. Please Note: 4 Mansfield Close is incorrectly labelled as 8 Mansfield Close on the submitted plans.

### Doc. Ref:

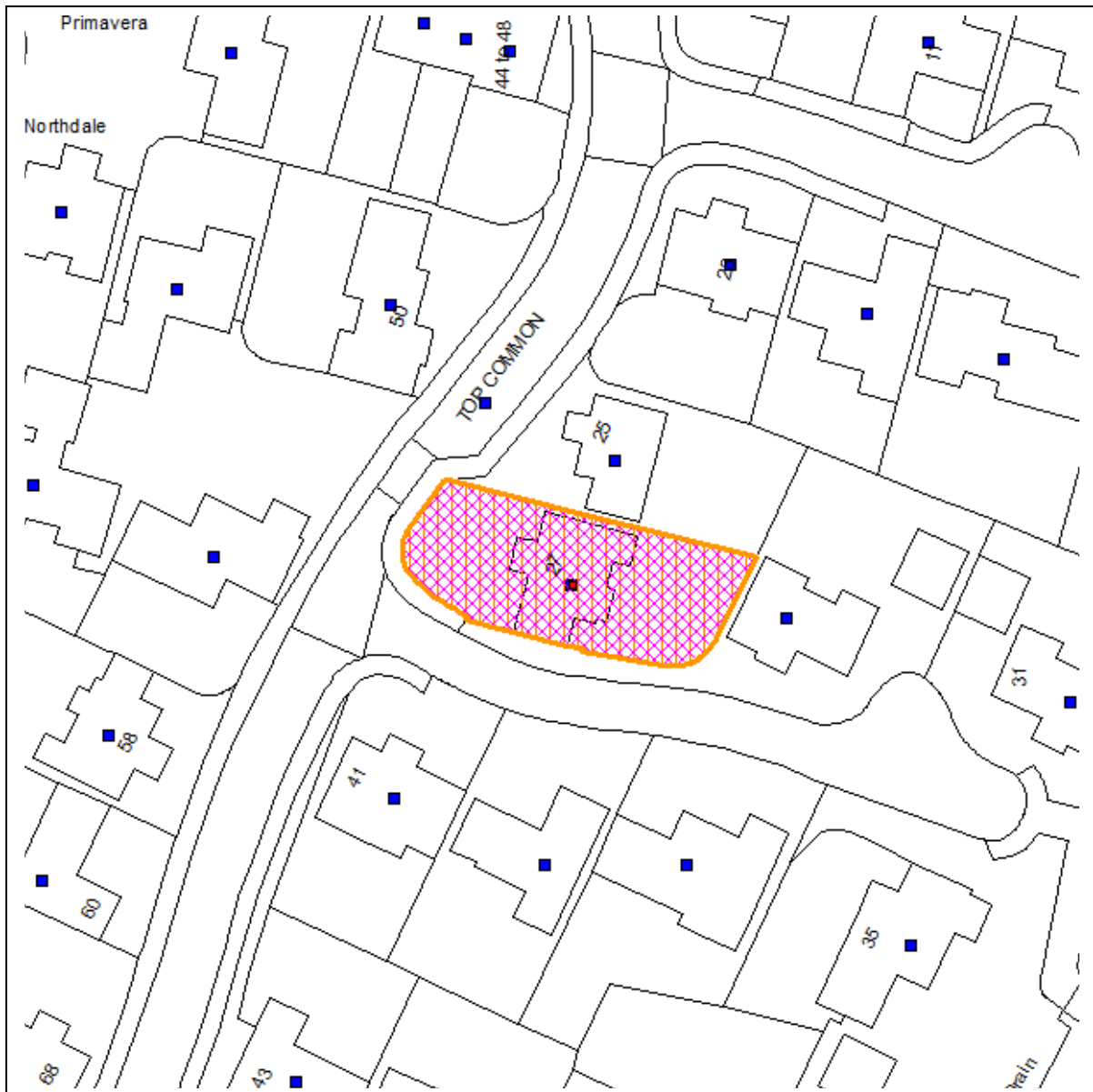
The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)

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<b>ITEM NO: 15</b>	Ward:	Date Registered:	Target Decision Date:
Application No. <b>17/00603/FUL</b>	Warfield Harvest Ride	12 June 2017	7 August 2017
Site Address:	<b>27 Top Common Warfield Bracknell Berkshire RG42 3SH</b>		
Proposal:	<b>Erection of two storey rear extension, replacement windows and front door, three additional windows in the northern side elevation and extension of existing driveway.</b>		
Applicant:	Mr & Mrs Barnard		
Agent:	Girard-McMullen		
Case Officer:	Shannon Kimber, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## **OFFICER REPORT**

### **1. SUMMARY**

- 1.1 The proposal is for the erection of a two storey rear extension, replacement windows and front door, three additional windows in the northern side elevation and an extension of the existing driveway.
- 1.2 The proposed development would be acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or the surrounding area. The development would not result in a negative impact on the residential amenity of the neighbouring occupiers, or on highway safety.

<b>RECOMMENDATION</b>
Planning permission be granted subject to conditions in Section 11 of this report

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

- 2.1 The applicants are both Parish Councillors for Warfield Parish Whitegrove Ward. In addition, Dr Barnard is a Borough Councillor for Warfield Harvest Ride Ward. As the application has been submitted by a Borough Councillor and their spouse, the application must be determined by the Planning Committee, in accordance with the Council's Constitution.

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

<b>PLANNING STATUS</b>
Within settlement boundary

- 3.1 Number 27 is a two storey, detached dwelling located on the eastern side of Top Common. It is sited on a corner plot, to the north of a cul-de-sac within Top Common. The application site is located 40 metres from Whitegrove Copse which is classified as an ancient woodland, and protected by a group Tree Preservation Order, reference TPO 186. 47 metres to the west of the application site is Area J of the Bracknell Character Area. The surrounding area is predominantly residential.

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

- 4.1 The relevant planning history can be summarised as follows:

609695

Outline application for residential development, local centre and ancillary uses.

Refused 1985 (allowed by appeal)

616867

Reserved matters in respect of siting, design, external appearances and means of access for the erection of 164 dwellings (Affects 5-91 odds and 101Z on Top Common).

Approved 1991

### **5. THE PROPOSAL**

- 5.1 The proposed two storey rear extension would provide an extended kitchen at ground floor level, with an enlarged bedroom 4 at first floor level. The roof over the proposed extension would be pitched on all three sides. It would have a maximum depth of 4.3

metres, a width of 5.9 metres and a maximum height of 7.4 metres with the eaves at a height of 5 metres.

5.2 Through internal alteration a utility room would be created downstairs and an en-suite and relocated bathroom upstairs. Each of these rooms would be served by a window inserted into the northern flank elevation of the existing dwelling.

5.3 The existing driveway is laid with tarmacadam; it is proposed to replace this with a porous, resin bound surface. A section of the front garden, currently soft landscaped would also be laid with a porous, resin bound surface in order to extend the driveway.

5.4 Further development includes replacing the existing timber framed, double glazed windows with uPVC frames with a wood effect.

## 6. REPRESENTATIONS RECEIVED

### Warfield Parish Council:

6.1 Warfield Parish Council raised no objections to this application, but made the following observation:

- The driveway should be porous.

[Officer Note: The agent has confirmed in writing (emailed received 04.07.2017) that the proposed hardstanding would be laid with a permeable resin bound finish. As the proposed extension to the drive would be considered Permitted Development under Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it would be unreasonable to condition this.]

### Other Representations:

6.2 No representations were received from neighbouring properties or other third parties.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highway Authority:

7.1 The Highway Authority (HA) was consulted on this application and has no objection.

7.2 No other statutory or non-statutory consultations have been required.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The main policies and associated documents when determining an application for planning permission are:

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policy EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 39 refers to LPAs setting their own parking standards for residential development
<b>Supplementary Planning Documents (SPD)</b>		
Bracknell Forest Borough Parking Standards Supplementary Planning Document 2016 Design Supplementary Planning Document 2017		
<b>Other publications</b>		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations
- v. Community Infrastructure Levy

### i. Principle of Development

9.2 Number 27 Top Common is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Location Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

### ii. Impact on Character and Appearance of Surrounding Area

9.3 It is noted that similar two storey developments have granted permission at 10, 42 and 53 Top Common. Therefore the proposal is considered in keeping with the character of the surrounding area.

9.4 The submitted application form and plans confirm that the materials to be used in the proposed development would be similar in appearance to those used in the existing dwelling. As such, it would be considered that the proposal would be in keeping with the host dwelling.

9.5 The proposed increase in the driveway would result in the loss of an evergreen tree currently to the front of the property. The tree is not protected and its removal would be considered acceptable.

9.6 The proposed two storey rear extension would be screened from Top Common by the existing building. However it would be visible from the cul-de-sac to the south. The proposed development would be sited 5.5 metres from the southern boundary of the application site, at the closest point. The application site is located on ground significantly higher than the properties to the east and south. Whilst the proposal would be visible from the highway, due to its set back position and the use of matching materials it is considered not to have an overly dominant impact on the streetscene.

9.7 The pitch of the roof over the two storey element of the proposal would match the pitch of the roof over the existing dwelling. The ridge line over the proposed extension would be set at a lower level than the ridge line over the host dwelling, therefore given the appearance of a subordinate extension. In addition, the proposed development would not project beyond the side elevation of the existing dwelling. As such the proposal would comply with the guidelines set out in the Design SPD.

9.8 The proposal would therefore be in line with CSDPD Policy CS7, 'Saved' BFBLP Policy EN20 and the NPPF.

### iii. Impact on Residential Amenity

9.9 The window to serve the proposed utility room would be at ground floor level, as such this window would not be considered to result in a significant level of overlooking. In any event, it would not require planning permission.

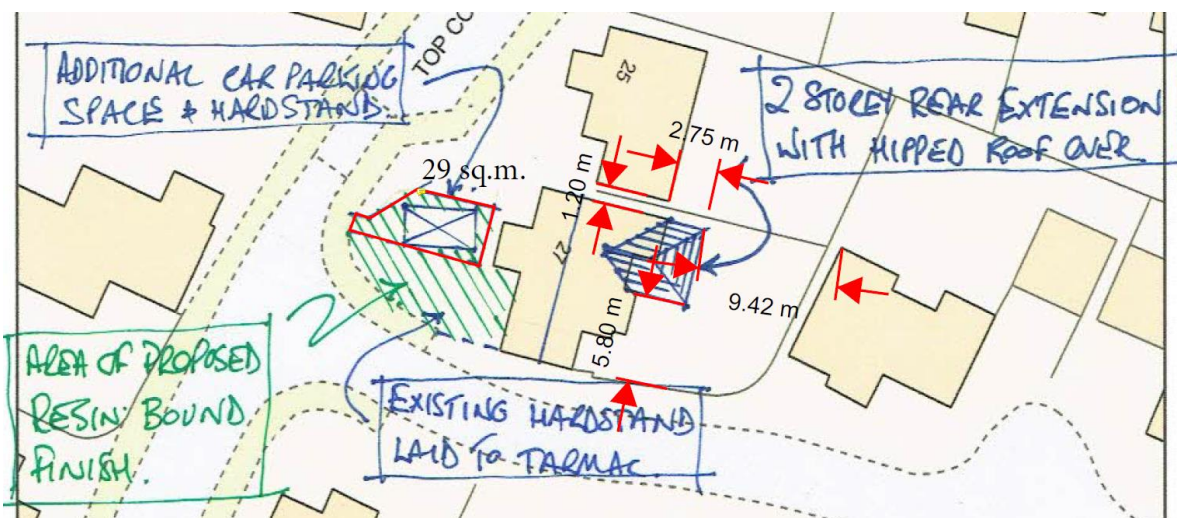
9.10 The proposed windows at first floor level on the existing northern side elevation would be sited 1.2 metres from the neighbouring property, 25 Top Common. This dwelling has an attached single storey garage adjacent to the boundary with the application site. It is recommended that these windows are obscure glazed and fixed shut up to 1.7 metres above the internal floor level to protect the private amenity area of the neighbouring property.

9.11 It is also recommended that the permitted development rights for the installation of side facing windows at first floor level and above be removed from the proposed extension as it would project 2.75 metres beyond the rear elevation of the neighbouring residential property. This would safeguard the privacy of the occupiers of the number 25 from future potential overlooking impacts.

9.12 The proposed development would result in windows at first floor level being 4.3 metres closer to the neighbouring property to the east, 29 Top Common. The application site is at a higher level than this neighbouring property, as such the ground floor of number 27 is approximately level with the first floor of number 29. The vegetation denoting the boundary between the two properties screens the ground floor of number 29 from the application site. There are no windows at first floor level in the western elevation of number 29. It is not considered that the proposed development would result in an adverse impact on the occupiers of this neighbouring property in terms of overlooking.

9.13 There would be a separation distance of 18.5 metres from the proposed rear extension to the front elevation of the neighbouring property to the south of the application site, 39 Top Common. This is considered a significant distance; it would be unreasonable to restrict permitted development rights to this elevation, with regard to the installation of windows.

9.14 The image below demonstrated the proposed development in relation to the neighbouring properties.



- 9.15 Due to the orientation of the application site and the surrounding properties, the proposed rear extension would not have an overbearing or overshadowing impact on the residential amenities of the occupiers of the dwellings to the west, south or east.
- 9.16 The neighbouring property to the north, 25 Top Common, is set further to the east than the application site. As such, the proposed rear extension would project 2.75 metres beyond the rear elevation of number 25. In addition the roof over the proposed extension would be pitched away from the boundary, thereby lessening its impact. As such the impact of the proposal in terms of mass and bulk on the amenities of the occupiers of number 25 would be considered acceptable.
- 9.17 Whilst the garage of number 25 is closest to the boundary with the application, the next window along, on both the ground and first floors of the rear elevation serve a habitable room. As such a loss of light assessment has been conducted.
- 9.18 The BRE SLPDS is used as a guideline for assessing potential loss of light and the acceptable levels of loss to light. A 45 degree line was drawn on the horizontal plane from the midpoint of the closest window serving a habitable room at the affected residential property, towards the proposed development. This line did not intersect the development. Therefore it would not be considered that the development would result in an adverse impact on the property with regards to loss of light.
- 9.19 Subject to the suggested conditions, the proposed development would be considered acceptable in line with 'Saved' BFBLP Policy EN20.

#### **iv. Transport and Highways Considerations**

- 9.20 This property takes access off Top Common, an adopted residential road which is subject to a 20mph speed limit and is traffic-calmed (give-way features). There are no parking restrictions.
- 9.21 The existing dwelling has 4 bedrooms. The proposed development would not alter the current number of bedrooms. As such the parking requirements would not change. The existing property has a garage and two driveway spaces. The garage is subject to a restrictive condition (condition 2 of reserved matters application 616867) which restricts the garage to be used for the parking of vehicles. However, it is too small to be considered a garage suitable for the parking of a motor vehicle by the current Parking Standards SPD. However it would remain a potential parking space.
- 9.22 The proposed extension to the driveway would result in three parking spaces being provided on site which comply with the Parking Standards SPD. This would be considered an improvement to the existing parking situation.
- 9.23 No alterations are proposed (or are required) to the existing dropped kerb and this additional driveway parking would be further away from the junction and accessible via the existing dropped kerb. The external access to the rear garden would be retained.
- 9.24 The proposal would therefore be in line with CSDPD Policy CS23 and 'Saved' BFBLP Policy M9.

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

- 9.25 Following the introduction on the 6<sup>th</sup> April 2015 of the Community Infrastructure Levy (CIL), all applications for planning permission will be assessed as to whether they are liable. As this development is a householder application, it will not be liable for a charge.

## 10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or surrounding area. The development would not result in a negative impact on the residential amenity of the neighbouring properties, or on highway safety. It is therefore considered that the proposed development complies with 'Saved' policies M9 and EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.

## 11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:  
Site Location Plan, Received 12.06.2017  
Block Plan, Received 12.06.2017  
Proposed Floor Plans and Elevations, Drawing number: Rev A, Received 21.06.2017  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance those of the existing dwelling.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20, CSDPD CS7]
4. The windows to be inserted into the northern elevation of the existing dwellinghouse at first floor level hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). Any openable part(s) shall at all times be no less than 1.7 metres above internal floor level of the room that the window serves.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the northern (side) elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]

11.2 Informative(s):

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations,

including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
  1. Time limit
  2. Approved plans
  3. Materials match existing
  4. Obscure glazed side facing windows
  5. Removal of PD rights for windows in side elevation facing no. 25
3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

Doc. Ref:

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