

## 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

**Thursday 12 November 2020, 6.30 - 9.30 pm**  
**Online Only**



### Agenda

Item	Description	Page
1.	<b>Apologies for Absence</b>	
	To receive apologies for absence.	
2.	<b>Minutes</b>	5 - 6
	To approve as a correct record the minutes of the meeting of the Committee held on 15 October 2020.	
3.	<b>Declarations of Interest</b>	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>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.</p> <p>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.</p>	
4.	<b>Urgent Items of Business</b>	
	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)

**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.**

### **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.**

5.	<b>PS 20/00214/OUT Land East Of Old Priory Lane and West Of Maize Lane, Warfield, Bracknell, Berkshire</b>	13 - 84
	Outline application for up to 305 dwellings (C3Use), A Primary School (up to two forms of entry), (D1 Use), Public open space, Landscaping, Surface Water Drainage and associated engineering works, all Matters Reserved except means of access with Maize Lane and Harvest Ride.	
6.	<b>PS 20-00303-FUL Calfridus Way Playing Fields, Calfridus Way, Bracknell, Berkshire</b>	85 - 100
	Installation of a 27.5m high Swann Type A monopole telecommunications mast with 3no. antennas, 2no. 0.6m dishes, 2no. ground based equipment cabinets and ancillary development thereto. Installed within an 8.0m x 6.0m compound with a 2.1m palisade fence	
7.	<b>19-00847-OUT Palm Hills Estate, London Road, Bracknell, Berkshire</b>	101 - 132
	Outline application for demolition of existing Palm Hills complex and redevelopment of site to provide 81 dwellings (15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom) with associated car parking, landscaping and amended access onto London Road (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration).	
8.	<b>19-01004-OUT 3M United Kingdom, Cain Road, Bracknell, Berkshire RG12 8HT</b>	133 - 156
	Outline application for erection of up to 27 dwellings, with principal access from Turnpike Road, and associated vehicle parking, landscaping and ancillary works following demolition of existing buildings and clearance of the site. [All matters reserved apart from Access]	
9.	<b>20-00072-FUL Bus Depot and Offices, Coldborough House, Market Street, Bracknell, Berkshire</b>	157 - 178
	Section 73 application for variation of conditions 02 (approved plans as already amended under 19/00731/NMA) and 20 (energy statement) of planning permission 18/00964/FUL for the redevelopment of the site to provide a building of up to 11 storeys accommodating 242no. flats, commercial space and ancillary works.  [Note for clarification, changes proposed comprise: Condition 02 - Revised floor to floor heights leading to a reduction in the overall building height - Revised column layouts on the ground and first floor - The replacement of 5no. 1-bedroom flats with 2-bedroom apartments (Units 018, 034, 041, 048 and 054) - Additional air vents on external elevations - Ground and first-floor louvres to parking areas amended to allow for use of concrete upstand - 200 sq.m. area of cladding on north west elevation replaced with a white	

### **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.**

	<p>render</p> <ul style="list-style-type: none"> <li>- External green wall to central courtyard removed</li> <li>- Projecting balconies omitted in lieu of a glazed-external balustrades</li> <li>- Landscaping plan amended to take account of existing foul and storm sewer easement across site and to amend courtyard planting</li> </ul> <p>Condition 20 Revised Energy Statement proposed with installation of 306 Solar PV Panels.]</p>	
10.	<b>20-00786-RTD Land At Ashbrook, North Street, Winkfield, Windsor, Berkshire</b>	179 - 186
	Installation of 20m monopole, 3 No. antennas, 1 No. dish and 2. No cabinets.	
11.	<b>20-00836-PAC Countrywide House, 28 Wellington Business Park, Dukes Ride, Crowthorne, Berkshire RG45 6LS</b>	187 - 192
	Prior approval for change of use from B1(a) offices to 4no. C3 dwellings	

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: 2 November 2020

#### **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.

This page is intentionally left blank



**PLANNING COMMITTEE  
15 OCTOBER 2020  
6.30 - 6.50 PM**

**Present:**

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

**Apologies for absence were received from:**

Councillors D Birch

**48. Minutes**

**RESOLVED** that the minutes of the meeting of the Committee held on 12 September 2020 be approved as a correct record and signed by the Chairman.

**49. Declarations of Interest**

There were no declarations of interest.

**50. Urgent Items of Business**

There were no urgent items of business.

**51. 20/00502/FUL 18 Moffats Close, Sandhurst, Berkshire GU47 9EN**

**Erection of single storey rear extension following demolition of existing conservatory, conversion of garage to habitable accommodation, erection of porch to front of property, installation of rooflight windows to first floor front bedroom.**

The Committee noted:

- The supplementary report tabled at the meeting.
- Sandhurst Town Councils objection to the application as detailed in the agenda papers.
- A total of five objections as summarised in the agenda papers.
- That two letters of support had been received.
- The additional letter of objection read out at the meeting.

**RESOLVED** that the application is recommended for **APPROVAL** 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 and other submitted details, received 16.07.2020:

Location Plan Proposed Block Plan, Floor Plans and Section Existing and Proposed Elevations and Existing Floor Plans Proposed Section and Roof Plan

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

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

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

52. **20/00677/PAC First Floor, 261 High Street, Crowthorne, Berkshire RG45 7AH**

The application was determined under delegated powers and therefore removed from the agenda.

**CHAIRMAN**

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

**PLANNING COMMITTEE  
12th November 2020**

---

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

		<b>Case Officer</b>	<b>Reporting Officer</b>
5	<p>20/00214/OUT Land East Of Old Priory Lane and West Of Maize Lane Warfield (Binfield With Warfield Ward) Outline application for up to 305 dwellings (C3Use), A Primary School (up to two forms of entry), (D1 Use), Public open space, Landscaping, Surface Water Drainage and associated engineering works, all Matters Reserved except means of access with Maize Lane and Harvest Ride. Recommendation:</p>	Matt Lunn	Jo Male
6	<p>20/00303/FUL Calfridus Way Playing Fields Calfridus Way Bracknell (Harmans Water Ward) Installation of a 27.5m high Swann Type A monopole telecommunications mast with 3no. antennas, 2no. 0.6m dishes, 2no. ground based equipment cabinets and ancillary development thereto. Installed within an 8.0m x 6.0m compound with a 2.1m palisade fence Recommendation:</p>	Sarah Horwood	Basia Polnik
7	<p>19/00847/OUT Palm Hills Estate London Road Bracknell (Ascot Ward) Outline application for demolition of existing Palm Hills complex and redevelopment of site to provide 81 dwellings (15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom) with associated car parking, landscaping and amended access onto London Road (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration).</p>	Simon Roskilly	Jo Male

Recommendation: Approve Subject To The Completion Of Planning Obligation(s).

- |   |  |                |         |
|---|--|----------------|---------|
| 8 | <p>19/01004/OUT<br/>3M United Kingdom Cain Road Bracknell<br/>(Binfield With Warfield Ward)<br/>Outline application for erection of up to 27 dwellings, with principal access from Turnpike Road, and associated vehicle parking, landscaping and ancillary works following demolition of existing buildings and clearance of the site. [All matters reserved apart from Access]<br/>Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>  | Simon Roskilly | Jo Male |
| 9 | <p>20/00072/FUL<br/>Bus Depot and Offices Coldborough House<br/>Market Street<br/>(Wildridings And Central Ward)<br/>Section 73 application for variation of conditions 02 (approved plans as already amended under 19/00731/NMA) and 20 (energy statement) of planning permission 18/00964/FUL for the redevelopment of the site to provide a building of up to 11 storeys<br/>accommodating 242no. flats, commercial space and ancillary works.</p> <p>[Note for clarification, changes proposed comprise:<br/>Condition 02</p> <ul style="list-style-type: none"><li>- Revised floor to floor heights leading to a reduction in the overall building height</li><li>- Revised column layouts on the ground and first floor</li><li>- The replacement of 5no. 1-bedroom flats with 2-bedroom apartments (Units 018, 034, 041, 048 and 054)</li><li>- Additional air vents on external elevations</li><li>- Ground and first-floor louvres to parking areas amended to allow for use of concrete upstand</li><li>- 200 sq.m. area of cladding on north west elevation replaced with a white render</li><li>- External green wall to central courtyard removed</li><li>- Projecting balconies omitted in lieu of a glazed-external balustrades</li><li>- Landscaping plan amended to take account of existing foul and storm sewer easement across site and to amend courtyard planting</li></ul> <p>Condition 20<br/>Revised Energy Statement proposed with installation of 306 Solar PV Panels.]<br/>Recommendation:</p> | Jo Male        | Jo Male |



10	20/00786/RTD Land At Ashbrook North Street Winkfield (Winkfield And Cranbourne Ward) Installation of 20m monopole, 3 No. antennas, 1 No. dish and 2. No cabinets. Recommendation:	Olivia Jones	Basia Polnik
11	20/00836/PAC Countrywide House 28 Wellington Business Park Dukes Ride (Crowthorne Ward) Prior approval for change of use from B1(a) offices to 4no. C3 dwellings Recommendation:	Olivia Jones	Basia Polnik

### Background Papers

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

## **PLANNING COMMITTEE - POLICY REFERENCES**

Key to abbreviations used in the following planning reports.

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

SPG Supplementary Planning Guidance  
SPD Supplementary Planning Document

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

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

## **SITE LOCATION PLAN**

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

## **THE HUMAN RIGHTS ACT 1998**

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

Those rights include:-

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

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

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

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

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

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

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

detailed consideration of any Convention Rights affected.

This page is intentionally left blank

**ITEM NO:**

Application No.  
**20/00214/OUT**  
 Site Address:

Ward:  
 Binfield With Warfield

Date Registered:  
 16 March 2020

Target Decision Date:  
 15 June 2020

**Land East Of Old Priory Lane and West Of Maize Lane Warfield Bracknell Berkshire**

Proposal:

Outline application for up to 305 dwellings (C3Use), A Primary School (up to two forms of entry), (D1 Use), Public open space, Landscaping, Surface Water Drainage and associated engineering works, all Matters Reserved except means of access with Maize Lane and Harvest Ride.

Applicant:

Danescroft, Taylor Wimpey, Sears, Corser and Seatons

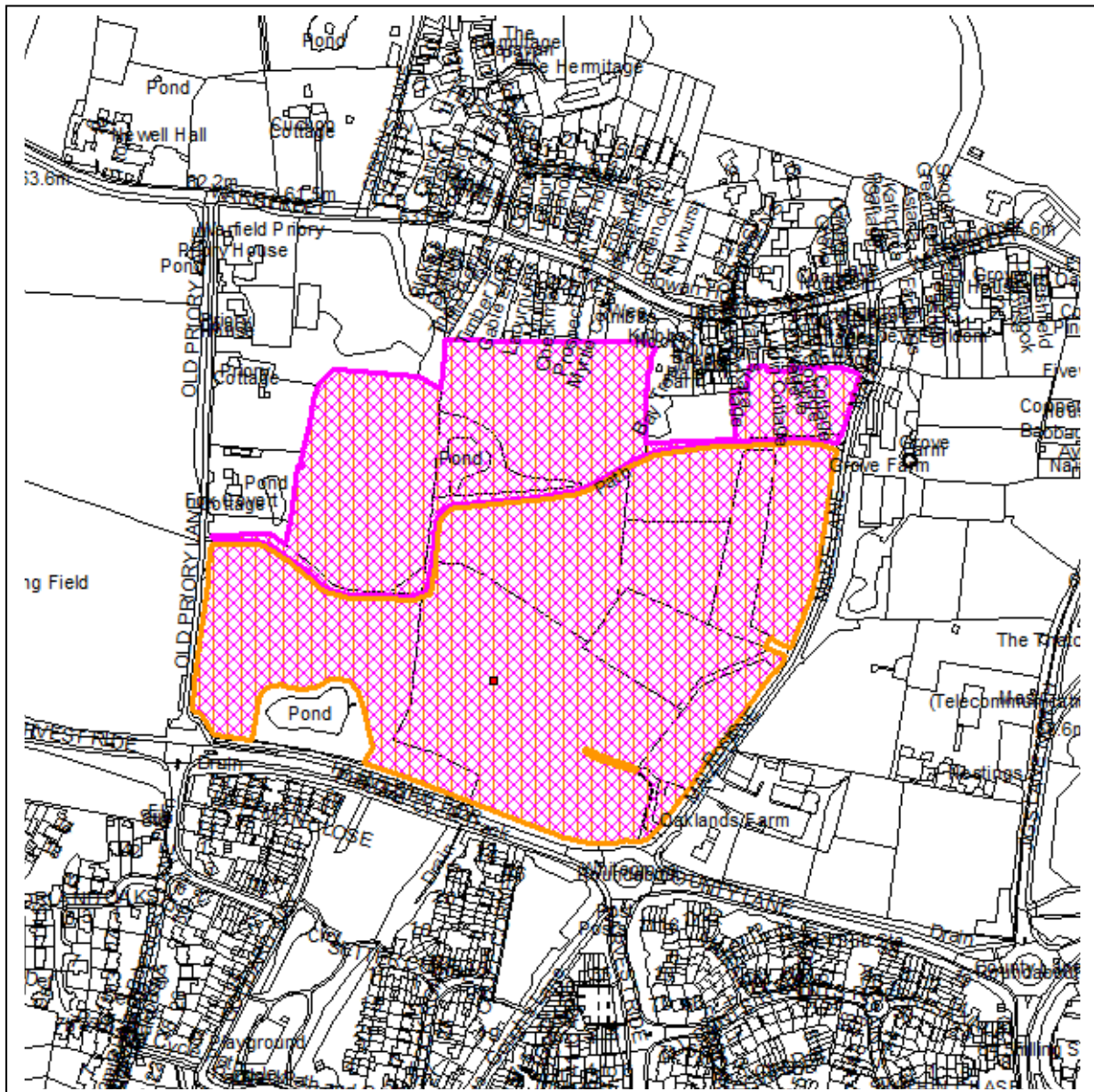
Agent:

Mr Michael Knott

Case Officer:

Matt Lunn, 01344 352000  
[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## 1 SUMMARY

1.1 This application seeks outline planning permission for a mixed use development at Warfield, comprising the erection of up to 305 dwellings, a primary school (up to two forms of entry), public open space, landscaping, surface water drainage and associated engineering works. All matters are reserved except for means of access with Maize Lane and Harvest Ride. Only the principle of development, including the proposed land uses, the amount of development and access to the site are for consideration at this stage. All other matters are reserved for later consideration.

1.2 The application has been submitted by a consortium of neighbouring developers and landowners, known as the 'Warfield Central Consortium' (WCC).

1.3 The area forms part of the Warfield strategic development site. The site is allocated for the comprehensive mixed use development for 2,200 dwellings, and supporting infrastructure, in Policy SA9 of the Bracknell Forest Site Allocations Local Plan (SALP) (adopted July 2013). This strategic policy is supported by the site-specific guidance set out within the Warfield Supplementary Planning Document (SPD) and the Warfield Area 1 Masterplan.

1.4 The comprehensive delivery of SA9 is complicated by the multitude of landholdings and development interests with varying timescales across the strategic allocation. Without a coordinated approach, piecemeal development would undermine the delivery of planning policy objectives. Through early engagement with the Council, members of the WCC have worked collaboratively to bring forward a development proposal that would meet the objectives of SALP Policy SA9 in terms of land use, housing mix, design, connectivity and infrastructure delivery. The application has been submitted on the basis that it would meet the objectives for the Warfield allocation and would not undermine the objective of securing the comprehensive development of the wider allocation.

1.5 Prior to the submission of this planning application, the WCC has engaged extensively with the Council in pre-application discussions on matters such as design, access and infrastructure. The submitted Statement of Community Involvement sets out the public and stakeholder engagement undertaken by the WCC. The issues raised informed the content of the planning application.

1.6 During the course of the assessment of this application a number of amendments to drawings and supporting documents have been made to address matters raised, by both internal and external consultees. The application is now recommended for approval subject to the prior completion of a s106 agreement and conditions.

1.7 The application is reported to planning committee as more than five objections have been received.

<b>RECOMMENDATION</b>
The Head of Planning be authorised to grant planning permission subject to the conditions in Section 10 of this report following the completion of a Section 106 legal agreement.

## 2 SITE DESCRIPTION

2.1 The application site is located on the northern edge of Bracknell, approximately 1.3km from the edge of Bracknell town centre, in the parish of Warfield. It is a greenfield site and measures 13.87 hectares (ha). It comprises a mix of managed horse grazing paddocks and unmanaged grassland, with field margins and the site boundary defined by deciduous trees, hedgerows and areas of scrub.

2.2 Paddocks in the south eastern part of the site are larger and provide for a more open landscape than smaller fields to the north and west; where smaller fields and more vegetation provide for a greater sense of enclosure and more intimate character. There is also a pond located at the centre of the site next to Hedge Lane. The general landform slopes gently down to the north west and north east from Harvest Ride.

2.3 The site is bounded to the north by residential properties located along Warfield Street, Old Priory Lane and Maize Lane. The southern site boundary abuts Harvest Ride and a Thames Water attenuation pond. The eastern edge of the site is defined by Maize Lane. Maize Lane is accessed from the north and south but is stopped up at the southern end to prevent through traffic. At present Maize Lane provides access to several residential dwellings and a farm/stable yard. To the west, the site abuts Old Priory Lane and the rear of properties fronting this lane. Old Priory Lane is stopped-up at the southern end, north of Harvest Ride.

2.4 A public bridleway (ref. BR26) called Hedge Lane runs east-west through the site connecting Old Priory Lane and Maize Lane. There are several individual and group Tree Preservation Orders (TPOs) across the site, including stands of mature deciduous trees. Two Grade II Listed Buildings lie adjacent to the site: Priory Cottage, on Old Priory Lane; and Knibbs Nook and Wee Knibbs, on Warfield Street. The site has gated access from the east off Maize Lane and the west off Old Priory Lane, and internally off Hedge Lane.

2.5 The site is identified as Grade 3 Agricultural land and has archaeological potential. It is located within Flood Zone 1. Although there is a very low risk of fluvial flooding, it is at risk of surface water flooding.

2.6 Whilst there are no statutory or non-statutory nature conservation designations, the entire site lies within 5km of the Thames Basin Heaths Special Protection Area (SPA). A Local Wildlife Site (LWS) lies immediately to the south of the site across Harvest Ride at Goddard Way.

2.7 More broadly, the site lies between the older Warfield settlement along Warfield Street to the north and more modern development within the built-up area of Bracknell, to the south.

2.8 As shown in figure 1 below, the application site forms a significant part of the 'Land at Warfield' urban extension allocated under Policy SA9 of the SALP and is located in the eastern part of Area 1, as identified in the Warfield SPD. The application for up to 305 dwellings represents 14% of the allocation for 2,200 dwellings.

2.9 Only the principle of development, quantum of development, access arrangements and a set of development parameters, including proposed land uses, density, building heights, landscaping and access are for consideration at this stage. All other matters are reserved for later consideration.

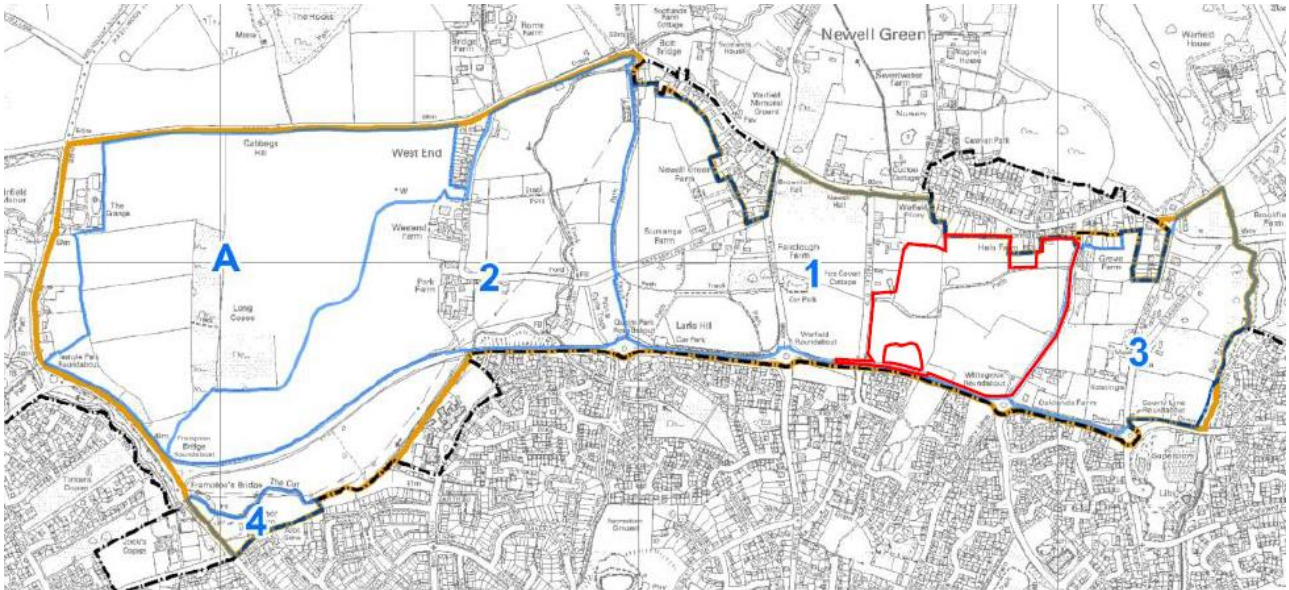


Figure 1: SA9 Warfield allocation (orange) and location of application site (red) (Extract from Warfield SPD, p108)

[The submitted Design and Access Statement (DAS), p8, shows the application site in the context of other development parcels with planning permission on the SA9 site.]

### 3 RELEVANT SITE HISTORY

3.1 There is no relevant planning history to this site, however beyond the application site, the following applications on the wider SA9 site (ref. figure 1 above) are relevant:

#### Area 1

i) 16/01253/FUL – Land south of Fairclough Farm: Erection of 52 no. dwellings with associated parking, landscaping and open space and vehicular access onto Newell Green – Approved 2018.

ii) 16/01274/FUL – Land at Watersplash Lane: Demolition of existing buildings and erection of 43 dwellings with associated accesses (to land to west and to Watersplash Lane), parking and landscaping – Approved 2018.

iii) 16/01195/FUL – Land East of Avery Lane and North of Watersplash Lane: Erection of 116 dwellings with associated landscaping, infrastructure works, and open space of public value served by vehicular access from north-south link road and pedestrian/cycle links to Watersplash Lane – Approved 2018.

3.2 These three separate applications i) – iii) for development at Newell Green were linked by an overarching s106 agreement to secure necessary infrastructure.

iv) 13/00423/OUT – Land Rear of Warfield Priory, Warfield Street: Erection of up to 34 residential units with associated access, parking, amenity space and landscaping – Withdrawn February 2016.

v) 19/00327/FUL – Land at South West of Abbey Place: Erection of 9 dwellings with associated access, parking and landscaping – resolution to Approve at the meeting of the Planning Committee in September 2020, subject to the completion of a s106 agreement.



- vi) 20/00057/FUL – Land at The Barn, Watersplash Lane: Erection of two storey detached dwelling with associated car parking and landscaping and the provision of car parking spaces to serve the existing property following demolition of existing outbuilding – Approved 2020.

#### Area 2

vii) 13/01007/OUT – Land North of Harvest Ride and South of Forest Road and East of West End Lane: Outline planning application for up to 750 residential dwellings (with a minimum of 675 dwellings) including 60-bed senior living scheme; new two form-entry primary school; formal and informal open space; associated landscaping; works to river cut and provision of new north-south link road. (All matters reserved except for means of access to the development); and Full planning application for the development of Phase 1 at the south western corner of the site for the erection of 87 residential dwellings (87 of the 750 dwellings described above) with associated open space, parking and landscaping; creation of two new access points off Harvest Ride and provision of north-south link road between Harvest Ride and Forest Road – Approved 2014.

#### Area 3

No relevant applications.

#### Area 4

viii) 13/00831/FUL - Land at Manor Farm: Erection of 27no. dwellings with vehicular access from Binfield Road, and associated parking, bin and cycle storage and open space following the demolition of existing outbuildings – Approved 2014.

3.3 In addition to the above, the Council's policy to secure comprehensive development has been supported by Inspectors on appeal, in the following cases:

- ix) 13/00027/OUT – Fairclough Farm (Area1): Outline application for erection of 40no. dwellings and 70 bedroom care home – Refused 2013. Appeal dismissed 2014.
- x) 14/00980/FUL – Land at South West of Abbey Place Abbey Place (Area 1): Erection of 10no dwellings with associated car ports, garages, and landscaping – Refused 2015. Appeal dismissed 2016.
- xi) 18/00918/FUL – Land to South and West Of 2 Fairclough Cottages (Area 1): Erection of 5no. detached dwellings (2no. 4 bedroom and 3no. 5 bedroom) including associated works – Refused 2019. Appeal dismissed 2019.

## **4 THE PROPOSAL**

4.2 This application seeks to secure Outline planning permission for a development of up to 305 dwellings and associated infrastructure, including a 2 form of entry (FE) primary school. However, the delivery of the school is linked to the need for primary school places (see para 8.15) and therefore this application provides the scope to deliver:

- a) Up to 270 dwellings with a 2 FE school; or
- b) Up to 305 dwellings with a 1 FE school.

4.3 The application would deliver a mix of market and affordable (25%) housing. The indicative housing mix has been informed by the Berkshire SHMA (2016):

42 x 1 bed (14% of total),  
75 x 2 bed (25%),  
117 x 3 bed (38%),

67 x 4 bed (22%)  
4 x 5 bed (1%)  
(ref. Planning Statement, para 4.12)

4.4 The eventual quantum of dwellings built will depend on the requirement for primary school places on the site. The application description for up to 305 dwellings provides the applicant and BFC with flexibility when designing/determining reserved matters applications having regard to the need for the school. The actual number will be dictated by design parameters that are matters to be approved as part of this application.

4.5 The application also provides for:

- i) Two main vehicular access points providing access from the east off Maize Lane and west off Harvest Ride into the site, as detailed in the Transport Section. These will provide vehicle, pedestrian and cycle access onto a spine road that will provide east-west access through the centre of the development, to development parcels north and south of this main access road, the primary school and public open space.
- ii) a 2FE primary school – indicatively located to the east of the site and north of the spine road. As shown on the Application Masterplan (ref. figure 2), this application provides for the delivery of either a 1FE or a 2FE primary school. The land is split in two to allow for either option. This application provides for the 1FE school land (1.1ha) (darker purple shading) to be transferred to BFC outright, whereas the 2FE school land (0.9ha) (lighter purple) will be reserved for a period of approximately 10 years with the option for BFC to acquire it to enable the construction of a 2FE school. If BFC does not acquire this land, this planning permission would then allow the site to be developed for housing.



Figure 2: Application Masterplan

- iii) Public open space, with a children's play area; comprising an area of mostly passive open space covering a north-south orientated area through the centre of the site. This includes the pond and stands of retained mature trees and is bisected by the east-west orientated Hedge Lane Public Right of Way (PRoW). A children's play area in the form of a Local Equipped Area of Play (LEAP) is located at the centre of the site. The open space will create two green corridors providing biodiversity connectivity to habitats beyond the site boundary.
- iv) Maize Lane works (north of the main access):
  - a. the carriageway will be narrower and operate as a shared surface;
  - b. the pedestrian/cycleway, along the north of the spine road, would wrap around and extend slightly northwards past the junction up Maize Lane from the main access, forming the transition for pedestrians and cyclists beyond which the carriageway becomes a shared space;
  - c. further north, there would be several westward 'punch-throughs' providing access into small pockets of housing fronting onto the lane. This would create openings in the hedgerow and culverted sections of the ditch line;
  - d. north of the access onto Hedge Lane (Hedge Lane would be retained) an access would be provided to a small development parcel comprising approximately 16 dwellings;
  - e. slightly north of this final access point, Maize Lane would be stopped-up to through traffic, with a turning-head to the north. This would relocate the current stopped-up position from the south. This would restrict any residential vehicle access from this development to the south only and prevent access northwards on Maize Lane out onto Warfield Street; and
  - f. because of Maize Lane's strategic importance, in providing access for vehicles, pedestrians and cyclists to the wider area, the lane would be lit.
- v) Old Priory Lane works:
  - a. the southern turning head would be relocated northwards to just south of Hedge Lane, where Old Priory Lane would be stopped-up, preventing any vehicle movement south;
  - b. access to Hedge Lane would be retained in its current location;
  - c. the redundant section of carriageway, south of the new turning head, would be converted into a pedestrian/cycleway, providing car-free links eastwards into this development and south to Harvest Ride and Priory Fields; and
  - d. because of Old Priory Lane's strategic importance, in providing access for pedestrians and cyclists to the wider area, this southern section of the lane up to Hedge Lane would be lit.

4.6 An Application Masterplan has been submitted in support of the proposal. This sets out the development areas and access locations for which, alongside the submitted Parameter Plans, permission is sought.

4.7 A Design and Access Statement (DAS) and a set of Parameter Plans have been submitted to provide a framework which will control and inform future reserved matters applications, while providing a degree of flexibility. The plans include the following:

- i) Land use – indicating the location of housing, the primary school site, areas of open space and Sustainable Drainage Systems (SuDS) features.
- ii) Design principles – the submitted DAS subdivides a set of layout and design principles in four 'themes':
  - a. Character areas – this shows the built element of the application site split into two character areas: 'Warfield Street South' – covering the northern part of the site and comprising a lower density, more informal traditional form of development, and 'Harvest Ride' – covering the southern part of the site and would be a denser more suburban

form of development. It provides an indication of streetscene treatment, building types and materials, and will inform the design of development parcels.

- b. Key frontages – provides design indicators for such key areas as around the school and central green space.
  - c. Key spaces – provides a set of design guides and rationale for key interfaces, including Whitegrove roundabout and Maize Lane, Old Priory Lane, along the spine road and around open space.
  - d. Key routes – provides for design treatment, with cross-sections, along key routes, such as the East-West Greenway (Hedge Lane), where the focus will be on maintaining an unlit informally-surfaced route, flanked by vegetation with buildings set back; and the hierarchy of roads. This extends from detailing treatment along the principal spine road, which will be a 5.5m wide carriageway with segregated footpath/cycleway and formal tree avenue; to more minor routes and access, with narrower shared surfaces, less formal tree planting and more varied building setback.
- iii) Density – the density of development would vary from approximately 40dph in the southern part that relates to the built-up area of north Bracknell to approximately 35dph in the northern part of the site that relates to the older settlement around Warfield Street.
- iv) Building heights – this allows for a maximum of 3 storeys, in appropriate locations only, such as at key locations, in the southern higher density part of the site. The middle of the site would be predominantly 2 storeys with 2.5 storey elements where appropriate. The north of the site would have up to 2 storeys where density would be lowest.
- v) Urban design strategy – details sensitive edges, active frontages, design nodes and key building locations.
- vi) Access and movement strategy – indicating:
- access points and the location and hierarchy of internal roads, including a main spine road linking Maize Lane and Harvest Ride;
  - pedestrian and cyclist routes through the site;
  - the location of the East-West Greenway which uses the retained Hedge Lane bridleway;
  - the relocation of stopping-up on Maize Lane and Old Priory Lane; and
  - safeguarded access to adjacent development parcels outside of the application boundary.
- vii) Phasing strategy – development is proposed to be built in phases, and this plan provides an indication of phasing. However, this would not necessarily occur in the numeric order as shown. Appropriate triggers for the delivery of infrastructure linked to phases of development would be informed by this plan.

4.8 An Illustrative Layout plan (ref. figure 3) has been developed to provide an impression of how the development could appear. It is important to note that the layout shown is not acceptable to the Council. The applicant has been made aware of this, and has made this explicit in para 1.3.4. of the DAS. It is a supporting document and will not be subject to approval.

4.9 The application has been subject to extensive discussion with officers and the main changes to the application as originally submitted are:

- i) Maize Lane would become a lit shared-surface lane, as opposed to a lit segregated footpath/cycleway to the west within the site.
- ii) The turning head on Old Priory Lane has been moved northwards to the south of Hedge Lane, to create a lit car-free pedestrian/cycle route from Harvest Ride.
- iii) The massing of built form on Whitegrove roundabout extending up the southern end of Maize Lane has been broken up and reduced following the removal of apartment blocks.

- iv) The transition from denser built form at the southern end of Maize Lane to the quieter more rural character north of the main access has been improved, with apartment buildings being replaced by housing.
- v) Separation distances and landscaped buffering between new dwellings and existing residential properties along Warfield Street has been amended to provide for an improved interface in this sensitive area; in particular where development backs onto Knibbs Nook and Wee Knibbs Listed Building.
- vi) A second point of access to a potential development parcel off Old Priory Lane to the west has been safeguarded. This is to avoid future intensification of vehicular access onto Old Priory Lane.
- vii) A 'no vehicular through route' is to be safeguarded onto Old Priory Lane from the spine road, where two new turning heads are closely located. This would remove the requirement for the stopping-up of Old Priory Lane further north to prevent additional traffic flowing onto Warfield Street; and avoid consequential harm to the character of the lane.



Figure 3: Illustrative Layout plan – showing an indicative layout only

### Environmental Impact Assessment (EIA) screening

4.10 Prior to the submission of this application, the applicant submitted an EIA Screening Opinion to BFC in October 2017. This asked BFC to determine whether a proposed development of up to 330 dwellings on this site, including a primary school, open space and access, would constitute an EIA development. In January 2018, the Council concluded that the proposed development would not constitute an EIA development. Upon submission of this planning application, for a lower number of dwellings, an update was requested, and it was concluded in April 2020 that the development remains within the original scope and the conclusions of the screening opinion remain valid. This application is not therefore accompanied by an EIA.

## 5 REPRESENTATIONS RECEIVED

5.1 84 representations were received, comprising 83 Objecting and 1 Supporting. A summary of matters raised in respect of the proposal is set out below.

### 5.2 Comments **Supporting**:

- i. More housing is needed in Bracknell – too many people are missing out.

### 5.3 Comments **Objecting**:

#### i) Consistency with adopted planning policy

- a) The application is made by a consortium of landowners that does not form all of Area 1 as outlined in the Warfield Central Area Masterplan. *[Officer response: ref. para 1.4, section i. Principle of development]*
- b) 342 dwellings are proposed – an additional 87 dwellings than the 255 (approximately) dwellings approved in the Warfield SPD and Warfield Central Area Masterplan. That is more than 34% additional dwellings for the equivalent site area = mass over development of the site. *[Officer response: ref. paras 4.2, 8.7-8.11]*
- c) The application fails to deliver any infrastructure required by SALP Policy SA9, Warfield SPD and Warfield Central Area Masterplan, e.g. new community facilities, a Neighbourhood centre, a multi-functional community hub, a two-form entry primary school and a Full Daycare Nursery. The community infrastructure element was intended to come forward as the first phase of the Warfield SPD (area 1). *[Officer response: ref. paras 8.4-8.21]*
- d) The application fails to deliver the required land or construction of the required 2-form entry primary school, as required by Policy SA9 – and instead proposes construction of 37 extra homes on the land for one form of the primary school and retaining ownership of the land. *[Officer response: ref. paras 4.5ii), 8.14-8.16]*

#### ii) Housing Need and Number

- a) Housing need may undergo a re-think more widely in the aftermath of Brexit and coronavirus, also taking into consideration both the Government's policy on 'levelling up', and the latest (2018-based) ONS population projection figures for Bracknell Forest, which show a further fall from the 2016 figures, while BFC housing need is still based (as per MHCLG current guidance) on the higher 2014 figures. On both counts, fewer homes on this site may eventually be appropriate. *[Officer response: ref. paras 8.1-8.4]*
- b) Too many unaffordable big houses are proposed, commanding lots of revenue but not helping housing shortage. *[Officer response: ref. paras 8.7-8.11, 8.196-8.200]*
- c) Housing is predominantly not affordable for many young local people. *[Officer response: ref. paras 8.196-8.200]*
- d) There should be less housing development in Warfield – it should be put elsewhere in Bracknell. *[Officer response: ref. paras 8.1, 8.4]*
- e) Why not put houses where there is actual need. *[Officer response: ref. paras 8.1, 8.4]*
- f) Vacant offices should be converted to residential accommodation instead of building more houses in this area. *[Officer response: ref. paras 8.1, 8.4]*

- g) No more housing is required, as BFC can already demonstrate a 5 year housing land supply. Local major developments are not close to selling out. *[Officer response: ref. paras 8.1, 8.4. 5YHLS factors in delivery of housing on this allocated site]*
  - h) There are over a thousand empty properties in Bracknell Forest; more are not required and the environmental impact of more housing has not been considered. *[Officer response: ref. paras 8.1, 8.4. Consideration of environmental matters are considered throughout the report, in particular paras 8.136-8.171]*
  - i) Coronavirus outbreak will mean more people will work from home and less need for people to live near their place of work, so these houses will remain empty. *[Officer response: ref. paras 8.1, 8.4]*
  - j) The Coronavirus pandemic will lead to global recession, recession and slowing of the housing market – the Council have an obligation to consider this impact on the delivery of this housing site. *[Officer response: ref. paras 8.1, 8.4]*
  - k) Why not compromise with 150 homes and a school, with open space around the school to enclose what are usually ugly buildings. *[Officer response: ref. paras 8.1, 8.4]*
  - l) There should be 50 houses instead, which could develop an identity and create a community instead of being a place with transient residents live, just of necessity and which develops Bracknell into a sprawl of houses with limited local facilities. *[Officer response: ref. paras 8.1-8.4]*
- iii) Design and Layout
- a) The application fails to provide the appropriate protection to the Character Area. *[Officer response: ref. section ii. Design and Impact on the Character of the Area]*
  - b) It fails to protect the properties in the “Warfield Street Character Area” that adjoin the site by failing to enhance planting and vegetation to provide screening along the northern boundary where the site meets the residential properties on Warfield Street and Maize Lane. *[Officer response: ref. sections ii. Design and Impact on the Character of the Area, iii Impact on Residential Amenity]*
  - c) Development will significantly change the character of Warfield and Other new developments on Harvest Ride have shown a woeful lack of respect or regard for visual amenity and character of the area. *[Officer response: ref section ii. Design and Impact on the Character of the Area]*
  - d) The development will have a harmful urbanising impact on the open, undeveloped character of the site and the rural character of Harvest Ride – more development fronting Harvest Ride will have a huge detrimental impact. *[Officer response: ref section ii. Design and Impact on the Character of the Area]*
  - e) Proposed dwellings should not immediately back or side onto existing properties to the north. *[Officer response: ref. section iii Impact on Residential Amenity]*
  - f) Proposed 3 storey houses/flats, totally out of keeping with the area and an apartment block on Whitegrove roundabout will lead to loss of privacy for existing residents. *[Officer response: ref. sections ii. Design and Impact on the Character of the Area, iii Impact on Residential Amenity]*

- g) The proposal is far from sympathetic to the existing properties in the Warfield Street Character Area as well as the Hedge Lane bridleway and is contrary to the Warfield SPD requirements. *[Officer response: ref. sections ii. Design and Impact on the Character of the Area, iii Impact on Residential Amenity]*
  - h) Parcel 1a, with 18 dwellings, is overdeveloped, and should be reduced to provide a more appropriate treatment with Hedge Lane and existing properties to the north. *[Officer response: ref. sections ii. Design and Impact on the Character of the Area, iii Impact on Residential Amenity]*
  - i) A West End Lane-type buffer should be used for Warfield Street residents to shield from new development. Developers at the 2018 consultation agreed this overbearing impact on existing residents to the NE of the site was an issue. This would accord with Warfield Neighbourhood plan WNP4. *[Officer response: ref. section iii Impact on Residential Amenity. Whilst a draft version of the Warfield Neighbourhood Plan has been submitted for examination, the Examination has yet to commence and therefore no material weight can be afforded the emerging policies of the Neighbourhood Plan]*
  - j) A buffer is required between the development and surrounding countryside. *[Officer response: ref. paras 8.1-8.4, section ii. Design and Impact on the Character of the Area]*
  - k) Housing density should be reduced to enable appropriate green infrastructure provision. *[Officer response: ref. paras 8.4-8.11, 8.18]*
  - l) Listed buildings on Warfield Street should be taken into consideration. *[Officer response: ref. section v. Heritage]*
  - m) Prefer gardens to abut Hedge Lane, not driveways or roads, to provide a more effective wildlife corridor for animals such as hedgehogs to move around without fear of cars. *[Officer response: ref. paras 8.62-8.63, section vii. Biodiversity]*
  - n) Minimal parking provision on driveways, no visitor parking and no laybys etc. (just like at Woodhurst Park) will lead to overcrowded street parking, which is dangerous for pedestrians. *[Officer response: ref. para 8.112]*
  - o) Alternative new build styles that embrace environmental building standards must be used to meet the Council's climate change action plan. They do not simply match building styles of either Whitegrove (south) or Warfield Street (north) as the DAS proposes. Red brick builds consume a high amount of resource. *[Officer response: ref. section xii. Energy Sustainability. Housing will be required to meet local planning policy energy demand and renewable energy requirements, as referred to, and standards set by Building Regulations]*
- iv) Impact on Residential Amenity
- a) Existing properties will be overlooked. *[Officer response: ref. section iii Impact on Residential Amenity]*
  - b) The application fails to acknowledge and mitigate against the effects of the significantly higher site ground level and the over-bearing nature the height differential would have on the existing properties along the northern boundary along Warfield Street. *[Officer response: ref. section iii Impact on Residential Amenity]*
- v) Infrastructure



- a) The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, community, and public facilities such as supermarkets and doctors. *[Officer response: ref. paras 8.4-8.21, sections iv. Transport & xiv. Infrastructure Delivery]*
- b) Infrastructure delivery has fallen way behind the original target date. Community Facilities are now desperately required to cope with the ever expanding Warfield community. *[Officer response: ref. paras 8.4-8.21, section xiv. Infrastructure Delivery]*
- c) Local facilities are already being eroded by the greater demand arising from other recent housing developments. This is to the detriment of existing residents. *[Officer response: ref. paras 8.4-8.21, section xiv. Infrastructure Delivery]*
- d) The development makes no provision for infrastructure such as supermarkets or medical services such as doctors surgery and doctors surgeries are under too much pressure as it is. Additionally there is no hospital in Bracknell. *[Officer response: ref. The allocation of this site and SA9 policy was informed by an Infrastructure Delivery Plan (IDP) which was developed to understand infrastructure requirements for this site and informed SA9 policy requirements (ref. para. 8.4). Health care providers were consulted, and no additional need for healthcare facilities at this site was identified. The IDP however remains 'live', therefore any emerging infrastructure requirements would be considered. A supermarket is located a short distance to the east of the site.]*
- e) The application only provides land for a 1-form entry primary school - not the delivery of the required building and fully functioning 2-form entry primary school required by SA9. *[Officer response: ref. paras 8.14-8.16]*
- f) Another primary school is not justified – BFC’s School Places Plan (2020 to 2024) forecast primary school place surpluses will increase but there are insufficient secondary school places. *[Officer response: ref. paras 8.14-8.16, 8.212]*
- g) If 2<sup>nd</sup> FE school is not purchased, this should provide for more greenspace, not housing. *[Officer response: ref. paras 8.18-8.19. There would be no planning policy justification to require this 2FE land to be provided as greenspace]*
- h) Bus services are inadequate. *[Officer response: ref. para 8.92 for provision of access to a local bus stop & para 8.212 – CIL revenue could be used by BFC to fund additional bus services if appropriate]*
- i) Water pressure is already inadequate. *[Officer response: developers would need to work with utility providers to manage water capacity to meet the needs of existing and new residents]*
- j) No allotments are proposed as indicated on the Concept Plan (fig 11 of Design Access Statement) - Contrary to W5 (Warfield SPD). If provided here, needs to avoid areas of contamination and prone to waterlogging, and developers should provide allotment infrastructure prior to handover. Another allotment site at Warfield has been promised. If not here, where will they go? Seek assurance it will be in Area 1 [3] where there is currently no masterplan. *[Officer response: ref. para 8.20]*

vi) Transport/Highway Impacts

Traffic Volume

- a) Traffic will increase heavily, leading to further congestion, particularly at peak times, e.g. at school opening and closing times, and adversely impacting local road infrastructure. *[Officer response: ref. paras 8.113-8.114, section xiv. Infrastructure Delivery]*
- b) Traffic levels in the area has risen significantly, and the infrastructure in these out of town areas is not designed for this amount of traffic. *[Officer response: ref. paras 8.113-8.114, section xiv. Infrastructure Delivery]*
- c) Road infrastructure cannot cope as they were originally country lanes. *[Officer response: ref. sections iv. Transport, xiv. Infrastructure Delivery]*
- d) Increased traffic will further increase pollution and noise levels. *[Officer response: ref. sections i. Principle of development, iv Transport. The development will include measures to minimise the need to use the private car, such as by providing good pedestrian/cycle connectivity to local facilities and the wider area, and access to the local bus network.]*

### Harvest Ride Junction

- a) A number of residents, including those of Lawrence Hill, object to the proposed staggered junction arrangement on Harvest Ride on the grounds of highway safety and consider that it is not acceptable for the following reasons:
  - Harvest Ride is extremely busy at rush hour, and it is impossible to turn right out of Priory Lane without the new dwellings adding to this traffic
  - At peak times the volume of traffic to and from Tesco on both sides of the road means drivers will have to take huge risks pulling out of the new site access into Harvest Ride.
  - The proposed site access from Harvest ride will present a huge risk to vehicles turning right, and for pedestrians.*[Officer response: ref. para 8.83-8.93, 8.113-8.114]*

### Maize Lane

- a) The northern end of Maize Lane is not blocked up to the north, preventing access onto Warfield Street, as required by planning policy and guidance. *[Officer response: Maize Lane will be blocked up to vehicles at the north – ref. paras 8.98-8.105]*
- b) The application fails to block off the northern end of Maize Lane prior to construction – meaning construction traffic will access the development via Maize Lane. *[Officer response: ref. paras 8.98-8.105. Details of construction access are not currently for determination, and will be conditioned as part of a site-wide and phase-specific CEMP – ref. conditions 15, 16.]*
- c) Access for the first collection of homes at the top of Maize Lane (opposite the stables) is only a single tack with no pavement - how can that be safe. This will increase traffic on Warfield Street significantly. *[Officer response: ref. paras 8.98-8.105]*
- d) Concern that cars parked for school pick up and drop off will cause problems down Maize Lane. *[Officer response: details concerning school parking will be considered as part of a reserved matters application for the school. Such matters will be considered and seek to be avoided.]*

### Impact on sustainable modes of transport/movement and existing walking routes and bridleways

- a) Providing a bus route directly into Bracknell, rather than via Bullbrook, as required by Dev Principle W12 (WSPD), should help increase resident non-car travel by more than 2% stated in the Interim Travel Plan. *[Officer response: Bus service enhancements could be funded using CIL revenue from the development – this would depend on BFC’s CIL spending priorities]*
- b) Warfield Street has no lighting, only single pavements and dangerous bends. *[Officer response: ref. section iv. Transport – no residential vehicle access is proposed onto Warfield Street]*
- c) Roads like Newell Green and Jiggs Lane North no longer feel to safe cycle on, due to the increased volume and speed of traffic. *[Officer response: ref. section iv. Transport – safe cycle and pedestrian connections in and around the site have been a key consideration]*
- d) Development will make cycle paths more dangerous for children to cycle and exercise on. *[Officer response: ref. section iv. Transport – safe cycle and pedestrian connections in and around the site have been a key consideration]*
- e) Insufficient regard given to a pedestrian / cycleway route, free from vehicular traffic, leading from the East to West Greenway in the north of the site to the Whitegrove Neighbourhood Centre. *[Officer response: ref. section iv. Transport – the development will provide pedestrian/cycle routes that connect onto the existing network beyond the site boundary, including a financial contribution towards a Harvest Ride pedestrian crossing that will improve connectivity to Whitegrove Neighbourhood Centre]*
- f) The public bridleway will be built across and the loss of the bridleway (Hedge Lane) will further add to the loss of many bridleways since the development of Woodhurst Park. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.140 – Hedge Lane bridleway will be retained]*
- g) Development will further reduce areas suitable for horse riding and walkers. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.138, 8.140 – horse riders will continue to be able to use Hedge Lane]*
- h) The rural character of Maize Lane will be destroyed and the public path through the site will merely be replaced by a pathway through the middle of a housing development. Walkers will no longer be able to escape from noise or enjoy their country walks and bridle paths. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.140]*
- i) Building on this land will push horse riders on to increasingly busy roads. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.138, 8.140 – horse riders will continue to be able to use Hedge Lane]*
- j) Hedge Lane is a designated bridleway. Horses are losing safe places to hack as the local road network is too busy and getting busier as more of SA9 gets built in Warfield. A separate east-west PRow parallel and screened to Hedge Lane should be provided, so that horses can use this safely without conflict with other users. This has been promised to the people of Warfield. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.138, 8.140 – horse riders will continue to be able to use Hedge Lane. Treatment of Hedge Lane is considered to have been integrated into the site in accordance with planning guidance, with disturbance kept to a minimum]*
- k) Development will force walkers and horse riders off Hedge Lane onto estate roads. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.138, 8.140 – walkers and horse riders will continue to be able to use Hedge Lane]*
- l) Controlled crossings needed on Harvest Ride, which is becoming increasingly busy. Without which, Harvest Ride will continue to be a barrier between old and new development and deter people from travelling by sustainable modes. *[Officer response: ref. section iv. Transport – the*

*development will provide pedestrian/cycle routes that connect onto the existing network beyond the site boundary, including a financial contribution towards a Harvest Ride pedestrian crossing]*

#### General Highway/Parking Comments

- a) There is insufficient parking. *[Officer response: ref. para 8.112]*
- b) There has been an increase in road traffic accidents at the Newell Green/Malt Hill and traffic lights by Osbourne Lane, which is a result of recent housing development without appropriate infrastructure. *[Officer response: ref. section iv. Transport]*

#### vii) Green Space and Biodiversity

- a) Open spaces proposed to be built on must be preserved. *[Officer response: ref. paras 8.1, 8.4, sections vi Trees and Landscaping, vii Biodiversity]*
- b) The application fails to provide sufficient green infrastructure and green space has been reduced significantly in the area over the past couple of years – this will lead to a further reduction. *[Officer response: ref. para 8.18, sections vi Trees and Landscaping, vii Biodiversity]*
- c) Greenspace is on patches of land left over post-development and will be choked with traffic fumes. *[Officer response: ref. paras 8.50-8.51, 8.140-8.141]*
- d) The Green Infrastructure Plan misidentifies the area of the proposed school site as being ‘green infrastructure’, which it isn’t, particularly when additional housing is proposed there instead. This should be provided elsewhere on site. *[Officer response: the report and plans state that the proposed school site is for the delivery of a primary school and/or housing. In the evaluation of the proposal’s OSPV, the school land has not been included]*
- e) Inappropriate treatment and enhancement of the existing ‘Hedge Lane bridleway’ – Warfield SPD states this should become a 10m wide greenway that “hedgerows and shrub planting on both sides should be retained and added to where appropriate with detached and semi-detached houses fronting onto the lane with an appropriate set back.” Land parcel 1a however shows an access road running parallel to Hedge Lane, encroaching on the green corridor. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.140]*
- f) Green infrastructure should be provided on the northern site boundary where it meets the rear gardens of the properties within the Character Area known as “Warfield Street. *[Officer response: green infrastructure is considered to have been provided in accordance with planning policy and guidance, as the report sets out. Interface with existing properties to the north is explained in section iii Impact on Residential Amenity]*
- g) The application fails to demonstrate that it protects and enhances biodiversity. *[Officer response: ref. section vii Biodiversity]*
- h) Proposal will adversely affect existing wildlife and that which remains, e.g. Crested newts that reside on the site and are endangered species. *[Officer response: ref. section vii Biodiversity]*
- i) Local rural areas used daily by horses, dog walkers and families living in the surrounding area will be adversely affected. *[Officer response: the development would provide for extensive public open space that is currently inaccessible on private land. Hedge Lane will be preserved as much as possible, and will continue to be a route for pedestrians, cyclists and horse riders.]*

In addition to the above the Binfield Badger Group submitted a detailed representation concerning a site badger survey:

- a) The site needs a full and thorough badger survey whilst the application is under consideration, and prior to any decision being taken.
- b) It is unclear from the ecological assessment when in 2019 the badger survey was carried out. But in any event given that the survey period is identified as May 2013-June 2019, the data is necessarily now at least 9 months old. Use of the area by badgers could have changed considerably in this time.
- c) Developing the site could lead to an important loss of foraging, consequently driving badgers using it to seek new areas, where they may come into conflict with other badger clans.
- d) Request for any decision on this application be deferred until a contemporary survey has been carried out.

*[Officer response to points a)-d) above: ref. paras 8.157-8.159]*

viii) Impact on existing Trees and Hedgerows

- a) Concern for the amount of trees (50%) and hedges (40%) being removed. In the short term this is hardly 'limited', as described in the Landscape and Visual Impact Report (9.7). A new hedge is not a substitute for an old one and the new hedge is only providing a 'Moderate Benefit'. Ways need to be found to retain more existing hedgerow. *[Officer response: ref. section vi Trees and Landscaping, paras 8.153-8.155]*
- b) Tree 7090 is a mature sweet chestnut in Field 5 (south end) and is proposed for removal. It has not been covered by the Ecological Survey. At minimum it should be made safe and left dead standing for wildlife habitat. It is a significant landscape feature and must be preserved. Old trees provide valuable wildlife habitat and there are many bats that forage in this area. *[Officer response: ref. para 8.146]*
- c) There are major inconsistencies between the Ecological Assessment March 2020, the Design Access Statement and the Tree Survey regarding the extent of hedge removal, which hedges are fully or partially removed, the length of said hedges and which are Important (is hedge 29 important or not?). There are 788m (23.5%) of total of hedgerow ranked Important. Of this 543m will be completely removed and 245 partially retained. In contrast only 188m of the non-important category are to be removed (figures from the Ecological Assessment). This is against the recommendations of the Government hedgerow guidance and the Hedgerow Regulations 1997. The development does not justify such a widespread removal of Important hedgerow. The presumption must be that they are protected. *[Officer response: ref. paras 8.153-8.155]*
- d) Removal of hedge 20 will disturb the badger sett in that area. As this is in the Wildlife Buffer why is this marked for removal? This is incompatible with the 1992 Protection of Badgers Act. *[Officer response: ref. paras 8.157-8.159]*
- e) Hedgerows: There are inconsistencies between what the consultants have been asked to assess and what the DAS illustrates. (i) It is unclear what is proposed and (ii) in either scenario, significant length and percentage of 'Important' hedgerow would be lost. *[Officer response: ref. para 8.155]*
- f) Removal of Important hedgerow is not good practice. The DAS is only illustrative. Can hedgerow retention be conditioned? Equally, as BFC fully evaluates the evidence, could preserving other biodiversity and landscape/heritage features be conditioned? *[Officer response: ref. section vii Biodiversity]*

- g) More emphasis should be placed on conserving the tranquil landscape, particularly around the Hedge Lane bridleway and not just “Retain Pedestrian Permeability” (DAS Figure 20). Along its complete length, the bridleway should be bounded by sufficient natural green space to remain rural, and urbanisation should be avoided. *[Officer response: ref. paras 8.39, 8.62-8.63, 8.140]*
- ix) Active Open Space
- a) Concern has been raised that on-site active open space falls woefully short of BFC standards. *[Officer response: ref. para 8.18]*
- b) Inconsistency between BFC policy description of active OSPV (DAS 4.2.6) and what is described in the ‘proposed Application Masterplan’ (DAS 4.2.8.), with no mention of school playing fields. This discrepancy raises the possibility that there might be no school at all. *[Officer response: ref. paras 4.5(iii), 8.15, 8.18]*
- c) There should be opportunity to consider use of any land not needed for the school (as e.g. active play areas, allotments) for the benefit of new residents and the wider community. Can this be conditioned? *[Officer response: This cannot be conditioned. Use of the land would need to be in accordance with planning policy and guidance. Land is identified to provide a school and development proposed is considered to provide OSPV to standard. There is no planning justification to require this land to be used as public open space. Whilst the permission would allow for the 2<sup>nd</sup> FE school land to be used as either a school or housing, the 1FE land would be owned by BFC, and if a school is not required, it would be a decision for BFC as to what to do with the land.]*
- d) ‘Overprovision’ of active OSPV does not factor in existing use of Hedge Lane and is therefore an underestimate of need. *[Officer response: ref. para 8.18 – the development is considered to provide OSPV to standard in accordance with the definition of OSPV as set out in the Planning Obligations SPD.]*
- e) Inappropriate for the development to ‘buy into’ SANG at Peacock Meadows, over 4 miles away: all journeys are likely to be by car – conflicts with travel and climate change policy. *[Officer response: the provision of SANG is in accordance with the SPA SPD – ref. paras 8.188-8.191]*
- x) Drainage
- a) Properties on Warfield Street are approximately 1.6m below the site ground level and are at serious risk of flooding due to ground run-off from the northern area of the development site. Inadequate mitigation is proposed. The applicants ground water surveys were carried out during August (the summer months) and have failed to identify winter ground water run-off issues and the movement and flow of ground water away from the development site. *[Officer response: ref. section ix Drainage]*
- b) Development will exacerbate a pre-existing issue concerning surface/ground water run-off being discharged from Maize Lane onto Warfield Street. *[Officer response: ref. section ix Drainage]*
- c) Large part of the area is a swamp not suited to housing or recreational areas. Currently a drought but a large part of the area is still flooded. *[Officer response: ref. section ix Drainage]*
- xi) General

- a) There is no new Local Plan approved for the area, so this development should be refused. With the new Local Plan being prepared by the Council, suggest the overall master plan should be revisited in their entirety. *[Officer response: ref. section i Principle of development]*
- b) BFC's strategic planning decisions are flawed in that consultations underpinning the local plans are an absolute sham as constituents opinions are simply ignored, despite huge levels of complaint to the Council. The Council seems to be more driven by money into the Council coffers rather than the well-being of its citizens and preservation of the environment, infrastructure and amenity. *[Officer response: ref. section i Principle of development]*
- c) The Council's position on Greenbelt in the area needs to be clarified together with what the "end game" looks like in terms of the boundaries and development of Bracknell. There is already no real gap between Bracknell and Wokingham, Crowthorne and Ascot. *[Officer response: ref. section i Principle of development. This site was allocated in the SALP (adopted 2013) to meet the Borough's housing needs to 2026. The draft Bracknell Forest Local Plan sets out BFC's current position]*
- d) Planning decisions by BFC approve wholly inappropriate designs of homes that are not in keeping with the surrounding area. *[Officer response: ref. section ii Design and Impact on the Character of the Area]*
- e) Smaller developments with more countryside and upgraded facilities would be better than squeezing as many houses as possible onto a postage stamp. *[Officer response: ref. sections i Principle of development, ii Design and Impact on the Character of the Area]*
- f) Members should be representing the interests of residents not those of central government or developers. Regard should be given to the cumulative impact of other developments at various stages of the planning/development phase in the area. Warfield has been subject to so much development already – enough is enough. Warfield will become a large conurbation, indistinguishable from any other. *[Officer response: ref. sections i Principle of development, ii Design and Impact on the Character of the Area]*
- g) On Saturdays Priory Field is used for youth football, which the teams are having an incredibly hard time finding space for now. *[Officer response: ref. para 8.18. This development does not propose any erudition of play space at Priory Field. Financial contributions will be secured to fund active open space projects nearby, which could upgrade existing or provide new facilities. The Warfield Memorial Ground project, for example, proposes new football pitches]*
- h) The land is used every day by all ages young and old for sport and recreation. *[Officer response: ref. para 8.18. This development does not propose any erudition of play space at Priory Field. Financial contributions will be secured to fund active open space projects nearby, which could upgrade existing or provide new facilities. The Warfield Memorial Ground project, for example, proposes new football pitches]*
- i) Development is proposed on an important rural buffer to the north of Bracknell. Its openness should be maintained given its location to the rural greenbelt close by. *[Officer response: ref. section i Principle of development]*
- j) Rural feeling of being in the countryside will be taken away. Going for a walk in a non-built up area will become even further away. Residents need green areas to thrive – it supports health and wellbeing, family time and health lifestyles both mentally and physically. *[Officer response: ref. section i Principle of development, paras 8.140-8.141]*
- k) This land is one of the last parts of natural beauty left in Bracknell that hasn't been made into a man-made habitat. *[Officer response: section i Principle of development, paras 8.140-8.141]*

- l) Noise and pollution levels will increase – ability to breath fresh air is important. *[Officer response: ref. sections i Principle of development, iv Transport, vi Trees and Landscaping. The development will include measures to minimise the need to use the private car, such as by providing good pedestrian/cycle connectivity to local facilities and the wider area, and access to the local bus network]*
- m) Developers use of estate management companies to charge residents for the ineffectual upkeep of any slivers of green space means BFBC win financially here, as council tax revenues increase and pro rata expenditure [for maintenance] decreases. *[Officer response: BFC does not have the resources to take on the responsibility to maintain all areas of greenspace or landscaped areas. It would be up to the prospective homebuyer to check the management arrangements before purchase]*
- n) Warfield is now overcrowded, with children knocked off bicycles, multiple car crashes, road rage and police speed vans on Harvest Ride most days. *[Officer response: ref. sections i. Principle of development, iv Transport]*
- o) For resident’s physical and mental wellbeing, greenspace is required; not more housing, traffic, noise and pollution. *[Officer response: ref. sections i. Principle of development, iv Transport, vi Trees and Landscaping.]*
- p) Consideration needs to be given to the cumulative traffic impact of housing further east, between Maize Lane and Strawberry Hill. *[Officer response: ref. iv Transport. The Applicant has used BFC’s traffic model which factors in the cumulative impact of planned housing in the area, such as further east of the site in ‘Area 3’ (fig. 1)]*
- q) Construction traffic would be very disruptive for existing residents and would put a burden on already poorly maintained local roads. *[Officer response: details of construction access/traffic are not currently for determination, and will be conditioned as part of a site-wide and phase-specific CEMP – ref. conditions 15, 16]*
- r) Most of the residents are elderly or retired people who do not want to be overlooked or disturbed with the noise from additional vehicles and people. *[Officer response: ref. sections i. Principle of development, iii Impact on Residential Amenity, iv Transport]*
- s) This large number of housing would not function as a community, just be a dormitory collection of houses and would be a near replica of the mistakes made in places like Hemel Hempstead, creating a blob of houses without character or identity. Having moved out of the top 3 in the league of England's least desirable towns, the last ambition we should have is [for Bracknell] to reclaim that position. *[Officer response: ref. sections i. Principle of development, ii. Design and Impact on the Character of the Area]*
- t) We have already lost almost all of the historical links with the local past, by demolishing all but a few of our old buildings. Now we are busy shrinking all of our open spaces to nothing more than a couple of patches of land. *[Officer response: ref. sections i. Principle of development, vi Trees and Landscaping]*
- u) A decision should be postponed until a public consultation event can be held to allow residents and locals the opportunity to fully review plans. *[Officer response: the application was first registered in March 2020, so members of the public have had well in excess of the normal consultation period of 21 days to consider the proposals]*
- v) Taylor Wimpey and Danescroft are well-known reckless profiteers, churning out low-quality bland-looking development. *[Officer response: sections i. Principle of development, ii. Design]*



*and Impact on the Character of the Area – reserved matters applications would need to be in accordance with the proposed design parameters]*

## 6 SUMMARY OF CONSULTATION RESPONSES

### Warfield Parish Council

6.1 Recommend Refusal for the following reasons:

1. Non-compliance with the SPD and Masterplan

6.2 The master plan submitted is not compliant with the central area master plan document (CAMPD) of Feb 2015 produced in accordance with the Warfield SPD area. For the following reasons:

- i. Land north of field 3 (to border Warfield St) is not included within the submitted plan. [Officer response: ref. paras 1.4, 4.7vi), 10.1v., section i. Principle of development]*
- ii. The number of units proposed (305) exceeds the approximately 270 as illustrated by the CAMPD. [Officer response: ref. para 8.7]*
- iii. An access roundabout for the site from Priory Lane/Harvest Ride junction is excluded. [Officer response: ref. paras 8.83-8.86]*
- iv. Homes are shown on the proposed school site. [Officer response: ref. paras 4.5ii), 8.7-8.8, 8.15]*
- v. The Warfield Street South character area is not sufficiently adopted. [Officer response: ref. section ii. Design and Impact on the Character of the Area]*

6.3 Warfield Parish Council has noted that the submitted plans exclude parcels of land adjacent to Old Priory Lane and Warfield Street. These parcels of land are shown on the Area 1 Masterplan and are marked on the submitted masterplan as 'future residential development'. In our view, this does not represent a true masterplan for this part of Area 1 and that the future development should be included within this outline application, as Bracknell Forest Council (BFC) insisted for the masterplan of the western section of Area 1 in the land bordering Forest Road and Watersplash Lane. *[Officer response: ref. paras 1.4, 4.7vi), 10.1v., section i. Principle of development.]*

6.4 Warfield Parish Council has noted the comments in the transport assessment regarding the reasoning for not including a roundabout within the proposal. We believe this view be flawed. The new junction proposed will add to the issue of traffic flows in the area, as is seen with the current arrangement at Priory Lane and Harvest Ride, which the proposed roundabout would have assisted in resolving. *[Officer response: ref. paras 8.83-8.86, 8.113-8.114]*

6.5 The CAMPD requires a two-form entry school to be provided. The proposals make an alternative proposal to build a single form entry, with the option to expand to two-form entry at a later date. *[Officer response: ref. paras 4.5ii), 8.15]*

6.6 The Local character appraisal for Warfield Street South says that 'The area should be informal and semi-rural and mainly consist of detached and semi-detached houses with long gardens and generous setbacks'. In addition there is a requirement for housing fronting onto the green area that is also not met. *[Officer response: ref. section ii. Design and Impact on the Character of the Area]*

2. Trees and Hedges

- 6.7 The Council is concerned that the removal of 40% of extant hedging and 50% of trees will have a negative impact on the area for a significant period of time, despite theoretical biodiversity gains in the longer term. New planting will take many years to mature and will not be a substitute for existing mature hedging and trees. The Landscape and Visual Impact Report says that proposed planting and management would only deliver moderate beneficial effects at year 15 of the project. *[Officer response: ref. sections vi Trees and Landscaping, vii Biodiversity]*
- 6.8 543 m of hedgerow ranked as important will be removed against 188 m of non-important (ref. Site Ecological Assessment) which is detrimental to the environment and contrary to 1997 Hedgerow Regulations. *[Officer response: ref. paras 8.153-8.155]*
- 6.9 There are also major inconsistencies between the March 2020 Ecological Assessment, the Design Access Statement and the Tree Survey regarding the extent of hedge removal and which hedges are to be fully or partially removed and the length of such hedges. Hedge 29 does not feature as does a mature chestnut tree at the southern end of field 5. *[Officer response: ref. para 8.155]*
- 6.10 There also appears to be no justifiable reason to remove tree 7090 as on inspection this tree has no impact in terms of distance on the proposed development. *[Officer response: ref. para 8.146]*
- 6.11 The Design Access Statement (part 2 fig.20) shows important hedgerows to be retained and these match 5,9,18 and 19 in the Ecological Assessment which marks them for removal. *[Officer response: ref. para 8.155]*

### 3. Biodiversity

- 6.12 Removal of hedge 20 will disturb a badger sett in that area. As this area is designated as a wildlife buffer this is contradictory and would appear incompatible with the 1992 Protection of Badgers Act. *[Officer response: ref. paras 8.157-8.159]*

### 4. Highways and Transport

- 6.13 The Council considers the modelling for car journeys is flawed as it uses ward data for Binfield with Warfield rather than Warfield Harvest Ride area to which it adjoins and is more representative of the development.  
*[Officer response: Reference to the ward is only to describe the location of the site, and the applicant has used BFC's Transport Model to model the impact of the development on the highway network]*
- 6.14 The Council objects to the main access to the site and subsidiary access points being located on Maize Lane. *[Officer response: ref. paras 8.98-8.105]*
- 6.15 Maize Lane is predominately single carriageway road and we have concern for the safety of pedestrians and vehicle movements with the accessways proposed as well as for vehicles servicing the proposed properties. *[Officer response: ref. paras 8.98-8.105]*
- 6.16 Concern is also expressed for the potential for vehicles using this area during school drop-off and pick-up times. *[Officer response: details concerning school parking will be considered as part of a reserved matters application for the school. Such matters will be considered and seek to be avoided]*
- 6.17 The Council is concerned that insufficient allocation has been made for drop-off areas around the school site and the potential for build-up, as seen at other developments, for traffic

building up by on-street parking or access blocking. *[Officer response: details concerning school parking will be considered as part of the design of the spine road and school. Such matters will be considered and seek to be avoided]*

## 5. Public Rights of Way

6.18 Members are concerned about the use of Hedge Lane, a designated Bridleway (BR26), as the main east-west accessway particularly for accessing open spaces and the play area. The concern about the shared nature of the accessway as the main route across the development area. *[Officer response: ref. para 8.62 – Hedge Lane is considered to have been integrated into the site in accordance with planning policy guidance]*

**Design Officer**: No objection in principle. Comments addressed in report.

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

**Drainage Officer**: No objection subject to conditions and s106 agreement.

**BFC’s Heritage Consultant**: No objection in principle. Comments addressed in report.

**Parks & Countryside Officer**: No objection subject to conditions and s106 agreement.

**Biodiversity Officer**: No objections subject to conditions and s106 agreement.

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

**Environmental Health Officer**: No objection. Recommends conditions.

**Waste and Recycling Officer**: No objection.

**Archaeology**: Comments set out in the report. No objection. Recommends condition.

**Sustainable Energy Officer**: No objection. Recommends conditions.

**Local Education Authority**: No objection.

**SPA Officer**: No objection in principle. Comments addressed in report.

**Housing Officer**: No objection subject to s106 agreement.

## 7 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	<b>Development Plan</b>	<b>National Planning Policy Framework (NPPF)</b>
General policies	CP1 of SALP, CS1 & CS2 of Core Strategy DPD (CSDPD) (February 2008)	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of Bracknell Forest Borough Local Plan (BFBLP) (January 2002)	Consistent

Housing	CS5, CS16, CS17 of CSDPD, Saved policies H8 and H14 of BFBLP and SA9 of SALP (July 2013)	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LAs setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD, Saved policy M6 of BFBLP	Consistent
Infrastructure mitigation	CS6, CS8 CS23 and CS24 of CSDPD, Saved policy R4 of BFBLP	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2, EN3 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of South East Plan (May 2009), Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent

7.2 Relevant SPDs include:

Warfield SPD (2012)
Bracknell Forest Character Areas Assessment SPD (2010)
Design SPD (2017)
Streetscene SPD (2011)
Parking standards SPD (2016)
Planning Obligations SPD (2015)
Thames Basin Heath SPA SPD (2018)

## 8 PLANNING CONSIDERATIONS

The key issues for consideration are:

- i. Principle of development
- ii. Design and impact on the character of the area
- iii. Impact on residential amenity
- iv. Transport
- v. Heritage
- vi. Trees and Landscaping
- vii. Biodiversity
- viii. Archaeology
- ix. Drainage
- x. Thames Basins Heaths Special Protection Area (SPA)
- xi. Affordable Housing
- xii. Energy sustainability
- xiii. Waste management
- xiv. Infrastructure delivery

These issues are addressed in the following sections of this report

## **i. PRINCIPLE OF DEVELOPMENT**

8.1 The principle of this site's development has been established through its allocation as part of the Warfield Strategic Development within the Site Allocations Local Plan, 2013. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in SALP Policy CP1 which sets out that a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the NPPF. The development plan is the statutory starting point for decision making and planning applications which accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate development should be restricted.

8.2 The following is a summary of the most relevant development plan policies:

8.3 Core Strategy Development Plan Document (CSDPD):

- CS1 sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes.
- CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.
- CS5 identified 'Land to the north of Whitegrove and Quelm Park and to the south of Forest Road and south of Harvest Ride', for a comprehensive, well designed mixed-use development. This proposal is located within this area. (Later allocated in SA9)
- CS6 requires development to deliver infrastructure needed to support growth in the borough and mitigate adverse impacts of the development on communities, transport and the environment.
- CS15 requires the provision of 11,139 dwellings in the Borough over the Plan period.
- CS16 requires a range of housing types, sizes and tenures.

8.4 Site Allocations Local Plan (SALP):

- CP1 refers to the presumption in favour of sustainable development as outlined within the NPPF. SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible. It also seeks to secure development that improves the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is consistent with the NPPF.
- This development proposal is located within the Warfield strategic allocation, which was allocated for residential development in SALP Policy SA9 - 'Land at Warfield'. Policy SA9 requires comprehensive well designed mixed-use development that includes:

- i) 2,200 residential units (including affordable housing)
- ii) Employment
- iii) Neighbourhood centre
- iv) Two Primary Schools

- v) Multi-functional community hub
- vi) On-site open space
- vii) Suitable Alternative Natural Greenspace (SANG)

8.5 The SALP includes an illustrative concept plan for the site, and defines a new settlement boundary which is identified on the Policies Map.

8.6 The next section of this report will assess the proposed development in terms of its conformity with the various elements of Policy SA9, as set out in points i) – vii) above.

i) 2,200 residential units (including affordable housing):

8.7 The application would make a significant contribution towards this allocation, the location of which is broadly in line with the illustrative concept plan for Warfield (SALP, p38). Figure 4.1 of the Area 1 Masterplan provides an indicative figure of 260 dwellings for the application area, which excludes any residential development on the school land. Given that the phase 2 school land is 0.9ha within the Warfield Street South character area (residential density of 35dph), a further 32 dwellings is a reasonable assumption. Based on these two school delivery scenarios, with a reasonable degree of flexibility, the development could provide:

Scenario 1 – Development with 2 FE school: up to 270 dwellings.

Scenario 2 – Development with 1 FE school: up to 305 dwellings

8.8 These scenarios with corresponding dwelling numbers would be secured by condition.

8.9 Housing will comprise a mix of market and affordable homes.

8.10 In terms of housing density, the Warfield SPD guidance states that “a minimum average housing density of 35 dwellings per hectare (dph) should be provided across the developed parts of the site”, informed by character areas and with higher densities along main arteries and around key nodes within the site (para 5.4). The Schedule of Accommodation (fig. 5) and Density Plan (fig. 6) indicate a housing density of 35dph in the northern half and 40dph in the southern part of the site. The application proposes an indicative overall density of 37dph, with a higher 40dph in the south of the site, along the main street, and a lower density of 35dph in the north of the site where the character is more rural and organic (DAS fig. 38 refers). The application is therefore in accordance with the parameters set by the SPD.

8.11 It is important to note that the location of housing and the primary schools as shown within the illustrative concept within SALP Policy SA9 has been changed. The illustrative concept plan shows an indicative location for the two primary schools – one to the west of the new north-south link road (now Warfield West primary school, to the west of Sopwith Road) and the other, Warfield East primary school, to the north of Priory Fields and adjacent to the proposed neighbourhood centre. The concept plan was developed further in the Warfield SPD. Both SALP Policy SA9 and the Warfield SPD require the approval of masterplans across Areas 1-3 (ref. fig. 1 above). In the Area 1 Masterplan, the location of the primary school (indicatively shown in the SALP and the Warfield SPD as being to the north of the neighbourhood centre) was relocated further east, and now falls within the curtilage of the application site. In February 2015, the council agreed that the content of the masterplan is technically sound and meets the requirements of the Site Allocations Policy SA9. The Area 1 Masterplan is therefore a material consideration in this case. The Area 1 Masterplan, by incorporating land for the 2FE primary school on the application site, reduced the area allocated for housing within the area of the application site but not across Area 1 as a whole. The ‘new’ area of housing being located on the land to the north of the neighbourhood centre means there should be no net loss of housing overall.

ii) Employment:

8.12 The Warfield SPD states that employment floorspace would be encouraged in the Neighbourhood Centre, which is planned for land adjacent to this site. It further states that “Development proposals for uses other than housing beyond the Neighbourhood Centre will need to demonstrate that they do not detract from the objective to provide 2,200 dwellings on the site”. This application will facilitate employment at the school, and the delivery of housing itself will generate jobs and training opportunities and additional spending power in the local economy. The delivery of this site will also contribute towards the delivery of the new neighbourhood centre and improve connectivity to it, thereby assisting in the creation of, and access to, jobs.

iii) Neighbourhood centre:

8.13 This centrepiece of the allocation is planned for adjacent land to the west, to be accessed off Newell Green. This site is not required to deliver the centre, other than contributing financially towards the community hub element and facilitating pedestrian/cycle access to it. The application provides for pedestrian/cycle enhancements to Old Priory Lane, and provides the informal greenway and formal east-west pedestrian/cycle link that connect onto Old Priory Lane near to where access westwards into the neighbourhood centre is proposed.

iv) Two Primary Schools:

8.14 Paragraph 94 of the NPPF emphasises the importance of creating new schools to ensure there are sufficient school places available to meet the needs of existing and new communities. Policy SA9 requires the provision of two primary schools serving the east and west of the site. ‘Warfield West’ school was provided in the western area of the overall allocation as part of planning permission 13/01007/OUT. This application provides land to enable the delivery of the ‘Warfield East’ school, and a proportionate contribution towards the school build cost will be secured.

8.15 The Council has a statutory duty to provide sufficient school places and in order to meet this duty it publishes, on an annual basis, a School Places Plan and Capacity Strategy (SPPCS). The SPPCS sets out a forecast for the number of school places that will be required over the following 5 years and in doing so it considers whether there is capacity to meet this demand. The current SPPCS covers the period 2020 to 2024 and forecasts sufficient primary places for the north Bracknell area which includes Warfield. Therefore, the Local Education Authority (LEA) has advised that the further development of housing as part of the Warfield allocation is unlikely to generate sufficient demand for a new school in the short term (i.e. in the next 5 years); and beyond this five year period, it is difficult to forecast accurately. Therefore, the LEA considers that a cautious approach should be taken to the need for an additional school at Warfield. For this reason the proposed development would safeguard land for the delivery of either a 1FE or 2FE primary school, for the LEA to deliver, if required, at a later date. Approval of this scheme would secure the transfer of 1.1ha of land to Council ownership for the delivery of a 1FE school, and BFC would have the option to purchase land to provide the 2<sup>nd</sup> FE (a further 0.9ha) within a 10 year period should it be required.

8.16 This application for either 270 or 305 dwellings would yield up to approximately 90 (0.43 FE) or 102 pupils (0.48 FE) respectively, requiring 0.47 and 0.53 ha of school land respectively. The development therefore significantly overprovides the school land requirement generated by this development alone. In order to enable delivery and equalise the cost to the developer for setting this land aside which benefits a wider area, the Council would provide the developer with SANG capacity at Peacock Meadows as part of the SPA mitigation. The potential cost to BFC for purchasing the 2FE land would be clawed-back from other developments requiring school places at the Warfield East school, including build costs.

v) Multi-functional community hub:

8.17 The community hub, including nursery, will be located in the southern part of the neighbourhood centre, adjacent to the open space. This development would make a proportionate contribution towards the build cost.

vi) On-site open space:

8.18 According to BFC's Open Space of Public Value (OSPV) standards, the 270 dwelling proposal would require 1.43ha of passive and 1.25ha of active OSPV; equal to 2.68ha overall. This application would provide for approximately 2.8ha passive and 0.14ha; equal to 2.94ha overall onsite. Whilst in terms of land area, the scheme would in effect overprovide OSPV by approximately 0.3ha, the scheme underprovides active OSPV. The Warfield SPD (p53) states that, whilst open space will be required to standard, this could be in the form of enhancements to existing sports facilities nearby requiring upgrades, such as Priory Field or Warfield Memorial Ground, which both have costed projects ready to be implemented, subject to funding. To compensate for the deficit of on-site active open space, this application would make a financial contribution towards off-site active OSPV projects, within close proximity, for the benefit of new and existing residents of Warfield.

8.19 If the period to purchase the 2FE school land lapses, and land is built-out for residential development as part of this planning permission, any underprovision of open space on that particular parcel will be supplemented by a commensurate financial contribution towards off-site active OSPV projects nearby.

8.20 An objection commented that an allotment site is not proposed, contrary to the Warfield SPD, figure 4 – Concept Plan. This plan shows allotments on an area identified as a Local Wildlife Site and in an area where a group of trees (tree survey ref. TG7028) identified as having 'high landscape value' is present. This area is therefore not considered suitable to host allotments. Because of the need to safeguard extensive existing landscape features and provide drainage attenuation ponds within the open space, this site as a whole is not considered appropriate for providing allotments. The provision of Allotments on land further east will therefore be sought as part of the masterplanning for Area 3, where the land appears better suited.

vii) Suitable Alternative Natural Greenspace (SANG):

8.21 Financial contributions towards a bespoke SANG at Peacock Meadows will be provided, to mitigate the impact of this development on the Thames Basin Heath SPA.

#### Material considerations

8.22 SALP Policy SA9 is supported by the Warfield SPD, and the site is located within 'Area 1' of the Warfield strategic allocation which has an agreed masterplan. The relevance of these documents in shaping the development of this site is explained below:

a) Warfield SPD

8.23 The Warfield SPD sets out specific guidance relating to the development of the Policy SA9 allocation. Development Principle W1 explains that 'the Council will expect planning applications to support the comprehensive development of Warfield including accessibility and the delivery of infrastructure'. The SPD was adopted following public consultation and it supplements Core Strategy Policy CS5 and SALP Policy SA9. It is therefore capable of being afforded full weight and can be treated as a material consideration in the determination of planning applications.



8.24 The density of the proposal is generally in accordance with the Warfield SPD (figure 5 – schedule of accommodation, and figure 6 - density map refers). Appendix 3 of the SPD includes an Implementation and Sequence Plan (figure 11). The application site would fall within sequence 1.

b) The Area 1 Masterplan

8.25 The site is located within the Area 1 Masterplan which was endorsed by the Council as technically sound and meeting the requirements of SALP Policy SA9 in February 2015.

8.26 The Masterplan responds to requirements set out in the Warfield SPD and provides the parameters and design principles to set the context for development proposals. It is a material consideration in the assessment of this planning application.

8.27 With reference to figure 1.2 of the Area 1 Masterplan (p6), it shows this development area served by vehicular access points off Old Priory Lane, from a roundabout off Harvest Ride, and Maize Lane. For reasons explained in the Transport section, the proposed western access is now in the form of a T-junction directly off Harvest Ride. Internally, development parcels are served off an east-west spine road, and a limited number of dwellings are served off Maize Lane. Hedge Lane is shown to be protected as a bridleway, however ‘punch-throughs’ will be needed to facilitate access to northern parcels. Sensitive areas of green and blue infrastructure are shown to be preserved and integrated into the site’s open space. A primary school is shown at the east of the site, north of the spine road.

8.28 Whilst the masterplan is not immutable, any amendments or changes in terms of the key design principles set out in the masterplan, must demonstrate an improvement or enhancement to what could be achieved through conformity to the masterplan. Therefore, the applicant has been required to demonstrate consideration for the content of the Area 1 Masterplan when putting forward proposals for this site.

Key issues for consideration within Area 1 relevant to this site are:

- a. Warfield Street South and Harvest Ride character areas;
- b. minimising the impact of development in certain sensitive areas whilst delivering dwellings in the most appropriate locations;
- c. creating key frontages onto roads, open space and key routes;
- d. layout legibility within the site and consideration beyond the site boundary;
- e. movement and access strategy;
- f. provision of a primary school;
- g. creation and protection of routes for pedestrians, cyclists and horse riders to ensure a permeable development, connecting key places;
- h. continuation of the East-West Greenway – providing both a formal route along the spine road and an informal route along Hedge Lane bridleway;
- i. protection and enhancement of green and blue infrastructure, including established belts of trees and the central pond;
- j. stopping up the north of Old Priory Lane and Maize Lane, preventing vehicular access onto Warfield Street; and
- k. provision and integration of SuDs, that contribute towards enhanced on-site biodiversity habitats.

8.29 To secure the successful delivery of the comprehensive development of the strategic allocation, it is important that individual development proposals do not undermine the overarching objectives. This includes the transport/highway strategy, design and infrastructure

delivery. The need to secure comprehensive delivery has been recognised by Inspectors on appeal, when considering alternative proposals within the wider allocation.

8.30 To conclude, the relevant Development Plan policies outlined above relating to the principle of the proposed development are considered up to date, and consistent with the NPPF. For the reasons set out above, and subject to the completion of appropriate obligations securing necessary infrastructure, it is concluded that the proposed development would be in accordance with Policies CP1 and SA9 of the SALP, Policies CS1, CS2, CS5, CS6 and CS16 of the Core Strategy and the NPPF.

8.31 As the principle of the proposed development is in accordance with the Development Plan and therefore acceptable, the presumption in favour of sustainable development requires that the application proposals should be approved, unless other material considerations indicate otherwise.

8.32 The following sections of this report include consideration of whether there are other material considerations that indicate the application should not be approved.

**ii. DESIGN AND IMPACT ON THE CHARACTER OF THE AREA**

8.33 'Saved' BFBLP Policy EN20 and CSDPD Policy CS7 requires development to be sympathetic to the appearance and character of the local area and appropriate in terms of built form. These are consistent with chapter 12 of the NPPF and therefore have significant weight. NPPF para. 127 states that developments should be visually attractive and should establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It goes on to state that development should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development, including green and other public space.

8.34 The Warfield SPD sets out 16 clear design principles and detailed parameters to assist in ensuring that development coming forward on the site provides a comprehensive, well designed, connected, new neighbourhood. It identifies seven character areas across the SA9 site. Two of these character areas are relevant to this application site: Warfield Street South and Harvest. Figure 4 below shows how these areas relate to the application site.

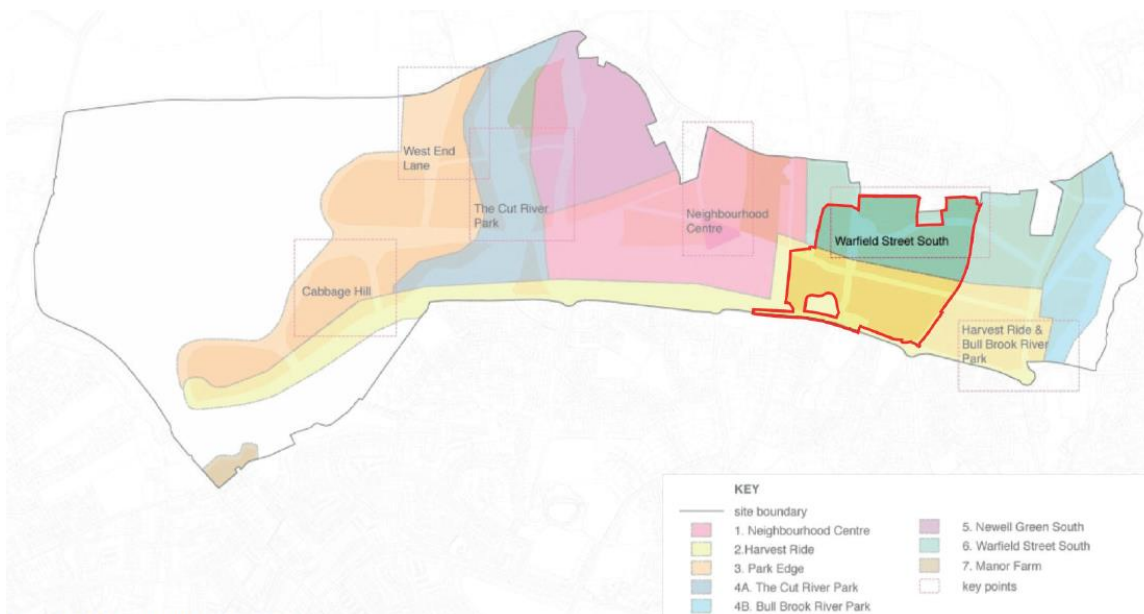


Figure 4: Application site in relation to Warfield SPD character areas (Warfield SPD, p21)

8.35 Each area is intended to be distinct and follow the set of design principles first outlined in the Warfield SPD. A finer-grained interpretation of the Warfield SPD was developed in the Area 1 Masterplan based on a more detailed assessment of the area. The Area 1 Masterplan sets out a series of design principles and parameters and identifies key characteristics for the character areas relevant to this outline application, including:

- i) Warfield Street South – with a character to reflect the village feel of Warfield Street with substantial green elements and an informal appearance, comprising:
  - a. Informal dwelling frontages, with frontages onto informal open space and the East to West Greenway;
  - b. Building heights to be predominantly 2 storeys;
  - c. Denser development to the inside of blocks, away from greenspace frontages;
  - d. Variety of housing types and forms to create a strong village character;
  - e. Generous informal open space around the existing pond;
  - f. Retain the East to West Greenway along Hedge Lane as a bridleway to serve as a key pedestrian/cycle link;
  - g. Integrate SuDS into greenspace to provide a rural character;
  - h. Traditional architectural styles, to reflect local vernacular and village character;
  - i. Mews streets to have more contemporary styles;
  - j. Building materials and detailing to reflect those found along Warfield Street; and
  - k. Varied materials palette to reinforce an informal village feel.
  
- ii) Harvest Ride – with a character to reflect the suburban character of residential areas in North Bracknell, comprising:
  - a. Suburban character with a degree of regularity and formality, in contrast to the adjoining Warfield Street South character;
  - b. Create a focal space and design along the approach to the entrance of the primary school;
  - c. Positive design response and relationship to Harvest Ride, especially in the vicinity of the two roundabout junctions;
  - d. Create strong links to the south;
  - e. Slightly higher development density, particularly close to main streets;
  - f. Building heights between 2 – 3 storeys, with higher buildings along main routes and in key locations;
  - g. Predominantly semi-detached and detached dwellings, with apartments at key locations;
  - h. Create a strong street frontage to the main street;
  - i. Buildings to follow a regular building line;
  - j. Provide street trees;
  - k. More contemporary architectural style; and
  - l. Limited materials palette, with variation around a recurring theme.

8.36 Although the detailed layout of the development is not currently for determination, matters for approval relate to the submitted DAS and a set of parameter plans that are required to accord with the Area 1 Masterplan character area design principles and the Warfield SPD. The application includes a DAS, which includes the proposal's response to the design principles, and a set of standalone parameter plans. These will guide reserved matters applications in the future, and aid implementation. The next section considers the application's response to the Warfield SPD and Area 1 Masterplan as set out in the DAS and the parameter plans that form part of the application.

### Warfield Street South character area (ref. figure 5)

8.37 In accordance with the Area 1 Masterplan, the objective is for this area to reflect the village feel of Warfield Street. It would have a distinct green character, defined by the central area of



open space with an existing pond, the Hedge Lane bridleway and the semi-rural lanes of Maize Lane and Old Priory Lane that flank the site. Built form would be traditional in style and have an organic layout. It would comprise mostly detached and semi-detached housing with informal frontages on to open spaces, with limited short terraced blocks and mews style buildings within perimeter blocks. Development density would be approximately 35dph with dwellings of predominantly 2 storeys, with occasional 2.5 storey

Figure 5: DAS (p62) extract showing Warfield Street South character area

elements where appropriate at key points. However, the sensitive northern edge of the site abutting properties to the south of Warfield Street would be up to a maximum of 2 storeys.

8.38 The east of the site defines the key frontage with Old Priory Lane where larger dwellings, reflecting the scale and character of existing dwellings fronting the lane to the north, would front onto the lane. Vegetation along the lane would be retained as appropriate in order to create views into the site whilst retaining the green character of the lane.

8.39 Hedge Lane would be integrated through this character area, where built form abutting the bridleway would be kept to a minimum with any dwellings orientated either front or side-on to the lane with an appropriate buffer. The continuity of Hedge Lane will be broken by access roads serving development parcels in two places. The width of 'punch-throughs' would be kept to a minimum, and where possible, a single lane priority road will be used to minimise disturbance to the lane, and also serve to slow vehicles down.

8.40 New properties along the northern boundary will be set back an appropriate distance, with particular consideration given to the proximity of built form to the Knibbs Nook and Wee Knibbs Listed Building and privacy of other properties. As much existing vegetation would be retained as possible and boundary vegetation would be supplemented with additional hedge planting.

8.41 Dwellings will back onto the perimeter of the school with the boundary defined by fencing and hedge planting to provide a degree of screening.

8.42 This 'village feel' continues to define dwellings fronting onto, and accessed off, the section of Maize Lane north of the main access. This will form the transition from the higher density southern end with the main site access, becoming increasingly more rural further north up the lane.

8.43 The architectural detailing and material palette of buildings is proposed to be traditional, to reflect the local 'village' vernacular, with scope for more contemporary styles in mews streets.

### Harvest Ride character area (ref. figure 6)

8.44 This area in the south of the site is largely defined by Harvest Ride to the south, the southern section of Maize Lane to the east and the internal spine road. It would comprise a denser 40dph form creating a more suburban character, with a degree of regularity and formality, reflective of the north Bracknell residential area to the south. This is in contrast to the adjoining Warfield Street South character area.

8.45 The spine road, providing the main connection through the site, requires a particularly strong design response. Development would have a denser grain, generally fronting the road,



through the site and points of architectural interest. This would extend north to provide a key building orientated south, facing onto the area of open space with views over a SuDS feature towards the play area.  
 Figure 6: DAS (p66) extract showing Harvest Ride character area

up to 2.5 storeys in height. It would have a regular building line, with minimal gaps and consistent set back creating a sense of uniformity. Properties on the south side would be sufficiently set back to provide an avenue of trees to green the public realm. This, together with the street alignment would help slow traffic naturally, particularly in the vicinity of the school.

8.46 As identified in the Area 1 Masterplan, the spine road creates opportunities for key buildings, of up to 3 storeys, to be placed strategically to terminate views and provide legibility building orientated south, facing onto the area of open space with views over a SuDS feature towards the play area.

8.47 Development to the north of Whitegrove roundabout, wrapping round from Harvest Ride to Maize Lane would form the gateway to the eastern site access, where a key building in the form of an apartment building(s) of up to 3 storeys would be appropriate. Development would then reduce in height to 2.5 storeys up to the main access on Maize Lane. Houses forming the entrance to the spine road would be required to carefully address the dual interface with both Maize Lane and the spine road. There is a need to deliver a strong sense of place here, whilst delivering development that would not be incongruous to the character of the area.

8.48 Similarly, at the western gateway with Harvest Ride, a key building up to 3 storeys would be appropriate. This would define the entrance to the development and provide an active frontage and natural surveillance onto the strategic pedestrian/cycleway on Old Priory Lane. This gateway would be extensively landscaped within the grounds of the apartment building and to the west where the pedestrian/cycle route enters Old Priory Lane, and also to the east of the site entrance where an existing pond would provide a verdant feature.

8.49 Building materials and detailing are proposed to reflect the local vernacular, and generally follow a traditional style.

### Open space

8.50 The green infrastructure strategy has sought to respond Warfield SPD Development Principle W5. This, that requires development to provide “*extensive green infrastructure [that] will protect and enhance biodiversity, physical and visual amenity*” in order to “*create a distinctive and high quality landscape character*”. It goes onto state that “*Opportunities for multi-functional uses of green infrastructure should be sought, and it will be provided as an interconnected network for the benefit of local people*”.

8.51 The central area of open space has been informed by the Area 1 Masterplan, submitted Landscape and Visual Impact Assessment and Ecological Assessment. It integrates the majority of the site’s significant natural assets and characteristic landscape features. It will form the centrepiece of the Warfield Street South character area and extend into the Harvest Ride character area, retaining a significant length of Hedge Lane free from built form. The built form would be orientated towards the open space to provide an active frontage and natural surveillance. Dwellings will be sufficiently setback from vegetation, and clusters of trees planted along the development edge will serve to soften views of dwellings from the open space. Centrally located and providing paths through north-south and east-west axis, the area will have a high level of accessibility and will be multi-functional, providing benefits to the site in terms of ecology, amenity, recreation and connectivity.

### School land

- 8.52 The school is located at the eastern end of the site, accessed off the north of the spine road near to the main access with Maize Lane. It is identified as a key space. This location benefits from good connectivity within and beyond the site, and is located to effectively serve 'Area 3' of the Warfield SA9 allocation on land immediately to the east of Maize Lane. Here, existing trees would be blended into an area of open space near to the school entrance, to create a natural focal point and terminate the vista from either direction on the main street.
- 8.53 The location of the school, access to it and interface with Maize Lane was discussed extensively, in consultation with the LEA, during the pre-application process.

### Harvest Ride

- 8.54 This frontage forms the most visually prominent views of the site from the existing highway. Development fronting Harvest Ride, west of the key building on the Whitegrove roundabout, would be up to 2.5 storeys in height and have a density of approximately 40dph. Given the sensitivity of this frontage, a high quality design response would be required, appropriate to the development, whilst using existing vegetation and additional planting to soften the appearance of the development on the main road. This would help retain important trees and landscape features along Harvest Ride and provide an important green corridor for biodiversity, providing links to the central area of greenspace. This area of open space and the Thames Water pond would form an attractive green break in built form fronting Harvest Ride between the two main points of access.

### Maize Lane – north of the main access

- 8.55 It is important to maintain the semi-rural character of Maize Lane as much as possible, and to keep highway engineering works to a minimum, whilst providing a safe and effective route. Dwellings fronting onto the lane will be predominantly two storeys, detached and semi-detached dwellings, and would be accessed via small drives, off Maize Lane, which will increase the setback from the lane. Architectural features such as chimneys will be used to enhance the lane's rural feel. The hedgerow along the lane would be retained as much as possible, and where necessary supplemented.
- 8.56 The stopping-up at the southern end of the lane is proposed to be relocated to the northern end, just north of the access into the most northerly development parcel. All residential vehicle movements would therefore be directed southwards onto Whitegrove roundabout, and not onto Warfield Street.
- 8.57 The Area 1 Masterplan identifies Maize Lane as a north-south strategic pedestrian route, and the lane would provide access to a number of new dwellings. Following detailed consideration, and taking account of the quantum of development to be accessed off this north section of the lane, it is proposed that Maize Lane should become a lit shared-surface carriageway. Local examples of this, at Gough's Lane and Priory Lane have shown where this has been done sympathetically to the local character. This option is considered the most effective and least harmful way of achieving access objectives along the lane, and is supported by the Council's Design and Highways Officers.

## Old Priory Lane (ref. figure 7)

8.58 Amendments to the west main access, which are explained in Section iv – Transport, have created the opportunity for a new design approach – to maintain the semi-rural character of Old Priory Lane and create a pedestrian/cycle-priority route. A private drive would serve houses fronting onto the lane. This means that, while the lane would have some attractive new built form, there would no vehicle movements on this southern part of the lane.

8.59 This key frontage with Old Priory Lane is particularly important because it provides the only interface between this site and the planned new neighbourhood centre on land immediately to the west. It forms a junction for:

- the East-West Greenway, where the route emerges from the Priory Field area to the west and splits, providing either an informal route along Hedge Lane or a formal route along the spine road;
- the strategic north-south pedestrian/cycle route from Harvest Ride, which would provide the most direct and user-friendly pedestrian/cycle route to the neighbourhood centre and Priory Field open space for a large area to the south of the site; and
- pedestrians and cyclists heading north/south along the northern section of Old Priory Lane.

8.60 It is therefore anticipated to be a very important and popular route. This area has been carefully considered with significant amendments made from the original submission.

8.61 The proposed re-arrangement – relocating the turning head north, to just south of the Hedge Lane access, would serve to remove what is currently an unattractive turning head that is sometimes used as a parking area creating an obstruction for vehicles attempting to turn around. Importantly, it would create a car-free route from Harvest Ride up to the neighbourhood centre eastern access, that would be provided in future off the west of Old Priory Lane.

## Hedge Lane

8.62 The Area 1 Masterplan shows this bridleway as providing the strategic East-West Greenway link through this site, which would then continue west across Priory Field and eastwards through an adjacent development parcel. The Warfield SPD requires Hedge Lane to be retained as a semi-rural lane, with the focus being on pedestrian and cycle use. The application proposes its retention and integration, routing through the centre of the site, and for it to remain unlit and the surface to be maintained as self-binding gravel.

8.63 Extended sections of the lane would be free from development, at least on one side, or have development well set back. Where development does abut the lane, housing would be orientated to either front or side onto the lane, with a minimum set back of 4m from the edge of the lane. Flanking hedging and trees would be retained and supplementary trees planted wherever appropriate. This approach would be in general accordance with the Warfield SPD and Area 1 Masterplan.

## Rear of existing properties along the south of Warfield Street



Figure 7: extract from the Illustrative Layout showing Old Priory Lane

- 8.64 This sensitive area of the development will be discussed in detail in both Section iii – Impact on Residential Amenity, and in the assessment of impacts on the neighbouring Listed Building: Section v – Heritage.
- 8.65 The originally submitted DAS has now been amended to ensure that the principles agreed with the Council at the masterplan stage are detailed correctly as part of this outline application. This relates to the design and classification of streets within the development site.
- 8.66 In conclusion, although the character of the site will change considerably from enclosed fields to an urban extension, it is considered that the proposed design parameters will enable a high quality development to be created on this site with a distinct and attractive character. The proposal makes efficient use of the land and good use of the opportunities provided by the natural assets of the site. Therefore the proposal is in general accordance with the Area 1 Masterplan, Warfield SPD, 'Saved' BFBLP Policy EN20, CSDPD Policy CS7 and the NPPF.

### iii. IMPACT ON RESIDENTIAL AMENITY

- 8.67 BFBLP Policy EN20 seeks to protect the amenity of surrounding properties. The Policy requires the Council to have regard to ensuring new development does not adversely affect the amenity of surrounding properties and adjoining area. This is consistent with the NPPF.
- 8.68 Whilst the application is for outline planning permission, the parameter plans are sufficient to allow an initial assessment of the likely impact on properties nearby. The determination of reserved matters for applications will require more detailed analysis of these impacts.
- 8.69 The majority of the site is self-contained, however there would be properties around the site perimeter affected by development.
- 8.70 To the south of the site, beyond Harvest Ride, separation from built form would vary from approximately 32m with 2.5 storey elements beyond dense vegetation and 48m with the 3 storey key building at the west access. The proposed 3 storey key building at Whitegrove roundabout would be approximately 64m from properties across the roundabout and 34m to the closest property east at the south of Maize Lane, beyond dense vegetation.
- 8.71 To the west, development would be set back approximately 35m from the closest dwelling and be screened by vegetation.
- 8.72 To the east, at the northern end of Maize Lane, the separation distance would be approximately 30m to the closest residential property.
- 8.73 Properties most affected by this development are to the north of the development, along or just to the south of Warfield Street. Several objections raised this relationship as a particular point of concern, specifically in terms of: proximity to new housing, the ground level being higher on the development land and the inadequacy of a buffer.
- 8.74 The depth of gardens for existing properties varies. There are longer rear gardens with a minimum depth of approximately 25m to the west of Listed Buildings Knibbs Nook and Wee Knibbs, which itself has a garden of only approximately 11m depth. Further east, properties are much closer to the application site boundary, with a setback of approximately 8m.
- 8.75 Warfield SPD, para 4.23, recognises this is an area where new development would “*need to respect the grain and character of development of the existing area and ensure that existing houses are not unacceptably overlooked by new development*”. It points to recommendations in the Character Area Assessments SPD and refers to the need for lower density development.



BFC's Design SPD recommends a minimum back to back distance of 22m to provide "a reasonable degree of privacy for the occupants of both dwellings" (para 3.9.13 refers).

- 8.76 Having regard to the sensitivity of the relationship to the north boundary, a more sympathetic relationship that exceeds minimum separation distances with a vegetated buffer would be sought at the reserved matters stage. The parameters for the development are included on the submitted plans and shown on the Illustrative Layout. Additionally, the DAS has been amended to include reference to an 'appropriate set back' and the retention of existing vegetation supplemented with additional planting (DAS p62 and figure 46 refer, with cross-sections of the relationship provided on p64).
- 8.77 The applicant has been advised that the detail shown on the Illustrative Layout to the south of Warfield Street is not acceptable due to the relationship with existing properties, and that further work would be required to receive officer support at reserved matters stage. The DAS has been amended to ensure this detail can be agreed through reserved matters. It should be noted that this issue would not preclude the delivery of the level of the development provided within the scope of the application, given that the figure quoted in the description is a maximum of up to 305 dwellings.
- 8.78 Having regard to the analysis of the impacts of this proposal on existing neighbouring properties and the set of parameter plans and information contained within the DAS, this development would not result in any unacceptably adverse impacts upon any existing residential amenity and would therefore comply with Saved BFBLP Policy EN20, the NPPF and the Design SPD.

#### iv. TRANSPORT

- 8.79 CS Policies CS23 and CS24 seek to improve access to key services and facilities, reduce reliance on the car, improve travel safety and improve the local road network. This is consistent with the objectives of the NPPF. SALP Policy SA9 requires a comprehensive package of on and off-site transport measures to mitigate against the impact of the development and to encourage sustainable modes of transport.
- 8.80 Specific transport infrastructure objectives for the SA9 site are then provided in Development Principles W12, W13, W14 and W15 of the Warfield SPD. The SPD requires the application to be provide measures including:
- i. opportunities that maximise bus usage;
  - ii. measures to encourage travel by walking and cycling within the development and to key serves and destinations, e.g. schools and Bracknell town centre;
  - iii. Travel Plans and parking to standard; and
  - iv. highway access, improvements and mitigation, supported by detailed traffic modelling
- 8.81 The Area 1 Masterplan builds on the Warfield SPD's movement strategy and transport principles, and includes the following key considerations relevant to this proposal:
- i. Hedge Lane, an existing and important bridleway, to be retained to ensure safe passage for equestrian movement, walkers and cyclists;
  - ii. provide easy access to the bus service on Harvest Ride;
  - iii. provide north-south pedestrian/cycle routes along Old Priory Lane, Maize Lane and through the central area of green space;
  - iv. provide east-west pedestrian/cycle routes along Hedge Lane and the spine road;
  - v. connect pedestrian/cycle routes to the wider network beyond the site boundary;

- vi. a new roundabout junction at Harvest Ride and Old Priory Lane (South) to enable access to new dwellings set along Old Priory Lane
- vii. restrict vehicular access to/from Warfield Street at the northern end of Old Priory Lane;
- viii. Maize Lane (South) is enhanced and a new spur created to enable access into the development and to the new school, as well as Area 3 development to the east of Maize Lane; and
- ix. Maize Lane restricted at the northern end to prevent development access to Warfield Street.

8.82 In response, the application includes an Access and Movement Strategy, as part of the suite of parameter plans. This shows the access points and provides an indication as to how the site could be laid out internally, including roads, footpaths, cycleways, the PRow and future potential access points. It also shows the hierarchy of streets, the characteristics of which, with indicative cross-sections, are illustrated in section 5.5 of the DAS. Given that this application seeks approval for access at this stage, detailed drawings for both access points off Harvest Ride and Maize Lane have been submitted. Whilst these plans are indicative, setting the parameters that could be subject to minor amendments, they do form part of the documents for approval. The application is supported by a Transport Assessment and BFC's Highways Officer has been consulted throughout this process.

8.83 The proposed vehicular access arrangement from the west is a significant deviation from that envisaged in the Warfield SPD and Area 1 Masterplan. It was previously planned that access into this site would be via Old Priory Lane, by means of a new roundabout forming a new junction with Harvest Ride and Old Priory Lane (South). This would also serve new dwellings set along Old Priory Lane. This is important as it is a significant change from previous plans and the proposed alternative junction arrangement has been raised by several objectors.

8.84 A covenant was identified by the applicant affecting Priory Field (an area of open space transferred to the Council as part of the Quelm Park housing development nearby). This prevents any development of a residential or commercial nature on the land. A small area in the south east corner of Priory Field was required to deliver a roundabout that functioned effectively and safely, and that could be supported by the Local Highway Authority (LHA). After several design iterations, it was concluded that it was not possible to design a roundabout that fitted outside of the covenanted area.

8.85 Beneficiaries of the covenant include Berkshire Land Ltd, which is a consortium of developers who built-out Quelm Park, comprising: Bovis Homes Ltd, J A Pye (Oxford) Ltd and Wates Homes Ltd. Whilst the question of seeking the release of the covenant was considered with BFC Property Services, the costs associated with acquiring the land required to deliver the roundabout would be significant. It was also established that it was not necessary when an alternative approach to the junction can be delivered which is acceptable on planning and highway terms. Therefore a priority junction access arrangement is now proposed.

8.86 Advantages to this alternative access are considered to be:

- i. one less roundabout on this stretch of Harvest Ride and Country Lane, that would have been close to the Harvest Ride/Warfield Road/Newell Green roundabout;
- ii. open space at Priory Fields is not eroded;
- iii. the less engineered access solution would have a reduced impact on the character of this area;
- iv. easier, more direct access for pedestrians and cyclists from north Bracknell onto Old Priory Lane to access the neighbourhood centre;
- v. a car-free pedestrian/cycle route on the southern section of Old Priory Lane; and
- vi. the semi-rural character of Old Priory Lane can be better preserved.

8.87 This next section appraises the application's transport-related proposals.

### Site access

8.88 The site has two main points of access serving what will be central spine road through the development. One access is located off Maize Lane and the other off Harvest Ride. The site itself is in several different ownerships and that creates the need to consider access to and through the site should the various parcels of land be developed at different times. Each will now be considered in turn.

#### i. Harvest Ride and Old Priory Lane

8.89 This access is a new entrance being formed directly onto Harvest Ride in the form of a priority junction with a ghost island right turn lane (ref. figure 8). This access is located approximately 44m from the priority junction of Priory Lane on the southern side of Harvest Ride. Harvest Ride is subject to a 40mph speed limit across the site frontage.



Figure 8: Extract from Illustrative Layout showing main access (west) off Harvest Ride

8.90 The access has been suitably designed in terms of geometry to ensure the vehicles expected to use it can safely access the site, including school buses/coaches and delivery vehicles, and junctions have been tracked to demonstrate this. There is a central island located within the junction to provide for protection of pedestrians crossing the access bellmouth.

8.91 The spacing of the junction with that of the junction opposite (Priory Lane) is acceptable.

8.92 In terms of pedestrian/cycle access, the plans indicate a 2m footway on the eastern side of the junction leading to a new section of path adjacent to Harvest Ride to cater for a relocated bus stop which is in the vicinity of the proposed site access. On the western side of the junction is a 3m cycleway which connects to Old Priory Lane. This is consistent with the application's Access and Movement Strategy which indicates a footway/cycleway on the northern side of the indicative spine road, and this then connects through to Old Priory Lane and provides connectivity from the existing cycle network through the site linking to the school. This would enable new residents and those outside the site to cross over from existing cycle

facilities and access the site network. The footpath on the eastern side of the junction allows residents to access the bus stop without having to cross the junction to the site.

- 8.93 The alignment of the junction and realignment of Harvest Ride to accommodate the right turn lane has been checked to ensure sufficient transition into and out of the new access factoring in the curvature of Harvest Ride at this point. The transition of the kerb line after the right turn lane in the easterly direction was extended to smooth out the transition around the bend in the road, as is now considered acceptable. The lane widths that have been shown (3.25m) for each lane through the junction are acceptable.
- 8.94 The changes indicated to Old Priory Lane are acceptable in principle with improved provision for cyclists and pedestrians and improved turning head. The exact details of the works required, including suitable positioning of the columns along the cycle route, can be dealt with via condition and the exact detailed design including lighting covered by a S278 agreement for that section.
- 8.95 It is advised that works to Old Priory Lane are implemented as early as reasonably practical with the access road leading towards Old Priory Lane from the associated parcel so that travel patterns across the site can be safely accommodated. Up to this point however, access to Old Priory Lane and Priory Field could be achieved via the main access junction. A Traffic Regulation Order (TRO) would also be required to restrict vehicle movement over the part of the lane which will become a cycleway.
- 8.96 Vehicular access between Old Priory Lane and the spine road is not proposed to be safeguarded. This was originally an option to provide new housing along Old Priory Lane to access south through this development. This now prevents the need for stopping-up to the north of the lane preventing through traffic onto Warfield Street. This would help preserve the character of Old Priory lane, as further access onto the lane would likely require highway works. Alternative access arrangements are to be safeguarded through this site for development parcels along the east of Old Priory Lane, and parcels to the west would require access from the west.
- 8.97 Old Priory Lane provides the transition between this residential development to the east and the planned new neighbourhood centre and Priory Fields, a popular area of active open space, to the west. When the neighbourhood centre is developed, a link from the west onto Old Priory Lane will be located to tie into both eastwards access options: the informal route along Hedge Lane and the more formal pedestrian/cycle on the north side of the spine road.

ii. Maize Lane

- 8.98 This junction is located about 87m north from the Whitegrove roundabout junction with County Lane (ref. figure 9). Maize Lane is subject to the national speed limit (60mph), although due to the narrow nature of this road coupled with the fact that it is not a through road, speeds are expected to be significantly lower than the limit.



Figure 9: Extract from Illustrative Layout showing main access (east) off Maize Lane

8.99 Maize Lane would provide multiple access points to the development as there are several development parcels as well as the main site served by this route. The road itself would be enhanced by being widened from the roundabout for approximately the first 85-90m in which the road would be widened to 5.5m which is acceptable in principle, and is the minimum width that would be required up to and including the main access point to the site. The plans also indicate a new 3m pedestrian/cycleway behind the ditch and hedgerow that would connect to the existing infrastructure and link to the main internal spine road. A crossing point at the eastern of the spine road would then allow pedestrians and cyclists to cross the road to access the school or for cyclists to head west along the spine road or to continue north up Maize Lane.

8.100 This junction has been tracked for coaches, which will inform the design of the internal spine road.

8.101 Past the main access into the site the proposal is to widen Maize Lane to 4.8m and treat it like a shared-surface. The applicant suggests this can be done by scraping back the existing road surface, but it should be noted that due to the age of Maize Lane it is quite possible that much more extensive work is required which could include the full reconstruction of the lane to provide a suitable road surface for the lifetime of the development. The road is expected to require widening in certain sections and a resurfacing of the entire length affected is expected to occur. Drainage of the road will also impact on the surface and require consideration. The detailed design of any scheme is not in place for this outline application, but retention of the road edges will be needed in an acceptable form as the ditches appear to be very close to the road edge and any vehicle overrunning the narrow verge could compromise the drainage and road safety.

8.102 A width of 4.8m for this section of the lane is suitable for the scale of development proposed. However, should further access onto the lane occur from the development to the east then further alterations to the route may be required. Because of the shared-surface design, with pedestrians, cyclists and equestrians sharing the space with vehicles travelling at reasonable speeds, and to encourage use at all times of the day and year, the route would need to be lit and, in that regard, will impact on the character of the lane. Consideration was given to alternative approaches, but the proposed approach was deemed to be the least harmful option. The Biodiversity Officer would be engaged in agreeing the lighting scheme, to minimise any adverse impact on biodiversity.

- 8.103 To provide access to the private drive access points the existing restriction preventing vehicles passing along Maize Lane from the south will need to be repositioned. This will require a TRO and will need to be processed separately to the planning application. Furthermore, a TRO to change the speed limit on Maize Lane will be required and this may be able to be combined with the vehicular restriction. The TRO will be secured by s106 agreement.
- 8.104 At the northern end of the Maize Lane there is a separate parcel to the west that will have an adoptable road to protect future potential access to additional development land outside of the application site further west. In providing access to this parcel off Maize Lane, part of the development site will need to be used to accommodate the new vehicular restriction on Maize Lane. The applicant has provided the indicative location for this turning head, but any location where a restriction is finally located must ensure that safe access and turning is provided for either side of the restriction, and ensure that new development can only travel southwards. Whilst such an option does not restrict the movements of the active farm and stables opposite, this is an active use which could historically travel northwards. Also, as private land to be developed in the longer term any use of that site in the short term to bypass any restriction is unlikely by the general public. The TRO for Maize Lane should be developed and submitted as part of this planning proposal due to the impact on access which is being considered.
- 8.105 Overall, the indicative design of the works to Maize Lane is considered acceptable.

#### Access within the site

- 8.106 Section 5.5 of the DAS indicates a hierarchy of roads within the development and this broadly covers the areas expected. It describes the indicative locations, specifications and design treatment. The original submission has been amended to make it consistent with the Area 1 Masterplan and take account of subsequent changes in standards to ensure there is no ambiguity at the reserved matters stage.
- 8.107 Footways and cycleways are referenced on the Access and Movement Strategy Plan, that broadly follow north-south and east-west routes as required in the Area 1 Masterplan.
- 8.108 Tracking for the main spine road has been shown to indicate that the roads can take the swept path of refuse vehicles and school coaches. The internal roads will be subject to a reserved matters submission if this application is permitted and so any information provided has been treated as illustrative.
- 8.109 The applicant has also provided more detailed information on how the allocated site to the north west corner of this proposed site could be served through an extensive tree belt. The exact location for this will be determined at the reserved matters stage. For all four of the potential future access points, shown as purple arrows on the Access and Movement Strategy Plan, an adoptable highway will be secured up to the boundary (reinforced by a planning obligation) to avoid a ransom situation at the outset. This would facilitate access to the adjacent site as early as possible and make new residents aware of the likelihood of the road connecting to the adjacent site.
- 8.110 The site also shows an indicative formal link out to Old Priory Lane for pedestrians and cyclists, such a link is essential in providing efficient access to the neighbourhood centre, so provision will be secured by s106 as early as is reasonably possible.
- 8.111 Construction patterns within the site will also need to be considered and how the various parcels can work together to ensure that highway safety is not compromised.

#### Parking

8.112 The site is in outline with means of access only to be considered at this point. Parking to the borough standards will be required and appropriate conditions relating to garages and car ports as well as electric vehicle charging will be required.

### Traffic Impact

8.113 The applicant has used the BFC traffic model to ascertain the impact of this development. The model has been previously used to evaluate the impact of neighbouring applications which has considered this site as well but not in detail. The applicant has also undertaken some sensitivity testing of the amount of traffic passing through either the new junction on Harvest Ride and Maize Lane roundabout to be sure that capacity in those junctions is not compromised. The testing that has been carried out indicates that the capacity of the local road network is not compromised by the proposal and having more than one access point not only helps provide connectivity through the development but also spreads the traffic out on any one point.

8.114 The site access proposals bring about some changes to the existing road network which will enhance access to this site as well as the wider area. Other improvements to help mitigate traffic impact by providing improvements for pedestrians/cyclists either in kind or by contribution will also help to reduce the impact on the local area.

### Planning obligations secured by s106

8.115 As this site is in multiple ownership there will be a need to ensure that as each development parcel is brought forward, appropriate mitigation is secured and controlled by a s106 agreement. Exact details of this will need to be subject to further discussion but some information has already been submitted by the applicant which relates to the securing of the site access works. Such works to form access to the site need to be secured prior to commencement of the development to provide suitable access to the various parts of the site, and it could also require some cooperation between the various landowners to ensure safe access can be achieved during the build. Comments on this will be made when discussing construction access and phasing. The applicant has set out broadly the areas that need to be covered by clauses relating to non-ransom and will need to be clearly set out in any legal agreement.

### Phasing

8.116 The applicant has set out the potential phasing of the development on the Phasing Strategy Plan. Phasing of transport works requires consideration of land ownership. To facilitate the delivery of housing, as far as reasonably practical, phasing of works should allow parcels to proceed independently.

8.117 Western access works off Harvest Ride or eastern access works to Whitegrove Roundabout and Maize Lane, including any pedestrian/cycle access, would be related to development requiring access from that point. The extent and timing of works will depend on works proposed.

8.118 The applicant has also set out that the parties that control the land occupied by the main spine road through the development will work together on one road adoption agreement but may deliver parts individually. This may be possible, but each landowner will need to give rights for drainage, and temporary turning heads will be required on each piece of land should such an approach occur.

- 8.119 The access points and the internal roads will need to be constructed to at least base course before construction is commenced on any parcel to ensure highway safety and not by occupation as suggested by the applicant. Other roads within the site may have to be built earlier in the phasing as well to ensure access and development on adjoining land allocated as part of SA9 is not compromised.
- 8.120 Construction access needs to be properly controlled during the course of the development to ensure that residents and construction activities can be safely managed within the site. It is suggested that once the spine road is constructed to base course level (both developments have commenced) then the construction route into and out of the site should be controlled more clearly. Based on the current arrangement, the use of the Harvest Ride access may be more suitable for construction vehicles due to its geometry. This issue will need to be discussed and agreed with the applicants. A full review of the phasing needs to be undertaken and discussed as part of the S106 negotiations.
- 8.121 Subject to a number of conditions and s106 obligations, the outline application is now considered acceptable in highway terms and would accord with policies CS23 and CS24 and the NPPF.

## v. HERITAGE

- 8.122 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the decision maker when considering whether to grant planning permission for development which affects a listed building or its setting to "*have special regard to the desirability or preserving the building or its setting or any other features of special or architectural interest which it possess*".
- 8.123 Para. 193 of the NPPF states that "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*".
- 8.124 Para. 194 indicates that "*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification....*".
- 8.125 Paragraph 196 states that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*".
- 8.126 Because of the proximity of several Listed Buildings to the application site, the Council's Heritage Officer was consulted and provided the following advice:
- 8.127 The following approximate distances from the proposed development to the identified Listed Buildings are shown in the Heritage Statement:
- Pear Tree Cottage distance, approximately 70m to proposed development;
  - Old Priory Cottage distance, approximately 67m to proposed development;
  - Horseshoe Cottage distance, approximately 102m to proposed development; and
  - Knibbs Nook and Wee Knibbs distance, approximately 23m to proposed development.



- 8.128 In relation to the built heritage, the primary area of concern is the northern area of proposed development directly behind Warfield Street, which would abut the rear garden of Knibbs Nook/Wee Knibbs, which is a Grade II listed building and, therefore, enjoys statutory protection for its setting. This boundary with the application site is defined by hedging.
- 8.129 The Illustrative Plan has been amended in response to comments from the Council regarding the proposals for development in close proximity to Knibbs Nook/Wee Knibbs. The illustrative development form in this location has been simplified, removing garages close to the Listed Building; dwellings have been re-positioned and dwelling types have been altered adjacent to the northern boundary in order to break-up the built form and protect the setting of Listed Building. The submitted DAS (p64) states that it seeks to ensure that the architectural design of dwellings in the vicinity of the Listed Building is simple with vernacular features which avoid competing visually with it and are in-keeping with the Warfield Street South character area.
- 8.130 The DAS acknowledges that the setting of the Listed Building is a sensitive area and addresses this relationship with Knibbs Nook specifically in section 5.2.5 onwards. This section specifies a key objective as being to maintain the semi-rural character of the settlement. In particular it seeks to preserve the wider setting of the Listed Building by retaining and strengthening the existing tree line and hedgerows along the site boundary near Knibbs Nook/Wee Knibbs including additional beech hedge planting.
- 8.131 The illustrative layout maintains a minimum set-back distance from the rear boundary of Knibbs Nook/Wee Knibbs. Whilst some accommodation has been made to the setting of the Listed Building in the plan form, more could have been achieved, to take into account the setting of the Knibbs Nook/Wee Knibbs, by including a greater buffer area in this location.
- 8.132 The Council's Heritage Consultant concluded that previous comments have not been fully taken into account. However, indicated changes to the illustrative layout together with the significant landscape planting to screen the development to the northern boundary, plus conditions regarding materials and architectural design, would largely address concerns regarding the setting of the Listed Building from development within its setting.
- 8.133 The proposed development would result in some harm to the setting of Grade II Knibbs Nook/Wee Knibbs due to its proximity, visual intrusion, erosion of elements of the setting's rural character and the functional relationship with the fields to the rear, but this would be of a low level.
- 8.134 Great weight must be given to the conservation of a Listed Building, irrespective of whether any potential harm amounts to substantial harm or less than substantial harm (NPPF, para. 193). Any harm to the significance of a designated heritage asset from its alteration or development within its setting, should require clear and convincing justification. (NPPF, para. 194).
- 8.135 The Council's Heritage Consultant has emphasised that the impact of the development on the Knibbs Nook/Wee Knibbs remains a critical matter of concern. However, the DAS provides sufficient information to ensure that the impact on the setting of the adjoining listed building and the significance of the impact is addressed in future reserved matters.

## **vi. TREES AND LANDSCAPING**

- 8.136 Trees and hedgerows are important to the character and appearance of an area and in providing ecological habitats. Therefore, BFBLP Policy EN1 requires proposals for major development to, where possible, retain trees and hedgerows to soften the impact of the new

developed areas and enhance those wildlife habitats which are important to the immediate surrounding locality of the proposed development. Policy EN2 requires the planting of indigenous trees appropriate to the setting and character of the area and a variety of other indigenous plants.

- 8.137 The Warfield SPD acknowledges the defining contribution undulating grassland, remnant hedgerows and tree belts make to the character of Warfield. It requires development, as far as possible, to follow the existing pattern of topography and look to retain, enhance and integrate existing important landscape features within the new development. It emphasises the need for an 'East-West Greenway' between Westmorland Park and Cabbage Hill, comprising the Hedge Lane bridleway, that will provide car-free connection to open space, schools and the neighbourhood centre. Development Principle W5 requires development to provide multi-functional green infrastructure, create a distinct and green landscape character alongside the built form, and integrate and connect the development with other landscape features adjoining the site.
- 8.138 The Area 1 Masterplan's Green Infrastructure Strategy (Area 1 Masterplan, figure 3.10) sets out the principles with which this development would be expected to accord. It provides for a north/south axis of greenspace – a dominant landscape feature in recognition of its ecological significance. It also provides for the East-West Greenway comprising the existing Hedge Lane bridleway, allowing east-west movement for pedestrians, cyclists and horse riders and acting as a wildlife movement corridor.
- 8.139 The site contains a significant number of trees, hedgerows and areas of scrub – the majority of which are located around the site boundary and defining field boundaries within the site. A number of trees on and adjoining the site are subject to individual or group TPOs. The applicant has submitted a baseline tree (and hedgerow) survey overlaid onto both the application masterplan and illustrative layout, to better understand the impact of the proposed layout on vegetation; and it contains a preliminary recommendation for tree removal and retention.
- 8.140 In accordance with planning policy and guidance, the site layout has been developed to retain sensitive landscape features and areas of ecological significance. The application proposes a central north/south axis of open space and retains the east-west Hedge Lane bridleway linking Old Priory Lane and Maize Lane. Where access to development parcels would require roads to 'punch-through' greenspace or Hedge Lane, the number of points and gaps created would be kept to a minimum. A significant part of the site's mature deciduous trees and hedgerows will be integrated into this area, as well as an existing pond of ecological significance and several other water attenuation features to be provided as part of the site's drainage strategy. Around the edge of the site, a landscaped buffer is proposed, integrating as much of the existing vegetation as possible, save for the need for highway works to create access into the site.
- 8.141 This 'green grid', integrated into the layout of the site, will perform an important multi-functional role: in preserving the site's important landscape and ecological features, creating green corridors for biodiversity in providing and connecting habitats. It will also provide recreational space for residents and providing vegetated breaks in the built form to integrate the development into the area as sympathetically as possible, using the site's key landscape features.
- 8.142 It is recognised, that in order to make efficient use of the land and meet the allocated housing numbers for this site, trees and sections of hedgerow will require removal. Compensation for such loss, however, will be an important consideration. The Council's Tree Officer has concluded that the layout of the scheme appears to have considered the principal trees and groups of trees, and no primary concerns were raised. The application is for outline

consent and therefore detailed consideration of trees will be required in developing the detailed layout at reserved matters stage.

8.143 The following specific matters have been identified as requiring consideration at reserved matters stage:

- i. The three areas where access is to be safeguarded for potential development into neighbouring sites (marked on the Access and Movement Strategy Plan) will require careful consideration. In particular the potential road connection in the north-west corner, where the optimum route would encroach into the root protection area (RPA) of one (or possibly two) veteran trees. Design here would require detailed design consideration.
- ii. Within the group of trees identified by the applicant (T7074, 7075, 7076 & 7077; which are all protected by TPO 1175 as T4, T5, T6 & T7 respectively), there are two Oaks that have been classified by TVERC as of veteran status; although the applicant has not deemed any in that group to be in that category. The illustrative layout around tree 7087 (protected tree T4 of TPO 1169) needs to be reviewed as it currently encloses the RPA of the tree in built form.

8.144 In terms of the application's landscaping strategy, the submitted Green Infrastructure / Landscape Strategy Plan provides indicative lists of species shown for different elements of the site layout. In consultation with the Council's Landscaping and Biodiversity Officers, the scheme has been developed to provide for native species that maximise opportunities for biodiversity throughout the site, with particular focus on areas of open space; but which also allow for a wider scope of planting within housing parcels.

8.145 The plan provides for planting of an avenue of trees along the spine road that would define the main route, and for suitable and appropriately sized varieties of trees within housing parcels. Around the perimeter of the site, the plan shows a landscaped buffer, which will provide planting to visually soften the development and to bolster existing planting where opportunities are identified.

8.146 The proposed removal of tree number 7090 (ref. figure 10) has been opposed by objectors, including Warfield Parish Council. It is identified as a mature Horse Chestnut in the tree survey, described as having a crown showing significant signs of die back with large areas of bark loss/damage around base with associated decay, and having habitat potential. It has been classified as Grade U – 'Trees that are unretainable in viable condition' (p9, Tree Survey refers) and the applicant's arboriculturalist has suggested that left in its current condition could lead to whole tree failure. The tree is located in the proposed path of the spine road (ref. fig. 6), just north of the western access into the site. The tree appears to be structurally unsound and designing around it would have significant implications on the layout. Therefore it's removal to facilitate access is considered justified. Planting of native broadleaved trees and biodiversity enhancement measures as part of the proposal would help compensate for this loss.



Figure 10: Extract from Tree Survey showing tree 7090 on illustrative layout

8.147 Overall, the proposed layout is considered to have responded to the Warfield SPD and Area 1 Masterplan's requirements to integrate important landscape features and ecologically sensitive areas. The landscaping strategy provides the parameters for a high quality landscaping scheme to mitigate the impact of the development and provide net benefits to residential amenity, biodiversity and local character.

8.148 To conclude, the proposal is considered acceptable in accordance with Policies EN1 and EN2 of the BFBLP and accords with Warfield SPD and Area 1 Masterplan requirements.

## **vii. BIODIVERSITY**

8.149 Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity, and CS7 requires development to enhance the landscape and promote biodiversity. This is supported by the NPPF – Section 10 that seeks to conserve and enhance the natural environment and for development to minimise impacts and provide net gains for biodiversity.

8.150 An Ecological Assessment (EA) of the site and a Biodiversity Net Gain report have been submitted in support of the application. Phase 1 and 2 ecological surveys of habitats on the application site were conducted through the period 2013-2019 to assess the proposals potential to impact upon protected species (specifically, bats, badgers, nesting birds, dormice, great crested newts (GCN) and reptiles) and habitats of conservation concern. It then provided appropriate recommendations.

8.151 The EA states that the development would have no significant adverse effects on any Ancient Woodland, or on other statutory or non-statutory sites of nature conservation concern.

8.152 The EA identified the following key habitat types within the site:

- i. semi-improved and marshy grassland;
- ii. hedgerows (some important, some species rich);
- iii. veteran trees;
- iv. ponds; and
- v. grassland formerly part of Brickworks Local Wildlife Site (LWS).

8.153 Through the careful consideration of landscaping and habitat management, the development would retain the most important features and has potential to increase the on-site botanical diversity.

8.154 Hedgerow loss would be compensated for by the planting of native species-rich hedgerows elsewhere within the site and retained hedgerows would be gap-filled and managed to maintain/increase their suitability for wildlife. The submitted Green Infrastructure /Landscape Strategy Plan provides an indicative species-rich planting schedule that reserved matters would be required to accord to. There is particular emphasis on the planting of native species around the site and in areas of greenspace to maximise biodiversity potential.

8.155 Several objections commented on discrepancies between documents in the application and raised concern over the loss of hedgerows, particularly important hedgerows under the regulations 1997. The figures in the EA, DAS and the Arboricultural Survey have been reviewed by the applicant's ecologist and are correct. Table 11 of the EA has been amended to more accurately reflect hedgerows being partly retained and to remove any hedgerows not within the current red line. The design of the site has sought to retain as many hedgerows as possible within the green infrastructure of the site. The main cause of loss is due to highway works, such as widening of Harvest Ride and accesses onto Maize Lane which are unavoidable. The Biodiversity Net Gain Assessment shows that in the long term there will be a net gain of +34% in hedgerow habitat which takes into account the risks of planting new hedgerows and the time delay in achieving their original condition.

8.156 Habitats with potential to support species of conservation concern were identified, and the on-site presence of the following species was identified:

- i. badgers;
- ii. great crested newts;
- iii. birds;
- iv. bats; and
- v. reptiles.

(Some of the above and more are NERC listed – species of principal importance)

8.157 Binfield Badger Group, and other representations received, raised particular concerns regarding badgers on site and sought a more up-to-date badger survey.

8.158 A survey update was conducted and concluded that the existing badger sett is currently dormant and identifies push-throughs of unknown identity across the southern half of the site. This could be a known local badger clan using the site for occasional foraging and outlier setts. Therefore, it is important that green corridors through the site are designed to allow for the movement of large mammals such as badgers, particularly where they meet roads i.e. through the use of culverts. This can be subject to condition.

8.159 The application provides for a wildlife buffer which will serve to protect an identified badger sett and provide opportunity for improved badger habitat. The EA flags up the requirement to consider the welfare of badgers throughout development and provides a mitigation strategy. Implementation, including further surveys at intervals to identify if badger activity changes, will be required by condition.

8.160 Seven bat species have been identified foraging over the site. The proposed development does not retain all of these foraging areas, but the green infrastructure of the site will provide the most important linkages east-west and north-south. In addition, waterbodies and considerate planting will provide good foraging opportunities for bats.

8.161 Trees identified to have bat roost potential are proposed to be retained, and, where appropriate, further surveys for bats will be required prior any tree works, which will be conditioned.

8.162 A key principle of the DAS is to provide good connectivity for wildlife. Within the green infrastructure of the site, there is a key wildlife corridor moving north to south, and east-west along Hedge Lane, and as lighting can create barriers to movement, these areas will remain unlit. To protect nocturnal wildlife, particularly bats, a site-wide sensitive lighting design will be required by condition to prevent light spill along these routes and other green infrastructure.

8.163 Breeding bird surveys identified a number of notable species within the site, and a programme to alleviate any potential impacts on nesting birds has been recommended. The wetland habitats, the retention of hedgerows and grassland, and the planting of berry/fruit bearing tree species such as rowan, apple, and cherry will provide a rich food resource for birds within the site. A variety of nest boxes has been recommended to enhance the site's overall value to birds.

8.164 A 'Medium' population of GCN exists within 500m of the site boundary and a 'Medium to Low' population exists within the Site. Consideration has been given to the retention and enhancement of the on-site habitats through the design of the site with connectivity to the wider landscape. An appropriate relocation exercise and monitoring will be required that is integrated with the phasing of the development. An appropriate European Protected Species Mitigation Licence will need to be sought and obtained from Natural England prior to the start of works.

- 8.165 A 'Low' population of grass snake resides within the site and an appropriate trapping effort to relocate these animals will be required. The mitigation set out for GCN will also serve to mitigate the presence of reptiles within the area to be developed.
- 8.166 The installation of hedgehog houses, permeable fencing and green infrastructure will serve to support the site's interest for hedgehog. The installation of log piles and the retention of existing mature trees will provide the mature/dead wood habitat required by stag beetles.
- 8.167 Overall, the application site provides a number of important linkages for green infrastructure, connecting:
- i. the onsite pond to others in south and north east;
  - ii. hedgerows north/south and east/west; and
  - iii. a former LWS grassland to remaining LWS to the south.
- 8.168 In terms of the potential impacts on ecology and how they are addressed; the majority of important ecological features have been retained within the site's green infrastructure as part of the mitigation hierarchy to avoid, then mitigate and then compensate for any impacts. Any lost habitats are compensated for through the biodiversity net gain process. The main measures proposed are, in summary:
- i. Pond – retained and connected.
  - ii. Grassland – restored LWS area and new creation.
  - iii. Trees and hedgerows – retained within green infrastructure or replaced.
  - iv. Badgers – an updated badger survey in 2020 confirmed the existing sett is inactive and no foraging evidence was found. The sett will however be protected within green infrastructure and grassland and hedgerow foraging provided.
  - v. GCN – protected by pond with a buffer zone and further green infrastructure to connect with the existing population to the south. In addition, a s106 contribution to reduce the barrier effect of Harvest Ride can be sought.
  - vi. Birds – green infrastructure provides resources for nesting and foraging.
  - vii. Bats – green infrastructure to provide foraging and commuting without lighting on the north/south corridor and sensitive lighting by condition.
  - viii. Reptiles – green infrastructure provides a range of habitats including ponds, long grass areas and woodland edge.
- 8.169 The submitted Biodiversity Net Gain assessment takes into account the uncertainties of enhancing and creating habitats. It concludes that an area habitat net gain of 4.6% and a linear habitat (hedgerow) net gain of 34% should be achieved across the application site. To achieve 10% net gain, a financial contribution will be sought for offsite biodiversity enhancements.
- 8.170 Reserved matters and conditions will be used to secure the detailed design to carry through the protection and enhancement of biodiversity. To ensure this is followed through the phases of the development, a condition will be included to require all reserved matters applications to provide a Biodiversity Net Gain check report. These will compare detailed design of the development phase with the illustrative outline and highlighting any deviation in the provision of biodiversity credits. If any loss of credits is identified, the consortium will need to agree which phase will provide for that shortfall.
- 8.171 In conclusion, subject to conditions and the potential for planning obligations, the proposal will not significantly affect biodiversity, with parts of the scheme delivering clear benefits. As such the application is considered to be in accordance with CSDPD policies CS1 and CS7, and the NPPF.

## viii. ARCHAEOLOGY

8.172 The Council's archaeological consultee has advised that, in accordance with Paragraph 189 of the NPPF, the applicant has submitted an archaeological desk-based assessment (CgMs Heritage, dated March 2020) that sets out the archaeological potential of the application area and the likely impact of the development proposal upon it. The assessment notes that:

- there are no known heritage assets within the red line boundary
- in the light of known heritage assets nearby, the site is assessed as having a low potential for archaeological evidence relating to pre-modern periods of human activity
- a large proportion of the area within the red line boundary has been subject to disturbance due to clay extraction and brick making
- the proposed development is not expected to have a widespread or significant archaeological impact.

8.173 CgMs Heritage's report is a reasonable assessment of the site's archaeological potential. The historic mapping indicates that perhaps as much as 50% of this near-14ha site has been subject to substantial disturbances from a former brick works. The potential of the remaining, apparently undisturbed, area is currently unknown and the few monuments and finds spots reported in this assessment do not reflect the increasing evidence for Iron Age and Roman settlement and agriculture in this clay landscape north of Bracknell. Recent discoveries include:

- an Early Roman farmstead at Fairclough Farm, close to a previously recorded Middle Iron Age settlement;
- a Late Iron Age 'banjo' enclosure at Amen Corner;
- a Late Iron Age/Early Roman enclosure at Foxley Lane, Binfield; and
- an Iron Age and Roman settlement at Temple Park.

8.174 However, in view of the known disturbances from the former brick works and the outline status of the application, with all matters reserved other than access, Berkshire Archaeology is content that an appropriate programme of archaeological work can be secured by an appropriately worded condition. This will enable appropriate mitigation, including preservation in situ to be agreed prior to finalising the proposal through reserved matters applications.

8.175 In conclusion, with the recommended condition to secure further archaeological investigation of the application area, this application would comply with Para 199 of the NPPF and BFBLP policy EN6.

## ix. DRAINAGE

8.176 Chapter 14 of the NPPF states that "*When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere*" (para 163), and that "*Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate*" (para 162).

8.177 The Council's Senior Engineer (Flood Risk & Drainage) initially advised the applicant during pre-application discussions and has been consulted throughout this application process. In response to this submission, the following advice has been provided.

8.178 The site is in Flood Zone 1, as such the Sequential Test is passed, however areas within the site are at risk of surface water flooding. Flooding has previously been observed within the site and Warfield Street to the north of the site frequently experiences flooding, which has been raised by several objectors as an issue.

- 8.179 The submitted Flood Risk Assessment (FRA) addresses these concerns and has been supported by detailed surface water modelling. This modelling has been reviewed on behalf of the Council by an external consultant and a number of alterations were recommended. The Applicant amended the modelling adding additional structures and further refinements. This resulted in a reduction in the baseline surface water flood extents. Whilst a further review of the new modelling work has not been undertaken it is considered that the flood extents within the FRA are a 'worst-case' and therefore further, more detailed work can be conditioned. Of primary concern to the Lead Local Flood Authority (LLFA) has been the implications for the downstream landowners. The work undertaken by the Applicant has demonstrated that a reduction in peak flows during the 1 in 100 year + climate change event is provided. This can be seen in Fig 3 and Fig 4 of SMA letter dated 24 September 2020 showing the reduction in flows through the small watercourse in the rear of properties on Old Priory Lane flows are reduced from circa 0.5m<sup>3</sup>/s to 0.3m<sup>3</sup>/s at point A and circa 0.7m<sup>3</sup>/s to 0.3m<sup>3</sup>/s at point B.
- 8.180 Works are required to the central watercourse to remove currently blocked pipes and replace with a single outlet and regrade this ditch. The Applicant has confirmed that the impact of removing the current blockage does not result in an increase in flows off-site but will alleviate the existing localised flooding issues.
- 8.181 It is also critical that the SuDS scheme replicates the existing situation for day to day storms. To do this, the first 10mm of rainfall falling over the site must be intercepted by the SuDS scheme for the lower order storm events. The requirement is that there should be no discharge from the site for the first 5mm of rainfall. The outline nature of the Application, prohibits more detailed drainage design to demonstrate this fully but as the outline consent would be for 'up to 305 dwelling' we are content that this can be dealt with by condition as the storage volumes provided in the basins for the larger storm events are more critical aspects with regard to ensuring sufficient space is provided and further storage can be incorporated in development areas as necessary. The Applicant has based their design on an assumption of 55% impermeable area and has not as yet allowed for urban creep. This may have an impact on the developable area of some areas of the site, and as such the detailed design must ensure the provision of adequate SuDS as a priority.
- 8.182 As much of the surface water flooding is resulting from flows within the site the provision of a fully integrated SuDS scheme is essential to ensure that flows are managed for the lifetime of the development. Currently the surface water modelling and the SuDS drainage design modelling have been provided as discrete assessments. As design develops to detailed it is essential that the two aspects of surface water management are combined in an Integrated Catchment Model.
- 8.183 Following the initial submission the provision of information relating to groundwater was queried. The Applicant subsequently confirmed that the ponds will be above the highest recorded level. However, their period of groundwater monitoring extended from May to October and as such further monitoring must be undertaken over winter months to inform the design at reserved matters stage. It is important that detention basins are designed to be above the groundwater table as issues with floatation and integrity of liners may cause significant issues over the design life of the development and also prevents opportunity for any infiltration to ground. The continued monitoring can be conditioned to ensure detailed design is informed.
- 8.184 The Council's Senior Engineer (Flood Risk & Drainage) recommends that the application be approved subject to conditions. It is therefore concluded that the proposals would accord with Chapter 14 of the NPPF.



**x. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)**

8.185 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 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.

8.186 This site is located approximately 4.63 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

8.187 In terms of appropriate SPA avoidance and mitigation, the development is required to provide a SANG solution and make a financial contribution towards Strategic Access Management and Monitoring (SAMM). The air quality impacts of the development on designated habitats sites has also been considered. Each mitigation measure and the air quality impacts are considered in turn.

i) The provision of bespoke SANG capacity

8.188 In accordance with the SPA SPD, the development will be required to provide alternative land, in the form of SANG, to attract new residents away from the SPA. As this development forms part of the Warfield allocated site under the CSDPD, SALP and Warfield SPD as above, a bespoke SANG solution must be secured for the development. In accordance with policy (notably Policy NRM6) and guidance (the Warfield SPD and the SPA SPD), the development will require SANG capacity at a minimum standard of 8ha per 1000 persons based on 2.31 persons per dwelling. For 305 dwellings this is 5.64ha of SANG (i.e.  $305 \times 2.31 / 1000 \times 8$ ).

8.189 The applicant has agreed to make a payment towards SANG capacity at the Peacock Meadows SANG which has residual capacity to support this development.

8.190 Peacock Meadows has already been enhanced to SANG status and has enough residual capacity to accommodate this proposed development but other costs such as in-perpetuity maintenance, administration, education and facilitation are required to be provided in the form of a financial contribution.

8.191 The amount will be approximately £2700 per dwelling which is proposed to be part payable on completion of the s106 Agreement and part on commencement of the phase of development that the mitigation relates to.

ii) SAMM contribution

8.192 The development will also be required to contribute towards SAMM. This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it. The contribution will be calculated on a per bedroom basis, based on the Council's formula in Table 1 of the Thames Basin Heaths SPD (2018), and will be index-linked and payable on the commencement of development of each phase that it relates to.

iii) Air quality

8.193 Air quality impacts are addressed in the Appropriate Assessment carried out in May 2020. In summary, the site forms part of the SA9 Land at Warfield development, as allocated in the SALP. The SALP was assessed for its air quality impact on the Thames Basin Heaths SPA designation. More recently, Habitat Regulation Assessments and air quality assessments were completed by the Royal Borough of Windsor and Maidenhead (RBWM) taking account of the

SPA and other relevant habitats sites in the vicinity of the Borough. These found no adverse impacts upon the integrity of the habitats sites as a result of air quality issues. Therefore, no air quality avoidance and mitigation measures are required for this application.

#### Summary of outcome

8.194 Providing the applicant is prepared to make a financial contribution towards the costs of the SPA avoidance and mitigation measures set out above, the application would be in accordance with the SPA mitigation requirements. The delivery of SANG and SAMM to serve the development would be secured through the s106 Agreement.

8.195 Subject to the completion of the s106 Agreement, the SPA officer has advised, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. This is pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2017), and permission may be granted.

#### **xi. AFFORDABLE HOUSING**

8.196 Policy CS16 requires development to meet the identified housing needs of all sectors of the community, and CS17 requires suitable development to provide affordable housing. These policies can be afforded full weight as they are consistent with para. 64 of the NPPF. The Council's affordable housing policy requires proposals involving 15 net dwellings or more to deliver 25 percent of the units as affordable housing, subject to viability.

8.197 The application is proposing an appropriate housing mix and 25% of dwellings as affordable on site, i.e. 76 dwellings, with a tenure mix of 70% (53) Affordable Housing for Rent + 30% (23) Shared Ownership. The units will need to be provided at Affordable rent (capped at Local Housing Allowance rate) or Social Rent (as detailed in the NPPF 2019).

8.198 Section 5.8 of the Planning Obligations SPD references location, phasing and size of units, which will be matters for consideration at the reserved matters stage. Of the 25% affordable units, 5-10% of dwellings would be required to be designed to allow full wheelchair access and mobility throughout the dwelling, in line with the Wheelchair Housing Design Guide (Habinteg, latest version).

8.199 The Council would require the developers to engage with a listed Registered Social Landlord in Bracknell Forest to deliver the affordable housing.

8.200 Affordable housing will be secured by s106 agreement, and the Registered Providers would be required to complete a Local Lettings Plan and Global Nominations Agreement.

#### **xii. ENERGY SUSTAINABILITY**

8.201 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres per person per day.

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

8.203 The Renewable Energy Officer was consulted and has advised that the submission of a Sustainability Statement and Energy Demand Assessment would be required as part of reserved matters applications. Conditions will be imposed securing their submission.

### **xiii. WASTE MANAGEMENT**

8.204 The infrastructure Delivery Plan (IDP) (October 2012) that underpinned SALP policy SA9 requires the provision of two underground waste recycling facilities on the SA9 site. One facility has already been provided at the Cabbage Hill SANG car park as part of permission 13/01007/OUT and the other is planned for at the centrally located neighbourhood centre. This site is therefore not required to provide a site-wide waste recycling facility.

8.205 The Waste & Recycling Manager was consulted and did not raise any concerns over the layout for waste collection. Bin storage and collection will be matters for consideration at the reserved matters stage.

### **xiv. INFRASTRUCTURE DELIVERY**

8.206 NPPF para. 92 refers to delivering the social, recreational, cultural facilities and services communities need, including the need to plan positively for the provision and shared use of space and, community facilities (including shops etc). It also states the need to ensure an integrated approach to considering the location of housing, economic uses, community facilities and services. Para. 94 attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that LPAs should give great weight to the need to create new schools places.

8.207 Policy CS6 requires development to contribute to the delivery of infrastructure needed to support growth and to mitigate its impacts upon infrastructure Mitigation is primarily delivered through planning obligations, secured by s106 legal agreement, and the Community Infrastructure Levy (CIL).

8.208 In accordance with the requirements of SALP Policy SA9, and the Council's requirement for this strategic site to be delivered comprehensively, planning obligations would be secured towards the following areas of infrastructure:

- a. Local Transport
- b. Primary Education
- c. Community Facilities
- d. OSPV
- e. SPA Avoidance & Mitigation
- f. SuDS
- g. Affordable Housing

8.209 To date, the Council has had extensive discussions with the applicant concerning the content of the s106. Infrastructure obligations to be secured by s106 would include:

- Construction of east-west spine road, with access from Harvest Ride and Maize Lane;
- Works to Maize Lane and the Harvest Ride roundabout;
- Works to Old Priory Lane;
- Delivery of roads, the provision of adopted footways and cycleways to serve development parcels and to ensure connectivity between parcels;
- Relocation of vehicular restrictions on Maize Lane and Old Priory Lane;

- Financial contribution towards a Harvest Ride pedestrian crossing;
- Safeguarding future access with adjoining land;
- Safeguarding access along Hedge Lane (forming part of the strategic East-West Greenway);
- Residential Travel Plan
- Primary education:
  - o financial contribution towards construction and fit-out of 2FE primary school
  - o transfer of land for a 1FE school
  - o safeguarding land for potential expansion to a 2FE school with the option for BFC to purchase if required;
- Financial contribution towards the Warfield Community Hub at the new Warfield Neighbourhood Centre;
- Provision of open space:
  - o on-site, with management, maintenance and transfer arrangements
  - o financial contribution towards off-site open space enhancements;
- Financial contribution towards off-site biodiversity net gain projects (subject to confirmation);
- Thames Basin Heaths SPA mitigation – provision of SANG and SAMM payment;
- SuDS with management, maintenance and transfer arrangements;
- Affordable Housing – 25% of the total number of dwellings, comprising 70% Affordable Housing for Rent and 30% Shared Ownership.

8.210 The s106 is still to be finalised and therefore it is recommended that the decision be delegated to the Head of Planning to continue discussion and complete the s106 agreement to secure the necessary infrastructure in respect of this site. Subject to appropriate mitigation being secured, this proposal would comply with CS Policies CS6, CS8 and SALP Policy SA9.

8.211 In terms of CIL, BFC commenced charging CIL on 6th April 2015 and it applies to new builds including those that involve the creation of additional dwellings.

8.212 CIL will be used to fund such strategic infrastructure as:

- a. Strategic transport infrastructure
- b. Secondary education
- c. Post-16 education
- d. Special educational needs
- e. Library facilities
- f. Built sports facilities

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

## 9 CONCLUSIONS

9.1 This proposed development is on an allocated site located within the defined settlement and therefore is acceptable in principle. The delivery of up to 305 dwellings, of which up to 25% will be affordable, will contribute to the Council's housing supply, which is a material consideration, and the delivery of SALP Policy SA9.

9.2 A number of objections were received, and the report has sought to address the matters raised.

- 9.3 In terms of design parameters and means of access, the development is considered to meet planning policy and guidance objectives, and would deliver a development that would provide a sense of place that is appropriate in this location.
- 9.4 The applicant has sought to address particularly sensitive matters on and around the site, in terms of a design that considers and responds to the character of the area, its relationship with neighbouring properties, ecological sensitivities and important landscape features, such as trees and hedgerows.
- 9.5 Proposed vehicle access, and the access and movement strategy, including connectivity to the wider highway, pedestrian, cycleway and the PRoW network, are considered acceptable to the Highway Authority, subject to conditions and s106 obligations to secure on and off site works.
- 9.6 The proposal is considered to appropriately provide its part of the strategic East-West Greenway. This will retain and integrate the Hedge Lane PRoW and providing a more formal route along the spine road. The application site will also provide land required to facilitate delivery of the Warfield East primary school; which will be secured by planning obligation.
- 9.7 Biodiversity mitigation to minimise harm and the provision of enhancements that would provide an overall net gain for biodiversity are proposed. A drainage strategy is also proposed that is considered acceptable to the LLFA.
- 9.8 It is concluded that the proposal would provide for a quantum of development, access and set of design parameters that would make an important contribution to the delivery of the Warfield SA9 strategic site and contribute towards the borough's housing supply. This would be achieved without unacceptably compromising the character and appearance of the area, residential amenity or highway safety. The applicant has developed a scheme that is considered to secure the comprehensive development of this part of the Warfield allocation, both in terms of design and infrastructure delivery to the satisfaction of the Council. The application is therefore recommended for approval, subject to appropriate conditions and the completion of a Section 106 legal agreement to secure the provisions referred to in Section 10.

## 10 RECOMMENDATION

- 10.1 Following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:-**
- i. The provision of an appropriate level of affordable housing.**
  - ii. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath SPA, including the provision of SANG and contribution towards SAMM.**
  - iii. Securing the timely provision of, and contributions to, local facilities and services including:**
    - a) a comprehensive package of on and off-site transport measures (either through provision in kind or a financial contribution towards provision by others) to mitigate the development's impact on roads and encourage sustainable modes of transport;**
    - b) on-site provision of land and access to secure delivery of up to a 2FE primary school;**
    - c) financial contributions towards the provision of primary school places;**
    - d) financial contributions towards the provision of a multi-functional community hub;**
    - e) a comprehensive package of on and off-site measures to provide OSPV, in accordance with standards;**

- iv. **Travel plan implementation and monitoring.**
- v. **Safeguarding of future access to adjoining land.**
- vi. **Provision of SuDS.**
- vii. **Biodiversity mitigation and enhancements.**
- viii. **Monitoring, management and maintenance costs.**

**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: -**

1. Prior to the submission of the first reserved matters application, a Phasing Strategy shall have been submitted to and approved by the Local Planning Authority, providing details of the proposed phased provision of the following details:
  - i. Details of the location of each Phase and Sub-phase of the development; and
  - ii. A list of the land use components (including number of dwellings) and details of the areas of passive and active Open Space of Public Value, utility and highway works to be provided for each Phase and Sub Phase; and
  - iii. A Construction Programme setting out the anticipated sequence in which the following works will be carried out:
    - a) Construction of buildings and areas of Open Space of Public Value in each Phases and Sub Phase;
    - b) Highway works (including pedestrian/cyclist routes, access construction, off-site highway works, temporary construction access)
    - c) Surface water drainage works
    - d) Landscaping works
    - e) Utility works

The development shall thereafter be carried out in full accordance with the approved details.  
 REASON: In order that the Local Planning Authority retains control over the development in the interests of the proper planning of the area.  
 [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

2. Applications for approval of the reserved matters pursuant to the development hereby approved shall be submitted in accordance with the following timescales:
  - a) Phase 1 of the approved Phasing Strategy Plan (Plan ref. RG-M-50 Rev M) shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
 'Phase 1' refers to Parcels 1a – 2d on the approved Phasing Strategy Plan (Plan ref. RG-M-50 Rev M).
  - b) Application for approval of the reserved matters for Phase 2 of the approved Phasing Strategy Plan shall be made to the Local Planning Authority before the expiration of eleven years from the date of this permission.  
 'Phase 2' refers to Parcels 3 – 4 on the approved Phasing Strategy Plan (Plan ref. RG-M-50 Rev M).

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

3. The development hereby permitted within Phase 1 of the approved Phasing Strategy Plan shall be begun not later than the expiration of two years from the final approval of the reserved matters for Phase 1, or, in the case of approval on different dates, the final approval of the last such matter to be approved; and  
 The development hereby permitted within Phase 2 of the approved Phasing Strategy Plan shall be begun not later than the expiration of two years from the final approval of the reserved

matters for Phase 2, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

4. Phase 1 of the development hereby permitted shall not exceed 270 dwellings and Phase 2 of the development hereby permitted shall not exceed 35 dwellings.

REASON: In the interests of the proper planning of the area.

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

#### **Drawings/documents for Approval**

- Site Boundary Plan - RG-M-02 Rev. P (received 12.4.20)
- Application Masterplan - RG-M-44 Rev Q (received 26.10.20)
- Design and Access Statement (October 2020) (received 26.10.20)
- Landscape and Biodiversity Management Strategy (October 2020) (received 29.10.20)
- Landscape and Biodiversity Management Strategy Plan - L8 Rev K (received 29.10.20)
- Ecology Assessment (October 2020) - J20191\_P9\_Rev G (received 19.10.20)
- Biodiversity Net Gain Assessment (October 2020) (received 23.10.20)
- Flood Risk and Drainage Strategy - 5489.FRA Issue 06 (July 2019)

#### **Site access plans:**

- Proposed Access Arrangements Old Priory Lane Harvest Ride Staggered Junction - 5489.011 Rev B (received 16.10.20)
- Proposed Treatment to Maize Lane - 5489.SK34 Rev N (received 16.10.20)
- Proposed Treatment of Old Priory Lane - 5489.SK55 Rev D (received 16.10.20)

#### **Parameter plans:**

- Land Use Parameter Plan - RG-M-24-1 Rev V (received 26.10.20)
- Urban Design Strategy Plan - RG-M-24-1 Rev C (received 26.8.20)
- Access and Movement Strategy Plan - RG-M-33 Rev Q (received 26.10.20)
- Density Parameter Plan - RG-M-37 Rev K (received 26.8.20)
- Building Heights Parameter Plan - Plan ref. RG-M-38-1 Rev N (received 26.10.20)
- Phasing Strategy Plan - RG-M-50 Rev M (received 16.10.20)
- Green Infrastructure / Landscape Strategy Plan - L9 Rev G (received 27.10.20)

#### **Supporting drawings / documents**

- Illustrative Layout – ref. RG-M-52-1 Rev R (received 26.10.20)
- Cross Sections – Sheet 1 - RG-M-PS-29 Rev C (received 26.10.20)
- Cross Sections – Sheet 2 - RG-M-PS-30 Rev C (received 26.10.20)
- Cross Sections – Sheet 3 - RG-M-PS-31 Rev C (received 26.10.20)
- Planning Statement
- Statement of Community Involvement
- Transport Assessment
- Interim Travel Plan
- Stuart Michael Associates Technical Note (24<sup>th</sup> September 2020)
- Utilities Statement

- Update Grassland Habitat and Badger Activity Survey Note (25th September 2020) (received 2.10.20)
- Heritage Assessment
- Archaeological Desk-Based Assessment
- Landscape and Visual Impact Appraisal
- Arboricultural Survey and Impact Assessment (October 2020) (received 23.10.20)
- Geo-Environmental Site Investigation
- Infrastructure Delivery Plan

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

6. Notwithstanding the detail shown on approved site access plans:
- i. Proposed Access Arrangements Old Priory Lane Harvest Ride Staggered Junction (Drawing No. 5489.011 Rev B)
  - ii. Proposed Treatment to Maize Lane (Plan ref. 5489.SK34 Rev N)
  - iii. Proposed Treatment of Old Priory Lane (Plan ref. 5489.SK55 Rev D)

no development shall take place until details of the vehicle accesses have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details.

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

7. No Phase or Sub-phase of the development (including site clearance) shall be begun until the following details have been submitted to and approved in writing by the Local Planning Authority:
- a) a comprehensive land (topographical) survey in accordance with Section 4 of British Standard 5837:2012 'Trees In Relation to Construction Recommendations' (or any subsequent revision) showing:
    - i. Spot levels at the base of trees and throughout the site at an interval appropriate to meet design requirement, recorded as a grid and interpolated as contour, ensuring that any abrupt changes, embankments, ditch inverts and retaining features are recorded; and
    - ii. The position of all trees within the site with a stem diameter of 75 mm. or more, measured at 1.5 metres above highest adjacent ground level; and
    - iii. The position of trees with an estimated stem diameter of 75 mm. or more that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter; and
    - iv. For individual trees, the crown spread taken at four cardinal points; for woodlands or substantial tree group, the overall extent of the canopy; and
    - v. The extent, basal ground levels and height of shrub masses, hedges, hedgerows and stumps; and
    - vi. Other relevant landscape features and artefacts, such as streams, buildings and other structures, trenching scars near to trees; also any overhead and underground utility apparatus, including drainage runs with manholes and invert levels; and
    - vii. Hard surfaced areas of any description; and
    - viii. Existing boundary treatment and means of enclosure.
  - b) Detailed works schedule for any trees, hedgerows or shrubbery shown.
  - c) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site.



REASON: In order to assess the impact of the development upon existing vegetation, landform and other site landscape features.

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

8. All trees, hedgerows and groups of mature shrubs shown to be retained on the survey approved by the Local Planning Authority pursuant to condition 7 shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2012, or any subsequent revision. The protective fencing shall be erected in the locations to be agreed in writing by the Local Planning Authority prior to the commencement of that Phase or Sub-Phase and shall be retained until the completion of all building operations on that Phase or Sub-Phase.

REASON: In order to safeguard the vegetation that is considered to be worthy of retention in the interests of the visual amenities of the area.

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

9. The approved tree protective fencing and other protection measures specified by condition 8 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of each Phase or Sub-phase 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 that Phase of 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) No storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description;
- c) No installation of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, portable-toilets, storage compounds or hard standing areas of any other description;
- d) No soil/turf-stripping; raising or lowering of existing levels; excavation or alterations to the existing surfaces/ground conditions of any other description;
- e) No installation of any underground services, temporary or otherwise, including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting;
- f) No parking or use of tracked or wheeled machinery or vehicles of any description;
- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained;
- h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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

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

10. If any tree or hedgerow shown to be retained pursuant to condition 7 is removed, uprooted, destroyed or dies within 5 years of the completion of a Phase or Sub Phase, another tree shall be planted at the same location and the replacement tree shall be of such size and species (and shall be planted at such time) as may be agreed in writing with the Local Planning Authority.

REASON: - In the interests of safeguarding visual amenity.

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

11. No dwelling/ building within a Phase or Sub-phase of development hereby permitted shall be commenced until hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-

- a) comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated

- with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations; and
- b) details of semi mature tree planting; and
- c) comprehensive 5 year post planting maintenance schedule; and
- d) underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes; and
- e) means of enclosure (walls and fences etc); and
- f) paving including open spaces, paths, steps and ramps, patios, cycle routes, driveways, parking courts, play areas etc. with details of proposed materials and construction methods; and
- g) recycling/refuse or other storage units; and
- h) play equipment; and
- i) other landscape features (water features, seating, trellis and pergolas etc).

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

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme. As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision."

Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the next planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

12. Notwithstanding the detail shown in the approved Landscape and Biodiversity Management Strategy, a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each Phase or Sub-phase to demonstrate compliance with the approved plan. A Landscape Management Plan, shall include:

- (a) long term design objectives;
- (b) management responsibilities; and
- (c) maintenance schedules

for all landscape areas within that Phase or Sub Phase of the development (other than large open space areas to be transferred to the Council by agreement and domestic gardens). The Landscape Management Plan shall be carried out as approved.

REASON: To ensure that the landscaping is maintained in the interests of the visual amenities of the area.

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

13. No Phase or Sub-phase of the development (including site clearance) shall be begun until an access suitable for construction vehicles has been implemented in accordance with an approved Construction Environmental Management Plan (CEMP).

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

14. No demolition or construction work shall take place on any Phase or Sub-phase outside the hours of 08:00hrs and 18:00hrs Monday to Friday; 08:00hrs and 13:00hrs on Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the area.  
[Relevant Policies: SEP NRM10, BFBLP EN25]

15. No development including demolition and site clearance within any Phase or Sub-phase shall commence until a site-wide CEMP, including all Phases or Sub-phases of development, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To mitigate and control environmental effects during the demolition and construction phases.

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

16. No development including demolition and site clearance within any Phase or Sub-phase shall commence until a detailed CEMP, that accords with the site-wide CEMP as required by condition 15, for that Phase or Sub-phase has been submitted to and approved in writing by the Local Planning Authority.

Each CEMP shall include as a minimum:

- i. Location of the access for demolition and construction vehicles;
- ii. Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
- iii. Details of the parking of vehicles of site operatives and visitors;
- iv. Areas for loading and unloading of plant and materials;
- v. Areas for the storage of plant and materials used in constructing the development;
- vi. Location of any temporary portacabins and welfare buildings for site operatives;
- vii. Details of any security hoarding;
- viii. Details of any external lighting of the site;
- ix. Details of the method of piling for foundations;
- x. Measures to control the emission of dust, dirt, odour and other effluvia;
- xi. Measures to control noise (including noise from any piling and permitted working hours);
- xii. Measures to control rats and other vermin (particularly during site clearance);
- xiii. Measures to control surface water run-off during demolition and construction;
- xiv. Measures to control noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site;
- xv. Measures to prevent ground and water pollution from contaminants on-site;
- xvi. Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- xvii. Details of wheel-washing facilities during both demolition and construction phases;
- xviii. Measures to minimise, re-use and re-cycle materials and waste arising from demolition;
- xix. Measures to minimise the pollution potential of unavoidable waste;
- xx. Measures to dispose of unavoidable waste in an environmentally acceptable manner;
- xxi. Details of measures to mitigate the impact of demolition and construction activities on ecology, which should cover:
  - a) Risk assessment of potentially damaging development activities
  - b) identification of "biodiversity protection zones".
  - c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during development (may be provided as a set of method statements).
  - d) the location and timing of sensitive works to avoid harm to biodiversity features
  - e) the times during development when specialist ecologists need to be present on site to oversee works.
  - f) responsible persons and lines of communication.

- g) the role and responsibilities on site of an ecological clerk of works or similarly competent person.
  - h) the use of protective fences, exclusion barriers and warning signs.
- xxii. Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.  
The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.  
REASON: To mitigate and control environmental effects during the demolition and construction phases.  
Relevant Policies: BFBLP EN20, EN25; Core Strategy DPD CS1, CS7
17. No site clearance shall take place on any Phase or Sub-phase during the main bird-nesting period of 1<sup>st</sup> March to 31<sup>st</sup> August inclusive, unless in accordance with a scheme to minimise the impact on nesting birds which has been submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of nature conservation.  
[Relevant Plans and Policies: BFBLP EN3, Core Strategy DPD CS1, CS7]
18. Prior to the determination of reserved matters applications, the applicant, their agents or successors in title, shall implement a programme of field evaluation in each Phase or Sub-phase of the development in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The results of the evaluation shall inform the preparation of a mitigation strategy which will be submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall provide for:
- a) a programme of site investigation and recording, or alternative mitigation, within any areas of archaeological interest identified. Development will not commence within the area of archaeological interest until the site investigation has satisfactorily been completed.
  - b) a programme of post-investigation assessment, analysis, publication, dissemination and archiving. This part of the condition shall not be discharged until these elements of the programme have been fulfilled in accordance with the programme set out in the WSI.
- REASON: The site lies within an area of archaeological potential. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance.  
[Relevant Policies: Paragraph 141 of the NPPF, BFBLP EN7]
19. No building shall be occupied until:
- (a) means of vehicular access;
  - (b) means of pedestrian and cycle access; and
  - (c) vehicle and cycle parking spaces;
- associated with that particular building have been constructed in accordance with details to be submitted to and approved by the Local Planning Authority. Such accesses and parking spaces shall thereafter be retained.  
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking and in the interests of the accessibility of the site to pedestrians, cyclists and vehicles.  
[Relevant Policies: Core Strategy DPD CS23; BFBLP M9]
20. No buildings within any Phase or Sub-phase of the development hereby permitted shall be occupied until a plan showing visibility splays within that Phase or Sub-phase 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. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

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

21. No dwelling shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway of that dwelling and the adjacent footway/carrageway. The dimensions shall be measured along the edge of the drive and the back of the footway/ edge of the carrageway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carrageway.

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

22. No residential development in any Phase or Sub-phase hereby permitted shall commence until:

- a) details of the location of visitor car parking spaces, and
- b) details of the signing for the spaces

have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

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

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

23. The development hereby permitted shall not commence until a scheme for that particular Phase has been submitted to and approved in writing by the Local Planning Authority for secure and covered cycle parking facilities. The Phase shall not be occupied until the approved cycle parking facilities have been implemented. The cycle parking facilities shall thereafter be retained.

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

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

24. Prior to the commencement of any new building, an Energy Demand Assessment for that particular building or buildings shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that before taking into account of any onsite renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the Target Emission Rate as set out in Part L of the Building Regulations (2006) and that a proportion of the development's energy requirements will be provided from on-site renewable energy production which shall be at least 20%.

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

REASON in the interests of sustainability and the efficient use of resources.

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

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

[Relevant Policy: CSDPD CS10]

26. Any reserved matters submission shall be accompanied by a supplementary Biodiversity Net Gain report identifying any changes to the predicted biodiversity credits of the development phase(s) stated in the approved Biodiversity Net Gain Assessment (October 2020).

REASON: In the interests of biodiversity.

[Relevant Policies: BFBLP EN20 and EN25, Core Strategy DPD CS1 and CS7]

27. If more than 2 years elapse between the previous ecological survey and the due commencement date of each phase of the development, an updated ecological survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site. Updated ecological surveys should be timed to coincide and be submitted with the Reserve Matters applications.  
REASON: To ensure the status of protected species and habitats on site has not changed since the last survey.
28. No Phase or Sub-phase of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting, including details of lighting units, levels of illumination and hours of use. No lighting (other than domestic security or garden lighting installed in individual dwellings) shall be provided at the site other than in accordance with the approved details. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of biodiversity.  
[Relevant Policies: BFBLP EN20 and EN25, Core Strategy DPD CS1 and CS7]
29. The development hereby permitted shall be carried out in accordance with the ecological mitigation measures and/or works specified in the GES Ecology Ecological Assessment October 2020 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. An Ecological Site Inspection report shall be submitted within three months of the first occupation of each phase of the development hereby approved.  
REASON: In the interests of nature conservation.  
[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]
30. No part of the development shall be occupied until a scheme for informing buyers and residents about great crested newts in gardens and the surrounding area and their importance has been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in accordance with the scheme.  
REASON: In the interests of nature conservation.  
[Relevant Plans and Policies: CSDPD CS1 CS7]
31. No Phase or Sub-phase of the development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. An Ecological Site Inspection report shall be submitted within three months of the first occupation (major).  
REASON: In the interests of nature conservation.  
[Relevant Plans and Policies: CSDPD CS1 CS7]
32. No Phase or Sub-phase of the development shall take place before there has been submitted to, and approved in writing by the Local Planning Authority, details of a scheme for monitoring impacts on great crested newts, and measures that will be implemented to avoid and mitigate any significant impacts. In particular the details shall include:
- Species to be subject to monitoring
  - Frequency, seasons and duration of monitoring
  - Methods to be used for monitoring
  - Persons responsible for undertaking the monitoring
  - Any training or guidance that may be necessary
  - Reporting of the results of monitoring
  - Remedial measures that will be implemented for avoidance and mitigation of impacts

- Determination of threshold of impact (or significance) above which implementation of mitigation measures will be required (i.e. 'triggered')
- Timescales for implementation of mitigation measures

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1 CS7]

33. Prior to commencement of development a fully integrated surface water model for the whole site will be provided demonstrating that betterment is provided in terms of downstream flows and volumes for all events from the 1 in 1 year storm to the 1 in 100 year event including the most recent climate change allowances, in accordance with the principles set out in the Flood Risk and Drainage Strategy (Ref. 5489.FRA Issue 06) (July 2019) and subsequent modelling notes. It shall be demonstrated that the integrated surface water model considers the interaction of both on and off-site flows (including the potential for exceedance of the Thames Water balancing pond), water levels present in the central watercourse, provision of low flows to the great crested newt pond and include a 10% increase in impermeable area to allow for urban creep. The submitted surface water model will demonstrate that the greenfield runoff rate of 4.4l/s/ha (applied to impermeable area only) is met for each development Phase and Sub-phase and that at no point during the phased delivery of the scheme will flows be increased off-site.

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.

34. No Phase or Sub-phase of the development shall take place until calculations have been submitted to and approved in writing by the Local Planning Authority demonstrating that the drainage strategy achieves a minimum of 80% compliance of no runoff from the first 5mm of a rainfall event during the summer rainfall events, and 50% compliance during winter rainfall events from all impermeable surfaces

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.

35. No Phase or Sub-phase of the development hereby permitted shall commence until full details of the design, implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:

- a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters in accordance with the submitted Integrated Surface Water Model;
- b) The drainage strategy must include details of the connection to allow controlled flow into the great crested newt pond from the SuDS. The drainage scheme must also include sensitive drainage design to protect amphibians from road gullies, catchpits and culverts;
- c) Any works required on or off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation; and
- f) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any

other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved drainage scheme shall thereafter be implemented, retained, managed and maintained in accordance with the approved details.

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

36. No Phase or Sub-phase of 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 further groundwater monitoring over the winter months (November-March) demonstrating the depth of the seasonally high groundwater table.

Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table demonstrating that the SuDS features do not intercept the groundwater table in accordance with Mr Tim Wood's email dated 27<sup>th</sup> July 2020.

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.

37. The development hereby permitted shall not commence until a drainage strategy detailing on- and off-site drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. Such strategy may include the phasing of works. No discharge of foul or surface water from the site shall be accepted into the public system until the relevant phase of the drainage works set out in the approved strategy has been completed. The drainage strategy shall include a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by a statutory undertaker, management and maintenance by a Resident's Management Company or any other arrangements to secure the ongoing operation of the drainage strategy. The strategy shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the strategy shall be retained, managed and maintained in accordance with the approved details.

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

38. The affected phase of development shall not commence until details of the dedicated overflow route from the Thames Water Balancing pond has been provided demonstrating that it is sufficiently sized to ensure no properties are at risk during a 1 in 100 year storm event including the most up to date allowance for Climate change.

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.

39. Prior to occupation of any Phase or Sub-phase of development a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Local Planning Authority. This will include photos of excavations (demonstrating depths) and soil profiles, as-built surveys of SuDS and any placement of tanking, crating, connecting pipe work, hydrobrakes and control mechanisms, cover systems.

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

40. Prior to commencement of development on Maize Lane calculations shall be provided demonstrating that the proposed crossings are capable of conveying the 1 in 100 year +



climate change event and that the invert level of the proposed crossing is in line with the bed levels of the ditches. The calculations shall demonstrate that works to the ditches provide a betterment to the wider area and to the drainage of Maize Lane.

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.

41. Prior to commencement of development on Old Priory Lane calculations shall be provided demonstrating that the proposed crossings are capable of conveying the 1 in 100 year + climate change event and that the invert level of the proposed crossing is in line with the bed levels of the ditches. The calculations shall demonstrate that works to the ditches provide a betterment to the wider area and to the drainage of Old Priory Lane.  
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.
42. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 43 to 48 (below) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until conditions 43 to 48 (below) have been complied with in relation to that contamination.
43. The development hereby permitted shall not commence until a report has been submitted by a competent person to and approved in writing by the Local Planning Authority; the report findings must include a desktop study and a survey of the extent, scale and nature of contamination; this should include as a minimum a site walkover.  
This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".  
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
44. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments;
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

45. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

46. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and, is subject to the approval in writing of the Local Planning Authority.

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

47. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the reports on the same must be prepared and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

48. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification report by the competent person approved under the provisions of condition 44 & 45 that any remediation scheme required and approved under the provisions of condition 46 and monitoring (under condition 48) has been implemented fully in accordance with the approved details.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

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

49. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 44, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 45, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 46.

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

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

If no contamination is encountered during the development, a written statement confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

REASON: To enable to the Local Planning Authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment. The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

#### Informative(s)

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Definition of 'Phase' – A parcel of land which is the subject of a Reserved Matters Application. A 'Sub-phase' means a parcel of land which may form part of a Phase.
3. The developer is advised that a section 278 Agreement will be required for works within the highway.
4. Under the terms of the Land Drainage Act 1991 and the Floods and Water Management Act 2010, the prior consent of the LLFA is required for any proposed works or structures, in the watercourses.
5. The applicant is advised to enter early discussions with the LLFA with respect to requirements and information to be submitted pursuant to conditions 33 to 41.

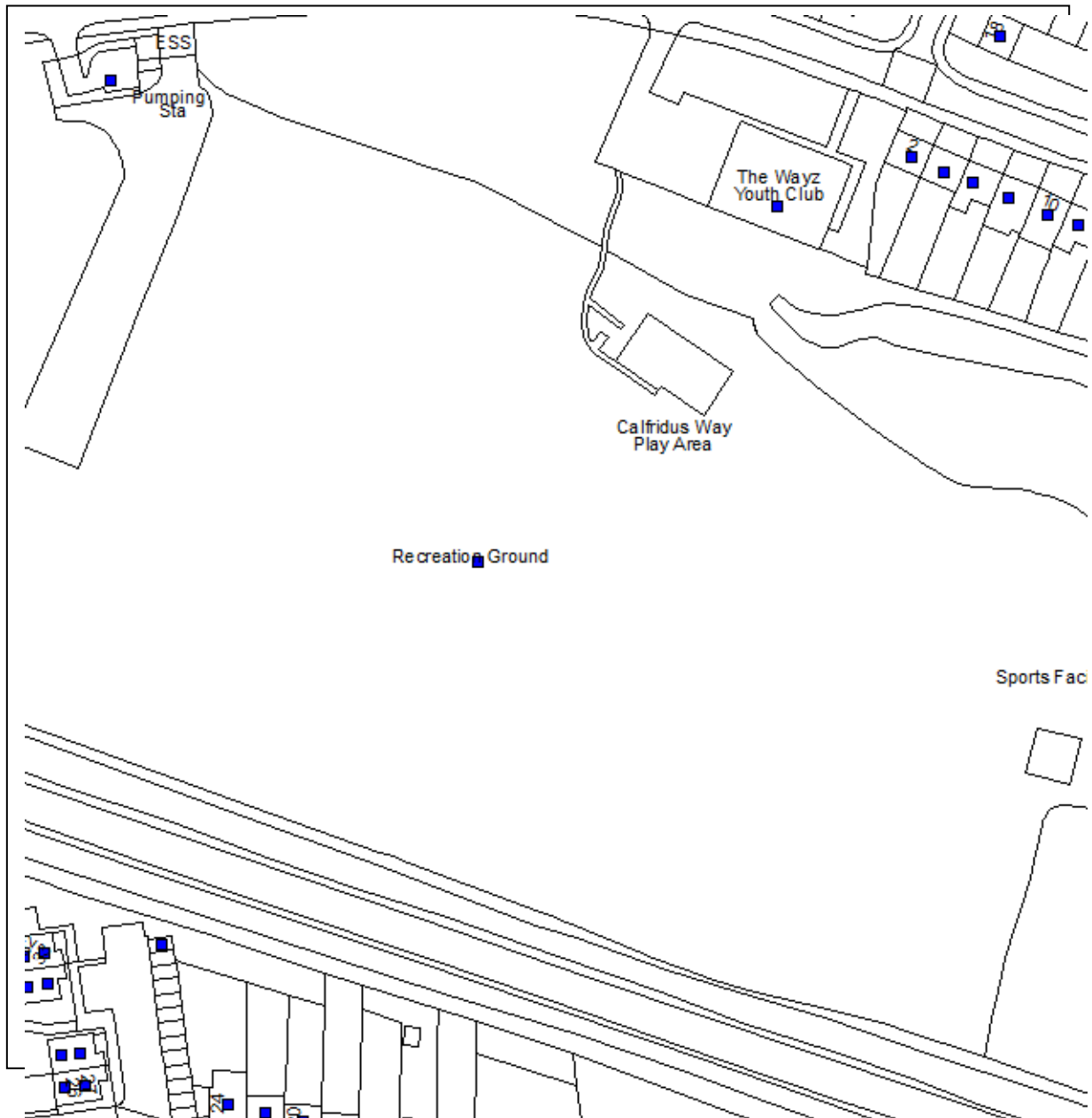
6. The applicant is advised to enter early discussions with the Local Planning Authority with regards to the detailed design and layout of the on-site active open space.
7. The granting of planning approval does not constitute permission to close or divert a public right of way affected by development, including temporary obstruction, closure and diversion during construction. During the construction period, the right of way must not be obstructed or closed to use by pedestrians, cyclists and horse riders unless an appropriate Temporary Traffic Regulation Order has been applied for and the Order made by the Authority.

In the event of the s106 planning obligations not being completed by 12.05.2021 the Head of Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:

1. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policies CS5 and CS14 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).
2. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.
3. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, community, and educational facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures, a travel plan, open space, community and educational facilities, the proposal is contrary to Policies R5 and M4 of the Bracknell Forest Borough Local Plan, Policies CS6, CS8, and CS24 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Warfield Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).

<b>ITEM NO:</b>			
Application No.	Ward:	Date Registered:	Target Decision Date:
<b>20/00303/FUL</b>	Harmans Water	22 April 2020	17 June 2020
Site Address:	<b>Calfridus Way Playing Fields Calfridus Way Bracknell Berkshire</b>		
Proposal:	<b>Installation of a 27.5m high Swann Type A monopole telecommunications mast with 3no. antennas, 2no. 0.6m dishes, 2no. ground based equipment cabinets and ancillary development thereto. Installed within an 8.0m x 6.0m compound with a 2.1m palisade fence</b>		
Applicant:	EE Limited		
Agent:	Mr Marcus Curle		
Case Officer:	Sarah Horwood, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## OFFICER REPORT

### 1. SUMMARY

1.1 Whilst the proposed base station would be located within an area of green space, due to the siting of the proposal and very small area which the development would occupy, the proposal would not compromise the overall function of the playing fields. A balance must be struck against policies relating to recreation/green space and those for communications infrastructure. Section 10 of the NPPF states that planning decisions should support the expansion of the communications network. The technical need for the proposed installation within this location has been demonstrated, along with other sites considered and discounted within the relevant search area.

1.2 The proposed telecommunications equipment would be visible due to its siting and height. However, it would not be considered to appear unacceptably incongruous in the surrounding area due to its design and colour. Whilst there would be some visual harm to the area resulting from the proposal, this is outweighed by the social and economic benefits of providing both EE network coverage to SWR services and their on-board Wi-Fi service, Emergency Services Network coverage and EE coverage.

1.3 The proposal would not result in highway safety implications or adversely impact upon existing trees.

1.4 There are no grounds for refusal based on perceived health risks. The proposal is not CIL liable.

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

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

### 2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

### 3. PLANNING STATUS AND SITE DESCRIPTION

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

Within the settlement boundary
--------------------------------

Green space and area of Local Green Space
---

3.1 Calfridus Way is a public playing field located to the south of the highway at Calfridus Way and to the west of the highway at Ralphs Ride. The London-Waterloo railway line runs directly to the south of the site.

3.2 The site comprises sports pitches and play equipment. The Wayz Youth Club is sited to the north of the play equipment. The site perimeter is bounded by existing trees. There is an area of hardstanding along the western boundary which is used for parking.

### 4. RELEVANT SITE HISTORY

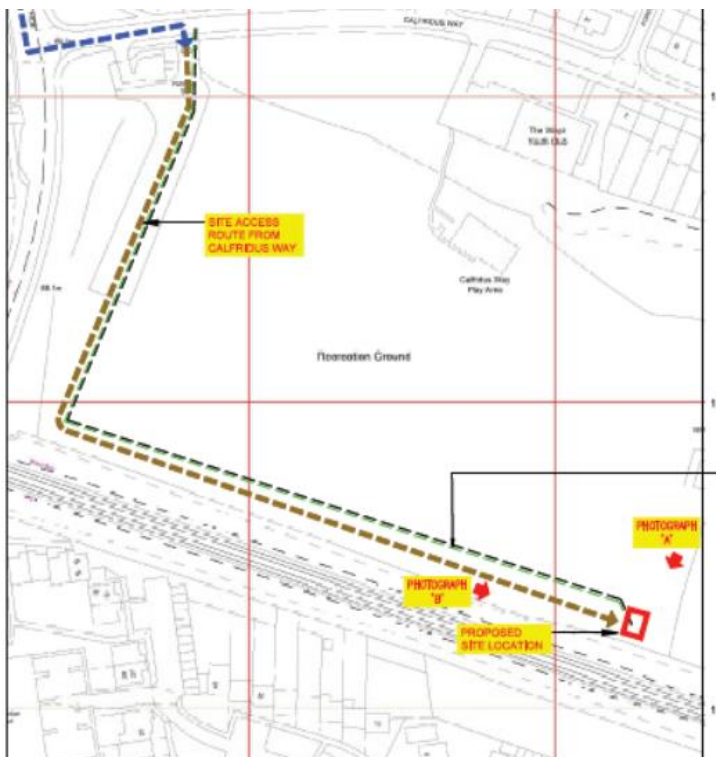
4.1 The most recent site history relating to Calfridus Way playing fields is:

12/00809/FUL approved February 2013 for retention of existing hardstanding to provide 36no. additional parking spaces including dropped kerb and new entrance gate.

## 5. THE PROPOSAL

5.1 Full permission is sought for the installation of a 27.5m high Swann Type A monopole telecommunications mast with 3no. antennas, 2no. 0.6m dishes, 2no. ground based equipment cabinets, installed within an 8.0m x 6.0m compound, enclosed with 2.1m palisade fencing.

5.2 The proposed base station would be located within the south-eastern corner of the playing fields.



5.3 The proposed base station would be operated by EE Ltd.

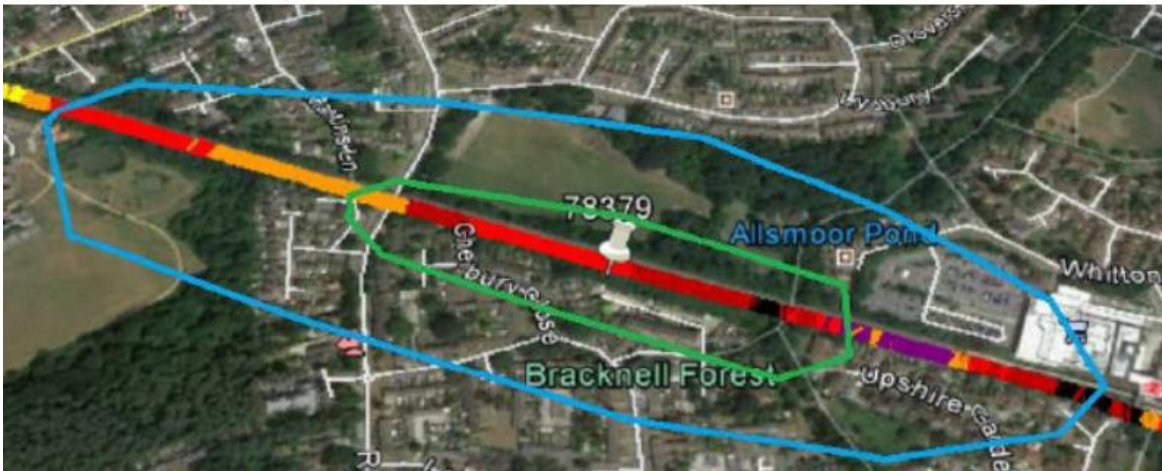
5.4 The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

### **Technical justification**

5.5 The supporting information submitted as part of the application states:

-The requirement for a mobile phone base station in this area is predominantly to address a gap in EE coverage and provide improved 2G voice and 3G/4G data coverage for travellers on the adjacent section of railway line. South Western Railway utilise EE's 4G network for the connectivity of the on board wi-fi on SWR services, so it is vital that there is continuity of coverage in order for the Wi-Fi to operate.

- Following relevant signal testing on the railway line in the search for a new base station, it was found there was a significant black spot within this location of the railway line where the signal strength is inadequate to provide minimum acceptable levels of coverage.



- Within the National Infrastructure Commission Report published in December 2016, specific recommendations are made to help improvement in connectivity for mobile phone coverage for rail passengers and its importance for an open and accessible backhaul network fit for the future and the implantation of 5G technology.
- The National Infrastructure Commission reaffirmed the urgent requirement for vastly improved data and voice mobile phone coverage on trains in its July 2018 report. This proposal works towards this overarching aim by providing mobile phone coverage on commuter routes such as this one.
- It will provide enhanced coverage to the EE's network in this area.
- EE's Radio Engineer has confirmed that there are no similar structures to locate to or optimise in order to provide the required coverage to this section of the railway line as such a new cell is required to fill the coverage gap.
- The site will form part of the new 4G Emergency Services Network ("ESN") that will replace the existing Airwave TETRA radio service used by the emergency services (including the Police, Fire & Rescue and Ambulance services) to communicate.
- There are no existing structures capable of accommodating the relevant equipment required for EE to provide coverage to this particular section of railway within the search area or closely outside the search area.
- The height of the mast is the lowest capable of providing the required coverage.
- The proposed site has been chosen as existing trees would camouflage the equipment. The antennas must however be higher than the surrounding trees to provide necessary coverage, especially along the railway line.

### **Site selection process**

5.6 9 alternative sites were identified, considered and discounted in the area as being less appropriate sites. The search area is small due to the coverage requirements.

5.7 The 9 alternative sites are summarised as follows:

#### **Martins Heron Station Car Park**

There is no space to effectively locate telecommunications equipment without considerable disturbance caused to the station's day-to-day operations in terms of access, egress and maintenance. It is also questionable whether the equipment would be close enough to the target coverage area to provide a technical solution. Any structure within this area would likely to be overbearing and incongruous.

#### **Streetworks, New Forest Ride**

There would be insufficient space on the footway to accommodate telecommunications



equipment.

### **Streetworks between Martins Lane and Whistely Close**

Given the density of vegetation and lack of space to accommodate crane/plant machinery to install equipment, it would be difficult from a design and bulk perspective. It is also debateable whether the site would work from a technical perspective due to the vegetation. Access to the site is also difficult, likely affecting existing residential dwellings during construction, maintenance and upgrades.

### **Streetworks, Ralphs Ride**

This site could be possible but would need to be a pole at a height of 20m due to the height of trees along the railway line. This would impact the visual amenities of the immediate area. The build perspective would also be difficult due to underground bridge footings and associated permissions surrounding interference with National Rail signalling equipment in the area.

### **Streetworks, Ralphs Ride**

This site could be possible but would need to be a pole at a height of 20m due to the height of trees along the railway line. This would impact the visual amenities of the immediate area and would be visible from residential dwellings. The build perspective would also be difficult due to underground bridge footings and associated permissions surrounding interference with National Rail signalling equipment in the area.

### **Broad Lane Streetworks**

This location could be considered but would be less appropriate impacting upon visual amenities of the area.

### **In or surrounding Uffington Drive**

Due to lack of screening, an installation would appear prominent in the area and to adjoining residential dwellings.

### **Tesco superstore car park**

Due to lack of screening, an installation would appear prominent in the area and to adjoining residential dwellings.

### **Land east of Mills Chase, The Parks**

Further away from the heart of the search area from a technical perspective, and there is less screening available at this site.

5.8 All of the above sites were discounted. This site is considered by the operator to be the most appropriate from both a technical and planning perspective.

## **6. REPRESENTATIONS RECEIVED**

### Bracknell Town Council

6.1 Recommend refusal. The siting of this mast and its housing are not suited to a busy sports field that is used regularly for Rugby matches/training, Bracknell Town Council events and the youth club. A more suitable site should be found within an industrial area or around the town.

### Other representations

6.2 39 letters of objection received (6 from the same postal address) which are summarised as follows:

- Health impacts

- Inappropriate to site a base station within playing fields used by the community. Would be more appropriate in an industrial area
- Design and scale out of character in area
- Impact on view
- Overbearing and oppressive
- Eyesore
- Property devaluation
- Thames Water already have a pumping station within the grounds which is an eyesore
- Impact on wildlife
- Council have a duty of care to residents and this proposal should be refused
- There will be an impact to access and parking during the installation which will cause congestion on surrounding roads

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highways Officer

7.1 No objection subject to conditions.

### Tree Officer

7.2 No objection subject to conditions.

### Sport England

7.3 No objection.

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

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	Saved policy EN20 of BFBLP CS7 of the CSDPD	Consistent
Residential amenity	'Saved' policies EN20 and EN25 of the BFBLP	Consistent
Highway Safety	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent
Trees	Saved Policy EN1 of the BFBLP, CS1 of the CSDPD	Consistent
Telecommunications development	Saved Policy SC4 of BFBLP	Consistent
<b>Other publications</b>		
National Planning Policy Framework (NPPF) 2019 Community Infrastructure Levy Charging Schedule (CIL) Bracknell Town Neighbourhood Plan		

## 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 Health
- vii Need
- viii Community Infrastructure Levy (CIL)

**i i. Principle of development**

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

9.3 The application site is located within the defined settlement boundary as designated by the Bracknell Forest Policies Map (2013). The site is also designated as a green space and falls within the category of an area of active open space of public value where the site comprises sports pitches and play equipment.

9.4 Due to the location of the site within a green space, the following policies are therefore of relevance:

- Policy CS8 of the CSDPD
- Section 8 of the NPPF
- Policy EV3 of The Bracknell Town Neighbourhood Plan

9.5 Policy CS8 of the CSDPD refers to recreation and culture and states that development will be permitted which retains, improves and maintains existing recreational facilities.

9.6 Para 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

9.7 Para 99 goes onto state that the designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.

9.8 Para 101 of the NPPF states that policies for managing development within a Local Green Space should be consistent with those for Green Belts.

9.9 The Bracknell Town Neighbourhood Plan is also a material consideration. The Plan designates this open space as a Local Green Space. Policy EV3 states that any proposals for built development on these Local Green Spaces must be consistent with policy for Green Belts and will not be permitted unless it can be clearly demonstrated that it is required to enhance the role and function of that Local Green Space. The Bracknell Town Neighbourhood Plan has now been

through examination and aim of the policy is consistent with the NPPF and as such it is considered that it should be given significant weight.

9.10 The development plan policies and Policy EV3 of the Bracknell Town Neighbourhood Plan relating to recreation and Local Green Space refer to a general presumption against development of open space, sports and recreational buildings and land, including playing fields. Both para 101 of the NPPF and Policy EV3 refer to assessing development within Local Green Space as consistent with policies to protect the Green Belt.

9.11 The above development plan policies relating to recreation/open space also need to be balanced against the relevant development plan policies relating to telecommunications equipment which are:

- Saved Policy SC4 of the BFBLP

-Section 10 of the NPPF

9.12 Saved Policy SC4 of the BFBLP refers to telecommunications provision. The policy states: Planning permission...will be permitted provided that:

- (i) there is a need for the development; and
- (ii) there is no satisfactory alternative site(s) for telecommunications available; and
- (iii) there is no reasonable possibility of erecting antennas on an existing building or structure, or of sharing facilities

9.13 Section 10 of the NPPF refers to Supporting high quality communications. Para 112 states: Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

9.14 Para 113 states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion.

9.15 Para 115 states that applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.

#### Assessment of principle of development

9.16 The proposed base station would be located within the far south-eastern corner of the site. Whilst the proposal would result in the very small loss of an area of open space, the siting of the proposed base station would not compromise the function of the open space overall.

9.17 Sport England is a statutory consultee for planning applications for development that affect or could prejudice the use of playing fields. The land at Calfridus Way comprises playing fields as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Following submission of details for the layout of the sports pitches at Calfridus Way playing fields by Bracknell Town Council, Sport England has raised no objection to the siting of the proposed base station as it does not affect the pitches or a 3m runoff area from the edge of the pitches.

9.18 The existing facilities within the playing fields of sports pitches, play equipment and open space for walking, etc would continue to function and be used by members of the public due to the

siting of the proposal and the very small area of the playing fields the development would occupy (approximately 0.23% of the playing fields in total). The proposed development would not result in the loss of existing recreational facilities given its siting. As such, the proposal would not conflict with Policy CS8 of the CSDPD.

9.19 Both para 101 of the NPPF and Policy EV3 refer to assessing development within Local Green Space as consistent with policies to protect the Green Belt. This would entail assessing whether the development would be appropriate within the Green Belt, whether the openness of the Green Belt would be affected by the proposal and in the event that the proposal was inappropriate development, it should not be approved except in very special circumstances. This site is not located within the Green Belt as designated by the Policies Map (2013), however as stated in para 101 of the NPPF and Policy EV3, development within Local Green Space should be consistent with Green Belt policies. In this instance, the proposal for the installation of a base station could be considered as an engineering operation which constitutes appropriate development in the Green Belt in accordance with para 146 of the NPPF.

9.20 In the case of *Fayrewood Fish Farms Ltd v. Secretary of State for the Environment* [1984] JPL 267, David Widdicombe QC opined that “... *the term ‘engineering operations’ should be given its ordinary meaning in the English language. It must mean ‘operations of the kind usually undertaken by engineers, i.e. operations calling for the skills of an engineer.’ These would normally be civil engineers but could be traffic engineers or any engineers which applied their skills to land.*”

9.21 The proposed base station would essentially constitute an engineering operation and would require engineering input in respects of its foundations, wind load and structural capacity, and could therefore be considered as appropriate development under Green Belt policies. In terms of assessing its impact on openness, this is not defined in the NPPF, however it could reasonably be interpreted as the absence of built development. The siting of the proposed base station would be within a playing fields where there are sports pitches, car parking and play equipment, along with the railway line directly to the south of the site, all within an urban location. The site and its immediate surroundings are not absent of built form and therefore the proposal due to its siting and very small area of land it would occupy would not have an undue impact on the openness of the site.

9.22 Even if the above policy interpretation of the development was not accepted, there would be very special circumstances to justify the development which are set out as follows:

- Section 10 of the NPPF supports the provision of high quality and reliable communications infrastructure for economic growth and social wellbeing and planning decisions should support the expansion of the communications network.
- The technical justification for the proposed base station has been demonstrated, with a requirement for the mast to address a gap in EE coverage and provide improved 2G voice and 3G/4G data coverage for travellers on the adjacent section of railway line where a blackspot in coverage has been identified. The proposal would also provide enhanced network coverage for EE and form part of the 4G Emergency Services Network, along with providing Wi-Fi services to SWR.
- There are no alternative existing base stations/buildings either within the required search area or outside of it which could support the necessary infrastructure.
- 9 alternative sites were considered and discounted.
- The height of the monopole proposed is the minimum for the proposed equipment to operate effectively and to provide required coverage.
- The playing fields at Calfridus Way cover an approximate area of 21,000sqm. The proposed base station with its associated compound would cover an area of 48sqm. Proportionately, the proposal would therefore cover an 0.23% of the total area of the playing fields. The mast would be located within the far south-eastern corner of the site and does not affect its overall use as a recreational facility.

- There is no objection from Sport England to the proposal.

9.23 In summary, whilst the proposed base station would be located within an area of green space, due to the siting of the proposal and very small area of the fields which the development would occupy, the proposal would not compromise the overall use of the playing fields or impact upon the use of the sports pitches or playing fields within the grounds. Policies relating to recreation/green space also need to be balanced against policies for communications infrastructure. Section 10 of the NPPF states that planning decisions should support the expansion of the communications network. The technical need for the proposed installation within this location has been demonstrated, along with evidence that other sites have been considered and discounted within the relevant search area.

9.24 On balance, the proposal is therefore considered acceptable in principle, for the reasons given above and subject to other material considerations including impact on residential amenity, character and appearance of surrounding area, highway safety implications, etc which are discussed in the remainder of this report.

## **ii. Residential amenity**

9.25 The proposed mast would be sited some 120m from the nearest residential dwellings to the north, 100m from the nearest dwellings to the east, 60m from the nearest dwellings to the south and 200m from the nearest dwellings to the west. The proposed mast at a height of 27.5m would be visible above the mature trees which bound Calfridus Way which range in height from 22.5m to 26m. However, due to the separation distances to the closest residential dwellings, the proposed mast would not appear unacceptably overbearing. The screening and backdrop provided by existing trees, along with the design and colour of the mast (galvanised steel which would not significantly contrast against the sky) mean that the proposal would not have any significant harmful impact on visual amenity.

9.26 The proposed cabinets would be enclosed within a 2.1m palisade fence compound and this element of the base station would not appear readily visible to surrounding dwellings.

9.27 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring occupiers and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

## **iii. Impact on character and appearance of surrounding area**

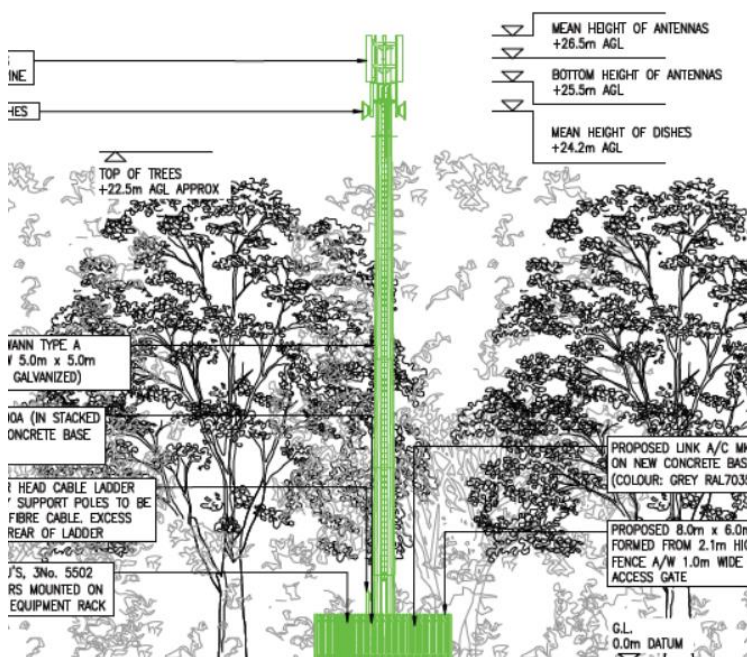
9.28 Policy SC4 of the Bracknell Forest Borough Local Plan states that: "Planning permission for network telecommunications development will be permitted provided that... There is no reasonable possibility of erecting antennas on an existing building or structure or of sharing facilities...The development must be sited so as to minimise its visual impact, subject to technical and operational considerations."

9.29 Section 10 of the NPPF refers to supporting high quality communications. Para 112 states that "advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks".

9.30 Para 113 states that "where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate".

9.31 Para 115 goes on to state that "applications for electronic communications development (including applications for prior approval) should be supported by the necessary evidence to justify the proposed development. This should include...for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met"

9.32 The proposed base station is located in the corner of the playing fields site adjacent to the railway. Land levels decline from the highway at Calfridus Way southwards towards the railway line. The proposed 27.5m high mast and its associated compound would be viewed against the context of the railway embankment and its associated infrastructure, with mature trees providing a further backdrop to the proposed base station. It is acknowledged that the proposed telecommunications equipment would result in some visual impact on the area due to its height and siting. However, the degree of harm is not considered unacceptable.



9.33 The proposed mast would be 27.5m high and would be taller than surrounding trees which the mast would be viewed against (which range in height from 22.5m to 26m). The height proposed is however the minimum height for the proposed equipment to operate effectively and to provide required coverage.

9.34 The technical need for the installation to provide EE network coverage to SWR services and their on-board Wi-Fi service, Emergency Services Network coverage and EE coverage in this location has been demonstrated as part of this application. 9 alternative sites were considered and discounted as part of the search process for a new base station. In an appeal from 2015 (Vodafone v Bexley), an Inspector considered "it is unlikely that there is an alternative which would meet the operator's needs as effectively but with materially less harm. The need and lack of better alternatives weights in favour of allowing the appeal...whilst the proposal would harm the character and appearance of the locality, this would be outweighed by the need and lack of better alternatives".

9.35 The proposed mast would be slimline and simple in appearance as a column design which is considered more appropriate than a lattice type tower in this location. The proposed base station, including the mast and cabinets would be sited within a compound enclosed by 2.1m high palisade

fencing which would screen the ground-based cabinets, whilst still maintaining views of the backdrop of trees behind to mitigate its visual prominence.

9.36 The proposed mast and associated cabinets would be light grey in colour. The proposed base station would be viewed against a backdrop of mature trees, however, the height of the proposed monopole would exceed the height of surrounding trees to provide the necessary network coverage and therefore grey is considered the most appropriate colour. The cabinets would also be light grey to match that of the proposed monopole.

9.37 In summary, whilst the proposed telecommunications equipment would appear visible due to its siting and height, its appearance is not considered incongruous in the area due to its design and its colour. The height of the mast at 27.5m is the minimum required for the equipment to operate effectively. The need for the development and the lack of alternative/more appropriate sites has been evidenced. Para 112 of the NPPF emphasises that communications infrastructure is essential for economic growth and social well-being. While there would be some limited visual harm to the area resulting from the proposal, this is outweighed by the social and economic benefits of providing both EE network coverage to SWR services and their on-board Wi-Fi service, Emergency Services Network coverage and EE coverage.

9.38 It is therefore considered that the proposed development would not result in significant adverse impact on the character and appearance of the area in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN20 and SC4, and the NPPF.

#### **iv. Impact on highway safety**

9.39 The proposed location of the mast is away from the public highway, but access will be needed for construction and occasional maintenance. An access route is shown on the drawings accompanying the application from Calfridus Way utilising an existing maintenance access to the playing fields. Visibility from this access onto Calfridus Way is sufficient.

9.40 The route for construction vehicles between Calfridus Way and the telecoms apparatus location will require surface protection and Heras fencing, to ensure that vehicles do not stray into areas being used by the general public.

9.41 Sufficient space will need to be made available so that construction vehicles can enter the site in a forward gear, turn around and leave the site in a forward gear. Reversing of construction vehicles from or onto Calfridus Way will not be permitted. Wheel wash will need to be used for all vehicles before they return to Calfridus Way. Construction vehicles should avoid the defined traffic sensitive time periods for Calfridus Way and Ralphs Ride, which provide the access route to the site.

9.42 A planning condition is recommended in relation to a site organisation plan in the interests of highway safety. Subject to the imposition of this condition, the proposal would not result in adverse highway safety issues and would be in accordance with CS23 of the CSDPD and the NPPF.

#### **v. Impact on trees**

9.43 There are existing trees around the perimeter of the playing fields which are not subject to Tree Preservation Orders, however they have important amenity value within the area. As such, the retention and protection of these existing trees is a material consideration to the determination of this application.



9.44 The proposed base station would be sited outside the root protection areas (RPAs) of existing trees, with the exception of the southern end of the compound which would be enclosed by palisade fencing. Existing trees would be safeguarded with protective fencing during the installation, along with the use of ground protection measures where works would encroach in the RPAs. This will be secured by the necessary conditions.

9.45 The installation of all underground services to the proposed base station would comply with the National Joint Utilities Group (NJUG) 'Guidelines for the planning, installation, and maintenance of utility services in proximity to trees' and BS5837 and there will be no encroachment into the root protection area of trees along the perimeter of the site.

9.46 The proposed development would not result in the lopping or removal of any existing trees which are important landscape features within the area.

9.47. Subject to the imposition of conditions, the proposal would not adversely affect existing trees and would be in accordance with Saved Policies EN1 and EN20 of the BFBLP, CS1 of the CSDPD and the NPPF.

#### **vi. Health**

9.48 Paragraph 116 of the NPPF states that "local planning authorities must determine applications on planning grounds only. They should not...set health safeguards different from the International Commission guidelines for public exposure.

9.49 The applicant has submitted a certificate which confirms that the proposed mast meets ICNIRP (International Commission Non-Ionising Radiation Protection) guidelines.

9.50 As an ICNIRP certificate accompanies the application, there are no grounds for refusal based on perceived health risks.

#### **vii. Need**

9.51 BFBLP 'Saved' Policy SC4 refers to telecommunication development being permitted provided that there is a need for the development.

9.52 Paragraph 116 of the NPPF states that "local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure. The technical need for the proposed installation within this location has been demonstrated, along with other sites considered and discounted within the relevant search area.

#### **viii. Community Infrastructure Levy (CIL)**

9.53 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.

9.54 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of

additional dwellings. In this case the proposal is not CIL liable as it would not constitute the creation of internal floor space/a new dwelling.

## 10. CONCLUSION

10.1 Whilst the proposed base station would be located within an area of green space, due to the siting of the proposal and very small area of the fields which the development would occupy, the proposal would not compromise the overall function of the playing fields or impact upon the use of the sports pitches or playing fields within the grounds. Policies relating to recreation/green space also need to be balanced against policies for communications infrastructure. Section 10 of the NPPF states that planning decisions should support the expansion of the communications network. The technical need for the proposed installation within this location has been demonstrated, along with evidence that other sites have been considered and discounted within the relevant search area.

10.2 The proposed telecommunications equipment would appear visible due to its siting and height; however, it would not be considered to appear so incongruous in the surrounding area due to its design and colour. Whilst there would be some limited visual harm to the area resulting from the proposal, this is outweighed by the social and economic benefits of providing both EE network coverage to SWR services and their on-board Wi-Fi service, Emergency Services Network coverage and EE coverage

10.3 The proposal would not result in highway safety implications or impact upon existing trees.

10.4 There are no grounds for refusal based on perceived health risks. The proposal is not CIL liable.

10.5 The application is therefore recommended for conditional approval.

## 11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received 8 June 2020:

Drawing 01E

Drawing 02E

Drawing 06E

Drawing 07E

Drawing no. 12E

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

3. The mast hereby approved shall be finished in colour ref: galvanised; and the cabinets hereby approved shall be finished in colour ref: Grey RAL 7035.

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

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

4. The electronic communications apparatus hereby approved shall be removed from the land within a period of 3 months after it is no longer required for electronic communications purposes and the land shall be restored to its condition before the development took place.

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

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

5. No development shall take place until an access suitable for construction vehicles has been implemented in accordance with a site organisation plan to be submitted to and approved in writing by the Local Planning Authority. The site organisation plan shall include as a minimum:

- (i) Location and safe operation of the access for construction vehicles from Calfridus Way;
- (ii) Routing of construction traffic between Calfridus Way and the telecoms apparatus;
- (iii) Details of surface protection for the full length of the access route between Calfridus Way and the telecoms apparatus;
- (iv) Details of Heras fencing alongside the access route between Calfridus Way and the telecoms apparatus to avoid vehicles deviating from the agreed route, to protect the public from construction vehicles and protect adjoining trees;
- (v) Swept paths demonstrating that the largest anticipated construction vehicle can enter the site in a forward gear, turn around and leave the site in a forward gear;
- (vi) Details of wheel wash facilities for all vehicles associated with construction, before they re-join Calfridus Way;
- (vii) Details of the parking of vehicles for site operatives and visitors;
- (viii) Areas for loading and unloading of plant and materials;
- (ix) Location of any temporary portacabins or welfare buildings for site operatives;
- (x) Construction working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site, which shall avoid the traffic sensitive time periods defined for Calfridus Way and Ralphs Ride.
- (xi) Timescales of works;
- (xii) Reinstatement of land following removal of temporary access route connected to the development.

The approved site organisation plan shall be adhered to throughout the construction period.

REASON: in the interests of highway safety and in the interests of adjoining trees

[Relevant Policies: BFBLP EN1, EN20, EN25; CSDPD CS1, CS7, CS23].

6. The protective fencing shown on the approved drawings/documents shall be 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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

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

7. The protective fencing and other protection measures specified by condition 6 shall be erected prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site

. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.

- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

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

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

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

8. The ground protection measures shall be carried out in accordance with the approved drawings/documents, prior to the commencement of any development works, including any initial clearance, and shall be maintained in its approved locations at all times, until the completion of all building operations on the site.

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

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

Informatives:

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

2. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

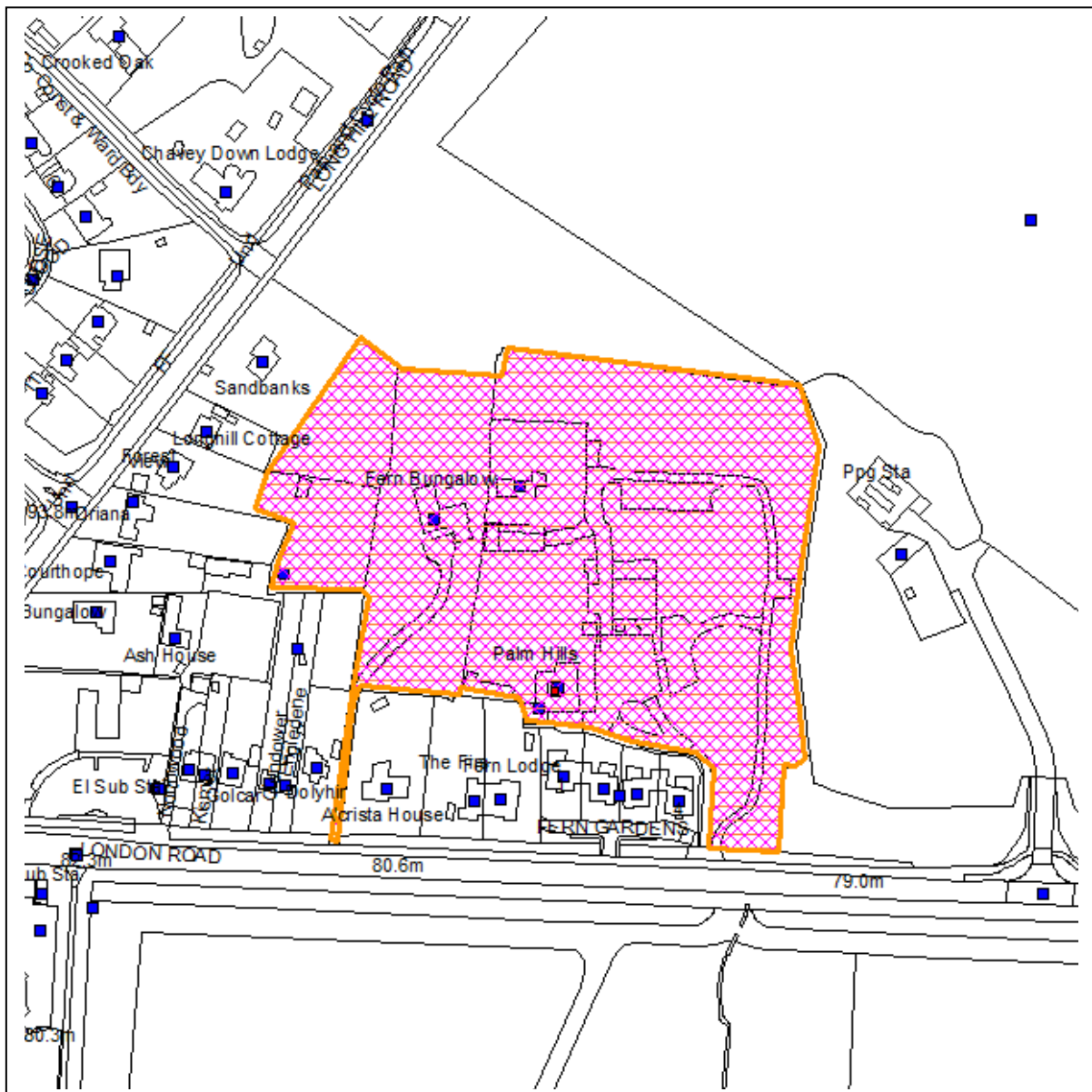
- 1. Time limit
- 2. Approved plans
- 3. Colour of mast and cabinets
- 4. Reinstatement of land
- 6 and 7: Tree protection
- 8. Ground protection

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

- 5. Site organisation plan

<b>ITEM NO:</b>			
Application No.	Ward:	Date Registered:	Target Decision Date:
<b>19/00847/OUT</b>	Ascot	3 October 2019	2 January 2020
Site Address:	<b>Palm Hills Estate London Road Bracknell Berkshire</b>		
Proposal:	<b>Outline application for demolition of existing Palm Hills complex and redevelopment of site to provide 81 dwellings (15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom) with associated car parking, landscaping and amended access onto London Road (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration).</b>		
Applicant:	Shanly Homes		
Agent:	Mrs Rosalind Gall		
Case Officer:	Simon Roskilly, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## 1. SUMMARY

1.1 This application relates to a site allocated for residential development under Policy SA3- Edge of Settlement Sites of the Council's adopted Site Allocation Local Plan (SALP). The application is for 81 dwellings, consisting 15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom, following the demolition of 2no. dwellings and a guesthouse. The proposal is considered to respect the character and appearance of the area, be appropriate in design and appearance, and not adversely affect the amenities of either existing or future residents.

1.2 The proposal also provides policy compliant parking as well as a safe functional vehicular access off London Road.

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

Planning permission be granted subject to the completion of a S106 Legal Agreement and conditions in Section 11 of this report.
---

## 2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has received more than 5 objections.

## 3. PLANNING STATUS AND SITE DESCRIPTION

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

Within Settlement Boundary.
-----------------------------

Within SALP allocation Policy SA3- Edge of Settlement Sites
---

Within 5km SPA
----------------

3.1 The site, as outlined in red, has an approximate area of 2.55 hectares. It contains 2no. residential properties and 1no. guest house. The majority of the site is currently accessed from London Road via a narrow driveway. Most of the site is allocated for housing development through the Site Allocations Local Plan (SALP July 2013). It includes an area on its western edge which was not included within the allocation which also lies within the settlement boundary, and a strip of land to the north that lies outside of the settlement within the Countryside, where no development is proposed. Therefore, residential development within the settlement on this site is acceptable in principle. The SALP identifies that the capacity of the allocated site as a whole, is 49 dwellings.

3.2 North of the site lies the Council's historic landfill site known locally as the Old London Road Tip. Although the development site is not located on top of the historic landfill it is affected by gas leachate from the site. Given this, the Environment Agency, Bracknell Forest Council and the landowners have made sure that the site known as the Palm Hills Estate is monitored for landfill gas. There are a number of boreholes on the site, in locations that provide the ability to monitor gas levels in the soil, predominantly within the north eastern corner of the site.

3.3 Within the site there are significant level changes with land to the north being significantly higher than land to the south. There are various species of trees on site, however, none are currently protected. The site has been allocated for housing as it forms an extension to the edge of settlement that currently exists to the south along London Road and west along Long Hill Road. North and east of the site is a heavily treed area providing a natural buffer to the site. Land north and east of the site lies outside of settlement; in such countryside areas there are restrictions on new development.

## 4. RELEVANT SITE HISTORY

4.1 The relevant site history can be summarised as follows: -

### Palm Hills

- 07/00217/FUL Erection of two storey rear extension. APPROVED April 2007
- 08/00539/FUL Widening of vehicular access onto London Road, new 2.5m high gates and boundary treatment.
- 14/00569/FUL Erection of 62 dwellings comprising 5no. 1 bedroom flats, 10no. 2 bedroom flats, 5no. 3 bedroom houses, 28no. 4 bedroom houses and 14 no. 5 bedroom houses, including the demolition of two existing residential dwellings (C3 use) and two building associated with guest house/hotel (C1 use), landscaping. Vehicular access from London Road, parking, open space and pedestrian/cycle link to Long Hill Road. REFUSED Dec 2014.
- 19/00525/DEM Prior Approval application for the demolition of seven buildings Prior APPROVAL REQUIRED June 2019

### Palm Hills Guest House

- 16/00396/FUL Temporary change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 childrens indoor recreational use (personal permission) REFUSED October 2016.
- APP/R0335/W/16/3161091 Change of use from Guesthouse (C1) to B1 and D2 use APPEAL DISMISSED May 2017. Planning Statement dismissed on highways grounds due to the suitability of the access and potential for queues on the highway.

## 5. THE PROPOSAL

5.1 The applicant seeks planning permission for 81no. dwellings. These are predominantly shown to be located within the allocated site, however the extent of the application site excludes parts of the allocation, such as the curtilage of Sandbanks. However, it includes an area beyond the allocation but within the settlement, and a narrow strip of countryside to the north of the application site.

5.2 The housing mix comprises the following: -

- 15no. one bedroom,
- 8no. two bedroom,
- 49no. three bedroom, and
- 9no. four bedroom dwellings.

5.3 61 of the 81 dwellings consist of a mix of 2, 2.5 and 3 storey houses, with the remaining 20no. dwellings taking the form of apartments within a single 4 storey building located within the north-east corner of the site.

5.4 The applicant states in their submission that no affordable housing provision will be provided on site due to financial viability.

5.5 The proposal also includes, an access road off London Road using the existing access and a right turn lane, internal road layout, parking courts and carports. It also contains areas for waste and cycle storage provision, residential curtilages, surface water drainage measures and areas of open space of which the largest area is to the east of the site running north to south.

5.6 The layout plan, a number of elevations and sections, street scenes and tree surveys submitted with the application have evolved to take into consideration concerns raised during

the course of its consideration. The comments below take into consideration the most up to date plans and documentation.

## 6. REPRESENTATIONS RECEIVED

### Winkfield Parish Council

6.1 Recommended Refusal for the following reasons: -

1. The application does not include any Highways assessment. WPC has grave concerns regarding the access and egress onto London Road and cannot consider the application without such information. *[Officer Comment: The applicant has provided a comprehensive Transport Assessment and as such the Local Highway Authority has no objection to the proposal and its access arrangements onto London Road.]*

2. The proposal would result in the erosion of the green corridor on the London Road, which WPC does not consider to be appropriate or acceptable. *[Officer Comment: The development site is an allocated site for residential development representing an extension to the existing settlement. The proposal would see the development of majority of the site however a green landscape buffer would still remain to the east of the site as required by SALP Policy SA3.]*

3. The proposed development would unacceptably increase pressure on local infrastructure. *[Officer Comment: New development would need to mitigate pressure it may place on existing infrastructure as long as no viability issues arise. However, in this case a Viability Report was submitted with this application along with this application that was subsequently independently appraised by the District Valuers Service (DVS). DVS concluded that the development would not be viable if affordable housing were to be delivered on site and that also if other contributions are then sought this would only make the scheme even more unviable. Given the findings of the report it has been concluded that the required SPA mitigation contributions would be the only S106 contributions sought on top of the potential to require a CIL payment of approximately 2 million pounds.]*

4. The proposals would have a detrimental impact on the character of the local area. *[Officer Comment: This point is addressed in section 9(ii) Impact on character and appearance of the area.]*

5. There is no plan provided to prevent leaching from the former tip site. *[Officer Comment: Environmental Health has assessed the applicant's response to land contamination and has recommended conditional approval.]*

6. The provision of quality green spaces within the proposal are inadequate. *[Officer Comment: Suitable amenity space and landscaping will be provided on site and this will be assessed in more detail at the reserved matters stage as landscaping is an outstanding consideration.]*

### Other representations

6.2 6no. representations have been received from different addresses, raising the following objections: -

- Proximity of the development to existing neighbouring properties and loss of privacy. *[Officer Comment: This has been assessed in section 9(iii) Residential Amenity]*
- There are more appropriate locations to have a pedestrian/cycle link onto Long Hill Road than at Sandbanks. *[Officer Comment: It is important that the developer*



*provides the opportunity within the north western corner of the site for a future cycle/pedestrian access onto Long Hill Road taking advantage of the site's close proximity to Long Hill Park. Sandbanks, although outside this red line, is allocated under the same SALP SA3 policy and as such a connection in this location would make more sense and can be secured if and when the site comes forward for development]*

- Concerns regarding safe London Road access to and from the development site and traffic. *[Officer Comment: The Local Highway Authority do not object to this proposal and this is covered in Section 9(iv) Transportation Implications.]*
- The development site is close to the old London Road tip where contamination affects this site. *[Officer Comment: Environmental Health have assessed the applicant's response to land contamination and have recommended conditional approval.]*
- Loss of Trees. *[Officer Comment: Trees are covered in section 9(ii) Impact on character and appearance of the area.]*
- Development is out of character with the immediate area and represents an overdevelopment of the site. *[Officer Comment: Issues regarding character and appearance are assessed in section 9(ii) Impact on character and appearance of the area.]*

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

### Highways Officer

7.1 The scheme would provide policy compliant parking provision and a safe vehicular, pedestrian and cycle access into and out of the site. Recommend conditional approval.

### Environmental Health

7.2 Recommend conditional approval to mitigate against known issues related to the adjoining historic London Road Tip. [For more information regarding the Old London Road Tip site please see section 9 (vii.) Site Proximity to Historic Landfill site.]

### Tree Officer

7.3 No objection. There are no issues with any specific trees, although a condition requiring a Tree Protection Plan is required.

### Bio-diversity Officer

7.4 The Biodiversity Enhancement Plan is considered acceptable although further details of the bat box mitigation measures can be secured by way of a suitably worded condition. Recommend conditional approval.

### Waste & Recycling Officer

7.5 No objection to the scheme.

### Drainage

7.6 No objection to the scheme subject to conditions and the management and maintenance of the drainage being secured by way of a S106 obligation.

### Archaeology

7.7 Recommend conditional approval of the application.

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP,  CS1 & CS2 of CSDPD	Limited (policy not used in planning application decision-making)  Consistent
Housing	CSDPD Policy CS9 and BFBLP 'Saved' Policy EN8  H5 of BFBLP  SA3 of SALP	Elements are acknowledged to not be fully consistent (para. 170 a) and b) however the thrust of these policies remains consistent (paras. 78-79, 103, 104a, 117 and 170  Partially out of date but weight can be attached where the policy aligns with the tests of policy GB1. Consistent.
Design	CS7 of CSDPD, Saved policy EN20 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.
Trees & Landscaping	CSDPD Policies CS1 & CS7  BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Heritage	CSDPD Policies CS1 & CS7	Consistent (paras. 189 to 197)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7  BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175)
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)
Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 54 to 56, 92 and 94)

<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD		
Planning Obligations SPD (2015)		
Thames Basin Heath SPA SPD		
Character Area Assessments SPD		
Design SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF)		
National Planning Policy Guidance (NPPG)		

## 9. PLANNING CONSIDERATIONS

- 9.1 The key issues for consideration are:
- i Principle of development
  - ii Impact on character and appearance of the area
  - iii Residential Amenity
  - iv Transportation Implications
  - v Bio-diversity
  - vi Drainage
  - vii Site proximity to historic landfill site
  - viii Affordable Housing and Viability
  - ix Sustainability and Energy
  - x Thames Basin Heaths
  - xi Community Infrastructure Levy/ CIL

### i. Principle of Development

#### Development Plan

- 9.2 The Development Plan for the Borough includes the following:

Site Allocations Local Plan 2013 (SALP)  
 'Retained' Policies of the South East Plan 2009 (SEP)  
 Core Strategy Development Plan Document 2008 (CSDPD)  
 'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)  
 Bracknell Forest Borough Policies Map 2013

#### Policy Context

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. The National Planning Policy Framework (NPPF) is a material consideration.

#### Site Allocations Local Plan (SALP)

9.4 Policy CP1 sets out the presumption in favour of sustainable development. This requires that development proposals should be approved that accord with the development

plan. Where this is absent, silent or relevant policies are out of date, development proposals should be approved unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or where specific policies in the NPPF indicate development should be restricted.

9.5 The adopted SALP is an integral part of delivering the Council's housing requirement of 11,139 dwellings (as contained in Core Strategy Policy CS15) for the plan period until 2026. It amends the boundaries of settlements where this is required as a result of the allocation of edge of settlement sites, such as the Palm Hills site, and relevant changes are incorporated into the adopted Policies Map.

9.6 SALP Policy SA3 allocates 8 'Edge of Settlement Sites' of which this site is one. Each of the 8 sites are allocated for housing and should be developed in accordance with the requirements identified in respect of each site as set out in Appendix 5 as well as all relevant general policy considerations.

9.7 The SALP does not include an illustrative concept plan for the site. However proposed development of this site should be assessed against the site profile found on page 126 of the SALP.

9.8 The SALP site was allocated for 49 net additional dwellings taking account of the need to provide an open space buffer.

9.9 The following requirements have been set out under this site's profile: -

- Appropriate tree surveys and protection of trees;
- Retention of important trees and additional planting along existing boundaries, to preserve the landscape setting and provide visual mitigation;
- Investigation and remediation of any land contamination;
- Provision of affordable housing;
- Transport Assessment to assess the impact of the proposals upon the local road network and roundabout junctions;
- Provision of open space;
- Appropriate ecological surveys and mitigation;
- Any necessary mitigation measures identified as a result of a noise survey (in relation to proximity of site to London Road);
- Mitigation of impacts in accordance with Limiting the Impact of Development SPD, and/or other relevant legislation/policy/guidance;
- Make financial contributions towards existing Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring and take any other measures that are required to satisfy Habitats Regulations, the Council's Thames Basin Heaths SPA Avoidance and Mitigation Strategy and relevant guidance in agreement with Natural England;

9.10 An assessment of the proposal in relation to the site profile requirements can be found within the 'Assessment of Other Issues' section.

#### Other development plan policies relevant to the principle of development

9.11 Core Strategy Policy CS2 sets out a number of locational principles for new development within Bracknell Forest, including a sequence of allocation, directing development to the Town Centre first, followed by previously developed and other land within defined settlements, and lastly extensions to sustainable settlements which is how this site came to be allocated. Following adoption of the SALP, the site is allocated for development.

The site now falls within a defined settlement. Policy CS2 states that development will be permitted within defined settlements and on allocated sites. The proposed development is therefore in accordance with Policy CS2.

Conclusion on the principle of development

9.12 The relevant Development Plan policies outlined above relating to the principle of the proposed development are considered to be up to date, and consistent with the NPPF. For the reasons set out above it is concluded that the proposed development is in accordance with Policy SA3 of the SALP (insofar as it establishes the principle of residential development), Policy CS2 (insofar as it relates to locational principles) and CS15 of the Core Strategy and the NPPF.

9.13 Residential development of this site is considered acceptable in principle subject to other planning considerations as discussed below.

**ii. Impact upon the character or appearance of the area.**

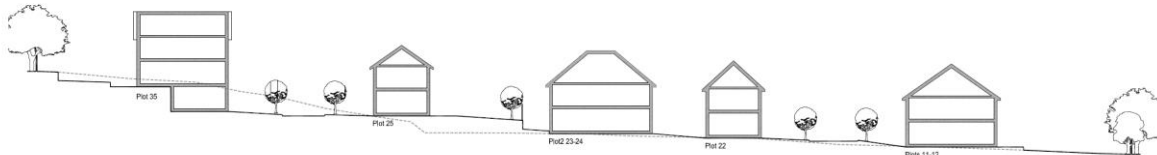
9.14 CSDPD Policy CS7 requires high quality design which in this case should build on the local character, respect local patterns of development, enhance landscape and aid movement and accessibility. Policy EN20 of the Local Plan supports Policy CS7 and sets out how development should be in sympathy with its local environment and appropriate in terms of mass and scale, layout and materials amongst other criteria.

9.15 The requirements of SALP Policy SA3 (Edge of Settlement Sites) recognise that it is important to preserve the existing treed buffers on the north and east boundaries of the site. This is especially important as the trees outside of the site provide a buffer to the new edge of settlement.

Levels

9.16 The development site is heavily influenced by levels, sloping from the north/northeast to the south, and it is therefore crucial that development responds to the site’s topography given that it is considered to be one of the main site constraints.

9.17 The levels are quite steep in places, particularly within the northern areas and it is important that pavement gradients and access for all is properly considered. The proposal, given that it needs to deliver housing on this edge of settlement site, is considered to provide an acceptable response to the challenging level constraints.



9.18 In-order to deliver housing on site, house types have had to be adapted so that they respond to the levels and at the same time do not appear unduly overbearing and/or create any privacy issues. The above section shows a street scene within the eastern part of the site running north to south. This section shows how the applicant has had to introduce split-level housing to the north where the site is at its steepest.

9.19 A good example of the proposed split-level housing can be seen below which would be incorporated on plots 32 – 34. These dwellings would have a lower ground floor, ground floor and first floor therefore representing town houses from the front however they would appear as two storey dwellings when viewed from the rear.



9.20 Plots 32 through to 42 along the northern boundary of the site will, due to the levels, have rear gardens at a higher level than the street they sit on. However, rear gardens and patio areas will be accessible from the rear of the dwellings and from the front of the site via steps. Rear gardens on these plots will involve some terracing as shown in the sections, with the precise form of this to be submitted as reserved matters, and designed to take account of the trees. This approach will avoid the need for retaining structures along the boundary.



Housing Layout

9.21 The proposed layout, as shown below, consists of 6no. 3 storey (split level) dwellings to the north and north-east of the site provided as a way of addressing the levels changes as described above. The middle section of the site provides a mix of 2.5 and 2 storey dwellings, the southern section of the site contains two storey dwellings all but two of which back onto existing properties fronting London Road. The two storey dwellings that do not back onto existing London Road dwellings are located side-on to the rear boundaries of adjacent properties.

9.22 The housing layout is considered organic in form which provides an informal character while responding well to the challenging level changes.



#### Siting of Apartments (Plots 43 – 63)

9.23 Within the north-east corner of the site a 4-storey apartment building housing 20no. apartments is proposed. The building will consist of a lower ground floor containing parking, cycle storage and bin storage located within an open undercroft, with the main front pedestrian entrance located within the middle of the lower ground floor facing south. There will be no residential accommodation at ground floor level due to the requirement for ventilation to mitigate possible landfill gas that may be present. However, with the building being cut into the land sloping north to south, residential accommodation will be located on the ground floor flush with land to the rear of the building. Further residential accommodation will be provided on the first and second floors with the second-floor accommodation being located within the roof space.

9.24 The apartments are considered to be well located to benefit from areas of landscaping to the north and east of the building which can be utilised as amenity space. The building also benefits from undercroft parking that therefore places parking out of sight from the proposed street scene.

9.25 The internal layout of the apartments allows for a level of natural surveillance around the building making the amenity areas feel safe and useable.

### Landscaping and Formal Routes

9.26 Although landscaping remains the only outstanding reserved matter the applicant has shown within the proposed layout an area to north of the apartment block, and east of the housing layout, which will remain undeveloped. This will form part of the on-site amenity space with soft landscaping. A strip of land to the north of the site which will contain the rear gardens of plots 38 – 42, and an area of open amenity space at the rear of the apartment block, does fall outside of the settlement. This strip of land outside of the settlement which has historically formed part of the Palm Hills Estate will remain undeveloped and this can be maintained via the removal of Permitted Development rights. Along with a large drainage swale to the south, it will also form part of the on-site surface water drainage mitigation. This area of soft, open landscaping would assist in providing relief from built form and a transition from the new edge of settlement eastwards into adjoining land that is designated as land outside of the defined settlement (Countryside). Maintaining a green edge to the site at this point is a requirement of SALP Policy SA3

9.27 The layout has evolved to show the possible future provision of a pedestrian/cycleway from the housing development west through Sandbanks (part of the SA3 allocated site) onto Long Hill Road in order to connect the allocated site with Long Hill Park to the north west of the site. The layout also provides a footway south from the site to London Road between existing properties Dolyhir and A'crista House as well as providing pedestrian, cycle and vehicular access into the site from London Road within the south-eastern corner of the site. The inclusion of the proposed access routes and the ability to provide further future access routes out of the site, mean this development is considered to be well connected. This development will integrate well with the rest of the existing settlement and is therefore considered sustainable.

### Trees

9.28 Given the size of the site there are very few trees that exist within the red line boundary. However, there are trees outside of the site including heavily treed areas to the north and east of the site on Council owned land which make a valuable contribution to the character of the site and the surrounding area. The retention and protection of these trees is required by SALP Policy SA3 and will help to create a green edge outside that of the extension to the previous settlement boundary.

9.29 The Council's Tree service was consulted on the both the original scheme and subsequent revisions. A number of trees within the site are proposed to be removed however they are not protected, and the Tree Officer has expressed no concerns regarding their removal.

9.30 The Tree Officer did originally raise concerns that the trees, outside of the site, along the northern boundary may be affected by any proposed terracing of rear gardens abutting the boundary. However, the scheme has evolved to now show minor terraces thus avoiding any retaining walls on the northern boundary. This approach, subject to the inclusion of tree protection plans, is considered not to harm the long-term health of the valuable trees.

9.31 Given the revised plans the Tree Officer has recommended that the application be approved subject to a condition securing a suitable Tree Protection Plan.



## Building Design

9.32 It is intended that development on this site establishes its own character whilst at the same time relating well to the existing residential settlement to the west and south. The applicant proposes dwellings that are subtly different from each other, either by way of their size and height but also through their style and choice of finish. These differences in design have contributed to the proposed street scenes (see below) that can be described as characterful, organic in form and at the same time sympathetic to the new settlement edge.

### Street scene elevations



## Conclusion on Design, Character and Appearance

9.33 Given the above assessment of the proposal's siting and design it is considered that the development responds well to the difficult site constraints such as level changes, accessibility, trees and the old London Road tip site to the north. At the same time it has its own identity and the design is sympathetic to its edge of settlement location.

9.34 As such the proposed development is considered to comply with BFBLP polices EN1, EN20, CSDPD Policy CS7, SALP Policy SA3 and the NPPF.

### **iii. Impact upon Residential Amenity**

9.35 Policy EN20 criterion (g) of the BFBLP stipulates that in considering proposals, the amenity of surrounding properties should not be adversely affected. The amenities of existing residents and future occupiers is therefore a material consideration in considering an application.

#### Existing residents

9.36 Existing residential properties are located to the south, fronting London Road and to the west, fronting Long Hill Road. The proposal will provide new dwellings, on plots 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 31, 32, 33 and 34, closer to the southern and western boundaries with these existing properties where before none were present.

9.37 However, when assessed all the proposed dwellings listed above, that could potentially impact upon existing residents, comply with the back to back, and back to side distances as set out in the Council's Design SPD.

9.38 Given this assessment the layout and design of the development would not result in any adverse overlooking nor would the properties appear overbearing on any existing adjoining properties.

#### Future Occupiers

9.39 The proposed siting, alongside the internal arrangements for the dwellings, are also not considered to result in any adverse impacts upon any of the future occupants. The majority of proposed dwellings have been located so as to respect the back to back and side to back distances set out in the Design SPD, thus avoiding any significant overlooking, overshadowing and overbearing impacts. There are a number of plots with a 2<sup>nd</sup> floor that do not quite comply with the distance of 30 metres for example plots 28 and 29. However, the applicant has agreed to accept conditions regarding such plots restricting the sill height of any rear facing second floor velux window to a height no lower than 1.7m above floor level. This, due to the height and angle of opening, will prevent any significant overlooking taking place between any proposed plots that fall short of the 30m standard for 2nd floor rear facing windows.

9.40 As well as a number of substandard back to back distances there are a couple of side to rear relationships whereby first floor side facing bathroom windows could potentially overlook gardens as shown for example on plot 81 facing east towards plot 64. Here this potential for overlooking is to be avoided as the applicant has agreed to a condition restricting the side facing bathroom window so that it is obscure glazed and fixed shut apart from a top opening fanlight.

9.41 Given the above assessment the siting, orientation, and internal function of the dwellings, subject to conditions, would not result in any adverse impacts upon the amenity of any future occupants.

#### Conclusion on the impact upon residential amenity

9.42 Accordingly, the proposal as a whole is considered to preserve the amenities of both existing and future occupiers and comply with Policy EN20 (g) of the BFBLP.

### **iv. Highway Safety**

#### Access

(i) Access onto London Road

9.43 A ghost-island priority junction is proposed onto London Road, as shown on drawing 19-T067\_06 rev B. Through-lane widths of 3.25m have been provided, consistent with the existing ghost-island junction to the east. The applicant's transport consultant has undertaken traffic modelling of the site access and adjacent junctions. This indicates that, even on the most saturated movements, the impact of the proposed development is likely to be minimal and vehicles can arrive and depart the development onto London Road within gaps in traffic between the adjacent junctions with Long Hill Road and Priory Road. At the Long Hill Road / London Road signalised junction the traffic modelling indicates an increase in queue length of 1 vehicle during the AM peak hour (London Road westbound) and an increase in queue length of 4 vehicles during the PM peak hour (London Road eastbound).

(ii) Internal Layout

9.44 The internal road layout has been designed to work with the levels within the site to allow roads to be constructed to adoptable standards. At the site access onto London Road a footway is proposed to the east of the carriageway and a separate footway/cycleway to the west, with cyclists re-joining the internal roads within the development area circa 40m from London Road. A separate pedestrian / cycle connection to London Road would also be provided to the east of the property named Dolyhir. The section of land between the internal road and this link would be offered for adoption, allowing any future redevelopment of Dolyhir (which forms part of the allocated area in the 2013 Site Allocations Local Plan) to be accessed from within the development. Footways are provided to the main road through the development, with shared surfaces forming spurs to the north-west and south-west. The eastern side of the development is served by a shared surface, but there is a separate informal footpath through the open space to the east, should pedestrians not wish to use the shared surface along this section. To the north-west a section of land is also proposed to be offered for adoption to the boundary of the property named Sandbanks (which forms part of the allocated area in the 2013 Site Allocations Local Plan), should this property come forward for adoption in future. However, it is noted that there is a considerable level change at this point and therefore any future access via this route might be challenging.

9.45 Visibility splays to Manual for Streets 20mph have been shown on drawing T19-T067\_11.1 rev B. Strips of traffic calming are shown in a number of locations to ensure that speeds are maintained at 20mph or lower.

9.46 All dwellings have a separate pedestrian connection, compliant with Building Regulations Part M. The Information Plan, drawing reference 1295/Pln/147 revision C indicates refuse and cycle storage locations for each property and EV Charging Points are provided for 20% of parking spaces in accordance with the Parking Standards SPD, March 2016. Whilst it was envisaged that a pedestrian/cycle connection to Long Hill Road would be provided as part of the application, the exclusion of Sandbanks along with the response from Bracknell Forest Council's ecology team in relation to the land to the north has meant that this cannot be achieved at this time.

Parking

9.47 Car and cycle parking is proposed to the levels required by the Parking Standards SPD, March 2016, including provision of visitor parking spaces and EV charging provision to 20% of spaces. Parking for the apartments in the north-east corner of the site is provided in an undercroft car park, taking advantage of the levels on this part of the site.

Travel Plan

9.48 A comprehensive Travel Plan has been put forward to promote travel by sustainable modes and help to reduce car use. The Travel Plan includes, inter alia, the provision of:

- Residents' travel packs providing details and advice on local sustainable travel modes;
- Personalised travel planning for residents;
- Vouchers for residents using public transport;
- Establishment of a Bicycle Users' Group (BUG); and
- Cycle maintenance clinics.

#### Conclusion on Highway Safety

9.49 Following extensive communication with the applicant, from initial advice in mid-2019 through to July 2020, the Highway Authority has no objection to the proposed development, subject to the inclusion of suitably worded conditions and informatives being appended to planning permission, if granted. The proposal is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS3, CS23 and CS24 and the NPPF.

#### **v. Biodiversity**

9.50 The applicant has submitted a Biodiversity enhancement plan which is considered acceptable by the Councils' Biodiversity Officer, although a condition is also required in order to secure the submission, and subsequent approval, of full details of bat features, their specification and how they will be integrated within new buildings.

9.51 Subject to a condition, the Council's Biodiversity Officer considers that the proposal would not harm any protected species and the adequate biodiversity gains can be secured on-site. As such the application is considered to comply with policy CS1 of the CSDPD.

#### **vi. Drainage**

9.52 Following on-going discussion between the Lead Local Flood Authority (LLFA), during which the application was live, it has been agreed that the applicant has provided a suitable drainage strategy. However further details of the drainage scheme will need to be sought through suitably worded conditions and its implementation and future maintenance will need to be secured through a S106 Legal Agreement obligation.

#### **vii. Site Proximity to Historic Landfill Site (Old London Road Tip)**

##### Site Background

9.53 The adjacent former landfill site was originally referred to as the 'Chavey Down Sand Quarry', which commenced commercial mineral extractions in 1950. Mineral working continued at the site up to some point in the early 1980s, running concurrently with the initial infilling of waste. Permission was granted for waste to be accepted at the site, designed as a 'dilute and disperse' landfill, from 1979; the tipping of wastes commenced in January 1981 and ceased in March 1998, with initial restoration works being completed in 2001.

9.54 The site was initially regulated in accordance with Section 11 of the Control of Pollution Act (CoPA) 1974; regulation moved to the Waste Management Licensing (WML) Regulations in 1994 and was subsequently brought under the Environmental Permitting Regulations 2010.

9.55 The site Waste Management Licence (now referred to as an 'Environmental Permit') has been subject to a number of modifications dated December 1982, March 1983, April 1996, February 1998, March 2001 and 19 May 2006.

9.56 From 1981 to 1983 the site received approximately 40,300 tonnes of treated (pulverised) waste from household and commercial sources, inert industrial waste and limited quantities of agricultural waste. From 1983 until the close of tipping operations in 1998, the site received approximately 567,000 tonnes of untreated household and industrial waste. There was a requirement to cover the waste with at least 0.1m of sand at the end of each working day.

9.57 The site accepted a total of approximately 607,300 tonnes of waste. There are no detailed records of the types of waste accepted at the site, although estimates of overall waste content at the site are 10/20% of commercial wastes and 80/90% of household wastes. Commercial wastes were stated to be inert, although street sweepings and occasional veterinary wastes were accepted. Treated (pulverised) waste was only accepted for the first two years of tipping and this was placed in the south west section of the site. Untreated household and industrial waste was accepted from 1983 onwards.

9.58 The depth of deposited waste varies across the site, from around 10m in the south to an estimated 25m in the north. At the close of the tipping operations, the planned waste levels were not reached in all areas. In order to comply with the planning requirements, inert material was imported to make up the difference. This resulted in variations in the thickness of the final capping material, ranging between 1.5m and 6.0m.

9.59 Monitoring at boreholes located on the Palm Hill site is routinely undertaken in order to comply with the Chavey Down Environmental Permit. The boreholes are monitored for landfill gas and groundwater. There are five boreholes located within the fenced boundary of the Palm Hills development. One borehole falls within the title of the development, however it is accessible from Freehold land via Longhill Road.

9.60 The retention / removal of these boreholes can only be agreed by the Environment Agency and is therefore considered to be adequately controlled outside of the Planning process.

#### Development and Contamination Risk Management

9.61 The contamination risks associated with the development of this site arise from potential leaching of landfill gas and any other contaminants from the nearby former landfill site. These can create a number of risks including to health, ecology, surface and groundwater, property and services. It has been concluded that the risks are fully capable of being mitigated and Environmental Health has set out appropriate measures for this to be achieved which are described below.

9.62 Firstly, in addition to any assessment provided with the application, the Council would secure an investigation and risk assessment carried out by competent persons to include the nature and extent of any contamination on the site, whether or not it originates on the site. The Council will require a written report of the findings to be produced and approved by the Local Planning Authority. The report of the findings must include a survey of the extent, scale and nature of contamination, an assessment of all the agreed potential risks, and an appraisal of remedial options, and propose preferred options.

9.63 The scheme of remediation will be required to be implemented before other works on the site commence. It will set out measures to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property

and the natural and historical environment, and need to be approved in writing by the Local Planning Authority. The scheme must include all the works to be undertaken, the remediation objectives and criteria and a timetable of works. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

9.64 Measures are also proposed to deal with any unexpected contamination identified following commencement of the development. Any previously unidentified contamination would be required to be reported in writing immediately to the LPA. The proposed measures will require development to be halted on any part of the site found to be affected to an extent to be agreed by the LPA. An investigation and risk assessment would need to be undertaken in accordance with set requirements, and where remediation is necessary a remediation scheme would have to be prepared in accordance with the relevant planning condition and would be subject to the approval in writing of the LPA. Completion of the identified measures would also be subject to LPA approval.

9.65 To ensure the longer-term effectiveness of the remediation measures, a monitoring and maintenance scheme must be provided, covering a period to be agreed with LPA. This will require reports to be prepared and approved by the Local Planning Authority. This procedure must be conducted in accordance with DEFRA and the Environment Agency's model procedures.

9.66 The Council will also require a landfill gas investigation and risk assessment to be submitted to and approved in writing by the Local Planning Authority before the development commences. Where a risk from gas is identified, the LPA will require the submission of a scheme to mitigate the effects of gas for its written approval. The approved scheme shall be implemented, and a validation report submitted and approved before any buildings are occupied.

9.67 In-order to secure the above suggested mitigation measures Environmental Health have recommended that any approval includes suitably worded conditions. These conditions are set out in Section 11 of this report.

## **vii. Affordable Housing and Viability**

9.68 CSDPD Policy CS17 and BFBLP Policy H8 seek the provision of 25% on-site affordable housing provision, taking account of the economics of provision. These policies are considered consistent with the NPPF.

9.69 However, the applicant submitted a Viability Report which has been the subject of an independent appraisal by the District Valuers Service. The independent appraisal concluded that the scheme is not viable if affordable housing is delivered on-site.

9.70 As stated earlier in the report this development site has to deal with some major site constraints including remediation/mitigation of landfill gas from the Old London Road Tip as well as having to overcome significant level changes north to south. This has provided the current landowner/developer with considerable additional costs and these costs have been taken into account when looking at whether the development of the site can include provisions such as affordable housing without becoming unviable.

9.71 The wording of the Council's policy, and the NPPF allow scheme viability to be considered. Therefore, in light of the independent District Valuer's findings, the proposal would not be in conflict with CSDPD Policy CS17, BFBLP Policy H8 and the NPPF.

## **viii. Sustainability and Energy**

9.72 The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 153 of the Framework states that in determining planning applications, LPAs should expect new development to:

- a) comply with adopted Local Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

9.73 This application has been considered against the objectives of the NPPF and in the context of the Borough's energy and sustainability policies (set out below) which are considered to be consistent with the NPPF.

9.74 Policy CS10 of the Core Strategy requires the submission of a sustainability statement demonstrating how the proposals meet current best practice standards.

9.75 Policy CS12 of the Core Strategy requires the submission of an energy demand assessment demonstrating how the development's potential CO<sub>2</sub> emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewables.

9.76 Whilst no specific details have been submitted, this could be overcome via condition if the application was recommended for approval.

## **ix. Thames Basin Heaths Special Protection Area**

9.77 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.

9.78 This site is located approximately 2.7 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.79 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 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.

9.80 In this instance, the development would result in a net increase of 79 dwellings (15 X 1-bedroom dwellings, 8 X 2-bedroom dwellings, 49 X 3-bedroom dwellings and 9 X 4-bedroom dwellings) replacing 2 X 4-bedroom dwellings. Given this mix the total SANG contribution required will be £476,033.

9.81 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 £50,681.

9.82 The total SPA related financial contribution for this proposal is £526,714. 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 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 Site Allocation Local Plan, the Amen Corner SPD, Thames Basin Heaths Special Protection Area SPD and the NPPF.

#### **x. Community Infrastructure Levy (CIL) and S106 Contributions**

9.83 Bracknell Forest Council has an adopted Community Infrastructure Levy (CIL). CIL is applied as a charge on each square meter of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.84 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. This application involves a net increase in dwellings and floorspace and would therefore be liable for CIL. This development, within the Northern Parishes charging zone, is likely to be liable for a CIL bill of approximately £2.2m

9.85 In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development at the reserved matters stage.

9.86 According to policy the applicant needs to also provide contributions towards off-site open space provision and community facilities. However, given that when looking at the viability of the scheme the independently appraised viability report concluded that the scheme would not be viable if affordable housing were to be provided, the report also confirms that further contributions would also worsen the viability of the development.

9.87 As the scheme, with contributions, would be unviable due to abnormally high costs from dealing with both landfill gas remediation/mitigation and having to develop a site with significant level constraints this needs to be taken into consideration when carrying out the planning balance.

9.88 The site has been allocated for some time and one developer has gone as far as to show an interest in the land and have a planning application determined, albeit refused, and then abandon the site. Delivering 81 units on a site where it was estimated that 49 net could be achieved would help to deliver much needed housing when it is clear that delivering a viable development on this site is extremely challenging. The site may not be able to provide affordable housing and other required contributions however the development would secure a CIL payment of approximately £2.2m as well as provide the required SPA mitigation costs.

9.89 Given this assessment it is considered that on balance the need to deliver housing, along with the significant CIL payment, outweighs the lack of off-site open space and community facility contributions. The NPPF allows the decision maker to come to such a conclusion.



## 10. CONCLUSIONS

10.1 The application seeks planning permission for the erection of 81 no. dwellings within an allocated site for residential development on the edge of an existing settlement, following demolition of 2no. dwellings and a guesthouse.

10.2 The part of the application site on which development would occur is within the settlement boundary defined by the Local Plan Policies Map, including SALP Policy SA3, and the proposal is therefore acceptable in principle.

10.3 The proposal is considered acceptable in terms of its design, appearance, siting and scale and there are considered to be no adverse impacts on the character and appearance of the area.

10.4 The proposal, subject to conditions, would not result in any unacceptable detrimental impacts upon the amenities of existing and/or future occupiers.

10.5 The development provides an adequate landscape buffer to the east of the site, as well as amenity space and a large swale that forms part of the accepted surface water drainage strategy.

10.6 The proposal is considered acceptable by the Local Highway Authority in terms of off-street parking, safe access to and from London Road as well as suitable pedestrian/cycle linkages. These include one area that could facilitate a future link onto Long Hill Road should the allocated Sandbanks site come forward for development in the future.

10.7 Adequate ecological enhancement measures have been put forward to offset any harm and provide a net gain in Biodiversity, with further details of bat boxes to be secured by way of a condition.

10.8 In conclusion it is considered that the outline application would deliver a well-designed residential scheme for 81 units on a site allocated under the SALP for residential development. The reserved matters will deal with proposed landscaping measures.

## 11. RECOMMENDATION

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

- Contribution towards mitigation against the impact upon the SPA.
- Travel Plan implementation and monitoring.
- SuDs Drainage.
- Monitoring of SuDs Management Plan.
- Delivery of on-site OSPV and its management and maintenance.
- Commitment to the adoption of the site roads, ped/cycle links and links to the boundaries with Dolyhir and Sandbanks
- Monitoring Costs.

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

01. Application for approval of the reserved matters shall be made to the Local Planning

Authority before the expiration of three years from the date of this permission.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990

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

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

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

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

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

1295/Pln/100 Site Location Plan  
1295/Pln/101C Site Layout  
1295/Pln/101-1C Site Layout (Coloured)  
1295/Pln/102 Plot 1 Plans and Elevations  
1295/Pln/103 Plot 2 Plans and Elevations  
1295/Pln/104 Plot 3 Plans and Elevations  
1295/Pln/105 Plot 4 Plans and Elevations  
1295/Pln/106 Plots 5-6 Plans and Elevations  
1295/Pln/107 Plots 7-8 Plans and Elevations  
1295/Pln/108 Plots 9-10 Plans and Elevations  
1295/Pln/109 Plots 11-12 Plans and Elevations  
1295/Pln/110 Plot 13 Plans and Elevations  
1295/Pln/111A Plots 14-17 Plans and Elevations  
1295/Pln/112 Plots 18-19 Plans and Elevations  
1295/Pln/113 Plots 20-21 Plans and Elevations  
1295/Pln/114 Plot 22 Plans and Elevations  
1295/Pln/115 Plots 23-24 Plans and Elevations  
1295/Pln/116 Plot 25 Plans and Elevations  
1295/Pln/117 Plots 26-27 Plans and Elevations  
1295/Pln/118 Plots 28-29 Plans and Elevations  
1295/Pln/119 Plots 30-31 Plans and Elevations  
1295/Pln/120A Plot 32-34 Plans and Elevations  
1295/Pln/121 Plot 35 Plans and Elevations  
1295/Pln/122 Plots 36-37 Plans and Elevations  
1295/Pln/123 Plots 38-39 Plans and Elevations  
1295/Pln/124 Plots 40-41 Plans and Elevations  
1295/Pln/125 Plot 42 Plans and Elevations  
1295/Pln/126B Plots 44-63 Floor Plans (Sheet 1)  
1295/Pln/127A Plots 44-63 Floor Plans (Sheet 2)  
1295/Pln/128A Plots 44-63 Elevations  
1295/Pln/129 Plot 64 Plans and Elevations  
1295/Pln/130 Plot 65 Plans and Elevations  
1295/Pln/131 Plot 66 Plans and Elevations  
1295/Pln/132 Plot 67 Plans and Elevations  
1295/Pln/133 Plots 68-69 Plans and Elevations  
1295/Pln/134 Plots 70-71 Plans and Elevations  
1295/Pln/135 Plots 72-73 Plans and Elevations

1295/Pln/136	Plot 74 Plans and Elevations
1295/Pln/137	Plots 75-76 Plans and Elevations
1295/Pln/138	Plot 77 Plans and Elevations
1295/Pln/139	Plots 78-79 Plans and Elevations
1295/Pln/140	Plots 80-81 Plans and Elevations
1295/Pln/141B	Indicative Street Scenes
1295/Pln/142C	Site Sections
1295/Pln/143C	Indicative Levels Plan
1295/Pln/144C	Road Levels and Sections
1295/Pln/145C	Block Plan
1295/Pln/146C	Building Heights Plan
1295/Pln/147C	Information Plan
1295/Pln/148	Existing Site Survey
19-T067_06B	Potential right turn lane and junction visibility

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

05. The development shall not commence until a Phasing Plan is submitted to and approved in writing by the Local Planning Authority, clearly identifying the different phases of the development to which reserved matters applications and details required by condition submissions shall subsequently be made. No phase of the development shall commence until all relevant reserved matters, and 'prior to commencement' conditions, are approved in respect of that phase.  
REASON: To ensure that full details of the relevant phase of the development are submitted for approval.
06. Prior to commencement of superstructure works in any individual phase, samples of the external materials to be used in that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
07. Prior to commencement of superstructure works in each phase, details showing the finished floor levels of the buildings in each phase hereby approved in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the character of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
08. All second-floor rear facing velux windows on plots 18, 19, 20, 21, 28, 29, 30, 68, 69, 70 and 71 shall have a sill height no lower than 1.7m above the floor level.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
09. The first-floor bathroom windows in the side elevations of both plots 75 and 81 shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) to a height of 1.7m from floor level. The windows shall at all times be fixed to a height of 1.7m from floor level.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
10. No development shall be commenced until an estate street phasing and completion

plan has been submitted to and approved in writing by the Local Planning Authority. The estate street phasing and completion plan shall set out the development phases and the estate streets that serve each phase of the development. It will also set out standards to which each estate street will be completed. The development thereafter will be implemented in accordance with the approved estate street phasing and completion plan.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety

11. No dwelling shall be occupied until the ghost island site access junction onto London Road along with the pedestrian and cycle link to the west of the site access has been constructed in accordance with approved drawing reference 19-T067\_06 rev B.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23, NPPF paragraphs 108 and 110 c)]
12. No dwelling shall be occupied until a means of access for pedestrians and cyclists to London Road to the east of the property named Dolyhir, along with appropriate lighting for this pedestrian and cyclist route, has been constructed in accordance with details to be agreed in writing with the Local Planning Authority.  
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.  
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23, NPPF paragraph 108 a) and b), and NPPF paragraph 110 a) and c)]
13. No dwelling shall be occupied until the visibility splays shown on the Forward Visibility Assessment (drawing 19-T067\_rev B) have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23 ]
14. No dwelling shall be occupied until that part of the access road which provides access to the dwelling and its parking, along with adjacent footways and margins and street lighting, has been constructed in accordance with the approved plans.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23 ]
15. No dwelling shall be occupied until its associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.  
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
16. No dwelling shall be occupied until:
  - (a) details of the location and proposed construction of 16 visitor car parking spaces, and
  - (b) details of the signing for the visitor car parking spaces have been submitted to, approved in writing by the Local Planning Authority and implemented in full.The visitor car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

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

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

17. Within the garage accommodation hereby approved for plots 1, 2, 3, 4, 13,64, 65, 66 and 67 on the approved plans, an area of at least 6.0m back from the garage door by 3.5m in width shall be retained for the use of the parking of vehicles at all times.  
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.  
[Relevant Policy: BFBLP M9]
18. No dwelling shall be occupied until the associated secure and covered cycle parking spaces for that dwelling with one cycle space per bedroom have been provided in the location identified for cycle parking on the approved Information Plan (drawing reference 1295/Pln/147 revision C). The cycle parking spaces and facilities shall thereafter be retained.  
REASON: In the interests of accessibility of the development to cyclists.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
19. No dwelling shall be occupied until details of electric vehicle charging infrastructure with a minimum output of 7kW to be provided for the parking spaces marked with a circle for 'EV Charging Point' on the approved Information Plan (drawing reference 1295/Pln/147 revision C) have been submitted to, approved in writing by the Local Planning Authority and implemented in full. Thereafter the electric vehicle charging infrastructure shall maintained in working order.  
REASON: In the interests of sustainable transport.  
[Relevant Policy: NPPF paragraph 110 e); Parking Standards SPD paragraph 3.8 part 1 (established through NPPF paragraph 105 e)].
20. No gates shall be provided at the vehicular access to the site.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
21. The access road coloured blue and yellow along with links to the boundaries of the properties named Sandbanks and Dolyhir coloured red on the approved Information Plan (drawing reference 1295/Pln/147 revision C) along with all footways, margins and street lighting adjacent to the areas coloured blue, yellow and red shall be constructed to adoptable standards.  
REASON: In order to accommodate refuse collection using Bracknell Forest Council's refuse vehicle and in the interests of comprehensive development, to allow the potential for connectivity with development of neighbouring parcels of land identified in the Site Allocations Local Plan, 2013.
22. No development (including demolition and site clearance) shall take place, until a Construction (and Demolition) Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority.  
The CEMP shall include as a minimum;
  - (i) Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
  - (ii) Details of the parking of vehicles of site operatives and visitors;
  - (iii) Areas for loading and unloading of plant and materials;
  - (iv) Areas for the storage of plant and materials used in constructing the development;
  - (v) Location of any temporary portacabins and welfare buildings for site operatives;
  - (vi) Details of any security hoarding;

- (vii) Details of any external lighting of the site;
- (viii) Details of the method of piling for foundations;
- (ix) Measures to control the emission of dust, dirt, noise and odour during demolition and construction;
- (x) Measures to control surface water run-off during demolition and construction;
- (xi) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xii) Details of wheel-washing facilities during both demolition and construction phases; and
- (xiii) Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

The approved CEMP shall be adhered to throughout the demolition and construction period.

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

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

23. No dwelling shall be occupied until a full Travel Plan in general accordance with the approved Framework Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the approved Travel Plan shall be implemented in full and monitored for at least 5 years after the last occupation.

REASON: To promote Travel Planning in the interests of encouraging sustainable alternative modes of travel.

[Relevant Policies: Core Strategy DPD CS23, CS24.]

24. No development shall take place (other than archaeology, demolition, site clearance, site set up and contamination remediation) until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority with supporting calculations including Urban Creep and Climate Change Allowances demonstrating that the greenfield runoff rates have been met for all storm events. Details shall include all components of the proposed drainage system including the reinforced concrete tank, dimensions, locations, gradients, invert and cover levels, any soakaway details including test results, headwall details, planting, liner design to pond, health and safety risk assessment for pond design, and drawings as appropriate taking into account the groundwater table as set out in the WE Limited FRA dated April 2020 and accompanying letter dated July 2020.

Confirmation of the gully spacing calculations to demonstrate they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy and exceedance routing design.

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.

25. No development shall commence (other than archaeology, demolition, site clearance, site set up and contamination remediation) until details of how the surface water drainage shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.

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

26. No dwelling hereby permitted in any individual phase shall be occupied until the

sustainable urban drainage scheme for that phase of development has been completed in accordance with the approved details as requested under conditions 24 and 25. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.

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

27. Prior to occupation of any dwelling in any individual phase a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Local Planning Authority. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes and cover systems.  
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
28. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 28 to 31 (below) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 27 has been complied with in relation to that contamination.
29. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments;
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with Land Contamination: Risk Management, as published by the Environment Agency on 8 October 2020.

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

30. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval

in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

31. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.  
Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and, is subject to the approval in writing of the Local Planning Authority.  
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
32. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 28, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 29, which is subject to the approval in writing of the Local Planning Authority.  
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 30.  
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
33. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with Local Planning Authority, and the reports on the same must be prepared and approved in writing by the Local Planning Authority.  
Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.  
This must be conducted in accordance with Land Contamination: Risk Management, as published by the Environment Agency on 8 October 2020.  
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
34. No development approved by this permission shall commence until a landfill gas investigation and risk assessment has been submitted to and approved in writing by



the Local Planning Authority. Where a risk from gas is identified, a scheme to mitigate the effects of gas shall be submitted to the Local Planning Authority for written approval. Before any dwellings are occupied the approved scheme shall be implemented and a validation report shall be submitted to the Local Planning Authority for approval.

REASON: To protect future occupiers of the site and structures from the risks associated with the migration of toxic and flammable gasses

35. No superstructure works shall take place until full details of bat mitigation features, their specification and how they will be integrated within new buildings has been submitted to and approved in writing by the Local Planning Authority.

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

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

REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policy: Core Strategy DPD CS10]

37. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

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

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%) or other measures as agreed with the LPA .

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

REASON: In the interests of the sustainability and the efficient use of resources.  
[Relevant Plans and Policies: CSDPD Policy CS12]

38. Prior to commencement of development, the applicant will implement a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, including any site preparation works. The mitigation strategy shall be implemented in accordance with the approved details.

39. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works –hard landscaping works. Details shall include an approved development layout

plan at a minimum scale of 1:200, showing the following: -

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
- c) Proposed location/s of 2.1m high protective barriers, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- d) Illustration/s of the proposed protective barriers to be erected.
- e) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- f) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- g) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- h) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

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

REASON: In order to safeguard trees and other vegetation.

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

40. The protective fencing and other protection measures specified by condition 39 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
  - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
  - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
  - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
  - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
  - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
- In addition to the protection measures specified above,
- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
  - b) No signs, cables, fixtures or fittings of any other description shall be attached to any

part of any retained tree.

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

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

41. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no outbuildings and hard standing permitted by Classes E and G of Part 1 of the Second Schedule of the 2015 Order shall be carried out in the rear gardens at plots 38, 39, 40, 41 and 42.

REASON: Part of the plots listed fall within land outside of the settlement where restrictions over the form, scale and nature of development apply.

[Relevant Policies: BFBLP CSDPD CS9]

42. No apartment marked Plots 43-63 on the approved plans shall be occupied until details of the allocation of parking spaces to each apartment has been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall thereafter be provided and allocated in accordance with the approved details and kept available for parking at all times.

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

[Relevant Plans and Policies: BFBLP M9]

In the event of the S106 planning obligations not being completed by 12.01.2021, the Head of Planning be authorised to extend this period or **REFUSE** the application on the grounds of: -

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 Supplementary Planning Document (2018).
2. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off and it has not been shown that use of SuDS would be inappropriate for the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.
3. A suitable Travel Plan has not been secured. As such the proposal would not comply with CSDPD Policy CS23 and the NPPF.

## Informatives

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted)

and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The following conditions require discharge prior to the commencement of ANY development: 5, 6, 7, 10, 22, 24, 25, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39 and 40.

03. The following conditions require discharge prior to the occupation of the dwellings hereby approved: 11, 12, 13, 14, 15, 16, 18, 19, 23, 26, 27 and 42.

04. No details are required to be submitted in relation to the following conditions; however, they are required to be complied with: 8, 9, 17, 20, 21, 32, 33 and 41.

05. Please note that the Palm Hills site is the subject of a number of boreholes in place to aid in the monitoring of landfill gas levels from the historic landfill site to the north. The boreholes are in place at the request of the Environment Agency and as such permission from the Environment Agency should be sought if access to the boreholes, and any associated monitoring, is likely to be interrupted.

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

**ITEM NO:**

Application No.  
**19/01004/OUT**  
Site Address:

Ward:  
Binfield With Warfield

Date Registered:  
20 November 2019

Target Decision Date:  
19 February 2020

**3M United Kingdom Cain Road Bracknell Berkshire  
RG12 8HT**

Proposal:

**Outline application for erection of up to 27 dwellings, with principal access from Turnpike Road, and associated vehicle parking, landscaping and ancillary works following demolition of existing buildings and clearance of the site. [All matters reserved apart from Access]**

Applicant:

3M United Kingdom PLC

Agent:

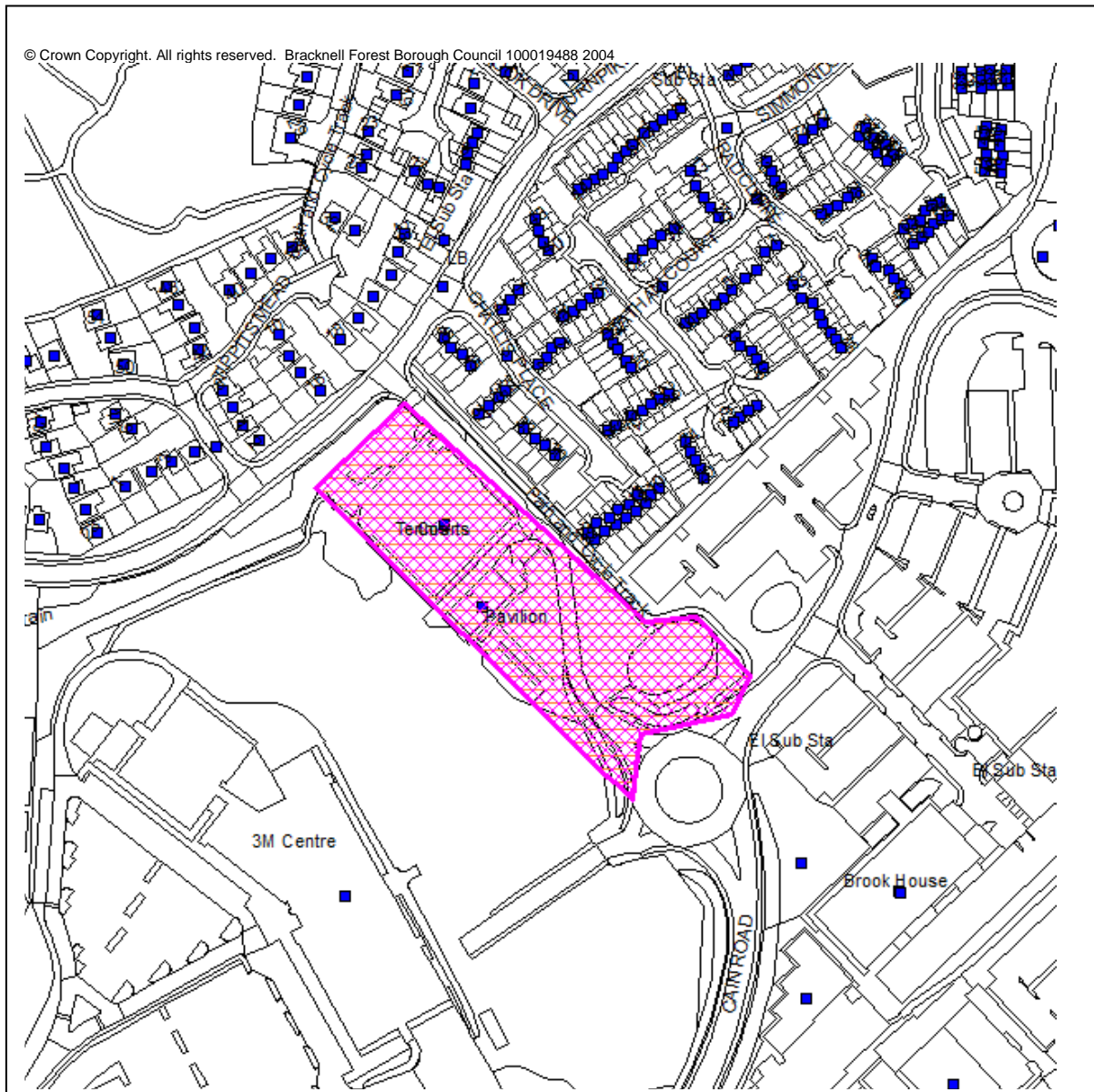
Mr Andrew Somerville

Case Officer:

Simon Roskilly, 01344 352000

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

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



## **OFFICER REPORT**

### **1. SUMMARY**

- 1.1 The site is located within the defined settlement of Bracknell, and within a defined Employment Area, as identified by the Bracknell Forest Borough Policies Map (2013).
- 1.2 The existing site does not form active employment space, and its current use is a recreational facility ancillary to the main office use of the 3M campus.
- 1.3 The outline application is for access only and seeks to establish a net gain of 27no. dwellings south-west of existing residential properties at Challis Place, with vehicular access off Turnpike Road. The existing arm off the Cain Road roundabout would also be removed and landscaped to include a pedestrian/cycle link onto Cain Road but no vehicular access.
- 1.4 It is not considered that the proposal would impact adversely upon the scale and/or ability of the main 3M office buildings to continue functioning as existing. Furthermore, this recreational area has been disused for a significant period of time.
- 1.5 The disused recreational space and buildings have already been replaced as a result of planning permission 618733; and this proposal would therefore result in no net loss of recreational provision. This is accepted by Sport England, a statutory consultee, where they confirmed that they had no objection to the proposal.
- 1.6 Although the site is currently employment land, it is considered that under the planning balance of the benefits and constraints of this site, and how the employment site currently functions, the proposal is acceptable in principle.
- 1.7 The outline submission, assessing access only, is considered not to result in any highway safety implications, any adverse impacts upon the character and function or the area nor is it likely to impact adversely upon adjoining residential amenity, although the layout and external appearance will be assessed at the reserved matter stage. Given this the application is recommended for conditional approval, subject to the completion of a S106 Legal Agreement.

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

Planning permission be granted subject to the recommendation and conditions in Section 11 of this report
--

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

- 2.1 The application has received more than 5 objections.

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

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

Within Settlement Boundary and within an Employment Area
--

Within 5km SPA
----------------

- 3.1 The site is located within the defined settlement of Bracknell, and within a defined Employment Area, as identified by the Bracknell Forest Borough Policies Map (2013).
- 3.2 The site comprises a roughly rectangular parcel of land adjoining the boundary of the 3M Campus, Cain Road, and the existing residential development situated within Challis Place. The

site is bounded to the west by Turnpike Road, and to the east by Cain Road. There is a private vehicular access route running through the site, connecting to both Turnpike Road and Cain Road. A public cycle path adjoins the site to the north, with residential development beyond, and an undeveloped green field divides the site from the main 3M offices.

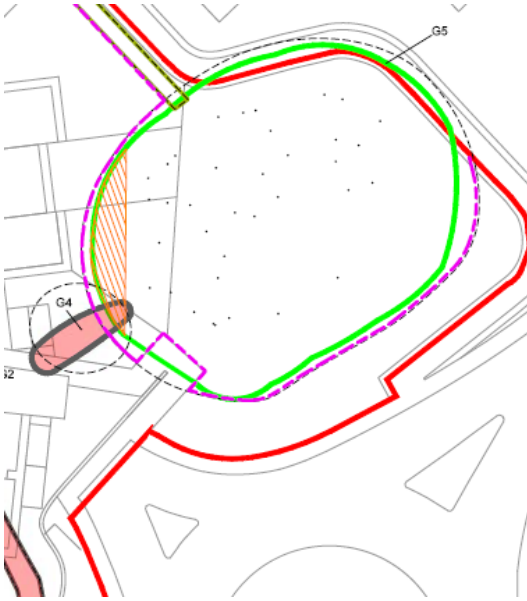
3.3 The site forms a recreational area with a sports pavilion, tennis courts and a parking area, along with the siting of a 3M promotional railway carriage. The site historically formed a recreational facility to the main 3M Campus, but has been disused for a number of years and replaced elsewhere.

3.4 A dense belt of trees (see below) forms the western boundary of the site, with residential development on the opposite side of Turnpike Road.



Western entrance to the site

3.5 Trees are also present on the eastern side of the site adjoining the footpath and roundabout on Cain Road, including those the subject of a Tree Preservation Order (TPO 118).



TPO 118 adjacent to a Cain Road roundabout

3.6 Beyond Cain Road to the east is a predominately commercial area. A culverted watercourse crosses the site from north to south towards its western edge.

3.7 While the western half of the site is relatively flat, the eastern half of the site rises prominently towards its eastern corner.

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

4.1 The relevant site history can be summarised as follows:-

617449 Outline application for proposed new [3M] headquarters office accommodation (46450 sq.m/500000 sq.ft) plus public recreation facilities with road and roundabouts. Approved (1991)

618733 (Farleywood Community Centre) Proposed recreation centre, football pitches, tennis courts, road and parking facilities and associated landscaping involving creation of access to turnpike road. (section 106 agreement) Approved (1994)

03/00860/OUT Outline application for residential development. Withdrawn (2003) (reason for withdrawal not known).

The 3M campus has an extensive planning history for various small-scale developments including fencing, signage, CCTV/ANPR and outbuildings.

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

5.1 Outline planning permission is sought for the erection of up to 27 dwellings, with principal access from Turnpike Road, and associated vehicle parking, landscaping and ancillary works following demolition of existing buildings and clearance of the site (all matters reserved apart from access).

5.2 Development on this site this would involve the demolition of existing recreational buildings and associated facilities (tennis courts), along with its associated change of use.



5.3 Access to the site is proposed from the existing access point from Turnpike Road, to the west, with the proposed internal road forming a cul-de-sac. The existing alternate access to the site from Cain Road is proposed to be closed off, the existing roundabout arm removed and the area in question landscaped.

5.4 The proposal would include the retention of trees on its western and eastern boundaries, but with the loss of some trees set back further within the site from Turnpike Road.



Illustrative Layout



Illustrative Streetscene

## 6. REPRESENTATIONS RECEIVED

### Binfield Parish Council

6.1 Recommend Refusal of this planning application for the following reasons:

The application site is within the boundary of policy LP27:

Policy LP27 - Employment Areas

Within the defined Employment Areas the following will be supported:

- i. development for business, industry, distribution and storage uses (BIDS); and,
- ii. development that will enable existing businesses to expand and/or adapt to changing circumstances; and,
- iii. proposals that meet an evidenced need for a particular type of BIDS development.

Development within defined Employment Areas for non-BIDS uses will be resisted and will only be permitted where there is a justification for a departure from this policy following submission of information on, and consideration of, the following matters:

- i. impact on the supply (amount, type, quality and use) of BIDS land and premises; and
- ii. evidence of need for the proposed use and the need for it to be located within a defined Employment Area; and,
- iii. evidence that the site has been effectively and continuously marketed for BIDS uses through a variety of media for a period of at least 12 months; and,
- iv. the relative suitability of the site for BIDS and for the alternative use; and,
- v. the location of the site and its relationship to other uses.

Paragraph 14.1.1 states:

The Council has defined Employment Areas which provide an important supply of land and premises to support the local economy. In order to have sites available that can flexibly accommodate the changing needs of business over the coming years it is important that the integrity of the Borough's main employment areas is protected. Within most of the defined employment areas the Council has restricted the normal ability of landowners to change the use of office buildings to residential use (through a measure known as an Article 4 Direction). The Council has made some minor modifications to the Western employment area boundary. Wellington Business Park is designated as an employment area in acknowledgement of the employment role it plays in the Borough, and to discourage small business units being lost to housing.

There has been one objection so far from a resident about parking on Turnpike Road and querying why the access cannot be from Cain Road.

There is a holding objection from Sport England over the loss of the tennis courts and pavilion saying that 3M will need to prove that they have already provided alternative tennis courts at the Farley Wood Centre (which they have).

*[Officer Comment: The site is located within a designated employment area. However, the existing site does not form active employment space but is rather a recreational area ancillary to the main office use of the 3M campus. It is not considered that the proposal would have an adverse impact on the scale or ability of the main 3M office buildings to continue functioning as existing. Furthermore, this recreational area has been disused for a significant period of time. Paragraph 121(a) of the NPPF states that local planning authorities should 'support proposals to use*

*employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors'. In addition, paragraph 118(d) of the revised NPPF states that 'planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively'. As ample room would be left on the 3M site to expand if necessary and this proposal would make a good use of redundant previously developed land the proposal is considered acceptable in principle.]*

#### Other representations

6.2 8 representations have been received from different addresses, raising the following objections:

- *Would generate an unacceptable level of traffic [Officer Comment: The Local Highway Authority (LHA) does not consider this to be the case. Please see report section on Highway Safety]*
- *Loss of privacy on existing adjoining residents. [Officer Comment: Although the layout and external appearance of the properties is to be assessed at the reserved matters stage an illustrative layout plan has been included with this outline submission. This plan demonstrates that the site can adequately take 27no. dwellings without resulting in any loss of privacy, as the layout can meet with the requirements of the Council's adopted Design SPD with regard to distances between properties and boundaries.]*
- *More suitable to have main vehicular access onto Cain Road. [Officer Comment: The application must be considered on its merits and the residential use proposed would relate well to existing development along Turnpike Road. Also, the LHA does not consider traffic entering and exiting the site via Turnpike Road to harm highway safety].*
- *Highway safety with existing traffic entering the Wokingham Road roundabout. [Officer Comment: See report section on Highway Safety].*
- *No information provided on parking provision. Parking on Turnpike Road is already an issue, especially at weekends. [Officer Comment: Although matters such as the internal layout of the proposed development will be appropriately assessed as part of the reserved matters submission the applicant has demonstrated, using the illustrative layout plan, a scheme that would be fully compliant with the Council's latest adopted Parking Standards. Also see report section on Highway Safety]*
- *Road in poor condition to take additional traffic. [Officer Comment: The LHA did not raise this as a concern and it is the right body to consider any issues regarding the condition of the road surface]*
- *Deer that cross Turnpike Road into the 3M site will be affected. [Officer Comment: deer are not a protected species and this is why the Council's Biodiversity Officer did not raise this as a concern]*
- *Where is the investment in the highway network in order to meet with the increased numbers of housing in and around the Binfield area? [Officer Comment: Monies have been secured via large scale developments in the area to fund highway improvements. The LHA did not raised the need for any further provisions to be sought in response to this scheme of 27no. dwellings.]*
- *Too many new houses proposed in the area. [Officer Comment: There is an identified need for more housing within the borough and as such new housing should be located in areas such as this site where it is considered sustainable. The locational principles require that previously developed land within the designated settlement is considered first for housing thus avoiding development within inappropriate areas such as the Countryside and Green Belt.]*
- *Insufficient provision of social housing in new builds, lack of community services, schools for education and clear spaces for social, emotional and environmental health. [Officer Comment: Adequate (25%) affordable housing would be sought with any approval as well as suitable contributions towards community facilities such as the nearby Farley Hall Community Centre. The Local Education Authority has not asked for any contributions as*

*monies from other large-scale developments have already been secured. There is adequate open space recreational provision at the nearby Farley Hall Community Centre as well as an acceptable level of on-site amenity space]*

- *Why wasn't no.44 Tippits Mead notified by letter. [Officer Comment: Residents adjoining the site boundary were notified by letter, as per our procedural note, as well as site notices being posted, of which one was posted on street furniture at the proposed entrance visible from Tippits Mead.]*
- *No practical point in retaining the obsolete access/egress road surfacing off the Cain Road roundabout - if planning approval issued. [Officer Comment: It is now proposed to remove the arm to the Cain Road roundabout and to subsequently landscape the area and provide a more accessible pedestrian/cycle access into the site from Cain Road.]*
- *Retention of the existing cycle/footpath from Turnpike Road to Cain Road is a must [Officer Comment: A cycle/pedestrian link from Turnpike Road to Cain Road, via the development site, will be secured as part of any future approved layout. The existing cycle/pedestrian link between this site and Chalice Place would also be retained as it falls outside off the application site.]*

6.3 1no. letter of support was received stating the following point: -

- The site layout looks sensible and not overcrowded.

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

### Local Highway Authority

7.1 The Highway Authority has no objection and recommends that the application is approved subject to planning conditions being appended.

### Lead Local Flood Authority

7.2 Recommends approval subject to conditions.

### Biodiversity Officer

7.3 The proposed Biodiversity mitigation and net gain enhancements works are considered acceptable. Given this the officer recommended approval subject to suitably worded conditions and S106 obligations.

### Tree Officer

7.4 No objection to the loss of the trees as shown on the plans given that the trees lie within an area where it is sensible to locate part of the sustainable drainage scheme in order to support residential development of the size suggested in the Draft Local Plan.

### Landscape Officer

7.5 Although the layout is indicative, it has failed to demonstrate that the proposed number of dwellings could be accommodated on the site without detrimental impact to the important trees and the local landscape character. [Case Officer note: The concerns are noted however the Tree Officer has advised that the applicant has demonstrated that the site can take 27no. dwellings without harming the character and appearance of the area. Trees within the site will be removed in-order to accommodate the development along with a suitable location for on-site surface water drainage. However, the main belt of threes that provides a thick screening to the Turnpike Road frontage will remain and will be unaffected by the development. The only protected trees within the east of the site will be retained and further relief added in the form of landscaping when the arm off the Cain Road roundabout is closed up and landscaped.]

### Housing Officer

7.6 Should this application be recommended for approval, the site should be policy compliant with 25% of units being affordable which can be secured by way of a S106 Legal Agreement.

### Waste Officer

7.7 No concerns over the layout for waste collection. All properties will need to wheel their bins to the kerbside of the adopted highway on collection day.

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP,  CS1 & CS2 of CSDPD	Limited (policy not used in planning application decision-making)  Consistent
Housing	H5 of BFBLP	Partially out of date but weight can be attached where the policy aligns with the tests of policy GB1.
Design	CS7 of CSDPD, Saved policy EN20 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.
Trees & Landscaping	CSDPD Policies CS1 & CS7  BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Heritage	CSDPD Policies CS1 & CS7	Consistent (paras. 189 to 197)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7  BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175)
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)

Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 54 to 56, 92 and 94)
<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD Planning Obligations SPD (2015) Thames Basin Heath SPA SPD Character Area Assessments SPD Design SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)		

## 9. PLANNING CONSIDERATIONS

- 9.1 The key issues for consideration are:
- i Principle of development
  - ii Impact on character and appearance of the area
  - iii Residential amenity
  - iv Highway safety
  - v Biodiversity
  - vi Drainage
  - vii Sustainability and energy
  - viii Thames Basin Heaths
  - ix Matters to be secured by way of a Section 106 Legal Agreement
  - x Community Infrastructure Levy/ CIL

### i. Principle of Development

(i) Draft Bracknell Forest Borough Council Local Plan

9.2 The site is included as an allocated site as part of the Draft Bracknell Forest Borough Council Local Plan (site reference BIN16), for 29 dwellings. However, due to the current status of this Draft document, this can only be given minimal weight in planning decisions.

(ii) Housing Supply

9.3 The Council is able to demonstrate 5.2 years supply of housing. This reflects the Council's position as at October 2020, and the latest methodology set out within the NPPF and NPPG.

(iii) Siting in an Employment Area

9.4 While the site is located within a defined settlement, it is also located within a defined Employment Area, as identified by the Bracknell Forest Borough Policies Map (2013). CSDPD Policy CS19 states that employment-generating development will be permitted in the Borough's defined employment areas. CSDPD Policy CS20 states that development for non-employment use within defined employment areas will only be permitted after examination of the relevant circumstances. These include:

- the supply (amount, type, quality and use) of employment land and premises;

- the provision of and need for the proposed use, and the relative suitability of the site for employment and for the alternative use, and
- the location of the site and its relationship to other uses.

9.5 It is therefore necessary to carry out this examination in order to establish the acceptability of the development in principle.

9.6 The existing site does not provide active employment space but is rather a recreational area ancillary to the main office use of the 3M campus. It is not considered that the proposal would impact the scale or ability of the main 3M office buildings to continue functioning as existing. Furthermore, this recreational area has been disused for a significant period of time.

9.7 A study of projections for future employment land and floorspace requirements based on forecast economic and workforce growth has been undertaken by Stantec. The findings are set out in the publicly available 'Bracknell Forest Borough Council, Employment Land Needs Study, Stantec with Aspinall Verdi, April 2020' document. The study, regarding forecasts for Employment Land within the Borough, can be summarised as follows: -

'For offices the assessment shows current available supply is less than gross demand, and this generates a small floorspace/land requirement of 18,000 sq m or 3 ha.

For industrial, supply is less than the gross demand, generating a 12 ha requirement for industrial uses over the Plan period.'

9.8 Given this it can therefore be confirmed that there is a requirement for both office and industrial land within the borough to meet future need.

9.9 Paragraph 121(a) of the NPPF states that local planning authorities should 'support proposals to use employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors'. In addition, paragraph 118(d) of the revised NPPF states that 'planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively'.

9.10 As noted above, the Council can demonstrate over five years' supply of housing, and this reduces the weight that can be given to the need for the proposed residential use. However it is also acknowledged that housing developments can bring benefits even where there is no critical demand for it, in terms of social and economic factors such as job creation, affordable housing and contributions towards the local economy, and as the site is clearly currently under-utilised, weight can still be given to NPPF para. 118(d). It should also be noted that the 5 year supply is based on providing the minimum required and the government is clear that its objective is to significantly boost the supply of housing (NPPF para 59).

9.11 The site adjoins existing residential development to the north and west, and this increases its acceptability for non-employment use, and specifically residential use, in the context of its location and relationship to other uses. Furthermore, the site is located within a reasonably sustainable location for a residential use.

9.12 It is therefore considered, on balance, that given the site-specific benefits and constraints, the proposed redevelopment of the site for residential use is acceptable in principle. While there would be some loss of designated employment land, this is tempered by the fact that the site is currently under-utilised, and any harm from such a loss must also be balanced against the benefits of providing housing in a sustainable location within the settlement, even where the Council can demonstrate over five year's housing supply.

#### (iv) Loss of Sports Provision

9.13 CSDPD Policy CS1 states that development will protect and enhance the health and education of the local population. Policy CS8 states that development will be permitted which retains, improves and maintains existing recreational facilities, and/or provides and maintains new recreational facilities. Para. 105 of CS8 goes on to state that the Council will resist the loss of existing provision of such facilities. Para. 97 of the NPPF states that sports and recreational facilities and land, including playing fields, should not be built upon (which can be reasonably interpreted as also being generally lost) unless:

- it has been established that such amenities are surplus to requirements;
- the loss from a proposed development would be replaced by equivalent or better provision in terms of quantity and quality, or
- the development is for alternative sports and recreation provision, the benefits of which outweigh the loss of the current or former use.

9.14 While the existing recreational facilities are under-utilised and do not appear to have been made available in the past for use by the general public, due weight must still be given to the above policies. The proposal would result in the loss of good quality outdoor recreational facilities. However, in this instance, replacement facilities (including pavilion, tennis courts and sport pitches) for the site were secured via a legal agreement dated 22 November 1994 on planning permission 618733 at Farleywood Community Centre. The Local Planning Authority in this instance therefore raises no objection to the loss of the on-site recreational facilities.

9.15 However, with any scheme that results in the loss of sports pitches statutory consultee Sport England is consulted. Sport England confirmed that it is aware that the recreational facilities on the 3M site were not for public benefit and have not been in use for some time. Sport England was also aware that under historic planning consent 618733 replacement facilities were provided at Farleywood Community Centre and as such has expressed no objection to the current proposal.

#### (v) Summary of Principle of Development

9.16 Given the above assessment, taking into account the current constraints and function of this site, along with the benefits of new housing the scheme would deliver, the proposal is considered acceptable in principle.

### **ii. Impact on the character and appearance of the area**

9.17 Policy CS7 of the CSDPD and EN20 of the BFBLP seek development which complements and enhances the existing character by having regard to materials, scale, siting and layout.

9.18 Although this outline application looks solely at whether vehicular, pedestrian and cycle access off Turnpike Road and pedestrian/cycle access onto Cain Road are suitable, it also establishes the principle of a net increase in 27no. dwellings, up to 2.5 storeys in height, on a strip of land as outlined in red on the site location plan. Therefore, it is important that the applicant can demonstrate through the use of illustrative layouts and streetscenes that development of the scale proposed would not detract from the character and appearance of the area.

9.19 The site forms the central northern fringe of the Amen Corner Business Park, with a residential housing estate to the north and west. The site is significantly influenced by the dense level of planting present, especially on its western border. This, in combination with the distance of the site from the main 3M office building to the south, with an intervening undeveloped grassed area, provides some visual separation of the site from the main business park area. When viewed from the Turnpike Road access to the west, the site appears in the street scene as a screened area that connects to the Farleywood Community Centre to the southwest through a continuous

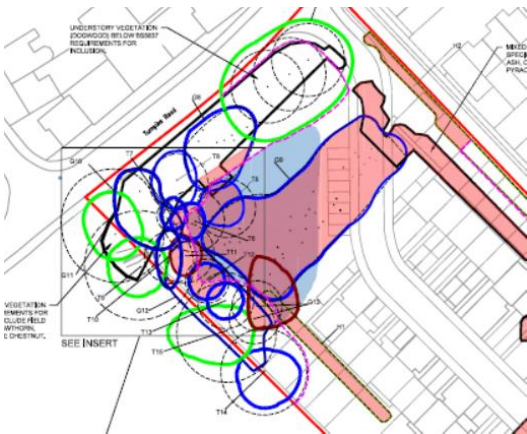


belt of planting. The site is however more visually distinguished as part of the business park when viewed from the Cain Road access to the east.

9.20 Having the 27no. dwelling development accessed off Turnpike Road would mean that the new development would form a new cul-de-sac south-west of existing residential cul-de-sacs. This would result in a linear development relating well to the existing settlement when viewed from Turnpike Road.

9.21 Since its submission, the proposal has evolved into a scheme that seeks to remove the roundabout arm off Cain Road and provide landscaping and pedestrian/cyclists links into the new development. As it has already been identified that the site is more visually distinguished as part of the employment area when viewed from Cain Road, such works help to remove this visual connection and better relate the site to the existing settlement.

9.22 The site contains a dense belt of trees on the western boundary with residential development on the opposite side of Turnpike Road. Trees are also present on the eastern side, including those subject to Tree Preservation Order (TPO 118). The below snapshots of the submitted Tree Survey show these areas.



Western access onto Turnpike Road



TPO118 adjacent to a Cain Road roundabout

9.23 The illustrative layout, although not fixed at the outline stage, demonstrates that the site can take 27no. dwellings along with associated residential paraphernalia without compromising the long-term health of the trees. Although a secondary belt of trees, behind the primary belt on the Turnpike Road frontage, will be removed in order to accommodate the development. The main belt of trees will remain and these will continue to screen the site from Turnpike Road.

9.24 In order to accommodate residential development on-site the most sensible place to locate surface water drainage features is where water currently drains to. This area is currently where the second belt of trees are present and so removing these trees is necessary in order to provide suitable drainage mitigation for a residential development on this site. However, as already mentioned, the primary belt of trees will continue provide screening along the Turnpike Road frontage. It is also important to note that not only will TPO trees to the east of the site be retained, but they will also be the subject of some landscape relief due to the Cain Road roundabout arm being closed off and the land benefiting from a level of soft landscaping.

9.25 The Council's Tree Officer was consulted on the proposal and has accepted the loss of the second belt of trees, amongst other more sporadic trees on-site. This is on the basis that the primary Turnpike Road frontage trees and the TPO118 trees to the south will remain with the protected trees now benefiting from some landscape relief that comes as a result of the intended roundabout arm closure and soft landscaping.

9.26 Given the above assessment it can be concluded that the proposed access arrangements, along with what could be accommodated on site in terms of an illustrative layout, would complement the existing character of the settlement area north-east. It would also retain trees considered important to the character of the area; and as such is considered to comply with Policies CS7 of the CSDPD and EN20 and EN1 of the BFBLP.

### **iii. Residential Amenity**

9.27 Policy EN20 criterion 'g' of the BFBLP stipulates that in considering proposals, regard will be had to the amenity of surrounding properties which should not be adversely affected. The amenities of existing residents and future occupiers is therefore material in considering an application.

9.28 Although the layout and external appearance of the properties is to be assessed at the reserved matters stage, an illustrative layout plan has been included with this outline submission. This plan demonstrates that the site can adequately take 27no. dwellings, up to a height of 2.5 storeys, as long as rear windows facing north-east towards Challis Place meet with the back to back distances as set out in the Council's adopted Design SPD. Any rear facing windows at 2.5 storey level that do not meet the distances would have to be either obscure glazed or, if roof light windows, be at a minimum sill height of 1.7m from floor level. Therefore, any floor plans that are to be submitted as part of the reserved matters need to be drawn up on this basis.

9.29 Accordingly, at this stage it has been demonstrated that the site can accommodate up to 27no. dwellings and at the same time preserve the amenities of existing and future occupiers. The proposal complies with Policy EN20 (g) of the BFBLP.

### **iv. Highway Safety**

9.30 The application is in outline with only access to be determined. The site currently benefits from a priority junction access onto Turnpike Road and an access onto a roundabout onto Cain Road. The proposed access arrangements for residential use of the site are as follows.

#### **Turnpike Road Access**

9.31 It is proposed to retain the Turnpike Road access to the site with improvements to markings, signage and tactile paving, along with footway returns into the site as shown on drawing ITL-15081-GA-001C. The access will need to be built to adoptable standards, to accommodate BFC's 26 tonne refuse vehicle, which may require some reconstruction. The footway return to the

west of the site will need to be constructed to adoptable standards and it is likely that the access itself and neighbouring footways and a section of carriageway of Turnpike Road may need to be re-surfaced as part of the access works. Accordingly, a Section 278 agreement will need to be entered into with the Highway Authority. A strip of verge behind the footway will be requested for maintenance, street lighting and signage.

#### Cain Road Access

9.32 It is proposed to close the Cain Road access and reinstate a footway/cycleway with verge to the rear around the perimeter of the roundabout, to the limits of the site boundary. along with a safety margin and service margin, as shown on drawing ITL-15081-GA-006B. A new footway/cycleway connection between the site and Cain Road would also be provided.

#### Other items

9.33 It is noted that internal layout is indicative and not for determination at this stage. Nevertheless, the Authority will expect the carriageway, margins, footways and streetlighting through the development to be adopted, along with the footpath/cyclepath link to Cain Road, and its margins. It is also noted that the Highway Authority would expect the majority of construction traffic to enter and exit the site from Cain Road, to reduce construction traffic use of Turnpike Road, and therefore the stopping-up of the Cain Road vehicular access should be programmed as late as possible in the development build-out.

#### To Conclude

9.34 The Highway Authority has no objection and recommends that the application is approved subject to planning conditions addressing the following points: -

- Means of vehicular access to the site from Turnpike Road has been constructed in accordance with drawing ITL-15081-GA-001C.
- The final dwelling on the development hereby permitted shall not be occupied for the first time until the existing access to the site from Cain Road has been closed and the footway/cycleway and verge reinstated.
- The internal road layout within the development and the pedestrian and cyclist link between the development and Cain Road shall be constructed to adoptable standards.
- No building hereby permitted shall be occupied until associated vehicle parking and turning space and turning space for refuse collection and fire tender has been provided.
- No development (including demolition and site clearance) shall take place until a site management plan has been secured.

#### **v. Biodiversity**

9.35 Throughout the duration of this live application discussions have been taking place between the applicant and the Council's Biodiversity Officer in-order to agree a policy compliant approach in not only mitigating impacts upon on-site Biodiversity but to also agree a package of net gain Biodiversity enhancements as required by the NPPF. Originally the Council's Biodiversity Officer had some outstanding concerns regarding measures to address the following points:-

- Woodland loss and compensation
- Hedgerow loss and mitigation
- Grassland habitat and mitigation
- Grassland translocation/creation other
- Hedgerow enhancement

9.36 However as a result of a formal response from the applicant (Wardell Armstrong ref: CS/JH/BM11781 /Letter Ref.003 dated 27t October 2020), read in conjunction with the original documents 3M UK PLC, Land Between Turnpike Road and Caine Road, Bracknell, Ecological Impact Assessment, September 2019 (Wardell Armstrong LLP Version 1.0) and WA letter reference JH/BM11781/E001 dated 11th May 2020, the concerns raised by the officer have now been addressed.

9.37 The Council's Biodiversity Officer concluded that the measures put forward are now acceptable and accord with the requirements of CSDPD Policy CS1 and the NPPF. It has now been demonstrated that the proposal would not harm a protected species and that suitable biodiversity net gains can be secured subject to suitably worded conditions and S106 obligations.

#### **vi. Drainage**

9.38 Following discussions, during the lifespan of this application, between the applicant and the Lead Local Flood Authority (LLFA) a revised FRA has been submitted which fully assesses the surface water flood risk present at the site. The assessment has led to changes to the masterplan to remove properties from the areas at risk of flooding.

9.39 The Applicant has also liaised with the sewage undertaker to agree connections to their system for both foul and surface water sewerage. The Applicant has set out that bioretention verges will be incorporated to provide a water quality treatment stage for the Highway runoff.

9.40 As a result of the latest submission the LLFA recommends that the application be approved subject to conditions requesting the following: -

- Submission of full details of the Drainage System.
- Evidence demonstrating the agreed/approved construction details and specifications have been implemented.

9.41 The management and maintenance of the SuDS scheme must also be secured through the completion of a Section 106 Legal Agreement.

#### **vii. Sustainability and Energy**

9.42 The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 153 of the Framework states that in determining planning applications, LPAs should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

9.43 This application has been considered against the objectives of the NPPF and in the context of the Borough's energy and sustainability policies (set out below) which are considered to be consistent with the NPPF.

9.44 Policy CS10 of the Core Strategy requires the submission of a sustainability statement demonstrating how the proposals meet current best practice standards.

9.45 Policy CS12 of the Core Strategy requires the submission of an energy demand assessment demonstrating how the development's potential CO2 emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewables.

9.46 Whilst no specific details have been submitted, this could be overcome via condition if the application was recommended for approval.

#### **viii. Thames Basin Heaths Special Protection Area**

9.47 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.

9.48 This site is located approximately 3.3km 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.

9.49 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 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.

9.50 This site proposes a net increase of 27 dwellings which requires a SANG solution. In this case the Council can now provide SANG capacity for this development.

9.51 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.

9.52 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 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 SPD, the Planning Obligations SPD and the NPPF.

9.53 An Appropriate Assessment has been carried out for this development in accordance with the Habitats Regulations 2017. Without any appropriate avoidance and mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

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

9.55 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 63(5) of the Conservation of Habitats and Species Regulations (2017), and permission may be granted.

9.56 If the applicant does not agree with the above mitigation and enter into a Section 106 Agreement to secure the measures then the application must be refused. A monitoring fee of £480 is also required in addition to any other obligation fees.

#### **ix. Matters to be secured by way of a Section 106 Legal Agreement**

##### Transport

9.57 In addition to separate Highways comments. Section 106 obligation will be required to ensure delivery of adoptable roads or to enter into highways agreements at certain triggers. Reason: Core Strategy Development Plan Document (CSDPD), 2008, Policy CS6, Section 5, Paragraph 5.2.3 and 5.2.6 of the Bracknell Forest Planning Obligations SPD

##### Education

9.58 At present the LEA has not identified any projects to increase capacity at schools which serve the site.

##### Community Facilities

9.59 The proposed development would require a financial contribution towards off-site community facility provision, and in this instance the Council would look to secure a contribution of £2500 per dwelling, BCIS index linked, towards planned improvements to Farley Wood Community Centre or community facilities at Blue Mountain. Reason: Core Strategy Development Plan Document (CSDPD), 2008, Policy CS6, Paragraph 5.5.5 of the Bracknell Forest Council Planning Obligations SPD

##### Affordable Housing

9.60 The proposed development would provide 27 dwellings and therefore affordable housing should be provided. At least 8 units will need to be secured by Section 106 agreement to meet 25% policy requirements. As per the Council's Planning Obligations SPD, the Affordable units should reflect the mix of the market dwellings. The Housing team may be able to consider a degree of flexibility in tenure mix or dwelling size where the developer is willing to supply dwellings for those on the special needs Housing register or ensure that the RP is able to deliver a number of social rented units. A planning obligation will secure the submission of an Affordable Housing Scheme prior to commencement which should detail the above requirements. Reason: Bracknell Forest Borough Local Plan, 2002, Saved Policy H8, Core Strategy Development Plan Document (CSDPD), 2008, Policy CS17 and The Council Executive Decision of 29th March 2011, Bracknell Forest Planning Obligations SPD 2015, Section 5.8

##### Open Space of Public Value and Biodiversity

9.61 The site covers 1.29 hectares of land, on sites between 1 and 3ha the Council offer developers the opportunity to provide a financial contribution towards providing, expanding or improving local open space and/or recreational facilities of an OSPV capable of serving the site. If

this is not agreeable the Council will look for the site to provide policy compliant provision of 2ha/1000 persons of Active OSPV and 2.3ha/1000 persons of Passive OSPV.

The NPPF (Para 175d, 2018) states that: “opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”.

9.62 If the Biodiversity officer is not satisfied that net gains to Biodiversity can be accommodated in the plans, the Council will look for a contribution towards Biodiversity enhancements at an agreed off-site location capable of serving the development. Reason: Core Strategy Development Plan Document (CSDPD), 2008, Policy CS6, Para 5.11.4 of the Bracknell Forest Council Planning Obligations SPD, NPPF (2018) Para 8c and 170d, 174 and 175d

### SuDS

9.63 The developer has indicated there will be SuDS infrastructure on site. A planning obligation will be required to ensure approval of a Drainage Strategy, Design Specification and Implementation Strategy and a long-term Management and Maintenance Plan prior to commencing on site. A planning obligation will also be required to secure a SuDS monitoring contribution to monitor SuDS for the lifetime of the development.

Reason: Paragraph 5.15.6 of the Bracknell Forest Planning Obligations SPD

### **x. Community Infrastructure Levy (CIL)**

9.64 Bracknell Forest Council has an adopted Community Infrastructure Levy (CIL). CIL is applied as a charge on each square meter of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.65 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.

9.66 A CIL liability notice will be issued upon approval of the reserved matters submission and not at this stage.

### **10. CONCLUSIONS**

10.1 The existing site does not form active employment space. Its most recent use is that of a recreational area ancillary to the main office use of the 3M campus.

10.2 The outline application is for access only and seeks to establish a net gain of up to 27no. dwellings south-west of existing residential properties, with vehicular access off Turnpike Road. The existing arm off the Cain Road roundabout would also be removed and landscaped to include a pedestrian/cycle link onto Cain Road.

10.3 It is not considered that the proposal would have any significant impact on the scale or functionality of the main 3M office buildings. Furthermore, this recreational area has been disused for a significant period of time.

10.4 In their submission the applicants state that the disused recreational space and buildings have already been relocated and as such there would be no loss of recreational provision. On this basis Sport England, when consulted, confirmed that it does not object to the scheme.

10.5 It is considered that under the planning balance the benefits and constraints of this site, along with how the employment site currently functions, would result in the proposal being acceptable in principle.

10.6 The outline submission, that secures details of access only is considered not to result in any highway safety implications, or any adverse impacts upon the character and function of the area. It is unlikely to impact adversely upon adjoining residential amenity, although this will be assessed in more detail at the reserved matter stage. Given this, the application is recommended for approval.

## 11. RECOMMENDATION

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

- Contribution towards mitigation against the impact upon the SPA.
- Securing the management and maintenance of the SUDS scheme.
- Ensuring that roads are adoptable or to enter into highways agreements at certain triggers.
- Financial contribution towards off-site community facility provision.
- Securing 25% on-site affordable housing.
- Securing offsite provision of hedgerow and grassland translocation, retention of habitat areas for a period of 30 years and associated monitoring of biodiversity net gain on and offsite.

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

01. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990
02. Approval of the details of the layout, scale of the buildings, appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the reserved matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990
03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
04. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details: -  
  
102403 - PL(90) 100 REV B Location Plan 16.04.20.  
102403 - PL(90) 103 REV D Site Parameter Plan 16.04.20.  
ITL15081-GA-001 REV C Proposed Site Access Arrangement 16.04.20.  
FRA & Drainage Strategy Report 07.07.20.  
FRA & Drainage Strategy Appendices 07.07.20.



FRA & Drainage Strategy Drawings 07.07.20.  
Bio-swale Road and Pavement 3 07.07.20.  
TANK1QMED 07.07.20.  
TANK2QMED 07.07.20.  
Transport Note 07.07.20.  
ITL15081-GA-005 REV A Swept Path Analysis for refuse vehicles 16.04.20.  
ITL15081-GA-006 REV B Removal of Cain Road Roundabout Arm 18.05.20.  
Wardell Armstrong (WA) Arboricultural Impact Assessment dated September 2019.  
BM11781 Arb Technical Note 20.10.20

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

05. No dwelling hereby permitted shall be occupied until the means of vehicular access to the site from Turnpike Road has been constructed in accordance with drawing ITL-15081-GA-001C with details contained in a s278 agreement that has been completed with the Highway Authority.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
06. The final dwelling on the development hereby permitted shall not be occupied until the access to the site from Cain Road has been closed and the footway/cycleway and verge reinstated in accordance with drawing ITL-15081-GA-006B.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
07. The internal road layout within the development and the pedestrian and cyclist link between the development and Cain Road shall be constructed to adoptable standards, compliant with the Bracknell Forest Council Highways Guide for Development, in accordance with details to be approved as part of a Reserved Matters application.  
REASON: In the interests of highway safety and amenity for pedestrians and cyclists.  
[Relevant Policies: Core Strategy DPD CS23]
08. No dwelling hereby permitted shall be occupied until associated vehicle parking and turning space for refuse collection and fire tender has been provided in accordance with details to be approved as part of a Reserved Matters application. The spaces shall not thereafter be used for any purpose other than parking and turning.  
REASON: To ensure that the development is provided with adequate parking and turning in the interests of highway safety.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
09. No development (including demolition and site clearance) shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:  
(a) Parking of vehicles of site personnel, operatives and visitors  
(b) Loading and unloading of plant and vehicles  
(c) Storage of plant and materials used in constructing the development  
(d) Wheel cleaning facilities  
(e) Temporary portacabins and welfare for site operatives  
and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.  
REASON: In the interests of amenity and road safety.

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

10. 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 demonstrating the depth of the seasonally high groundwater table.
  - Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table.
  - Confirmation the design accords with the runoff rates set out in the Approved Drainage strategy (Wardell Armstrong report version 2.0 dated 3rd July 2020).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.
11. Prior to occupation of any property a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted to and approved (in writing) by the Local Planning Authority. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes and cover systems.  
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
12. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays or public holidays.  
REASON: In the interest of amenity.
13. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority.  
The scheme shall include:
  - (i) specifications of control of noise arrangements for construction and demolition.
  - (ii) methodology of controlling dust, smell and other effluvia
  - (iii) site security arrangements including hoardings
  - (iv) proposed method of piling for foundations
  - (v) construction and demolition methodology
  - (vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
  - (vii) details of measures to mitigate the impact of demolition and construction activities on ecology.The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of the amenities of the area.
14. No development shall take place until details in respect of measures to:
  - (a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;
  - (b) Minimise the pollution potential of unavoidable waste;
  - (c) Dispose of unavoidable waste in an environmentally acceptable manner;have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all building operations.  
REASON: In the interest of amenity.

15. The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.  
REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policy: Core Strategy DPD CS10]
16. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:  
(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and  
(b) that (i) a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%); or (ii) fabric first efficiency measures shall be used to reduce at least the same proportion (20%) of carbon dioxide emissions as would be achieved through the use of on-site renewable energy production; or (iii) any combination of (i) and (ii) above to achieve that 20% reduction.  
REASON: In the interests of the sustainability and the efficient use of resources.  
[Relevant Plans and Policies: CSDPD Policy CS12]
17. No demolition of buildings/structures or felling of trees shall take place until:-  
(i) all the buildings/structures to be demolished on the site and any trees to be felled have been further surveyed for the presence of bats, and  
(ii) the further bat survey together with any recommendations for mitigation and monitoring has been submitted to and approved by the Local Planning Authority, and  
(iii) the Local Planning Authority has agreed that either no relocation of bats is necessary or that the relocation of bats has been satisfactorily achieved in accordance with the mitigation and monitoring proposals approved under part (ii) of this condition.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1, CS7]
18. No development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. An ecological site inspection report shall be submitted within three months of the first occupation.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1, CS7]

In the event of the S106 planning obligations not being completed by 12<sup>th</sup> January 2021, the Head of Planning be authorised to extend this period or **REFUSE** the application on the grounds of: -

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 Supplementary Planning Document (2018).

2. The proposed development would unacceptably increase the pressure on the community facilities. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions community facilities, the proposal is contrary to Policy SA1 of the Site Allocations Local plan, Policies CS6 and CS24 of the Bracknell Forest.

3. 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 'Saved' 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.

4. The application fails to demonstrate that it protects and enhances biodiversity in accordance with Policies CS1 and CS7 of the Core Strategy Development Plan Document, the NPPF (2019), Circular 06/05, the NERC Act 2006 and the Conservation of Habitats and Species regulations 2010.

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 and it has not been shown that use of SuDS would be inappropriate for the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.

6. It has not been demonstrated that the new access and footway/cycleways will adequately and safely accommodate future development traffic as they would not be built to an adoptable standard. As such the development could have an unacceptable impact on highway safety and therefore would not comply with CSDPD Policy CS23 and the NPPF.

### **Informatives**

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

02. The following conditions require discharge prior to the commencement of ANY development: 9, 10, 13, 14, 15, 16, 17 and 18.

03 The following conditions require discharge prior to the occupation of the dwellings hereby approved: 5, 6, 8 and 11.

04. No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 3, 4, 7 and 12.

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

### **Doc. Ref: Uniform 7/DC/Agenda**

The application file to which this report relates can be viewed on-line at the Council's Time Square office during office hours or online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)

**ITEM NO: 9**

Application No.  
**20/00072/FUL**  
Site Address:

Ward:  
Wildridings And Central

Date Registered:  
31 January 2020

Target Decision Date:  
1 May 2020

**Bus Depot and Offices Coldborough House Market  
Street Bracknell Berkshire**

Proposal:

Section 73 application for variation of conditions 02 (approved plans as already amended under 19/00731/NMA) and 20 (energy statement) of planning permission 18/00964/FUL for the redevelopment of the site to provide a building of up to 11 storeys accommodating 242no. flats, commercial space and ancillary works.

[Note for clarification, changes proposed comprise:

**Condition 02**

- Revised floor to floor heights leading to a reduction in the overall building height
- Revised column layouts on the ground and first floor
- The replacement of 5no. 1-bedroom flats with 2-bedroom apartments (Units 018, 034, 041, 048 and 054)
- Additional air vents on external elevations
- Ground and first-floor louvres to parking areas amended to allow for use of concrete upstand
- 200 sq.m. area of cladding on north west elevation replaced with a white render
- External green wall to central courtyard removed
- Projecting balconies omitted in lieu of a glazed-external balustrades
- Landscaping plan amended to take account of existing foul and storm sewer easement across site and to amend courtyard planting

**Condition 20**

Revised Energy Statement proposed with installation of 306 Solar PV Panels.]

Applicant:

Mr Damien Siviter

Agent:

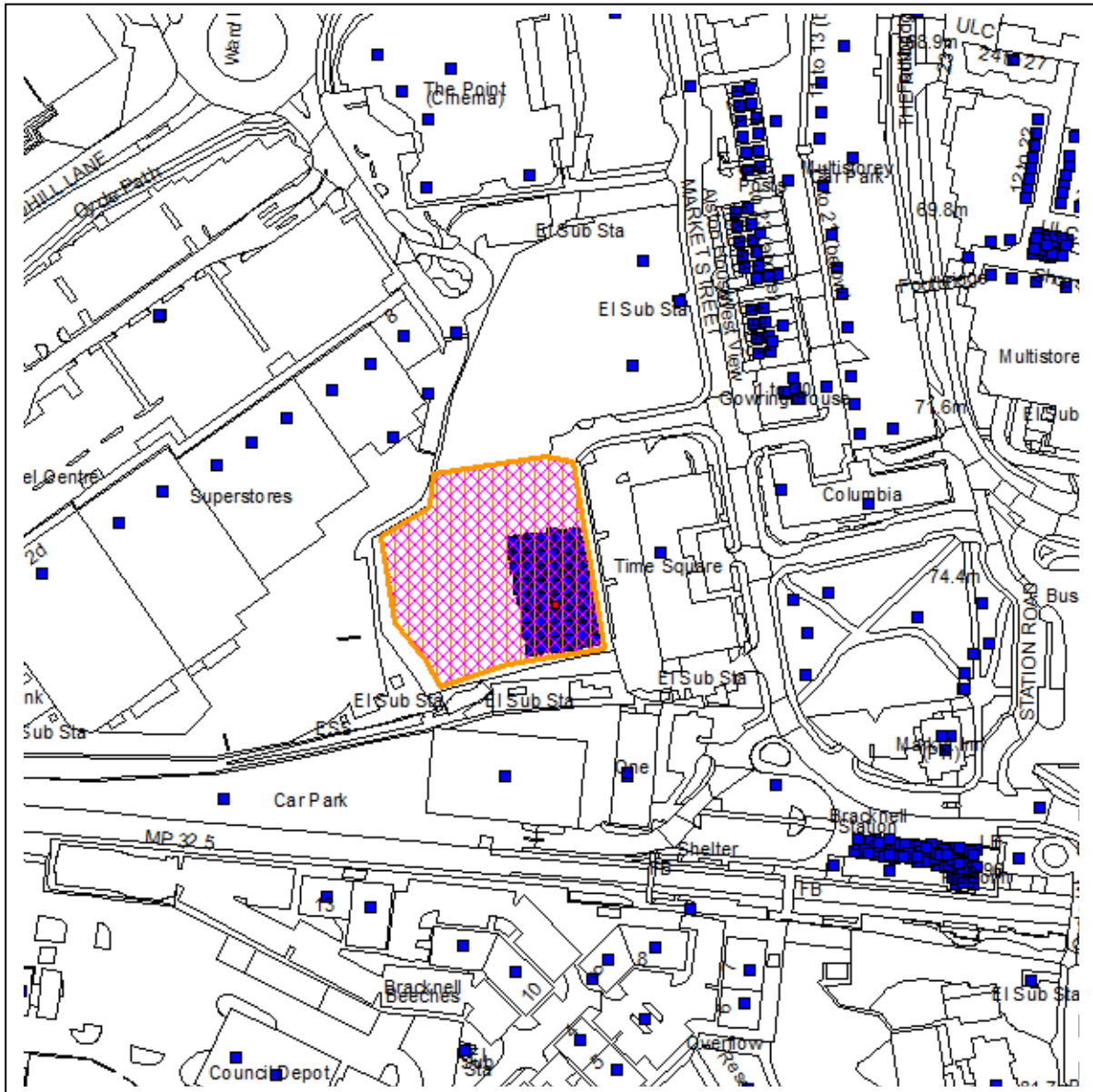
Mrs Kamaldeep Saini

Case Officer:

Jo Male, 01344 352000

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

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



## **OFFICER REPORT**

### **1.0 SUMMARY**

- 1.1 Full planning permission (18/00964/FUL) was granted in December 2018 for the redevelopment of this town centre site to provide a building of a maximum of 11 storeys accommodating 242no. dwellings (144 x 1 bedroom flats and 98 x two bedroom flats), up to 225sq.m of commercial floorspace (Use Classes A1, A2, B1, D1 and D2) and ancillary works including car parking, cycle parking and landscaping. The permission was granted following the completion of a s106 agreement which secured SPA mitigation, affordable housing, long-term management of SuDS, highways improvements and a contribution towards off-site OSPV and biodiversity enhancements.
- 1.2 Following a change in ownership of the site and since the grant of this planning permission, details have been submitted and approved pursuant to a number of conditions of the original permission, and a non-material amendment (NMA) was granted for various small-scale amendments to the layout and design of the scheme. The current application is submitted under s73 of the Town and Country Planning Act and seeks further amendments to the approved scheme, as set out in this report.
- 1.3 The principle of the development has been accepted and the nature of the proposed changes have been carefully considered as part of this application. Whilst some of the changes proposed, for example, the loss of the projecting balconies, are considered regrettable, the applicants have submitted information detailing why the proposed changes are required. Following advice from appropriate consultees, it is considered that these changes are not sufficient to warrant refusal of the application. Accordingly, approval of the application is recommended.

### **2.0 REASON FOR REPORTING APPLICATION TO COMMITTEE**

- 2.1 The application is reported to the Planning Committee at the request of Councillor Mrs. Hamilton due to concerns relating to the loss of the green wall within the courtyard and the projecting balconies.

### **3.0 SITE DESCRIPTION**

- 3.1 The application site, which has an area of 0.62ha, lies to the west of Market Street from which it is separated by the Council's offices at Time Square. The site's northern boundary abuts an area formerly used for car parking in association with offices at Amber House. That site has been cleared before being redeveloped.
- 3.2 The site's western boundary adjoins the service area to the rear of retail premises at The Peel Centre. Time Square, to the east, is a five storey office building with associated car parking. It lies at a higher level than the application site. A substation lies to the south of the site beyond which is a decked car park situated behind The One office block.
- 3.3 The application site is flat and has recently been cleared. It previously accommodated a two-storey office/garage building, vehicle wash and valet facility and a large area of hardstanding associated with its use as a bus depot.

3.4 The site lies within Bracknell town centre and within 5km of the Thames Basin Heaths Special Protection Area (SPA).

#### **4.0 RELEVANT SITE HISTORY**

4.1 Details of the site's relevant planning history are set out below:

18/00326/FUL Redevelopment of site to provide a building with a maximum height of 11 storeys accommodating 246no. residential units, up to 130 sq m of commercial space (use classes A1, A2, B1, D1 and D2) and ancillary works including car parking, cycle parking and associated landscaping. Refused August 2018, appeal lodged but subsequently withdrawn. The reasons for refusal related to unacceptable levels of daylight for future occupiers, inadequate parking, impact on SPA, lack of a legal agreement covering issues of affordable housing, highway requirements and open space, and the lack of SUDS for management of surface water run-off.

18/00964/FUL - Redevelopment of site to provide a building with a maximum height of 11 storeys accommodating 242no. residential units, up to 225sq m of commercial space (use classes A1, A2, B1, D1 and D2) and ancillary works including car parking, cycle parking and associated landscaping. Approved with Legal Agreement.

19/00514/DEM - Application for prior approval for demolition of office/workshop building and associated structures. Prior approval not required.

19/00087/COND - Details pursuant to conditions 03 (floor levels), 04 (external materials), 07 (car parking management and signing), 14 (biodiversity) and 23 (lighting scheme) of planning permission 18/00964/FUL. Approved.

19/00114/COND -| Details pursuant to condition 09 (Site organisation) of planning permission 18/00964/FUL. Approved.

19/00115/COND - Details pursuant to conditions 10 (Drainage systems) and 12 (Drainage strategy) of planning permission 18/00964/FUL. Approved

19/00116/COND - Details pursuant to condition 15 (Bird nesting) of planning permission 18/00964/FUL. Approved

19/00117/COND - Details pursuant to condition 16 (Tree protection) of planning permission 18/00964/FUL. Approved.

19/00118/COND - Details pursuant to condition 18 (contaminated land) of planning permission 18/00964/FUL. Approved.

19/00731/NMA - Application for a non-material amendment to details approved under condition 02 (approved drawings) of planning permission 18/00964/FUL. Approved. The changes agreed comprised:-

- relocation of sub-station and revision to car park ramp width with associated amendments to landscaping;
- amendments to decked parking area including cycle parking details;
- revised reception, plant and refuse layout with relocation of Stair/lift Core 01 resulting in amendment to internal layout of apartments up to 8th floor and changes to the east and courtyard elevations;



- changes to layout of non-residential floorspace resulting in a reduction in floorspace from 225 sq m to 221 sq m;
- alterations to window and door positions to accommodate internal alterations;
- courtyard window to internal communal area reduced in width (affects second/third floor plan and courtyard elevation);
- reduction in size of balconies on north-west elevation and north (courtyard) elevation;
- addition of pathways to green/brown roofs;
- courtyard canopy reduced to cover entrance doors only; and
- external timber cladding to have a wider board width (approx. 300mm).

20/00046/COND - Details pursuant to condition 11 (SUDs Maintenance) of planning permission 18/00964/FUL. Approved.

20/00065/COND - Details pursuant to condition 18 Part B (Contaminated land) of planning permission 18/00964/FUL. Approved.

## **5.0 THE PROPOSAL**

5.1 This is a s73 application which seeks to vary conditions 02 (approved plans as already amended under 19/00731/NMA) and 20 (energy statement) of planning permission 18/00964/FUL for the redevelopment of the site to provide a building of up to 11 storeys accommodating 242no. flats, commercial space and ancillary works.

5.2 The changes proposed to the plans approved by Condition 02 comprise the following:

- Revised floor to floor heights leading to a reduction in the overall building height
- Revised column layouts on the ground and first floor
- The replacement of 5no. 1-bedroom flats with 2-bedroom apartments (Units 018, 034, 041, 048 and 054)
- Additional air vents on external elevations
- Ground and first-floor louvres to parking areas amended to allow for use of upstand
- 200 sq.m. area of cladding on north west elevation replaced with a white render
- External green wall to central courtyard removed
- Projecting balconies omitted in lieu of a glazed-external balustrades
- Landscaping plan amended to take account of existing foul and storm sewer easement across site and to amend courtyard planting

5.3 In addition, it is proposed to revise the details approved under Condition 20 which previously approved an Energy Statement for the site. The Revised Energy Statement proposes the use of 306 solar photo voltaic panels on the roof of the proposed building.

## **6.0 REPRESENTATIONS RECEIVED**

6.1 Bracknell Town Council made the following observation to the originally proposed plans:

"Although B.T. Councillors have no objection with most elements of this application they are disappointed to see the removal of trees and the green wall from the plans and would suggest some other green planting is carried out to compensate for these changes".

- 6.2 Binfield Parish Council have raised No Objection to the application.
- 6.3 The application has been advertised by way of a site notice and no representations have been received in respect of the proposal.

## **7.0 PLANNING CONSIDERATIONS**

### **a) Principle of Development**

- 7.1 The principle of this development was considered at the time that planning permission was granted by virtue of planning permission 18/00964/FUL. The redevelopment of this previously developed site, principally for high density residential accommodation, was considered to be in accordance with development plan policies including CSDPD CS1, CS2 and CS3 and BFBLP Policy E1. It was also noted that the site is identified for potential residential-led development in the emerging Local Plan under Policies LP3 and LP8, although at this time little weight could be accorded these policies.
- 7.2 Since this time there has been no change to the development plan (including the weight to be afforded the draft Local Plan) and the principle of the development remains acceptable. The remainder of this report therefore focuses on the nature of the amendments proposed as part of this S73 application. These are considered individually below:

### **b) Amendments to approved scheme**

1. Revised floor to floor heights leading to a reduction in the overall building height
- 7.3 The revised plans show a reduction in the storey heights from 3.075m to 2.895m. Internal ceiling heights for habitable rooms is reduced to 2.4m with those to corridors, bathrooms and stores being 2.2m. The Council's Building Control Manager has been consulted and has confirmed that there is no minimum height for habitable rooms although a minimum 2m headroom is required to all escape routes. This is achieved throughout the building.
- 7.4 The Highway Authority confirmed that a minimum floor to ceiling height of 2.6m is required in areas where two-tier cycle parking is proposed and this is achieved in the relevant areas.
- 7.5 The amendments to the storey heights results in an overall reduction in the height of the building of approximately 1.4m. This reduction in scale is modest in relation to the overall height of the building (35m) and will have no material impact upon the visual appearance of the building when viewed from beyond the site. The change is considered acceptable.
2. Revised column layouts (ground and first floor)
- 7.6 The submitted plans show revisions to the position of columns on the ground and first floor within the undercroft parking. This change does not have any visual impact beyond the building. Initially, concern was raised that the revised positioning of the columns compromised some of the parking, however following the submission of amended plans, the Highway Authority has confirmed that this issue has been addressed. The proposed change is considered acceptable.

### 3. Replacement of 1no. bedroom flats with 2no. bedroom flats

- 7.7 It is proposed to increase the size of 5no.units (Nos. 018, 034, 041, 048 and 054) from 1-bedroom to 2-bedroom dwellings. This proposed change does not affect the car parking ratio, as the Town Centre Parking Standards in Table 5 of the Parking SPD are on a 'per dwelling' basis. However, the change does affect cycle parking, as this requirement within the SPD is 'per bedroom'. Accordingly, 5 additional secure cycle parking spaces are required and these have been shown on the submitted plans.
- 7.8 This change also has implications for the required mitigation measures set out in the Appropriate Assessment (AA) which was undertaken in respect of the original application 18/00964/FUL. Given the increase in the number of bedrooms of 5 no. of the permitted units, additional SANG and SAMM contributions are required in order that the development provide sufficient mitigation for its impact upon the integrity of the Thames Basin Heaths Special Protection Area.
- 7.9 The amounts required are as follows, payable on the commencement of the development and should be secured by a variation to the completed s106 or an additional s106 deed:
- £4,220 towards Suitable Alternative Natural Greenspaces (SANGs); and,
  - £635 towards Strategic Access management and Monitoring (SAMMs);
  - monitoring fee of £480.
- 7.10 Subject to the applicant entering into the appropriate legal agreement to secure these additional payments, it is considered that the proposed change of 5no. units from 1 to 2 bedrooms is acceptable.
4. Additional air vents on external elevations
- 7.11 The proposed additional air vents are small scale and would have no material impact upon the design or appearance of the building such that this change is considered acceptable.
5. Ground and first-floor louvres to parking areas replaced by concrete upstand and externally fitted slats
- 7.12 The approved scheme showed louvred panels screening the parking on the ground and first floors. As originally submitted, the plans showed these louvres removed and replaced with a concrete upstand. In response to concerns raised, an alternative solution has been submitted showing externally fitted slatted car park screening in orange, attached to a white rendered, concrete upstand. The slats would be intermittent and would not extend the length of the southern façade, however this area has no public visibility due to its relationship with the retaining wall, and electricity sub-station located adjacent to this boundary.
- 7.13 The proposed materials have been accepted elsewhere on the building and it is considered that the slats will provide sufficient screening to the car park such that this amendment is acceptable.
6. 200 sq.m. area of cladding on north west elevation replaced with a white render
- 7.14 It is proposed to remove an area of cladding from the northern elevation of the building and replace it with white render. Extracts from the relevant plans are included below. The applicants consider that this change would result in a more coherent design detailing. Render is used on the remainder of this façade and it is not considered that this proposed change will have a materially adverse impact on the design or appearance of the building.

Approved North Elevation



Proposed North Elevation



7. External green wall to central courtyard removed

7.15 The original proposal indicated climbing plants on a wire frame at first floor level of the courtyard elevation at the southern end of the site. This has been removed. Whilst this is considered regrettable, the Biodiversity and Landscaping Officers have not raised any specific objection to this amendment and have considered the revised landscaping plans as a whole (see below).

8. Balconies omitted in lieu of a glazed external balustrades

7.16 The approved scheme incorporated off-set balconies on all elevations which would be enclosed by a toughened glass balustrade coloured red, green or yellow. These features gave visual interest to the building and provided individual amenity space for future occupants. An extract of the approved elevational drawings showing the balconies is included below:



5 Proposed West Elevation

- 7.17 The amended scheme removes all of these projecting balconies, replacing them with Juliet balconies, which would be finished with the same coloured, glazed panels. Whilst the retention of the coloured materials maintains a level of visual interest, the proposed amendment removes the 3D element of the design and the outdoor space previously provided to each flat. An extract from the proposed plans is included below:



- 7.18 In response to concerns expressed by Officers the agent has provided the following information:

I refer to your request to have greater details on why our fire and CDM (health and safety) approach to the above Site is different to that scheme you permitted planning permission. As you noted, the elevational plans are very similar and the principal difference is in "the 3d urban design form" to that you negotiated with the previous planning agent and architect consultants.

As you will recall for our conference call I believe you confirmed with Colleagues that the permitted scheme does not meet fire regulations but I don't believe you had confirmation that from a CDM perspective the scheme also fails on grounds of access and maintenance. The permitted scheme does not meet the necessary RIBA design recommendations and building regulations. You will also note that lenders and financing requirements are moving away from the inclusion of balconies that cannot be accessed and maintained.

A lot of this change is still evolving and we have to seek to achieve what future requirements might be when the residential units come to the market. It is not enough to be meet building regulations today if mortgage lenders refuse to finance properties once built. The current guidance as established is seeking to learn from

the devastating fire at Grenfell Tower. The RIBA's called for the immediate commencement of the delayed formal review of Building Regulations Approved Document B; a review recommended by the Coroner after the inquest into the deaths resulting from the 2009 fire at Lakanal House.

At September 2018 - Combustible materials: RIBA's position explained (I believe this to the very latest position but as I sent on last week this is currently changing): "Following the devastating fire at Grenfell Tower on 14 June 2017, the RIBA argued for a ban on combustible materials in the external walls of high rise buildings. After a detailed investigation we believe this is the only way to ensure buildings were safe for the public. In responding to the Ministry of Housing and Local Government's (MHCLG) consultation on banning combustible materials, the RIBA took the opportunity to produce a robust set of recommendations for the UK Government and the industry".

Their recommendations include:

- A ban on combustible materials in external wall construction on buildings over 18m in height must be imposed.
- Within external wall construction, the ban should restrict sheathing boards, insulation and outermost cladding products to European classification A1 products only. The ban should not include the buildings primary structure. The primary structure should have adequate fire protection (see Building Regulations Requirement B3).
- The ban should restrict window spandrels, balconies, brise soleil, and similar building elements to European classification A1 products only.
- The ban should restrict plasterboard to European Classification A2-s1, d0 products and above only, as the RIBA is unaware of any A1 certified plasterboard products.

The RIBA recommendations to its members

"Members are recommended to:

Follow the RIBA position on combustible materials in their designs

Carefully consider the performance characteristics of the key products that will go into external walls and on the outside of their buildings

Be sure they understand the classifications and how they relate to fire safety

We are aware that insurance brokers are requesting additional information relating to cladding and while it might be possible to negotiate cladding cover in some exceptional circumstances, broadly speaking insurers are unwilling to write cover that will give them any potential exposure to combustible cladding. This suggests that irrespective of a ban, insurers have already settled the issue as far as their PI policy holders are concerned."

Principal Designer (formerly CDM) - Access and Maintenance - Construction (Design and Management) Regulations 2015

As this is being processed to be built, we have engaged a principal designer to take independent control of the pre-construction phase of the project. The Principal designer has role in specifically to influence how risks to health and safety are managed throughout a project. Design decisions made during the pre-construction phase have a significant influence in ensuring the project is delivered in a way that secures the health and safety of everyone affected by the work.

The role of any Principal designers must:

- plan, manage, monitor and coordinate health and safety in the pre-construction phase. In doing so they must take account of relevant

information (such as an existing health and safety file) that might affect design work carried out both before and after the construction phase has started

- help and advise the client in bringing together pre-construction information, and provide the information designers and contractors need to carry out their duties
- work with any other designers on the project to eliminate foreseeable health and safety risks to anyone affected by the work and, where that is not possible, take steps to reduce or control those risks
- ensure that everyone involved in the pre-construction phase communicates and cooperates, coordinating their work wherever required
- liaise with the principal contractor, keeping them informed of any risks that need to be controlled during the construction phase

In order to access the external balconies around the Site via a machine, you would need some sort of large reach mobile elevated work platform capable of accessing the majority of the external elevations up to 36m in height. These all work to similar physical parameters at 36m with a 13.9 m outreach it is able to work from a slope of up to 30%. This platform unit has a crawler base to cross landscaped areas and 4 outriggers (the load per outrigger is 35kN). To spread the loads spreader plates can be used on each of the outriggers. The point loads of the machines will impact on the surrounding landscape and this has been identified as being difficulty to co-ordinating with appropriate hard and soft landscape arrangements and boundary limitations to ensure sufficient access possible. The highest elevation (BW07 B) at approximately 35,000mm the work platform is required to be positioned between 7,500mm and 9,000mm from the façade. However, when accessing lower elevations below 18m the unit can be positioned closer to the façade and can operate at angles which may minimize physical disruption. [see attached drawing of standoffs]

The Principal Designer has reviewed the permitted development and comments as follows in line with the current requirements of the Construction (Design & Management) Regulations 2015:

"Due to the site boundary restrictions, i.e. limited level space at ground level around the proposed building for a large reach mobile elevated work platform. the only access strategy available for facade cleaning and maintenance would be by operatives abseiling from the roof. That said the original permitted planning permission was for offset balconies to the building elevations which did not give clear vertical access therefore creating a hazardous decent whilst trying to carry out cleaning and maintenance operations".

Regulation 9(2)(b) CDM 2015 states that a designer must take into account the general principles of prevention to eliminate so far as is reasonably practicable foreseeable risks to health and safety of any persons " (b) maintaining or cleaning a structure"

Clearly therefore to comply with the current regulations the reduction of risk for future operatives is to omit the offset balconies in this instance in favour of Juliette balconies which whilst still giving some detail to the facade offer a safer vertical access for work on what is still a challenging building envelope design.

- 7.19 Further to the request that the application be determined by the Planning Committee, the applicant has requested that the following comments be provided to Members:

As previously set out and agreed with your colleagues, the approved cantilevered balconies under the current planning approval (ref: 18/00964/FUL) are not deliverable in accordance with current Building Regulations and results in the scheme being unmortgageable for future residents. As requested by the planning officers we have maintained the high quality appearance of the permission through the use of Juliet balconies comprised of laminated glass, which have been encapsulated within a fixed frame to comply with Buildings Regulations. There is also a requirement to ensure all new cladding systems can be maintained and the proximity of the building to the boundary in combination with the balconies has resulted in further Health and Safety maintenance implications. Again, agreed with your officers.

We recognised the need to counterbalance the loss of balcony space and have amended the available scheme to increase amenity space for future residents, which comprises as follows:

**Amenity Areas (Shared 809m<sup>2</sup>)**

Main reception – **110 sq.m.**

Treatment rooms (47m<sup>2</sup>), Dining club (52 m<sup>2</sup>), Collab (92 m<sup>2</sup>), Orangery/wellness (148 m<sup>2</sup>) – **Totalling 339 sq.m.**

Second floor external terrace – **200 sq.m.**

Ninth floor external terrace – **160 sq.m.**

Overall, the proposed development provides 809 m<sup>2</sup> of shared amenity space for future residents, providing opportunities for social interaction within secure spaces. On the basis of the above, the proposed inclusion of Juliet balconies and the provision of new amenity space continues to accord with the provisions of Policy CS7 of the adopted Core Strategy, which seeks to deliver developments of a high quality design.

[OFFICERS NOTE: references to issues being agreed by officers relate to an acknowledgement of the information provided and not an agreement that the proposed loss of the balconies is necessitated by concerns in respect of the chosen material or by maintenance issues. The officer's consideration of these issues is set out below].

- 7.20 The concern about use of non-combustible materials is clear however could be overcome by the use of alternative materials. However, as indicated above, the applicant is of the view that the provision of off-set balconies would not be consistent with the CDM Regulations which require designers to take into account foreseeable risks including those associated with the maintenance and cleaning of a structure. The reason that this concern is said to necessitate the removal of the balconies on this site is due to the proximity of the permitted building to the site's boundaries which would inhibit the use of a mobile elevated work platform to be used for cleaning purposes.
- 7.21 The Building Control Manager has been consulted and has confirmed that Part K of the Building Regulations does stipulate a need to design a building so that glazing/glazed elements can be cleaned safely from both sides, but comments that for occupants this can probably be done safely from within the boundary of the balcony. He confirms that there is no requirement to be able to clean the rest of the façade under the Building Regulations.



7.22 The Health and Safety Executive (HSE) are the enforcing authority for the CDM Regulations and they have been consulted. Their initial response stated:

You are quite right that Regulation 9 of CDM 2015 places a duty on designers and that Regulation 9(2)(b) requires that "When preparing or modifying a design the designer must take into account the general principles of prevention and any pre-construction information to eliminate, so far as is reasonably practicable, foreseeable risks to the health or safety of any person — maintaining or cleaning a structure".

The building in question is quite clearly a structure, and the general principles of prevention that are to be followed are set out both in Schedule 1 of the Management of Health and Safety at Work Regulations 1999 and in Appendix 1 of the CDM 2015 guidance document L153 (set out here for reference)

1 These principles are a requirement of the Management Regulations and apply to all industries, including construction. They provide a framework to identify and implement measures to control risks on a construction project.

2 The general principles of prevention are to:

(a) avoid risks;

(b) evaluate the risks which cannot be avoided;

(c) combat the risks at source;

(d) adapt the work to the individual, especially regarding the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work, work at a predetermined work rate and to reducing their effect on health;

(e) adapt to technical progress;

(f) replace the dangerous by the non-dangerous or the less dangerous;

(g) develop a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;

(h) give collective protective measures priority over individual protective measures; and

(i) give appropriate instructions to employees.

In essence the designer is required to design out risks where it is possible to do so, and if that is not possible then assess those that cannot be avoided and put in place measures to reduce those to an acceptable level. In doing so a designer needs to be aware of other relevant legislation that might also have an impact. That might be Building Regulations or other health and safety law. In this instance the designer will definitely need to consider application of the Work at Height Regulations 2005, and the hierarchy of control within those. Use of abseiling for cleaning and maintenance is very low down in the hierarchy of control and there would need to be a very clear and robust risk assessment to justify such a system, when safer alternatives are available. It does sound like the new developer is considering these matters.

As we do not have full information about the specific location, and we do not offer a consultancy service, we cannot offer any categoric position with respect to this particular development.

7.23 A subsequent response was received which stated:

The advice you have already been given is very sound. I would like to add that the CDM 2015 Regulations are Health & Safety Law, not Planning Law, and a CDM issue should not decide a planning matter!

Of course HSE recognises that the CDM duties on designers will impact on the way designers present buildings for Planning Approval, but the Developer has many choices available in determining how the structure of a building should enable cleaning and maintenance over the long term. The selection of abseiling as a window cleaning technique depends on personal protective measures, and ought to be a last resort, in a designers mind. In many high rise buildings provision of balconies leads to long lasting benefits to the health & safety of those maintaining or cleaning a structure.

- 7.24 The removal of the external balconies is considered regrettable, due both to the loss of them as a design feature, and also as a result of the removal of any private outdoor amenity space to serve the proposed dwellings.
- 7.25 The landscaped area around the building is not intended to be generally accessible to residents as it will be densely planted to ensure appropriate landscape mitigation and biodiversity gains. However, the revised landscaping plans do show the addition of 3no. sitting out areas along the site's western boundary that were not previously provided. The internal courtyard within the building envelope provides some planted amenity space which incorporates seating, as envisaged by the original scheme. In addition, the 2 storey link between the two blocks at the south-western corner of the site provides a communal terrace at second floor level. Within the block on the western side of the site there is a double height orangery and wellness area accessed from the 2nd floor and at 9th floor level of the block extending into the site's north-western boundary is a further shared amenity area. A total of 50 apartments will retain external balconies where these are provided within the confines of the existing roof scape.
- 7.26 It is acknowledged that the issue of poor levels of daylight and sunlight to a number of proposed apartments was a matter of concern to the Planning Committee in their initial consideration of development on this site (application 18/00326/FUL). The subsequently approved scheme adopted an amended design intended to optimize access to daylight/sunlight for the proposed units.
- 7.27 The approved scheme was accompanied by a Daylight, Sunlight and Overshadowing Assessment. Whilst this acknowledged that 26 flats did not have at least one room meeting relevant average daylight factors (ADF) and 11 flats fell short of annual and winter sunlight criteria, these units tended to be at the lower levels of the blocks and typically faced onto the central courtyard. In relation to daylight, the report confirmed that a room with an ADF lower than the guidance can still be well-lit within the front part of the room, close to the opening, but with less daylight reaching the back end of the room. In this instance the design of the kitchen/living room/diners (KLD) incorporated deep layouts and since the ADF is calculated as a function of room surface area, deeper rooms are penalized in terms of ADF figures. The report concluded that even the KLDs that fall short of the guidance target could be expected to have a well-lit living room area with a less well-lit kitchen counter area located towards the rear.
- 7.28 Similarly, in relation to sunlight, it was noted that the 11 flats that fall short of the annual and winter sunlight hours criteria are located on the lowest floors with windows facing the internal courtyard, overshadowed by the surrounding parts of the development. It confirms that the limited access to sunlight is related to the size of the KLDs and that the living areas close to the openings will receive good amounts of sunlight, while the open kitchens to the rear will be darker.

- 7.29 In assessing the daylight and sunlight available to individual units, an internal measure of light was used and no reliance was placed on the provision of the balcony space in order to achieve a suitable standard of amenity for residents. Indeed, the removal of overhanging balconies may marginally improve levels of daylight/sunlight to lower units. Accordingly, the removal of the balconies would not raise any additional concerns in terms of future occupiers' access to sunlight/daylight.
- 7.30 Whilst there is concern that the proposed amendment means that 80% of the proposed units will have no access to any private amenity space, it is acknowledged that the proposed development provides some access to communal spaces and that the removal of the balconies will not adversely impact on the issue of daylight/sunlight provided to future residents which was previously considered acceptable. The amendment is considered to reduce the design quality of the scheme through the removal of the '3D' element of the scheme, however when viewed from a distance, the visual impact of this change is unlikely to be significant given that the use of the distinctive palette of materials previously approved, is still proposed.
- 7.31 The applicant has provided information which seeks to justify the loss of this feature on health and safety grounds, resulting from the constraints of the site. Consultations have been undertaken in order to test the validity of this justification and, whilst not conclusively stating that such off-set balconies should not be provided, these support the applicant's contention that the issues raised are material considerations in the design of any building. In the absence of any alternative information allowing the LPA to conclude that these concerns should not be taken into account in the planning process, and the limited level of harm that will result, it is considered that this proposed change should be accepted.

9. Landscaping plan amended within central courtyard and to take account of existing foul and storm sewer easement

- 7.32 At the time that application 18/00964/FUL was considered a single oak located on the site's western boundary was protected by TPO No. 160. This tree, together with two other oaks of a similar age were considered by the Tree Officer as warranting retention. However the approved scheme allowed the removal of the trees and the approved landscaping scheme secured additional planting to mitigate their loss.
- The Officer's report stated:  
 "9.73 To mitigate the loss of the existing trees the application proposes tree planting, which can be secured by condition, around the western edge of the site which will increase the overall number of trees on site. The replacement trees will also form part of the green infrastructure of the site linking to the wider area and will provide green corridors to assist with the aim of increasing biodiversity and reflect the historic tree line".
- 7.33 As submitted, the current application proposed the removal of 15 of the previously proposed trees impacted by an existing foul and storm sewer easement and proposed amendments to the planting within the courtyard (together with the removal of the climbing plants forming a green wall as referred to above).
- 7.34 The 3m easement is shown running down both the eastern and western boundaries of the site. The permitted building, does not encroach over the easement except in its north-west corner where the ramp to the car parking is shown extending above it. Thames Water have been consulted and have confirmed that they are satisfied that the building will not prevent access to the sewer. Accordingly, its implications

are limited to the impact it has on the approved landscaping scheme, since certain species are not considered appropriate to be planted within such an easement.

- 7.35 The changes initially proposed were considered unacceptable as they resulted in a landscape scheme that did not mitigate the loss of several mature trees on the application site or reflect the scale of the built development.
- 7.36 A series of revised plans have been submitted in order to address concerns expressed by both the Landscape and Biodiversity Officers. The scheme now proposed shows:
- Provision of additional seating area along the western boundary of the site
  - Revisions to central area of landscaping within courtyard to provide more extensive area of landscaping
  - Change in planting so that greater proportion of those proposed are large natives and native cultivars
  - Change in shrub mix to provide more native species and greater biodiversity value
- 7.37 Both the Biodiversity Officer and Landscape Officer have confirmed that they are now satisfied with the revised proposals.
- 7.38 10. Amendment to Condition 20 to refer to revised energy demand assessment.  
The revised Energy Demand Statement dated August 2020 sets out how the building will reduce energy demand through the use of passive design and by targeting fabric efficiency, and sets out how 20% of the development's energy requirements will be provided for by on-site renewable energy production from the installation of 306 solar panels mounted on the flat roof of the building.
- 7.39 The Renewable Energy Officer has confirmed that these details are acceptable and it is considered that the submitted report would ensure that the scheme complies with Policy CS12 of the CSDPD.

## **8.0 CONCLUSION**

- 8.1 This s73 application proposes a number of minor, material amendments to the scheme approved by virtue of planning permission 18/00964/FUL. These are considered to be acceptable for the reasons set out in this report. The application is therefore recommended for conditional approval subject to the completion of a deed of variation to the original s106 agreement or a supplementary agreement, securing additional SPA mitigation measures.
- 8.2 In granting an application under s73 of the TCPA, a new permission is effectively issued, although such an application cannot be used to extend the time period for the implementation of the original consent. As a result, the new permission granted will be subject to a condition requiring development to commence within 3 years of the original planning permission (granted on 30th November 2018) and all other conditions will be updated to refer to any details approved pursuant to conditions of 18/00964/FUL and the previously agreed NMA. In order to avoid confusion, the applicants have issued a revised set of plans which include the previously approved details, but updated to refer to the amended scheme the subject of this application and the amended conditions will refer to these plans.

## **9.0 RECOMMENDATION**

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

- SPA mitigation measures

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission 18/00964/FUL which was granted on 30th November 2018.

REASON: To comply with Sections 73 and 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:-

LOC Location Plan

3080-009H - Proposed Block Plan

3080-100N - Proposed Ground Floor Plan

3080-101J - Proposed First Floor Plan

3080-102J - Proposed Second Floor Plan

3080-103F - Proposed Third Floor Plan

3080-104E - Proposed Fourth Floor Plan

3080-105E - Proposed Fifth Floor Plan

3080-106E - Proposed Sixth Floor Plan

3080-107E - Proposed Seventh Floor Plan

3080-108D - Proposed Eighth Floor Plan

3080-109D - Proposed Ninth Floor Plan

3080-110E - Proposed Tenth Floor Plan

3080-111L - Proposed Roof Plan

3080-115A - Proposed Canopy Details

3080-116 - Proposed Ramp Vehicle Tracker

3080-325A – Typical Apartment Layout

3080-200L - Proposed East & North Elevations

3080-201K Proposed South & West Elevations

3080-202K - Proposed Courtyard Elevations 01

3080-203K - Proposed Courtyard Elevations 02

3080-301J - Proposed Section A-A

3080-302E - Proposed Section B-B

3080-303H - Proposed Section C-C

3080-204F - Proposed Elevation Details

3080-340 - Proposed Second Floor Courtyard

3080-341 - Proposed Ninth Floor Courtyard

3080-327 - Proposed Parking Screen

D2945-FAB-XX-00-DR-L-3000 PL02 Soft Landscape General Arrangement - Sheet 1

D2945-FAB-XX-00-DR-L-3001 PL02 Soft Landscape General Arrangement - Sheet 2

D2945-FAB-XX-00-DR-L-3002 PL02 Soft Landscape General Arrangement - Sheet 3

D2945-FAB-XX-00-DR-L-3003 PL02 Soft Landscape General Arrangement Specification - Sheet 4

D2945-FAB-XX-XX-SP-L-1000 Landscape Maintenance and Management Plan

CWA-18-243-028\_P3 Sewer Easement Perimeter Sections

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

03. The development shall be carried out in accordance with the approved Proposed Floor and Site Levels as originally approved by the Local Planning Authority pursuant to condition 03 of 18/00964/FUL under reference 19/00087/COND and as shown on Drawing 3080-400C.

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

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

04. The development shall be carried out in accordance with the approved details of external materials as originally approved pursuant to condition 04 of 18/00964/FUL under reference 19/00087/COND and as shown on the elevational drawings and 3080-401B - Digital Sample Board.

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

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

05. No residential or commercial unit shall be occupied until means of pedestrian and vehicular access to it have been constructed in accordance with the approved drawings.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

06. No residential or commercial unit shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawings. The spaces shall not thereafter be used for any purpose other than parking and turning.

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

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

07. The car parking spaces shall be provided, signed and managed in accordance with the details originally approved pursuant to condition 07 of 18/00964/FUL under reference 19/00087/COND and as set out in the Carpark Management Plan v6 prepared by itransport, and drawings 3080-402 Rev D Signage Details to Car Park, 3080-404 Rev C Proposed Ground Floor Site Plan and 4080-405 Rev C Proposed First Floor Plan. The spaces, signage and management shall thereafter be retained.

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

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

08. No residential or commercial unit shall be occupied until associated approved cycle parking facilities have been provided in accordance with the approved drawings. The facilities shall be retained as approved.

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

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

09. The development shall be undertaken in accordance with the revised Construction Management Plan prepared by Vascroft Contractors Ltd. and approved pursuant to condition 09 of 18/00964/FUL under reference 19/00114/COND. The approved facilities for parking, loading, storage, wheel cleaning and welfare for site operatives 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 these identified purposes.

REASON: In the interests of amenity and road safety.

10. The development shall be constructed in accordance with the drainage system and strategy as originally approved pursuant to condition 10 of 18/00964/FUL under reference 19/00115/COND and shown on Drawings CWA-18-243-535 Rev.P1 'Proposed Drainage Details' and CWA-18-243-530 Rev.P5 'Drainage Strategy Plan' 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 DPD.

11. The surface water drainage system shall be maintained and managed after completion in accordance with the details originally approved pursuant to condition 11 of 18/00964/FUL under reference 20/00046/COND and as contained in the Drainage Design Report produced by Causeway dated 06/07/2020, the Drainage System Operation and Maintenance Strategy, Dwg CWA-19-243-535 Proposed Drainage Details P1 dated 06/07/2019, CWA-18-243-530 P5 Drainage Strategy Plan and the email from Kam Saini, Associate Director, Carney Sweeney dated 9 July 2020.

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 DPD.

12. The development shall be constructed in accordance with the drainage strategy as originally approved pursuant to condition 12 of 18/00964/FUL under reference 19/00115/COND and shown on Drawings CWA-18-243-535 Rev.P1 'Proposed Drainage Details' and CWA-18-243-530 Rev.P5 'Drainage Strategy Plan'. 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.

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 DPD.

13. Prior to occupation of any property a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, shall be submitted to and approved in writing by the Local Planning Authority. This will include photographs of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes and cover systems.

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

14. The approved biodiversity enhancements as originally approved pursuant to condition 14 of 18/00964/FUL under reference 19/00087/COND and as set out in the Ecological Enhancement Strategy v4 and shown on Drawing 3080-406B Proposed Roof Plan shall be performed, observed and complied with.

REASON: In the interests of nature conservation.

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

15. The development shall be carried out in accordance with the tree and root protection measures originally approved pursuant to condition 16 of 18/00964/FUL under reference 19/00117/COND and as shown on Drawings: 3080-915A Proposed Boundary Treatment Detail 02 Type B2, 3080-916A Proposed Boundary Treatment Detail 03 Type B2-A1, and 3080-403C Tree and Root Protection Plan .

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

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

16. All planting comprised in the approved 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 approved 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 bio-diversity and visual amenity of the site  
[Relevant Plans and Policies: CSDPD CS1, CS7]

17. The development shall be carried out in accordance with the remedial strategy for the management of contamination as originally approved pursuant to Condition 18 of 18/00964/FUL under reference 19/00118/COND and set out in Applied Geology's report (ref:AG2960-19A157) 'Remediation Strategy and Verification Plan'. Should any unforeseen contamination be encountered during the development, the Local Planning Authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the Local Planning Authority in writing.

No dwelling or commercial unit hereby permitted shall be occupied until a verification report by the competent person confirming that the approved Remedial Strategy for the construction phase has been fully implemented has been submitted to and approved in writing by the Local Planning Authority. Approved details of future maintenance and monitoring shall thereafter be undertaken.

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

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

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

19. The development hereby permitted shall be implemented in accordance with the Energy Statement dated August 2020 prepared by Code 6 Developments Limited.

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

[Relevant Plans and Policies: CSDPD Policy CS10 and CS12]

20. Bin storage associated with the residential and commercial units hereby approved shall be provided in accordance with the approved drawings before the units it serves have been occupied, and shall thereafter be retained available for use.

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

21. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking or re-enacting that Order with or without modification), no part of the premises hereby permitted shall be used as a children's nursery within Use Class D1.



REASON: To ensure adequate parking.  
[Relevant Policy: BFBLP M9]

22. The development shall be carried out in accordance with the scheme for external site lighting as originally approved pursuant to condition 23 of 18/00964/FUL under reference 19/00087/COND and as shown on Drawing B3353 E 200B Proposed External Lighting Layout. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON: In the interests of the amenity of neighbouring property and the character of the area.

[Relevant Policies: BFBLP EN20 and EN25]

23. The balconies shown on the approved plans shall not be used for the storage of goods.

REASON: In the interests of visual amenity.

[Relevant Policies: BFBLP EN20]

24. No dwelling shall be occupied until:-

(a) a timetable for the laying out/provision of the following areas:-

- the landscaped perimeter of the site
- the landscaped courtyard
- the Block A and Block B gardens

in accordance with the approved details has been submitted to and approved in writing by the Local Planning Authority, and

(b) a plan for the long-term management and maintenance of these areas has been submitted to and approved in writing by the Local Planning Authority. The areas listed above shall be laid out/provided in accordance with the timetable approved under (a) above and thereafter managed and maintained in accordance with the plan approved under (b) above.

REASON: In the interests of the amenity and well-being of future residents

[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS1]

#### Informative

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

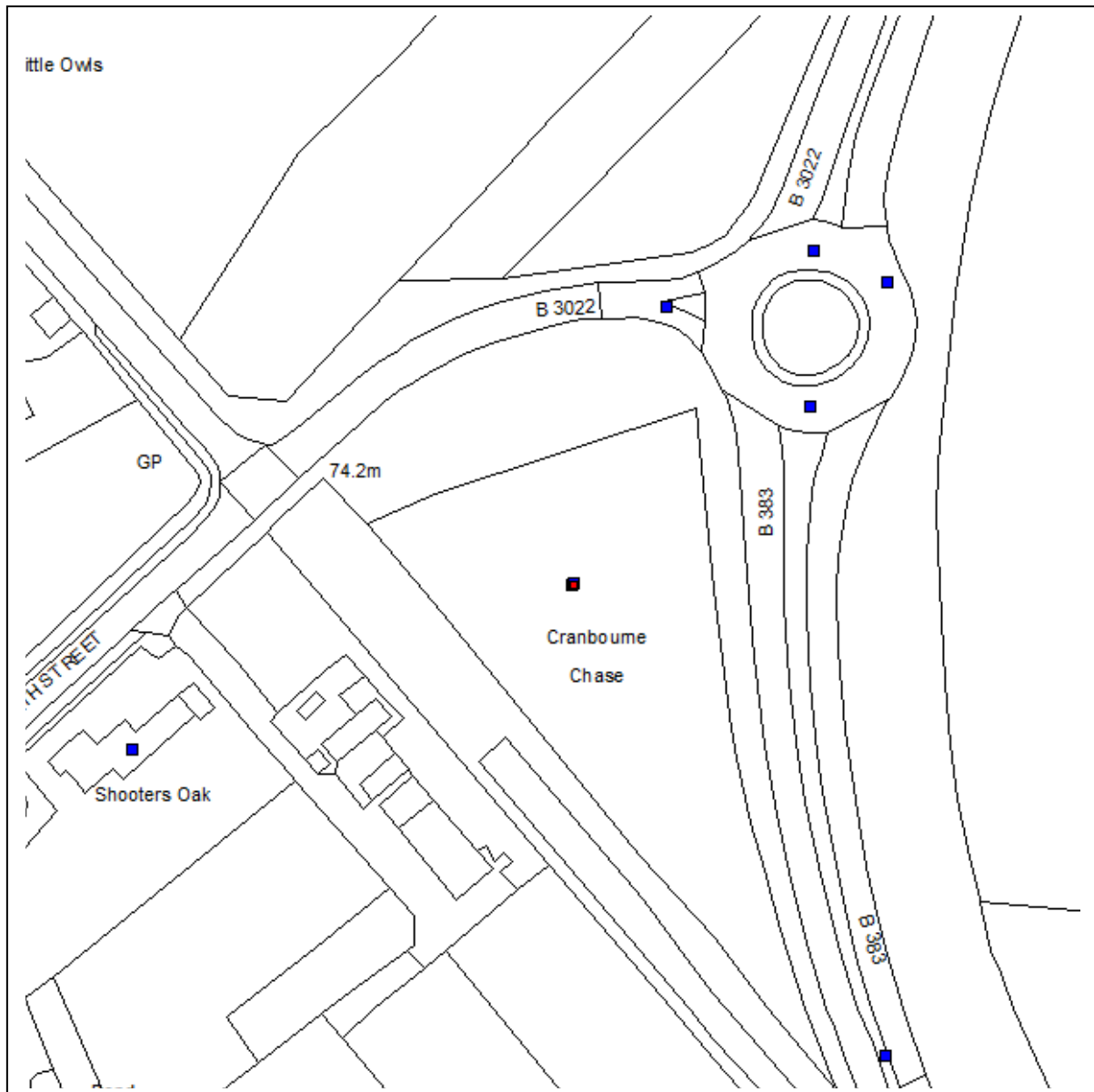
Should the applicant fail to complete the required agreement by 12th February 2021 the Head of Planning be authorised to REFUSE the application for the following reason:

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).

<b>ITEM NO:</b>			
Application No.	Ward:	Date Registered:	Target Decision Date:
<b>20/00786/RTD</b>	Winkfield And Cranbourne	7 October 2020	1 December 2020
Site Address:	<b>Land At Ashbrook North Street Winkfield Windsor Berkshire</b>		
Proposal:	<b>Installation of 20m monopole, 3 No. antennas, 1 No. dish and 2. No cabinets.</b>		
Applicant:	Mr Martin Allwork		
Agent:	Martin Allwork		
Case Officer:	Olivia Jones, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## 1. SUMMARY

- 1.1 Prior Approval is sought for the installation of electronic communications apparatus consisting of 1no. 20m high monopole with 3no. antennas and 1no. microwave dish and 2no. cabinets.
- 1.2 It is considered that the proposed development would not result in an adverse impact on the character of the area or the amenity of surrounding properties. Further, no adverse highway safety issues would result. It is therefore recommended that prior approval is granted.

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

Delegate to the Head of Planning to grant Prior Approval as per the recommendation in Section 12 of this report following the expiration of the consultation period.
--

## 2. PLANNING STATUS AND SITE DESCRIPTION

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

Within Green Belt
-------------------

- 2.1 The apparatus would be located on a grass verge adjacent to an area of Ancient Woodland, next to the roundabout linking Mounts Hill, Winkfield Road and North Street in Winkfield. There is a telecommunications mast currently located on the same grass verge, to the north of the position of the proposed equipment.

## 3. REASON FOR DELEGATED AUTHORITY

- 3.1 The application has been submitted under the prior approval procedure and therefore requires determination within 56 days.

## 4. RELEVANT SITE HISTORY

- 4.1 The relevant site history can be summarised as follows:

14/00798/RTD

Installation of a 15M high street works monopole with a 0.6M dish located at 12.5M, with 3 no. associated equipment cabinets with ancillary development.  
Approved 2014

19/01010/RTD

Installation of a 20m monopole with 3 antennas and 2 x 0.3mm microwave dishes, 2 adjacent equipment cabinets and associated ancillary works.  
Approved 2019

## 5. THE PROPOSAL

- 5.1 Agreement is sought as to whether prior approval from the local planning authority is required for the installation of electronic communications apparatus in accordance with Class A of Part 16 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 5.2 It is proposed to install a 20 metre high monopole, with 3no. antennas and 1no. microwave dish located on this pole. 2no. cabinets are proposed to be installed adjacent to the monopole.

The Lancaster Mk 4 Cabinet would have length of 1.896 metres, a width of 0.798 metres and a height of 1.645 metres. It would have an approximate volume of 2.5 cubic metres.

The Meter Cabinet would have a length of 0.2 metres, a width of 0.245 metres and a height of 1.015 metres. It would have an approximate volume of 0.05 cubic metres.

## **6. REPRESENTATIONS RECEIVED**

### Winkfield Parish Council

- 6.1 Comments to be reported in supplementary report.

### Other representations

- 6.2 One letter of objection was received raising concerns over the siting and design of the mast given the presence of an existing mast in close proximity.

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

### Highway Authority

- 7.1 Comments to be reported in supplementary report.

## **8. RELEVANT LEGISLATION**

- 8.1 Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) covers development by electronic communications code operators.

- 8.2 Class A 'Permitted Development' is: Development by or on behalf of a electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of -

(a) the installation, alteration or replacement of any electronic communications apparatus,  
(b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or  
(c) development ancillary to radio equipment housing.

- 8.3 The proposed development would meet the description of category 1 (Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) of this Class of the GPDO, and the restrictions are as follows:

(a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;

(b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;

(c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—

(i) 25 metres above ground level on unprotected land; or

(ii) 20 metres above ground level on article 2(3) land or land which is on a highway; or

- (d) in the case of the alteration or replacement of a mast, the mast, excluding any antenna, would when altered or replaced—
  - (i) exceed the greater of the height of the existing mast or a height of—
    - (aa) 25 metres above ground level on unprotected land; or
    - (bb) 20 metres above ground level on article 2(3) land or land which is on a highway; or
  - (ii) together with any antenna support structures on the mast, exceed the width of the existing mast and any antenna support structures on it by more than one third, at any given height.

8.4 The proposed mast with attached microwave dish and antennas, and proposed cabinets, would meet the above requirements and therefore would be considered permitted development, subject to the following conditions:

- (1) Class A(a) and A(c) development is permitted subject to the condition that—
  - (a) the siting and appearance of any antenna or supporting apparatus, radio equipment housing or development ancillary to radio equipment housing constructed, installed, altered or replaced on a building (excluding a mast) are such that the effect of the development on the external appearance of that building is minimised, so far as practicable;
  - (b) the siting and appearance of a mast which has been altered or replaced in a manner which does not require prior approval under paragraph A.2(3), and any electronic communications apparatus installed, altered or replaced on it, are such that the visual impact of the development on the surrounding area is minimised, so far as practicable.

- (2) Class A development is permitted subject to the condition that—
  - (a) any electronic communications apparatus provided in accordance with that permission is removed from the land or building on which it is situated—
    - (i) if such development was carried out in an emergency, at the expiry of the relevant period; or
    - (ii) in any other case, as soon as reasonably practicable after it is no longer required for electronic communications purposes; and
  - (b) such land or building is restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.

- (3) Subject to sub-paragraph (5), Class A development—
  - (a) on article 2(3) land, excluding development specified in sub-paragraph (4);
  - (b) on land which is, or is within, a site of special scientific interest; or
  - (c) on unprotected land where that development consists of—
    - (i) the installation of a mast;
    - (ii) the alteration or replacement of a mast which, when completed—
      - (aa) is taller than the mast which existed prior to such alteration or replacement; and
      - (bb) exceeds a height of 20 metres above ground level;
    - (iii) the construction, installation, alteration or replacement of radio equipment housing, where the volume of any single development exceeds 2.5 cubic metres, is permitted subject, except in case of emergency (in which case only paragraph A.3(12) applies), to the conditions set out in paragraph A.3 (prior approval).

- (4) Development is specified for the purposes of sub-paragraph (3)(a), if it consists of—
  - (a) the installation, alteration or replacement of a small cell system on a building which is not a dwellinghouse or within the curtilage of a dwellinghouse; or
  - (b) development which is within the limitations specified in paragraph A.1(1)(d)(i)(bb), A.1(2)(f), A.1(5) or A.1(6).

- (5) The conditions set out in paragraph A.3 (prior approval) do not apply in relation to Class A development on any article 2(3) land which consists of the construction,

installation, alteration or replacement of a telegraph pole, cabinet or line, in connection with the provision of fixed-line broadband, provided that the development is completed on or before 30th May 2018.

(6) In this paragraph—

"fixed-line broadband" means a service or connection (commonly referred to as being 'always on'), via a fixed-line network, providing a bandwidth greater than narrowband (and for these purposes, "narrowband" means a service or connection providing data speeds up to 128 k bit/s); and

"relevant period" means a period which expires when the need for any electronic communications apparatus, structure or use permitted by Class A ceases or, if sooner, 18 months from the commencement of the construction, installation, alteration or replacement of apparatus or structures permitted by Class A(a) or Class A(c), or the commencement of the use permitted by Class A(b), as the case may be.

- 8.5 The proposal consists of the installation of a mast. As such, the developer must apply to the local authority for determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development, as set out under paragraph A.3 of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 8.6 The proposed cabinets do not individually have a volume exceeding 2.5 cubic metres or exceed 15 metres in height. As such, the proposed cabinets do not require prior approval as set out under paragraph A.3 of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 8.7 The proposed monopole and cabinets, as shown on the Proposed Site Plan (Drawing: 201/D) would not interfere with highway sight-lines, or access for road users, and thus would not create a highway safety concern. There is already a monopole on this verge, and an additional monopole, which would be further away from the carriageway than the existing pole would not create a highway safety concern.
- 8.8 The equipment would therefore not impact upon highway safety in accordance with Article 3, paragraph 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which states that:-
- 8.9 (6) The permission granted by Schedule 2 does not, except in relation to development permitted by Classes A, B, D and E of Part 9 and Class A of Part 18 of that Schedule, authorise any development which requires or involves the formation, laying out or material widening of a means of access to an existing highway which is a trunk road or classified road, or creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons.

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

9.1 The key policies and guidance apply to the site are:

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	Saved policies SC4 and EN20 of BFBLP CS7 of the CSDPD	Consistent (SC4 consistent with regards to character and appearance considerations)
Highway Safety	CS23 of the CSDPD	Consistent

Telecommunications development	Saved Policy SC4 of BFBLP	Not consistent in terms of need
<b>Other publications</b>		
National Planning Policy Framework (NPPF) 2019 National Planning Policy Guidance (NPPG)		

## 10. PLANNING CONSIDERATIONS

10.1 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. Health implications
- vi. Need

i. Principle of development

10.2 In assessing this type of prior approval application, the Council can only assess the siting and appearance of the development as set out in Class (a) A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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

ii. Impact on character and appearance of the area

10.4 The mast would be slimline in appearance and would be coloured 'Fir Green'. This colour is considered to allow the mast to blend into the surrounding woodland.

10.5 The proposed equipment will be located approximately 19 metres from the kerb edge, close to the existing tree boundary. The monopole will have a maximum height of 20 metres, which would be taller than the neighbouring trees (the proposed site plan indicates that a nearby tree's height is approximately 14 metres). However, it is necessary for the mast to be higher than the surrounding trees in order to enable sufficient coverage.

10.6 The application site is by a roundabout, and therefore the appearance of telecommunication infrastructure would not appear out of keeping. Furthermore, there is currently a mast located on the highway verge, closer to the highway. This existing mast is owned by a different operator and is not proposed to be removed as part of this application. It is considered that the proposed equipment would be complimentary to the existing use. The site is considered sufficiently large to accommodate the existing mast and the proposed equipment.

iii. Impact on residential amenity

10.7 The nearest residential property is located approximately 85 metres from the application site. In view of the separation distance, and the nature of the application site by a busy roundabout with telecommunications equipment already in place, it is not considered the proposed development would have an adverse impact on the surrounding dwellings through visual prominence.

iv. Impact on highway safety



10.8 The proposed monopole and cabinets would not interfere with highway sight-lines, or access for road users, and thus would not create a highway safety concern. There is already a monopole on this verge, and an additional monopole, which would be further away from the carriageway than the existing pole would not create a highway safety concern.

v. Health implications

10.9 The applicant has submitted a certificate which confirms that the proposed mast meets ICNIRP (International Commission Non-Ionising Radiation Protection) guidelines.

10.10 The ICNIRP is an independent scientific body which has produced an international set of uidelines for public exposure to radio frequency waves. These guidelines were recommended in the Stewart Report and adopted by the Government, replacing the National Radiological Protection Board (NRPB) guidelines.

vi. Need

10.11 BFBLP 'Saved' Policy SC4 refers to telecommunication development being permitted provided that there is a need for the development. However, paragraph 116 of the NPPF states that 'Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

10.12It has been demonstrated that alternative sites have been considered the proposal, as well as the option of sharing existing equipment. However, the issue of need is not a planning consideration and therefore should not be a reason for refusal.

## 11. CONCLUSION

11.1 An assessment has been made of the proposal and it is considered that prior approval is should be granted for the installation of the 20m high monopole with antennas and microwave dish. The 2no. equipment cabinets are considered permitted development.

## 12. RECOMMENDATION

12.1 That the application be delegated to the Head of Planning to **GRANT** Prior Approval following the expiration of the consultation period for the siting and appearance of he development subject to the following condition(s):

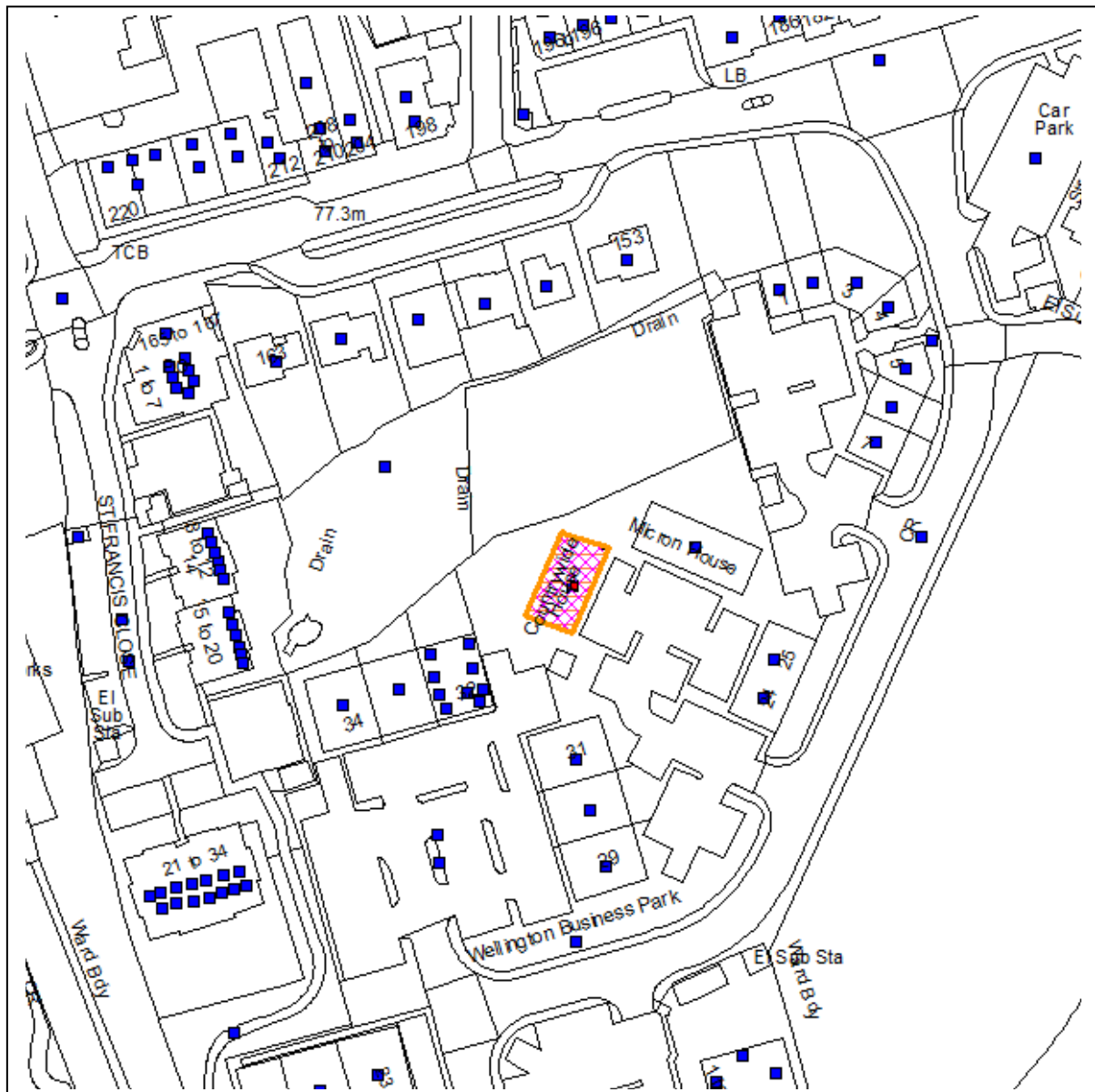
1. This development must be carried out in accordance with the following plans received by the Local Planning Authority on 07.10.2020:
  - Site Location Maps
  - Lease Drawings
  - Proposed Site Plan
  - Proposed Site Elevations
2. The monopole, antennas and microwave dish hereby approved shall be painted Fir Green.

Informative(s):

1. The applicant should make contact with the Highway Network Management team via [HighwayNetwork.Management@Bracknell-Forest.gov.uk](mailto:HighwayNetwork.Management@Bracknell-Forest.gov.uk) to agree access arrangements and any highways licence required before commencement of works on the site, allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

<b>ITEM NO:</b>			
Application No.	Ward:	Date Registered:	Target Decision Date:
<b>20/00836/PAC</b>	Crowthorne	6 October 2020	1 December 2020
Site Address:	<b>Countrywide House 28 Wellington Business Park Dukes Ride Crowthorne Berkshire RG45 6LS</b>		
Proposal:	<b>Prior approval for change of use from B1(a) offices to 4no. C3 dwellings</b>		
Applicant:	Ms Li		
Agent:	N Griffin		
Case Officer:	Olivia Jones, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>		

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



## 1. SUMMARY

- 1.1 Prior Approval is sought for the change of use of the detached building known as Countrywide House (28 Wellington Business Park) from an office (B1a) to 4no. 1-bedroom flats (C3).
- 1.2 The proposal complies with the criteria set out in Paragraph O.1 of Class O, Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Subject to no adverse impact of noise from commercial properties on future occupiers' prior approval can therefore be granted.
- 1.3 For the purposes of the Town and Country Planning (Use Classes) (Amendment) (England) Regulation 2020 which came into force on 1<sup>st</sup> September 2020 the building is now classified under Class E. However, section 3(3) of these regulations specify that, in relation to applications subject to prior approval under Schedule 2 of the GPDO, reference to uses or use classes should be made to the Schedule to the Use Classes Order on 31<sup>st</sup> August 2020. As such, for this application the building will be referred to as being in B1a use.

## 2. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
Within settlement boundary
Within 5km of the SPA

- 2.1 The building is in lawful use as an office. The application site comprises a two storey building located within Wellington Business Park, Crowthorne. The building faces onto a shared parking courtyard.

## 3. REASON FOR DETERMINATION AT PLANNING COMMITTEE

- 3.1 The application has been submitted under the prior approval procedure and therefore requires determination within 56 days.

## 4. RELEVANT SITE HISTORY

- 4.1 The relevant site history can be summarised as follows:

00/00912/FUL  
Installation of a satellite dish (1.2m in diameter) on south elevation.  
Approved 2000

## 5. THE PROPOSAL

- 5.1 Prior approval is sought for the change of use of the existing building from Class B1(a) (office) to Class C3 (dwellinghouse) in accordance with Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Pursuant to paragraph W of the same legislation, the applicant is applying for prior approval for this change of use.
- 5.2 No external changes are proposed. It is proposed to provide 4no. 1-bedroom flats and retain the access and parking area to the front. 11no. parking spaces are currently allocated to the office and will be retained for use of the flats.

## 6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council

6.1 Comments to be reported in supplementary report.

Other representations

6.2 No representations received.

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

Highway Authority

7.1 No objection.

Environmental Health

7.2 No objection.

## **8. PRINCIPLE OF DEVELOPMENT**

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

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

## **9. RELEVANT LEGISLATION**

9.1 Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) to a use falling within Class C3 (dwellinghouses) of that schedule.

9.2 Paragraph O.1 states that development is not permitted by Class O if:

- (b) The building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Class Order-
  - (i) On 29th May 2013, or
  - (ii) In the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- (d) The site is, or forms part of, a safety hazard area;
- (e) This site is, or forms part of, a military explosives storage area;
- (f) The building is a listed building or is within the curtilage of a listed building; or
- (g) The site is, or contains, a scheduled monument.

9.3 Paragraph O.2(1) states that development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-

- (a) Transport and highways impacts of the development,
- (b) Contamination risks on the site,
- (c) Flooding risks on the site, and
- (d) Impacts of noise from commercial premises on the intended occupiers of the development,

And the provisions of paragraph W (prior approval) apply in relation to that application.

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

9.5 Paragraph W sets out the procedure to be followed where a developer is required to apply for prior approval to the Local Planning Authority under any class falling within Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This paragraph states that the Local Planning Authority may refuse an application where, in the opinion of the authority, the proposed development does not comply with, or the applicant has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

## **10. ASSESSMENT**

10.1 With regard to the criteria set out in paragraph O.1:

- (b) The building was last used as an office falling within Class B1(a).
- (c) The site does not form part of a safety hazard area.
- (d) The site does not form part of a military explosives storage area.
- (e) The building is not Listed or within the curtilage of a Listed Building.
- (f) The site is not, and does not contain, a scheduled monument.

10.2 With regard to the conditions listed in paragraph O.2:

(a) Transport and Highways Impact of the Development

### Access

Access to the proposed development site is via a private road shared with neighbouring commercial buildings Micron House, 24, 25, 29, 30 and 31 Wellington Business Park. The closest adopted highway is the unnamed access road to Wellington Business Park, the closest point on foot or vehicle being 45m from the front of the building to the south-east. This adopted access road has footways and street lighting to the western side. The site is circa 300m (4 minutes walk) from Crowthorne Station and less than this to existing local facilities and services on Dukes Ride.

### Parking and Servicing

The proposed development is for four 1-bedroom dwellings. Table 6 of the Parking Standards SPD (March 2016) states that 1 car parking space and 1 cycle parking space are required for a 1-bedroom dwelling; in this instance leading to a requirement for 4 car parking spaces. The development has 11 car parking spaces, more than meeting the requirements of the Parking Standards SPD for car parking.

Whilst no cycle parking has been shown on the submitted plans, there appear to be surplus rooms on the ground floor, accessed from communal areas, which

could provide cycle parking. Alternatively, one of the surplus car parking spaces could be provided with a cycle store (subject to relevant permissions).

Bracknell Forest Council's refuse collection vehicle will not typically serve private roads and therefore the nearest adopted highway location from the development is on the unnamed access road, circa 45m from the building. The closest parking space to the site access could be re-purposed as a bin collection point (subject to relevant permissions), bringing refuse closer to the adopted highway for collection day, though still greater than the 25m set out in the Building Regulations part H6.

(b) Contamination Risks on the Site

The site is not on land that is known to be contaminated.

(c) Flooding Risks on the Site

The Application site is within Flood Zone 1 and is generally at low risk of flooding.

(d) Impacts of Noise from Commercial Premises on the Intended Occupiers of the Development

The proposed use for residential is more sensitive to noise than the existing office use. The neighbouring buildings remain in commercial use as offices so the expected noise impacts from them would be expected to be relatively low. The main source of noise would be air conditioning units and vehicles arriving and departing which would be expected to during office hours only. Given the most noise sensitive times for residential dwellings are evenings, nights and weekends, when the offices would typically be empty, adverse impact is not expected.

## 11. CONCLUSION

11.1 An assessment has been made of the proposal and it is considered that prior approval is required for the change of use of the building from an office use (B1(a)) to a residential flat (C3).

11.2 The proposal complies with the criteria set out within Paragraph O.1 of Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Subject to no adverse impact on highway safety or impact of noise from commercial properties on future occupiers prior approval can therefore be granted.

## 12. RECOMMENDATION

12.1 That Prior Approval be **GRANTED** subject to the following condition(s):

1. Development under Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), must be completed within a period of 3 years starting from the prior approval date.
2. This development must be carried out in accordance with the following plans received by the Local Planning Authority:
  - Proposed Floor Plans, Elevations (Received 06.10.2020)

- Site location plan, existing block plan & proposed block plan (Received 06.10.2020)
3. No dwelling shall be occupied until the associated vehicle parking and turning space for that dwelling has been surfaced and marked out in accordance with the approved drawing. At least 1 car parking space per bedroom along with associated turning space shall thereafter be kept available for parking and turning at all times.

Informative(s):

1. It is a condition of the consent given by the General Permitted Development Order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority (the Council) has given written approval under the Habitats Regulations 2010. This Prior Approval Notice does NOT constitute approval under the Habitats Regulations. The Council and Natural England are of the view that any residential development between 400 metres and 5 kilometres of the boundary of the Thames Basin Heaths Special Protection Area or residential development of 50 or more dwellings between 5 kilometres and 7 kilometres of such boundary cannot be approved under the Habitats Regulations unless a planning obligation is entered into under Section 106 of the Town & Country Planning Act 1990 to ensure that the development has no adverse impact upon the Special Protection Area. Your development falls within one of the two types of development referred to in the heading above.
2. Any external alterations proposed would require the submission of a full planning application.
3. The applicant will need to investigate bin collection arrangements for the proposed residential use.
4. The layout and size of the dwellings created must be sufficient for the safe use of the amenities and must not result in over occupation, otherwise a Hazard under part 1 of the Housing Act 2004 may be created and as such could be subject to formal action under that legislation.
5. Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.