

Notice of Meeting

Planning Committee

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

Monday 3 June 2019, 7.30 - 9.30 pm

Council Chamber - Time Square, Market Street, Bracknell, RG12

1JD



Agenda

Item	Description	Page
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 17 April 2019.	
3.	Declarations of Interest Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting. Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days. Any Member with an Affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.	
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 Planning)

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.

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 18/00758/FUL Land At Tilehurst Lane, Tilehurst Lane, Binfield, Bracknell, Berkshire Erection of 53no. dwellings with associated landscaping and access from Tilehurst Lane.	7 - 46
6.	PS 18/01230/FUL The Rose and Crown, 108 High Street, Sandhurst, Berkshire GU47 8HA Erection of 2no. dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of existing public house.	47 - 76
7.	19/00248/FUL Street Record - Fraser Road, Bracknell, Berkshire Formation of 7no. parking spaces	77 - 84

Sound recording, photographing, filming and use of social media is permitted. Please contact Hannah Stevenson, 01344 352308, hannah.stevenson@bracknell-forest.gov.uk, so that any special arrangements can be made.

Published: 20 May 2019

EMERGENCY EVACUATION INSTRUCTIONS

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AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
23rd May 2019**

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

		Case Officer	Reporting Officer
5	18/00758/FUL Land At Tilehurst Lane Tilehurst Lane Binfield (Binfield With Warfield Ward) Erection of 53no. dwellings with associated landscaping and access from Tilehurst Lane. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Matthew Miller	
6	18/01230/FUL The Rose and Crown 108 High Street Sandhurst (Little Sandhurst And Wellington Ward) Erection of 2no. dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of existing public house. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Sarah Horwood	
7	19/00248/FUL Street Record Fraser Road Bracknell Berkshire (Priestwood And Garth Ward) Formation of 7no. parking spaces Recommendation: Approve.	Antara Kumar	

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:

Application No.
18/00758/FUL

Site Address:

Ward:
Binfield With Warfield

Date Registered:
27 July 2018

Target Decision Date:
26 October 2018

Land At Tilehurst Lane Tilehurst Lane Binfield Bracknell Berkshire

Proposal:

Erection of 53no. dwellings with associated landscaping and access from Tilehurst Lane.

Applicant:

JPP Options Ltd

Agent:

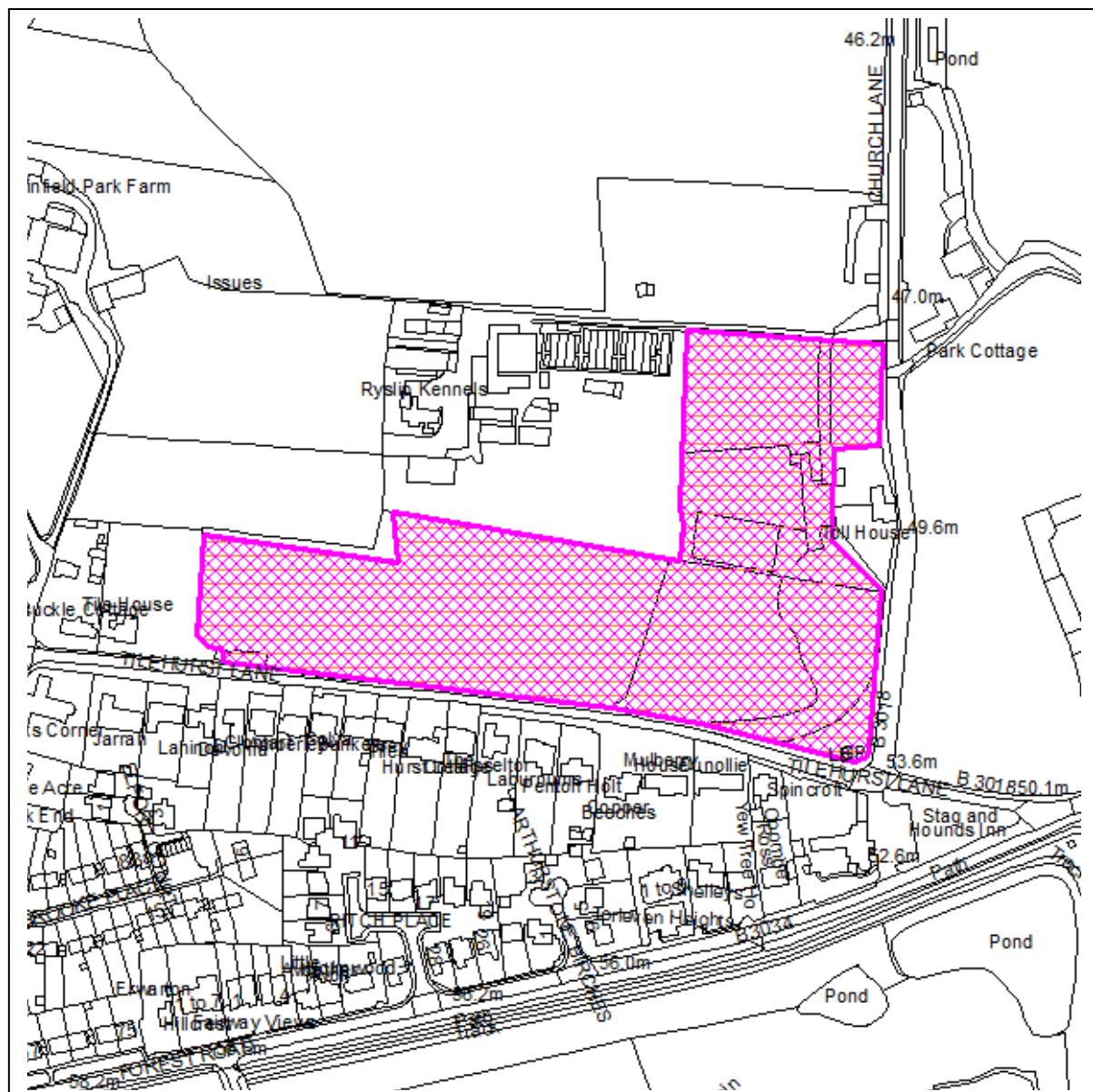
Mr Douglas Bond

Case Officer:

Matthew Miller, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposed development is the erection of 53no. dwellings, with the associated formation of landscaping, and proposed access from Tilehurst Lane.
- 1.2 While there is some conflict with the Development Plan, and while the Council can now demonstrate a five year supply of housing land, the development has an extant planning permission for the erection of 28no. dwellings on this site (15/00452/OUT; allowed at appeal). This constitutes a fall-back position which must be given significant weight in the determination of this proposal.
- 1.3 It is not considered that the overall impacts of this proposal in comparison to the extant planning permission would give rise to materially greater harm, for the reasons set out in this report.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report, and the completion of a Section 106 Legal Agreement

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is being considered by the Planning Committee following the receipt of 255no. objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Outside the settlement boundary
Located between 5 - 7km of the Thames Basin Heaths SPA
Trees predominately to the front (southern) and eastern boundaries of the property are subject to TPO 1172
Buildings within the vicinity of the site are Listed (see full report below)
Protected species (grass snakes) appear to be present on site

- 3.1 The 3.35ha site lies to the north of Tilehurst Lane, Binfield and west of Church Lane. The part of the site adjacent to Tilehurst Lane is largely under grass with freestanding young trees and further trees on its southern boundary. The northern part of the site is bounded by Church Lane to the east and the drive to Ryslip Kennels to the north. A two-storey house, Toll House, lies towards the northeast of the site (outside of, but enclosed by, the application site) and is accessed from Church Lane. To the rear (west) of the house is a paddock and a manege, within the application site. A stable building was also formerly located here but has been demolished. The northern part of the application site is a field under grass. The eastern part of the site, bounded by Church Lane, contains a band of trees.
- 3.2 The site undulates gently and the land generally falls to the north. A tree preservation order covers individual trees and groups of trees lying on the site to the north of Tilehurst Lane and close to Church Lane, south of Toll House (TPO 1172 refers).
- 3.3 The site lies to the north of the eastern extent of Binfield village. Residential properties front on to Tilehurst Lane opposite the application site with The Stag and Hounds PH, a listed building, at the eastern end of the lane close to the site's south-eastern corner.

- 3.4 Tile House, also a listed building, and its curtilage are situated immediately to the west of the site while Ryslip Kennels and land associated with it lie to the north. Land to the east of Church Lane comprises a large field in cultivation with the Wyevale Garden Centre beyond. Park Cottage lies close to the north-eastern corner of the application site on the other side of Church Lane.

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning history is as follows:

13/00746/OUT

Outline application for the demolition of "Toll House" and the erection of 72 no. dwellings (71 net) with new vehicular and pedestrian access from Church Lane, and pedestrian access from Tilehurst Lane.
Refused (2013), Appeal Dismissed (2015)

15/00452/OUT

Outline application for the erection of 28 dwellings, new open space, landscaping, together with new vehicular and pedestrian access from Tilehurst Lane.
Refused (2015), Appeal Allowed (2017)

Land to the north

18/00765/FUL

Erection of 9no. dwellings (including 2 affordable dwellings) with associated landscaping and access.
Pending consideration at time of writing
[Officer Comment: this proposal would take access from the development subject to this application].

Adjoining property of Ryslip Kennels, Church Lane

19/00281/FUL

Demolition of several existing buildings and erection of new buildings accommodating replacement kennels and cattery with ancillary facilities comprising a vet surgery, grooming area, reception, workshop, dog agility field, dog walking field, agility barn and associated car parking.
Pending consideration at time of writing

- 4.2 Outline application 13/00746/OUT was refused and dismissed at appeal on the basis that, while the Council could not demonstrate a 5 year housing land supply, the harm of the proposal (72 units spread across the entirety of the site) on the setting of the countryside would outweigh the benefits of the proposal.
- 4.3 Outline application 15/00452/OUT was allowed at appeal on the basis that, even though some harm to the countryside remained despite a reduction in the number of units and significant changes to the layout, this harm no longer outweighed the benefit of providing additional dwellings where the Council did not have a 5 year housing supply.
- 4.4 While permission has been granted via appeal for 15/00452/OUT, and remains extant, it has not been implemented.

5. THE PROPOSAL

- 5.1 Planning permission is sought for the erection of 53 dwellings, open space and landscaping, together with new vehicular and pedestrian access from Tilehurst Lane.



- 5.2 The dwelling mix would consist of the following:

- 8no. one bedroom
- 10no. two bedroom
- 31no. three bedroom
- 4no. four bedroom

Of these, the following units would be affordable housing:

- 8no. one bedroom
- 5no. two bedroom

This represents an affordable housing contribution of 24.5% of the total development (in terms of unit numbers).

- 5.3 The dwellings would be primarily detached and semi-detached. Two sections of terraced dwellings and a two storey apartment building would also be sited within the northeastern section of the site. Each house would contain an enclosed rear garden, with the apartment building sited next to a copse.
- 5.4 Parking would be provided by a combination of detached, attached and integral garages and car ports, along with parking courts and individual driveways. Visitor spaces are also provided throughout the site.
- 5.6 The access point from Tilehurst Lane would be sited opposite the dwellings of Copper Beeches and Mulberry House, Tilehurst Lane, in the same location as that approved under 15/00452/OUT. A footpath running almost the length of the site is also proposed, connecting to Tilehurst Lane at two points at either end of the development.

- 5.5 The soft landscaping scheme proposed would include the provision of two ponds, one in a central location and one in the northeast of the site. An existing copse on the northeastern corner of the site would be retained, and a play area is also proposed in the centre of the site.
- 5.6 During the course of the application the total number of dwellings proposed has been reduced from 60 to 53, and various changes to the proposed layout have been made in respect of highway safety (including parking provision), elevational design, landscape and drainage matters.
- 5.7 It is noted that a separate planning application has been submitted for 9no. dwellings beyond the northwestern area of the site, which would take access from the proposal. As this is subject to a separate planning application it is being considered on its own individual merits separately to this report.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council:

- 6.1 Binfield Parish Council object to the proposal on the following grounds:
- the application site falls outside the defined settlement of Binfield and forms an important link to Binfield's historic and agricultural past;
 - the proposal would have a detrimental impact on the setting of a number of Listed Buildings sited within the vicinity of the application site;
 - the proposal would be detrimental to highway safety due to introducing a significant number of additional traffic and pedestrian movements on to the narrow, rural layout of Tilehurst Lane;
 - the density of the proposal would be out of keeping with the character of the area, and would constitute an adverse urbanisation of a rural area;
 - the proposal is a speculative development which does not reflect the terms of the appeal decision for 18/00758/FUL, and
 - the cumulative impact of the proposal in combination with other housing developments (e.g. Blue Mountain, Harvest Ride) would add further pressure on the local road and infrastructure networks.

Representations from Members of the Public:

- 6.2 At the time of writing 255 objections have been received from members of the public, primarily within Binfield (this total does not include instances of multiple objections received from the same address, or objections received without a full name or address). These are summarised below;

Principle of development

- the site lies outside of the settlement boundary and undermines the historic character of Binfield;
- there is no demand for additional dwellings in this location, and the Council can demonstrate a five year supply of housing land;
- in view of the above two points, the proposal is therefore contrary to the Local Planning Authority's Development Plan;
- the countryside should be protected for its own sake;
- Binfield is already overpopulated and the cumulative impacts of this proposal with other housing developments both proposed and approved would give rise to harm;
- there is insufficient existing infrastructure provision, e.g. healthcare, schools, and

- the conclusions made by the Inspector in the appeal decision for approved application 15/00452/OUT no longer apply in view of the increased number of dwellings proposed.

Impact on the character of the area, including heritage and landscape

- the proposal would result in an urbanising impact which would undermine the character of the area;
- the density and number of dwellings detracts from the character of the area;
- the proposal would be out of character with the established street scene, and the likely requirement for lighting columns would also detract from the area;
- the proposal would result in the loss of undeveloped green space;
- the proposal would give rise to harm to the trees present on site, many of which are protected;
- the proposed designs of the dwellings is out of character with the area, and
- the retained level of tree cover to the boundaries of the development is insufficient in providing mitigation and screening to the extent of the development.

Impact on residential amenity

- the proposal would give rise to adverse impacts on the residential amenity of the neighbouring properties within Tilehurst Lane and Church Lane, in terms of overlooking, loss of privacy and overshadowing impacts, as well as general disturbance;
- the proposal would result in the loss of views existing neighbouring properties benefit from [Officer Comment: loss of view is not a material planning consideration];
- the noise produced from the neighbouring Ryslip Kennels would cause harm to prospective occupants, and would also put pressure on the operation of this business;
- the proposal would increase air pollution, to the detriment of neighbouring occupants, and
- the proposal would result in a poor quality of life for prospective occupants of the development, in view of its cramped nature.

Impact on highway safety

- the highway of Tilehurst Lane does not have capacity to take on additional vehicular or pedestrian traffic in view of its narrow, rural layout. Furthermore the lack of footpaths present on Tilehurst Lane, combined with dangerous sight lines, would cause harm;
- while the developer has provided information they consider supports the proposal in terms of traffic generation, this information is not agreed to be precise or representative;
- Tilehurst Lane is not suitable for the construction traffic which would be necessary to build the development;
- the site layout is poor in terms of parking locations and provision;
- no parking provision has been provided to the proposed play area, and this would cause harm in view of users from outside the development wishing to use this facility, and
- there are no footpaths proposed for the spanning the width of the site, either internally or on Tilehurst Lane [Officer Comment: an internal footpath is proposed within the application site spanning its width along Tilehurst Lane].

Other matters

- the site is located in the floodplain and experiences existing surface water drainage problems as an undeveloped site;
- the proposal, being on undeveloped land, would result in the loss of wildlife habitats;
- the proposal would increase air pollution, to the detriment of biodiversity, and
- the site has been subject to multiple planning applications which has resulted in stress and confusion for local residents, along with the feeling that the developer is

attempting to manipulate the planning system. [Officer Comment: in the context of the recent planning application history the stress and confusion placed upon residents is understood. However, ultimately as a regulatory matter the applicant has fully complied with the Planning system. In any event the application must be considered on its planning merits].

- 6.3 The above matters (except for the matters not determined to be material planning considerations as addressed above) are considered in the report below.
- 6.4 Following correspondence with interested parties it is anticipated that further representations may be received, with their timing after the publication of this report. Any such representations will be reviewed in a Supplementary Report.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

Following the submission of various changes to the layout and access, no objection subject to conditions.

Landscape Officer

Concerns raised over initially submitted scheme in respect of the increase in the quantum of development and loss of landscaping. These concerns have been addressed, with consideration also to the fall-back position.

Conservation Officer

No objection in view of fall-back position.

Tree Officer

No objection.

Environmental Health Officer

No objection subject to conditions.

LLFA (Lead Local Flood Authority)

Following the receipt of additional and amended information, including layout changes, no objection subject to conditions.

Biodiversity Officer

No objection subject to conditions.

Archaeology Officer

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 associated policies are:

	Development Plan	NPPF
General policies	SALP Policy CP1 CSDPD Policy CS1	Consistent (Paras. 7, 11, 12, & 117 - 119)

	CSDPD Policy CS2	Consistent (Para. 17 & 117 -119).
Principle of development (outside settlement)	CSDPD Policy CS9 BFBLP 'Saved' Policies EN8 & H5	Elements are acknowledged to not be fully consistent. However appropriate weight can be applied to elements which remain consistent. (Para. 170a) & b))
Design & Character	CSDPD Policy CS7 BFBLP 'Saved' Policy EN20	Consistent (Chapter 12)
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Heritage	CSDPD Policies CS1 & CS7 Binfield Neighbourhood Plan Policy BF2	Consistent (paras. 189 to 197)
Residential Amenity	'Saved' Policies EN20 & EN25 of BFBLP	Consistent (paras. 127, 170 & 180)
Transport	CSDPD Policies C23 & CS24 BFBLP 'Saved' Policies M9 Binfield Neighbourhood Plan Policies TC1 & TC2	Consistent (Chapter 9)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175)
SPA	SEP 'Retained' Policy NRM6 CSDPD Policy CS14	Consistent (paras. 170, 171, 173, 175, 176, 177)

	BFBLP 'Saved' Policy EN3	
Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 118, 170, 178 & 180)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)
Archaeology	NPPF (para. 189)	N/A
Affordable Housing/Mix	CSDPD Policies CS16 & CS17	Consistent (paras. 61, 62, 64 of the NPPF).
Open Space Provision	CSDPD Policy CS8 'Saved' Policy R4 of the BFBLP	Consistent (paras. 92 & 97 of the NPPF)
Securing Necessary Infrastructure	CSDPD Policy CS6 Binfield Neighbourhood Plan Policy CO1	Consistent (para. 54 to 56, 92 and 94)
Supplementary Planning Documents (SPD):		
Character Area Assessments SPD (2010) Design SPD (2017) Parking Standards SPD (2016) Planning Obligations SPD (2015) Sustainable Resource Management SPD (2008) Thames Basin Heaths SPA SPD (2018)		
Other publications:		
National Planning Policy Framework (NPPF) (2019) National Planning Policy Guidance (NPPG) (2019) Bracknell Forest Borough Landscape Character Assessment (LUC) (2015)		

9. PLANNING CONSIDERATIONS

- 9.1 The key issues for consideration are:
- Principle of Development
 - Impact on Character and Appearance of Surrounding Area
 - Impact on Residential Amenity
 - Transport and Highways Considerations
 - Waste & Recycling
 - Drainage Implications

- vii. Biodiversity Implications
- viii. Sustainability Implications
- ix. Archaeological Implications
- x. Thames Basin Heaths Special Protection Area (SPA)
- xi. Securing Necessary Infrastructure

i. Principle of Development

a) Policy Context

- 9.2 The site is located on land outside of a defined settlement (but not within the Green Belt), as shown on the Bracknell Forest Borough Policies Map (2013). The land outside of settlement extends to the west, east and north of the site, however the site adjoins the defined settlement to the south (on the opposite side of Tilehurst Lane).
- 9.3 CSDPD Policy CS1 states that development will be permitted which makes efficient use of land, is located so as to reduce the need to travel, promotes a mix of uses, and protects and enhances the character and quality of local landscapes and the wider countryside. CSDPD Policy CS2 states that land will be allocated for development on a sequential basis, which includes previously developed land and development as extensions to defined settlements with good public transport links to the rest of the urban area.
- 9.4 The above policies are considered to be fully consistent with the NPPF.
- 9.5 BFBLP 'Saved' Policy EN8 states that the countryside will be protected for its own sake, and that outside the defined settlement boundaries development will only be permitted where it would not adversely affect the character, appearance or function of the land, or would not damage its landscape quality. 'Saved' Policy EN8 contains a (non-exhaustive) list of development types which may be permitted in the countryside, which does not include new housing development except where required in connection with agriculture and forestry
- 9.6 BFBLP 'Saved' Policy H5 states that outside the defined settlement boundaries the erection of new dwellings will not be permitted unless it would cause no harm to the character of the area, or to the relationship between the settlement and the surrounding landscape, and that there is a need for the dwelling in connection with an acceptable use listed in Policy EN8.
- 9.7 The above policies are considered to be partly consistent with the NPPF insofar as they seek to protect and enhance the character of the countryside setting. Notably, Para. 170(b) of the NPPF states that Planning policies should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Para. 170(a) also states that policies should seek to protect and enhance valued landscapes.
- 9.8 However, it must be acknowledged that elements of BFBLP 'Saved' Policies EN8 and H5 are not fully consistent with the NPPF, as the NPPF does not strictly prohibit the erection of new dwellings (or buildings in general) to the same extent as the aforementioned policies. Furthermore the wording of CSDPD Policy CS9 is not considered to be wholly consistent with the NPPF in view of its specific reference to 'protecting the countryside for its own sake'. The fundamental aims of these policies can however still be considered broadly consistent with paras. 170(a) and 170(b) of the NPPF, and as such can be given appropriate weight.

- 9.9 In view of the above, the key test of the NPPF in this regard is considered to be whether such buildings would result in an adverse impact on the intrinsic character of the countryside, and therefore the siting of new building/s does not automatically give rise to harm.
- 9.10 Para. 117 of the NPPF states that planning policies and decisions should promote an effective use of land, however this is in respect of meeting the need for homes.
- 9.11 CSDPD Policy CS16 states that development will be permitted where it contributes to meeting the housing needs of all sectors of the community through the provision on suitable development sites. This policy is considered to be consistent with the NPPF.

b) Housing Supply

- 9.12 The Council is currently able to demonstrate a five year housing land supply, with a figure of 6.04 years relating to the monitoring period 2018/19.
- 9.13 The approved development for 28 units on the site covered by this application forms part of this five year housing land supply.

c) Fall-Back Position

- 9.14 The site benefits from an outline planning permission for 28 dwellings (allowed under appeal reference APP/R0335/W/15/3139035, in January 2017).
- 9.15 It is noted that this appeal decision was granted at a time when the Council could not demonstrate a five year housing land supply. This meant that the presumption in favour of sustainable development (as laid out in what is now paragraph 11 of the 2019 NPPF) became a 'tilted' balance in favour of development. This tilted balance no longer applies to this proposed development in view of the Local Planning Authority now having a five year housing land supply, and because the policies which are the most important for determining the application are not out of date.
- 9.16 However, regardless of the above, the appeal decision forms an extant planning permission for residential development on this site.
- 9.17 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. This is reflected in para. 2 of the NPPF and SALP Policy CP1.
- 9.18 The extant planning permission for residential development on this site is therefore a material consideration that must be given appropriate weight, in spite of potential conflict with the Development Plan. This is because the developer (who is the same applicant as that for the appeal decision) can seek to commence the development for 28 units irrespective of the outcome of this application. This means that the principle of this site's development for housing has already been established.

d) Assessment & Conclusions

- 9.19 The application relates to the development of a greenfield site lying outside of the defined settlement. Section 11 of the NPPF states that planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses. However, Para. 118(c) states that substantial weight should be given to the value of using suitable land for housing where it is within settlement. This fact

combined with the fact that the Borough has a 6.04 year housing land supply means that Section 11 of the NPPF carries limited weight in favour of the proposal beyond the fall-back position.

- 9.20 Because the principle of residential development has been established, the test for the acceptability of the proposal becomes whether it would give rise to greater material harm than the already consented development. Account must be taken of any potential benefits and disadvantages of this proposal in making this assessment.
- 9.21 It is acknowledged that the consented development was an outline scheme, in comparison to this proposal being a full application for planning permission. This is factored into the assessment.
- 9.22 The proposal is considered to be sited within a reasonably sustainable location in terms of transport links and connection to local facilities. This fact was also acknowledged within previous decisions, and is expanded upon further in the Highway and Transportation section of the report below.
- 9.23 The proposal is therefore considered acceptable in principle, however its overall acceptability is subject to matters including impacts on the general character and appearance of surrounding area, the residential amenities of neighbouring properties, highway safety implications etc. These are assessed below.

ii. Impact on Character and Appearance of Surrounding Area

(a) The Surroundings and Landscape

- 9.24 The site comprises an L-shaped area of mainly open land, located on the north-eastern edge of Binfield. Its southern section, lying alongside Tilehurst Lane, is rough grazing land. The eastern section runs adjacent to Church Lane, with the exception of the dwelling of Toll House, with its domestic gardens and outbuildings. To the rear of these, within the application site, is an area laid out as an equestrian manege, and beyond this is a further grass paddock. The site frontages to both Tilehurst Lane and Church Lane are enclosed by substantial hedgerows and wooded tree belts. Around Toll House there is a larger area of woodland which stretches up to the site's northern boundary. To the north and west of the appeal site is the Ryslip Kennels site, with various agricultural-style barns and other buildings, a large area of hardstanding, and a dog training area. Beyond this, to the west is Binfield Park, a Grade II* listed house, and its extensive parkland, and to the north is cultivated arable land. To the east of Church Lane is open pasture land and a (now vacated) garden centre
- 9.25 The existing site is considered to make a significant contribution to the character of the countryside by forming an undeveloped, planted area of land that is heavily treed (mainly deciduous to the front and side boundaries). While the site itself has some degree of attractiveness, of potentially greater importance are the glimpsed north-facing views to the wider countryside beyond. The Inspector in the appeal decision for 15/00452/OUT considered that as the site is largely flat and featureless, its landscape value is fairly neutral. However, the views through to this wider countryside are considered of significant importance. Previous appeal Inspectors have also identified that the pastoral landscape quality of the application site is partly undermined by established buildings forming the Ryslip Kennels and the Toll House. This does reduce the value of the intrinsic character and beauty of the site, but does not entirely remove it.

- 9.26 Tilehurst Lane is an unlit, relatively narrow road that does not have pedestrian footways. This, in combination with the relatively low density housing on the southern side, which is also softened by planting, gives the lane a transitional feel from urban to rural. The site therefore also distinctly and positively contributes to the transition from an urban to a rural character.
- 9.27 The site lies immediately north of the 'Binfield' Study Area identified within the Character Area Assessments SPD (2010). This SPD again identifies a strong contrast between the urban form of the southern part of Tilehurst Lane and the open landscape to the north. It also states that Tilehurst Lane itself is characterised by its retention of remnants of its former, more fully rural, character, and most particularly through its planting and the presence of the roadside ditch.
- 9.28 The SPD goes on to recommend that redevelopment of Tilehurst Lane should respect the rural character and setting of Binfield Park, and to retain the existing planted boundaries. It is considered that the proposal seeks to achieve both of these goals (see 'Impact on Heritage Assets' in the report below).
- 9.29 The SPD does however more broadly emphasise the importance of open landscape either side of Binfield (of which the application site forms part) being able to maintain the rural surroundings and distinctive character of Binfield.
- 9.30 It is therefore considered that any form of significant residential development, even when at least partially screened by the existing tree lines, would affect the street scene, and occupy the foreground to views to the wider countryside. The existing tree line would also be slightly diminished through the proposed footpath and main highway access points, and in terms of the loss of lower areas of planting below the main tree lines.
- 9.31 As a consequence the proposed development would detract to some degree from the rural setting of the site, and this would give rise to some harm, as acknowledged by previous appeal Inspectors. However, the key test is whether the level of harm caused by the proposed development would be demonstrably greater than the allowed appeal scheme, along with consideration to the intrinsic benefits of the proposal. Account needs to be taken, not just of the comparative quantum of residential units, but also matters of density, layout and landscape.
- 9.32 The proposed scheme does seek to maintain, as well as is possible, the site's semi-rural ambience by ensuring vegetation and tree cover along both Tilehurst Lane and Church Lane is largely retained, and allowing a significant degree of visual permeability through the site out toward the rising and open countryside beyond. These views were deemed by the Inspector in appeal decision 15/00452/OUT to have critical importance in allowing the approved development. The defined views to the north that formed part of the appeal scheme have therefore been retained in equal measure within this proposal.
- 9.33 While no access would be taken from Church Lane, it is recognised that there would be some impact on the character of this lane and houses would be visible beyond the tree line, particularly when trees are not in leaf.
- 9.34 An increase in the number of residential units will result in a generally greater intensity of use which could have a harmful impact on the rural setting. However, the level of the increased impact over the consented scheme is difficult to quantify given that the amount of built form would be similar to the previously approved scheme. The higher number of units would result in increased vehicular, cycle and pedestrian

movements. However, the increased intensity of use is not considered to result in a significantly greater impact on the intrinsic character and beauty of the countryside than the approved development. Any additional conflict with policies CSDPD CS9 and BFBLP 'Saved' Policy EN8 is therefore minimal, and the overall level of harm in the planning balance is therefore considered to be limited.

- 9.35 The southern and eastern boundaries of the site, both heavily treed, are subject to Tree Preservation Order (TPO) 1172. Almost all of these protected trees are to be retained, with the exception of the proposed access points from Tilehurst Lane. While some trees would be lost, the layout of the proposal would be provided in such a way as to enable views to the open countryside beyond, which acts as some degree of mitigation. The extent of tree loss is not considered to adversely impact the overall quality and influence of this planting pattern. Furthermore, the retained trees and hedges could be enhanced by additional planting, secured by condition.
- 9.36 The root protection areas of the remaining trees are not considered to be at risk due to their siting being a sufficient distance from the proposed buildings. The Tree Officer raises no objection.
- 9.37 The proposal is therefore not considered to have an adverse impact on the character of the area through its impacts on trees. It is recommended that conditions be imposed to ensure that the proposed construction works would not harm these trees, e.g. from material storage among other matters, through a suitable management scheme.
- 9.38 The level of proposed soft landscaping is considered appropriate for the built development, and includes both active (e.g. the play area) and passive (e.g. the ponds) areas. The landscaping areas would be maintained by a private management company, and the play area would make a small contribution towards the overall provision of OPSV (Open Space of Public Value) within the Borough.
- 9.39 It is acknowledged that while the provision of this landscaping does provide some mitigation to the proposed built form in what is a countryside location, it does not fully prevent the adverse impacts of developing and urbanising this location. However, the key test is again the comparative harm caused by the proposal in comparison to the extant permission, and from a landscaping perspective, there is not considered to be either a benefit or harm.
- 9.40 While some indicative information has been provided in the submission, it is recommended that a condition be imposed to secure full details of the proposed soft and hard landscaping schemes, along with a post-completion management schedule.

(b) Layout and Design

- 9.41 The applicant has submitted a Site Layout Plan which provides a comparison of the proposed building footprint with that of the allowed appeal development. This is shown below:



- 9.42 The plan demonstrates that, with the exception of the siting of the apartment building and one set of terraced units towards the northeastern corner of the site, the revised proposal largely occupies the same footprint as the approved scheme. In association with this, the applicant has provided the following figures:

	Total Area
Built footprint (15/00452/OUT – indicative site layout)	3,615.14 sqm
Proposed built footprint	3,385.49 sqm
Green open space (15/00452/OUT – indicative site layout)	1.285 ha
Proposed green open space	1.271 ha

The above figures are considered to be accurate.

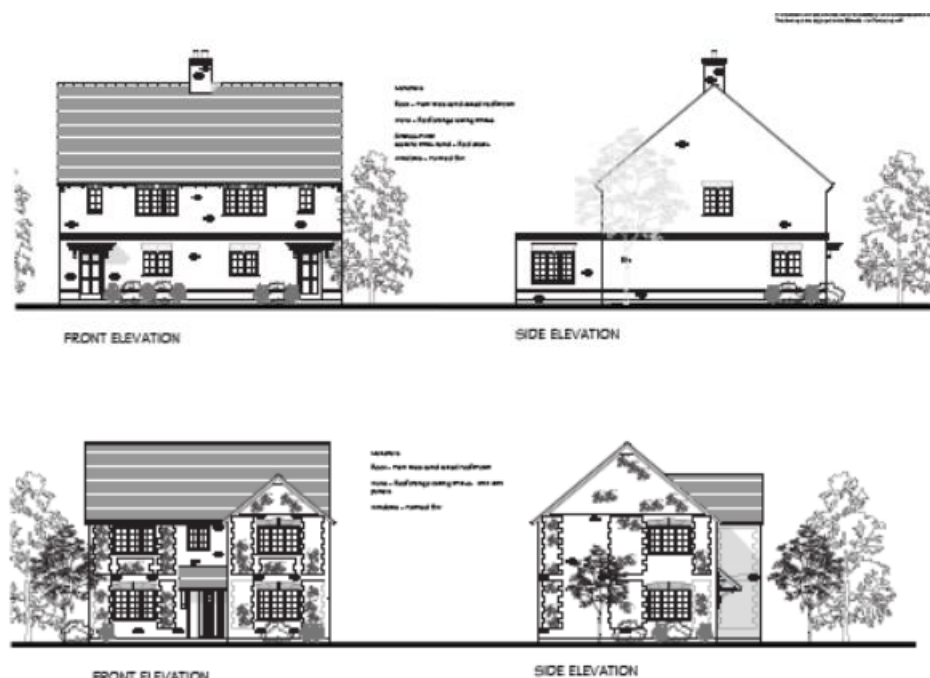
- 9.43 It is noted that the indicative site layout approved under 15/00452/OUT was an outline layout. Nonetheless, as part of a permitted scheme it can be given significant weight in terms of being a realistically implementable development to which the proposed development can be compared.
- 9.44 The figures show that the proposed total footprint would be 229.3 square metres less than shown on the indicative site layout associated with the outline application allowed at appeal. This is achieved by replacing larger, detached dwellings with smaller, but more numerous, semi-detached and terraced dwellings, and apartments. While the proposed apartment building and the set of terraced dwellings as mentioned in para. 5.3 of the report would be sited on land that was not previously occupied by buildings, this is because in other sections of the site the total footprint has been reduced.

- 9.45 The proposal would result in a total of 25 buildings (excluding garages) taking semi-detached dwellings and terraces as single, free-standing buildings. This can be compared to the 23 buildings shown on the indicative layout under the extant consent (again excluding garages). As both the approved development and the proposed development involve only two storey buildings, it is considered that, in this instance the footprint calculation is also reasonably reflective of the total volume of built form that would result.
- 9.46 The density of the proposed development would be 15.8 dwellings per hectare. While this is higher than the approved development, such a density is still relatively low compared to urban areas and is considered appropriate for this location at the edge of the settlement.
- 9.47 The above footprint figures do not take into account the ancillary elements of built form such as the internal highway network and individual driveways. However, in reviewing this, the proposal would result in a minor decrease in the overall level of open green space, equating to 0.015 of a hectare (150 sq metres). This amounts to a reduction of some 1.17% of the open space that would be provided by the consented scheme. This very small percentage reduction in open space is considered to amount to minimal harm in the overall planning balance.
- 9.48 The more varied dwelling mix now proposed, and the greater amount of affordable housing provision, are both benefits of the proposal. They also support the objectives of CSDPD Policy CS16, which encourages a greater range of housing types, sizes and tenure. Some weight can therefore be afforded in this regard, particularly in view of the provision of a higher number of affordable dwellings. While the Local Planning Authority can now demonstrate a five year housing land supply, the provision of additional housing remains a benefit in itself as it supports the Government's objective to significantly boost the supply of housing as set out in chapter 5 of the NPPF.
- 9.49 The increased number of residential units proposed in this application over the approved scheme makes more effective use of land. This is supported by chapter 11 of the NPPF. As the principle of the site's development for residential use has already been established through the existing consent, moderate weight is given to this aspect.
- 9.50 The proposed development is clearly distinguishable from the refused 72 unit application (13/00746/OUT), through the differences in layout, density and the provision of much greater areas of open green space. It is considered that the proposal more closely relates to the approved development, for the reasons detailed above.
- 9.51 While a significantly greater number of dwellings is proposed, the proposed layout largely reflects that of the extant approved development, with built form focused on the western, eastern and northeastern sections of the site, with a defined soft landscaped area in the centre.
- 9.52 The design and layout seek to avoid an overly urbanised development, and this is supported by the retained views within the site (with views to the land beyond in the western and central parts of the proposal). The layout also provides some degree of containment from the existing residential area south of Tilehurst Lane. In terms of overall housing density the proposal is considered to be similar to the density of development on the southern side of Tilehurst Lane, albeit it is recognised that the south of Tilehurst Lane is in settlement. It is also recognised that despite these efforts to limit the visual impact of the proposal, it would still be prominent from Tilehurst

Lane and would detract to some extent from its established character, though no more so than what has already been approved.

- 9.53 The existing architectural pattern of dwellings in Tilehurst Lane is very varied, and as such does not give rise to a specific design character. The elevational design of the buildings (as amended) includes elements of attempting to respect the semi-rural character such as timber cladding and other features such as timber car ports. There would a strong emphasis on the use of gable features within the proposal, and this is considered in keeping with the wider residential area to the south. Overall, the design of the residential units seeks to provide some variation to achieve good overall design interest, but at the same time avoiding excessive variation in order to seek a strong sense of place. Where dwellings have more than one active frontage in the street scene, they have been appropriately designed to draw interest to all relevant elevations. A condition is recommended to secure details of the proposed materials of the built development.

- 9.54 The drawings below show two examples of the proposed design:



- 9.55 Many dwellings would have relatively short frontages, however in the context of the site as whole, including its overall soft landscaping features, this is considered reasonable for a modern development. Landscape verges would be provided to the front and sides of all dwellings fronting roads to soften the streetscene.
- 9.56 During the course of the application significant changes have been made to the proposed parking arrangements, in the interests of character and landscape. These now consist of a variety of forms, including a mix of driveways to the front and sides of dwellings, and the provision of a mix of attached, integral and detached garages, car ports and two parking courts. This variety is considered a positive outcome, as while parking areas inevitably give rise to a hardening of the landscape, this must be weighed against the benefit of providing an acceptable level of parking, in the interests of highway safety. It is considered that the outcome achieved provides a satisfactory balance in this regard.

- 9.57 It is acknowledged that the proposal would give rise to the requirement for internal street lighting which would detract from the rural character of the area. However this was recognised by the Inspector who approved the earlier application. Fundamentally as the proposed layout is similar to that of the approved development, it is not considered that the proposal would give rise to materially greater street lighting demands.
- 9.58 It is therefore considered that while there would be a loss of some of the semi-rural character of the area through the proposed design and layout, this character would not be lost entirely. This is consistent with the conclusion made by the Inspector in the most recent appeal and, compared to the permitted scheme, the proposal is not considered to give rise to materially greater harm in respect of its layout and design. In terms of general design and layout the proposal is considered acceptable.

(c) Impact on Heritage Assets

- 9.59 Para. 189 of the NPPF states that in determining applications, applicants are required to describe the significance of any heritage assets affected, including any contribution made by their setting. The information provided should be proportionate to the assets' importance.
- 9.60 Para. 192 states that in determining application, Local Planning Authorities should take into account the desirability of sustaining and enhancing heritage assets, the positive contribution that heritage assets can make to sustainable communities, and the desirability of any new development in making a positive contribution to local character and distinctiveness.
- 9.61 Para. 193 states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to its conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.
- 9.62 Para. 195 states that where a development would lead to substantial harm (or total loss of significance of) a designated heritage asset, then consent should be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.63 Furthermore, Para 197 states that the effects of development on the significance of non-designated heritage assets should be taken into account.
- 9.64 The above tests are also supported by the supplementary guidance provided in the NPPG.
- 9.65 Various features of Heritage interest lie within the vicinity of the application site. These include:
- The Stag & Hounds Public House to the southeast of the application site, with access from Church Lane/Tilehurst Lane;
 - The dwelling known as Tile House, Tilehurst Lane, to the immediate west;
 - The dwelling known as Honeysuckle Cottage, Tilehurst Lane, immediately west of Tile House;
 - The dwelling and substantial grounds of Binfield Park, further to the northwest of the site. This includes the separate building known as the Lodge to Binfield Park, and the entrance gates and piers at the southern entrance to the Binfield Park site.

The above are Grade II Listed, with the exception of the building of Binfield Park itself, which is Grade II*.

- 9.66 The Conservation Officer has been consulted on the proposed development.
- 9.67 The proposal would largely retain the layout and arrangement of dwellings approved under the consented outline planning permission 15/00452/OUT. The proposal also includes the retention and enhancement (in certain places) of the Tilehurst Lane trees and hedgerows and the retention and enhancement of the Church Lane trees and hedgerows. A 6 metre wide landscape buffer zone would be retained along the south and west boundaries, adjacent to the boundaries of the closest Listed Buildings: the Stag and Hounds Public House and Tile House (with Honeysuckle Cottage beyond). In fact, the distance between Tile House and the nearest proposed dwellings would be marginally increased when compared to the extant permission (15/00452/OUT).
- 9.68 It is inevitable that the introduction of additional built form would result in some impact to the setting of Tile House in particular, even when taking into account the separation distance (36 metres building-to-building), however, the extent of harm is not considered to be substantial.
- 9.69 Due to the intervening buildings and distance to Binfield Park, this Grade II* Listed Building and its setting are considered to be unharmed by the proposed development, as are Binfield Park's Grade II Listed South Lodge and the associated Grade II Listed Gate and Piers to the south entrance.
- 9.70 It is further noted that in both the application for 72 dwellings (13/00746/OUT) and 28 dwellings (15/00452/OUT), it was not considered by the Local Planning Authority or the Appeal Inspectors that these proposals would result in harm to the Heritage assets. The proposal is therefore considered acceptable in terms of impacts on the setting of these Heritage assets.

iii. Impact on Residential Amenity

(a) Amenities of Occupants of Neighbouring Properties

- 9.71 It is considered that due to the siting and layout of the proposed development, along with the separation distances it would not result in an adverse impact on the amenities of the occupants of the nearest neighbouring properties in Tilehurst Lane in terms of factors such as loss of light or loss of privacy. Similarly, it is not considered that harm would arise to the occupants of Toll House, Church Lane. In terms of increased light, noise and air pollution that may be generated by the proposal, these would again not be considered to give rise to harm.
- 9.72 The required construction works would inevitably give rise to some disruption to neighbouring occupants, especially in terms of noise. However, these works would be temporary, and would not constitute a reason for refusal of the application, especially where conditions can be imposed relating to construction management and hours of activity.
- 9.73 The commercial property of Ryslip Kennels is sited to the north of the application site. Concerns have been raised by the management of this business in respect of an adjacent residential use undermining the continued operation of these Kennels, especially if prospective residents were to complain of noise disturbances. This is a

material planning consideration and therefore the matter is reviewed in sub-section (b) below.

(b) Amenities of Prospective Occupants of Development

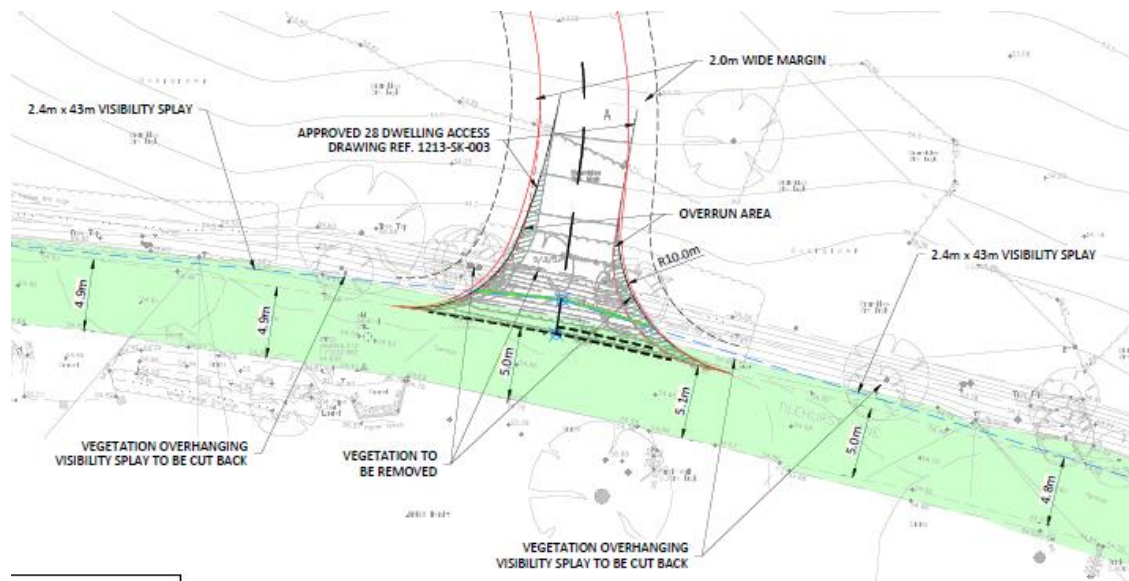
- 9.74 The proposed layout and design would provide acceptable separation distances and orientations of dwellings in order to avoid any potential adverse loss of light or loss of privacy impacts between prospective occupants. Side-facing windows, where necessary, would be obscure-glazed and non-opening and secured by planning condition, and these would only impact non-habitable rooms.
- 9.75 In terms of private amenity space each dwelling, with the exception of the apartment building, would contain a dedicated enclosed rear garden of reasonable size (for a modern development). The apartment building would directly adjoin the woodland copse on the northeastern corner of the development, and this copse is proposed to be used for the amenity of the apartment occupants, as well as public accessibility. These arrangements are considered reasonable.
- 9.76 The Ryslip Kennels commercial property lies immediately to the north of the application site. Due to the nature of this property, a degree of noise disturbance is generated by it. The applicant has undertaken a Noise Survey in respect of this matter, and the conclusions of this survey do not indicate that a significantly harmful level of noise is generated by this property. Nevertheless it is clear from public representations and from previous applications on this site that some form of mitigation would be required. The applicant proposes to achieve this through a combination of an acoustic wall as well as sound-proofing the relevant windows on plots 8, 9, 10 and 11. The siting of the acoustic wall, which would be to the rear of these plots, would not affect any of the views through the site. It is recommended that conditions be imposed to secure this.
- 9.77 The Environmental Health Officer has no objection to this approach, and it is also noted that this did not form a reason for refusal in the previous applications.
- 9.78 In summary it is therefore not considered that the proposal would give rise to adverse impacts on the amenities of neighbouring properties, or prospective occupants, subject to the recommended conditions.

iv. Transport and Highways Considerations

(a) Access

- 9.79 The site is located towards the eastern end of Tilehurst Lane. The road is subject to a 30mph speed limit. It is noted by local residents that vehicles do exceed this speed limit, despite the relatively narrow road width. The applicant has provided evidence within a speed survey of vehicles travelling within the speed limit in the vicinity of the proposed access. Furthermore, as the site entrance would be located towards the junction with Church Lane, vehicles are more likely to slow down as they approach or egress this junction. In view of the above the road speeds at the access point are expected to not exceed the speed limit.
- 9.80 Tilehurst Lane varies in width, with the width outside the site being between 4.8 to 5.1 metres. This width does cause some potential issues for larger vehicles in particular to easily pass, and this could well cause conflict with cars along this route. To mitigate against this, and to accommodate access for large vehicles, the width of the access point has been enlarged during the course of the application to enable

acceptable visibility splays and turning capacity, and this is shown on the figure below. The resulting access is now slightly wider than that previously approved. Vehicle tracking plans of large vehicles have been provided to demonstrate that this can be achieved. Visibility splays would be secured by condition.



- 9.81 The development proposes a pedestrian route connecting the western and eastern parts of the site to Tilehurst Lane, connecting its eastern end to the Stag & Hounds Public House. Tilehurst Lane currently does not have a pedestrian footway, and is unlit. Therefore while the route would be less direct than walking directly along Tilehurst Lane, it would still provide a net highway safety benefit. Furthermore, additional improvement works are proposed within the vicinity of the junction of Tilehurst Lane with York Road (to the west) and Church Lane (to the east), as part of the proposal, which would provide additional footpaths connecting to the development. These improvements also formed part of the allowed appeal decision 15/00452/OUT. These works are recommended to be secured by condition.
- 9.82 While the access is in the same location as that approved under the extant permission for a 28 dwelling development, an increased development to 58 dwellings would inevitably give rise to a significantly greater overall trip generation.
- 9.83 The applicant has provided a comprehensive Transport Statement to support the application. In reviewing this submission the Highway Officer concludes that the proposed access would be suitable to accommodate the vehicular movements anticipated. Impacts on traffic movements in the vicinity are reviewed in sub-section (c) below.

(b) Parking and Layout

- 9.84 As referred to at section 9.(ii)(b) of this report above, various changes have been made to the layout of the proposal in respect of parking during the application process.
- 9.85 The proposed on-site highway layout is considered acceptable, with a primary road crossing the centre of the site towards the vehicular access point, and connecting to various cul-de-sacs. The cul-de-sacs in turn would have adequate turning areas which would not conflict with on-plot parking. Footways would be provided throughout the site for pedestrians. Parking spaces, including the proposed parking

courts and visitor spaces, would also be reasonably overlooked to the benefit of site security.

- 9.86 The proposal would provide parking that would slightly exceed the numbers required by the Parking Standards SPD (2016), both to the residential units and in terms of visitor parking numbers. This slight over-provision has been provided to reflect the high car ownership that is typical of Binfield.
- 9.87 On certain plots, garages and car ports would form part of the parking provision; these would meet the Council's standards for internal size. Access and visibility to the parking spaces, as well as pedestrian access to individual dwellings, are all acceptable.
- 9.88 Concerns have been raised in neighbour representations that the proposed play area would not contain dedicated parking. The site as a whole however would contain above-standard visitor parking, with visitor spaces in close vicinity to this play area. Furthermore, in view of the size of the play area it is reasonable to expect that many off-site visitors would be local and arrive on foot.
- 9.89 It is therefore considered that the parking and road layout proposed for the development is acceptable, and delivers a net benefit in terms of pedestrian safety.
- 9.90 It is recommended that conditions be imposed to secure the parking and turning layouts (including garages and car ports), as well as to secure dedicated cycle parking. Most cycle parking could be provided in externally-accessible rear gardens, however the apartment building would require a cycle store. A condition is also recommended to secure details of on-site street lighting. The Council will also seek to secure the management and maintenance of the accesses and footpaths by the Management Company via the Section 106 Agreement, to allow access by the public.

(c) Traffic

- 9.91 The applicant has in their submitted transport information provided comprehensive details of expected trip numbers, and has factored in the separate residential planning applications to the west (17/01161/FUL, now refused) and the additional development for nine houses to the north (18/00765/FUL).
- 9.92 This has ensured that a robust assessment of the impact on local junctions has been considered. It is clear that the junction of Forest Road/Church Lane will experience capacity issues in the future and these developments do put an additional burden on this junction. In that regard it is expected that mitigation of this junction will be required in the longer term and it would be fair and reasonable to secure appropriate contributions from developments in the locality to this junction that would as a minimum cater for their impact.
- 9.93 However it should be noted that any such mitigation may actually improve the overall operation of the junction as well. This has been demonstrated in the mini roundabout assessments that have been undertaken; a scheme that was referred to in an earlier appeal on this site. A contribution of £10,000 towards an appropriate scheme at this junction is sought as this will aid in providing either a reasonable contribution to a medium term scheme for the area or for longer term proposals for the road network that may come about from wider development of the area. Such a contribution is considered be fair and reasonable compared to the likely costs of the works that will be required to the junction to deliver a junction with better capacity. It is also consistent with Policy TC2 of the Binfield Neighbourhood Plan.

- 9.94 Conditions are recommended to be imposed in relation to securing an appropriate construction management plan in respect of highway safety matters (times of delivery, etc.).

(d) Sustainability of Location

- 9.95 The site is located in reasonable proximity of the centre of Binfield and bus stops for the public transport in the area are close to the 400 metres advised walk distances. Walking routes in the area are lowly trafficked and a network of footways, which is to be enhanced by off-site works in conjunction with the proposal (see para. 9.80) will lead through the nearby housing providing traffic-free connections in some instances. These connections will link to established bus stops and the centre of Binfield. In addition the new school at Blue Mountain is in close proximity, and will also be linked via footpath routes.
- 9.96 It is noted that larger employment and shopping areas are further away and not within a comfortable walking distance but within cycling distances. New routes proposed for the secondary school will provide some improvements for cyclists heading towards the town centre. However further enhancements along the local roads near to the site would also improve access, and this is to be secured as per paras.9.80 and 9.92.
- 9.97 CIL payments to be secured (section xii) could be used in part for wider improvements on the network to mitigate cumulative impact, including as subsidy for supported bus services.
- 9.98 Considering the scale of the development and its location in relation to local facilities along with recent changes as well as improvements to be sought on and off site it is considered that this site is reasonably sustainable. This view was taken by the Inspector at the most recent appeal.

e) Conclusion

- 9.99 Subject to the imposition of appropriate conditions and the securing of appropriate contributions, the proposal would not be considered to result in an adverse impact on highway safety. It is acknowledged that Tilehurst Lane is a relatively narrow highway that does not lend itself well to handling a high volume of traffic. However, a significant portion of movements would be between the proposed access and the junction of Church Lane, which would be low speed, and improvements (including for pedestrians) would be sought at the junctions of Tilehurst Lane with York Road and Church Lane.
- 9.100 Para. 109 of the NPPF states:
- “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.*
- 9.101 The proposal is not considered to result in an unacceptable impact on highway safety, or a severe impact on the road network as a whole. Mitigation and benefit would be provided in the form of a pedestrian linkway, the proposed access would enable access for larger vehicles, and the site is in a sustainable location. Furthermore, the Highway Authority raises no objection.

v. Waste and Recycling

- 9.102 With the exception of the proposed apartment building, all of the proposed dwellings would have external access to their rear gardens to enable bin storage.
- 9.103 The Waste & Recycling Officer raises no objection to the proposal in respect of the layout arrangements, with turning heads provided for a large refuse vehicle to manoeuvre, and adequate site access.
- 9.104 It is recommended that conditions be imposed to secure bin storage, including the provision of dedicated storage for the apartment building.

vi. Drainage Implications

- 9.105 The site is not located in Flood Zones 2 or 3, however parts of the existing site are known to be vulnerable to poor drainage. Any built development would therefore have potential to exacerbate this issue without appropriate mitigation.
- 9.106 The applicant has therefore provided a Flood Risk Assessment, along with alterations made to the layout of the proposal as part of the application process – namely moving houses at high flood risk to more suitable locations.
- 9.107 The Lead Local Flooding Authority (LLFA) has reviewed the submitted information and advises that the applicant has set out how a SuDS (Sustainable Drainage Systems) scheme will be provided at the site using a series of ponds and tanked storage. Calculations have been provided setting out that the development will be restricted to runoff rates that will mitigate the impact of development both in terms of runoff rates and volumes of runoff. The application will involve enhancement of the existing ditch that runs through the site and the ditch, which forms a net benefit, and SuDS will be included in the maintenance responsibilities of the Private Maintenance Company that will be established at the site.
- 9.108 In comparison to approved development (15/00452/OUT) the siting of dwellings would be further away from known areas of drainage issues, and for this reason the proposal would result in net benefits to drainage in comparison.
- 9.109 It is recommended that conditions be imposed relating to the compliance with the submitted drainage information, including full details of the proposed drainage works and post-completion review and maintenance.
- 9.110 Therefore, subject to the imposition of conditions, the proposal would not be considered to result in adverse drainage implications, and may in fact achieve some benefits in comparison to the existing situation through providing formal drainage infrastructure.

vii. Biodiversity Implications

- 9.111 The Biodiversity Officer has been consulted on the proposal.
- 9.112 The submitted breeding bird survey has been carried out in the early part of the season and as noted, does not include data from the later part of the breeding season i.e. May to June. However, in combination with the findings of pre-existing survey data from the site, it is considered that the data provides sufficient information to consider the impacts of the development proposals on bird populations and the report's conclusions are therefore acceptable. The recommendations to protect and

enhance the retained woodland and hedgerows, and diversify the grassland and open water habitats and plant new trees and shrubs are appropriate to the findings. It is recommended that conditions be imposed requiring the submission of a Landscape and Ecological Management Plan (LEMP) and biodiversity enhancements.

- 9.113 The reptile survey has been carried out in accordance with good practice guidelines and the recommendations are appropriate to the findings of this survey and earlier survey work. The mitigation and enhancement measures set out in the report are to be secured by condition.
- 9.114 Furthermore, due to the identification of the presence of grass snakes on site, a mitigation and removal strategy is to be secured by Section 106 Legal Agreement. A commuted sum of £4,800 in respect of the costs of managing and maintaining the enhancement and monitoring works set out in the Off-site Reptile Enhancement Plan.
- 9.115 The eDNA (freshwater habitats) testing has been carried out in accordance with good practice guidance. The constraint of lack of access to two ponds is noted. The conclusion that great crested newts are unlikely to be found on site is appropriate to the survey findings and the proposed reasonable avoidance measures during construction are suitable and should be secured by condition if consent is granted.
- 9.116 The potential for development to have an adverse impact on bats through inappropriate lighting were noted in the Preliminary Ecological Appraisal along with the requirement to take precautions to check for badger activity during site clearance. Measures to prevent adverse impacts from lighting and to avoid impacts on badgers and other species during construction have been set out within the Appraisal and shall be secured by conditions requiring the submission of a lighting strategy for biodiversity and construction mitigation plan.
- 9.117 The ecological survey work has been carried out by appropriately qualified ecologists. It is therefore considered that the proposal would not give rise to an adverse impact on biodiversity, subject to the recommended conditions.

viii. Sustainability Implications

- 9.118 CSDPD Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.
- 9.119 The applicant has provided a 'Sustainability & Energy' Report which concludes that an average water use of 105 litres/person/day can be achieved, along with 10% of the energy requirements being met by air source heat pumps. The Renewable Energy Officer raises no objection. It is recommended that conditions be imposed to secure the implementation of the methods outlined in the report.

ix. Archaeological Implications

- 9.120 Berkshire Archaeology has been consulted on the proposed development.
- 9.121 The applicant, at the request of Berkshire Archaeology, has provided an archaeological desk-based assessment which considers the archaeological potential of the application area and the likely impacts of the proposal upon the buried archaeological heritage.

- 9.122 The assessment notes two Mesolithic (8,000 - 5,000 BC) flint scatters 600m south of the site and an Iron Age and Roman settlement at Park Farm (now Temple Park) 770m south-east of the site. Although the application area lies outside of the historic settlement of Binfield, spot finds of medieval pottery have been recorded around the application area. The assessment concludes that the site has a low to moderate potential for remains of medieval date and a low potential for remains of all other periods.
- 9.123 The assessment evidences that the site has been undeveloped agricultural land for at least the last 200 years. The report comments that the modern equestrian facilities within the site and past agricultural land use will have had some impact on below ground deposits.
- 9.124 The report concludes that the site has a low to moderate potential for remains and therefore the development proposal is considered unlikely to have either a significant or widespread archaeological impact. The report recommends that an appropriate programme of archaeological work can be secured by condition.
- 9.125 On the evidence of the distribution of these known settlements, in Berkshire Archaeology's view there is at least a moderate potential that the application site contains Iron Age and/or Roman remains, especially given its location on the fringes of The Cut, which seems to be a focus for prehistoric and Roman settlement and agriculture.
- 9.126 However, on balance, Berkshire Archaeology concurs with the report's conclusions that further archaeological investigation of the application area is merited but this can be secured by condition should the scheme be permitted. This is in accordance with Paragraph 199 of the NPPF which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.
- 9.127 A condition is recommended to be imposed to secure a scheme of archaeological field evaluation prior to commencement of works. Subject to this condition, Berkshire Archaeology raises no objection.

x. Thames Basin Heaths Special Protection Area (SPA)

- 9.128 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heaths Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. Furthermore, developments over 50 dwellings or more located between 5km and 7km of the SPA are also likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out including mitigation requirements.
- 9.129 This site is located approximately 5.52 km from the boundary of the SPA and, following advice from Natural England, therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

- 9.130 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.
- 9.131 In this instance, the development would result in a net increase of 53 dwellings which includes affordable and market dwellings. Because the site is located between 5km and 7km of the SPA the full SANG contribution is not sought because of the likely reduced impact upon the SPA. In agreement with Natural England the SANG contribution should be one quarter of the amount normally sought. Therefore the development results in a total SANG contribution of £66,994.50.
- 9.132 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Because the site is located between 5km and 7km of the SPA the full SANG contribution is not sought because of the likely reduced impact upon the SPA. In agreement with Natural England the SANG contribution should be 1/3rd of the amounts normally sought. This results in a total SAMM contribution of £11,240.33.
- 9.133 The total SPA related financial contribution for this proposal is £78,234.83. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG are completed.
- 9.134 Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

xi. Securing Necessary Infrastructure

- 9.135 The following matters would be secured by means of a Section 106 Legal Agreement (except for the Communications matter which can be adequately secured by planning condition):

Affordable Housing

The application seeks to provide 24.5% of the total number of dwellings as affordable housing (see para. 5.2). This meets the Local Planning Authority's policy requirement of 25%.

It is recognised that, while the Council has a five year supply of housing, as a separate matter to this there is a significant demand for the provision of additional affordable housing. There is therefore some benefit in providing additional housing within this proposal in comparison to the numbers in the current approved development. This factor can therefore be afforded some degree of weight.

Community Facilities

Due to the added pressure on community facilities from additional residential use on site, the Council will seek through a planning obligation to secure £90,000 towards community facility improvements at Farley Hall Community Centre to increase capacity.

Education

The Local Education Authority (LEA) has confirmed that there are currently no small projects in the area under which a contribution could be sought. The educational facilities at the former Blue Mountain site are subject to separate funding.

Open Space and Biodiversity

The development would require 0.4ha of passive OSPV and 0.3ha of active OSPV to meet policy requirements. An on-site play area measuring approximately 0.04ha would contribute towards Active OSPV provision. The remainder of the provision will be secured in the form of a contribution of £60,000 (index linked) towards improvements by Binfield Parish Council to York Road Play Area which could serve the site.

A Reptile Mitigation Strategy is to be secured in respect of the presence of grass snakes (see para. 9.114)

SPA

See section 9.(xi) of the report.

Transport

See paras. 9.80 and 9.92 of the report.

Communications

Policy CO1 of the Binfield Neighbourhood Plan requires all residential development within the area to be served by superfast broadband (fibre optic) connection. As a result a condition is recommended to be imposed to this effect.

10. CONCLUSIONS

- 10.1 The proposed development would provide residential development on undeveloped land within the countryside. Therefore the proposal gives rise to some conflict with CSDPD Policies CS1, CS2, CS9 and BFBLP 'Saved' Policy EN8.
- 10.2 However, significant weight must be attached to the fact that the site has an extant planning permission for residential development (15/00452/OUT). This has already established the principle of residential development on this site. The key test is therefore whether the proposal would cause additional harm balanced against its additional benefits taking into account the approved scheme.
- 10.3 It is also acknowledged, that even with a 5 year supply of housing, there are social and economic benefits to the provision of additional housing. While it is considered that the local economy of Binfield and Bracknell Forest Borough is currently buoyant, a moderate degree of weight can be applied to this benefit.

- 10.4 It is considered that any greater harm caused by the proposal is limited, and that there are benefits arising from the proposal, most significantly in the form of the additional housing, and especially the affordable housing. It is not considered that the proposal would result in any materially greater harm to the intrinsic character and beauty of the countryside, in comparison with the extant permission. The proposal is therefore considered acceptable in these regards, in accordance with para. 2 of the NPPF and SALP Policy CP1.
- 10.5 It is not considered that the proposal would result in an adverse impact on the character and appearance of the area, on the residential amenity of the occupiers of the neighbouring properties, on highway safety, on protected trees, biodiversity, drainage or archaeology interests, subject to the recommended conditions. It is therefore considered that the development complies with 'Saved' policies EN1, EN20 and M9 of the BFBLP, Policies CS7, CS10, CS12, CS14 and CS23 of the CSDPD, Policies BF2, CO1, TC1 and TC2 of the Binfield Neighbourhood Plan, the Design SPD, the Parking Standards SPD, the Planning Obligations SPD, and the NPPF.

11. RECOMMENDATION

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

- avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);
- provision of an acceptable standard of affordable housing;
- provision of, and contribution towards, areas of OSPV;
- contributions towards the provision and maintenance of community facilities;
- protection and translocation of grass snakes, and commuted sum payment;
- contribution towards off-site highway network improvements;
- securing an appropriate site drainage strategy, and
- management and maintenance of Accesses and Footpaths by Management Company;

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

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

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

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

- Received on 27 July 2018:

ITB13632-GA-002 Rev.C 'Proposed Footway Connections'

ITB13632-GA-17 'Proposed Footway Alignment, Tilehurst Lane – Option 1B'

- Received on 24 January 2019:

2409 101 'Aff 3,4 & 5 Plans & Elevations'

2409 102 'Aff 6 to 13 Floor Plans'

2409 103 'Aff 6 to 13 Elevations'

2409 104 'Plots 1 & 2 Plans & Elevations'
2409 105 'Plots 3 & 4 Plans & Elevations'
2409 106 'Plot 5 Plans & Elevations'
2409 108 'Plot 7 Plans & Elevations'
2409 110 'Plots 9 & 10 Plans & Elevations'
2409 114 'Plots 14 & 15 Plans & Elevations'
2409 115 'Plots 16 & 17 Plans & Elevations'
2409 116 'Plot 18 Plans & Elevations'
2409 117 'Plots 19 & 20 Plans & Elevations'
2409 118 'Plots 21 & 22 Plans & Elevations'
2409 122 'Plot 29 Plans & Elevations'
2409 123 'Plot 30 Plans & Elevations'
2409 124 'Plot 31 Plans & Elevations'
2409 125 'Plots 32 & 33 Plans & Elevations'
2409 126 'Plots 34 & 35 Plans & Elevations'
2409 127 'Plots 36 & 37 Plans & Elevations'
2409 128 'Plots 38, 39 & 40 Plans & Elevations'
2409 129 'Cycle And Bin Storage'
2409 130 'Double Garage Details'

- Received on 13 February 2019:

ITB13632-GA-025 Rev.C 'Swept Path Analysis – Site Access – Refuse Vehicle
Passing Estate Car'
ITB13632-GA-027 Rev.C 'Comparison Of Revised Proposed Access Arrangement
With Approved Access Arrangement'

- Received on 14 February 2019:

2409 100 Rev.A 'Aff 1 & 2 Plans & Elevations'
2409 107 Rev.A 'Plot 6 Plans & Elevations'
2409 109 Rev.A 'Plot 8 Plans & Elevations'
2409 111 Rev.A 'Plot 11 Plans & Elevations'
2409 119 Rev.A 'Plots 23 & 24 Plans & Elevations'
2409 120 Rev.A 'Plots 25 & 26 Plans & Elevations'
2409 121 Rev.A 'Plots 27 & 28 Plans & Elevations'

- Received on 21 March 2019:

2409 01 Rev.D 'Proposed Site Plan'
2409 112 Rev.B 'Plot 12 Plans & Elevations'
2409 113 Rev.A 'Plot 13 Plans & Elevations'
2409 02 Rev.B 'Site Layout Plan – Approved Scheme Overlay'
ITB13632-GA-029 Rev.A 'Swept Path Analysis - Estate Car'

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

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

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

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

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority 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 'Saved' Policy EN20, Core Strategy DPD CS7]

05. Notwithstanding the information shown on the approved plans, the development shall not be begun until a scheme depicting full details of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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

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

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

06. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. The approved details shall thereafter be implemented and retained as such.

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

[Relevant Plans and Policies: CSDPD CS1, CS7]

07. The development hereby permitted shall not be begun until a site-specific method statement for the storage of materials and the associated construction works undertaken in respect of the development located within the minimum Root Protection Areas (RPAs) of the protected trees to the rear of the property, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) The 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.
- g) A site plan identifying all areas where such work is to be undertaken.
- h) The timing and phasing of the above works.

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

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

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

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the side-facing elevations of the following dwellings hereby approved, with the exception of those shown on the approved plans:

- Both side-facing elevations: Plots 13, 18
- North-facing side elevations: Plots 3, 5, 7, 20, 33, 35
- South-facing side elevations: Plots 2, 4, 6, 21, 34, 36
- East-facing side elevations: Plots 8, 10, 12, 15, 17, 28
- West-facing side elevations: Plot 9, 14, 16, 29

REASON: In the interests of the residential amenity of the neighbouring properties within the development hereby approved.

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

09. The following windows on the first floor side elevations of the dwellings 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 with the exception of a top hung openable fanlight:

- Both side-facing elevations: Plots 13
- North-facing side elevations: Plots 3, 5, 7, 20, 33, 35
- South-facing side elevations: Plot 2, 4, 6, 21, 34, 36
- East-facing side elevations: - Plots 8, 10, 12, 15, 17, 28
- West-facing side elevations: Plot 9, 14, 16, 29

Any replacement windows shall be glazed and fixed to this standard, and retained as such.

REASON: In the interests of the residential amenity of the neighbouring properties within the development hereby approved.

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

10. No development to Plots 8, 9, 10 or 11 shall take place until details have been submitted to, and approved by the Local Planning Authority in respect of acoustic boundary treatments on their northern boundaries. The approved acoustic boundary treatment shall be implemented prior to the occupation of these dwellings, and thereafter permanently retained.

REASON: In the interests of the residential amenity of prospective occupants.

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

11. The dwellings hereby approved shall not be occupied until the windows have been installed in accordance with the sound insulation measures detailed within document 'WSP Noise Assessment' received by the Local Planning Authority on 27 July 2018 have been implemented in full. The windows shall thereafter be retained in accordance

with these measures, and any replacement windows shall also be installed to this specification.

REASON: In the interests of the residential amenity of prospective occupants.
[Relevant Policy: BFBLP 'Saved' Policy EN20].

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

- (i) control of noise;
- (ii) control of dust, smell and other effluvia;
- (iii) control of surface water run off;
- (iv) site security arrangements including hoardings;
- (v) proposed method of piling for foundations;
- (vi) construction and demolition working hours, and
- (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.
[Relevant Policies: BFBLP 'Saved' Policies EN20, EN25].

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

REASON: In the interests of the amenities of the area.
[Relevant Policies: BFBLP 'Saved' Policies EN20, EN25].

14. The remainder of the development hereby permitted shall not commence until the means of vehicular access to the site has been provided in accordance with the approved plans.

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

15. The dwellings hereby permitted shall not be occupied until visibility splays have been provided both to the access/egress to individual parking spaces and to the main site access in accordance with the approved plans. 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; BFBLP 'Saved' Policy M9]

16. No dwelling shall be occupied until the primary west-to-east pedestrian footpath hereby approved, as identified in drawing 2409 01 Rev.D 'Proposed Site Plan', received by the Local Planning Authority on 21 March 2019, has been implemented in full.

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23, Binfield Neighbourhood Plan TC1]

17. The dwellings hereby permitted shall not be occupied until their corresponding vehicle parking spaces (including parking courts), along with associated turning and access, have been surfaced and marked out in accordance with approved drawing 2542_PL01 2409 01 Rev.D 'Proposed Site Plan', received by the Local Planning

Authority on 21 March 2019. The spaces shall thereafter be kept available for parking, along with access and turning (where relevant) at all times.

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

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

18 The relevant dwellings hereby permitted shall not be occupied until their corresponding garages and car ports have been completed and made available for parking, in accordance approved drawing 2542_PL01 2409 01 Rev.D 'Proposed Site Plan', received by the Local Planning Authority on 21 March 2019. The garages and car ports, and their access, shall thereafter be kept available for vehicular 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 dwellings hereby permitted shall not be occupied until their associated cycle store and access has been implemented in accordance with details to be submitted in respect of all of the dwellings. The store and access shall thereafter be kept available for cycle parking at all times.

REASON: In order to ensure adequate bicycle facilities are provided, in the interests of highway safety.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23, Binfield Neighbourhood Plan TC1]

20. The dwellings hereby permitted shall not be occupied until their associated bin storage and access has been implemented in accordance with details to be submitted in respect of all of the dwellings. The store and access shall thereafter be kept available for refuse storage at all times.

REASON: In order to ensure adequate bin storage facilities are provided, in the interests of the character of the area and highway safety.

[Relevant Policies: CSDPD Policy CS7 and CS23, BFBLP 'Saved' Policy EN20]

21. 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 fences, gates or walls shall be erected on the site, in accordance with the details hereby approved, or via information to be provided as part of Conditions 4 or 10 of this permission, or any other details that may approved in writing by the Local Planning Authority.

REASON: In the interests of the character of the area, and highway safety.

[Relevant Policies: Core Strategy DPD CS7, CS9, CS23; BFBLP 'Saved' Policies EN8, EN20]

22. 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, and
- (e) Temporary portacabins and welfare for site operatives.

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 highway safety.

[Relevant Policies: BFBLP 'Saved' Policy EN20, Core Strategy DPD CS23]

23. No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for 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: In the interests of the amenity of neighbouring properties & prospective occupants, the character of the area, highway safety, and nature conservation.

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

24. No dwelling on the site shall be occupied until the improved on- and off-site highway works have been provided, in accordance with approved drawings ITB13632-GA-002 Rev.C 'Proposed Footway Connections' and ITB13632-GA-17 'Proposed Footway Alignment, Tilehurst Lane – Option 1B', both received by the Local Planning Authority on 27 July 2018.

REASON: In the interests of highway safety.

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

25. No development shall commence until full details of the Drainage System(s) in relation the approved drainage strategy (Clive Onions FRA and Drainage Strategy dated 11th February 2019 Version 2) have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- a) full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting and drawings as appropriate taking into account the groundwater table, and
- b) calculations demonstrating that the strategy accords with the approved rates for the 1 in 1, 1in 30 and 1in100 + allowance for climate change.

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

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

[Relevant Policies: CSDPD CS1, NPPF]

26. No development shall commence until a drainage strategy detailing any on- and off-site drainage works, along with proposed points of connection, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The development shall thereafter be carried out in accordance with the approved details.

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

[Relevant Policies: CSDPD CS1, NPPF]

27. No occupation of any dwelling shall take place until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, has been submitted and approved by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes, cover systems, etc. REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policies: CSDPD CS1, NPPF]

28. The development hereby permitted shall not commence until a great crested newt mitigation and enhancement strategy has been submitted to and approved in writing by the council. The strategy shall include details of the measures that will be taken to ensure that great crested newts are not harmed during works and details of the on-site habitat enhancements that will be provided. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

29. The development hereby permitted (including any site clearance and demolition) shall not commence until a wildlife protection plan for construction has been submitted to and approved in writing by the local planning authority. The plan shall include:

- i) an appropriate scale plan showing where construction activities are restricted and protective measures;
- ii) details of protective measures to avoid impacts during construction;
- iii) a timetable to show phasing of construction activities, and
- iv) persons responsible for compliance with legal consents, planning conditions, installation of protective measures, inspection and maintenance.

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1, CS7]

30. No dwelling shall be occupied until a landscape and ecological management plan (LEMP) has been submitted to, and approved by, the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organization responsible for implementation of the plan, and
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved scheme.

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

31. The development hereby permitted shall not commence until a scheme for the provision of biodiversity enhancements (not mitigation), 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 performed, observed and complied with.

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

32. 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, CS7]

33. 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 external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with the details provided in respect of Condition 23, or in 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]

34. The development hereby permitted shall be implemented in accordance with the water usage measures detailed within document 'Bluesky Unlimited – Sustainability & Energy Statement', received by the Local Planning Authority on 27 July 2018, indicating usage of 104.99 litres per person per day. Such measures shall be retained thereafter.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policies: Core Strategy DPD CS12]

35. The development hereby permitted shall be implemented in accordance with the submitted renewable energy measures detailed within document 'Bluesky Unlimited – Sustainability & Energy Statement', received by the Local Planning Authority on 27 July 2018. Such measures shall be retained thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

36. No development shall commence, including any site preparation works, until a programme of archaeological field evaluation has been undertaken in accordance with a written scheme of investigation has been submitted and approved by the Local Planning Authority.

REASON: In the interests of historic archaeological features which may be present on site

[Relevant Policy: NPPF]

37. No development shall commence until the archaeology mitigation strategy informed by the evaluation undertaken in Condition 36 has been submitted and approved by the Local Planning Authority. The mitigation strategy shall be implemented in accordance with the approved details.

REASON: In the interests of historic archaeological features which may be present on site

[Relevant Policy: NPPF]

38. No dwelling shall be occupied until provision has been made for the installation of superfast broadband (fibre optic) internet connections.

REASON: in the interest of providing sustainable communications infrastructure.

[Relevant Policy: Binfield Neighbourhood Plan Policy CO1].

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. 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
8. Side Windows
9. Obscure Glazing
13. Hours of Construction
14. Site Access
15. Visibility Splays
16. Primary Footpath
17. Vehicle Parking
18. Garages & Car Ports
21. Boundary Restrictions
24. On- & Off-Site Highway Works
32. Bird Nesting
33. External Lighting (Biodiversity)
34. Water Usage
35. Energy Demand
36. High Speed Broadband

Details will be required in respect of the following conditions before the commencement of above-ground works:

- 3. Materials
- 23. Site Lighting

Details will be required in respect of the following conditions before the commencement of development:

- 4. Finished Floor Levels
- 5. Hard & Soft Landscaping
- 6. Boundary Treatments
- 7. Tree Protection
- 10. Acoustic Screening
- 12. Site Construction (Amenity)
- 22. Site Construction (Highway Safety)
- 25. FRA Strategy
- 26. Sewage Connection
- 28. Great Crested Newt Strategy
- 29. Wildlife Protection Plan
- 31. Biodiversity Enhancements
- 36. Archaeology Preparation
- 37. Archaeology Mitigation

Details will be required in respect of the following conditions before the occupation of dwellings:

- 11. Acoustic Windows
- 19. Cycle Parking
- 20. Bin Storage
- 27. Flooding Verification Report
- 30. LEMP

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.

Should the applicant fail to complete the required S106 agreement by 28 June 2019 the Head of Planning be authorised to **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, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012), and the NPPF.

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, the resolution on affordable housing made by BFC Executive on 29 March 2011, and the NPPF.

3. The proposed development would unacceptably increase the pressure on open space of public value and community facilities. In the absence of a planning

obligation in terms that are satisfactory to the Local Planning Authority, and which secures the on-site provision of open space of public value, the proposal is contrary to Policies SC1 and R4 of the Bracknell Forest Borough Local Plan, Policy CS8 of the Core Strategy Development Plan Document and the Planning Obligations Supplementary Planning Document (adopted February 2015), and the NPPF.

4. In the absence of a planning obligation to secure implementation of the reptile mitigation strategy and off-site enhancement plan and on-going maintenance of the associated works the proposal is contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document, and the NPPF.

5. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off which would be maintained for the lifetime of the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, the Flood Risk and Coastal Change PPG updated 15/04/2015, and the NPPF.

ITEM NO:

Application No.
18/01230/FUL

Ward:
Little Sandhurst And
Wellington

Date Registered:
21 December 2018

Target Decision Date:
15 February 2019

Site Address:

**The Rose and Crown 108 High Street Sandhurst
Berkshire GU47 8HA**

Proposal:

Erection of 2no. dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of existing public house.

Applicant:

Punch Partnerships (PML) Limited

Agent:

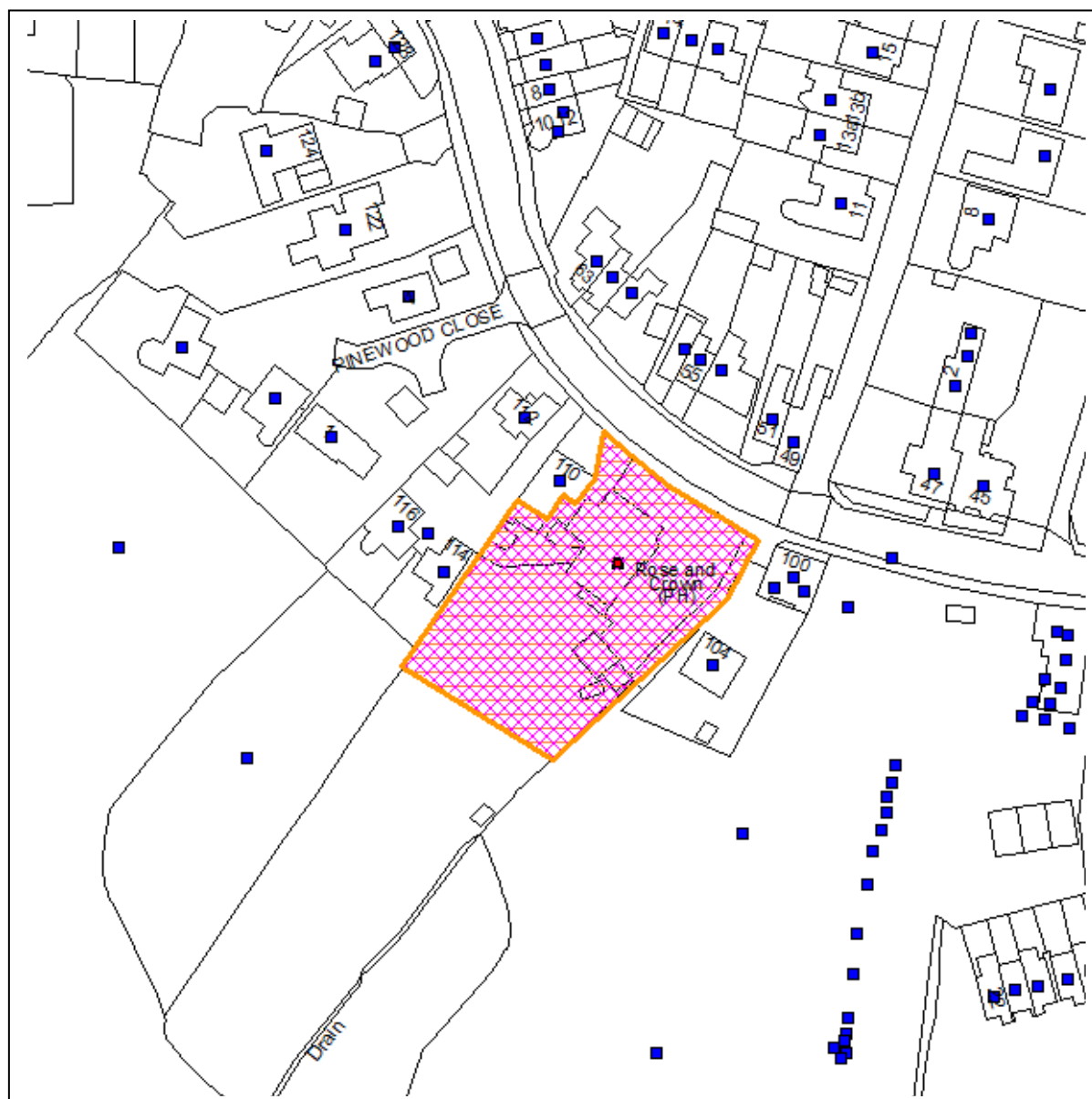
Mrs Caroline Gould

Case Officer:

Sarah Horwood, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the erection of 2no. detached dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of the existing public house.

1.2 The proposal for 2no. houses outside of the defined settlement boundary in the Countryside is not strictly in accordance with development plan policy CS9 of the CSDPD and Saved Policies EN8 and H5 of the BFBLP which seek to restrict new housing in the Countryside. However, these policies do not fully accord with the NPPF which seeks to protect the intrinsic character and beauty of the countryside and therefore the weight afforded to the development plan policies decreases. The NPPF supports both the effective use of land for new housing and the development of under-utilised land. In this instance, the 2no. dwellings would be sited on previously developed land (PDL); the 2no. dwellings would relate well to existing built form to the west, east and south-east of the site, all of which lies outside of the defined settlement boundary. The proposal would comprise the infilling of a gap between existing built form on High Street and Pinewood Close and approved built form at Alford Close. The 2no. dwellings do not detract from the designated landscape character of the area as defined by the Landscape Character Assessment, 2015 and planting is proposed along the southern boundary of plot 1 to provide screening to the development when viewed from the open countryside directly to the south. As such, no significant harm would result to the intrinsic beauty of the countryside.

1.3 The proposal is not considered to adversely affect the residential amenities of neighbouring properties. The existing pub would be retained as a community facility. No adverse highway safety implications would result. A dedicated pedestrian footpath is proposed to serve the 2no. dwellings, linking between the proposed dwellings and the public footpath on the High Street to provide safe and suitable access to future occupiers. The revisions proposed to the parking layout serving the public house would represent an improvement on the existing situation as the existing parking spaces are not properly marked and do not comply with current standards. Relevant conditions will be imposed in relation to trees, biodiversity, sustainability and drainage. A legal agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION
Planning permission be granted subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Partly on land within defined settlement and outside defined settlement
Within 5km of the Thames Basin Heath SPA

3.1 The Rose and Crown PH lies to the south of the highway on High Street, Sandhurst. It is a part two storey, part single storey building which has been extended, including to the front and side of the building. It comprises a mix of brick and render and a clay tiled roof. The pub is served by a car

park to the east of the building, accessed off High Street. To the front and rear of the building are external seating areas serving the pub. There are numerous structures sited in the rear beer garden including areas of decking, hardstanding and sheds.

3.2 There are residential dwellings to the north, east and west of the pub. Directly to the south-east of the pub, there are on-going works relating to the development of the land as a housing allocation (land at Alford Close).

4. RELEVANT SITE HISTORY

4.1 The most recent applications relating to the site are:

03/01002/FUL approved for erection of single storey side extension to public bar.

09/00656/FUL approved for erection of single storey flat roofed extension to the side of the existing public house along with a timber decked area with pergola to rear of proposed extension.

18/00382/FUL refused at the Planning Committee on 9 November 2018 for the erection of 2no. dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of existing public house for the following reasons:

1. The proposed development would not provide safe and suitable access for pedestrians through the car park of the Rose and Crown public house. This would result in pedestrians coming into conflict with vehicles reversing and manoeuvring within the car park to the detriment of pedestrian safety. The development would therefore be contrary to Saved Policy M6 of the Bracknell Forest Borough Local Plan, Policy CS23 of the Core Strategy Development Plan Document and the National Planning Policy Framework (2018).
2. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018)

An appeal has been lodged against the refusal of application 18/00382/FUL.

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 2no. detached dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of existing public house.

5.2 The proposed development differs to that considered as part of application 18/00382/FUL with revisions proposed to the car park layout serving the public house and the provision of a dedicated pedestrian footpath that is proposed along the eastern boundary of the site. The proposed revisions to the car park would result in an overall reduction in the number of parking spaces, however it would ensure that the dimensions of the parking spaces comply with the dimensions set out in the Council's Parking Standards SPD in terms of width and length (currently the spaces are sub-standard). It would also create an improved layout when compared to the existing parking layout (this is discussed in greater detail in Section 9, sub-section iv – transport implications). The

proposed footpath would be sited to the rear of the existing parking spaces serving the public house and would be on a strip of land which currently comprises some soft landscaping (for clarification, the proposed footpath would not affect the existing or proposed on-site parking provision for the Rose and Crown). The proposed bonded gravel footpath would run for a length of 40-45m and would vary in width between 1m and 1.8m, connecting from the proposed dwellings to the public footpath on High Street. This would provide pedestrian access for future occupiers of the proposed dwellings. The footpath would be separated from the car park and an existing ditch by 0.9m high timber post and rail fencing.

5.3 Plot 1 would range between 6.6m and 7.2m in width and would be 9.8m long. It would have an eaves height of 4.8m and ridge height of 7.8m. It would comprise a hallway, WC, store, kitchen, dining room and living room at ground floor level and at first floor level, there would be 3no. bedrooms, one with en-suite, family bathroom and store.

5.4 Plot 2 would be 6.6m wide and 9.8m long. It would have an eaves height of 4.8m and ridge height of 7.8m. It would comprise a hallway, WC, store, kitchen, dining room and living room at ground floor level and at first floor level, there would be 3no. bedrooms, one with en-suite, family bathroom and store.

5.5 Both plots would have 2no. parking spaces each, small front gardens and rear gardens.

5.6 For clarification, the existing public house at the Rose and Crown would be retained. No external alterations are proposed to the pub itself and the floor area of the pub will remain as existing. The siting of the proposed dwellings would however result in the sub-division of the existing beer garden to the rear of the building to accommodate the 2no. dwellings and associated amenity space, parking, etc. and the remainder of the land would be retained as an outdoor seating area connected to the pub. It is also proposed to demolish some existing outbuildings, areas of decking and hardstanding within the beer garden and to infill one of the existing ponds.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Recommend refusal for the following reasons:

- i) Reasons 1 and 2 of the decision of 9th November 2018 for application 18/00382/FUL continue to be valid.
- ii) Any reduction in space by inserting a pedestrian walkway would reduce parking to such an extent that it would result in the parking provisions for the property falling below the Local Planning Authority's approved standards.

Other representations

6.2 78 objections have been received which raise the following (comments include):

The proposal will impact upon the viability of the Rose and Crown PH:

- Rose and Crown PH is oldest pub in Sandhurst;
- The Rose and Crown is a valuable community asset. It should be preserved;
- One of its many assets and appeal to customers is the large beer garden. If the proposal goes ahead, the pub will lose over half its garden;
- Building on some of the beer garden will result in decline in custom;
- Pub will lose custom due to lack of beer garden;
- The proposal will leave the pub unable to cater for current customers and increased future custom;
- Demand for pub will increase due to housing development in the area;
- Existing tenants have built up reputation for range of food and ales, music, etc.;
- The premises has a lot of CAMRA members and has been pub of the year;

- A new lease would need to be provided to gain control of the land subject to the application;
- View from beer garden would be impacted upon;
- Loss of parking will result in reduction in business to the public house;
- Public house has been listed as an Asset of Community Value so why would the Council support this proposal which will ultimately impact upon the long term viability of the public house.

Highway and safety issues:

- Residential Access through car park would endanger customers of the pub using the car park, particularly those with children, dogs, those with mobility issues;
- Large vehicles/vans could restrict access to houses, including for emergency vehicles;
- Traffic disruption on High Street (A321);
- Increase in traffic;
- Residents or visitors of proposed dwellings will park in pub car park, resulting in displacing customers of the pub and resulting in overspill parking in area;
- Parking spaces in existing pub car park are small and vehicles have to manoeuvre to access/exit the spaces;
- Construction of a footpath between the car park and the neighbouring Wig Shop , may create another pedestrian access to the new houses, but does not reduce the risk of a pedestrian accident for pub customers;
- How will deliveries be made to the proposed dwellings;
- During construction, car park will have to close temporarily for heavy machinery/deliveries
- Car park is already insufficient. Revisions to reduce number of parking spaces is not acceptable, resulting in inconsiderate parking off-site and impacting on viability of public house;
- Not sufficient clearance for cars to open their doors on the spaces proposed parallel to public house;
- Vans will overhang parking spaces into access through car park;
- There is a requirement for more parking to serve the public house;
- Revised parking layout and provision of pedestrian footpath will restrict parking and manoeuvrability.

Impact on surrounding area and neighbours:

- Excessive infilling at site;
- Loss of valuable open space;
- Proposal out of character with pub and its surroundings;
- Increase in noise and disturbance to surrounding dwellings by reducing size of beer garden and resulting in increased use of front decking area;
- Dwellings will result in overlooking and loss of privacy to surrounding dwellings;
- Will impact future occupiers of proposed dwellings by living next to pub and associated pub garden. Concern that noise complaints could result from future occupiers which would impact upon the pub and its events;
- The Council is able to demonstrate a 7.5 housing land supply and therefore no need to warrant violating the Council's and the government's own regulations/guidelines.

Further issues:

- Description of development for the proposal is misleading as vast majority of development is on land that is currently beer garden. This is considered to be done deliberately;
- The outbuildings/structures which would be removed are temporary shacks which do not have foundations;
- Is no concern for why Punch Taverns are seeking this development. Why would an organisation which runs a successful, viable business be applying for such a development when there are repercussions to the public house including losing view from the beer

garden will mean loss of trade; complaints will arise from the new dwellings in the future about noise, access through the car park, etc.;

- Is an asset stripping exercise by Patron Capital Advisors LLP;
- There are already only a few pubs in the area and this could result in the loss of a further premises;
- Too many houses being built in the Borough without improvements to infrastructure.
- Houses could be built somewhere else as major upset will be caused if the development goes ahead.

7. SUMMARY OF CONSULTATION RESPONSES

Environmental Heath

7.1 No objection.

Highways Officer

7.2 No objection subject to conditions.

Biodiversity Officer

7.3 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15, CS16 of the CSDPD, H5 of BFBLP	Generally consistent The NPPF supports providing a range of homes (para. 8)
Countryside	CS9 of CSDPD, EN8 of the BFBLP	Not wholly consistent- NPPF does not support protecting the Countryside for its own sake instead 'protecting and enhancing valued landscapes' (para.) 170
Residential amenity	EN20 and EN25 of BFBLP.	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent

and landscaping		
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
Landscape Character Assessment		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. Principle of development

9.2 The application site is split into 2 designations – the existing pub, car park and some of the rear beer garden is sited on land within the settlement boundary and the remainder of the beer garden to south/south-west of the building is sited on land outside of the defined settlement, known as Countryside.

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.

9.4 Paragraph 11 of the NPPF sets out that for decision takers this means approving development proposals that accord with the development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Paragraph 213 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

9.5 As of 20 February 2019, the Council is able to demonstrate a 5 year housing land supply (HLS) (presently 6.04 years). Paragraph 11 (d)(ii) of the NPPF is generally known as the “tilted balance”. If policies which are most important for determining the application are out of date, permission should be granted unless:

- i. application of policies in the framework that protect areas or assets...provide a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- Where a LPA lacks a required supply of housing, the tilted balance will apply. In an appeal on "Land South of Foxley Lane, Binfield" for new housing in the Countryside, the Inspector gave Saved policies EN8 and H5 of the BFBLP significant weight which relate to development on land outside of settlements and new dwellings outside settlements.

9.6 Policy CS9 of the CSDPD seeks to protect land from development that would adversely affect the character, appearance or function of the land.

9.7 'Saved' Policy EN8 seeks to permit development only where it would not adversely affect the character, appearance or function of the land.

9.8 'Saved' Policy H5 seeks to restrict the development of new dwellings unless it can be demonstrated that it would cause no harm to the character of the area.

9.9 The above policies effectively seek a blanket restriction of new housing in the Countryside. The NPPF at para 170 aims to protect and enhance valued landscapes and recognises the intrinsic character and beauty of the countryside (however it is acknowledged it does not specifically preclude residential development in the countryside). The development plan policies are not fully consistent with the NPPF and the weight afforded to them in decision taking therefore decreases. However the policies do refer to ensuring any development does not adversely affect the character or appearance of the area.

9.10 Para 12 of the NPPF states that where a planning application conflicts with an up to date development plan, permission should not usually be granted. However LPAs may take decisions that depart from an up to date plan only if material considerations in a particular case indicate that the plan should not be followed. This is considered to be the case in this application.

9.11 The following NPPF policies are relevant to the consideration of this application:

- Para 8 refers to achieving sustainable development, with 3 overarching objectives - economic, social and environmental objectives. The economic objective refers to building a strong, responsive and competitive economy; the social objective refers to supporting a strong, vibrant and healthy community by ensuring that a sufficient number and range of homes can be provided; and the environmental objective states that proposals should protect and enhance the natural, built and historic environment, including making effective use of land;
- Para 117 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses;
- Para 118 (a) goes on to state that planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes;
- Para 118 (d) promotes and supports the development of under-utilised land and buildings;
- Para 121 states that local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans;
- Para 122 again refers to planning policies and decisions which support development that makes efficient use of land.

9.12 The 2no. houses would be sited on land currently utilised as a beer garden serving the pub. The rear garden space is occupied by numerous permanent structures including areas of decking, timber sheds and hardstanding upon which picnic benches are sited. As such, the land is considered to constitute previously developed land (PDL). The definition of PDL as given in Annex 2 of the NPPF states "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”.

9.13 The proposed development is considered acceptable in its impact on the character of the area as the application site itself is not considered to be open, undeveloped land that contributes significantly to the rural character of the open countryside. The 2no. houses would be sited on land that is PDL. The land does not have the visual attributes that would be associated with open countryside due to the coverage of existing structures connected to the use of the land as a beer garden. As such, the removal of the existing structures and their replacement with 2no. dwellings would not significantly harm the intrinsic beauty of the countryside or result in a significantly urbanising impact on the land. It is acknowledged that the 2no. dwellings would be two storeys high and replace surface level structures such as decking and single storey outbuildings, however any environmental impact would be localised. Indicative planting is proposed along the southern boundary of plot 1 with hedgerow and tree planting to provide softening to the development when viewed from the open countryside directly to the south.

9.14 The 2no. proposed houses would be sited on land within the curtilage of an existing building located within the settlement boundary and would relate closely to the existing building. The 2no. dwellings would follow the general pattern of backland development (some of which lies within the Countryside) at nos. 104 High Street to the east and nos. 112 and 114 High Street and 1-3 Pinewood Close to the west. It would also relate to the development approved and under construction as part of a housing allocation on land at Alford Close to the south-east. The dwellings at nos. 112 and 114 High Street and nos. 1-3 Pinewood Close all lie on land outside of the defined settlement boundary as does part of the housing approved at Alford Close.

9.15 As part of the housing allocation at Alford Close, there would be a community hall building and associated car park sited directly to the south-east of the 2no. proposed dwellings. The 2no. proposed dwellings would not extend beyond the footprint of the community hall and associated car park directly to the south-east and would not extend beyond the housing to the east and south-east of the community hall. An extract of the housing allocation at Alford Close is shown below where the application site can be seen in the context of the community hall and housing approved at Alford Close (all of which on the extract below is sited on land in the Countryside, outside of the settlement boundary).



9.16 The proposed dwellings would relate well to existing built form to the west, east and south-east of the site, all development that lies outside of the defined settlement boundary and is infilling a gap between the existing dwellings at nos. 114 and 116 High Street and 1-3 Pinewood Close to the west and the approved housing allocation at Alford Close to the east/south-east.

9.17 Further, the site lies within the River Valley as designated by the Council's Landscape Character Assessment (LCA) document, dated September 2015. The LCA describes this area as influenced by flat valley bottom topography, areas of grassland, water bodies and well used recreation areas. The application site itself does not comprise any of the valued attributes identified in the LCA and therefore the proposal would not detract from the designated landscape character of the River Valley.

Loss of part of the existing beer garden

9.18 Para 235 of the CSDPD states that “many retail uses are hubs of the community...units that perform an important community role including post offices, convenience stores, chemists and pubs will be protected. Planning applications involving their loss by redevelopment or change of use will not be allowed unless exceptional circumstances have been proven”. This is consistent with the NPPF which also seeks to protect community facilities/services.

9.19 Section 8 of the NPPF refers to promoting healthy and safe communities. Para 92 states that “to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should...guard against the unnecessary loss of valued facilities and services”.

9.20 In accordance with para 235 of the CSDPD and Para 92 of the NPPF, the Rose and Crown PH itself will be retained and remain in operation. The proposal would result in the loss of some of the existing beer garden currently serving the pub to accommodate the 2no. proposed dwellings. However, para 4.1 of the Design and Access Statement submitted with the application states that the size of the existing beer garden is surplus to the operational requirements of the pub and the reduced size of the beer garden will be sufficient to serve the pub. The pub itself would be retained (all of its existing floor area) and there would be external seating areas retained to the front of the premises and in part to the rear. The proposal therefore conforms with paras 235 of the CSDPD and para 92 of the NPPF which protect community facilities and services.

9.21 The retained beer garden would be 24m wide and between 9m and 10m deep, along with an external area of decking abutting the side/rear elevation of the pub which is 9m deep and 6m-7m wide. Whilst it is acknowledged that there would be a reduction in the size of the rear beer garden, the floor space of the public house would remain unaltered. Additional hedging is proposed along the 2.1m high acoustic fence to provide some softening to the new fence line. There would be some views from the beer garden of the 2no. proposed dwellings, however there would also be unobstructed views in the main across the rear gardens of the proposed dwellings.

Asset of community value

9.22 The Community Right to Bid was established under the Localism Act 2011. It allows communities and parish councils to nominate buildings or land to the Borough Council as being of community value. A building or other land is an Asset of Community Value if its main use has recently been, or is currently used, to further social wellbeing and interests of the local community, and could continue to do so in the future.

9.23 The building itself at the Rose and Crown, the car park and some of the outdoor areas have been recently listed as an Asset of Community Value (ACV).

9.24 The listing of the building and some of the surrounding land as an ACV is acknowledged and is considered as a material planning consideration to this application. However, the proposal

subject to this application would not result in the loss of the pub itself which would be retained and would result in an improved layout to the car park serving the premises. For clarification, the proposed development for 2no. houses, associated gardens and parking/turning areas would be on land which was excluded from the ACV designation.

9.25 In summary, the proposal for 2no. houses outside of the defined settlement boundary in the Countryside is not strictly in accordance with the development plan policy CS9 of the CSDPD and Saved Policies EN8 and H5 of the BFBLP which seek to restrict new housing in the Countryside. However, these policies do not fully accord with the NPPF which seeks to protect the intrinsic character and beauty of the countryside and therefore the weight afforded to them decreases.

9.26 The NPPF supports both the effective use of land for new housing and the development of under-utilised land. In this instance, it is therefore relevant that:

- the 2no. dwellings would be sited on land that is PDL;
- the 2no. dwellings would relate well to existing built form to the west, east and south-east of the site, all development that lies outside of the defined settlement boundary and is infilling a gap between existing built form on High Street and Pinewood Close and approved built form at Alford Close;
- the 2no. dwellings do not detract from the designated landscape character of the area as defined by the LCA, 2015;
- planting is proposed along the southern boundary of plot 1 to provide screening to the development when viewed from the open countryside directly to the south;

9.27 In light of the above, it is considered that no demonstrable or significant harm would result to the intrinsic beauty of the countryside. Further, the existing pub would be retained as a community facility.

ii. Impact on character and appearance of surrounding area

9.28 The Council's Design SPD sets out a number of recommendations that are relevant to the proposed development. Of particular relevance are the following:

- o The form of new buildings, including roof should relate well to those found in the local context;
- o Backland development should:
 - not be highly visible from the main street frontage,
 - not harm the existing character of the area,
 - relate to a site of sufficient size and shape to accommodate the number of dwellings,
 - not be taller than the existing buildings nor be highly visible from the main street frontage, create a satisfactory living environment for the new home and existing surrounding properties.
- o Plots should be large enough to accommodate the proposed built development and the requirements associated with it (such as amenity space, parking, etc.) in an arrangement that is practical and attractive. They should be configured to make sure that new development relates well to its neighbours.

9.29 The proposed dwellings would constitute backland development, sited to the rear of the existing public house, set back 42m from the highway at the closest point. Backland development is evident in the local area, including 2no. detached dwellings directly to the west of the application site at nos. 114 and 116 High Street which once formed part of the rear garden of the dwelling at no. 112 High Street, the development at Pinewood Close to the west of nos. 112 and 116 High Street and 104 High Street directly to the east. As such, the principle of backland development is acceptable. Further, the site directly adjoins the housing allocation site at Alford Close which is immediately to the south-east of the application site.

9.30 The proposed dwellings would be orientated at 90 degrees to the front elevation of the building at the Rose and Crown. They would relate well to the orientation of the dwellings approved at Alford Close, facing onto the internal access road leading from the pub car park.

9.31 The proposed dwellings would have ridge heights of 7.8m. The ridge heights of the proposed dwellings would be lower than that of the existing public house which would be retained as part of the proposal. The proposed dwellings, due to their siting directly to the rear of the existing public house and their ridge heights being lower than the public house, they would not appear readily visible from the main street frontage. This accords with the Design SPD for backland development.



9.32 The dwellings would take a simple design form, comprising architectural detailing of canopies, stone window heads and cills and the use of red facing brickwork, slate and render. High Street is characterised by a non-uniform mix and style of houses, roof form and materials. The design of the dwellings would be sympathetic to the character of the area being similar in appearance to dwellings elsewhere in the streetscene. Further, the proposed palette of materials would reflect the brick and tile colours/types seen elsewhere in the streetscene.

9.33 The 2no. proposed new dwellings would not result in overdevelopment of the site, with adequate separation space between the proposed dwellings and adjoining buildings and adequate sized gardens. The proposal also includes on-site parking provision, dedicated pedestrian access for future occupiers of the proposed dwellings, bin and cycle storage and the retention of external seating areas to serve the existing pub.

9.34 The proposed dwellings would have rear gardens proportionate to their size, ranging in length between 14.8m-15.2m for plot 1 and 13.6m-14m for plot 2. The bin/cycle stores would be located in the rear gardens of each plot, accessed by footpaths adjacent to the flank walls of the proposed dwellings. An indicative scheme of soft landscaping for the proposed dwellings has been submitted which includes new tree planting and mixed native hedging which would enhance the landscaping on site and would assimilate well with the open countryside directly to the south.

9.35 The proposed pedestrian footpath would be sited along the eastern boundary of the site. It would be at surface level, comprising a bonded gravel finish, bounded by 0.9m high timber post and rail fencing. The proposed footpath and means of boundary treatment would not appear unduly prominent in the street scene. The revisions to the parking layout serving the public house would also not appear prominent in the street scene.



9.36 For the reasons given above, the development would not result in an adverse impact on the character and appearance of the area and would accord with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD, the Design SPD and the NPPF.

iii. Residential amenity

9.37 The proposed dwellings would be sited in excess of 55m from the dwellings directly to the north at nos. 49 and 51 High Street. In view of this separation distance and siting of the dwellings directly to the rear of the existing pub, the dwellings would not appear visually prominent or result in overlooking or loss of daylight to existing dwellings to the north of High Street.

9.38 The proposed dwellings would be set 39m from no. 100/102/102A High Street to the north-east at the closest point. This building comprises a commercial unit at ground floor and residential accommodation above. In view of the separation distances and the siting of the dwellings, they would not appear visually prominent, result in overlooking or loss of daylight to nos. 100/102/102A High Street.

9.39 To the east lies no. 104 High Street which is a residential dwelling. The proposed dwelling closest to no. 104 is plot 2 which would be sited 22m from the rear elevation of no. 104 at the closest point. In view of the separation distance to no. 104 and the orientation of the proposed dwellings relative to no. 104, the dwellings would not appear overbearing or result in loss of daylight to no. 104. Plot 2 would be set some 14m from the rear boundary of no. 104. There

maybe oblique views from first floor windows on the front (east) elevation of plot 2 over the rear garden of no. 104, however these views would be oblique and over the rear most part of the garden of no. 104. As such, any overlooking would not be considered detrimental to no. 104. The dedicated pedestrian footpath proposed along the eastern boundary of the site would not be considered to result in undue noise and disturbance to no. 104 given it would be used for pedestrian access to the 2no. proposed dwellings.

9.40 There is a single storey building at no. 110 High Street to the north of the proposed dwellings. This building is not in residential use but commercial use. As such, the proposed dwellings would not adversely affect this commercial building.

9.41 The proposed dwellings would be sited some 35m from the rear elevation of no. 112 High Street at the closest point, with the existing building at no. 110 as an intervening building between along with the shared access road serving nos. 114 and 116 High Street. In view of the separation distance to no. 112, the proposed dwellings would not appear visually prominent, result in overlooking or loss of daylight to no. 112 High Street.

9.42 To the west lie nos. 114 and 116 High Street. No. 114 is sited closest to the application site and is a two storey dwelling with an existing conservatory to the rear. The proposed dwellings would be orientated at 90 degrees to nos. 114 and 116. Plot 1 would be sited between 14.8m and 15.2m from the boundary with no. 114, with a 17.6m separation distance to no. 114 at the closest point. Plot 2 would be sited between 13.6m and 14m from the boundary with no. 114, with a 15.2m separation distance to no. 114 at the closest point. In view of these separation distances between the rear elevations of plots 1 and 2 and no. 114 at the closest point, along with the orientation of the new dwellings relative to no. 114, they would not appear unduly overbearing to the detriment of no. 114. Further, in view of the separation distances between the proposed dwellings and no. 114 and the orientation of the proposed houses to the east/south-east, there would be no adverse loss of daylight or sunlight to the rear elevation and rear garden of no. 114.

9.43 The windows in the rear (west) elevation of plot 1 facing the rear garden of no. 114 serve the living room at ground floor level and at first floor level, there would be 2no. windows, one serving an en-suite and one serving a bathroom. The 2no. first floor windows would be obscure glazed and fixed shut with the exception of high level fanlights to ensure that no loss of privacy results to the rear elevation and rear garden of no. 114. This will be secured by condition. The windows in the rear (west elevation) of plot 2 facing no. 114 also serve the living room at ground floor level and at first floor level, there would be 2no. windows, one serving the master bedroom and one serving a bathroom. The window serving the bedroom would look directly on the flank wall of no. 114 and would have oblique views over the rear garden of no. 114. This window would be set 15.2m from the flank wall of no. 114 at the closest point and as such would not result in an adverse level of overlooking to the detriment of no. 114 given the separation distance and the rear to side relationship between the proposed dwellings and no. 114. The proposed first floor bathroom window would be obscure glazed and fixed shut with the exception of top opening fanlights to ensure that no loss of privacy results to the rear elevation and rear garden of no. 114. This again will be secured by condition.

9.44 There is existing residential accommodation above the Rose and Crown at first floor level. The flank wall of plot 2 would be set 21m from the first floor accommodation and an existing rear facing window serving a bedroom. In view of the separation distance between plot 2 and the first floor flat, the dwellings would not appear overbearing to occupiers of the first floor flat. Further, the first floor rear facing window of the flat would be set 19.6m from the boundary of the proposed garden serving plot 2. In view of this separation distance, the existing first floor bedroom window of the flat would not result in undue overlooking and loss of privacy to the gardens of the proposed dwellings.

9.45 Works are on-going at Alford Close following its designation as a housing allocation and the subsequent grant of planning permission. The proposed dwellings would be sited in excess of 35m from the approved community centre and over 45m from the nearest approved dwellings at Alford Close. In view of these separation distances, the proposed dwellings would not result in any impacts to future occupiers of the dwellings at Alford Close.

Noise to existing dwellings

9.46 The reduction in the size of the beer garden to the rear of the premises would result in a change in noise environment for existing residential properties, some may experience lower noise levels and some could possibly experience an increase in noise levels, particularly those to the front of the premises. The licenced premises has an ongoing obligation to manage noise and this is also a condition of its premises licence. A noise survey has been undertaken and submitted as part of the application. The Council's Environmental Health officer is of the view that any additional noise as a result in the reduction in the size of the rear beer garden would not be of a level that would warrant refusal of the application.

9.47 Notwithstanding the above, if the issue of noise and disturbance were to become problematical in the future, this could be considered a Statutory Nuisance and could be dealt with by the Council's Environmental Health section under their statutory powers.

Future occupiers of proposed dwellings

9.48 Adequate residential amenity would be provided to future occupiers of the proposed dwellings. All habitable rooms would be served by windows, parking would be provided on-site to serve each plot and private rear gardens would be provided. Further, a dedicated pedestrian footpath is proposed, leading from the proposed dwellings linking to the public footpath on the High Street to provide safe pedestrian access for future occupiers of the proposed dwellings.

9.49 Plot 2 would be located adjacent to the retained beer garden serving the pub. A 2.1m high acoustic close boarded timber fence is proposed along the boundary of the beer garden with the rear garden of plot 2. This would provide some noise attenuation to future occupiers of the proposed dwellings. It should also be taken into account that future occupiers of the 2no. dwellings would be well aware of the siting of the dwellings relative to the existing pub. Further, as mentioned previously, should noise and disturbance become an issue to future occupiers of the dwellings, this could be dealt with by other statutory powers such as the Council's Environmental Health and Licensing departments.

9.50 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring dwellings and would be in accordance with Saved Policies EN20 and EN25 of the BFBLP and the NPPF.

iv. Transport implications

9.51 A revised pub car park layout is proposed as shown on the Proposed Site Layout to provide an acceptable vehicular access to these two proposed dwellings accessed at the end of the car park. The revised car parking layout would also enhance access for existing users of the pub car park. A new dedicated pedestrian route along the eastern boundary of the site also forms part of the latest proposals. The pedestrian footpath is approximately 40m long and ranges from a minimum width of 1m up to 1.8m wide.

Access

9.52 The two new dwellings would utilise the existing access to a public house (The Rose and Crown) off the A321 High Street. Sight-lines of 2.4m by 43m are available to either side of this access in line with the 30mph speed limit, and there are parking restrictions (double yellow lines) along High Street which assists in protecting sight-lines. The existing low wall across the frontage

provides acceptable visibility between vehicles entering and exiting the car park, and pedestrians using the footway, and entering and exiting the car park. There have not been any recorded accidents at the access to the Rose and Crown in recent years. Additional use of this existing pub car park access for access to two houses would be acceptable.

9.53 It is noted that a previous planning application (LPA ref. 18/00382/FUL) which involved pedestrian access to the proposed dwellings via the pub car park was refused on the grounds of pedestrian safety. One of the reasons for refusal was: *'The proposed development would not provide safe and suitable access for pedestrians through the car park of the Rose and Crown public house. This would result in pedestrians coming into conflict with vehicles reversing and manoeuvring within the car park to the detriment of pedestrian safety'*. A new dedicated pedestrian route is therefore proposed along the eastern boundary of the site which would avoid the need for pedestrians to walk through the pub car park to access the proposed dwellings. This proposed pedestrian route would provide a safe and suitable access for pedestrians and it is the view of the LPA that this addresses the reason for refusal of application 18/00382/FUL.

9.54 The Proposed Site Layout indicates that the proposed footpath has a minimum width of 1m and a maximum width of 1.8m. Post and rail fencing is proposed to either side of the path, and the width of the footpath at its narrowest point between the proposed fencing would be 1m which would provide adequate width for both pedestrians and wheelchair users. A bonded gravel surface is proposed which would provide a suitable surface for this path. The proposed timber post and rail fencing to either side of the path would ensure appropriate separation between the path and the pub car park to the west, such that it will not be possible for parked vehicles to overhang the footpath. The proposed boundaries will also protect pedestrians from an adjacent highway ditch. Further, the path will benefit from overspill lighting from the public house and its car park.

9.55 The proposal would not affect the existing pub access, including for deliveries/servicing. There are deliveries to the pub approximately 4 times a week from different suppliers using a variety of types of vehicles. The largest delivery vehicle would be a Marston's Drey 7.5 tonne 2-axle lorry. Deliveries normally take place during the morning outside of trading hours of the pub. When deliveries occur, any delivery vehicle usually parks alongside the pub by the cellar entrance at the back of the car park. It is not considered that a 7.5 tonne vehicle is an excessively large vehicle (at around 2.2m wide by 8m long) and therefore a car could pass around such a delivery vehicle, particularly in the mornings during delivery times and when the car park is likely to be least busy. The provision of a dedicated pedestrian route avoids the need for pedestrians to walk through the car park to access the proposed dwellings and avoids any conflict with deliveries.

9.56 A new shared driveway is proposed for access to the two new dwellings at the end of the pub car park. A sliding gate is proposed for access to the two proposed dwellings, and these gates are set further back into the residential part of the site, which has enabled additional car parking for the pub to be provided. There is space within the residential part of the site for some informal visitor parking, and access and turning space for domestic delivery vehicles.

9.57 A residential refuse collection point is proposed to serve the 2no. dwellings.

9.58 Pedestrian paths to the front doors of the new dwellings are proposed, along with side/rear access for rear bin storage and cycle parking.

Parking

9.59 This application proposes amendments to the car park serving the public house. The application form notes that there are 21 existing parking spaces, thus provision of 17 parking spaces as proposed represents a reduction in the number of parking spaces. However, the proposed parking arrangement would represent an improvement on the existing situation as the existing parking spaces are not properly marked and do not comply with the current dimensions (in terms of width and depth of the spaces and manoeuvring distance between spaces). It should be

noted that the car park is historic and there are no conditions which required the retention of the original car park serving the public house. Following the approval of 2 planning permissions in 2002 and 2003 for the public house, LPA refs: 02/00438/FUL and 03/00117/FUL, there were conditions which required the provision of additional parking spaces on site. The additional parking was not provided in accordance with the aforementioned planning permissions. However the current arrangement has since become lawful due to the passage of time by virtue of Section 171B of the Town and Country Planning Act 1990 (as amended) as the breaches have existed for a period of more than 10 years. As such, enforcement action cannot be taken against the breaches of conditions relating to parking connected to permissions 02/00438/FUL and 03/00117/FUL].

9.60 The Highway Authority has however visited the Rose and Crown at around 1pm on Friday 29th April 2019 and observed 10 vehicles to be parked within the car park, which provides a snapshot of the parking demand during lunchtime. There are parking restrictions along High Street, which would restrict over-spill parking along this main road.

9.61 The proposed parking spaces on the Proposed Site Layout measure 2.4m by 4.8m, in line with the Council's current requirements, and the disabled parking space includes 1.2m clearance to the front and side for access by a mobility impaired user. Generally, 6m of access/manoeuvring space is provided, as measured off the Proposed Site Layout, in line with Council's current requirements. However, this access/manoeuvring space reduces to 4m between the parking spaces on the eastern boundary and the parking spaces which are parallel to the pub. The parking spaces on the eastern boundary are echelon, which would assist with access, and the parking layout is an improvement on the existing layout. In particular, a minimum 4m access width would provide acceptable access to the two proposed dwellings for a standard car, and large vehicles, including a fire tender. It is noted that concerns were raised at the Planning Committee regarding emergency vehicle access. 'Standards for emergency vehicle access are provided within Manual for Streets, which advises at 6.7.3 that access routes over short distances should have a minimum width of 2.75m and that a 3.7m width is required where fire tenders will be 'operating'. These standards can be achieved.

9.62 The applicant has provided vehicle tracking for a standard car to show access/manoeuvring in and out of the various parking spaces within the revised car park layout. The proposed car park arrangement allows all spaces to be accessed independently and cars to exit in forward gear, with the exception of spaces 7 to 12 (assuming that cars had driven into those bays in forward gear). The tracking shows that a long reversing maneuver would be required for spaces 7 to 12, though vehicles could turn within the car park (close to the car park access), to exit onto High Street in a forward gear. The existing car park requires that when all spaces are full the majority of cars would have to reverse out of the site in order to exit. Therefore, the proposed car park layout is an improvement on the existing situation. Manual for Streets indicates that the aisle/access width needed to access echelon parking spaces conveniently depends on the width of the parking bay and the angle of approach. For a 2.4m wide bay, at a 45 degrees angle of approach, an aisle/access width of 3.6m is required. For a 2.4m wide bay, at a 60 degrees angle of approach, an aisle/access width of 4.2m is required. Therefore, the provision of 4m to 4.8m aisle/access space, as proposed further into the Rose and Crown car park would be acceptable. Also, where some back and forth manoeuvring may be required, this is likely to be acceptable where traffic volumes and speeds are low within the car park itself.

9.63 The Highway Authority made a further visit to the Rose and Crown at around 3pm on Wednesday 10th April 2019 and observed 3 vehicles to be parked within the car park, which is not unusual for that time on a weekday. It was noted that 2 vehicles were parked at the very end of the car park, opposite each other, in the existing echelon arrangement; with limited access/manoeuvring space. The one other vehicle was parked around mid-way along the eastern side of the car park. The pub was open, and bearing in mind the position of the parked vehicles, it is likely that staff tend to park at the end of the car park. Staff would generally be

accessing/manoeuvring in and out of these end parking spaces, when other parking spaces are unoccupied, i.e. when the pub is closed. A similar practice could well continue with the revised car parking layout.

9.64 The tandem parking spaces adjacent to the pub measure off the Proposed Site Layout as 2.4m by 6m, in line with the Council's current requirements; and these are offset from the building by around 500mm, which would cater for vehicles not parking tight to the building. Also, a no parking zone is proposed, and this would enable vehicles using the tandem spaces to out of the spaces, and the car park.

9.65 2 parking spaces are proposed for each of the new 3 bedroom dwellings which would comply with the Council's parking standards SPD. These parking spaces would be 2.4m by 4.8m with 6m of access/turning space in line with the Council's requirements, and to enable vehicle to turn on-plot to exit (via the pub car park) onto this classified road in a forward gear for highway safety. The proposed site layout would also provide for informal visitor parking by a couple of vehicles (one for each dwelling).

9.66 Cycle sheds are to be provided in rear gardens to comply with the parking standards SPD.

Trips

9.67 Two new dwellings are likely to generate in the region of 12 two-way trips per day, including one or two movements in both peak periods.

9.68 A site organisation plan is recommended to be secured by condition. It would be prudent for the revised pub car park layout to be implemented prior to commencement of development for the 2no. dwellings to assist with construction access. The parking for the residential dwellings would only be required prior to occupation of the dwellings. Therefore, it is suggested that two separate conditions for parking for the pub and the dwellings are required.

Proposed footpath

9.69 The Council has the following policy documents relating to accessibility:

-Saved Policy EN22 of the BFBLP refers to designing for accessibility. The policy states *"in the determination of a planning application...provision of convenient access, parking spaces and facilities for people with disabilities"* will be considered by the Council.

- Saved Policy H14 of the BFBLP refers to accessible housing. The policy states that the Council *"require by conditions, or seek to enter into agreements, that new dwellings are accessible to all"*.

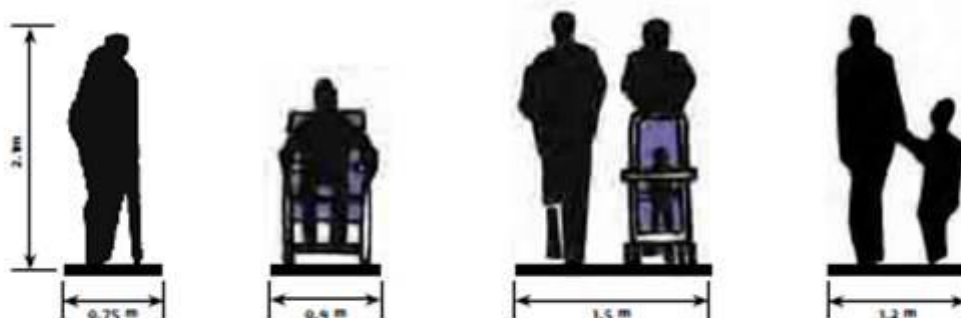
-Designing for Accessibility in Bracknell Forest SPD June 2006. In relation to Footways and footpaths, the SPD states: *"Footways and footpaths should be well lit, and be a firm, even surface. Excessive cross-falls should be avoided wherever possible and surfaces should be non-slip in both dry and wet weather conditions. Footways and footpaths should ideally be 2000mm wide; this allows two wheelchair users to pass. However, narrower sections of path can be reduced in width to 1500mm if the route is less busy and passing places are provided with 1000mm being the absolute minimum unobstructed width at pinch points for not more than 6m in length"*.

9.70 Aside from the Council's policy documents, the Department for Transport's guidance - Inclusive Mobility at paragraph 3.1 states: *"A clear width of 2000mm allows two wheelchairs to pass one another comfortably. This should be regarded as the minimum under normal circumstances. Where this is not possible because of physical constraints 1500mm could be regarded as the minimum acceptable under most circumstances, giving sufficient space for a wheelchair user and a walker to pass one another. The absolute minimum, where there is an obstacle, should be 1000mm clear space. The maximum length of restricted width should be 6 metres"*. The document at paragraph 2.2 also states: *"Someone who does not use a walking aid*

can manage to walk along a passage way less than 700mm wide, but just using a walking stick requires greater width than this; a minimum of 750mm. A person who uses two sticks or crutches, or a walking frame needs a minimum of 900mm, a blind person using a long cane or with an assistance dog needs 1100mm. A visually impaired person who is being guided needs a width of 1200mm. A wheelchair user and an ambulant person side-by-side need 1500mm width."

9.71 Part M of Building Regulations 2010 addresses disabled access to dwellings. Section 1A refers to - Approach to the dwelling and states the following: *"The provisions of Section 1A apply to external and internal areas and elements that form part of the approach route to the dwelling and fall within the plot (or curtilage) of the individual dwelling, or the building containing the dwelling."* The footpath as proposed would therefore fall outside the scope of Part M of Building Regulations 2010 as parking is being provided within the curtilage of the proposed dwellings.

9.72 The footpath as proposed would be a minimum of 1m wide at its narrowest point (for a length of less than 6m at this width).



The extract above taken from Manual for Streets (issued by the Department for Transport) provides useful guidance on the required widths for different users of footways. The footpath at a minimum width of 1m would accommodate a single wheelchair user or a person using two sticks or crutches, or a walking frame. Where the footpath widens to a minimum of 1.2m, it would be of sufficient width to allow 2 people to pass. One part of the proposed footpath widens to a width of 1.8m which would provide an opportunity for a passing point between 2 wheelchairs. This passing point is shown on the latest site layout plan where a passing point 1.8m wide x 3.2m deep is proposed. The DfT's Inclusive Mobility guidance states *"Where an access route is predominantly less than 1800mm wide, passing places should be provided to allow two wheelchair users to pass each other. A passing place should be a minimum of 2000mm long by a minimum of 1800mm wide and located within direct sight of another, or at a maximum distance of 50 metres from another, whichever is the closer."* The provision of a passing point at one part of the footpath where it is 1.8m wide would therefore allow 2 wheelchair users to pass. The footpath as proposed is less than 50m and therefore it is not essential for a passing point to be provided in accordance with the DfT guidance, however one is proposed. It should be noted that the document Inclusive Mobility and the SPD - Designing for Accessibility in Bracknell Forest are only guidelines. The Inclusive Mobility document itself actually states "these guidelines do not have any legal status".

9.73 Further, the proposed footpath would be on private land, it would not be a public footpath and as such would be very lightly used. The footpath is relatively straight and would not be obstructed by planting/vegetation so there would be relatively clear visibility along its length. Further, the proposal is for 2no. dwellings and the associated pedestrian movements would be relatively low so that the risk of conflict between users along the footpath is also likely be low. Notwithstanding the above, a wheelchair passing point has been provided on one part of the footpath in the very low event of 2 wheelchair users encountering each other.

The footpath would also comply with the following requirements:

- It is gently sloping;
- It has a suitable ground surface (bonded gravel);
- Whilst the proposed footpath would itself not be lit, overspill lighting from the public house, surrounding dwellings and street lighting on High Street would contribute to lighting the footpath.

9.74 It should also be noted that whilst a dedicated pedestrian footpath for future occupiers of the 2no. dwellings is proposed, the LPA cannot enforce that future occupiers actually utilise this footpath. In practice, while a safe pedestrian route would be provided avoiding the car park serving the Rose and Crown, the LPA could not prevent able bodied people, people in wheelchairs or visually impaired people walking through the pub car park to connect onto the High Street

9.75 Taking account of all these factors, it is the view of Council officers that it would be unreasonable to refuse the application on the basis of not providing suitable access for pedestrians, including those with disabilities.

Sustainability

9.76 The siting of the proposed dwellings would be within a sustainable location, within the preferred maximum walking distance to Sandhurst local centre (shopping parade near Newtown Road). The facilities at the Old Mills local parade are even closer. Sandhurst train station and bus services are also available at the junction of Crowthorne Road and Sandhurst Road.

9.77 In summary, as this revised application proposes a dedicated pedestrian footpath to serve the 2no. dwellings which would provide safe and suitable pedestrian access for future occupiers, it is considered that this overcomes the first reason for refusal of application 18/00382/FUL. This application would create improvements to the parking layout to serve the public house over the existing situation and a planning condition is recommended which will secure the retention of the parking on site which is advantageous. This revised application represents an improvement to the previous application 18/00382/FUL which was refused (and is now subject to an appeal). Subject to the imposition of conditions, the proposal is considered to be in accordance with CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in adverse highway implications.

v. Trees

9.78 There are no trees within the application site that are covered by Tree Preservation Orders. The land directly to the west of the application site is however covered by a woodland Tree Preservation Order (ref: TPO 1257) which abuts the far south-western corner of the application site.

9.79 The proposed dwellings and associated access/parking areas would not impact upon the woodland TPO.

9.80 There are some trees within the application site which are not covered by TPOs. The application is supported by an Arboricultural Implications Assessment and Method Statement. There would be some parking spaces and part of the internal access road which would be sited within the root protection area of 2 of the existing trees on site. The assessment and method statement however identifies that these works within the RPA of these existing trees would utilise a cellular confinement system. Ground protection measures and tree protection measures are also proposed.

9.81 Subject to the imposition of conditions to safeguard retained trees in accordance with the assessment and method statement, the proposal is considered to be in accordance with Policy EN1 of the Bracknell Forest Borough Local Plan and the NPPF and would not result in an adverse impact on trees.

vi. Biodiversity

9.82 The application site comprises a public house where it is proposed to demolish the existing outbuildings and erect 2 dwellings to the rear. The rear section of the site consists of a pub garden with improved grassland and shrubs and is unlikely to be of significant ecological value. The existing outbuildings comprise open structures (e.g. covered seating areas) and a shed, which, as per the ecological report (Ecosupport, April 2018), are unlikely to have features potentially suitable for use by roosting bats. Since bird nesting material was found in one of the structures, the works should be timed to avoid the bird nesting season – this can be secured by condition.

9.83 The proposals will result in the loss of one of two ornamental ponds on site. Both ponds have been assessed as having ‘poor’ suitability for use by Great Crested Newts (GCN) and it is therefore considered unlikely that the works will adversely affect GCN. The report states that the retained pond will be “re-profiled” into a wildlife pond, and that other enhancements on site will include bird and bat boxes and wildlife-friendly planting. These enhancements should be secured through a condition.

9.84 In summary, the site is of limited value to wildlife and the works are unlikely to adversely affect any protected species. Subject to the imposition of conditions, 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. Thames Basin Heath SPA

9.85 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out including mitigation requirements.

9.86 This site is located approximately 1.15km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.87 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.88 In this instance, the development would result in a net increase of two X three bedroom dwellings which results in a total SANG contribution of £12,224.

9.89 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £1,422.

9.90 The total SPA related financial contribution for this proposal is £13,646. The applicant must agree to enter into a S106 agreement to secure these contributions and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF. For clarification, the applicant is willing to enter into a S106 agreement to secure SPA contributions which would address the second reason for refusal of application 18/00382/FUL.

viii. Community Infrastructure Levy (CIL)

9.91 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL applies to any new build including those that involve the creation of additional dwellings.

9.92 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. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough.

9.93 The site lies within the CIL charging zone of Crowthorne/Sandhurst. The proposal is CIL liable.

ix. Energy Sustainability

9.94 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement to secure water usage (average water use of 110 litre/person/day). No Sustainability Statement has been submitted. A planning condition is recommended in relation to the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

9.95 Policy CS12 requires the submission of an Energy Demand Assessment to secure on-site renewable energy production of 10%. No Energy Demand Assessment has been submitted. A planning condition is recommended in relation to the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD.

x. Drainage/SuDS

9.96 The application site is located within Flood Zone 1 and is not shown to be at risk of surface water flooding. There is however a highway drain in close proximity to the proposed dwellings. The submitted information shows the ditch to be retained at the boundary of the development and does not appear to be any impact on the ditch line. However, the area is likely to suffer from high groundwater table and as such careful consideration should be given to the design of the SuDS scheme to ensure that the property floor levels and drainage design are appropriate. The site drains to an area of high flood risk and as such the provision of SuDS with a restricted runoff rate should be incorporated. Planning conditions are recommended to address these matters.

10. Conclusion

10.1 The proposal for 2no. houses outside of the defined settlement boundary in the Countryside is strictly not in accordance with the development plan policy of CS9 of the CSDPD and Saved Policies EN8 and H5 of the BFBLP which seek to restrict new housing in the Countryside. However, these policies do not fully accord with the NPPF which seeks to protect the intrinsic character and beauty of the countryside and therefore the weight afforded to the development plan policies decreases. The NPPF supports both the effective use of land for new housing and the development of under-utilised land. In this instance, the 2no. dwellings would be sited on previously developed land. The proposed dwellings would relate well to existing built form to the west, east and south-east of the site, all of which lies outside of the defined settlement boundary. The development would infill a gap between existing built form on High Street and Pinewood Close and the approved built form at Alford Close. The new dwellings would not detract from the designated landscape character of the area as defined by the LCA, 2015. Planting is proposed along the southern boundary of plot 1 to provide screening to the development when viewed from the open countryside directly to the south.

10.2 Whilst the proposal would have some environmental impact with the addition of 2 storey dwellings replacing single storey structures sited in the beer garden and would result in the loss of part of the beer garden serving the pub, these environmental impacts would be localised. On balance, it is therefore considered that the harm that arises from the proposal is not significant and the proposal would not result in significant harm to the intrinsic beauty of the countryside.

10.3 The existing pub would be retained as a community facility. Further, the proposal is not considered to adversely affect the residential amenities of neighbouring properties. No adverse highway safety implications would result. A dedicated pedestrian footpath is proposed to serve the 2no. dwellings which would provide safe and suitable pedestrian access for future occupiers and as such overcomes the first reason for refusal of application 18/00382/FUL. The revisions proposed to the parking layout serving the public house would represent an improvement on the existing situation as the parking spaces are currently not properly marked and do not comply with current standards. It is acknowledged that letters of objection raise concern about the loss of parking spaces to serve the public house, however there are no planning conditions which require the existing parking spaces to be kept available for customer parking. This application would create improvements to the parking layout to serve the public house over the existing situation and a planning condition is recommended which will secure the retention of the parking on site which is advantageous.

10.4 Relevant conditions will be imposed in relation to trees, landscape, biodiversity, highway safety, sustainability and drainage.

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

10.6 For the reasons set out in this report, it is considered that the benefits of the proposal outweigh any limited and localised harm that arises.

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

11. RECOMMENDATION

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

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 received by the Local Planning Authority on 21 December 2018 and 18 April 2019:

Drawing no. 17.2304.110 Rev P2

Drawing no: 17.2304.100 Rev P12

Drawing no. 17.2304.101 Rev P4

Drawing no. 17.2304.102 Rev P4

Drawing no.17.2304.103. Rev P4

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 details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. The first floor windows on the rear (western) elevation serving the en-suite and bathroom windows on plot 1 and first floor window on the side (northern) elevation serving the en-suite bathroom and the first floor window on the rear (western) elevation serving the bathroom window on plot 2 dwellings 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 non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room they serve.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no additional windows, similar openings or enlargement thereof shall be constructed in the northern and western elevations of plot 1 and southern and western elevations of plot 2 of the dwellings 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]

06. The finished floor levels of the buildings hereby approved shall be in accordance with the approved drawings.

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

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

07. No dwelling shall be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained.

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

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

08. No dwelling shall be occupied until the boundary treatment has been implemented in accordance with the approved scheme. The boundary treatments shall thereafter be retained.

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

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

09. No dwelling shall be occupied until the 2.1m high acoustic fence along the southern boundary of the Rose and Crown beer garden has been implemented in accordance with the approved scheme. The acoustic fence shall thereafter be maintained and retained as such.

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

[Relevant Policies: BFBLP EN25]

10. The development hereby permitted shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and 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. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Energy Demand 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 (for the residential dwellings only) has been constructed in accordance with the approved plans. The access shall thereafter be retained as such.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

13. No dwelling shall be occupied until the means of access for pedestrians has been constructed in accordance with the approved plans. The access shall thereafter be retained as such.

REASON: In the interests of accessibility and to facilitate access by pedestrians.

[Relevant Policies: BEBLP M6, Core Strategy DPD CS23]

14. The development hereby permitted shall not be begun until the associated vehicle parking and turning space for the public house have been surfaced and marked out in accordance with the approved drawings. The spaces shall thereafter be kept available for parking and turning for the public house 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]

15. No dwelling shall be occupied until the associated vehicle parking and turning space (for the residential dwellings only) have been surfaced in accordance with the approved drawings. The spaces shall thereafter be kept available for parking and turning for the residential dwellings 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 be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings. The facilities shall thereafter be retained as such.

REASON: In order to ensure bicycle facilities are provided.

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

17. 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.

18. No site clearance or demolition 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 development has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved and thereafter retained.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

19. No dwelling shall be occupied until a scheme for the provision of biodiversity enhancements including a plan or drawing showing the location of these enhancements has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be performed, observed and complied with prior to the occupation of the dwellings hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

20. All existing trees shown to be retained and protected in the document entitled "Arboricultural Implications Assessment and Method Statement" by Ecourban Ltd shall be protected by 2m high

(minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved document/drawings.

REASON: In order to safeguard trees in the interests of the visual amenity of the area.

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

21. The protective fencing 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 in the interests of the visual amenity of the area.

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

22. The cellular confinement system and ground protection measures shall be implemented in accordance with the document entitled "Arboricultural Implications Assessment and Method Statement" by Ecourban Ltd. These measures shall be observed, performed and complied with.

REASON: In order to safeguard trees in the interests of the visual amenity of the area.

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

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

- Results of intrusive ground investigations, including indication of likely groundwater table and infiltration rates.
- Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate.
- Calculations confirming that runoff rates post development will not exceed the greenfield runoff rate.
- Submission of the Management and Maintenance plan setting out the maintenance requirements together with expected frequency.

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

24. No dwelling shall be occupied until the sustainable urban drainage scheme for this site has been implemented in accordance with the approved details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

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

[Relevant Policies: CSDPD CS1]

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:

- 10. Sustainability Statement
- 11. Energy Demand Assessment
- 17. Site organisation
- 23. Drainage system(s)

The applicant is advised that the following condition requires discharging prior to commencement of superstructure works:

- 03. Materials

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

- 07. Landscaping
- 19. Biodiversity enhancements

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
- 04. Obscure glazing
- 05. Restrictions on windows
- 06. Slab levels
- 08. Boundary treatment
- 09. Acoustic fencing
- 12. Vehicular access
- 13. Pedestrian access
- 14. Parking for public house
- 15. Parking for residential dwellings
- 16. Cycle parking
- 18. No site clearance
- 20-22 Tree
- 24. Drainage system(s)

3. The Council's Licensing team should be contacted to discuss whether any variation to the premises licence will be required. They can be contacted via licence.all@bracknell-forest.gov.uk

In the event of the S106 agreement not being completed by 31 August 2019, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

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

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ITEM NO:

Application No.

19/00248/FUL

Site Address:

Ward:

Priestwood And Garth

Date Registered:

13 March 2019

Target Decision Date:

8 May 2019

Street Record Fraser Road Bracknell Berkshire

Proposal:

Formation of 7no. parking spaces

Applicant:

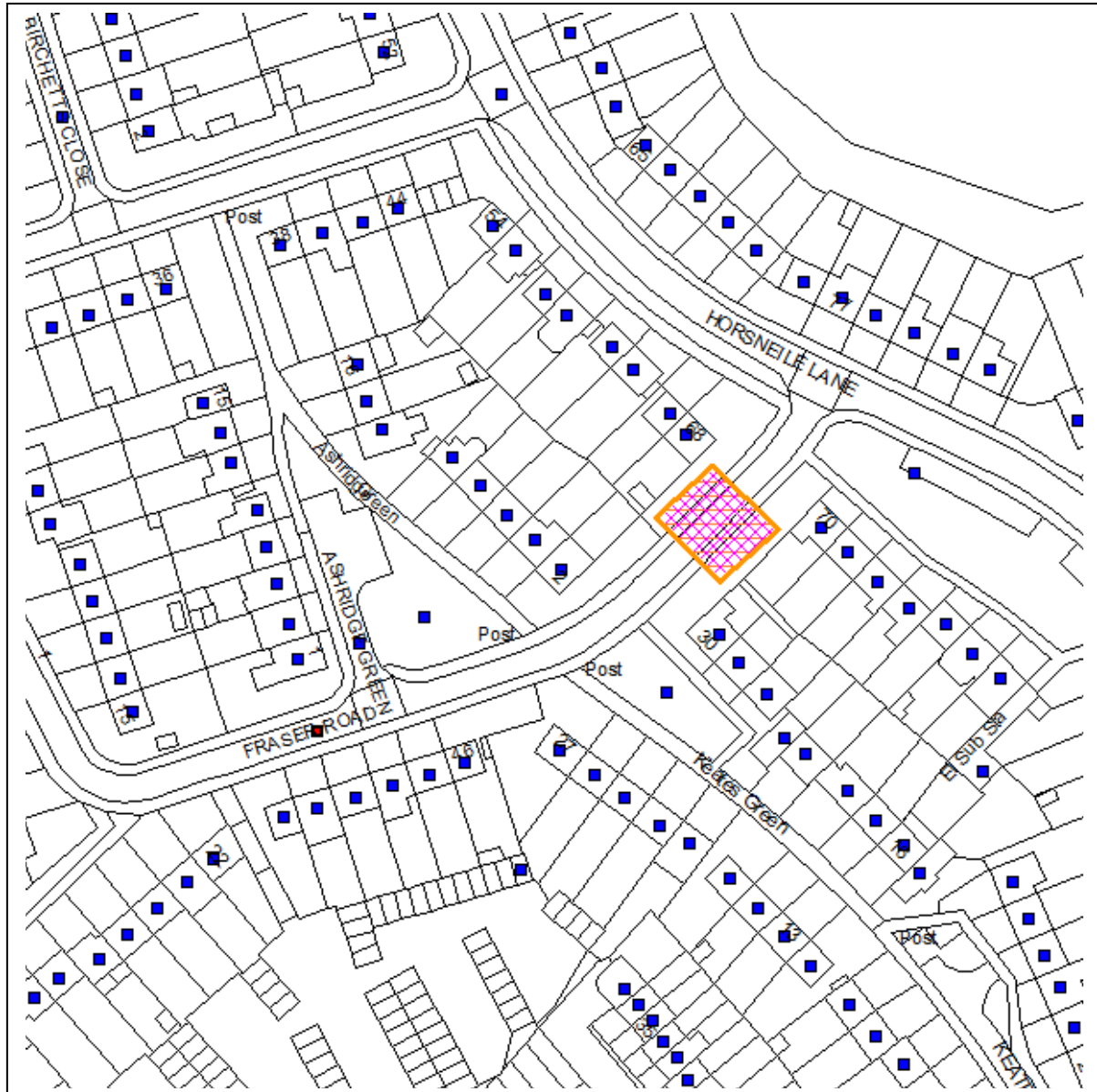
Simon Allen

Agent:

David Humphreys

Case Officer:

Antara Kumar, 01344 352000

development.control@bracknell-forest.gov.uk
Site Location Plan (for identification purposes only, not to scale)


OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the formation of 7 no. parking spaces on amenity areas on Fraser Road, with associated alterations to kerb lines.

1.2 The proposed development relates to a site within the settlement boundary and is therefore, acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area, subject to the recommended conditions. The proposal would be acceptable in terms of highway safety.

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as it has been called to committee by Councillor Mrs McKenzie-Boyle on the grounds of potential impacts on neighbouring residents.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary

3.1 Fraser Road is a predominantly residential area, leading to Binfield Road to the Southwest which has some retail units and Horsneile Lane to the North.

4. RELEVANT SITE HISTORY

4.1 The relevant planning history can be summarised as follows:

027/1946 Section 3/1 New Towns Act 1946
Approved 1924

15/00290/FUL
Conversion of grass area into car parking spaces
Withdrawn 2015
Due to objections from local residents

5. THE PROPOSAL

5.1 The proposed development consists of the following:

- (i) the formation of three parking spaces on amenity land adjacent to 68 Horsneile Lane; and,
- (ii) the formation of four spaces on amenity land adjacent to 70 Horsneile Lane;

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Bracknell Town Council made observations to the proposal mentioning that the parking problem could be overcome if the parking permit system was reinstated. They expressed concern regarding the health issue of local residents as the proposed scheme would bring vehicles much closer to vulnerable residents.

Other representations

6.2 Two objections have been received from 68 and 70 Horsneile Lane which can be summarised as follows:

- There is only an existing fence which will not stop a car coming into the garden if an accident occurs. All other bays are usually built against a wall
- Existing Chronic obstructive pulmonary disease (COPD) which would be aggravated by the fumes from the parked cars backing onto the property
- The proposed bays would just take 4 cars off the road, which is not enough
- Re-establishing parking permits in the area would be a better solution
- The parking spaces will encourage non-residential traffic to park in these areas
- The parking bays will overhang the footway creating danger for pedestrians.
- Additional traffic will increase air pollution
- Removal of valuable green amenity space.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 The Highway Officer raises no objection to the proposed parking plan.

Landscape Officer:

7.2 The Landscape Officer raises no objection, subject to the imposition of a landscaping condition.

7.3 No further 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 the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Character of area	CS7 of CSDPD, Saved policies H12, EN1, EN2 and EN20 of BFBLP	Consistent
Residential amenity	Saved policies EN20 and EN25 of BFBLP	Consistent
Highway Safety & Parking	CS23 of CSDPD, 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.
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Streetscene SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance		

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 highway safety
- v Community Infrastructure Levy

i. Principle of Development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies 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 (Locational 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 Area

9.3 The area between Keates Green and Horsneile Lane is predominantly residential, interspersed by green stretches of amenity land. In general, additional parking spaces would not appear out of keeping with the streetscene in this residential area. The total area of existing amenity land is about 573 square metres, of which the proposed parking spaces will result in a loss of 53 square metres (9%).

9.4 In respect of:

- Proposal (i) comprising three parking spaces on amenity land adjacent to 68 Horsneile Lane, these would be considered acceptable with additional soft landscaping. It is noted that two parking spaces (one driveway, one garage) belonging to 68 Horsneile Lane are located along this stretch. There is one tree present near this stretch of amenity land, however the Root Protection Area is around 1.8 metres, which is outside the area of the proposed bays. Also, the tree is leaning and is not considered to be mature.
- Proposal (ii) comprising four spaces on amenity land adjacent to 70 Horsneile Road, these would be considered acceptable with additional soft landscaping. This land is grassed and while it does perform an amenity function, a significant area of this land would be left over to the south. As such, the creation of parking spaces on this piece of land would not erode the entire area of amenity land and the remainder would still provide visual amenity.

9.5 The proposed layout demonstrates that there would be areas of additional planting to mitigate the loss of amenity grass areas and a condition is recommended to secure this.

9.9 The development would not result in an adverse impact on the character and appearance of the area, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN1, EN2 and EN20, the Streetscene SPD, and the NPPF, subject to a condition requiring the submission of full details of the proposed landscaping scheme.

iii. Impact on Residential Amenity

9.10 Due to the nature of the proposed development, it would not involve any impacts on the amenity of neighbouring residential properties with respect to overbearing and loss of light. Although there would be limited screening (landscaping, boundary wooden fence panel) provided between some of the proposed spaces and the surrounding residential properties, this is not considered unacceptable in a built-up residential area and would not cause an unacceptable increase in noise, disturbance and pollution.

9.11 It is therefore considered that the development would not result in any significant adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policies EN20 and EN25, and the NPPF.

iv Impact on Highway Safety

9.12 Fraser Road is a residential road which is subject to a 30mph speed limit. Considerable on-street parking occurs and thus the provision of 7 off-street parking bays is likely to improve the parking situation.

9.13 Drawing 4817/326 indicates that these off-street parking bays would be 2.4m by 4.8m, in line with the Council's standards, and permeable paving, in line with current drainage requirements. A minimum 6m of access/manoeuvring space would be provided for access in and out of the parking bays. Planting is proposed around the proposed parking bays to protect the remaining amenity land from indiscriminate parking. Any planting adjacent to parking bays should be kept at a low level to ensure pedestrian visibility splays are achieved for vehicles exiting parking bays across footways

9.14 The Design and Access statement notes that other areas along the road are also being considered for additional parking spaces.

9.15 The Highway Authority has no objection to the proposed parking spaces and it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF.

v Community Infrastructure Levy (CIL)

9.16 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.

9.17 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including new build that involves the creation of additional dwellings. The proposal is not CIL liable as it would not involve an increase in internal floor space.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the local area, the amenities of the residents of the neighbouring properties, or on highway safety. 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 EN1, EN2, EN20, EN25 and M9, the Streetscene 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 8 March 2019 and 1 May 2019:

4817/ 326: Proposed layout

4817/ 326/ L: Landscape Proposal

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

03. 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 details of the proposed maximum heights of the planting and 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.

REASON: In the interests of good landscape design and the visual amenity of the area. [Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]

Informative(s):

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

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

3. Landscaping

03. Although notice has been served on Bracknell Forest Council, 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.

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