

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 21 January 2021, 6.30 - 9.30 pm
Online Only



Agenda

Item	Description	Page
1.	Apologies for Absence	
	To receive apologies for absence.	
2.	Minutes	5 - 10
	To approve as a correct record the minutes of the meeting of the Committee held on 17 December 2020 .	
3.	Declarations of Interest	
	<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.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	

Planning Applications

(Head of Planning)

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

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5.	PS 20/00573/FUL Land South Of Allotment Gardens and East Of Downshire Driving Range, South Road, Wokingham, Berkshire	15 - 38
	Erection of new gymnastics centre with associated car parking, cycle storage, access and landscaping.	
6.	19/00327/FUL Land At South West Of Abbey Place, Abbey Place, Warfield, Bracknell, Berkshire	39 - 80
	Erection of 9 dwellings with associated access, parking and landscaping.	
7.	20/00599/FUL Snaprails Lodge, 2 Wellington Road, Sandhurst, Berkshire GU47 9AN	81 - 100
	Erection of replacement two storey dwelling following demolition of existing	
8.	20/00629/FUL Nordx House, 4 The Western Centre, Western Road Bracknell, Berkshire RG12 1RW	101 - 114
	Change of use of land and building from B1c (industrial processes) to D2*, forming an ice rink, including erection of first floor mezzanine, ramp to front elevation, and construction of a footpath and chiller to the rear of the building. *From 1 September 2020 this will be a change of use from Class E to F.2.	
9.	20/00722/FUL 42 Walsh Avenue, Warfield, Bracknell, Berkshire RG42 3XZ	115 - 122
	Erection of first floor side extension and single storey rear extension following demolition of existing conservatory.	
10.	20/00742/3 Farley Wood Community Centre, Turnpike Road, Binfield, Bracknell, Berkshire RG42 1FW	123 - 130
	Installation of 8 No. floodlights on 6 No. 10 metre high lighting columns to light existing tennis courts.	

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: 11 January 2021

EMERGENCY EVACUATION INSTRUCTIONS

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**PLANNING COMMITTEE
17 DECEMBER 2020
6.30 - 7.10 PM**

Present:

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

Apologies for absence were received from:

Councillors Mossom

Also Present:

Councillors

63. Minutes

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

64. Declarations of Interest

There were no declarations of interest.

65. Urgent Items of Business

There were no urgent items of business.

66. 17/00280/FUL - West End Stables, West End Lane, Warfield, Bracknell, Berkshire RG42 5RH

Erection of a pair of 4 bedroom semi detached dwellings on land adjacent to West End Stables.

The Committee noted:

- The supplementary report tabled at the meeting.
- That Warfield Parish Councils raised no objection to the proposal.
- Seven objections had been received as summarised in the agenda papers.
- That four further objection comments had been received from postal addresses that had previously objected to the application, detailed in the supplementary report

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

- i. A financial contribution towards the provision of off-site affordable housing equivalent in the value to the 25% policy requirement.
- 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 comprising:
 - a) financial contributions towards the provision of primary school places;
 - b) financial contributions towards the provision of a multi-functional community hub;
 - c) financial contribution towards the provision of OSPV.
- iv. Monitoring, management and maintenance costs.

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 27 March 2017:

Drawing no. 17-J1705-LP
 Drawing no 17-J1705-CP
 Drawing no 17-J1705-C01
 Drawing no 17-J1705-01
 Drawing no 17-J1705-02
 Drawing no 17-J1705-03

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

03. The development hereby permitted shall not be begun until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

04. The development hereby permitted shall be carried out in accordance with the finished floor levels shown on the approved drawings.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

05. The first floor windows at first floor level in the side elevations of the dwellings hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) 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]

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

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

07. The dwellings hereby permitted shall not be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained.

REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS1, CS7]

08. The dwellings hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved scheme shall be implemented in full before the first occupation of any dwelling hereby approved.

REASON: In the interests of the visual amenities of the area and in the interests of nature conservation.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS1, CS7]

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

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: CSDPD CS10]

10. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Energy Demand Assessment as approved and retained as such thereafter.

REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]

11. The dwellings hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans before the first occupation of any dwelling hereby approved and retained as such thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

12. The dwellings hereby permitted shall not be occupied until the associated vehicle parking and turning space has been surfaced in accordance with the approved drawings before the first occupation of any dwelling hereby approved. 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, CSDPD CS23]

13. The garages hereby permitted shall contain a separately accessed storage room which shall be used for cycle storage and thereafter retained as such. The remainder of the garage accommodation, which shall have minimum dimensions of 6m (length) by 3.5m (width) by 2.4m (height), shall be retained for the use of the parking of motor vehicles at all times.

REASON: To ensure that the development is provided with adequate parking in the interests of highway safety.

[Relevant Policies: BFBLP M9, CSDPD CS23]

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

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

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

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

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

REASON: In the interests of amenity and road safety.

16. All ecological measures and/or works shall be carried out in accordance with the details contained in the document "Extended Phase 1 Ecological Survey" by John Wenman ecological consultancy received 22 November 2017 by the Local Planning Authority. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

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

REASON: In the interests of nature conservation.

18. The development hereby permitted shall not be begun until a drainage strategy, including full calculations and testing compliant with BRE 365 detailing any on and off-site drainage works, along with proposed points of connection, has been submitted to and approved by the Local Planning Authority, in consultation with the sewerage undertaker. The proposals should also set out a maintenance regime for any Soakaways as set out in the Suds Manual. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The approved strategy shall be performed, complied with and retained as such thereafter.

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

[Relevant Plans and Policies: CSDPD CS1]

67. **20/00031/COND - 28 Meadow Way, Bracknell, Berkshire RG42 1UF**

This application was deferred and removed from the agenda.

68. **20/00298/TRTPO - 2 Furzefield (formerly 89 Locks Ride)**

Prune to 'crown-lift' branches of protected Birch up to 2.5 metres.

The Committee noted:

- That a total of 14 objections, from 11 different households were made within the 28 day public consultation period prior to the 10 November 2020.

RESOLVED that the application 20/00238/TRTPO be **APPROVED** subject to the following condition: Crownlift by the removal of only the 3 lowest primary branches at their stem union; reference the accompanying annotated photo which clearly identifies the branches consented for removal. All works must comply with arboricultural standard 'BS 3998:2010 Tree Work – Recommendations'.

1. Advanced Notification

Condition: The applicant shall provide the Council's Tree Service prior written notification, of at least 3 working days, before the permitted pruning specification is to be undertaken. Confirmation of advance notification must be submitted to trees@bracknell-forest.gov.uk

Reason: To enable the Council's Tree Service to schedule attendance of a Tree Officer to monitor compliance with the pruning specification to BS3998:2010 Tree Work – Recommendations and to inform any public enquiry of impending or enacting activity.

2. Completion Report

Condition: Upon completion of the permitted pruning specification, the applicant shall provide written notification to the Council's Tree Service of completion of pruning, inclusive of a photograph. Confirmation of completion of permitted pruning specification must be submitted to trees@bracknell-forest.gov.uk

Reason: To demonstrate quantitative and qualitative compliance with the permitted pruning specification to enable discharge of condition.

CHAIRMAN

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

**PLANNING COMMITTEE
21st January 2021**

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

		Case Officer	Reporting Officer
5	20/00573/FUL Land South Of Allotment Gardens and East Of Downshire Driving Range South Road Wokingham (Great Hollands South Ward) Erection of new gymnastics centre with associated car parking, cycle storage, access and landscaping Recommendation: Refuse.	Margaret McEvit	Jo Male
6	19/00327/FUL Land At South West Of Abbey Place Abbey Place Warfield (Binfield With Warfield Ward) Erection of 9 dwellings with associated access, parking and landscaping. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Hilary Coplestone	Jo Male
7	20/00599/FUL Snaprails Lodge 2 Wellington Road Sandhurst (Central Sandhurst Ward) Erection of replacement two storey dwelling following demolition of existing bungalow Recommendation:	Sarah Horwood	Basia Polnik
8	20/00629/FUL Nordx House 4 The Western Centre Western Road (Priestwood And Garth Ward) Change of use of land and building from B1c (industrial processes) to D2*, forming an ice rink, including erection of first floor mezzanine, ramp to front elevation, and construction of a footpath and chiller to the rear of the building. *From 1 September 2020 this will be a change of use from Class E to F.2. Recommendation: Approve.	Katie Andrews	Jo Male

- | | | | |
|----|--|--------------|--------------|
| 9 | 20/00722/FUL
42 Walsh Avenue Warfield Bracknell
(Warfield Harvest Ride Ward)
Erection of first floor side extension and single
storey rear extension following demolition of
existing conservatory.
Recommendation: | Lucy Ormrod | Basia Polnik |
| 10 | 20/00742/3
Farley Wood Community Centre Turnpike Road
Binfield
(Binfield With Warfield Ward)
Installation of 8 No. floodlights on 6 No. 10
metre high lighting columns to light existing
tennis courts.
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.

Unrestricted Report

ITEM NO: 05

Application No.
20/00573/FUL
Site Address:

Ward:
Great Hollands South

Date Registered:
2 October 2020

Target Decision Date:
1 January 2021

Land South Of Allotment Gardens and East Of Downshire Driving Range South Road Wokingham Berkshire

Proposal: **Erection of new gymnastics centre with associated car parking,
cycle storage, access and landscaping**

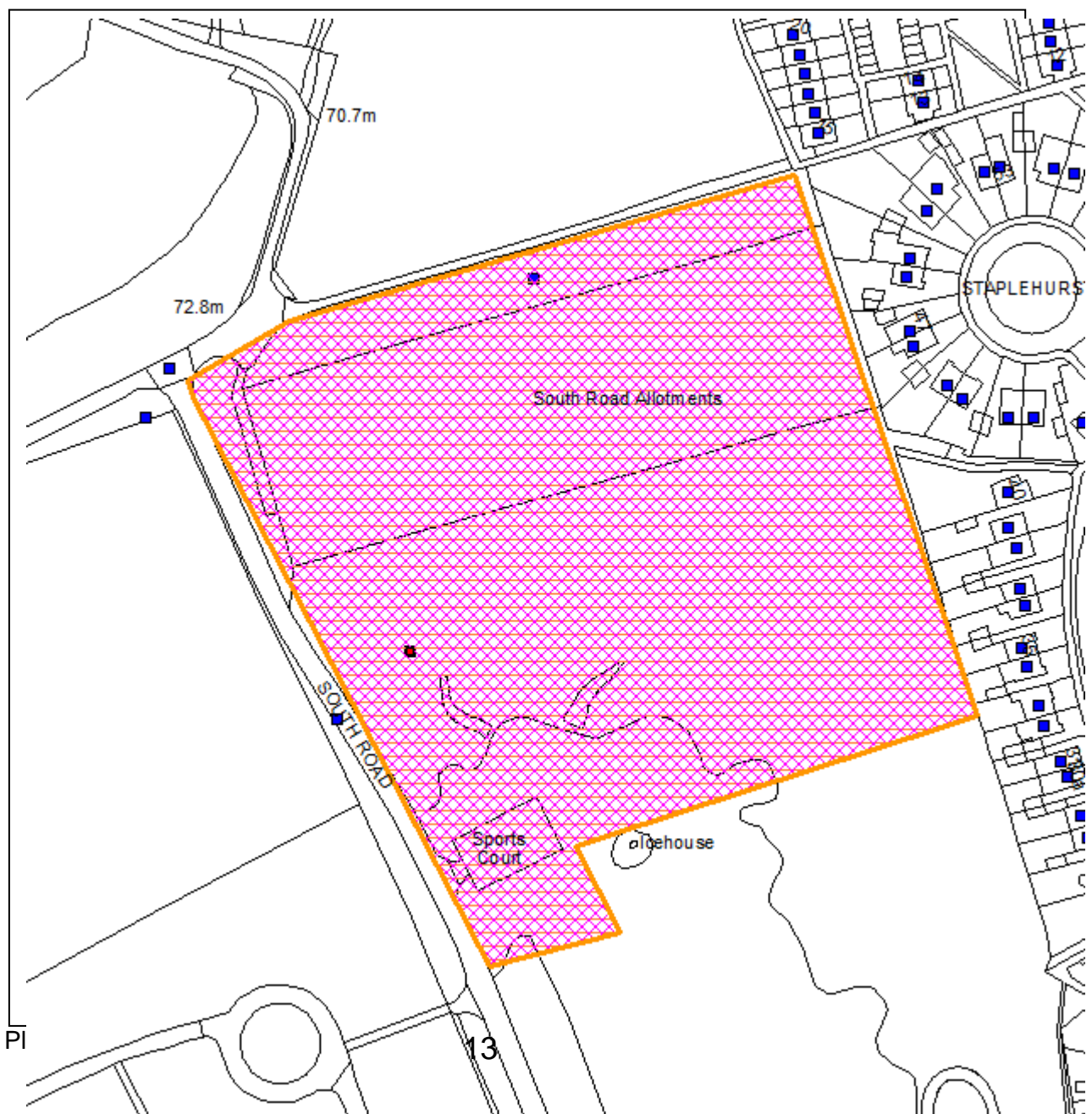
Applicant: Bracknell Gymnastics Club

Agent: Mrs Emily Temple

Case Officer: Margaret McEvit, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the erection of a new gymnastics centre with associated car parking, cycle storage, access and landscaping.

RECOMMENDATION
Planning permission be refused.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of a petition of more than 20 signatures objecting to the planning application.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Countryside
TPO on site
Open space of public value

3.1 The site is situated outside of the settlement boundary within a designated green space known as Great Holland Recreation Ground. The site is covered by a number of trees, that are protected by TPO (TPO 1319 and 1286), and measures 1.37 hectares.

3.2 To the north of the site is an existing allotment garden, and Downshire Golf Course Driving Range is situated to the west. To the east is the residential development of Staplehurst and to the south is an area of public open space. A new sports pavilion incorporating a café and function hall has been erected further south within the public open space, which was approved under planning permission 17/00224/FUL.

3.3 The site would be accessed from South Road which leads off Nine Mile Ride. There is no existing vehicular access to the site from South Road.

4. RELEVANT SITE HISTORY

4.1 17/01091/FUL. Erection of new sports centre with associated car parking, cycle storage and landscaping. REFUSED

5. THE PROPOSAL

5.1 This full application proposes the erection of a part single/ part 2 storey building with the building providing accommodation at ground floor and lower ground floor levels. A total of 54 car parking spaces are shown with 38 being general parking

spaces, 8 disabled spaces and 8 drop off parking spaces. Cycle parking is shown along the southern edge of the building.

The building is shown to comprise composite boarding walls with extensive areas of glazing with a pitched roof over and a flat roof element.

The proposed gymnastics club would provide purpose-built training facilities for Bracknell Gymnastics Club. No competitions are proposed to be held at the site.

6. REPRESENTATIONS RECEIVED

Town Council:

6.1 Bracknell Town Council has recommended refusal of the application and raised the following material considerations:

Bracknell Forest Council should investigate, with the club, any brown field sites or empty commercial properties to allow this important club to remain in Bracknell.

- o Green space should be maintained for future generations
- o Loss of community social space for dog walkers, ramblers, casual walkers, runners, family walks.
- o Loss of linking green space for the wildlife - light and noise pollution
- o Loss of mature trees
- o Concerns about local flooding with the loss of so many mature trees
- o Impact of increased traffic in a rural setting. The park is already busy with football, park run, park users, allotment holders and visitors to the Cemetery
- o The area in question is a natural scrubland with trees and bushes and the associated wildlife including many protected species
- o With more housing planned for the area, the space needs to be accessible for people's mental health.
- o In an era of greater environmental awareness, regeneration, and recycling established buildings with roads already in place should be considered.

The Club is an important part of Bracknell but this may not be the right location.

Other representations:

6.2 A total of 1237 representations have been received. 320 of these representations are in support of the application, with the remaining objecting to the application. A petition objecting to the proposal has also been received containing 22 signatures.

6.3 The following material considerations have been raised in support of the application:

- Bracknell Gymnastics Club is one of the leading TeamGym clubs in the country but operates with limited facilities at Bracknell Sports Centre. A centre of excellence for TeamGym could accommodate British team training.
- The Club is active within the community and offers participation opportunities for local people.
- British Gymnastics indicates that approximately 1.6million people are on waiting lists to participate in gymnastics and a further 1.3million would like to participate but are not currently on a waiting list.

- Bracknell Gymnastics Club currently operates out of Bracknell Leisure Centre and are limited in the programme they can offer. The leisure centre does not offer access to pit landings or fixed apparatus. Other groups share facilities with local schools which restricts the availability of training hours.
- Cheerleading and Freestyle gymnastics cater for teenagers and provide a social aspect and offer classes to male teenagers which are not freely available locally.
- The proposed facilities would be of interest to British Gymnastics as a venue for zonal coaching clinics, GB Team Training and hosting coaching courses.
- The facilities provided would be a world class facility attracting world leading athletes to the centre, who would be positive role models for young people.
- The development has been designed to limit any negative impact on the surrounding neighbourhood and take steps to be ecologically sound and sustainable. Planting trees and the provision of a green roof would help to provide a green space. Concerns over the visual impact of the building could be overcome by tree planting and buffer planting to enable the building to sit in the landscape fabric. Trees to be lost are of poor quality and would be replaced by good quality trees. The building would be energy efficient.
- Gymnastics classes in Bracknell are oversubscribed with several local providers recently closed
- The facility would provide parking for other users of the recreation ground and would support Woodenhill Primary School with additional educational space. The development would allow collaboration between the gymnastics club and Wooden Hill School and support the pupils' learning beyond the school curriculum.
- Investment in sport is essential as development in the Borough reduces space for exercise.
- The proposed development would bring jobs and growth to the community.
- The proposed development would be a better use of land than housing. Once completed the new development would be accepted and would support current park users including parkrun runners.
- The location of the site is easily accessible but away from major traffic routes so would not result in highway disruption. Adequate car parking would be provided. The swept path would accommodate a coach but this would be required only approximately once or twice a year. Parking in Staplehurst would not be permitted.
- Existing gymnastic facilities have reduced in the area and the John Nike ice rink has recently closed, reducing sports facilities. Local trampoline clubs have faced reductions in access to shared facilities due to the Covid 19 crisis.

6.4 The following material planning considerations have been made in objection to the proposal:

- Proposal is contrary to Development Plan
- Loss of open space of public value used by local residents
- Loss of wildlife habitat

- Increase in traffic. South Road cannot accommodate coaches and right hand turns from South Road onto Nine Mile Ride would be difficult.
- Lighting and noise nuisance for local residents
- Surface water flooding concerns
- Loss of trees protected by a TPO.
- The site is the wrong location for this form of development. Unused buildings or sites within the urban areas should be used for this form of development.
- Urbanising effect on the semi-rural character of the area
- Unacceptable parking and turning arrangements
- Traffic/congestion conflict with Crematorium users
- Unneighbourly impact on local residents at antisocial hours
- Site is not easily accessible to Bracknell residents and would result in off-site parking affecting local residents and users of facilities such as the Crematorium.
- Alternative facilities are available nearby.
- The number of letters of support from outside the Borough indicate that this is a facility serving a wider area that will require users to drive to the site.
- The proposal should be determined on the impact on the site not on the merits of the gymnastics club.
- The gymnastics club would benefit relatively few people using the facility but the current open space benefits more from the local community.
- Loss of privacy for properties that back on to the site
- Very little public transport is available to serve the site.
- The site includes an old Ice House.
- Current Covid 19 restrictions on use of facilities should not be a reason to permit this development.
- Benefits of a gymnastics club are not comparable to the benefits of a green space.
- The building would not be in keeping with the local area.
- The application is contrary to the Council's Biodiversity Action Plan which states that 'important sites are protected'. The destruction of existing habitats does not ensure this.

7. SUMMARY OF CONSULTATION RESPONSES

7.1. Highways Officer - The Highway Authority objects to the proposed development, which fails to:

- provide safe and suitable access to the site for all users,
- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas,
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles,
- allow for the efficient delivery of goods, and access by service and emergency vehicles.

A Travel Plan is required for a development of this scale, but none has been submitted, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108 and 111.

The proposed parking is a considerable shortfall against the Parking Standards SPD, contrary to Local Plan Policy M9, which is likely to result in inconsiderate and obstructive parking off-site.

The proposed access and parking arrangements would result in an unacceptable detriment to highway safety for all road users, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108, 109 and 110.

The Highway Authority recommends that the application is refused for the above reasons.

7.2 Tree Officer - The proposal would have a significant adverse impact on the landscape & environment through the loss of a great number of trees which would diminish the landscape and visual amenity as well as destroy the woodland character of the site.

The application will require the removal of significant number of trees within a woodland area protected by TPO's and as such is contrary to policies EN1, EN3, EN8 & EN20.

7.3 Biodiversity Officer – Objects to the proposal on the basis that:

- The proposals would result in loss of woodland priority habitat in conflict with the purposes of its conservation as a Habitat of Principal Importance;
- The application does not demonstrate it would achieve protection and long-term conservation of Species of Principal;
- The application does not demonstrate that it would protect or achieve net gain for biodiversity; and
- The proposals would result in a reduction of green infrastructure that would reduce the resilience of the ecological network at this location.

7.4 Implementation Officer

Highways/Transport

Should any roads be sought for adoption or the proposal include any works to the Public Highways then a planning obligation will be required to ensure a Highways agreement is entered into.

Open Space of Public Value

The proposal seeks to build over approximately 1.37ha of Passive OSPV. Only in exceptional circumstances, where it is robustly demonstrated that the loss of the OSPV cannot be avoided, would we support the proposal. Whilst alternative sports and recreational provision is proposed, it is evidently a material change from passive open space. There are no details or evidence of where the passive OSPV would be re-provided. There is therefore a strong objection to the proposal in its current format. Paragraph 97 of the NPPF expressly states that Existing Open Space 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

It is not possible to judge from the proposal that a, b or c have been met and therefore the loss of open space is not acceptable.

In the event that it is demonstrated to the satisfaction of the Council that the benefits of the proposal outweigh the loss of the current use then a contribution would be sought towards re-provision/ expansion or improvement of Passive OSPV to mitigate the loss.

Travel Plan

The Planning Obligations SPD appendix 1, Part 1, states that D2 Assembly and Leisure uses will be required to produce a travel plan depending on the size and location of the development. If the Highways Authority requests a travel plan for the development, a planning obligation would be required to secure the submission and approval of a Travel Plan and the Travel Plan fee and deposit with at least the minimum fee of £3,000 and deposit of £5,000.

SuDS

Should an acceptable proposal be put forward, where there are SuDS on site a planning obligation will be required to ensure approval of a Drainage Strategy which should include a 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.

7.5 Environmental Health Officer - The major concern is noise impact on local residents due to noise breakout and vehicles. A noise assessment has been submitted with the application. It considers both noise from the operation of the gymnastics centre and from the vehicles coming to and from the proposed premises. It makes no reference to plant, so it is assumed that no externally mounted noise generating plant is proposed (e.g. air conditioning systems). This has been confirmed by the agent. On the basis of no noise generating plant being proposed there are no objections to the proposal.

7.6 Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

7.7 Berkshire Archaeology - Immediately to the south of the site is an 'Icehouse', a 19th-century refrigerator, which is still extant. This monument is also shown on historic mapping. It survives as a pronounced mound with its domed, brick roof partly exposed. This structure is not designated as a listed building or Scheduled Monument, but it is a heritage asset of local interest. Should the scheme be permitted, consideration should be given to how damage to this extant monument can be avoided during construction or after, with increased usage of the locality.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

		Development Plan	NPPF
	General Policies	CSDPD Policy CS2 Consistent (Para. 17 & 117 - 119). CSDPD Policy CS9 and BFBLP 'Saved' Policy EN8 Elements are acknowledged to not be fully consistent (para. 170 a) and b) however the thrust of these policies	Full Not fully consistent.

	remains consistent (paras. 78-79, 103, 104a, 117 and 170)	
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)
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)
Open Space Provision	CSDPD Policy CS8	Consistent (paras. 92 & 97 of the NPPF)
Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 54 to 56, 92 and 94)
Supplementary Planning Documents (SPD)		
Parking standards SPD Planning Obligations SPD (2015)		
Other publications		
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 Loss of open space
- iv Impact on residential amenity
- v Impact on highway safety
- vi Impact on trees
- vii Impact on biodiversity

Principle of Development

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

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

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

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

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

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

9.4 The site is located on land outside of a defined settlement as shown on the Bracknell Forest Borough Policies Map (2013) and is considered 'countryside'. CSDPD Policy CS1 indicates that development should protect and enhance the character and quality of local landscapes and the wider countryside. Policy CS2 provides locational principles for the allocation of land for development and confirms that development will be permitted within defined settlements and on Allocated Sites. Both of these policies

are considered to be consistent with the principles of sustainable development and a plan-led approach as set out in the NPPF such that they should be accorded full weight.

9.5 Policy CS8 of the CSDPD relating to recreation and culture states that development will be permitted which retains, improves and maintains existing recreational facilities; and/or provides and maintains new recreational facilities. Whilst Policy CS8 would support the proposal in so far as it would provide new recreational facilities, as the site is not allocated and is outside of a defined settlement, it would be contrary to policy CS2 and policy CS9. Policy CS2 seeks to steer new developments to be located on allocated sites or within defined settlements. Policy CS9 seeks to protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. In addition to this, it is stated in 'Saved' Policy EN8 of the BFBLP that development would only be permitted outside of the defined settlement boundaries where it would not damage its landscape quality. The policy indicates that "the countryside will be protected for its own sake. Outside the defined settlement boundaries, development will be permitted only where it would not adversely affect the character, appearance or function of the land, would not damage its landscape quality and, where conspicuous from the Green Belt, would not injure the visual amenities of the Green Belt'.

9.6 Policies CS9 and EN8 are not wholly consistent with the revised Framework which does not refer to the 'protection' of the countryside but both policies include an assessment of the effect on the character and appearance of the land and this is consistent with para. 170 b). This requires decisions to contribute to and enhance the natural and local environment by 'recognising the intrinsic character and beauty of the countryside'. It is also consistent with NPPF para. 127 which requires decisions to ensure that developments 'are sympathetic to local character and history, including the surrounding built environment and landscape setting..'. As policies CS9 and EN8 are not wholly consistent with the NPPF any conflict with them cannot be accorded full weight in the planning balance which is set out in Section 10 below.

9.7 'Saved' policy R7 of the BFBLP provides for recreational use of the countryside provided that it would not adversely affect residential amenity or the function or character of the countryside. It states that organised recreational activity - such as golf courses, orienteering, polo pitches - may be acceptable provided the activity is appropriate to a countryside location and can be undertaken without affecting the character of the countryside. In this instance, the proposal for a large gymnasium building is not a recreational use that would normally be associated with the countryside, such as those listed under this policy.

9.8 Paragraph 83 of the NPPF states that planning policies and decisions should c) enable sustainable rural tourism and leisure developments which respect the character of the countryside and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural building, public houses and places of worship.

9.9 Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. The NPPF glossary under Appendix 2 outlined that main town centre uses includes more intensive sport and recreation uses

and whilst a gymnasium is not specifically listed under this glossary, health and fitness centres are and so the proposal is considered to constitute a main town centre use.

9.10 As outlined in the Government Guidance for Ensuring the Vitality of Town Centres, the sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of town centre locations, with preference for accessible sites which are well connected to the town centres. This supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking. Only when it has been clearly demonstrated that there are no suitable sequentially preferable locations, can the sequential test be passed.

9.11 At the time of the submission of the planning application the proposed use would fall within Use Class D2. From 1st September Use Class D2 was revoked and the proposed use would fall with Use Class E(d). Regulation 4 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 states that if a planning application was submitted by 31st August 2020 then it should be determined by reference to the use classes in operation at that time.

9.12 A Sequential test was submitted with the application which references a number of other sites in and around Bracknell that were also considered. The analysis of the 'pros and cons' of each site is considered to be very subjective with no clear and compelling justification given as to why certain sites were disregarded. Some sites were disregarded simply due to a lack of response from the current owners/occupiers. Although reference is made in the submitted Sequential Test to the size requirements for the proposed building and the need to ensure adequate ceiling heights and need for a pit to achieve this, no figures have been given for the minimum size requirements of the proposed building. Sites within the Western Site Unit were ruled out on this basis with no discussion of the minimum size or extent of works given.

9.13 The Sequential Report rules out Braybrooke Recreation Ground as a suitable site as it would result in the loss of a public open space. The loss of the open space close to a town centre is said to be more harmful than the loss of the public open space on the application site, but no indication is given of how the value of the public open spaces has been measured.

9.14 It is not therefore considered that it has been adequately demonstrated that no other suitable sites within a town centre or edge of town centre location exist.

9.15 Paragraph 90 of the NPPF states that where an application fails to satisfy the sequential test, or is likely to have significant adverse impact on one of more of the considerations in paragraph 89, it should be refused. It is noted that the NPPF pre-dates the introduction of Class E (within which this application falls). The revised Use Classes Order would allow the proposed use to be located within any existing commercial, business or service use site without the need for permission for change of use. This reduces the relevance of the sequential test in guiding specific uses to town centre locations but would still have some relevance in this case where the proposed location is not currently in Class E use and is outside of the settlement. The classification of the proposed use as Class E would permit the use to be carried out on any site also in Class E, potentially widening the opportunities available for the gymnastics club to be sited within the town centre or an edge of town centre site or on other sites within the settlement area.

9.16 Policy CS8 of the Core Strategy states that existing recreational facilities are to be retained and that the Council will resist the loss of existing provision. This policy is considered with Paragraph 97 of the NPPF which 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.

9.17 The proposal would not fall under a) or b) as there is no evidence to suggest that the open space is surplus to requirements and the loss is not proposed to be replaced. Great Hollands Recreational Park is identified in the Bracknell Forest Open Space and Sports Study (August 2017) as being of excellent quality, serving the park run and has cycleways and footpaths that provide safe opportunities for walking and running. The park, including the proposal site, therefore clearly serves its purposes as an open space that provides opportunities for sports and recreation. Although the development would be providing alternative sports and recreational provision and therefore falls to be assessed under c), it is not considered that it has been demonstrated that the benefits of the proposed development would clearly outweigh the loss of the current use.

Conclusion

9.18 Therefore, as the applicant has failed to satisfy the sequential test and as it has not been demonstrated that the benefits of the proposed development clearly outweigh the loss of the current open space, the proposal is unacceptable in principle. It would be contrary to policies CS1, CS2, CS8 and CS9 of the Core Strategy, EN8 and R7 of the BFBLP and relevant NPPF paragraphs mentioned above.

Impact on Character and Appearance of the Area

9.19 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 124 of the NPPF emphasises the importance of good design as key to making places better for people to live in. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.20 To reiterate, Policy CS9 seeks to protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. 'Saved' Policy EN8 of the BFBLP states that development would only be permitted outside of the defined settlement boundaries where it would not damage its landscape quality.

9.21 The proposal would require the removal of a number of trees which would in itself have an impact on the character and appearance of the site as a recreational park in the countryside. The introduction of the proposed building on the site and associated

access, parking and turning areas would further alter the character of the site and surrounding area resulting in a more urbanised appearance. The building has been designed to be single storey with a partial lower ground floor level. It would be clad in composite boarding with a low pitched roof and includes extensive areas of glazing. The building will be set back from South Road but would still be readily visible from the open space to the south and on the approach along South Road.

9.22 There are other buildings situated within close proximity to the site such as Great Hollands Pavilion, the Bowling Club and Downshire Golf Course buildings which are also situated within the countryside. These buildings are low key in nature and relate to the outdoor uses with which they are associated. The Bowling Club building is positioned close to South Road, but the building is single storey and of modest design. The Great Hollands Pavilion building is positioned further back from South Road and is less prominent in the street scene.

9.23 The proposed gymnastics club building will be visible from South Road and, although the footprint of the building has been reduced since the previously refused application on the site (17/01091/FUL), it still fills much of the width of the site. The building and its car park will also be very visible from the footpath link to Staplehurst, footpaths through the landscaped area on the eastern side of the site and from allotments to the north.

9.24 The site is positioned north of other buildings on the eastern side of South Road and is separated from buildings at the bowling club and Great Hollands park by the open space. As such the building does not relate to existing buildings associated with Great Hollands recreation ground and will appear as an isolated building unconnected to any outdoor recreational uses.

9.25 Whilst there is no objection to the design of the building, it is not considered that a building on this site, together with the associated car parking and access road, is appropriate to this out of settlement site.

9.26 The proposal would adversely affect the character and appearance of the surrounding area and would be contrary to 'Saved' policy EN8 and EN20 of the BFBLP, Policy CS7 and CS9 of CSDPD and the NPPF.

Loss of open space

9.27 The proposal seeks to build on a designated open space of public value. Policy CS8 of the CSDPD seeks to resist the loss of existing recreational facilities and states that development will be permitted which retains, improves and maintains existing recreational facilities or provides and maintains new facilities. The current use of the site is for passive OSPV and it is not considered that the replacement of this with indoor sports training facilities protects the existing recreational facility. Whilst alternative sports and recreational provision is proposed, it is a material change from passive open space. No details or evidence have been provided of where the passive OSPV would be re-provided and it has not been demonstrated that the replacement recreational facilities would be an improvement to the quality of facilities that will be provided in the gymnastics centre.

9.28 Although the proposed gymnastics club will offer high quality training facilities and there is support for the provision of the new facilities, the development will be a different form of recreational facility serving a specific need for sports training. This cannot be easily compared to the benefits of passive OSPV used by local residents. In

addition, the site is outside the settlement area, and the provision of open space for use by residents is supported by policy EN8 of the BFBLP which seeks to permit recreational development suitable in the countryside. The loss of a facility appropriate within the countryside and its replacement by an indoor sports facility is not considered to represent an improvement to the quality of facilities in this countryside location.

9.29 Paragraph 97 of the NPPF expressly states that Existing Open Space 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.

9.30 It is not possible to see from the proposal that a, b or c have been met and therefore the loss of open space is not acceptable.

9.31 The proposal is considered to be contrary to policy CS8 of the CSDPD and to para. 97 of the NPPF as it will result in the loss of OSPV and it has not been demonstrated that this will be satisfactorily re-provided or that the proposed gymnastics club represents an improved quality of recreational facilities.

Impact on Residential Amenity

9.32 'Saved' policy EN20 of the BFBLP states that new development should not adversely affect the amenity of surrounding properties and adjoining area.

9.33 'Saved' Policy EN25 of the BFBLP states that development will not be permitted if it would generate unacceptable levels of noise, smoke, fumes or other environmental pollution which would adversely affect the amenities of the occupiers of buildings.

9.34 Residential uses exist to the east of the site, with some dwellings situated along Staplehurst directly adjoining the site at their rear boundaries. The building at its closest point would be set back approximately 87m from the boundary with the dwellings situated along Staplehurst. This separation distance would be sufficient to prevent the buildings from having any direct impact on the amenities of these residential units in terms of loss of light and appearing overbearing, particularly as the shared boundary adjoins the bottom end of their gardens. The car park would be situated in closer proximity to the residential units, being set back 30m from the eastern site boundary. The plans show that a landscape bund would exist between the car park and the eastern boundary.

9.35 A noise assessment has been submitted to support the application. It considers both noise from the operation of the gymnastics centre and from the vehicles coming to and from the proposed premises. It makes no reference to plant, but the applicant has confirmed that no externally mounted noise generating plant will be installed. On the basis that no noise-generating plant such as air conditioning will be installed, the environmental health officer has no objection to the proposals and with respect of noise and disturbance to the residential amenities of neighbouring properties the proposal is considered to be in accordance with policy EN20 of the BFBLP.

Impact on trees

9.36 Policy EN1 of the BFBLP states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows. Trees and hedgerows are important to the retention of the character and appearance of the landscape or townscape of the area.

9.37 Paragraph 175 c) of the NPPF states that when determining planning applications, c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Footnote 58 explains that wholly exceptional reasons include for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

9.38 The definition of an ancient or veteran tree is outlined in the NPPF as 'A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage'. The Woodland Trust has made objections based on the reference in the ArbTech tree survey to trees T51 and T77 submitted with the previous application on the site, 17/01091/FUL, as being 'veteran' trees.

9.39 In the previous application on this site for a gymnastics centre, (17/01091/FUL), the applicant's arboricultural report cited two Oaks as having 'veteran' status. Subsequent to that report, other arboricultural submissions provided by applicants in this current application, have not supported the initial classification of the two Oaks as 'veteran' and the Design & Access Statement for this current application clearly states that in the applicant's opinion the two Oaks are definitely not of 'veteran' status (Sect. 6.33).

9.40 The trees on site are protected by a TPO (TPO 1319 and 1286) and the woodland on the application site is listed on the Forestry Commission's Forest Inventory database. The trees provide considerable visual amenity and act as a buffer between the managed landscape afforded by the allotments to the north and the intensely maintained landscape afforded by the Great Hollands Recreation Ground.

9.41 The submitted Arboricultural Impact Assessment sets out an approach of identifying and surveying all trees on site as individuals in line with BS5837 recommendations. This approach seeks to identify the best trees on site for retention and to identify trees of a lesser category that could be removed to facilitate development. The tree officer has advised that this is not an appropriate interpretation of BS5837 recommendations and believes that more trees should be "A" category trees than the submitted Arboricultural Impact Assessment details. As an example, T89 is an individually protected tree (T2) within TPO 1286 but is not graded as "A" category by the applicant.

9.42 Trees that are not "A" category on site are part of a woodland environment and as such have a collective value as a singular woodland feature with wildlife habitat value. The designation of TPO 1319 as a woodland recognises its collective value as a wildlife habitat. Some lesser category trees that will be removed in the application are valuable components of the woodland as a habitat and defects in trees and ivy infestation provide habitat.

9.43 Trees along the frontage with South Road are shown to be retained. However, a new access road is to be provided into the site running parallel with South Road that removes a number of trees and compromises the root protection areas of many of the remaining trees. In addition, any footway/cycleway along the frontage of the site required to meet highway requirements would have implications for the retention of important trees along the South Road frontage.

Conclusion

9.44 The proposed development would result in the loss of a significant number of trees within a woodland protected by TPOs and is contrary to policies EN1, EN3, EN8 and EN20 of the BFBLP.

Biodiversity

9.45 Policies CS1 and CS7 of the CSDPD seek to protect and enhance the quality of natural resources including biodiversity. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

Loss and degradation of deciduous woodland priority habitat

9.46 The proposed development would result in 0.971 ha of woodland being lost or degraded. Approximately 0.7ha would be converted to car park and landscaping areas and the remaining 0.27 ha re-landscaped as a bund leaving no original woodland habitat. The site includes approx. 0.29 ha identified in the Natural England priority habitat inventory. All of the woodland was classified as deciduous semi-natural woodland by the previous Ecological Appraisal (Ecology by Design, 2018) which meets the definition of 'lowland mixed deciduous woodland' priority habitat and is considered to be a Habitat of Principal Importance (HPI). Under section 41 of the NERC Act 2006 all public authorities must have regard to the conservation of habitats and species listed as of Principal Importance.

9.47 The proposals to replant the remaining 0.27ha are insufficient to compensate for the greater loss of habitat. The compensatory strategy suggests that offsite compensation would be required with a third party but no proposals for this compensation are included in the application.

9.48 The remaining trees around the northern boundary and between the building and the car park would no longer form part of a woodland habitat and would be downgraded to highly managed trees and landscaping. These areas would be intensively managed and the ground beneath would be managed as mown grass for visibility, preventing any natural woodland processes such as regeneration, deadwood accumulation and habitat structure.

9.49 The remaining woodland area at the east end of the site would be re-profiled as a 'landscaped bund' shown on the plans. This would involve the complete loss of all

existing woodland vegetation and replanting to form a narrow young woodland. This would be under increased human pressure due to the location of the car park and the new path network that would leave no area undisturbed by people and dogs. Clearance around the new path would also limit the space for woodland understorey. The proposed development would result in the direct loss or degradation of approximately 0.97 hectares of woodland which conflicts with the intention to conserve priority habitats in the NPPF and the council's legal duty to have regard to the conservation of those habitats. The proposals also conflict with saved Local Plan policy EN1 and Core Strategy policies CS1 and CS7 which seek to protect existing tree cover and biodiversity.

Loss of two veteran trees, irreplaceable habitat.

9.50 Two mature oaks on site (T84 and T89 of the current BHA survey) are not veteran trees but have veteran features such as large deadwood or cavities and they remain significant features within the woodland. If these trees are retained within a landscaped area it will be difficult to allow them to progress into veterans due to the safety issues involved close to a building and car park.

Adverse impacts on foraging bats, European Protected Species

9.51 The compensation strategy points to case law (Morge vs Hampshire County Council, 2011) in advising that the loss of foraging and commuting do not relate to the council's legal duty for bat roosts under the Habitats Regulations. However, the council also has legal duties to Species of Principal Importance (SPI) under the National Environment and Rural Communities Act 2006 (NERC Act). Soprano pipistrelle, Brown long-eared and Noctule bats are SPI recorded at this site. Under section 41 of the Act, the council has a duty to have regard to the conservation of these species. Therefore, it is important to consider the loss of foraging and commuting habitat for these species. The previous bat survey (2018) concluded that the surveys of the sites are of District value for commuting and foraging bats. Section 5.1.1. concludes that "the site is likely to be within the core sustenance zones for all bats recorded (six species including three rare). Section 5.1.2. predicts the impact will be high at a district level.

9.52 A district level of importance is sufficient for the council to require its protection and the current proposals are likely to result in adverse impacts such as loss of foraging habitat and lighting. The compensatory strategy considers the impact of 0.7 ha loss of foraging habitat against the availability of similar habitats in the area. This is roughly in line with new guidance from Bat Conservation Trust 2020 (BCT) "Core Sustenance Zones and habitats of importance for designing Biodiversity Net Gain for bats". The conclusion is that this loss is relatively small scale within the area. However, consideration of the impact on Species of Principal Importance in relation to standing advice is made below. In addition to the direct loss of habitat, any lighting at this site will also have an impact on nocturnal wildlife, even with a sensitive design. In particular, lighting of the car park could further reduce the availability of foraging habitat for bats beyond physical loss.

Absence of net gain for biodiversity/ Lack of mitigation hierarchy

9.53 The compensation strategy section 4.2.1 refers to a net gain assessment and concludes a loss of 86.57% (-9.14 units) of the biodiversity value for habitats at the site. However, it is clear from the significant loss of habitat and the design of the site that very little impact has been avoided in line with the mitigation hierarchy. The strategy suggests that compensation for the lost biodiversity credits should be provided offsite with a third party. The report does recognise that the biodiversity offset would need to

specifically provide for woodland creation due to the presence of priority habitat. The mitigation hierarchy is a sequential process to first avoid, then mitigate then compensate. The use of offsite net gain contributions should be the last and smallest measure intended to cover residual net gain and not, as it appears in this case, to justify large scale clearance of a site. The NPPF paragraph 170 requires all development to achieve net gains for biodiversity and this proposal clearly shows a significant loss without any adherence to the mitigation hierarchy or specific proposals for compensation. Therefore, it is contrary to national and local policies (CS1 and CS7) requiring the protection and enhancement of biodiversity.

Further survey for reptiles and breeding birds – Species of Principal Importance

i) Reptiles

9.54 Further surveys have been carried out for birds and reptiles submitted within a revised Protected Species (Phase 2) Surveys & Ecological Compensation Strategy (October revision). The reptile survey identified a low population of slow worms within the more open areas of the site. Slow worms (*Anguis fragilis*) are a Species of Principal Importance (SPI) listed under section 41 of the NERC Act. The report suggests that the allotments adjacent to the north of the site are likely to support a larger population although this is not based on survey results within that area. During the reptile survey no refuges were placed in the scrub adjacent to the allotments, presumably as it was assumed to be unsuitable habitat. Therefore, it is difficult to make an informed assessment about the central focus of the slow worm population. The compensation strategy does not propose any replacement habitat for slow worms and opts for complete removal using habitat degradation methods to move the reptiles onto adjacent land. While allotments are likely to be suitable, their management is constantly changing giving no certainty and there are no measures proposed to increase the capacity of this area for more reptiles.

9.55 The council has a duty to have regard to the conservation of Species of Principal Importance. Therefore, it is important to consider the long term loss of habitat for these species.

ii) Breeding birds

9.56 The bird survey was carried out in October, well outside the breeding season so unlikely to identify breeding birds and can provide no clear picture of importance. With reference to Fuller (1980)², the report suggests that the bird assemblage is of no local importance. However, the non-breeding assemblage is 21 species which is only three short of the number required to be of local importance. A breeding bird survey would likely identify more species dependent on the woodland for nesting or foraging. The survey did identify two species amber-listed and two species red-listed as Birds of Conservation Concern (BoCC). In addition, a previous survey identified grey wagtail, a red-listed BoCC. It is acknowledged that none of the BoCC species are likely to rely on the woodland for breeding, although they may use it as a food source for feeding chicks.

9.57 Of the 21 bird species identified, three (Dunnock, Starling and House Sparrow) are also Species of Principal Importance (SPI). The compensation strategy suggests clearance outside the bird breeding season but there is no consideration of mitigation for lost habitat which is recommended.

iii) Concluding on Species of Principal Importance/protected species

9.58 The various surveys at this site have identified the presence or likely presence of 9 Species of Principal Importance (House Sparrow, Dunnock, Starling, Hedgehog, Noctule, Soprano Pipistrelle, Brown Long-eared bat, Slow-worm and Stag Beetle). The compensation strategy does not provide consideration of or mitigation for, the long term loss of habitat for reptiles, birds, hedgehogs or stag beetles. Therefore, it is in conflict with standing advice from Natural England and does not demonstrate that it protects and enhances biodiversity in line with core policies CS1 and CS7. Lastly, the council cannot conclude that the conservation of Species of Principal Importance at the site will be achieved in line with its legal duty under the NERC Act 2006

Adverse impact on green infrastructure

9.59 This site has been identified as performing a range of functions in the green infrastructure review commissioned by the council in support of the emerging local plan (TVERC, 2017) which is available on the council's website. The study identified the area as being of value for landscape, woodland habitat network and flooding. Therefore, this area of land currently performs a range of functions that may be lost if the land is developed.

9.60 It is estimated that it would take approximately 30 years (using biodiversity metric estimates) to achieve the condition of a mature woodland that currently exists at the site. This means it would effectively remove that area for many generations of species that use the woodland. Paragraph 170 of the NPPF states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:...d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;”

9.61 This woodland forms part of an ecological network helping species move through the landscape. While retaining 0.27ha would allow some connectivity to be retained, it would still be reduced and effectively removed for a number of years while new trees develop. This is not in line with the intention of the NPPF to enhance the natural environment and establish networks that are more resilient to future pressures.

Impact on Highway Safety

Access

9.62 The proposed development would take access off South Road, a publicly accessible road which provides access to Easthampstead Park Cemetery and Crematorium, Great Holland Recreation Ground, Great Hollands Bowls Club and Beaufort Park. South Road leads to West Road and is therefore also used for access to Downshire Golf Complex, and some allotments to the north of the application site. South Road can accommodate two-way traffic being around 5.8m wide and visibility splays of 2.45m by 160m can be achieved at the junction of South Road with Nine Mile Ride, in line with the Highways Guidance.

9.63 The angle and direction of travel of the one-way access road at the front of the building has been amended since the original submission, but it remains that the angle of approach for coaches to the egress onto South Road is likely to require drivers to look over their shoulder to see, which is very difficult for vehicles such as coaches and would give rise to highway safety concerns.

9.64 Some indication of a footway/cycleway to connect with provision along South Road has been shown, but this appears to be provided within the root protection areas of a number of trees, which is likely to prevent the route being constructed to adoptable standards, in conflict with the overall cycleway scheme for South Road, in conflict with Core Strategy Policy CS24 and Local Plan Policies M4 and M6.9.64

9.65 The site is not situated in a location which would reduce the need to travel nor encourage access using sustainable modes. The routes to the bus stops stated in the Transport Statement do not have streetlighting and are not adopted highway. It is very unlikely that these would be used to access the development, contrary to Core Strategy Policies CS1 and CS23 and Local Plan Policies M4 and M8 supported by the NPPF at paragraph 103.

9.66 48 standard parking spaces are shown on the revised site access plan, along with 6 disabled spaces and an 8-space drop-off area. It remains unclear why so many motorcycle spaces are shown, it seems unlikely that this many motorcycles would visit the site at the same time. A 40-space covered cycle parking area is shown on the revised site access plan, to the north of the proposed building.

9.67 Table 8 of the Parking Standards SPD sets out a standard for Sports Facilities of 1 car parking space per 22 sq. m and 1 cycle parking space per 50 sq. m. The submitted Ground Floor and Lower Ground Floor plans do not appear to scale properly and therefore the Application Form figure of 2,300 sq m has been used to determine that the number of car and cycle spaces required is 105 car parking spaces and 46 cycle spaces. Accordingly, the proposed car parking is around half of that required by the Parking Standards SPD (March 2016) contrary to Local Plan Policy M9.

Servicing and Deliveries

9.68 The refuse storage location has not been set out on the submitted plans. The Parking Standards SPD states that "Facilities should be provided within the site for the loading, unloading and manoeuvring of delivery vehicles for all uses within this class". Whilst a swept path drawing of a refuse vehicle is provided in Appendix F of the Transport Statement, this appears to show the refuse vehicle requiring areas which are not carriageway and coming far too close to car and motorcycle parking. This could result in conflicts with other road users.

Travel Plan

9.69 A Travel Plan is required for a development of this scale, but none has been submitted, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108 and 111.

Conclusion

9.70 The proposed development does not provide safe and suitable access to the site and does not give priority to pedestrian and cycle movements within the scheme and with neighbouring areas. Provision has not been made for the delivery of goods and access by service and emergency vehicles.

9.71 A Travel Plan is required for a development of this scale, but none has been submitted, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108 and 111.

9.72 The proposed parking is a considerable shortfall against the Parking Standards SPD, contrary to Local Plan Policy M9, which is likely to result in inconsiderate and obstructive parking off-site.

9.73 The proposal is therefore contrary to policy M9 of the BFBLP, policy CS23 of the CSDPD and paragraph 109 of the NPPF as the proposal would have inadequate access, inadequate parking and provision for the delivery of goods and access for emergency vehicles. No Travel Plan has been secured.

10. CONCLUSIONS

10.1 The development would be unacceptable in principle as it has not been demonstrated that the benefits of the proposed development clearly outweigh the loss of the current open space. It would result in an adverse impact on the character and appearance of the area which is outside a defined settlement area.

10.2 The proposal would result in the loss of TPO trees which contribute to the visual amenity of the area and constitute woodland. It has not been adequately demonstrated that the proposed development would not have an adverse impact on protected species and their habitats. It is considered that the proposal would also give rise to highway safety issues. A Travel Plan would be required for the proposed development and has not been secured.

10.3 The proposal is therefore contrary to 'Saved' policies EN1, EN3, EN8, R7, EN20, and M9 of the BFBLP, Policies CS1, CS2, CS7, CS9 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

That the application be **REFUSED** for the following reasons:-

01. The proposed development would be situated on land outside of a defined settlement and the site has not been allocated in the Site Allocations Local Plan. It would have an adverse impact on the character, appearance and function of this land as open space of public value and it has not been demonstrated to the satisfaction of the Local Planning Authority that there are no suitable preferable locations, including within a town centre or edge of town centre location. The proposed location has therefore not been justified, and the proposal is contrary to policies CS1, CS2, and CS9 of CSDPD, policies EN8 and R7 of the BFBLP, and the NPPF.
02. The proposal would result in the loss of existing open space at Great Hollands Recreational Park which is not proposed to be replaced. Whilst alternative sports and recreational provision is proposed, it has not been demonstrated that the benefits of the proposed development would clearly outweigh the loss of the current use. As outlined in the Bracknell Forest Open Space and Sports Study (August 2017), the site clearly serves its purpose as an open space that provides

for sports and recreation. The proposal is therefore contrary to policy CS8 of CSDPD, 'Saved' policy EN8 of the BFBLP, and the NPPF.

03. The proposed development, by virtue of its proposed scale, siting and prominence, as well as the loss of the existing trees subject to a TPO, would have a harmful urbanising impact on the character and appearance of this outside of settlement/countryside location, and would be contrary to 'Saved' policies EN8 and EN20 of the BFBLP, Policies CS7 and CS9 of CSDPD and the NPPF, which seek to protect the character and appearance of land situated outside of a settlement.
04. The application would require the removal of significant number of trees within a woodland area protected by TPOs which would result in loss of woodland priority habitat in conflict with the purposes of its conservation as a Habitat of Principal Importance under the NERC Act 2006. This would also result in a reduction of green infrastructure that would reduce the resilience of the ecological network at this location. The proposal is therefore contrary to policies EN1, EN3, EN8 & EN20 of the BFBLP and contrary to the NPPF.
05. The application does not demonstrate that it would achieve protection and long term conservation of Species of Principal Importance that are also protected species in line with the NERC Act 2006, Standing Advice from Natural England, saved BFBLP policy EN1 and CSDPD policies CS1 and CS7.
06. The application does not demonstrate that it would protect or achieve net gain for biodiversity in line with the NPPF, CSDPD policies CS1 and CS7.
07. The proposal, by reason of inadequate access, inadequate provisions for the efficient delivery of goods and access by service and emergency vehicles and inadequate parking, would give rise to highway safety issues and over-spill parking which would be contrary to policy M9 of the BFBLP and the NPPF.
08. The application fails to secure a Travel Plan which is required for a development of this scale, contrary to CSDPD policy CS23 supported by the paras. 108 and 111 of the NPPF and the Planning Obligations SPD

Informatives

- 01 Reason for refusal 08 could be overcome through the completion of a suitably worded S106 agreement.
- 02 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.
- 03 The application was determined on the basis of the following plans: -

1912015-0100-01 A
BHA_712_04
BHA_712_01
3498/206 REV B

3498/203 REV D
3498/203 REV C
3498/202 REV D
3498/202 REV C
3498/201 REV C
3498/201 REV E
3498/200 REV F
3498/200 REV D
3498/102
1912015-TK03
1912015-TK01

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Doc. Ref: Uniform 7/DC/Agenda

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Unrestricted Report

ITEM NO: 06

Application No.
19/00327/FUL

Site Address:

Ward:
Binfield With Warfield

Date Registered:
8 April 2019

Target Decision Date:
8 July 2019

Land At South West Of Abbey Place Abbey Place Warfield Bracknell Berkshire

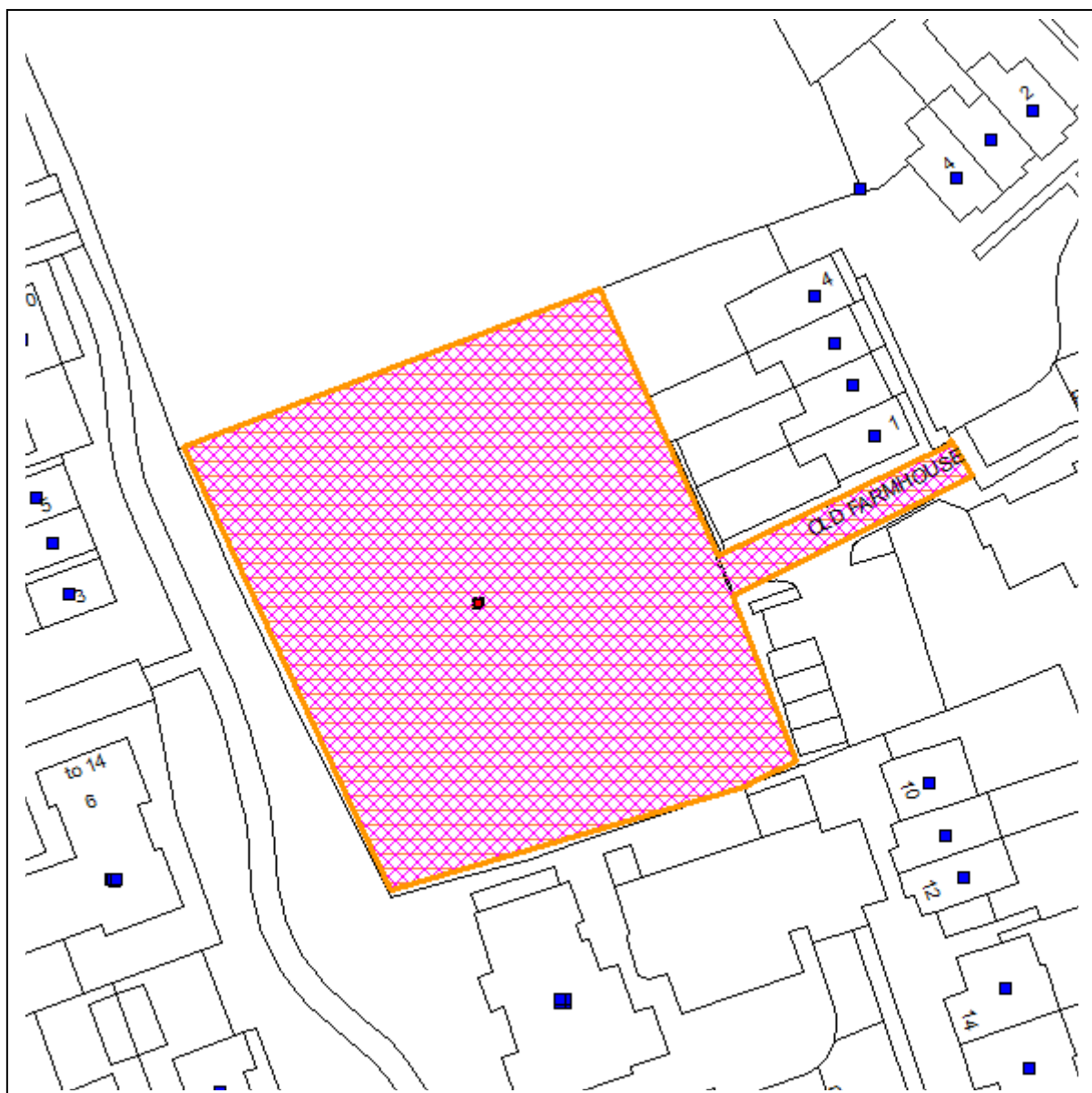
Proposal: **Erection of 9 dwellings with associated access, parking and landscaping.**

Applicant: Mr Richard Barter

Agent: (There is no agent for this application)

Case Officer: Hilary Coplestone, 01344 352000
Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 This application for full planning permission for the erection of 9 dwellings was presented to the meeting of the Planning Committee on 10th September 2020. At that meeting it was resolved that the Head of Planning be authorised to approve the application subject to the prior completion of a s106 agreement to secure the provision of on site and off site infrastructure and the conditions amended, added to or deleted as the Head of Planning considers necessary. The resolution also included the need for consultation with the applicant in relation to pre-commencement conditions. Discussions are taking place with the applicant with respect to the s106 agreement and no decision has yet been issued
- 1.2 Following the Committee, it came to light that the newly built and occupied properties to the west of the site, within the Redrow development, were omitted from the consultation on the revised scheme in May 2020. Additional consultation has now been undertaken to include 13 properties within Sutton Road, Burge Place, Crozier Lane, adjacent to the north-south greenway. This report summarises the additional consultation responses and addresses any new issues not previously addressed in the original report. A copy of the report to the meeting of the Planning Committee on 10th September is attached as Appendix 1.

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 This application is reported to Planning Committee as 3 additional letters of objection have been received in addition to 5 objections received previously as reported to the Planning Committee on 10th September.

3. PLANNING STATUS AND SITE DESCRIPTION

- 3.1 This is set out in section 3 of the attached report

4. RELEVANT SITE HISTORY

- 4.1 This is set out in section 3 of the attached report

5. THE PROPOSAL

- 5.1 This is set out in section 4 of the attached report

6. REPRESENTATIONS RECEIVED

- 6.1 3 additional representations have been received as result of the additional consultation of properties to the west of the site. The objections from occupiers of 4 and 5 Burge Place, Warfield and 43 Darby Vale are summarised as follows:

- Impact on local wildlife and biodiversity

- Loss of an open green space
- Land should be used as a landscaped woodland park
- Loss of outlook and loss of privacy
- Loss of sunlight
- Increase in noise, activity and car fumes
- Loss of trees/vegetation

7. SUMMARY OF CONSULTATION RESPONSES

- 7.1 The consultation responses are set out in section 7 of the attached report. The consultation responses are unchanged.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

- 8.1 These are set out in section 8 of the attached report.

9. PLANNING CONSIDERATIONS

- 9.1 These are set out in section 9 of the attached report. Para 9 iii) relates to the impact on the amenity of neighbouring properties and occupiers, however, the relationship of the proposed development to new properties in Burge Place, Crozier Lane and Sutton Road is now addressed below along with the representations received as a result of the additional consultation.

i) Impact on the amenity of residential occupiers to the west of the site

- 9.2 Properties immediately to the west of the development comprise i) a terrace of 3 dwellings (nos. 3 – 5 Burge Place) ii) an apartment block (nos. 6 – 14 Burge Place) and further to the north iii) a detached property 10 Crozier Lane and to the south iv) 5 Sutton Road. These properties are separated from the application site by the north-south greenway; a cycle and pedestrian route flanked on either side by landscaping. Properties in Burge Place have the most direct relationship to the application site. The distance between the proposed apartment block (plots 4 – 9) and nos. 2 – 5 Burge Place is over 23m and the distance between the proposed detached house, plot 3 and the apartment block, nos. 6 to 14 Burge Place is over 25m.
- 9.3 The Bracknell Forest Design SPD (2017) recognises that it is important to achieve reasonable levels of privacy for the inhabitants and for residents of neighbouring buildings (Principle 3.9.11 of Bracknell Forest Design SPD refers). The SPD refers to back to back relationships between buildings and recognises that blocks of flats do not have private ‘backs’ in the way most houses do. In considering the relationship between blocks of flats, the SPD indicates that a minimum distance between facing habitable windows is 22m to avoid unacceptable overlooking, increasing to 30m when the relationship is between the rear of flats and the rear of houses. However, in the case of the current proposal, the proposed block of flats has been designed to have frontage within Abbey Place and also to the north-south greenway. The scheme has been designed to ensure that it does not turn its back on the development to the west (a point recognised by the Inspector in an earlier appeal – section 8 of attached report refers) and it is integrated with the wider area. The proposed flats and single house within the application site are separated from Burge Place by the north-south greenway which incorporates a pedestrian and cycle route and landscaping. Although not a street, where the SPD indicates a separation of 12m between the frontage of properties is generally acceptable, the route is public and the degree of privacy afforded in this location differs from a traditional back to back relationship. In these circumstances, the

separation distance between the proposed development is acceptable and planting within the application site and along the north-south greenway will help integrate the new development into its surroundings and provide privacy to new occupiers and those to the west.

- 9.4 Objections have also been raised to the loss of outlook and impact on biodiversity. With respect to the impact on the outlook, or view, from the properties in Burge Place will change, however, there is no private right to view and an objection on this basis cannot be justified. In terms of the impact on biodiversity, this is addressed in section 9 (vii) of the attached report. Mitigation would be provided for any impacts on biodiversity and loss of trees arising from the development.

10. CONCLUSION

- 10.1 The principle of development on the application site, as part of the strategic allocation of Warfield, is in accordance with adopted planning policy as explained in section 9 (i) of the attached report. The objections raised by new occupiers to the west of the proposed development and from a resident within Darby Vale have been noted and addressed in paragraphs 9.2 – 9.4 above. Notwithstanding, these additional objections, the recommendation to grant planning permission for the proposed development as set out in the report to the Planning Committee on 10th September stands subject to an extension in time to complete the s106 agreement to 31st March 2021.

RECOMMENDATION

11. Following the completion of planning obligations secured by an agreement, under Section 106 of the Town and Country Planning Act 1990, relating to:
- The construction of affordable housing and an off-site contribution towards affordable housing.
 - The construction of the pedestrian and cycle access within the site, and a financial contribution for the delivery of the section within the Redrow site to the west.
 - A permissive right through the development by foot or bicycle.
 - A contribution towards the ICT fit out of the Warfield West Primary School
 - A financial contribution towards the Warfield Community Hub and new Neighbourhood Centre.
 - A financial contribution for off-site open space provision to be used towards Priory Fields and/or the Warfield Memorial Ground Playing Field.
 - The provision and long-term maintenance of sustainable drainage (SuDs).
 - The Thames Basins Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) and contribution towards Strategic Access Management and Monitoring (SAMM).

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 and following the required consultation with the applicant in relation to pre-commencement 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 (as amended).

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

Block Plan AP-BP- 01 Site Layout AB-SL_9U-01C - Rec. 26.5.2020
Site Layout Coloured - AB-CSL_9U- 01 - Rec. 12.6.2020
Plot 1 - Plans and Elevations AB-PE_9U - 01 - Rec. 7.8.2020
Plot 2 - Plans and Elevations AB-PE_9U - 02 - Rec. 7.8.2020
Plot 3 - Plans and Elevations AB-PE_9U - 03 - Rec. 7.8.2020
Plots 4-9 - Plans and Elevations AB-PE_9U - 04A - Rec 12.6.2020
Streetscene - AB-SS - 01- 02 - Rec. 7.8.2020
Drainage Strategy C200 Rev 5 - Rec. 3. 8. 2020
Existing Ditch Engineering works BR- 533-0037 C203A - Rec. 29.1.2020
Flood Risk Assessment Calibro Report Ref BR-537-0037 Rev 02 - Rec 3.2.2020
Tree Protection Plan TMC - 13075 - L/C - Rec. 11.5.2020
Tree Survey and Constraints Plan TMC - 13075 - S/C - Rec 11.5.2020
Arboricultural Impact Statement 13075- AIA - C - Rec.11.5.2020
Phase 1 Geo Environmental Risk Assessment - Rec 8.4.2019
Sustainability Statement - Rec 30.4.2020

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

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

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

04. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the building/s in relation to a fixed datum point has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area and to protect the amenities of neighbouring properties. [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no additional windows shall be constructed at first floor level or above in the side elevations of the dwellings hereby permitted other than as shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property. [Relevant Policies: BFBLP EN20]

06. The following window(s) in the development hereby permitted or any replacement window shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Plot 1 - ground floor (west elevation) lounge Plot 2 – ground floor (east elevation) lounge.

REASON: To prevent the overlooking of neighbouring property. [Relevant Policies: BFBLP EN20]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that order with or without modification), no enlargement, addition, improvement or other alteration permitted by Classes [A, B, C, and E] of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwellings hereby permitted.

REASON: To safeguard the character of the area and the amenities of adjoining properties. [Relevant Policies: BFBLP EN20]

08. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

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

10. No retained tree, hedgerow or group of shrubs specified as to be retained on the approved drawings shall be cut down, uprooted or destroyed. Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans which die, are removed or irreparably damaged during the course of the development, or within a period of 5 years of the completion of the development, shall be replaced with another tree, hedgerow or group of shrubs of the same species and size as that originally planted.

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]

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

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

12. No demolition shall be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with and retained as such thereafter.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall: a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed.

REASON: In the interest of protecting bio-diversity. [Relevant Policies: BFBLP EN2, Core Strategy DPD CS1]

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

REASON: In the interests of sustainability and the efficient use of resources. [Relevant Policy: Core Strategy DPD CS10]

15. No development shall commence until the details of the design, specification and location of the Solar PV as detailed in the Sustainability Statement have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources. [Relevant Policy: CSDPD CS10]

16. No development shall commence until details of the specification for the construction of the pedestrian and cycle link connecting the highway and the western boundary of the site as illustrated on drawing AB_SL_9U-01C shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling within the development hereby approved shall be occupied until the pedestrian and cycle link to the western boundary of the site has been constructed in accordance with the approved details.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians. [Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

17. No development shall take place until a plan showing visibility splays at the junction of the turning head and the car parking area to the rear of plots 4 – 9 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

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

18. No dwelling shall be occupied until that part of the access road which provides access to it, along with adjacent margins and street lighting placed within these margins, has been constructed to an adoptable standard in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

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

19. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users. [Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

20. No development shall commence until: (a) details of the location of 2 visitor car parking spaces, and (b) details of the signing for the visitor car parking spaces have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking spaces shall be provided and signed in accordance with the approved details before the occupation of any of the dwellings hereby approved 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]

21. The garage accommodation for plot 3 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]

22. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No dwelling shall be occupied until the approved scheme has been implemented and the facilities shall be retained as such thereafter.

REASON: In the interests of accessibility of the development to cyclists. [Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

23. 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]

24. No development (including demolition and site clearance) shall take place, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include as a minimum; (i) Routing of construction 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 construction; (x) Measures to control surface water run-off during 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; and (xiii) Areas for the turning of construction vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear. The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.

REASON: In the interests of highway safety and to mitigate and control environmental effects during the demolition and construction phases. [Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

25. Should any unforeseen contamination be encountered during the development, the local planning authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the local planning authority in writing. A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas. [Relevant Policies: BFBLP EN25}

26. No development shall commence until: i) the exploratory archaeological work as set out in the 'Project specification for an archaeological evaluation' (dated 5th June 2018, ref. 14e218ev) has been implemented; ii) a further programme of archaeological mitigation has been submitted to and agreed in writing with the Local Planning Authority should the results of the exploratory investigation justify it. The further programme shall be implemented in accordance with the approved details.

REASON: The site lies in an area of archaeological potential, particularly for prehistoric and Roman remains. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets to be lost in accordance with national and local planning policy. [Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

27. No development shall commence until full details of the Drainage System(s) in accordance with the Calibro Report Ref BR-537-0037 Rev 02 with updated Drainage Strategy drawing (T4C drawing no. C200 Rev.5) provided by Josh Blackall's email dated 3rd August 2020 have been submitted to and approved in writing by the Local Planning Authority. Full details shall include all components of the proposed drainage system in accordance with the including dimensions, locations, gradients, invert and cover levels, headwall details, planting, fencing and drawings as appropriate together with confirmation of the gully spacing calculations to demonstrate they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.

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

28. No development shall commence until details of how the surface water drainage shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future 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.

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

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

30. No dwelling hereby approved shall be occupied until 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 Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes, cover systems, etc.

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

31. No part of the development shall be occupied until details of on-site refuse storage (including any open air storage facilities) for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste storage facilities in the interests of amenity. [Relevant Policy: Relevant Policy: Core Strategy DPD CS13]

32. The hours of site clearance and construction shall be limited to: - between 8:00 am and 6:00 pm Monday to Friday - between 8:00 am and 1:00 pm Saturday There shall be no site clearance or construction undertaken on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises. [Relevant Policies: BFBLP EN25]

Informative(s)

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

02. The applicant is advised that Ordinary Watercourse Consent for works to install the pedestrian access could be required if works will disturb the ditch line.

03 Thames Water (TW) has advised:

i) There are public sewers crossing or close to your development. If significant work is planned near existing sewers it is important that risk of damage is minimised.

ii) TW will need to check that the development does not limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read the following guide.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>

iii) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the

Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Waters Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

iv There are easements and wayleaves running through the site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Water to discuss their proposed development in more detail at the following address:.

Thames Water Developer Services

Reading Mail Room

Rose Kiln Court

Rose Kiln Lane

Reading RG2 0BY

Tel: 0800 009 3921

mail: developer.services@thameswater.co.uk

In the event of the S106 agreement not being completed by 31st March 2021, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

1) The proposed development would undermine the delivery of land to the north of Whitegrove and Quelm Park for a large, comprehensive, well designed and mixed-use development by failing to make a proportionate contribution to the infrastructure needs associated with the development and the site wide allocation. The proposal is therefore contrary to Policy SA9 of the Site Allocations Local Plan, Policies CS1 and CS5 of the Core Strategy Development Plan Document and the Warfield Supplementary Planning Document.

2) The proposal fails to provide the affordable housing and as such would impact on the quantum and location of affordable housing across the strategic location and would fail to fulfil the social and health and wellbeing objectives for this strategic site, in the delivery of a balanced community of a mix of dwelling types and tenure which works for the needs of different groups within the community. As such the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 and CS17 of the Core Strategy Development Plan Document; the Bracknell Forest Planning Obligations Supplementary Planning Document and Policy SA9 of the Site Allocations Local Plan and the Warfield Supplementary Planning Document (2012).

3) The occupants of the proposed 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 Local Plan, Policies CS5 and CS14 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Warfield Supplementary Planning Document (2018) and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2012)

APPENDIX 1

Unrestricted Report

ITEM NO: 07

Application No.
19/00327/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
8 April 2019

Target Decision Date:
8 July 2019

**Land At South West Of Abbey Place Abbey Place
Warfield Bracknell Berkshire**

Proposal: **Erection of 9 dwellings with associated access, parking and landscaping.**

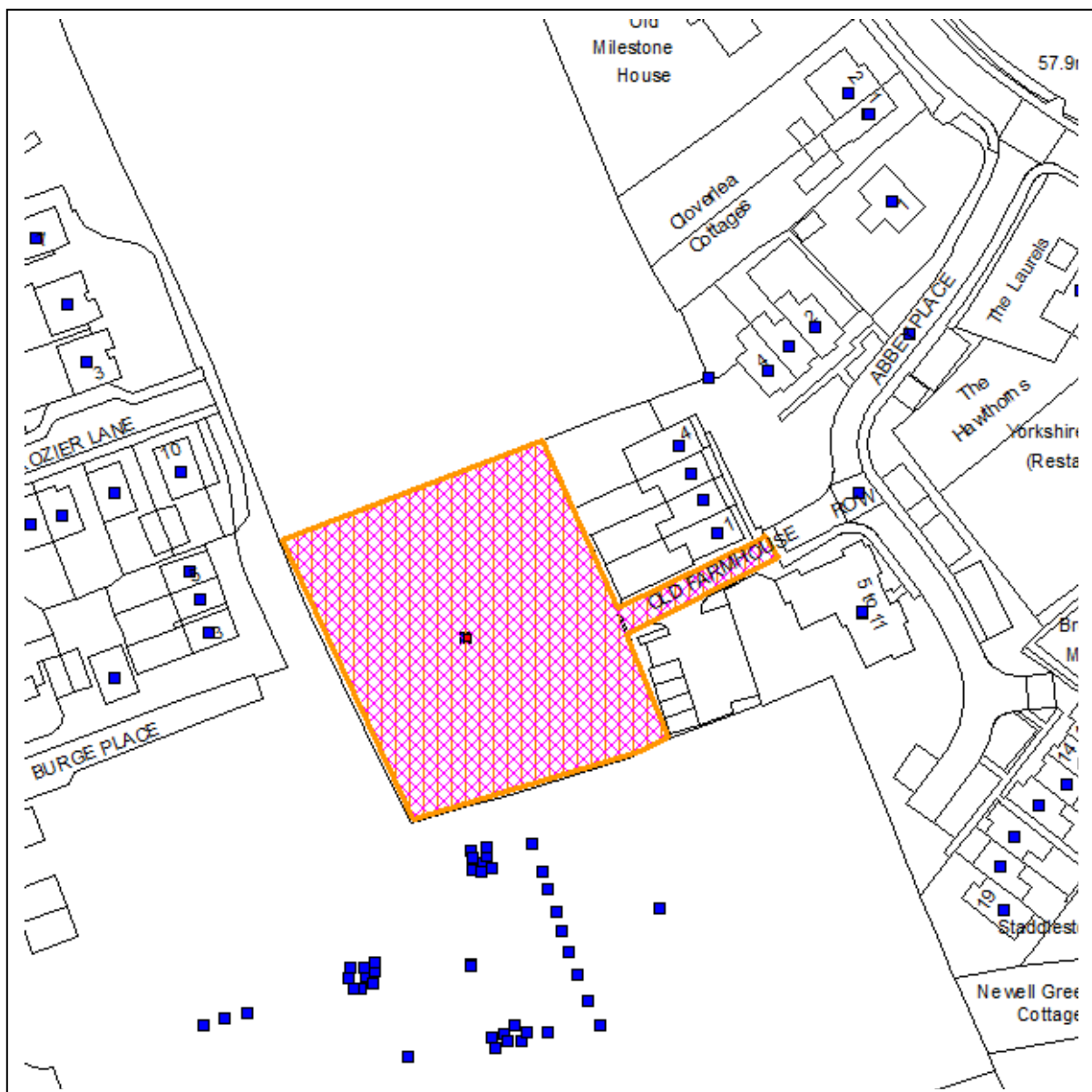
Applicant: Mr Richard Barter

Agent: (There is no agent for this application)

Case Officer: Hilary Coplestone, 01344 352000

Development.control@bracknell-forest.gov.uk

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



4. SUMMARY

- 4.1 This application seeks full planning permission for the erection of 9 dwellings.
- 1.2 The site is allocated for residential development in the Site Allocations Local Plan and falls within the strategic allocation of Warfield. The proposed development is acceptable in terms of its impact on the character and appearance of the area and on the living conditions of nearby residents. There are no overriding highway concerns. The development of this site will accord with the strategic site allocation and supporting policies.

RECOMMENDATION

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

5. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

7. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

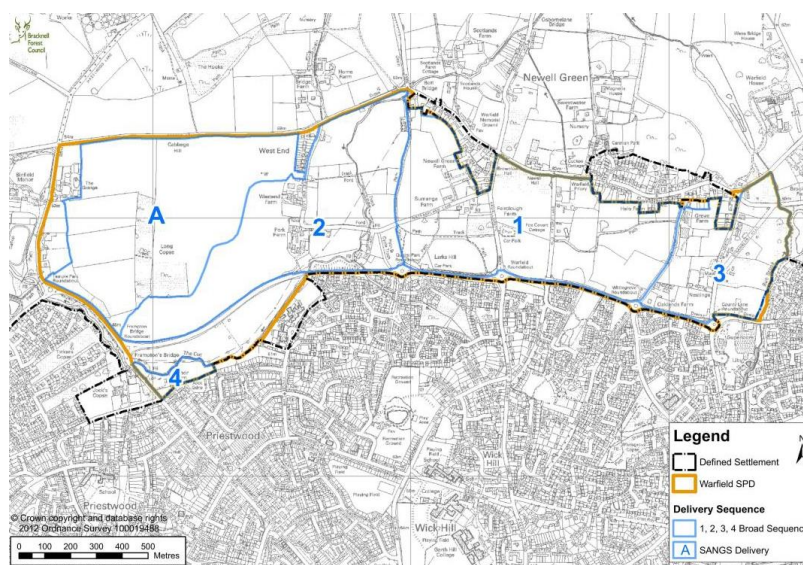
Within settlement boundary

Allocated site: SALP Policy SA9

Sites on site boundary covered by area TPO 1152

Within 5km buffer of the Thames Basins Heaths Special Protection Area

- 7.1 The application site is located within the Warfield strategic development area (Policies Core Strategy CS5; SALP SA9 and Warfield SPD refers). The strategic development area is divided into three sub areas, numbered 1, 2 and 3 as shown on Plan 1 below:



Plan 1 – Warfield Development Areas.

- 7.2 The site is located on the north eastern edge of Area 1 adjacent to the existing housing development within Old Farmhouse Row and Abbey Place.

- 7.3 The site is largely devoid of vegetation except for groups of trees along the western and southern boundaries of the site. There is a change of level across the site as it falls gently from south to north with the level difference being just over 1m at the greatest point. The site is covered by an area Tree Preservation Order – TPO 1152 (Dated December 2013). The TPO covers all trees of all species on land to the north of Watersplash Lane and East of Newell Green and Farmhouse Row, Warfield.

8. RELEVANT SITE HISTORY

- 8.1 The most recent application in respect of this site is application 14/00980/FUL for the erection of 10 dwellings and associated car ports and landscaping. This was refused on 2nd February 2015 and a subsequent appeal was dismissed on 9th February 2016. In this decision the Inspector concluded that:

- i) The line of small trees on the western side of the site *'appear to be remnants of a neglected hedge and are of limited landscape value'*. The planting contributes *'to the landscape setting of the development area but is not of such quality for its complete retention to be a significant benefit'*. (para 12 refers).
- ii) The development (subject to overcoming the ransom strip along the boundary of the site) would have the potential to provide an access on the boundary and thereby integrate with the wider development area.
- iii) Due to the limitations imposed by CIL Regulation 123 (i.e. the pooling restrictions) the proposal would endanger the comprehensive approach to the delivery of the Warfield Strategic development as set out in policies CS5 and SA9.
- iv) The development would impact on the Thames Basins Heaths given uncertainty as to when the nominated SANG i.e. at Wellers Lane would be delivered.
- v) The delivery of 3 affordable dwellings would be consistent with the requirement to provide affordable housing within the wider development area of which the site forms a part.
- vi) The impact on ecology could be mitigated by the use of conditions.
- vii) The early approval of proposals for minor parts of the designated area could undermined the Council's strategy to encourage joint working between developers and landowners to share the costs of infrastructure and deliver the comprehensive development of the wider site.

- 4.2 Beyond the application site, the key applications which have led to development within the strategic development within Warfield are:

- i) Application: 13/01007 - Land North of Harvest Ride and South of Forest Road and East of West End Lane, Warfield

This was a hybrid planning application for a residential-led mixed-use development comprising:

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 28 October 2014.

ii) 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.

iii) 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.

iv) 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.

The three separate applications ii) – iv) above are referred to as the development at Newell Green. They were linked by an overarching s106 agreement to secure the necessary social and physical infrastructure as required by adopted planning policy

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

- The erection of 40 dwellings and 70-bedroom care home at Fairclough Farm, Newell Green, Warfield (application: 13/00027/FUL) was refused on 29th April 2013 and a subsequent appeal dismissed on 2nd May 2014.
- The erection of 5 detached dwellings at Land to the South and West of 2 Fairclough Cottages, Watersplash Lane (application 18/00918/FUL) was refused on 28 June 2019 and a subsequent appeal dismissed on 11th December 2019.

9. THE PROPOSAL

9.1 This application seeks full planning permission for the erection of 9 dwellings in the form of a mix of houses and flats. The development would comprise:

- 2 x 3 bed detached dwellings (Plots 1 and 2)
- 1 x 4 bed dwelling (Plot 3)
- 4 x 2-bedroom flats and 2 x 1-bedroom flats (Apartment block plots 4 –9)

The layout of the development is shown on Plan 2 below



Plan 2 – Layout of the proposed development

9.2 The development would be accessed via Abbey Place/Old Farmhouse Row. Car parking spaces (total 21) would be provided on the individual house plots or within a communal car parking area to the rear (east) of the proposed apartment building. The distribution of car parking spaces would be as follows:

Plots 1 and 2: 2 car parking spaces each on a driveway between the dwellings.

Plot 3: 3 car parking spaces comprising 2 spaces on the driveway and 1 in a garage.

Plots 3 – 9: 14 car parking spaces, including 2 spaces for people with disabilities.

5.3 The layout of the development would take the form of a cul de sac with the three houses located towards the southern boundary and the apartments on the western half of the site, fronting the proposed north-south greenway. The north - south greenway will be delivered as part of the approved development at Newell Green. The development would be served from the central 'T shaped' access/service road which would provide a turning head to enable vehicles to manoeuvre on site and depart in forward gear. A pedestrian and cycle access 3 m in width would facilitate access to and from the north-south greenway and the wider development area to the west of the site (refer to section 9.0 below for details). The car parking to serve the apartments would be located on the eastern half of the site, separated from the rear boundary of 1- 4 Old Farmhouse Row by a landscaped area. The landscape buffer would vary in width from approximately 6 m to the rear of no. 1 Old Farmhouse Row (measurement includes the verge adjacent to the turning head) narrowing to approximately 5 m to the rear of 4 Old Farmhouse Row.

9.3 The houses would be two-storey in height (approx. 8.10m to ridge). The apartment would be three storeys in height (max height approx. 9.5m to ridge) including accommodation within the roof. A single dormer (serving the central hallway) would be provided in the western roof slope and two dormers and two roof lights (serving the living/dining area of each apartment) would be provided in the eastern roof slope.

9.4 The properties would be constructed of a combination of brick (including a string course and quoin detailing) with a tiled roof.

9.5 The separation distance between the apartment block and the eastern boundary of the site would be 27m. The total separation distance between the rear building line of 1 – 4 Farmhouse Row (i.e. to include existing rear gardens) would be approximately 42 m.

- 5.5 Plots 1 – 2 would have a rear, south facing garden area between 10.5m and 13m in depth, with Plot 3 benefiting from additional space (10.5m in depth) between the side flank wall of the dwelling and the western boundary of the site. The garden space for the apartment block would be located to the west of the building. The garden would be between approx. 5m and 6m in depth when measured from the rear building line to the eastern edge of the ditch line. Additional open space in the form of landscaping would be provided to the front (east) of the apartment block and on the edge of the car parking area.
- 5.6 A total of 6 trees (1 x Hawthorne and 5 x Ash trees) are located on the western and southern boundary of the site. An existing Ash tree on the southern boundary of the site to the rear of Plots 1 and 2 would be retained. The remaining Ash trees and the hedgerow along the western boundary of the site and the existing ditch line would be removed. Replacement tree and hedge planting would be undertaken along the western boundary.

6 REPRESENTATIONS RECEIVED

Warfield Parish Council

- 6.1 Object and recommend refusal on the grounds of the overdevelopment of the site; the impact of traffic on Forest Road; insufficient space for a turning circle and the failure of the layout to integrate with the surrounding area.

Other representations

- 6.2 Objections have been received from the occupiers of 4 properties in Old Farmhouse Row and from one occupier in Abbey Place. The objections are summarised as follows:
- The safety of the access to the site from Abbey Place which is considered too narrow for emergency vehicles, refuse vehicles and parked vehicles. The access would impact on the safety of residents of Old Farmhouse Row given the absence of a pavement to the existing car park. The development, in a form of a cul de sac, would mean the access would be a two - way road and would be dangerous for the elderly and children.
 - Old Farmhouse Road should not be shown as the proposed development boundary. The road is unadopted and has been part of the Old Farmhouse Road access and development for over 10 years.
 - Any measures to reduce speed of vehicles along the straight road could affect the foundations on 1 Old Farmhouse Row.
 - Access should be from the new development at Newell Green – there should be no obstruction to that now that Millgate has acquired the ransom strip.
 - The car parking is located to the rear of Old Farmhouse Row, but this will likely overspill onto the access road.
 - The proposed link through the development would undermine the self - containment of Abbey Place and Old Farmhouse Row and the neighbourhood watch scheme that is in place.
 - The number of vehicles and associated movements will increase pollution; impact on the use of the rear gardens of the existing properties and the health and quality of life of existing occupiers.
 - The increase in traffic will lead to pressure at the junction of Abbey Place and Forest Road.
 - No construction traffic should be allowed through Abbey Place and the access to the site is unsuited to construction traffic and would result in the deterioration and

damage to the road surface and vibration damage to houses in Old Farmhouse Row and 5 Abbey Place.

- In 2013 a previous ground investigation report indicated that there were high levels of lead in the infilled pond and that construction workers should wear PPE. This is not identified in the current application. – Officer note: No objections have been raised by Environmental Health on the grounds of contamination.
- The development could lead to flooding and the neighbouring development at Watersplash Lane has caused flooding. The potential for flooding needs to be investigated and details need to be provided of the geo cellular tanks, permeable paving and maintenance
- The impact of the development on the privacy of residents of Old Farmhouse Row by virtue of overlooking.
- Loss of privacy due to the large windows with Juliet balconies in the rear elevation of the apartment block.
- The area should be planted with trees to reduce pollution.
- The development will impact on existing wildlife. Bats are present in the area.

In addition to the above, concerns have been raised regarding the existing management arrangements/responsibilities of the communal areas such as areas of landscaping within Abbey Place, albeit it is acknowledged that this is a matter between the existing residents and Millgate.

7 SUMMARY OF CONSULTATION RESPONSES

Highways Officer

- 7.1 Reports no objection to the layout but notes that there are ongoing discussions regarding the pedestrian and cycle connection to the greenway to the west. Officer note: A condition is recommended to secure the provision of the pedestrian and cycle link within the development. A contribution would be secured through a s106 agreement for a financial sum to be payable to the Council for the implementation of the whole of the route (within the application site and within the adjoining site (Redrow site) to the west) if not provided by the applicant Millgate in consultation with Redrow by the last occupation. Refer to section iv) Highways and Access of this report for further details. The Highway Authority recommends approval subject to conditions.

Biodiversity Officer

- 7.2 Reports no objection subject to conditions.

Landscape Officer

- 7.3 Reports no objection subject to condition.

Tree Officer

- 7.4 Reports no objection subject to condition.

Head of Housing

- 7.5 Reports no objection to the provision of 25 % of the dwellings as affordable housing. This would equate to 2.25 units. This could be delivered as 2 x 1 bed shared ownership properties with the remaining 0.25 of a unit as a commuted sum of £13,431 (paid of commencement).

Education - Children, Young People and Learning

- 7.6 No objection subject to a financial contribution towards ICT fit out of Warfield West primary school classrooms.

Thames Water

7.7 No objection subject to informatives relating to the undertaking of construction work close to existing sewers; access to existing services and the need to secure a Groundwater Risk Management Permit.

Berkshire Archaeology

7.8 Reports no objection and (in the event of approval) a condition is recommended relating to archaeological work and mitigation.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS5, CS16, CS17 of CSDPD, Saved policies H8 and H14 of BFBLP and SA9 of SALP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to Las setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD, Saved policy M6 of BFBLP	Consistent
Infrastructure mitigation	CS6, CS8 CS23 and CS24 of CSDPD, Saved policy R4 of BFBLP	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2, EN3 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent

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 Special Protection Area SPD (2018)

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. The principle of the development
- ii. Design and Impact on the character of the area
- iii. Impact on Neighbouring Properties/Occupiers
- iv. Highways and Access
- v. Drainage
- vi. Archaeology
- vii. Biodiversity
- viii. Trees and Landscaping
- ix. Infrastructure Contributions /CIL
- x. Thames Basins Heaths Special Protection Areas (SPA)
- xi. Affordable Housing
- xii. Sustainability Issues/CIL

i. Principle of development

9.2 The Government's planning policies are set out within the National Planning Policy Framework (NPPF) (2019). This explains, at paragraphs 10 and 11, that a presumption in favour of sustainable development lies at the heart of the NPPF. In terms of decision making this means that developments which accord with an up to date development plan should be approved without delay, or where there are no relevant policies, or the policies which are most important for determining are out of date that permission be granted unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed'; or
- ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole'.

The policy advice of the NPPF is supported by the National Planning Practice Guidance (NPPG).

9.3 It is important to note, having regard to point i) above, that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitat sites (in this case the Thames Basins Heaths SPA) or the *'project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site' (Para 177 refers).*

9.4 The presumption in favour of sustainable development is reflected in the local planning framework as set out in the Bracknell Forest Core Strategy (2008); the Bracknell Forest Local Plan (Jan 2002) (BFLP); the Site Allocations Local Plan (SALP) (July 2013) and the Warfield Supplementary Planning Document (February 2012). To summarise the key policies seek to:

- Ensure that development makes the effective use of land, buildings and infrastructure whilst balancing this against the requirement to reduce the need to travel and

protecting and enhancing character, the quality of local landscapes and natural resources. (Policy CS1 refers);

- Permit development within defined settlements and on allocated sites and to ensure that development is consistent with the character, accessibility and provision of infrastructure and services within the individual settlement. (Policy CS2 refers);

- Protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance and function of the land. (Policies: Core Strategy- CS9; BFLP - EN8 refer; H5 refer);

- Reflect a positive approach to considering development proposals supporting the presumption in favour of sustainable development and, having regard to the advice of the NPPF, to approve development without delay, unless material considerations indicate otherwise.

- Secure the delivery of *'a comprehensive, well designed mixed use development on land North of Whitegrove and Quelm Park'* (Policy: Core Strategy - CS5 refers). Policy SA9 of the SALP states *'a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development'* and *'where appropriate, the Council will work proactively with applicants jointly to seek solutions which means that proposals can be approved wherever possible, and to secure a development that improves the economic, social and environmental conditions within the area'*.

9.5 The land at Warfield is identified for a comprehensive, well designed, mixed use development in the Core Strategy DPD (policy CS1 refers) and the Site Allocations Local Plan (SALP) (policy SA9 refers). The land is allocated for the development of 2,200 residential units (including affordable housing); employment; neighbourhood centre, two primary schools, multi-functional community hub and on-site open space and Suitable Alternative Natural Greenspace (SANG). The infrastructure requirements to support the development are set out within SALP Policy SA 9. This includes the need for measures to avoid and mitigate the impact on the Thames Basins Heaths SPA and identifies the preferred solution for a SANG at Cabbage Hill.

9.6 The site is located within the Warfield allocation; it is the remaining parcel of land between recently approved development at Newell Green and the existing residential development at Abbey Place (incorporating Old Farmhouse Row) which is located outside the allocation.

9.7 SALP Policy SA9 is supported by the Warfield SPD and the Area 1 Masterplan which relates to Area 1 on Plan 1 above (para 3.1 refers) and the importance of these documents in decision making is set out below:

a) The Warfield SPD sets out specific guidance relating to the development of the Warfield Strategic Location. 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 can therefore be afforded full weight as a material consideration in the determination of planning applications.

b) The Area 1 Masterplan was endorsed by the Council as being technically sound on 15th February 2015. It satisfies the requirements of SALP Policy SA9.

The Masterplan provides the parameters and design principles to set the context for development proposals. It is a material consideration in the assessment of any application relating to all or any part of Area 1. The Masterplan reflects the access and movement strategy within the Warfield SPD. The design principles set out in the masterplan are the starting point for the assessment of a proposal. Any departure from the key principles of the masterplan must be justified and, demonstrate an improvement or enhancement to what could be achieved through conformity to the masterplan.

- 9.8 Given this context, the application is acceptable in principle: the site lies within a defined settlement and is allocated for residential development. The remainder of the report considers the details of the proposal.

ii) The design and impact on the character of the Area

- 9.9 Policy W2 of the Warfield SPD sets out the Design Principles and explains that the design strategy and the design principles should inform the design and layout of all development proposals that come forward for the site. The Warfield SPD defines character areas and the application site is located within the Newell Green South Character area where development is required to reflect the development in Newell Green and be of an informal layout, with densities at around 35 dwellings per hectare (dph).
- 9.10 The proposed development would have a density of 32 dph which is appropriate to the character area in which the site is located. The development has been designed to:
- address the relationship of the site to neighbouring development, in particular to Old Farmhouse Row and Abbey Place to the east;
 - address the relationship to the development at Newell Green to the west and to the south;
 - secure a means of access via Abbey Place (4.8 metres in width) to ensure that vehicles may access and depart from the site safely; provide manoeuvring space and parking on site to standard;
 - provide a pedestrian and cycle link (3 metres in width) within the site to make possible a connection to the north south greenway to the west;
 - deliver a design that creates interest when viewed from within the development but also ensure that the architectural treatment would reflect the scale and form of development within Abbey Place and also that approved as part of the wider development of Newell Green to the south and the west; and,
 - provide amenity space which would be of value to the occupiers of the development but also, through landscaping on the western edge and within site (including tree planting), contribute to the character of the area and to biodiversity.
- 9.11 The proposed development provides a mix of houses and flats. The flats (6 no.) are located towards the western edge of the development and the houses along the south boundary. The flats and one of the houses (plot 4) have been designed to be in keeping with the development to the south, in terms of scale, design and materials. The buildings would be constructed of brick (including brick detailing) with tiled roofs. The materials would be subject to condition in the event of approval. The relationship of the proposed development to the neighbouring development to the south when viewed from the west, is shown on the elevation below:



Image: View of proposed development from the west (the application proposal is between the vertical red lines)

- 9.12 The overall design and layout is consistent with the guidance provided within the Warfield SPD which, for Newell Green South, includes reference to:
- a mix of dwelling types;
 - the opportunities to create internal mews areas and shared courtyards;
 - the use of varying plot sizes to create interest in the street scene; and,
 - the need to provide for the retention of trees and hedgerows and for areas to be provided for new trees and landscaping.
- (Table 2.1 Warfield SPD Character Areas Summary).

This guidance is reinforced by the Area 1 Masterplan which, among other matters, refers to:

- housing development within this area being predominantly two storey in height with limited use of apartments;
- the use of soft landscaping, including hedges for boundary treatments; and,
- parking to be provided on plot or within parking courtyards.

The Area 1 Masterplan develops the Warfield SPD access strategy, by encouraging the development of recreational links through the wider allocation to promote movement by foot and cycle to local facilities. For the reasons set out above the proposal is not considered to have any significant adverse impact on the character of the area and accords with the relevant policies and design guidance.

iii. Impact on the amenity of neighbouring properties/occupiers

- 9.13 The layout of the development has been designed to create suitable separation distances between the built form of the flats and houses and the existing properties within Old Farmhouse Row. The proposed flats (plots 4 – 9) would be approximately 27m from the rear boundary of properties within Old Farmhouse Row, and approximately 42 m from the rear elevation of the flats and the existing houses.
- 9.14 The proposed flats would also be separated by the car parking area and an existing strip of land (between 5 and 6 m in width) which would be retained and provides the existing service margin for the Thames Water. The separation distance is comparable to that which exists between the apartment block and the houses on the development to the south and is consistent with the Bracknell Forest Design SPD (2017). This explains that 22m is an acceptable minimum separation distance on privacy grounds.

- 9.15 To conclude, the proposal has been designed to provide an acceptable relationship between the new and existing homes to ensure that there are no unacceptable impacts in terms of overlooking, overshadowing or overbearing. It will provide acceptable residential amenity for existing occupiers and future occupiers of the proposed development.

iv. Highways and Access

- 9.16 The layout of the development has been designed in consultation with the Highways Officer. The development would effectively form an extension to Abbey Place, an adopted road with a 20mph speed limit. The access into the site from Abbey Place (to the south of 1 Old Farmhouse Row) is 4.8m wide. It is a shared surface that already serves the rear parking court with garages to the south. The width of the access would accord with highway standards and would be adequate to serve the proposed dwellings. The development has been designed as a shared surface; no footways are provided but adequate space has been provided within the development to ensure that vehicles, including refuse/service vehicles may manoeuvre within the development and leave the site in forward gear.
- 9.17 The development is provided with parking which complies with the Parking Standards SPD, March 2016. Plots 1 and 2 (3-bedroom) are provided with two off-street parking spaces; plot 3 (4-bedroom) is provided with two off-street car parking spaces and a garage; and the flats (4 x 2-bedroom flats and 2 x 1-bedroom flats) are provided with the correct level of parking with one space for each 1-bedroom flat and two spaces for each 2-bedroom flat. Two separate visitor spaces plus two disabled spaces are provided. Plots 1 and 2 have a cycle parking store in the rear garden, plot 3 has cycle parking to the rear of the garage and the flats have a cycle store provided adjacent. Accordingly, the proposal complies with Policy M9 'Vehicle and Cycle Parking' of the Local Plan.
- 9.18 It is accepted that the development would generate additional vehicle movement within Abbey Place and at the junction with and onto Forest Road. Data from the TRICS database indicates that the development is likely to generate around 5 trips during each of the morning and evening peak hours and around 38 trips over the day. The impact would not be severe to warrant an objection to the development on highway terms. The impact on amenity associated with amenity vehicular activity and level of pollution generated would not substantiate a reason for refusal of the scheme. However, the importance of controlling the access to and from the site is recognised and, in the event of approval, a condition is recommended to secure the submission of a Construction Environmental Management Plan (CEMP), for approval by the Local Planning Authority, prior to the commencement of the development.
- 9.19 The Highway Authority which has confirmed that the layout it is satisfactory subject to:
- pedestrian and cycle connectivity being secured to the west; and,
 - conditions being attached to the decision relating to
 - the timing of the delivery of the pedestrian/cycle route;
 - details of visibility splays;
 - construction and adoption details;
 - construction/retention of car parking spaces (including location of visitor spaces); and,
 - use of the garage for plot 3; details of cycle parking facilities and the submission of the Construction Environmental Management Place (CEMP).

It is proposed to include all the conditions suggested by the Highway Authority (HA) with the exception of the provision of the pedestrian and cycle link which the HA has requested should be prior to the occupation of the development. The reasons for this exception are explained below.

- 9.20 The delivery of pedestrian and cycle routes, is a key element of the access strategy for the strategic development at Warfield. Development Principle W1 of the Warfield SPD relates to the overarching objective of comprehensive development and states that it *'expects planning applications to support the comprehensive development of Warfield including accessibility and the delivery of infrastructure'*. This is consistent with highway and access related policies of the Bracknell Forest Borough Local Plan (2002) (BFBLP) policies EN20; EN22; M4; M5; M6; M7 and M8 refer. Core Strategy (2008) Policies CS7 and CS23 are also relevant and require access and highway issues to be an integral part of the design and layout of development proposals. These policy objectives are reflected in the SALP Policy SA 9 which refers to the need for a well-designed mixed use development, in line with agreed masterplans with *'a comprehensive set of on and off site transport measures to mitigate the development's impact on roads and encourage sustainable transport'*. The strategy is reflected in the Warfield SPD (Section 9 refers). This emphasises reducing dependence on the private car, allowing for sustainable modes of travel with links to and from Bracknell Town Centre and neighbouring areas and future development in north Bracknell. The importance of this sustainable transport strategy is set out in paragraph 9.2 of the Warfield SPD which states:

'A focus on delivering sustainable travel and a highly accessible development will therefore form the basis of the transport strategy for this urban extension. This should include permeable and connected streets within the development which will have a direct influence over how people will choose to travel'.

- 9.21 The application site provides an opportunity to deliver a pedestrian and cycle link to the land to the west (currently under construction by Redrow). Going west, the link would facilitate access via the north-south greenway to Watersplash Lane, the primary school, the allotments, the east - west green way and the Country park beyond. Going east through the proposed development and Abbey Place, connections would be provided to Forest Road (served by bus service 53) and the Church, Warfield Memorial playing Field and the countryside to the north. The relationship of the application site to the north – south green way is illustrated on Plan 3 below.



- 9.22 At the time of the appeal in 2016, the Inspector noted that the existence of a link on the western boundary of the site would have the potential to provide an access and thereby integrate the development with the wider area. At that time, a ransom strip prevented connectivity to the boundary and the land to the west. Since the date of the appeal there has been the following a change in planning circumstances:
- The applicant has acquired the ransom strip and the curtilage of the site has been extended to the western edge of the ditch.
 - Development is now underway on the land to the west (the Redrow site) and the s106 associated with that development includes non - ransom provisions on the boundary with the application site.
 - Redrow is currently in discussion with the Highway Authority in respect of the s38 agreement and have agreed, in principle, to include the section of the pedestrian/cycle route (marked a) on the plan above), on the plan submitted as part of the s38 agreement.
- 9.23 The current application illustrates the location of the pedestrian and cycle route within the development (marked a) on the plan above). The applicant, Millgate, has confirmed that the link would be provided to the boundary of the site prior to the occupation of the dwellings on the site and has confirmed a willingness to work with Redrow to secure the delivery of the whole link (i.e. sections a) and b) on the plan above).
- 9.24 At the time of writing, the delivery of the route is still subject to discussion between Millgate and Redrow and the s38 agreement has not been completed. In these circumstances, a condition to prevent occupation of the proposed dwellings prior to completion of the whole of the pedestrian route (sections a) and b) on the plan above) would not be reasonable. It would also not be lawful since it would involve land outside the curtilage of the application site and thus outside the control of the applicant. A condition, to require the construction of the section within the application site to be completed to the boundary prior to first occupation, would be reasonable and lawful. If agreement to the delivery of the whole of the route cannot be agreed between both parties, the fall back (if BFC has adopted the link) would be for Millgate to construct the balance of the link under Licence or provide funding for the work to be undertaken by the Highway authority. The funding for the offsite work would be secured as part of the s106 agreement, payable prior to the occupation of the last dwelling within the development if agreement has not been reached to deliver the route beforehand. The applicant has indicated that the development would not be subject to adoption by the Highway authority and therefore, if this is the case, a permissive right of way to enable access by foot and cycle and maintenance plan to ensure the route is safe for public use will also be required as part of the s106 agreement.
- 9.25 Subject to the use of conditions as recommended by the Highway authority and the approach as set out in paragraph 9.24 above, there is no objection the development on highway terms.

v. Drainage

- 9.26 The site is not situated in a flood plan and is shown to be at low risk of surface water flooding. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to support the application. A ditch is located to the north west of the site, which

facilitates the flow of water northwards. The existing ditch along the western boundary would be widened. A culvert which runs beneath the ditch with an outfall via a headwall in the north west corner of the application site. As part of the development, the culvert would be removed, and the ditch realigned. The drainage improvements to the ditch would necessitate the removal of 4 Ash Trees and the remnants of the hedgerow on the western boundary.

- 9.27 The proposed drainage strategy utilises a combination of geocellular storage and tanked permeable paving within the car parking area to restrict surface water run-off and provide water quality treatment. Surface water runoff would be attenuated with 125 cubic metres of storage to restrict its runoff from the site to the practical minimum discharge rate of 1.5 litres/second for all events up to and including the 1 in 100 year plus 40% climate change event. Surface water would be discharged into the ditch to north of the site.
- 9.28 The Lead Local Flood Authority has been engaged throughout the evolution of the layout and Senior Engineer for Flood Risk and Drainage (acting for the Council as Lead Local Flood Authority - LLFA) has investigated complaints regarding surface water flooding with the car parking area serving the existing garage court to the south of Farmhouse Row. The source of the problem was related to the construction of the site to the south and the problem has been now been resolved. With respect to the application site, the only the only matter to be resolved relates to the measures required to treat water avoid increased pollution within the water course. This relates to the requirements of paragraph 165 of the NPPF and the advice that sustainable drainage systems should '*where possible, provide multifunctional benefits*'. This is presently being pursued with the applicant and the outcome will be reported to the Committee.

vi. Archaeology

- 9.29 The application site is located within an area of archaeological potential. In accordance with Paragraph 189 of the NPPF a Project specification for an Archaeological Evaluation Desk Based Assessment has been submitted in support of the application. This reports that the site lies less than 400m from the remains of a Middle Age settlement excavated at Fairclough Farm in 1994. It is noted that '*such sites are not commonplace on the clay dominated landscape of East Berkshire but there may have been the focus of prehistoric settlement centre on the valley of The Cut, which lies to the south of the proposed site*'. The Assessment also reports that '*evidence of Roman occupation has been recorded at Cabbage Hill and other pre historic finds and deposits have been found at Kennel School Lane and north of Manor Farm, including a small Bronze Age burnt mound*.' Roman and medieval pottery has been found to the south and west of the site.
- 9.30 Berkshire Archaeology reports no objections subject to conditions to secure the undertaking of exploratory archaeological work in accordance with the submitted Project specification for an archaeological evaluation or a comparable scheme submitted to an approved by the Local Planning Authority with a further programme of archaeological mitigation if the first exploratory investigation warrants it. Subject to the application of these conditions and the implementation of the scheme of investigation, the proposal would be in accordance with the requirements of the NPPF and saved policies EN6 and EN7 of the Bracknell Forest Borough Local Plan.

vii. Biodiversity

- 9.31 The application site was subject to an ecological survey in 2014. However, in the interest of best practice a follow up survey was undertaken, and the results submitted in support of the application. Particular attention was paid to recording the presence of badgers, bats, amphibians and reptiles. The follow up report concluded that *'there are no habitats of international, national, county or local importance that would be directly or indirectly affected by the proposals.'* Furthermore, *'the site is of overall limited ecological value, and the species recorded on the site can be described as common, or abundant and are found in similar places across much of Britain, with no evidence of protected species recorded'*. Specific concerns have been raised to the accuracy of the ecology report submitted in respect of the application and the impact on bats. The Biodiversity Officer has advised that the report considered bats and there is no outstanding issue as no on the existing features were suitable for roosting bats
- 9.32 The Biodiversity Officer notes that the development will result in the loss of existing trees (4) and vegetation on the western boundary of the site and whilst this is regrettable, it is also noted that hedge and tree planting will be provided as part of the landscaping scheme. As such there is no objection to the development subject to conditions to secure the submission of landscaping details, biodiversity enhancements and the requirement for any lighting to be subject to approval. The application of these conditions and compliance would demonstrate the protection and enhancement of biodiversity in accordance with the Bracknell Forest Core Strategy Development Plan Document policies CS1 and CS7.

viii.Trees and Landscaping

- 9.33 The proposed development would result in the removal of 4 Ash Trees located on the western boundary of the site and a Hawthorn on the southern boundary of the site. The Tree Officer reported that none of the trees are of any amenity merit and the Ashes are potentially unsustainable due to the risk of infection by the disease 'Chalara Ash Dieback'. Although the trees were noted as having a limited life span consideration was given, in the evolution of the layout, to the retention of the trees on the western boundary of the site. This did not prove possible due to the need to provide for improvements to the ditch line (the trees are growing close to or within the ditch) and the need to avoid a tree/building conflict. Replacement planting will be required as part of a landscaping scheme to be secured by condition. Whilst the loss of the trees is regrettable it should be noted that in the previous appeal in 2016 the Inspector commented that whilst the planting contributes *'to the landscape setting of the development area, but is not of such quality for its complete retention to be a significant benefit'*. (para 12 refers).
- 9.34 Subject to a condition to secure the submission of a landscaping scheme and replacement tree planting the proposal would comply with Policy EN1 of Bracknell Forest Borough Local Plan.

ix.Infrastructure Contributions

- 9.35 The proposal would be CIL liable and is located in the 'land at Warfield' charging zone with a CIL rate of £220 per square metre.
- 9.36 Development at Warfield is dependent upon the delivery of housing alongside the necessary supporting infrastructure. The Planning Obligations Supplementary Planning Document (SPD), February 2015, sets out the Council's approach to securing infrastructure by planning obligations and explains the relationship with the Community Infrastructure Levy (CIL). At Warfield the distinction is made between specific on-site infrastructure and strategic infrastructure to be secured through a s106

planning obligation and CIL as summarised in Table 1 below:

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

9.37 At the time of the previous appeal the CIL Regulations 2015, Regulation 123 restricted the pooling to no more than five planning obligations towards any particular infrastructure project (known as the 'pooling restriction'). This restriction has since been lifted which has now opened opportunities for the development of smaller, residual sites, including the application site, subject to them making proportionate contributions to site wide infrastructure.

9.38 Without prejudice to the outcome of the decision by this Committee discussions have commenced with respect to the content of a s106 agreement which will include mechanisms to secure:

- Affordable Housing – 25% of the total number of dwellings (2.25 dwellings) – two x 1 bed flats to be provided for social rent and on off-site contribution of £13,431
- The construction the pedestrian and cycle access within the site and an off-site contribution for the delivery of the section within the Redrow site to the west in the event that it has not been possible for the applicant to agree terms with Redrow.
- Permissive rights through the development by foot or cycle.
- A contribution towards the ICT fit out of the Warfield West Primary School
- A financial contribution towards the Warfield Community Hub and new Neighbourhood Centre.
- An off-site open space contribution to be used towards Priory Fields and/or the Warfield Memorial Ground Playing Field (274 square metres of open space will be provided on site).
- The provision and long-term maintenance of sustainable drainage (SuDs).
- The Thames Basins Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) (the Wellers Lane SANG would provide mitigation for the impact of the development on the SPA) and contribution towards Strategic Access Management and Monitoring (SAMM).

9.39 The precise details of the s106 remain to be finalised and therefore it is recommended that approval of the application be delegated to the Head of Planning subject to completion of the s106 agreement to secure the necessary infrastructure in respect of this site.

x. Thames Basins Heath Special Protection Area (SPA)

9.40 In accordance with the Thames Basins Heath Special Protection Areas SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

- 9.41 This site is located approximately 4.8 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. The applicant has confirmed that capacity has been secured at the Frost Folly SANG in Wellers Lane. The SPA Officer has confirmed that SANG capacity exists at this location and it would therefore provide the mitigation for the development.
- 9.42 The development is also required to contribute towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis based on the Council's formula in Table 1 of the Thames Basin Heaths Special Protection Area SPD. The applicant has agreed to the financial contribution of £5,131 towards SAMM.
- 9.43 Providing the applicant is prepared to make a financial contribution towards the costs of the SPA avoidance and mitigation measures and link the site to the Frost Folly SANG, 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.
- 9.44 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. 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

- 9.45 Paragraph 63 of the NPPF states that '*the provision of affordable housing should not be sought for residential developments that are not major developments*' i.e. below 10 dwellings. However, the application forms part of the strategic allocation at Warfield and, as such, this site is required to deliver 25% of the dwellings (equivalent to 2.25 dwellings) as affordable housing. The recently published Bracknell Forest Housing Needs Assessment (July 2020) reports that Warfield and the northern parishes have some of the highest housing costs in the Borough. Within this area in particular, a range of housing products are required for rent or affordable home ownership. The proposed development would meet the 25% affordable housing requirement in the form of two x 1-bedroom flats as shared ownership and an off-site contribution of £13,431 (in respect of the proportion of the dwelling i.e. 0.25) to be paid upon the commencement of the development.

xii Sustainability Issues

- 9.46 Section 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Para 150 explains (amongst other matters) that new development should be planned for in ways that '*can help reduce greenhouse gas emissions, such as through its locations, orientation and design*'.
- 9.47 Specific advice on sustainable measures to be included within the design of developments is set out within Policy EN20 – Design Considerations in new developments of the BFBLP (para 2.137 refers) and policies CS10 - Sustainable Resources and CS12 – Renewable Energy of the CSDPD; site specific guidance within the Warfield SPD and the Design SPD.
- 9.48 On 25th March 2015, in a written statement to parliament, the Secretary of State for Communities and Local Government announced a new approach for the setting of technical standards for new housing. On 27th March 2015 code for sustainable homes

was subsequently withdrawn, although it was considered reasonable to retain one element of code being that of water usage restriction measures. Given the new approach, Policy CS10 requires the submission of Water Calculations demonstrating how development will restrict the use of water within dwellings to 110 liters/person/day.

9.49 For residential developments of five or more net additional dwellings, Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10%; and how 20% of the development's energy requirements will be met from on-site renewable energy generation.

9.50 As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (Oct 2008), an energy demand assessment should include the following:

- A prediction of the energy demand (in kWh) and carbon emissions (in kg/CO₂) for the site;
- List of assumptions used i.e. whether these have come from Building Regulations or benchmarks;
- Details of energy efficiency measures;
- A prediction of the energy demand and carbon emissions for the site taking into account energy efficiency measures;
- A feasibility study for all relevant renewable energy technologies;
- The choice of renewable energy systems proposed and the associated energy and carbon savings.

9.51 The application has been supported by a Sustainability Statement which sets out the options available to satisfy the Council's policy requirements. It explains that the developer will meet the Building Regulation reduction in emissions across all dwellings relative to a 2013 Part L1A Building Regulations baseline. This will be achieved by adopting a 'fabric first approach' through the use of improved energy measures such as improved thermal fabric efficiency, air tightness and effective heating controls. The Sustainability Statement further explains that *'By taking a fabric first approach, this development seeks to take advantage of advanced heating controls, meaning the carbon emissions will improve by 18.93%, and an energy demand reduction would be 24.13%. Taking that baseline and installing Solar PV to 6 dwellings on the site, 20.46% of the energy demand will be met by renewable energy'*.

9.52 Although the Sustainability Statement has fulfilled the requirement of the information expected to be provided within an energy demand assessment as set out in para 9.51 above, no details have been provided to show where the Solar PV panels would be located. In the event of approval a condition is therefore recommended to demonstrate how Solar PV would be incorporated in to the development and thereby achieve the energy demand as set out in the submitted statement.

xiii. Waste and Recycling

9.53 The layout is designed to ensure that a refuse vehicle can access the site and leave the site forward gear. The road within the development would be subject to a condition to ensure that it would be of a construction that would not be damaged by a loaded refuse vehicle. Refuse storage facilities would be provided within the curtilage of the houses (plots 1 – 3) or within a combined bin and cycle store for the flats (plots 4 – 9). The Waste and Recycling Officer has been consulted and the outcome of the consultation will be reported to Committee. However, notwithstanding the outcome of the consultation it is recommended, in the event of approval, that a condition be

attached to require the details of refuse storage facilities to be submitted and approved in writing by the Local Planning Authority to ensure that the design and capacity meets the needs of the development.

10. CONCLUSION

- 10.1 There is no objection in principle to the development since the site is an allocated site located within the settlement. The development would contribute the Council's Housing supply and 25% would be delivered as affordable housing, both on site and as a commuted sum. The development would secure the appropriate infrastructure/mitigation through a s106 agreement which would contribute to the wider infrastructure provision within the strategic allocation.
- 10.2 The proposed development would secure the development of one of the remaining parcels of land adjacent to the approved development at Newell Green and the design and layout would be in keeping with the character of the area. The impact of the proposal on the living conditions of the occupiers of nearby residents has been considered and the scheme is considered acceptable and in line with adopted guidance. Conditions are recommended to secure details of the scheme of working during the construction period via a Construction and Environmental Management Plan (CEMP).
- 10.3 The Highway Authority report no objection to the layout. Vehicle parking is in accordance with adopted standards. Whilst cycle storage is shown (within sheds/cycle store), a condition is recommended to ensure that the storage as shown has the capacity to meet the needs of the development. The Highway Authority objects to the failure of the development to deliver the whole of the pedestrian and cycle route on the western boundary of the site but the report explains how this could still be achieved, either by the applicant working collaboratively with Redrow or ultimately by the Highway authority, using its statutory powers with funding secured from the applicant.
- 10.4 It is concluded that the proposed development is in accordance with the development plan, NPPF and relevant guidance. The application is therefore recommended for approval as per the Recommendation below.

RECOMMENDATION

11. Following the completion of planning obligations secured by an agreement, under Section 106 of the Town and Country Planning Act 1990, relating to:
- The construction of affordable housing and an off-site contribution towards affordable housing.
 - The construction of the pedestrian and cycle access within the site, and a financial contribution for the delivery of the section within the Redrow site to the west.
 - A permissive right through the development by foot or bicycle.
 - A contribution towards the ICT fit out of the Warfield West Primary School
 - A financial contribution towards the Warfield Community Hub and new Neighbourhood Centre.
 - A financial contribution for off-site open space provision to be used towards Priory Fields and/or the Warfield Memorial Ground Playing Field.
 - The provision and long-term maintenance of sustainable drainage (SuDs).
 - The Thames Basins Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) and contribution towards Strategic Access Management and Monitoring (SAMM).

the Head of Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary and following the required consultation with the applicant in relation to pre-commencement 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 (as amended).
2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

Block Plan AP-BP- 01

Site Layout AB_SL_9U-01C - Rec. 26.5.2020

Site Layout Coloured – AB_CSL_9U- 01 - Rec. 12.6.2020

Plot 1 - Plans and Elevations AB_PE_9U – 01 – Rec. 7.8.2020

Plot 2 - Plans and Elevations AB_PE_9U – 02 – Rec. 7.8.2020

Plot 3 - Plans and Elevations AB_PE_9U – 03 – Rec. 7.8.2020

Plot 4 – Plans and Elevations AB_PE_9U – 04A – Rec 12.6.2020

Streetscene - AB-SS – 01- 02 – Rec. 7.8.2020

Drainage Strategy 1836 C200 Rev4 - Rec. 3. 7. 2020

Flood Risk Assessment BR – 537 – 0037 – Rec. 29.1.2020

Existing Ditch Engineering works BR- 533-0037 C203A - Rec. 29.1.2020

Tree Protection Plan TMC – 13075 – L/C - Rec. 11.5.2020

Tree Survey and Constraints Plan TMC – 13075 – S/C - Rec 11.5.2020

Arboricultural Impact Statement 13075- AIA – C - Rec.11.5.2020

Phase 1 Geo Environmental Risk Assessment - Rec 8.4.2019

Sustainability Statement – Rec 30.4.2020

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

3. No structure hereby permitted shall be built above existing ground level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the building/s in relation to a fixed datum point has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area and to protect the amenities of neighbouring properties.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows shall be constructed at first floor level or above in the side elevations of the dwelling hereby permitted other than as shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

6. The following window(s) in the development hereby permitted or any replacement window shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Plot 1 - ground floor (west elevation) lounge

Plot 2 – ground floor (east elevation) lounge

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no enlargement, addition, improvement or other alteration permitted by Classes [A, B, C, and E] of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwellings hereby permitted.

REASON: To safeguard the character of the area and the amenities of adjoining properties.

[Relevant Policies: BFBLP EN20]

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

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

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

REASON: In the interests of the appearance of the site

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

10. No retained tree, hedgerow or group of shrubs specified as to be retained on the approved drawings shall be cut down, uprooted or destroyed.

Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans which die, are removed or irreparably damaged during the course of the development, or within a period of 5 years of the completion of the development, shall be replaced with

another tree, hedgerow or group of shrubs of the same species and size as that originally planted.

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]

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

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

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

12. No demolition shall be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with and retained as such thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

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

REASON: In the interest of protecting bio-diversity.

[Relevant Policies: BFBLP EN2, Core Strategy DPD CS1]

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

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

[Relevant Policy: Core Strategy DPD CS10]

15. Prior to the commencement of the development, details of the design, specification and location of the Solar PV as detailed in the Sustainability Statement shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance and retained as such thereafter.

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

[Relevant Policy: CSDPD CS10]

16. Prior to the commencement of the development details of the specification for the construction of the pedestrian and cycle link connecting the highway and the western boundary of the site as illustrated on drawing AB_SL_9U-01C shall have been submitted to and approved in writing by the Local Planning Authority. The pedestrian and cycle link to the western boundary of the site shall be constructed in accordance with the approved details prior to the first occupation of any dwelling within the development hereby approved,
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]
17. No development shall take place until a plan showing visibility splays at the junction of the turning head and the car parking area to the rear of plots 4 – 9 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
18. No dwelling shall be occupied until that part of the access road which provides access to it, along with adjacent margins and street lighting placed within these margins, has been constructed to an adoptable standard in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
19. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
20. No development shall take place until:
(a) details of the location of 2 visitor car parking spaces, and
(b) details of the signing for the visitor car parking spaces
have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
21. The garage accommodation for plot 3 shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
22. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking

facilities. No dwelling shall be occupied until the approved scheme has been implemented and the facilities shall be retained as such thereafter.

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

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

23. 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]

24. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). The surface water drainage works shall be completed before occupation of the dwellings hereby permitted and shall be operated and maintained as such thereafter.

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

[Relevant Policies: CSDPD CS1, BFBLP EN25]

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

(i) Routing of construction 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 construction;

(x) Measures to control surface water run-off during 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; and

(xiii) Areas for the turning of construction vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

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

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

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

26. Should any unforeseen contamination be encountered during the development, the local planning authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the local planning authority in writing. A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures

have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

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

[Relevant Policies: BFBLP EN25]

27. No development shall take place until:

i) the exploratory archaeological work as set out in the 'Project specification for an archaeological evaluation' (dated 5th June 2018, ref. 14e218ev), or a comparable scheme of

work submitted to and approved in writing by the Local Planning Authority, has been implemented;

ii) a further programme of archaeological mitigation has been submitted to and agreed in writing with the Local Planning Authority should the results of the exploratory investigation

justify it. The further programme shall be implemented in accordance with the approved details.

REASON: The site lies in an area of archaeological potential, particularly for prehistoric and Roman remains. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets to be lost in accordance with national and local planning policy.

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

Informative(s)

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

02. The applicant is advised that Ordinary Watercourse Consent for works to install the pedestrian access could be required if works will disturb the ditch line.

03. Thames Water (TW) has advised:

iv) There are public sewers crossing or close to your development. If significant work is planned near existing sewers it is important that risk of damage is minimised.

v) TW will need to check that the development does not limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read the following guide. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>

vi) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a

permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Waters Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

- iv There are easements and wayleaves running through the site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Water to discuss their proposed development in more detail at the following address:.

Thames Water Developer Services
Reading Mail Room
Rose Kiln Court
Rose Kiln Lane
Reading
RG2 0BY
Tel: 0800 009 3921
Email: developer.services@thameswater.co.uk

In the event of the S106 agreement not being completed by 31 December 2020, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

- 3) The proposed development would undermine the delivery of land to the north of Whitegrove and Quelm Park for a large, comprehensive, well designed and mixed use development by failing to make a proportionate contribution to the infrastructure needs associated with the development and the site wide allocation. The proposal is therefore contrary to Policy SA9 of the Site Allocations Local Plan, Policies CS1 and CS5 of the Core Strategy Development Plan Document and the Warfield Supplementary Planning Document.
- 4) The proposal fails to provide the affordable housing and as such would impact on the quantum and location of affordable housing across the strategic location and would fail to fulfil the social and health and wellbeing objectives for this strategic site, in the delivery of a balanced community of a mix of dwelling types and tenure which works for the needs of different groups within the community. As such the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 and CS17 of the Core Strategy Development Plan Document; the Bracknell Forest Planning Obligations Supplementary Planning Document and Policy SA9 of the Site Allocations Local Plan and the Warfield Supplementary Planning Document (2012).
- 5) The occupants of the proposed 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 Local Plan, Policies CS5 and CS14

of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Bracknell Forest Planning Obligations Supplementary Planning Document, the Warfield Supplementary Planning Document (2012) and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2012)

ITEM NO: 07

Application No.
20/00599/FUL

Site Address:

Ward:
Central Sandhurst

Date Registered:
18 August 2020

Target Decision Date:
13 October 2020

Snaprails Lodge 2 Wellington Road Sandhurst Berkshire GU47 9AN

Proposal: **Erection of replacement two storey dwelling following demolition of existing bungalow.**

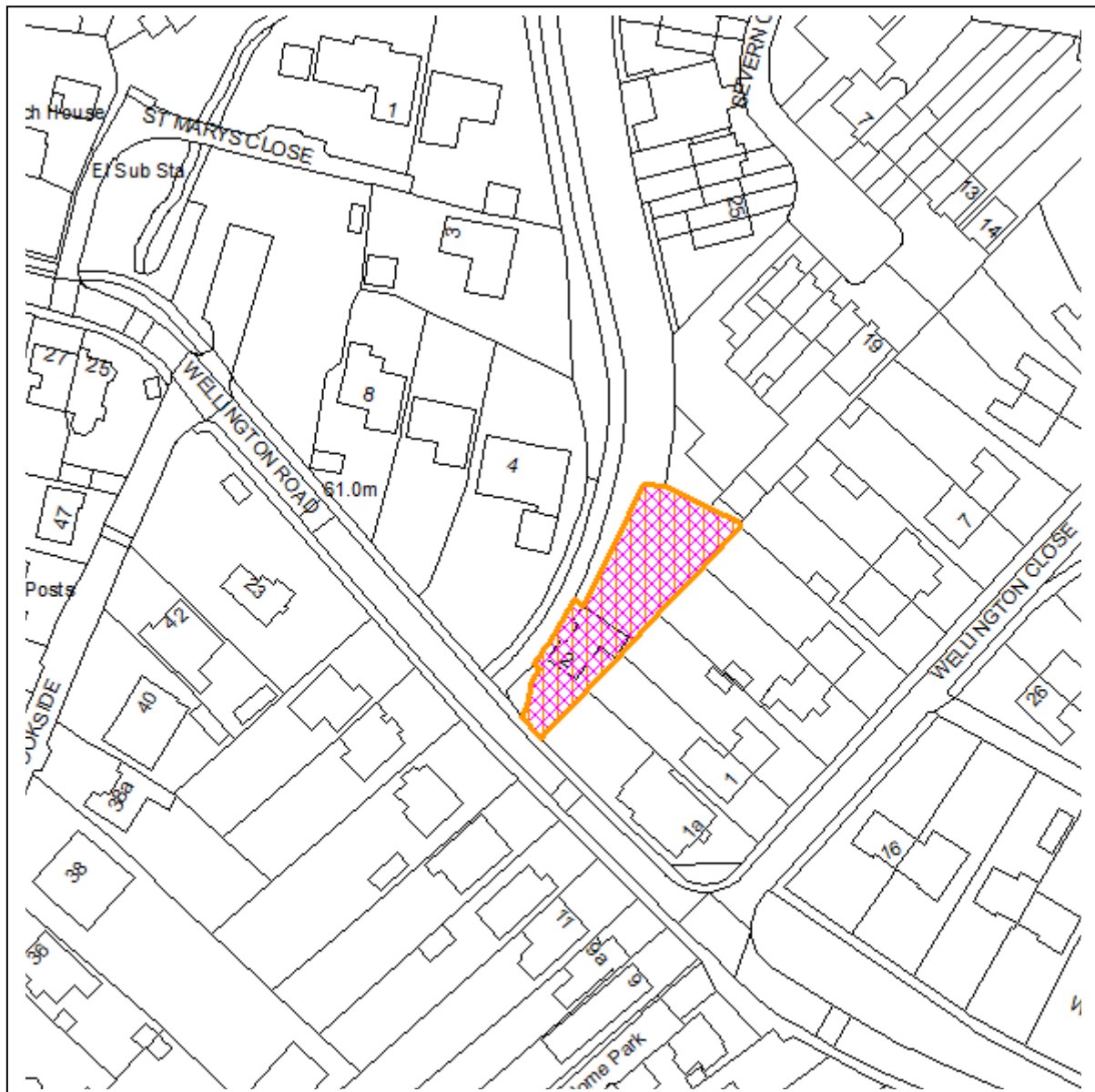
Applicant: Mr Muhammad Rasheed

Agent: Ms Peggy Hui

Case Officer: Sarah Horwood, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

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

1.2 The proposal would not significantly impact upon the residential amenities of neighbouring occupiers and acceptable living conditions would be provided for future occupiers of the proposed replacement dwelling. The proposal would not adversely impact upon the character and appearance of the surrounding area. Sufficient on-site parking would be provided, along with cycle and bin storage.

1.3 Relevant conditions will be imposed in relation to trees, biodiversity and energy sustainability.

RECOMMENDATION
Planning permission be granted subject to the 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 at the request of Councillor Brossard due to concerns that the proposal would be unneighbourly given its proximity to the boundary with existing properties on Wellington Close and the impact of the development on trees subject to Tree Preservation Orders.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Land within defined settlement
Within 5km of the Thames Basin Heath SPA
Area and Group TPO

3.1 The site is currently occupied by a vacant bungalow and is located to the north of Wellington Road.

3.2 It is bounded to the west by a footway/cycleway which leads to Snaprails Park; to the north by properties of Severn Close; to the east by the rear gardens of properties on Wellington Close; and to the south by Wellington Road.

4. RELEVANT SITE HISTORY

4.1 The most recent planning history relating to the site is:

19/00558/FUL withdrawn August 2019 for demolition of existing 2 bedroom bungalow and erection of 2 x three bedroom semi-detached dwellings.

5. THE PROPOSAL

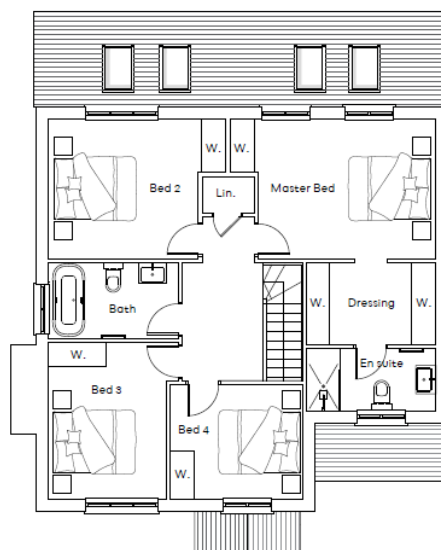
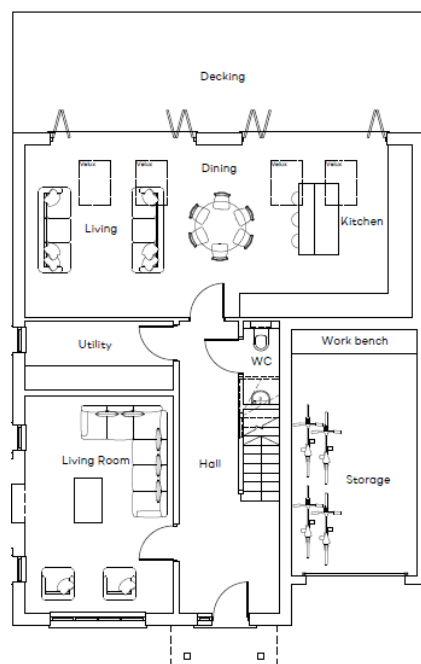
5.1 Full permission is sought for the erection of a replacement two storey dwelling following demolition of the existing bungalow on site.

5.2 The proposed dwelling would be 10.2m wide and range in depth between 11.1m and 12.3m. it would have an eaves height of 5m and ridge height ranging in height between 7.4m and 8.1m.

5.3 The proposed dwelling comprises the following layout:

GROUND FLOOR: hallway, open plan kitchen/diner/living space, living room, utility room, garage.

FIRST FLOOR: 4no. bedrooms; the master bedroom comprises dressing room and en-suite bathroom, family bathroom.



5.4 The proposed dwelling would front onto Wellington Road. On-site parking would be provided to the front of the proposed dwelling for 3no. parking spaces, accessed from Wellington Road. A private rear garden, including an area of decking is proposed to the rear of the proposed replacement dwelling.

5.5 The scheme has been amended during the course of the application with the ridge height of the dwelling reduced and changes to the design of part of the roof of the proposed replacement dwelling.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Raised no objection to the application but made an observation that strict consideration is given to the trees on the plot, including those not protected by TPOs.

Other representations

6.2 3no. letters of objection received from 2 separate postal addresses which raise the following (summarised):

- Obstruction of view from rear gardens of Wellington Close *[officer comment: the right to a view is not a material planning consideration]*.
- Proximity of proposed dwelling to boundaries of rear gardens of Wellington Close, resulting in overbearing impact. This could be overcome by removing the accommodation above the garage.
- Loss of privacy
- The garden would be dominated by the large TPO trees which are likely to adversely impact the overall quality of the outdoor space. Highly likely to give rise to serious and on-going pressure to prune, cut back or fell the TPO trees. The loss of the trees, notwithstanding any potential ecological impacts, would have a serious detrimental impact on the character of the area.
- The Lodge, while not being a Listed Building, should be considered as a non-designated heritage asset of local significance *[officer comment: the site is not included on the Council's Local list of buildings of architectural or historic interest known as a local list]*.
- Amended plans do not allay concerns of neighbours. The proposal would still be considered overbearing to properties on Wellington Close.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection subject to conditions.

Tree Officer

7.2 No objection subject to conditions.

Biodiversity Officer

7.3 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	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.
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Design SPD		
Thames Basin Heath Special Protection Area (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. Principle of development

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

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

9.4 The application site is located within the defined settlement as designated by the Bracknell Forest Borough Policies Map (2013). As such, the proposal is considered acceptable in principle subject to no adverse impact on neighbouring properties, character and appearance of surrounding area, highway safety implications, etc. These matters are discussed below.

ii. Residential amenity

9.5 The eastern boundary of the application site adjoins the boundaries of the rear gardens of nos. 1, 1A to 5 Wellington Close to the east. The proposed dwelling would be set between 0.1 and 0.3m from this boundary at the closest point. The proposed replacement dwelling would be two storeys high and replace an existing bungalow.



9.6 The proposed replacement dwelling would be set 16.6m from the rear elevation of no. 1A Wellington Close and due to the relationship between the proposed dwelling and no. 1A, the proposal would not appear unduly overbearing or result in overshadowing or loss of daylight to the occupiers of no. 1A.

9.7 The proposed replacement dwelling would be set 21.1m from the rear elevation of no. 1 Wellington Close at the closest point. The height of the roof closest to the boundary with no. 1 would be 5m, increasing to a height of 7.3m at a point 3.3m in from the boundary. Whilst the proposed replacement dwelling would appear visible viewed from the rear elevation of no. 1, given the separation distance, height and design of part of the roof closest to the boundary, it would not appear unduly overbearing or result in overshadowing or loss of daylight to the occupiers of no. 1. The proposed dwelling would appear visible viewed from the rear garden of

no. 1, however due to the length of the garden and that the proposed dwelling would be sited along the boundary adjoining the rear most part of the garden of no. 1, any overbearing impact from the rear garden of no. 1 as a result of the proposed dwelling would not be significantly harmful to warrant refusal of the application on this ground.

9.8 The proposed replacement dwelling would be set 27m from the rear elevation of no. 2 Wellington Close, 25m from the rear elevation of no. 3 Wellington Close and 30m from the rear elevation of no. 4 Wellington Close at the closest points. Given these separation distances and the orientation of the proposed dwelling at 90 degrees to the rear elevations of nos. 2, 3 and 4, the proposal would not appear overbearing or result in overshadowing or loss of daylight to the occupiers of nos. 2, 3 and 4.

9.9 Windows proposed on the front and rear elevations of the dwelling at first floor level would have oblique views over the rear gardens of nos. 1A, 3, 4 and 5 Wellington Close due to the orientation of the proposed replacement dwelling relative to these dwellings. Any views would be oblique and over the rear most part of the gardens so that any level of overlooking and loss of privacy would not be significantly harmful. No windows are proposed in the eastern flank wall of the replacement dwelling. A planning condition is recommended to remove permitted development rights for windows on the eastern elevation of the dwelling at first floor level and above in the interests of privacy of adjoining dwellings on Wellington Close.

9.10 To the north-west of the application site lies no. 4 Wellington Close. The proposed replacement dwelling would be set approximately 11.5m from the garage of no. 4, with some 17m to the front elevation of the dwelling at the closest point. Given this separation distance, the siting of the replacement dwelling relative to no. 4 (set forward of the front elevation of no. 4), along with the footpath/cycleway which leads to Snaprails Park in-between, the proposed replacement dwelling would not appear overbearing or visually intrusive to the detriment of the occupiers of no. 4. The replacement dwelling would be two storeys high. Windows on the rear elevation of the proposed dwelling at first floor level would have oblique views towards the flank wall of no.4 and front garden of no. 4 but would not result in undue overlooking or loss of privacy. There is a first floor side facing window proposed in the western elevation of the replacement dwelling set 7m from the front garden of no. 4 which serves a bathroom. A planning condition is recommended to restrict this window to be obscure glazed and fixed shut with the exception of top opening fanlight and a further condition is recommended to remove permitted development rights for additional windows on the western elevation of the dwelling at first floor level and above in the interests of privacy of no. 4.

9.11 The rear elevation of the proposed replacement dwelling would be set some 60m from the rear elevation of dwellings at Severn Close to the north/north-east at the closest point. Given this separation distance, with existing trees as intervening features in-between, some of which are covered by Tree Preservation Orders, the proposed replacement dwelling would not appear visually prominent or result in overlooking/loss of privacy to occupiers of nos. 19-23 Severn Close.

9.12 The proposed replacement dwelling would be set some 27m from existing dwellings to the south-east/south/south-west at nos. 15 to 19 Wellington Road. As such, it would not appear overbearing or result in overlooking/loss of privacy to the occupiers of nos. 15 to 19 Wellington Road.

9.13 In relation to the residential amenities of future occupiers of the replacement dwelling, on-site parking would be provided in accordance with the Council's Parking Standards, private amenity space and windows serving all rooms to provide a source of light and ventilation.

9.14 As such, the proposed replacement dwelling would not be considered to affect the residential amenities of neighbouring dwellings. Acceptable living conditions would be provided for future occupiers of the proposed dwelling. As such, the proposal would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

9.15 The proposed replacement dwelling would front onto the highway on Wellington Road. The existing bungalow on site currently fronts onto Snaprails Path whereas other dwellings on Wellington Road in the immediate area address the road frontage. As such, the proposed replacement dwelling fronting onto the highway would be more in keeping with the immediate context of the area. The proposed dwelling would be set back 10m from the front boundary of the site at the closest point and would sit on a similar footprint to that of the existing bungalow it would replace. The land to the front of the proposed replacement dwelling would be given over to a driveway to provide on-site parking. Whilst this would increase hardstanding on the site, this is in keeping with surrounding residential development, particularly the parking layout at nos. 4-8 Wellington Road to the north-west of the application site and would not appear incongruous in the streetscene. The proposed parking layout would be softened by some landscaping which would be retained in the south-eastern corner of the site, along with an area of soft landscaping to the south-west adjoining the footpath/cycleway leading to Snaprails Park which is outside of the control of the application site. 1 no. tree is proposed for removal in the rear garden, however, replacement tree planting is proposed. Planning conditions are recommended relating to landscaping and boundary treatment in the interests of the visual amenities of the area.

Front elevation as proposed facing Wellington Road



9.16 The proposed replacement dwelling would be two storeys high and replace an existing bungalow. The prevailing character of the area comprises two storey dwellings. The proposed dwelling would be lower than the closest existing dwelling to the north-west at no. 4 Wellington Road and the proposed replacement two storey dwelling would therefore assimilate well into the streetscene.

9.17 The proposed replacement dwelling would comprise a gable roof, along with an entrance canopy and architectural detailing by way of decorative timber and brick headers to some windows. The proposed dwelling would reflect the design elements of existing dwellings along Wellington Road. The proposed dwelling would be finished in a mix of brick and render to the walls, with a slate tiled roof. There are examples of similar materials in the immediate area, however a planning condition is recommended which will require details of materials to be submitted to the LPA for approval in the interests of the visual amenities of the area.

9.18 Subject to the imposition of conditions, the development would not result in adverse impacts on the character and appearance of the area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iv. Highway implications

Access

9.19 The replacement dwelling would take access from Wellington Road. Subject to a reduction in the height of a post and rail boundary fence to a height of 0.6m within 2m of the back of footway of Wellington Road, acceptable visibility would be provided. This can be covered by planning condition.

Parking

9.20 3 external parking spaces are proposed to serve the replacement dwelling which would comprise 4 bedrooms. This complies with the Council's Parking Standards SPD.

9.21 A garage is proposed which does not comply with the size standards set out in the Parking Standards SPD, however this can be used for cycle storage.

Refuse storage and collection

9.22 A location for bins is shown on the proposed plans to the front of the dwelling. Council refuse vehicles would stop on-street to collect refuse in the same way as for other properties.

9.23 There is concern about how the development will be constructed and whether there is sufficient space on site to provide for deliveries, storage etc. A planning condition is recommended to secure details of site organisation.

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

v. Trees

9.25 Some of the trees to the rear of the existing bungalow are subject to Tree Preservation Orders – an Area Order (ref: TPO 33A) and Group Order (ref: TPO 1310).

9.26 The mature Pines T3 and G2 and Lime T1 on this site identified in the submitted survey are protected by confirmed Tree Preservation Order 1310. Written consent would therefore be required to carry out any works to or near them not specifically approved in detail as part of any planning permission.

9.27 The pines T2 and G2, based on maturity condition and form in their collective capacity are A2 grade trees applying BS 5832 guidance Ref Sec 4. The Lime based on maturity condition and form is an A1 grade tree applying BS 5832 guidance Ref Sec 4. These are substantial landmark trees which make a prominent and important contribution to the landscape character and appearance of the area. As such they represent a substantial constraint to any redevelopment on this site.

9.28 As the proposed house is not located any further back into the site than the current building, the relationship to the protected trees is acceptable in principle

9.29 The proposed loss of a tree (T6) is acceptable subject to replacement planting as part of the site's new landscaping.

9.30 A decked area is proposed to the rear of the dwelling. This is acceptable in principle given that it can be adapted to the raised ground level that exists from the back elevation of the existing house rising up towards the existing trees. However, to ensure there is no disturbance of the RPA of existing trees, specific details of the proposed construction and implementation method need to be submitted which can be dealt with via condition.

9.31 The final design and proposed location of soakaways to the rear of the building will require careful consideration. This currently conflicts with retention of trees in group G7. The location should therefore be adjusted to avoid this. The long-term relationship is not sustainable as proposed. There are varying types/designs of soaks away, not all suited to areas near trees and which also require varying degrees of excavation to implement. Further details of the soakaways can be secured by condition.

9.32 A detailed program of arboricultural monitoring will be required, along with details of soft and hard landscaping. These details can also be secured by conditions.

9.33 Subject to the imposition of conditions, the proposed development would not adversely affect existing trees, in accordance with Saved Policies EN1, EN2 and EN20 of the BFBLP and the NPPF.

vi. Biodiversity

9.34 The Biodiversity Survey Report provides further survey information to confirm that reptiles and roosting bats are likely absent from the site.

9.35 High levels of foraging activity for five bat species (Common Pipistrelle, Soprano Pipistrelle, Noctule, possible Leisler's and Brown long-eared bats) were found. Therefore, the report recommends a sensitive lighting scheme if any is required and a possible enhancement would be to include bat boxes on the new building.

9.36 Seven priority species have been identified at the site: Four bat species (Common Pipistrelles are not included), Starling, House Sparrow, Toad and Stag beetle.

The proposals to construct a new dwelling almost exactly within the existing footprint of the building ensures that these species will not be impacted by the proposals. To ensure the protection and enhancement of biodiversity, conditions are recommended relating to biodiversity enhancements, lighting and boundary treatment.

9.37 Subject to conditions to protect and enhance biodiversity, the proposal would not adversely impact upon biodiversity and would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

vii. Thames Basin Heath SPA

9.38 As the proposal relates to a replacement dwelling and does not result in a net increase in housing, there is no requirement for mitigation towards the SPA.

viii. Community Infrastructure Levy (CIL)

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

9.40 CIL applies to any new build (except outline applications and some reserved matters applications) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

ix. Energy Sustainability

9.41 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement relating to water usage. A planning condition is recommended in relation to the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

9.42 Policy CS12 of the CSDPD is not relevant as the scheme does not represent a net gain in dwellings.

x. Drainage

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

10. CONCLUSION

10.1 The proposed replacement dwelling would not be considered to materially harm the residential amenities of neighbouring dwellings on Wellington Road, Wellington Close or Severn Close. Acceptable living conditions would be provided for future occupiers of the proposed dwelling.

10.2 The proposal would also not adversely impact upon the character and appearance of the surrounding area.

10.3 No adverse highway safety implications would result.

10.5 Relevant conditions will be imposed in relation to trees, biodiversity and energy sustainability.

10.6 The application is therefore recommended for approval.

11. RECOMMENDATION

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 20 November 2020:

Drawing no. 19.SL.P.102 Rev B

Drawing no. 19.SL.P.103 Rev B

Drawing no. 19.SL.P.104 Rev B

Drawing no. 19.SL.P.105 Rev C

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

03. The development hereby permitted shall not be begun until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

04. The development hereby permitted shall not be begun until details of the finished floor levels of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

05. The first floor window in the side (west/north-western) elevation of the dwelling hereby permitted 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 window 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]

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

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

07. The dwelling hereby permitted shall not be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3-year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard BS 8545:2014 - Trees: from nursery to independence in the landscape – Recommendations 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'. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained.

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

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

08. The dwelling hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved scheme shall be implemented in full before the occupation of the dwelling hereby approved.

REASON: In the interests of the visual amenities of the area and in the interests of nature conservation.

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

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

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

[Relevant Policy: CSDPD CS10]

10. The dwelling hereby permitted shall not be occupied until the associated vehicle parking spaces and driveway have been surfaced in accordance with the approved drawings. 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, CSDPD CS23]

11. The dwelling hereby permitted shall not be occupied until 4 secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans. The cycle parking spaces shall thereafter be retained.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

12. No development (including demolition and site clearance) shall take place until the post and rail boundary fence along the southern and western boundaries has been reduced in height to a maximum of 0.6m within 2m of the back of footway of Wellington Road. The area within 2m of the back of footway of Wellington Road shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres.

REASON: In the interests of highway safety.

[Relevant Policies: CDPD CS23]

13. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.

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

[Relevant Policies: CSDPD CS1, BFBLP EN25]

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

- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
 - (f) Swept path drawings demonstrating that the largest anticipated vehicle needed for construction can arrive in a forward gear, turn around, and depart the site in a forward gear
- 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 (f) above.

REASON: In the interests of amenity and road safety.

15. No demolition shall be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with and retained as such thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on site except in accordance with details set out in a lighting design strategy for biodiversity that shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

All external lighting shall be installed in accordance with the approved details and maintained as such thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that order, no enlargement, addition, improvement or other alteration permitted by Classes A, B and E of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASON: The site is affected by a Tree Preservation Order/contains trees which are a feature of the site where strict control over development is required by the policies of the development to ensure their protection.

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

18. 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 hard surface as permitted by Class F of Part 1 of the Second Schedule of the Order shall be provided for any purpose incidental to the enjoyment of a dwellinghouse within the rear garden of the development hereby permitted (except for any shown on the approved plans).

REASON: The site is affected by a Tree Preservation Order/contains trees which are a feature of the site where strict control over development is required by the policies of the development to ensure their protection.

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

19. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
- d) Proposed location/s of 2m high (minimum) protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.

- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

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

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]

20. The protective fencing and other protection measures specified by condition 19 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these 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]

21. The development hereby permitted shall not be begun until a detailed site-specific programme of supervision/monitoring for all arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a) Induction and personnel awareness of arboricultural matters.
- b) Identification of individual responsibilities and key personnel.
- c) Statement of delegated powers.
- d) Timing and methods of site visiting and record keeping. To include routine site visits at maximum 4 week intervals

e) Procedures for dealing with variations and incidents.

The programme of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place. A copy of the signed inspection report shall be sent to the Local Planning Authority following each visit.

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

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

22. The development hereby permitted shall not be begun until a detailed site-specific construction method statement for the proposed decking area at the rear of the approved house, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
- b) Proposed foundation detail and materials.
- c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint of structure.
- d) Program and method of implementation

The development shall be carried out in full accordance with the approved details prior to the occupation of the dwelling hereby approved.

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]

23. Notwithstanding details submitted, the development hereby permitted shall not be begun until a detailed site-specific design and construction method statement for the proposed soakaway to the rear of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a) A site layout plan at a minimum scale of 1:200 showing the proposed location of the soakaway and all associated drainage routes.
- a) Comprehensive, site specific design of the structure
- b) Construction profile showing existing /proposed finished levels together with the extent of any ground works / excavation required including any grading of levels proposed adjacent to its footprint and relative to retained trees.
- c) Method and timing of implementation
- d) Details of Arboricultural supervision where applicable

The development shall be carried out in full accordance with the approved details prior to the occupation of the dwelling hereby approved.

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

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

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

- 03. Materials
- 04. Slab level
- 09. Sustainability Statement
- 14. Site organisation
- 15. Ecological enhancements
- 19. Tree protection
- 21. Programme of supervision/monitoring for arboricultural protection measures
- 22. Construction method statement for decking
- 23. Details of soakaway

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

- 01. Time limit
- 02. Approved plans
- 05 and 06. Restrictions on windows
- 10. Parking
- 11. Cycle parking
- 12. Fencing and visibility
- 13. SuDS
- 17 and 18. Restrictions on PD rights
- 20. Tree protection

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

- 07. Landscaping
- 08. Boundary treatment
- 16. External lighting (if proposed)

03. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the Chief Engineer (Highways), Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 351101 before any development is commenced. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

04. Trees on and adjacent to this site are protected by a Tree Preservation Order. Detailed written consent must be therefore obtained from the Council's Tree Section before undertaking any form of work to such trees (including any work affecting their root systems), unless detailed works to such trees have been specifically approved in writing as a part of this planning permission. Any pruning or removal of trees without the necessary consent or any damage arising from non compliance with other conditions of this permission or otherwise may be liable to prosecution by the Council. This may be in addition to any enforcement action deemed appropriate for non-compliance with relevant planning conditions. Property owners, developers and/or any other relevant persons are therefore advised to take appropriate measures to ensure that all persons responsible for overseeing works approved under this permission are suitably briefed on this matter.

05. Please note that trees on and/or adjacent to this site are protected by Tree Preservation Orders. The legislation protecting these trees overrides any Permitted Development under the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification). Prior written consent must therefore be obtained from the Council's Tree Service before undertaking any works which require the removal and/or pruning of a protected tree or may affect/cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description (parking bays, driveways footpath, patios etc.), foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description, construction of outbuildings (sheds, greenhouses, summerhouses etc.) or building extensions not requiring planning permission near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary written consent or any damage caused above or below ground arising from non-compliance with this requirement can be liable to legal action by the Council which can include prosecution, a substantial fine and incur a criminal record.

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Unrestricted Report

ITEM NO: 08

Application No.
20/00629/FUL

Site Address:

Ward:
Priestwood And Garth

Date Registered:
14 August 2020

Target Decision Date:
9 October 2020

**Nordx House, 4 The Western Centre, Western Road
Bracknell, Berkshire RG12 1RW**

Proposal:

Change of use of land and building from B1c (industrial processes) to D2*, forming an ice rink, including erection of first floor mezzanine, ramp to front elevation, and construction of a footpath and chiller to the rear of the building.

***From 1 September 2020 this will be a change of use from Class E to F.2.**

Applicant:

DK Ice Enterprises Ltd

Agent:

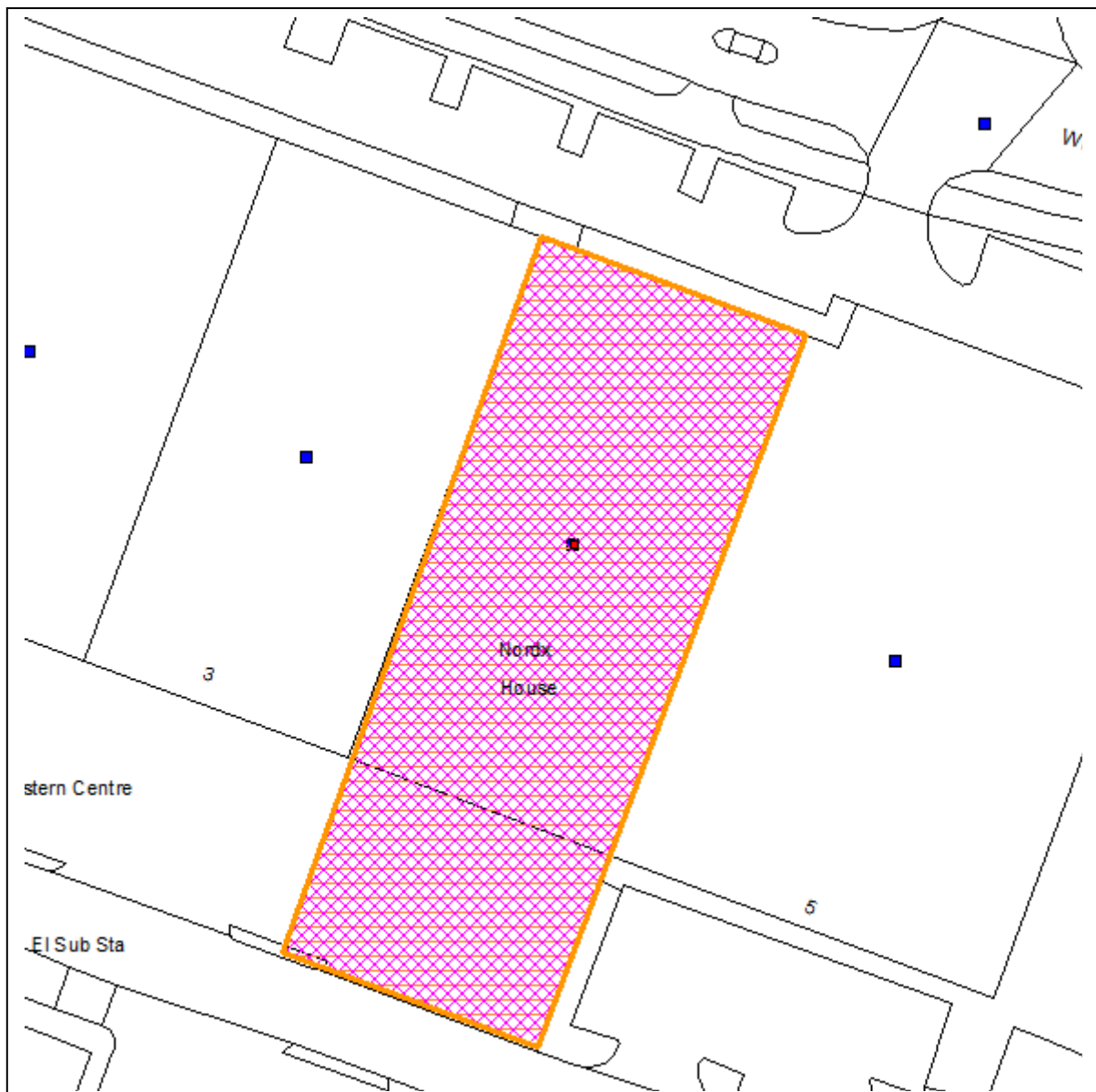
Mr Matthew Miller

Case Officer:

Katie Andrews, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1.0 SUMMARY

- 1.1 The proposal is for the change of use of Unit 4 within the Western Centre from a B1(c) (light industrial) use to use as an ice skating rink (Class D2) including the erection of a first floor mezzanine, the construction of a ramp to the north eastern elevation and the installation of a chiller to the south western elevation and the formation of a footpath.
- 1.2 The change of use would not result in an adverse impact on the viability of the employment area in which it is located; an adverse impact upon the vitality and viability of the town centre; the character or appearance of the surrounding area; the amenities of the residents of the neighbouring properties; or highway safety.

RECOMMENDATION

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

2.0 REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3.0 PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Within designated employment area

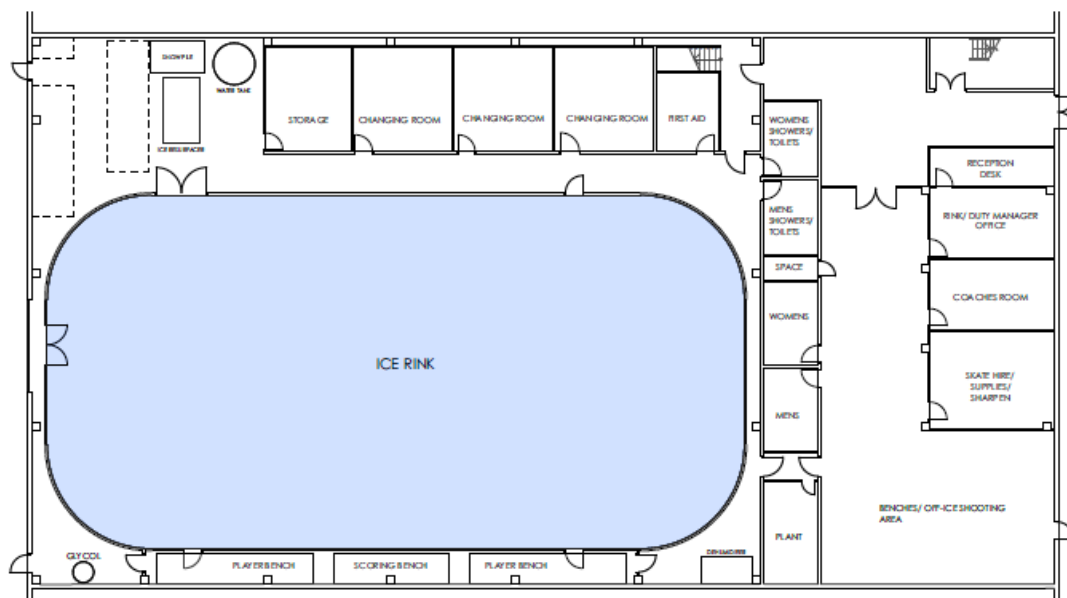
- 3.1 The application site extends to 0.23ha and contains Nordx House (Unit 4) which forms one of seven connecting industrial units sited within the industrial building known as The Western Centre.
- 3.2 The site is a middle terrace unit in a two storey industrial building bounded by neighbouring buildings to the east and west. It has a dual access from Western Road, providing parking both on the front (southern side) and adjoining the service access on the northern side of the building.
- 3.3 The site is currently vacant. It is located within the Western Industrial Estate which has a predominately business/industrial use. However to the east, the buildings at Berkshire Court have been converted to a residential use under a prior approval application. The area is now subject to an Article 4 direction which requires planning permission to be sought for the conversion of offices to residential.

4.0 RELEVANT SITE HISTORY

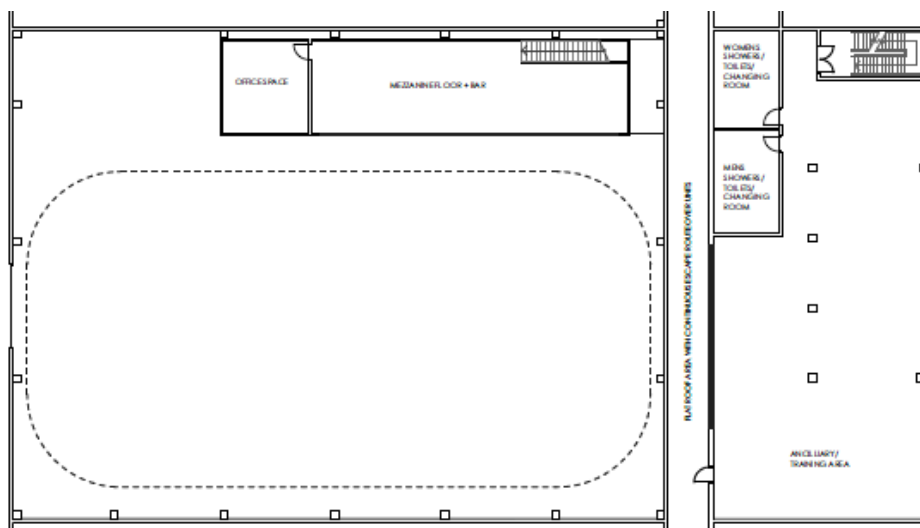
- 4.1 The relevant planning history can be summarised as follows:
- 4.2 610127 Application for change of use of building from light industrial to warehouse with ancillary office. Permitted 10/09/1985

5.0 THE PROPOSAL

- 5.1 The application proposes the change of use of Unit 4 for use as an ice rink, and the provision of a 114sq.m first floor mezzanine floor. The existing use of the building is for B1(c) (light industrial purposes) with the proposed use falling within Class D2 (assembly and leisure) of the Town and Country Planning (Use Classes) Order as amended. The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 has recently amended the Use Classes Order such that a Class B1 use now falls within Class E (commercial, business and service) and use as a skating rink falls within Class F.2 (local community). However, Regulation 4 of this Order states that applications submitted before 1st September 2020 should be determined on the basis of the Use Class Order in effect when the application was submitted.
- 5.2 Internally the building would be re-arranged to have an ice rink on the ground floor and associated facilities such as changing rooms, showers/toilets and offices for the manager and coaches. The first floor would have an ancillary training area with further changing room facilities with a mezzanine floor containing a bar area and further office space.



Proposed Ground Floor



Proposed First Floor

- 5.3 The ice skating rink is to provide an elite ice sports training facility with the focus on ice sports training. All skaters would be required to book in advance and there will be no 'walk-in' sessions. The facility is proposed to be open between 06:00 and 00:00 Monday to Sunday with the following activities proposed to take place:

- 15 hours/week (approximately) ice sports club members' training;
- 15 hours/week (approximately) competitive figure skating training;
- 15 hours/week (approximately) during term-time for school lessons;
- Member only skating sessions, including Learn to Skate; and
- hockey camps during school holidays.

- 5.4 Staffing at the site will comprise a Duty/Rink Manager, rink staff and coaches. Typically, a maximum of five staff are expected to be on-site at any one time.
- 5.5 Parking is provided to the front (south) of the building with 18 car spaces including one disabled parking space and 2 enlarged spaces. On the northern side of the building, the 7 existing parking spaces would be retained, additional provision would be made for motor cycle parking, and a footpath route would be provided from Western Road across the car park. Three Sheffield cycle stands would be provided on the northern elevation with further secure cycle parking provided within the building. 15 unallocated parking spaces are provided within the wider Western Centre for general use.
- 5.6 No external changes are proposed to the building, though an external chiller is proposed to the rear of the building with a ramp to the front elevation which replaces a stepped access.

6.0 REPRESENTATIONS RECEIVED

Parish Council

- 6.1 No objection

Other representations

- 6.2 8 letters of objection have been received, raising the following material planning considerations:
- (i) Venue not big enough

- (ii) Highway safety concerns due to the location
- (iii) Not enough parking
- (iv) Do not need another facility like this
- (v) Only benefits a tiny portion of ice hockey community

6.3 336 letters of support have been received. These refer to the benefits of providing this facility following the closure of the John Nike centre, as a venue for skaters and ice hockey teams.

7.0 SUMMARY OF CONSULTATION RESPONSES

Sport England

7.1 The proposed development does not fall within Sport England's remit, so a detailed response is not provided.

Environmental Health

7.2 No objection subject to a condition for noise details from any equipment associated with the use.

Highway Authority

7.3 The Highway Authority is satisfied that, with the removal of non-member pre-booked skate sessions from the proposal, the facility would operate successfully with the access arrangements and level of parking proposed. The Travel Plan would help to ensure that travel to the site and demand for car parking is monitored and managed.

8.0 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Employment area	CS19 and CS20 of the CSDPD	Broadly consistent although it is noted that CS20's requirement for an Employment Impact Statement is not consistent with the NPPF
Design	CS7 of the CSDPD	Consistent
Amenity	'Saved' policies EN20 and EN25 of the BFBLP	Consistent
Highway Safety	'Saved' policies M4, M7 and M9 of the BFBLP CS23 of the CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Bracknell Forest Parking Standards Supplementary Planning Document (2016)		
Bracknell Forest Council's Planning Obligations SPD (2015)		
Other publications		
National Planning Policy Framework (NPPF) 2019		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Area
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations

i. Principle of Development

- 9.2 The application site is located within the Western Employment Area, a designated employment area for business, industrial and storage uses (BIDS). Policy CS20 of the CSDPD requires that new development or uses support the primary business function of the employment area, and cumulatively do not compromise the integrity of the prime business functions of the employment area. The proposed use does not comply with the function of this business area. The Council's evidence base for the emerging Local Plan shows that there is a need for employment floorspace in the Borough over the plan period, and the site's location in the Western Employment Area makes it suitable for BIDS use.
- 9.3 The application site has been vacant since Dec 2019, with evidence showing the site has been actively marketed since mid-2019, with further marketing occurring since March 2020 for this and the adjacent site. The adjoining premises, unit 3, have been marketed by the same estate agents since 2018, without a tenant being found.
- 9.4 In view of the above, and in light of the current situation, it is preferable for the unit to be occupied by a non-business use than for the building to remain vacant. The proposed use would serve a need, as evidenced by the high level of support for the application. However, because the evidence of marketing is not for a significant period of time and there is an identified need for BIDS floorspace it is considered reasonable that the permission is subject to a condition to tie the consent as a personal permission which the applicant has suggested. This would ensure that when the use ceases the unit can return to BIDS floorspace.
- 9.5 *The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020* (Regulation 4) states that applications submitted before 1st Sept 2020 should be determined on the basis of the use class order in effect when the application was submitted. On this basis the application has been considered as a change of use from B1c to D2.
- 9.6 D2 covers 'leisure and assembly' uses and the applicant states the proposed use falls within this class. Main Town Centre uses (as defined in Annex 2 of NPPF) includes "leisure, entertainment and more intensive sport and recreation uses". Para. 86 of the NPPF makes it clear that 'main town centre uses', which includes leisure and more intensive sport facilities, should be located in town centres. The sequential test is used as a tool to guide main town centre uses towards town centre locations first. Such an approach is seen as a means of supporting the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking. The House of Commons Housing, Communities and Local Government Committee document titled 'High streets and town centres in 2030' (February 2019), states that the Government considers town centres should be seen as activity-based community gathering places where retail is a smaller part of a wider range of uses and activities and where green space, leisure, arts and culture and health and social care services combine with housing to create a space based on social and community interactions.

- 9.7 National policy seeks to direct leisure development to town centres through the sequential test (NPPF para. 86). The site is not located within Bracknell town centre, nor is it an edge of centre location as per the NPPF. The Planning Practice Guidance (PPG) is clear that it is for the applicant to demonstrate compliance with the sequential test (Paragraph: 011 Reference ID: 2b-011-20190722).
- 9.8 Para 87 of the NPPF states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.
- 9.9 The Planning Practice Guidance (PPG) (Reference ID: 2b-011-20190722) states that the application of the sequential test will need to be proportionate and appropriate for the given proposal.
- 9.10 Although the PPG checklist does not list viability, Ref ID 2b-013 states that “The sequential test supports the Government’s ‘town centre first’ policy. However as promoting new development on town centre locations can be more expensive and complicated than building elsewhere, local planning authorities need to be realistic and flexible in applying the test.”
- 9.11 The NPPF (para. 87) and the PPG (Reference ID: 2b-011-20190722) are clear that in order to demonstrate the sequential test has been passed, applicants and Local Authorities need to assess whether there is scope for flexibility in the format and/or scale of the proposal.
- 9.12 The applicant has submitted a sequential test which has considered a number of sites within the Town Centre, edge of centre and outside the Town Centre. The sequential test has assessed 35 sites that have been found through ‘publicly available documents’ including the SALP.
- 9.13 Although the document is not structured to consider town centre, edge of centre then out of centre in that order, a total of four sites in Bracknell Town Centre were assessed and one edge of centre site. The sequential test looks at several office buildings both in and around Bracknell Town; for most the floor areas are too small to accommodate an ice rink or there is insufficient unobstructed space due to structural pillars.
- 9.14 The sequential test provided is set out with clear headings for each alternative site considered. It includes consideration of the sites’ relationships to the town centre boundary, and distance to public transport. It also sets out physical development/amenity constraints, and conclusions (reasoning) about the suitability of the site.
- 9.15 The sequential test concludes that there are five alternative sites that are comparable in terms of capacity to deliver the proposed development and these have been outlined within the supplementary information provided by the applicant. These are:
- The Deck
 - John Nike Leisure Centre
 - 5 Kiln Lane
 - The Sterling Centre
 - The Atrium
- 9.16 These sites have been discounted for the following reasons:
- 9.17 The Deck is a Town Centre site and was discounted as there are no units available of a sufficient size to accommodate the proposed rink, the development is not likely to be

ready to be occupied for a number of years and the roof would not house a year-round facility and could not support ice hockey.

- 9.18 John Nike Leisure Centre is not in a town centre and the site was discounted as it is currently being marketed for private sale at a cost that is in excess of the applicant's financial means. They also advise that the site is less suitable as it is located further away from the centre.
- 9.19 5 Kiln Lane is not a town centre site and was discounted following advice from the applicant's transport consultant and discarded in favour of the application site. The site now has a lease to be occupied.
- 9.20 The Sterling Centre is located outside the town centre and units are generally too big or too small for the ice rink and combining the units would be problematic physically and in terms of the lease agreements.
- 9.21 The Atrium is an office building in the Town Centre site with the applicants advising that there would be potential amenity issues with introducing a conflicting use into the building and the fact that it has only just been refurbished for purpose-built office accommodation.
- 9.22 A further additional site in the Town Centre was also required to be surveyed at Princess Square. The applicants concluded that the site is too small and the wrong shape to accommodate the proposal. The applicant has also considered whether the former Sainsbury's unit could be sub-divided, and has confirmed that whilst it could theoretically accommodate the proposal, as a speciality use it would involve significant and expensive refurbishment and result in the landlord needing to reconfigure the space once the use has ceased. It is therefore not considered a realistic or viable option.
- 9.23 The applicant has set out that whilst clearly the ice rink itself cannot have obstructions/ be across different floors, there is also no scope to amend the format of the proposal to put some of the associated ground floor uses such as changing rooms on other floors, since it would be impractical for players in full ice hockey kit to travel across floors. It also sets out that the existing floorspace of the unit is 1,701.7sqm and that the proposed mezzanine is not essential for the operation of the ice rink; the essential floorspace is 1,700sqm. The sequential test was undertaken on this basis, and so it has now been demonstrated that there is no flexibility in the format and/or scale of the proposal.
- 9.24 The NPPF (para. 87) and PPG require it to be demonstrated that the proposed site is better connected to the town centre than these alternatives. The applicant has set out reasoning for this, including that some sites are no longer available, they are unsuitable for the proposal, and in the instance of two sites, they are no better connected to the town centre than the proposed site. The supplementary information submitted by the applicant has therefore now demonstrated this requirement of the NPPF and PPG.
- 9.25 It was suggested other sites were considered further if there was flexibility in the format/ scale of the proposal, but as above, it has now been demonstrated that there is no flexibility in the format and/or scale of the proposal. It can therefore be concluded in light of the additional information provided by the applicant that the sequential test has been passed. There are no sites within the Town Centre or closer to the Town Centre than the location applied for.
- 9.26 The loss of the business use and the replacement with a D2 Leisure and Assembly use is considered to be acceptable. Therefore, and in view of the above, the principle of the development can be considered acceptable.

ii Impact on the Character and Appearance of the Area

9.27 No changes are proposed to the external appearance of the building apart from a stand alone chiller to the rear of the building and a ramp to allow inclusive access to the front (for which final details are proposed to be required by condition 5). The car park is proposed to be resurfaced and marked out to the front and the rear in a similar layout to the existing. These changes are not considered to result in a prominent impact or appear out of keeping in the area.

9.28 The proposals would also result in a new footpath being constructed from the northern side of the application site which would be close to an existing street tree. The tree provides important softening to the street and can be retained with mitigation and construction measures to be agreed by a planning condition 10.

9.29 The level of visitors to the building is not considered to be dissimilar to other uses in the surrounding area and is not considered to impact its character.

iii Impact on Residential Amenity

9.30 The closest residential properties to the application site are to the east and approximately 80m away in Berkshire Court, the new office to residential conversion.

9.31 The proposal would include the installation of a chiller to the rear of the building. Details of how the noise from the chiller will be mitigated to prevent disturbing local residents is required by condition 4.

9.32 These distances should ensure an acceptable relationship with the closest residential use.

iv Transport and Highway Considerations

Access

9.33 Vehicular access is available to both the north and south of the site, via access roads which form part of The Western Centre, linking to the adopted highway of Western Road to the north and north-west and to Downmill Road to the south-east. Pedestrian access is available to the north of the unit onto the adopted footway/cycleway to the south of Western Road. A new footpath link and disabled access ramp is proposed to link the northern pedestrian access to the site with the existing footway/cycleway of Western Road complying with policies M6 (Cycling and walking) and M7 (Access for people with disabilities) of the Local Plan.

Parking

9.34 18 allocated car parking spaces, including 1 disabled space, are proposed to the south of the unit; two spaces have enlarged width for ease of access with a narrower aisle width to the rear, compliant with Manual for Streets paragraph 8.3.52. A one-way operation of the car park aisle has been introduced. A further 7 allocated spaces are retained to the north of the site; these northerly spaces require resurfacing and lengthening to make them safe for all users. In addition, the unit has use of 10 unallocated space to the north-east and 5 unallocated spaces to the south-west; these unallocated spaces were observed to be approximately 40% occupied during a site

visit by the Highway Authority mid-morning on a weekday (before the most recent Covid-19 lockdown began).

9.35 Overall, there are 25 allocated car parking spaces plus around 9 unallocated spaces which are likely to be available to staff or users of the proposed ice training facility. The Highway Authority is satisfied that this level of car parking provision is appropriate to the uses now proposed (with no non-member pre-booked skate sessions). The Travel Plan includes a clause in paragraph 6.35 that "In the unlikely event that overspill parking be identified as a problem, then a parking management regime would be introduced", initial details of how such a parking management regime could operate are set out in paragraphs 6.36 and 6.37 of the Travel Plan. The Travel Plan also indicates in paragraph 6.39 that Staff travelling to the site by car will be encouraged to park in unallocated spaces. Staff will be issued with a permit sticker so that it is clear which vehicles belong to staff at the facility. Cycle parking is proposed with 6 cycles (3 Sheffield stands) to the north of the unit along with 18 vertical cycle hangers internal to the building. The Highway Authority is satisfied that this level of cycle parking provision is appropriate to the uses now proposed, but would like the details of the internal cycle parking stands to be subject to a "submitted and approved in writing" condition to ensure that the design of the internal cycle parking is safe and appropriate for all user types.

Travel Plan

9.36 The applicant has confirmed that the non-member pre-booked skate sessions have been removed from the proposal. The following activities are therefore applied for, as set out in paragraphs 4.2, 4.7, 6.22 and 6.27 of the submitted Travel Plan:

- 15 hours/week (approximately) ice sports club members' training;
- 15 hours/week (approximately) competitive figure skating training;
- 15 hours/week (approximately) during term-time for school lessons, between 09:00 and 15:00. During these hours the school will have exclusive use of the Proposed Development including the car park area to the rear of the Site;
- Member only skating sessions, including Learn to Skate; and
- Hockey camps during school holidays, between 08:00 and 16:00.

The camps will typically comprise 3 groups of between 15-20 participants. Starting times for each group would be staggered to ensure that there is no drop-off or pick-up overlap between successive start times. Parents / carers of participants will not be permitted to wait at the site, those arriving by private car will be required to pick-up / drop-off only.

9.37 Paragraph 4.3 of the Travel Plan sets out that "Staffing at the Site will comprise a Duty/Rink Manager, rink staff and coaches. Typically, a maximum of five staff are expected to be on-site at any one time". Paragraph 4.5 of the Travel Plan sets out that there will be a maximum capacity of 25 people using the ice during training sessions.

9.38 Paragraphs 4.4 and 4.8 of the Travel Plan set out that there will be some ice hockey matches played but, due to the size of the proposed rink, these will have a maximum of 10 players in each team (3 outfield players and 1 goal tender on the ice and up to 6 in reserve). The rink will not be large enough to play a 'normal' match. There will be no paid spectators at these matches. There are therefore no spectator seats designed into the proposed development. As a consequence, there is also very limited space for parents / carers to wait during sessions and they will be encouraged not to wait during sessions.

9.39 Paragraph 4.9 of the Travel Plan notes that "as the Proposed Development is intended to serve elite ice sport, it will be critical to maintain the ice to a high standard. As a

consequence, there is typically a gap of 15 minutes between successive sessions on the ice to allow for essential maintenance of the ice". The operator of the ice facility will appoint a Travel Plan Coordinator to operate the Travel Plan, predominantly to encourage travel by sustainable modes and including a Travel Information Pack for each new user or member of staff of the facility.

- 9.40 The Highway Authority is satisfied that, with the removal of non-member pre-booked skate sessions from the proposal, the facility would operate successfully with the access arrangements and level of parking proposed. The Travel Plan would help to ensure that travel to the site and demand on car parking is monitored and managed.

10. CONCLUSIONS

- 10.1 The use of the building for a training centre, and the preference to fill a vacant building, is considered sufficient to overcome the loss of a business use within an employment area. The applicants have demonstrated, through a sequential test, that there are no available sites to meet the requirements of an ice skating training centre in the town centre or edge of the town centre. The sequential test has been passed. The proposed development is not considered to have an adverse impact on the character of the area or residential amenity, and the parking in conjunction with the proposed travel plan is considered acceptable.

11. RECOMMENDATION

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

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

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

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

Block plan and site location plan 2803 002 REV P12 received 17 Nov 2020

Proposed ground floor plan 2803-005 REV P3 received 14 Aug 2020

Proposed first floor plan 2803-006 REV P3 received 14 Aug 2020

Proposed chiller cage 2803-007 REV P2 received 14 Aug 2020

Amended Framework Travel Plan received 08.12.2020

Sequential test dated received 14.10.2020

Sequential test addendum received 05.11.2020

Email re sequential test from D.Hay received 04.12.2020

Email re sequential test from D.Hay received 09.12.2020

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

03. The use hereby permitted shall be carried on only by DK Ice Enterprises Ltd and when the premises cease to be occupied by DK Ice Enterprises Ltd the use shall cease and all materials and equipment brought onto the site in connection with the use shall be removed.

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

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

04. The sound rating level (established in accordance with BS4142:2014) of any plant, machinery and equipment installed or operated in connection with this permission shall not exceed, at any time, the prevailing background sound level at the nearest residential or noise sensitive property. If the plant, machinery or equipment is to be enclosed, details of the enclosure shall be submitted to and approved in writing by the local planning authority, and the approved means of enclosure shall be installed prior to the development hereby permitted commencing.

Reason: To protect the occupants of nearby residential properties from noise

05. The development hereby permitted shall not be brought into use until a means of access for pedestrians including people with disabilities which links the northern pedestrian entrance door to the building with the existing southern footway/cycleway of Western Road has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

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

[Relevant Policies: BFBLP M6 and M7, Core Strategy DPD CS23, NPPF paragraphs 108 and 110]

06. The development hereby permitted shall not be brought into use until space has been laid out within the site in accordance with the approved block plan 2803 002 P12 received 17th November 2020, for cars and motorcycles to be parked and vehicles to turn. 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 to prevent the likelihood of on-street parking which would be a danger to other road users.

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

07. The development hereby permitted shall not be brought into use until the 7 car parking spaces to the north of the building and to the south of Western Road shown on the approved plans have been re-surfaced and lengthened to at least 4.8m with at least 6.0m turning space beyond.

REASON: To ensure that the development is provided with safe and adequate car parking and turning, to minimise the scope for conflicts between pedestrians and vehicles, and 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, NPPF paragraph 110]

08. The development shall not be brought into use until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The facilities shall be provided prior to the development being brought into use and thereafter be retained.

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

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23, NPPF paragraph 108]

09. The development hereby permitted shall not be brought into use 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 Full Travel Plan shall be implemented and monitored for at least a 5 year period following commencement of the development hereby permitted with travel surveys undertaken every 6 months, in summer and winter,

throughout the 5 year period. The Travel Plan shall be developed and maintained to the satisfaction of the Local Planning Authority throughout this period.

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

[Relevant Policies: Core Strategy DPD CS23 and CS24, NPPF paragraph 111]

10. No hard surfaced area of any description within the minimum Root Protection Areas of any trees to be retained (calculated in accordance with Section 4 of British Standard 5837:2012 or any subsequent revision) shall be constructed until a detailed site specific construction method statement has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include:-
 - a) an approved development layout plan identifying all areas where special construction measures are to be undertaken; and
 - b) materials including porous surface finish; and
 - c) construction profile(s) showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure; and
 - d) a programme and method of implementation and arboriculture supervision.

The hard surfaced areas shall be constructed in full accordance with the approved scheme, under arboricultural supervision, prior to the first occupation of the development. The approved surfacing shall be retained thereafter.

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

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

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions, however they are required to be complied with: 1, 2, 3, 6, 7
03. The development cannot be brought into use until the following conditions have been discharged: 4, 5, 8, 9, 10
04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
05. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, The Highways and Transport Section at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk, 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 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.

Unrestricted Report

ITEM NO: 09

Application No.
20/00722/FUL

Ward:
Warfield Harvest Ride

Date Registered:
28 September
2020

Target Decision Date:
23 November 2020

Site Address: **42 Walsh Avenue Warfield Bracknell Berkshire RG42 3XZ**

Proposal: **Erection of first floor side extension and single storey rear extension following demolition of existing conservatory.**

Applicant: Mr Rob Kelly

Agent: Cameron Lloyd

Case Officer: Lucy Ormrod, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 Planning permission is sought for the erection of a first floor side extension and single storey rear extension following demolition of the existing conservatory at 42 Walsh Avenue Warfield Bracknell RG42 3XZ.
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area. The relationship with adjoining properties is acceptable and it is not considered that the development results in an unacceptable impact on highway safety or trees.

RECOMMENDATION

Planning permission be granted subject to the conditions set out in Section 11 of this report.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been reported to the Planning Committee following the receipt of more than 4 objections and Councillors being consulted, subsequently calling it to Committee.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Inside the settlement boundary

- 3.1 42 Walsh Avenue Warfield Bracknell is a two storey semi-detached dwellinghouse located to the north of the highway. The property benefits from a driveway. The surrounding area is predominantly residential.
- 3.2 There is a group protection order (TPO 232) on trees adjacent to the rear border of the application site.

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning history is summarised as follows:

00/00722/FUL: Conversion of existing attached garage to form self-contained annexe (without compliance with condition 06 of planning permission 618804) together with single storey front extension – Approved 2000.

Condition 4 of permission 00/00722/FUL states that “The conversion and extension shall not be occupied until vehicle parking has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.”

5. THE PROPOSAL

5.1 Planning permission is sought for the erection of a first floor side extension and single storey rear extension following demolition of the existing conservatory.

5.2 A ramp has been built on the driveway which is in breach of Condition 4 of permission 00/00722/FUL. However, this ramp has become lawful through the passage of time as it is visible on GIS from 2010, and the agent has confirmed it was constructed in 2007.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Warfield Parish Council commented on the application on 21st October 2020 and recommended refusal on the grounds that the proposed parking is unrealistic for three vehicles.

Other responses received

6.2 3 objections have been received from neighbouring properties. The issues raised can be summarised as follows:

- (i) Parking spaces not used - An objector commented that a letter was sent by Mike Holmes, Borough Planning Officer to Mx S Norman under reference 00/00722/FUL dated 3rd October 2000 referring to using parking spaces to prevent on street parking which would be a danger to road users.
- (ii) Inconsiderate parking and potential for builders to damage neighbours cars and hinder access at 39 Walsh Avenue
- (iii) Not enough space for 3 vehicles on the driveway
- (iv) An increased number of rooms increase those eligible to drive
- (v) The pathway next to 41 Walsh Avenue is used by school children
- (vi) Dangerous parking
- (vii) Overlooking to 39 Walsh Avenue reducing privacy to their garden and house
- (viii) Already any cars parked on the road
- (ix) Building vehicles restricting access for residents and blocking the roads in the case of an emergency
- (x) Noise and disturbance
- (xi) Road safety as parents walk their children to school of this stretch of road
- (xii) The property is on a corner and has already been extended and if it were made larger with more vehicles parking it would have a detrimental effect on the surrounding area.

6.3 A number of other objections were received, however no name or contact details were given and therefore cannot be counted as formal objections. Additionally, one property raised 2 objections and as they are from the same household only count as one objection.

7. SUMMARY OF CONSULTATION RESPONSES

Highways:

7.1 The Highway Authority stated that they object to the proposal, as sufficient parking has not been demonstrated without requiring land which is not within the applicants control and which is public highway.

Tree Service:

7.2 From an informal discussion the Tree Service stated that a Tree Service consult was not necessary, however, they recommended an informative regarding works and storage of materials be appended to an approval.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of the CSDPD	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP and CS23 of the CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Design SPD (2017)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications

i. Principle of development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, etc. These matters are assessed below.

ii. Impact on character and appearance of the area

9.3 The proposed rear extension would be subservient to the host dwelling and would largely be screened from the highway by boundary fences and trees and bushes. The bricks and fenestration would match the existing. Due to the proposed rear extension not being visible from most of the highway, the single ply membrane proposed for the flat roof elements of the rear extension is not considered to have a significantly adverse impact on the streetscene.

9.4 The proposed side extension would be subservient to the host dwelling with a lower ridge height than the existing roof ridge. It would also be set back from the existing furthest forward front elevation. As such it is not considered to have a significantly adverse effect on the streetscene or surrounding area, even though located on a corner plot. Additionally, the proposed side extension would be in keeping with the character and appearance of the surrounding area as the external materials would match the existing external materials.

9.1 Additionally, the proposal would not look out of place as there are similar developments nearby. 43 Walsh Avenue received permission (09/00132/FUL) for the erection of a single storey rear extension in 2009. 51 Walsh Avenue received permission (17/00839/FUL) in 2017 for the conversion of the garage and erection of first floor side extension.

9.2 As such, it is not considered that the development proposals under consideration have a significantly detrimental impact on the character of the area or the host dwelling.

iii. Impact on Residential Amenity

Overlooking

9.3 The rear extension is not considered to result in adverse overlooking as it would be a single storey and would partially cover the footprint of the existing conservatory which is to be demolished which is largely constructed from glass. This conservatory will be replaced by a single storey extension with less glass than the existing structure. Additionally, with a separation distance of approximately 29 metres to the dwellinghouse 39 Walsh Avenue, the proposed development is not considered to result in adverse overlooking.

9.4 The proposed first floor side extension is not considered to result in adverse overlooking as no side windows are proposed and proposed window to the front elevation would be a level height with existing front elevation windows and would be set further back from the highway than the furthest forward front elevation.

9.5 In the neighbour representation 39 Walsh Avenue raised concerns over how the plans will overlook their property reducing privacy to both their house and garden. Given the separation distance and that no first floor windows will overlook their property this is not considered to result in overlooking. Additionally, the proposed rear extension would be a single storey and only 0.3 metres taller in height than the existing conservatory and as such is not considered to result in significantly increased overlooking. Furthermore, the rear extension would be constructed from less glass than what is on the existing conservatory.

Overbearing

9.6 Given that a conservatory is currently located where the rear extension is proposed, although constructed largely from glass compared to the proposed rear extension, the proposal is not considered to be significantly adversely overbearing. Additionally, given that it will have a single storey it will be subservient to the host dwelling and is not considered an unduly addition to the dwellinghouse. It will also largely be screened from the neighbouring property by a boundary fence.

9.7 The neighbouring property has a rear extension largely constructed from glass. The side elevation which would be adjacent to the proposed rear extension is constructed from brick and does not have any side windows. As such the proposed extension is not considered to be adversely overbearing to the neighbouring property

9.8 The proposed first floor side extension is not considered to be adversely overbearing to neighbouring properties due to its separation distance from them and as it would be subservient to the existing dwellinghouse with a lower ridge height.

Overshadowing

9.9 Given the amount of glazing on the neighbouring conservatory/rear extension, the proposed rear extension is not considered to result in a substantial loss of light.

9.10 Due to the separation distance to neighbouring properties the proposed side extension is not considered to result in a loss of light to those properties.

Lighting and Noise Concerns

9.11 Noise and disturbance from building works is not a planning consideration. Any noise and disturbance would be for a temporary period during the course of the build and not a permanent impact.

9.12 Once completed, it is not considered that the development would result in lighting or noise nuisance over and above what is expected in residential areas. If the occupants of 42 Walsh Avenue are producing unacceptable levels of lighting or noise nuisances this can be investigated under Environmental Health legislation.

9.13 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, and would also provide an acceptable level of amenity for future occupiers, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended condition.

iv. Transport implications

9.14 The Highway Authority object to the proposal, as sufficient parking has not been demonstrated without requiring land which is not within the applicants control and which is public highway.

9.15 As the proposal would see an increase in bedrooms from 4 to 5 there is no requirement to provide additional parking above what is already provided as 4 and 5 bedroom dwellings require the same amount of parking spaces.

9.16 Condition 4 of permission 00/00722/FUL states that the conversion and extension shall not be occupied until vehicle parking has been surfaced and marked out in accordance with the approved drawing, and that the spaces shall thereafter be kept available for parking at all times. The applicant is currently in breach of this condition as a ramp has been built on the driveway. However, this wall has become lawful through the passage of time as it is evident on GIS that the wall has been there since at least 2010, and the agent has confirmed via email (received 18th November 2020) that the wall was built in 2007. Therefore, the wall is lawful and requesting additional provision of parking spaces cannot be justified in planning policy terms.

9.17 Residents cannot be enforced to park their cars on their driveways. Whether a resident uses or does not use their driveway is not a planning consideration. It can only be considered whether they can provide the required parking, and as the existing driveway is lawful and the increase from a 4- to 5-bedroom dwelling does not require any additional parking to provided to what is existing as per the parking standards, whether the driveway is used is not enforceable as a planning condition and is not within the remit of planning.

9.18 The comment regarding the increase in the number of rooms increasing the number of people eligible to drive is not a planning consideration. The number of bedrooms in a house does not necessarily dictate how many people live there and how many are/will have a car. The requirements for parking provision are set out in the Council's Parking Standards SPD (2016) based on number of bedrooms in an existing dwelling. As stated previously the proposed parking is lawful and acceptable in planning terms and the increase from 4 to 5 bedrooms does not require additional parking provision.

9.19 In terms of dangerous parking, we cannot enforce or condition residents or visitors to park in particular places. Any indiscriminate parking causing an obstruction could be a matter enforced by the local police/PSCO.

9.20 The concern regarding construction vehicles parking restricting access for residents and blocking the roads in the case of an emergency is not a planning consideration. Again, any indiscriminate parking causing an obstruction could be a matter enforced by the local police/PSCO.

9.21 The fact that the pathway next to 42 Walsh Avenue is used by school children and that school children walk along Walsh Avenue is not a planning consideration and not a justifiable reason for refusal. No car regardless of the proposed development should be driving down a footpath. Additionally, school children use many roads across Bracknell. Simply because school children use the area is not a planning reason to refuse the application. Any indiscriminate parking causing an obstruction could be a matter enforced by the local police/PSCO.

Ivv. Impact on trees

9.22 There is a group protection order (TPO 232) on trees adjacent to the rear border of the application site.

9.23 The Tree Service stated that they did not require a consult but recommended an informative regarding works and storage of materials be appended to an approval.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the surrounding area, the residential amenities of the occupiers of the neighbouring properties or highway safety. It is therefore considered that the proposed development complies with 'Saved' policies EN1 and EN20 of the BFBLP, Policies CS1, CS2 and CS7 of the CSDPD, BFBC SPDs and the NPPF.

11. RECOMMENDATION

That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority:

Existing and Proposed Roof Plan – Drawing Number 20.42WA.P05 – Received 28.09.2020

Proposed Floor Plans – Drawing Number 20.42WA.P03 - Received 28.09.2020

Proposed Elevations - Drawing Number 20.42WA.P04.01 – Revision 01 – Received 28.10.2020

Proposed Parking Plan – Drawing Number 20.42WA.P06.02 – Revision 02 – Received 08.12.2020

Proposed Site Location and Block Plans – Drawing Number 20.42WA.SITE.P01.02 – Revision 01 – Received 08.12.2020

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those outlined on the Application Form, received 28th of September 2020 by the Local Planning Authority.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. Prior to commencement a Building Method Statement must be submitted to and approved by the Local Planning Authority. (A Building method Statement was requested by Councillor's following the 3-5 procedure – it is currently set as a pre-commencement condition and a Building Method Statement has been requested from the agent to be provided asap so that it does not need to be imposed as a pre-commencement condition).

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 do not require details to be submitted, but must be complied with:
 1. Time limit
 2. Approved plans
 3. Details of materials
03. The applicant is advised that the following conditions require discharging prior to commencement of development:
 4. Building Method Statement
04. Tree protection

Care should be taken with any activity, storage of materials or mixing of materials that takes place in the rear of the application site bordering the group protection order (TPO 232), and if work is intended in this area an application should be submitted to the Tree Service.
05. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
06. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

Unrestricted Report

ITEM NO: 10

Application No.

20/00742/3

Site Address:

Ward:

Binfield With Warfield

Date Registered:

27 October 2020

Target Decision Date:

22 December 2020

Farley Wood Community Centre Turnpike Road Binfield Bracknell Berkshire RG42 1FW

Proposal:

Installation of 8 No. floodlights on 6 No. 10 metre high lighting columns to light existing tennis courts.

Applicant:

Mr Luke Dawson

Agent:

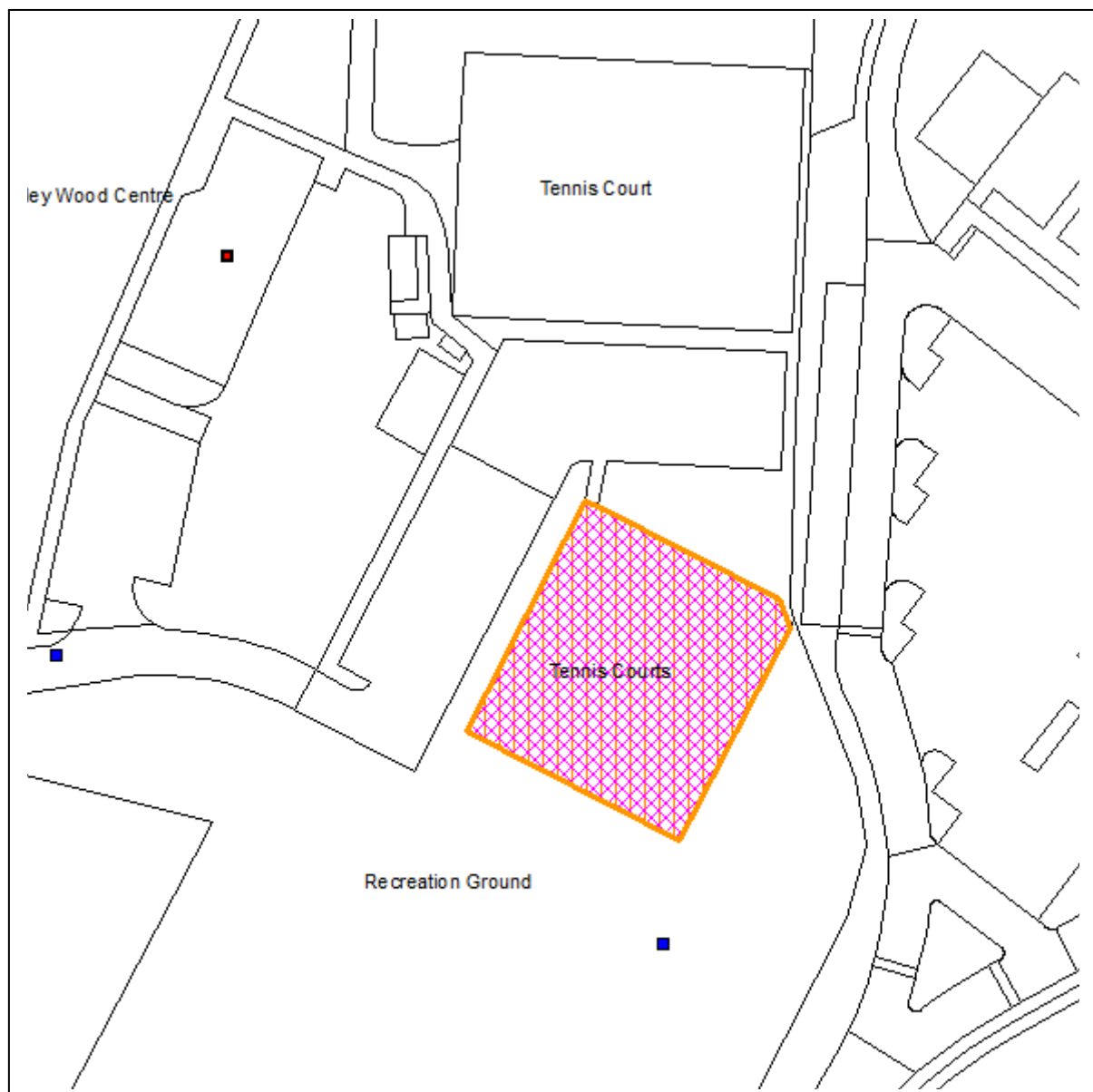
(There is no agent for this application)

Case Officer:

Olivia Jones, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 The proposal is for the installation of 6no. 10 metre high lighting posts to illuminate 2 tennis courts.
- 1.2 The development would not result in an adverse impact on the character or appearance of the surrounding area, the amenities of the residents of the neighbouring properties or on biodiversity.

RECOMMENDATION

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been reported to the Planning Committee as it is a scheme which the Director for Place, Planning and Regeneration is responsible for promoting.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 The tennis courts are located within the grounds of the Farley Wood Community Centre. The application site consists of recreational facilities including play areas, football pitches and tennis courts. The site benefits from a car park, and groups of protected trees are located within the application site.
- 3.2 The building to the east of the application site is an office building in association with the 3M complex.

4. RELEVANT SITE HISTORY

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

618733

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 1993

621394

Erection of 3 no. lamps on 5 m columns

Approved 1995

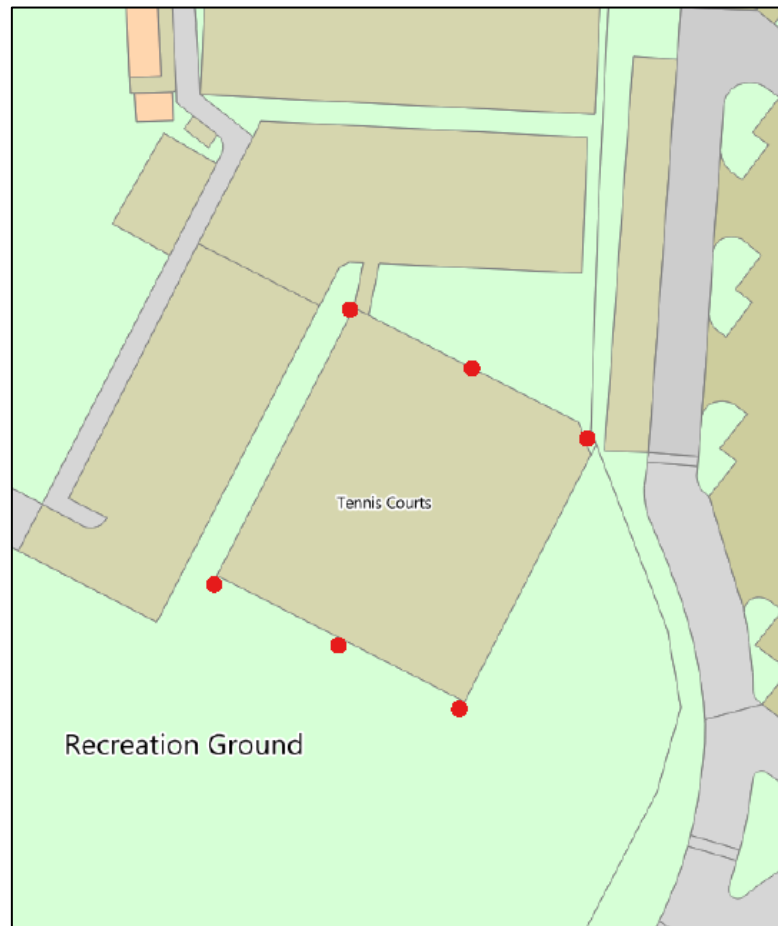
622003

Provision of 2no. tennis courts enclosed with 3 metre high mesh fence.

Approved 1998

5. THE PROPOSAL

5.1 The 6no. lighting posts are proposed to surround 2 tennis courts. There is an existing group of 3 tennis courts to the north which are currently illuminated, and this application proposes no change to this arrangement. The lighting posts would have a height of 10 metres. The corner posts would contain a single floodlight whereas the posts in the middle would contain 2 floodlights.



6. REPRESENTATIONS RECEIVED

Binfield Parish Council

6.1 No objection raised, however a request was made to restrict the timing of the lights to be consistent with the residential nature of the area and not be excessive.

Other Representations

6.2 No objections have been received from the occupants of neighbouring properties.

7. SUMMARY OF CONSULTATION RESPONSES

Environmental Health

7.1 No objection

Biodiversity

7.2 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD CP1 of the SALP	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policies EN20 and EN25 of the BFBLP	Consistent
Biodiversity	EN15 of the BFBLP	Consistent
Recreation	CS8 of CSDPD	Consistent
Other publications		
National Planning Policy Framework (NPPF) 2019		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity
- iv. Biodiversity Implications

i. Principle of Development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with SALP Policy CP1, CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring occupiers, etc. These matters are assessed below. Both policy CS8 of CSDPD and Section 8 of the NPPF support the improvement of recreational facilities. In this case the proposal would enable the increased use of the tennis courts and therefore the recreational facilities at the site would be enhanced by the provision of suitable lighting. As such the proposal is considered acceptable in terms of the NPPF and policy CS8 of CSDPD.

ii. Impact on Character and Appearance of Surrounding Area

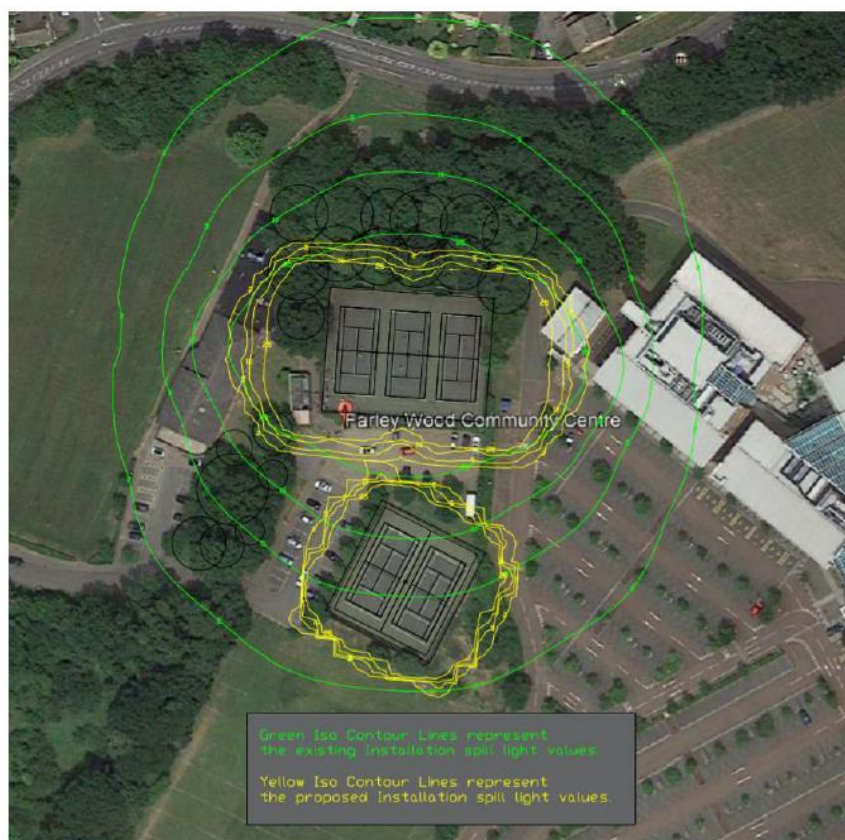
9.3 The proposed lighting poles would have a height of 10 metres. Due to the dense and tall vegetation surrounding the site, the floodlights would be well screened from Turnpike Road and would not appear prominent to the surrounding residential properties. The lighting spill would be sufficiently restricted that the lighting poles would not appear prominent when lit when viewed from public vantage points.

iii. Impact on Residential Amenity

9.4 The separation distance of the proposed lighting poles to the nearest residential properties is approximately 125 metres. There is dense vegetation sited between these properties and the application site.

9.5 The lighting spill from the proposed lights would be directed no further than the existing halogen lighting on site. The light spillage can be seen on the following plan (please note that the lighting shown on the 3no. northern tennis courts do not form part of this

application, the green lighting spread is the existing lighting of the tennis courts, which would not be removed as part of this application).:



9.6 The predicted lux spill would be well within the recommended limits for external lights and it is therefore considered there would be no adverse impact on the residential amenity of the occupiers of the neighbouring properties.

iv. Biodiversity Implications

9.7 This site is located adjacent to a small woodland which provides an important green infrastructure feature connecting to Farley Copse Local Wildlife Site (and ancient woodland) in the north with other habitat areas in the south. The woodland extends along the northern boundary of the tennis courts and along the western side with a small gap for the community centre and continues to the south. Their importance is also reflected in the Tree Preservation Orders on those areas.

9.8 The light spillage plan shows a minimal increase in the level of lighting in the southern corner of the tennis courts, which would not reach the trees to the west.

9.9 The technical specification for the lighting indicates it is within the 'warm white' range of colour temperature which helps to reduce the impact on both biodiversity and on light spill.

9.10 The ecological consultant has reviewed the proposals and recommended a timer system to avoid residual impacts on more light sensitive species, and it is recommended that these timings are restricted by condition to be not illuminated after 21:30 hours or before 08:00 hours any day.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the surrounding area. The development would not result in an adverse impact on the residential amenity of the neighbouring occupiers or biodiversity. It is therefore considered that the proposed development complies with 'Saved' policies EN15, EN20 and EN25 of the BFBLP, Policies CS1, CS2 and CS7 of the CSDPD and the NPPF.

11. RECOMMENDATION

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 27.10.2020:

Location and Site Plans

Block Plan

Block and Elevation Plan (Rev 2)

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

03. The 6no. 10m high lighting columns and associated floodlights hereby permitted shall not be illuminated other than in accordance with the following approved plans and details, received 27.10.2020:

Amended Optivision LED GEN 3.5

Highlights Floodlighting Ltd Performance Results

REASON: In the interests of the neighbouring properties and biodiversity.

[Relevant Policies: BFBLP EN20 and EN15]

04. The lighting columns hereby permitted shall not be illuminated before 8am or after 9:30pm on any day.

REASON: In the interests of the neighbouring properties and biodiversity.

[Relevant Policies: BFBLP EN20 and EN15]

Informative(s):

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

02. 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. Levels of illumination

4. Hours of operation

03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

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