

ITEM NO:

Application No.
16/01004/OUT
Site Address:

Ward:
Binfield With Warfield

Date Registered:
4 October 2016

Target Decision Date:
3 January 2017

**Land North Of Newhurst Gardens Newhurst Gardens
Warfield Bracknell Berkshire**

Proposal:

Outline planning application for the erection of up to 50 residential dwellings (including up to 25% affordable housing), parking, open space and landscaping with access from Newhurst Gardens. All matters reserved apart from access details.

Applicant:

Mr Mark Whitaker

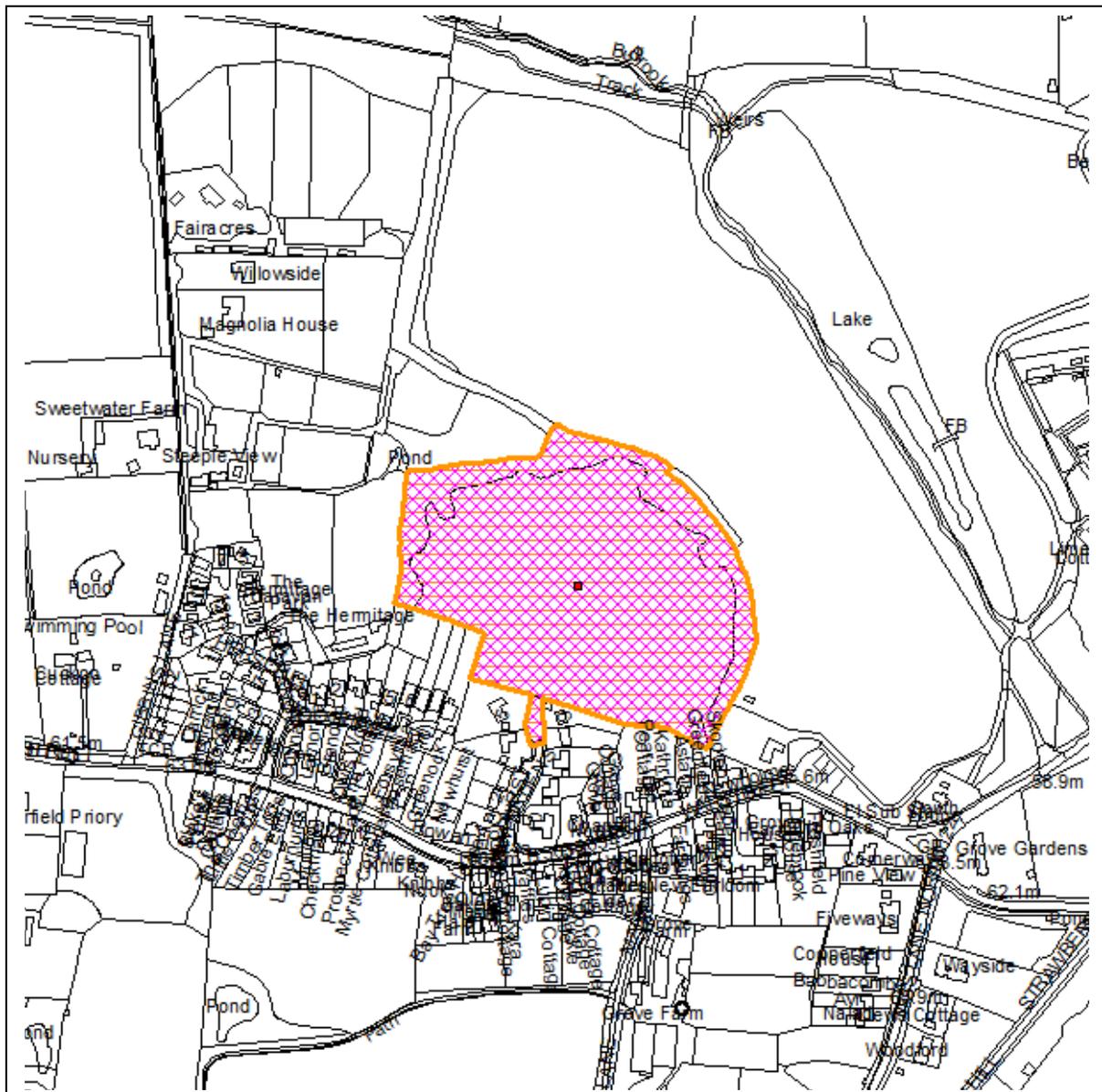
Agent:

Mrs Emily Temple

Case Officer:

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

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



1. SUMMARY

1.1 The application would deliver up to 50 dwellings, including affordable housing, on land adjacent to the settlement boundary of Warfield Street within a well contained and defined site. The proposal would also deliver ecological benefits through improving the bio-diversity of the open space retained within the site. Concerns raised regarding highway safety and drainage have been overcome by the applicant, to the satisfaction of the relevant consultees. Whilst it is acknowledged that the proposal would have an impact upon the character and appearance of the field subject to the application, it is concluded that there would be no significant impact from views obtained from public viewpoints surrounding the site, or any other impacts in this instance, which would significantly and demonstrably outweigh the benefits of housing.

RECOMMENDATION
Approve subject to S106 agreement

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Countryside

3.1 The 4.4ha application site consists of a field under grass situated to the north of and with access from Newhurst Gardens. The site is surrounded by mature hedgerows with individual semi-mature trees dotted within the site. It is generally flat with a slight fall towards the north-east.

3.2 The site abuts the urban edge and defined settlement boundary of Warfield which lies along the southern boundary. Newhurst Gardens is a cul-de-sac containing 10 detached properties comprising a mixture of bungalows and two storey dwellings. The eastern and northern boundaries of the site adjoin the grounds of Warfield House, a Grade II listed dwelling, whilst to the west the site abuts pastures and the rear gardens of properties within Toogood Place. Apart from Warfield House, Pear Tree Cottage and Lane End – a building occupied as two dwellings located to the south of the site - are also Grade II Listed. The curtilages of these dwellings abut the southern boundary of the application site.

3.3 There are several trees subject to Tree Preservation Orders close to, but not within, the site. None of the trees within the site are protected.

4. RELEVANT SITE HISTORY

4.1 None relevant to the application site.

4.2 Newhurst Gardens History:-

606081 Application for erection of 18 houses and construction of access road (appeal dismissed). Refused: 17.09.1981.

605652 Outline application for erection of 10 dwellings and new access. Approved: 05.10.1981.

607362 Reserved matters application for the erection of 4 bungalows and 6 houses all with double garages and construction of new access. Refused: 28.01.1983.

607541 Construction of access and erection of 5 bungalows and 5 houses all with double garages. Approved: 10.03.1983.

5. THE PROPOSAL

5.1 The proposal seeks outline planning permission, with all matters reserved apart from access, for the construction of up to 50 dwellings, including up to 25% affordable housing, and access details. The application includes an indicative layout showing provision of parking, public open space and landscaping, however details of layout, landscaping, appearance and scale are all matters reserved for future approval.

6. REPRESENTATIONS RECEIVED

6.1 A total of 38 representations have been received from residents of surrounding properties. The comments can be summarised as follows:-

- The proposal would result in an additional 100 vehicle movements which would ruin our village atmosphere due to traffic, noise and pollution.
- There is restricted visibility due to bend in Warfield Street when existing Newhurst Gardens which would result in highway safety issues. This is exacerbated by parked cars along Warfield Street and evidenced by the number of collisions here already.
- Street lighting will detrimentally affect village character.
- Displacement of deer, bats, owls, and other wildlife has not been adequately explored within the ecological survey.
- Proposal would be detrimental to the character of the area.
- Access is not wide enough to enable two cars to pass.
- Traffic survey cannot accurately predict what the effect of 2,200 homes south of Warfield would have on Warfield Street.
- Proposal is outside the designated settlement boundary and is designated as agricultural land
- Proposal would jut out into the countryside and away from the village boundary.
- Building adjacent to boundary, blocking views and resulting in overlooking of private gardens.
- Warfield Parish Council is in the process of creating a Neighbourhood Plan which outlines the provision of housing within the Parish to meet housing need. This land is not included within this plan. *[Officer comment: the emerging Warfield Neighbourhood Plan is not yet at a stage at which any weight can be attached to its policies]*
- Proposal is not in keeping with the character of the area, specifically in terms of number of storey's being proposed as most properties in the area are bungalows.
- Development would be overbearing due to height of houses, size and scale of development itself and additional traffic load on Warfield Street and Newhurst Gardens.
- There are no benefits associated with the proposal for the local community.
- In conflict with the historical character of the area.
- Set an unacceptable precedent
- Completely at odds with the promises and assurances made in allowing the planning development to south of Warfield. The north of Warfield should be kept as it is.
- Brownfield land should be developed first in accordance with Government policy

- Not allocated within the Bracknell Forest Council Strategic planning documents, in particular the Site Allocations Local Plan (SALP) and therefore is above and beyond what the residents and environment of Parish of Warfield can be expected to accommodate.
- There is an undersupply of housing especially affordable housing, the scheme appears to be well thought out and designed.

Warfield Parish Council

6.2 Recommends refusal due to the proposal being outside the settlement and traffic concerns associated with the development (access to Warfield Street).

Warfield Village Action Group

6.3 Objects on the following grounds:

- The proposal is contrary to both local and national planning policies.
- The site location is within the open countryside on an unallocated site.
- The proposed development is not aligned with and therefore contrary to the proposed Warfield Neighbourhood Plan.
- The proposed development would significantly alter the semi-rural character of the existing northern boundary of the village of Warfield
- The proposed development would impact negatively upon Warfield Street, resulting in increased highway safety implications.
- The proposed development would increase known congestion issues on Warfield Street, impacting upon all road users.
- The access arrangements to the site itself would impact upon existing properties located on Newhurst Gardens.
- The indicative layout and form of the residential aspects of the application is not reflective of the existing mix and design of neighbouring residential areas.
- The proposed open space would encourage visitors to the development and this increases congestion and parking problems.
- The location of the proposed development would impact on adjacent designated heritage assets.
- The developers would have a detrimental impact on existing wildlife populations, some of which have not necessarily been accounted for within ecological surveys submitted alongside the application.
- The proposed development would negatively impact existing mature trees and shrubs.
- The proposed development will add to the existing planned new development of Warfield (2,200 dwellings south of the application site) leading to overdevelopment of a relatively small semi-rural area.
- The proposed development is opposed by Warfield Parish Council because it is outside the Defined Settlement boundary and due to traffic safety and congestion concerns.

7. SUMMARY OF CONSULTATION RESPONSES

Highways

7.1 Initially raised concerns about the access to the site from Newhurst Gardens and the visibility splays at the junction between Newhurst Gardens/Warfield Street. Following the

submission of further details there are no objection subject to conditions from the Highways Officer.

Lead Local Flood Authority

7.2 Following submission of amended information, no objection subject to conditions.

Bio-diversity Officer

7.3 The existing grassland of the site is of low ecological value, however there will be a loss of grassland and this could be mitigated through improvements to the retained grassland. Application acceptable subject to conditions.

SPA

7.4 There is insufficient capacity within any of the Council's SANGs to accommodate the increase in population generated by this application. The applicant has made private arrangements to secure SANG capacity and providing this can be secured, this would mitigate the impact of the proposal on the SPA.

Landscape Officer

7.5 The site will be visible from various public vantage points surrounding the site (e.g. Gibbins Lane) but this would be limited to roofs of the proposal. Overall there would be limited visual impact from surrounding areas. The indicative layout shows a density similar to that of Newhurst Gardens, however the layout should be reconsidered to reflect better the character of Newhurst Gardens.

Berkshire Archaeology

7.6 No objection subject to conditions.

Conservation Advisor

7.7 No objection.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP: Presumption in favour of sustainable development CS1 of CSDPD: Sustainable Development Principles CS2 of the CSDPD: Locational Principles	Consistent. (Para. 14 of the NPPF)
Housing	CS15 of the CSDPD: overall housing provision	Not consistent with the NPPF as it does not represent an 'objective assessment of need', and therefore carries

		little weight.
Affordable housing/ Mix	CS16 of the CSDPD: Housing Needs of the Community CS17 of the CSDPD: Affordable Housing	Consistent. (Para. 50 of the NPPF).
Design & Character	CS1 (viii) of the CSDPD CS7 (i) & (iii) of CSDPD: Design Saved policy EN20 (i) of BFBLP: Design considerations in new development	Consistent with para. 17, 56, and 109 of the NPPF.
Open Space provision	CSDPD Policy CS8: Recreation and Culture Saved Policy R4 of the BFBLP: Provision of open space of public value	Consistent with paras. 72 & 74 of the NPPF. Consistent with the NPPF Chapter 8.
Noise	Saved Policy EN25 of the BFBLP: Noise and other pollution	This is considered to be consistent with paras. 17(4), 17(7) and 109(4) of the NPPF.
SPA	SEP Policy NRM6: Thames Basin Heaths Special Protection Area CSDPD Policy CS14: Thames Basin Heaths Special Protection Area Saved Policy EN3 of the BFBLP: Nature Conservation	Consistent with the NPPF (Chapter 11)
Supplementary Planning Documents (SPD)		
Parking Standards SPD 2016		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Character Area Assessments SPD (Chapter 4- Northern Villages) Bracknell Forest Borough Landscape Character Assessment (LUC) 2015		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Principle of development
- ii. Impact on character and appearance of the area, including landscape impact
- iii. Impact on the setting of listed buildings
- iv. Residential Amenity
- v Transportation
- vi Ecology
- vii Drainage
- viii Archaeology

- ix Trees and landscaping
- x Securing necessary infrastructure / CIL
- xi Thames Basin Heaths Special Protection Areas (SPA)
- xii Affordable Housing
- xiii Sustainability Issues

i. 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 NPPF is a material consideration.

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

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

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

9.5 The site is located outside the defined settlement boundary and as such is directly contrary to Policy CS9 of the CSDPD, Policy EN8 and Policy H5 of the BFBLP. All of these policies restrict the development of residential dwellings in the countryside, seeking to protect the countryside for its own sake, unless specific criteria are met. The proposal does not comply with the stated criteria.

9.6 However, Bracknell Forest Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing sites. Accordingly, policies which have a presumption against residential development in the countryside are considered out of date and, whilst still a consideration, the weight that can be attributed to them decreases.

9.7 The application therefore should be considered in relation to the presumption in favour of sustainable development, as set out in SALP Policy CP1 and paragraph 14 of the NPPF. Permission should only be refused where the harm arising from the application would significantly and demonstrably outweigh the benefits of the scheme. The benefits and harm of the development are considered in the following sections of the report.

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

9.8 Policy CS7 of the CSDPD seeks a high quality of design for all development In Bracknell Forest. This should be achieved by building upon the local character, respecting local patterns of development and enhancing the landscape. The application is for outline permission only with matters including layout, scale, siting and appearance to be reserved for approval at a later date.

9.9 The LUC Landscape Character Appraisal 2015 defines the site as being located within Landscape Character Area (LCA) C1: Binfield and Warfield Clay Farmland. This area is characterised by an open and rural character with hedgerows forming a key feature within the landscape. Overall the area has a quiet rural character.

9.10 The LUC report states that the landscape strategy for this LCA should be to protect the valued features and characteristics of the area. Examples given include:-

- Hedgerows and hedgerow standard oak trees which form a distinctive feature within the farmland;
- The parkland landscapes associated with old country manor houses, many of which are listed;
- The open and rural character of this landscape which provides a rural buffer to the settlements of Binfield and north Bracknell;
- Quiet and rural character and a sense of openness, including the rural character of villages and the pattern of individual properties that appear well-integrated into the landscape.

9.11 This report identifies that this area could be vulnerable to forces for change including the continued pressure of urban expansion, particularly on the outskirts of Bracknell. Of the valued features and characteristics listed in this report the main impact of the proposed development is on rural character, parkland landscapes associated with manor houses and the rural character of villages. The hedgerows around the site are shown to be retained.

9.12 The application site adjoins Warfield Street, (Northern Villages: Area B1) in the Character Areas Assessment SPD. This states that the landscape character of these villages includes:-

- Linear development with modern spurs off Warfield Street
- Views out to the wider landscape (e.g. Newhurst Gardens, Toogood Place)
- Mature hedgerows/ tree lines mounted on banks adjacent to ditches

9.13 The townscape and built form consist of:-

- The townscape character is one of ribbon development with houses on both sides of the road
- Small to medium plots, becoming larger in modern developments
- Building lines are generally consistent
- Development form varies, with predominately detached houses
- Densities vary within settlements, depending upon location.

9.14 Overall the character of Warfield Street is that of a linear settlement either side a public highway broken up by a small number of cul-de-sac infill developments. These, the SPD concludes, do not impact on the overall character. Importantly, it states, the settlements that make up area D are clearly defined and approached through the surrounding landscape.

9.15 The accompanying drawing in the SPD notes:-

- Views to open countryside from Newhurst Gardens;
- Cul-de-sac developments do not form part of the overall character, but have relatively little influence on the area.

9.16 Within the recommendations section, the SPD states that any infill development on backland sites in the form of cul-de-sacs must be designed so that the impact upon the streetscene is minimal.

9.17 The SPD does not, therefore, rule out cul-de-sac development. Being accessed from Newhurst Gardens this proposal would not result in an additional cul-de-sac and it is considered that the harm to the built character of Warfield Street is reduced by the proposal comprising an extension to an existing cul-de-sac in an area where there is development behind Warfield Street already in the form of Newhurst Gardens, Herschel Grange and Toogood Place. Whilst views of the open countryside from Newhurst Gardens are noted in the SPD, these views are through, and in the context of, a residential setting. The proposed development will affect these views but it may be possible to retain elements of them at the detailed design stage if the principle of developing the application site is found to be acceptable

9.18 The indicative layout demonstrates that the proposed number of units can be accommodated within the site, whilst maintaining the hedgerows and semi-mature trees which are an important characteristic of the wider landscape. If outline planning permission is granted any detailed housing layout should reflect the character and layout of the properties in Newhurst Gardens.

9.19 The applicant has supported the application with a Landscape Appraisal (LA). This considers the effect of the proposal on the landscape elements, landscape character and visual amenity. This seeks to identify the visual receptors including residential properties, public highways and public rights of way.

9.20 In summary the LA acknowledges that the proposal would 'result in a physical effect of the site through the removal of pastoral/ rough grassland, however, the surrounding mature tree cover would be retained and reinforced with native tree and shrub planting...therefore [the proposal] would result in a moderate to minor or negligible effects on the landscape character. The effect on landscape character diminishes beyond the site boundaries due to low lying topography and the mature tree cover surrounding the residential layout' (p30, para 11.3).

9.21 The LA demonstrates that there are limited public views of the site from the surrounding area. The LA and Landscape Officer both conclude that the proposal would be partially visible from some surrounding public vantage points, in particularly Newhurst Gardens and Gibbins Lane, resulting in a minor to moderate to negligible effect (pg 30 para, 11.9). From Gibbins Lane the site would be viewed in the context of a semi-rural lane from which other parts of Warfield are visible. It is concluded that the proposal would only have a limited impact upon the surrounding landscape.

9.22 Objections have been received that the scale and appearance of the proposed dwellings is not in keeping with the character and appearance of the general area. As this application is for outline permission only, scale and appearance are features for approval at a later stage. Notwithstanding this, Newhurst Gardens is a mixture of single and two storey properties. Toogood Place is a modern development of detached two storey dwellings, with steep pitches enabling the roof space to be used for accommodation. Warfield Street contains a mixture of single and two storey dwellings consisting of older dwellings and modern infill plots. Accordingly it is not considered that the number of dwellings proposed would necessarily result in a form of built development that would be out of keeping with the surrounding area.

9.23 The proposal seeks outline consent only, so at this stage the layout is indicative. The proposal would result in the loss of the open and rural character of the site through the development of the field. However, the low density of the proposal (22-23 dph) allows for spacious groups of residential dwellings reflecting the character of Newhurst Gardens.

9.24 Warfield Street and Newhurst Gardens are not lit by regularly-spaced street lights. Whilst Herschel Grange and Toogood Place are street lit, it is considered that regular street lighting would be out of keeping with the wider character of the area. A proposal of this size could generate significant light pollution if it is not controlled which would have a detrimental impact upon the character of the area. It is therefore recommended that a condition is imposed that controls the amount of external lighting, including street lighting.

9.25 In conclusion it is considered that the proposal would have an impact upon the character and appearance of the current open field. However, the important features that contribute to the character and appearance of the area, through a sensitive layout, can either be retained or mitigated against to reduce their impact.

iii. Impact on the setting of listed buildings

9.26 With respect to the application, the applicable statutory provisions are:-

Section 66(1) the determination of applications affecting the setting of a Listed Building.

9.27 Section 66(1) provides: 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

9.28 Recent legal cases relating to issues of the setting of listed buildings have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.29 Historic England has published the document The Setting of Heritage Assets (Historic England, 2015) which includes their views on the assessment of the impact on the settings of Listed Buildings. In particular they give a methodology for assessing the implications of development proposals. They suggest the following process:-

- Step 1: identify which heritage assets and their settings are affected;
- Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
- Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance; and
- Step 4: explore the way maximizing the benefits

9.30 The site is relatively level and there are a number of listed buildings around the site. Approximately 60m to the south of the site is Pear Tree and Lane End Cottage, a Grade II Listed Building, which originally formed a single house dating from the mid-16th century, which was altered and extended in the 19th and 20th centuries. The property is built of timber framing encased in brick under a plain tile hipped roof with an L-shaped plan. Lane End has a 20th century two storey rear extension. Pear Tree Cottage has an early 19th century low two storey pent extension at rear. The building is of two storeys with a tall chimney with corniced head and clay pots externally, at each gable end. The right bay of Pear Tree Cottage was rebuilt in the mid-20th century in similar style after a fire. The interior contains some timber framing visible on first floor and a queen post roof with arch braces from posts to roof ties.

9.31 Pear Tree and Lane End Cottage are set back from the road, with large back gardens. The setting of the Listed Buildings at the front is now largely sub-urban with a row of bungalows to the right and larger, and larger two storey properties to the left hand side. The rear of the property, which includes the development site, remains is primarily semi-rural in character but is largely screened from the site by existing vegetation and a number of mature trees with Tree Preservation Orders.

9.32 Approximately 420m to the north-east is Warfield House. The site is within the landscape setting of Warfield House to northeast and there are intermittent views through to the Grade II listed building. Warfield House is a Georgian country house located in an estate containing five small cottages. It dates from the early 18th century and was extended in the 19th with further alterations in the mid-20th century. It is built of red brick with some bays of white-painted brick, under low-pitched hipped roofs with plain tiles, behind parapet walls. Given the intermittent views and distance to the Warfield House from the site the provision of landscape planting could screen the development from the listed building.

9.33 The site was previously used as a plant nursery and has a different character to the more formal park landscape around Warfield House. The trees within the site date from the use as nursery and the strong and mature hedgerow further separates the site from the parkland

associated with a country house. In conclusion the site does not share the character of parkland and could be adequately screened to reduce the impact on the parkland surrounding Warfield House.

9.34 Warfield Conservation Area is located approximately 580m to the north of the site and contains the Grade II* Listed church of St Michael and all the Angels as well as the Grade II Rectory, Parish Rooms and St Michael's cottage. Given the distance to the Conservation Area there is limited potential for visual impacts on the setting if adequate landscape planting is provided as a screen.

9.35 In view of the largely screened nature of the site and the potential for additional landscape planting around the buffer area of the proposed housing, and subject to the correct layout, house design and conditioning of materials, there is no objection in principle to the proposed development. Accordingly the proposal is considered to comply with NPPF section 12 and Historic England guidance.

iv. Residential amenity.

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

9.37 Objections have been received on the basis that the proposal would result in overlooking and overbearing development to the properties located within Toogood Place, Newhurst Gardens and Warfield Street.

9.38 The proposed development would increase the number of vehicles using Newhurst Gardens. Using the TRIC's data base it is estimated that the proposal would result in an additional one vehicle every 2 minutes during peak time. Additional vehicle movements can increase noise and disturbance to existing residents, however, given the volume of anticipated movements arising from this development, it is not considered that significant noise and disturbance will result which would result in a detrimental impact on the amenities of neighbouring residents.

9.39 The layout submitted is indicative only and at this stage can not be used to inform a reason for refusal. Should a reserved matters application for layout and siting be submitted, the impacts upon the amenities of neighbouring owners would be assessed at this point. In any event, the properties at Toogood Place benefit from long gardens and those in Newhurst gardens are orientated facing the public highway. Given this relationship there is no reason to suggest that the application site could not be developed without affecting amenities of existing residents.

v. Transportation

Access

9.40 This residential development would take access off Newhurst Gardens via Warfield Street, a classified road which is subject to a 30mph speed limit. The applicant has carried out a speed survey along Warfield Street and 85th percentile speeds of 36mph westbound and 35.2mph eastbound were recorded equating to visibility splay requirements of at least 2.4m by 60m. A drawing has been provided showing visibility splays of 2.4m by 55m to the kerb-line, though 60m can be achieved for drivers looking to their left when exiting the junction towards westbound traffic on the other side of the road and to the centre of the road to take account of any overtaking vehicles. The existing hedge across the Chapel House frontage does not interfere with this sight-line.

9.41 The highway boundary includes grass verges to either side of Newhurst Gardens and there are trees on the verge to the west of the junction which limit visibility for drivers looking to their right towards eastbound traffic approaching around a bend. The trees appear to have been planted by the local community and the Highway Authority is concerned that some of these trees interfere with the sight-line shown on the applicant's drawing. The Highway Authority has visited the site and measured a visibility splay of 2.4m by 43m as being available in accordance with the minimum requirements for a residential access onto a 30mph speed limit road. The 55m visibility splay specified by the applicant takes account of those vehicles recorded to exceed the speed limit, though the Highway Authority notes that average speeds are 30.2mph and there are two existing vehicles activated signs highlighting the speed limit through Warfield Street. This is an existing junction with one recorded accident and in any event, the trees have been planted on the highway verge and the Highway Authority has the power to relocate/remove them, if necessary.

9.42 Newhurst Gardens is an adopted residential cul-de-sac with a road width of around 5.5m and the Council's Highway Guide for Development indicates this could accommodate at least 50 new dwellings plus the 10 existing properties. Newhurst Gardens has separate footways and some street lighting. There is adequate forward visibility and the Highway Authority observed no on-street parking at around 7am (when residential parking demand is likely to be at its peak) during a site visit on the 2nd November 2016 and no parking during a further visit at mid-day on the 7th November. Existing properties appear to have adequate on-plot parking.

9.43 The extent of the adopted highway is the crossover/margin around the turning head before the shared private driveway leading to no. 5 Newhurst Gardens and the Transport Statement notes, 'the existing access to the site will be modified in order to provide a more suitable access to the proposed development'. Also, 'the proposed site access would be 5.5 metres in width with a 2 metre footway provided along the eastern side of the carriageway connecting to the exiting footway on Newhurst Gardens'. This would be adequate for this scale of development.

9.44 Drawing SCP/16275/F04 includes land ownership and this indicates that no. 6 Newhurst Gardens also takes access across the shared private driveway. Access to this property would need to be maintained with this development proposal and the driveway access may need to be altered slightly for access across a new footway onto a new adopted access road. The Highway Authority is satisfied that there is sufficient space within the red line for a minimum margin of 800mm adjacent to no. 5 Newhurst Gardens (though generally a wider margin can be achieved) and provide a 5.5m wide road and 2m wide footway on the eastern side (which could accommodate services/utilities). A narrower 300mm margin would be permissible and enable a 2.5m wide footway to be provided on the eastern side of the access for enhanced pedestrian access. A no-dig footway construction is proposed (to protect an existing tree within the garden of no. 6 Newhurst Gardens) and these have been accepted by the Highway Authority on other sites across the Borough.

9.45 An Indicative Layout has been provided and this indicates that the internal road layout could be designed to comply with the Council's Highway Guide for Development. The detail of the internal layout could be dealt with under a reserved matters application further to securing outline planning permission.

9.46 The Highway Authority would seek to adopt an estate road serving up-to 50 houses to secure access, including for refuse collection and adequate turning is required for this with properties no greater than 55 metres from the adopted highway. Adoption of the estate roads as highway should be secured via s106 agreement.

9.47 The Transport Statement notes that, 'within the Site it is proposed to provide either low intensity or no street lighting. This is in response to comments made by local residents during public consultation requesting that we consider a no lighting approach in order to integrate with the existing settlement'. The Highway Authority understands that the Planning Authority may seek to

limit the amount of street lighting within the development in keeping with the surrounding area. While the internal estate roads do not need to be lit to be adopted highway, the Highway Authority considers that some street lighting should be provided within the site to encourage walking and cycling. There are a couple of existing street lights along Newhurst Gardens.

9.48 The Transport Statement notes, 'having regard to sustainable travel opportunities and comments received from local residents at public consultation regarding speed pedestrian movements subject to agreement with the local highway authority, in order to maximise the opportunity to travel by foot and bicycle traffic management measures are proposed on Warfield Street. It is proposed that these take the form of two raised table crossings which would serve the dual function of providing level crossing points for pedestrians and slowing traffic down within the settlement'.

9.49 The applicant has proposed two options, including the provision of a raised table to reduce vehicle speeds and assist pedestrians crossing or a basic tactile pedestrian crossing point to enable pedestrians to cross to the south side of Warfield Street. The Highway Authority notes that Warfield Street is a classified road and the first option for a raised table would be inappropriate given its wider traffic functions as a distributor road for through-traffic, including access by larger vehicles and emergency services. Also, this raised pedestrian feature is likely to create conflict being isolated, unlit and not part of a wider traffic-calming scheme. The second option for a tactile crossing point would be acceptable.

9.50 The tactile crossing point is shown indicatively on drawing SCP/16275/SK03 around 20m to the west of the Newhurst Gardens Junction with pedestrian crossings to 'The Mill'. The exact location could be determined by the Highway Authority via planning condition with some consideration to a potential pedestrian desire line to Maize Lane. Also, there could be merit in enhancing pedestrian access around the junction of Warfield Street and Maize Lane with alterations to the footway and dropped kerb etc... A scheme should be secured via planning condition or within the s106 agreement.

9.51 The applicant has indicated a willingness to provide cycle direction signs to link in to the existing cycle infrastructure to direct new (and existing) residents to/from Bracknell Town centre and this would be of benefit. These works should be secured by s106 agreement.

Parking

9.52 The Transport Statement notes that car and cycle parking provision will comply with the Council's parking standards (2016) and the indicative housing mix of 13 x 2-bed units, 24 x 3-bed units, 9 x 4-bed units and 4 x 5-bed units identified within the Planning Statement would require 123 parking spaces, including 10 visitor spaces.

9.53 The Indicative Layout shows on-plot parking and in general parking provision appears to be adequate. Parking may well include garages and these will need to have internal dimensions of 3.5 metres by 6 metres to be counted as parking spaces (plus a separate 1.5 metre length for general storage). Pedestrian paths to front doors are required and side/rear access to parking spaces where applicable. Also, separate cycle parking in garden sheds or similar is required.

Trips

9.54 The Transport Statement identifies that up-to 50 new dwellings is likely to generate around 234 two-way vehicle movements per day, including 25 movements in the morning peak and 23 movements in the evening peak. The applicant has assessed the traffic impacts of the proposed development at the junction of Newhurst Gardens with Warfield Street using existing traffic flows surveyed on site and adding in the potential development traffic to an industry-standard computer model. This assessment also takes account of the wider Warfield development in the future year

(2026) assessments and concludes that the junction currently operates well below capacity and would continue to operate effectively with this residential development. The survey data records a total of 4 vehicles exiting and 4 vehicles entering Newhurst Gardens during the morning peak hour (8am to 9am), at present. Thus the addition of 19 departures and 6 arrivals in the morning peak as a result of this development would result an average of one vehicle every 2 minutes using Newhurst Gardens during a peak hour. Similar results are likely during the evening peak period.

9.55 The potential 25 vehicle movements generated during the morning peak hour would represent around an 8% increase on the observed two-way peak hour flow of 289 vehicles along Warfield Street. It is noted that the Warfield development will provide a new north-south link road connecting Forest Road and Harvest Ride and this is expected to result in a 40% reduction in average daily traffic on Warfield Street. This development would therefore add traffic to Warfield Street contrary to the wider Warfield development which has been designed to draw people towards Bracknell. This development does not form part of the Warfield development and is in a relatively unsustainable location. However, the additional traffic would not be so great as to result in severe harm and pedestrian enhancements are proposed commensurate with the scale of development. Also, the Warfield development will bring forward primary schools etc... which would be accessible by non-car modes and the development would be CIL liable which may provide some funds for local transport improvements to mitigate the wider transport impacts of development.

9.56 A number of objections have been received on the basis that the increase in traffic from the site would increase congestion along Warfield Street which residents have often described as a lane. Whilst it may be a country road, and therefore used by dog walkers and horse riders, Warfield Street is a 'B' classified road. Road classification is described by the Government as 'the system of roads classification is intended to direct motorists towards the most suitable routes for reaching their destination. It does this by identifying roads that are best suited for traffic'.

9.57 B classified roads are the second in the hierarchy of 4 classifications of road (A, B, classified and local) and are considered to be roads intended to connect different areas, and to feed traffic between A classified roads and smaller roads on the network.

9.58 As originally conceived, these four classes form a hierarchy. Large volumes of traffic and traffic travelling long distances should be using higher classes of road; smaller amounts of traffic travelling at lower speeds over shorter distances should be using lower classes of road.

9.59 Warfield Street consists of a single carriageway, with white lines down the centre and footpaths defined with kerbstones on either side. Given the nature of the road and its high designation it is not considered that the additional trips generated by up to 50 new dwellings would result in sufficient additional congestion to warrant a refusal of planning permission.

9.60 Accordingly, the Highway Authority has no objection in terms of highway safety and considers that the proposal would comply with Policy CS23 of the CSDPD and recommends that this planning application be approved, subject to suggested planning conditions.

Sustainability of location

9.61 The facilities at the Whitegrove Neighbourhood Centre (including the Tesco superstore, doctor's surgery and library) are around 1.2km from the site. There are footways along Warfield Street heading in both directions and Maize Lane is a no-through traffic route which would provide a good link for pedestrians and cyclists towards these facilities. It is acknowledged that these facilities lie beyond the preferred maximum walking distances to amenities given in the Chartered Institution of Highways and Transportation [CIHT] document "Providing for Journeys on Foot" (2000) (these guidelines indicate a walking distance of 400m for trips to local shops, with 800m

being the preferred maximum). It is also noted that much of the route is unlit which would reduce its attractiveness to pedestrians and cyclists during the hours of darkness.

9.62 Warfield Street is a bus route and there are existing bus stops close to Newhurst Gardens served by an hourly service (no. 53), Monday to Saturday between Wexham Park Hospital (Slough) and Bracknell Town Centre via Whitegrove. There are no services on Sunday and as this is a supported service, this could be subject to funding cuts in the future. The development would be CIL liable and this could provide some funds for local transport improvements.

9.63 The wider Warfield development, to the south of the site is to include a primary school, a community hub and open spaces which would be accessible by non-car modes. Maize Lane is to become a primary north-south pedestrian route and a strategic east-west strategic leisure link is proposed along a similar route to Hedge Lane. When these have been provided, residents of any development on the application site would be able more easily to access facilities by modes of transport other than the car. In the meantime, however, it is concluded that the site is not in a sustainable location and in this respect its development would be contrary to CSDPD Policies CS1(ii), CS23(i) and the NPPF.

vi. Ecology

9.64 The application was submitted with an Ecological Impact Assessment which provides an assessment of the habitats and species present on the site and recommends:

- Enhancement of remaining grasslands to increase species diversity,
- Bat boxes installed on trees and buildings
- Creation of two wildlife ponds
- Wetland planting around the attenuation ponds
- Native planting within the landscape scheme
- Sensitive lighting strategy

9.65 While the existing grassland at the site is of low ecological value this is still likely to provide resources for a range of species. The net developed area is shown as 2.24ha which represents the area of grassland lost to development. Therefore, to ensure no net loss of biodiversity, the area of species rich grassland should be maximised within the new development layout to compensate for this loss. This issue can be addressed through the detained design of the public open space.

9.66 Conditions are requested to secure:

1. Works to be carried out in accordance with submitted Ecological Impact Assessment.
2. Biodiversity Construction Management Plan
3. Ecological management plan
4. Bio-diversity enhancements

9.67 Accordingly subject to conditions above, the application would result in a net gain in biodiversity, and is considered to comply with Policy CS1 and CS7 supported by NPPF paragraphs 9 and 109.

vii. Drainage

9.68 The site is not situated within a Flood Zone and is not shown to be at risk of surface water flooding.

9.69 A scheme of this density would provide opportunity for the use of roadside swales, permeable paving, bio-retention areas and balancing ponds all of which could be considered for adoption by BFC. We would expect to see several treatment stages incorporated in this scheme, in order to mitigate the increase in pollution potential to the Bull Brook River.

9.70 Following a meeting with the LLFA and comments on the original FRA the Applicant has revised the calculations and report to demonstrate that the site can mitigate any impacts on surface water flooding with respect to the estimated greenfield runoff rates and has provided a preliminary strategy which demonstrates that the site would not cause an increase in surface water flooding off site.

9.71 The FRA sets out that the preferred option for the development is to drain via infiltration which would be welcomed by the authority. However the Applicant has not undertaken any infiltration testing at the site to confirm the viability of this approach. An alternative scheme has therefore been provided utilising the Thames Water sewer present on site with attenuation provided in the balancing ponds, the developer has also indicated where swales could be utilised across the site which is welcomed.

9.72 Objections relating to drainage have been received as the area has suffered in the past from surface water flooding. The water table in the area is high and this has been taken into account when considering the drainage scheme. The details submitted have satisfied that the site can be appropriately drained without increasing flooding in the immediate area.

9.73 Accordingly subject to a suitably worded condition requiring details of a surface water drainage scheme the proposals would not result in any increase in surface water flooding off the site and is considered to comply with Chapter 10 of the NPPF and Planning Practice Guidance.

viii. Archaeology

9.74 The application has been supported by an archaeological desk-based assessment of the application area (BSA Heritage, December 2016).

9.75 The archaeological desk-based assessment is a concise but fair assessment of the archaeological potential of the application area. No known heritage assets are known within the application area and there are few known monuments and finds spots in the vicinity of the site. However within the wider area the assessment notes a widespread but persistent presence of prehistoric, Roman and medieval remains.

9.76 Therefore, while the report concludes that the site overall has a low archaeological potential, the presence of currently unknown buried remains cannot be discounted and it therefore states (Paragraph 5.6) that 'it would be appropriate to deal with such remains through further investigation ahead of construction'.

9.77 The report goes on (Paragraph 5.7) to recommend that 'it would be reasonable for further evaluation to be completed as a planning condition. Geophysical survey could be completed initially across the areas of the site where new development is proposed. Trial trenching could then test the results of the geophysical survey and clarify where and if further investigation would be appropriate ahead of or during development'.

9.78 Berkshire Archaeology is content that sufficient information has now been provided with the application and concurs with the report's recommendations, namely that further archaeological investigation can be secured by condition should the scheme be permitted. Exploratory investigation (evaluation) would best be undertaken prior to the finalisation of reserved matters applications so that an archaeological mitigation strategy can be devised and agreed in advance to the layout being finalised.

9.79 Subject to a condition, the proposal is subject to comply with Policy EN7 of the BFBLP.

ix. Trees and Landscaping

9.80 Policy EN1 of the BFBLP, seeks to retain trees and hedges which are important in either:

- The character and appearance of the landscape, or
- Habitats for local wildlife.

9.81 The application has been supported by a trees survey. There are several semi-mature trees within the site, trees protected by a TPO around the site, but not within, and hedgerows along the boundaries.

9.82 The hedgerows are identified as being an important feature contributing to the character and appearance of the area. The protected trees have been assessed as contributing to the amenity and character of the area. The indicative layout shows how these and the semi-mature trees within the site could be accommodated and any detailed proposal should seek to protect these features by showing suitable root protection areas and locating development at a sufficient distance.

9.83 The access would pass under the canopy of an unprotected oak tree within the curtilage of number 6 Newhurst Gardens. The applicants have proposed a no-dig construction of the footpath within the RPA of the tree. As the highway would be adopted this would need to be of standard construction and would encroach into the RPA of the tree. As the proposed access would be on top of the existing hard surfaces access to the site, it is not considered that the proposal would result in significant harm to the tree. A condition is recommended specifying how the new access and footpath, including details of services, will be constructed so as to minimise the harm on the tree.

9.84 Landscaping is a matter reserved for approval at a later date. However, the indicative layout suggested additional planting within the areas of open space and this would be welcomed to increase the screening, reduce the impact upon the landscape and for the benefit for bio-diversity.

9.85 The proposal is considered to comply with Policy EN1 of the BFBLP.

x. Securing necessary infrastructure / CIL

9.86 CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

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

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

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

- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

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

xi. Thames Basin Heaths Special Protection Areas (SPA)

9.90 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 4.7 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.91 Therefore, a Habitats Regulations Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the SPA.

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

9.93 For developments which accord with the Development Plan and lead to a net increase of less than 109 dwellings, the Council usually allow the developer to make a payment contribution towards strategic SANGs (subject to SANG capacity in the right location within Bracknell Forest). Unfortunately, due to pressure from unforeseen and unallocated sites such as Prior Approval schemes and the need to accommodate allocated sites, current Strategic SANG capacity is dwindling. This means that the Council cannot offer a strategic SANG solution to this development.

9.94 This development will therefore need to provide bespoke SANG as part of its SPA avoidance and mitigation measures. The SANG must be of adequate size to provide at least 8ha per 1000 new population for all dwellings within 400m to 5km of the SPA based upon an average dwelling occupancy in Bracknell Forest of 2.31 persons per dwelling. It must be demonstrated that the SANG area is of a sufficient quantum to meet the requirements of a particular proposal. The formula for this calculation is as follows:-

- $50 \text{ (net increase in) dwellings} \times 2.31 \text{ persons per dwelling (average)} = 115 \text{ new residents}$
- $50 \text{ dwellings} \times 2.31 \text{ persons} / 1000 \times 8\text{ha} = 0.924 \text{ ha SANG required (minimum)}$

9.95 The applicants have indicated that they are willing to enter into an agreement and have indicated that they have an agreement in principle with a landowner to purchase the required SANG area to mitigate the impact of the proposed development on the SPA. This is acceptable in principle; appropriate provision would need to be secured by a S106 agreement and delivered prior to the occupation of the first dwelling in the development. A contribution to cover the SAMM payment (monitoring) and SANG maintenance payments will need to be paid to the Council. Again these will be secured through a S106 agreement.

xii. Affordable Housing

9.96 Policies CS16 and CS17 of the CSPD (in relation to housing needs and affordable housing). The Councils affordable housing policy currently applies to proposals involving 15 net dwellings or more. On these sites there is a requirement for 25% of the proposal to be affordable housing of

which 70% to be affordable rent and 30% to be intermediate housing.

9.97 The applicant has indicated that this requirement will be met and a S106 will be required to secure the affordable housing provision. Subject to the S106 agreement being completed the proposal complies with Policy CS17 of the CSDPD.

xiii. Sustainability issues

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

9.99 CSDPD Policy CS12 seeks a reduction in the potential emissions and energy usage. The Sustainability and Energy Statement seeks to demonstrate how the development can achieve 10% reduction in carbon dioxide emissions and provide at least 20% of their energy requirements from on-site renewable energy generation.

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

10. PLANNING BALANCE

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

10.2 The application is considered first by having regard to the Development Plan and then whether there are any material consideration that should be taken into account.

10.3 The site is located outside the defined settlement boundary and as such is directly contrary to Policy CS9 of the CSDPD, Policy EN8 and Policy H5 of the BFBLP. All of these policies restrict the development of residential dwellings in the countryside, seeking to protect the countryside for its own sake, unless specific criteria are met. The proposal does not comply with the stated criteria.

10.4 It is acknowledged, that the proposal would have an impact upon the character and appearance of the current open field, resulting in a localised change of character and appearance within the landscape. Policy CS9 protects land for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. However, the site is visually well contained and the limited impacts could be reduced and mitigated through a suitable layout and design.

10.5 Until the facilities and infrastructure works associated with the Warfield development have been provided it is not considered that the site is located in a sustainable location. Its development for residential purposes would therefore be contrary to CSDPD Policies CS1(ii), CS23(i) and the NPPF.

10.6 The balancing exercise is thus:-

Economic

10.7 In terms of economic benefits the development will create construction jobs in the short term as the development is built and added expenditure by future residents in the local economy. There will also be CIL contributions and New Homes Bonus payments. It is considered that in the context of the current health of the Borough's economy and the amount of building taking place and provided for in allocated schemes, economic benefits should be given little weight in favour of the proposal.

Social

10.8 The proposal would result in the net gain of up to 50 dwellings on a windfall site, which as the Council cannot demonstrate an up-to-date five-year supply of housing land, carries significant weight in favour of the proposal. Added weight can be given to the provision of affordable dwellings as part of those units. In terms of the delivery of the site and contribution to the 5 year supply, the supporting planning statement states that 'The application site is available now, and is viable such that it could be built out within 5 years, contributing to the deliverable supply of sites within the current shortfall 5 year time period to 2021.' (p25). Whilst a reserved matters application will be required before development can commence, there is no evidence to dispute this statement.

10.9 The site adjoins the settlement boundary, but there are limited services within recommended walking distances to the site. There is an hourly bus service along Warfield Street but no Sunday service. Further local services will be provided within the planned development located to the south of the site, which will improve the services available within proximity to the application site and the applicant has proposed highway features to slow vehicles down and provide safer crossing places to enable pedestrians better access of the development to the south. Notwithstanding, this at the present time the development is not considered to be in a sustainable location which weighs against the proposal.

Environmental

10.10 There is identified harm related to the change in character of the application site, however these impacts can be mitigated against and are localised and therefore the weight attributed to this harm and to the conflict with CSDPD policies CS1, CS7 and CS9 and policies EN8, EN9, EN20 and H5 of the BFBLP are reduced. It is not considered that the proposal would significantly change the character of the wider landscape in which the proposal sits.

10.11 The site is well contained by mature hedgerows, and the indicative layout demonstrates that up to 50 dwellings could be accommodated whilst maintaining the amenities of neighboring residents.

10.12 The proposal would result in a slight improvement in the quality of the retained areas of open space from an ecological perspective. Slight weight in favour of the proposal can be attributed to this.

Conclusion

10.13 In summary, whilst contrary to the development plan, the proposal would add up to 50 dwellings to the housing land supply, up to 25% of them affordable. This is considered to be a significant benefit. There would also be more limited ecological and economic benefits. Against this needs to be weighed the current unsustainability of the site's location – access to a wider range of facilities will improve with the completion of the Warfield development – and the moderate harm to the character and appearance of the area.

10.14 In conclusion, whilst there is some harm arising from the proposal, it is not considered that

in this instance that harm significantly and demonstrable outweighs the benefits of the proposal. The application is therefore recommended for approval.

RECOMMENDATION

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

01. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA).
02. Provision of on-site affordable housing
03. Scheme of cycle path signage

that the Head of Planning be authorized to APPROVE the application subject to the following conditions:

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

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

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

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

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

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

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

Site Local Plan

Site Survey Plan 01

Site Survey Plan 02

Site Survey Plan 03

Potential Access Including Land Ownership Option 2 (SCP/16275/F04 Rev B)

Proposed Pedestrian Arrangement for Existing Junction Newhurst Gardens/ Warfield Street (SCP/16275/SK03).

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

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

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

6. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: CSDPD CS23]

7. No dwelling shall be occupied until a plan showing visibility splays, including Nos 5 and 6 Newhurst Gardens with the proposed access road, 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: CSDPD CS23]

8. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

9. No dwelling shall be occupied until covered and secure cycle parking facilities serving it have been provided in accordance a scheme that has been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be retained as approved.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

10. No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for off-site highway works comprising a tactile crossing point on Warfield Street.

The development shall not be occupied until these off-site highway works have been completed in accordance with the approved scheme.

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP M4, CSDPD CS1 and CS23]

11. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

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

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

REASON: In the interests of amenity and road safety.

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

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction working hours
- (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site

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

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

[Relevant policies: BFBLP EN25]

13. Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- o Results of BRE 365 Compliant Infiltration tests to inform the drainage strategy
- o Discharge Rates
- o Discharge Volumes
- o Confirmation from Thames Water of agreement to proposed discharge rates
- o Maintenance and management of SUDS features
- o Sizing of features - attenuation volume
- o Detailed drainage layout with pipe numbers
- o Full details of the SUDS Balancing Ponds, and conveyance swales as set out in the drainage strategy
- o Network drainage calculations
- o Phasing plans

REASON: To prevent surface water flooding.

[Relevant Policies: Section 10 NPPF]

14. All ecological measures and/or works shall be carried out in accordance with the details contained in Grassroots Ecology Ecological Impact Assessment dated September 2016 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

15. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging development activities
- b) identification of "biodiversity protection zones"
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during development (may be provided as a set of method statements)
- d) the location and timing of sensitive works to avoid harm to biodiversity features
- e) the times during development when specialist ecologists need to be present on site to oversee works
- f) responsible persons and lines of communication
- g) the role and responsibilities on site of an ecological clerk of works or similarly competent person
- h) the use of protective fences, exclusion barriers and warning signs

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the development period strictly in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

16. The development, nor any part thereof shall be occupied until an ecological management plan has been submitted to and approved by the Local Planning Authority prior to the occupation of the development. The plan shall include:

- i) description and evaluation of the features to be managed
- ii) description of target habitats and species

- iii) ecological potential and constraints on the site
- iv) aims and objectives of management
- v) appropriate management options including location and method statements
- vi) prescriptions for management actions
- vii) preparation of a work schedule indicating the timing of works
- viii) personnel responsible for implementation of the plan
- ix) monitoring and remedial measures triggered by monitoring

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

17. The development 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.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

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

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

[Relevant Policy: Core Strategy DPD CS10]

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

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

[Relevant Plans and Policies: CSDPD Policy CS12]

20. Prior to the submission of reserved matters applications, the applicant will implement a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy shall be implemented in accordance with the approved details.

REASON: The site lies within an area of archaeological potential. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance

[Relevant Policies: Paragraph 141 of the NPPF, BFBLP EN7]

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no freestanding external lighting shall be installed on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of nature conservation and visual amenity.

[Relevant policies: CSDPD CS1 and CS7, BFBLP EN20]

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

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

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

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

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

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

24. The protective fencing and other protection measures specified by the previous condition shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these protected areas including but not restricted to the following:-

a) No mixing of cement or any other materials.

b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.

c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.

d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.

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: CSDPD CS7, BFBLP EN1 and EN20]

Informatives

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

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

- 02. Time reserved matters
- 03. Implementation
- 04. Plans considered
- 14. Ecology
- 21. External lighting
- 23. Tree protection fencing
- 24. Implementation of tree protection

The following conditions require discharge prior to the commencement of development hereby approved:-

- 01. Approval of reserved matters
- 05. Finished floor levels
- 11. Site management
- 12. Working Method Statement
- 13. Drainage
- 15. CEMP: Biodiversity
- 17. Bio-diversity enhancements
- 18. Sustainability statement
- 19. Energy demand
- 20. Archaeology

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

- 06. Access
- 07. Visibility splays
- 08. Parking and turning
- 09. Cycle parking
- 10. Off site highway works
- 16. Ecological management plan
- 22. Landscaping implementation

03. To implement works within the highway an agreement under S278 of the Highways Act will be required.

In the event of the s106 planning obligations not being completed by 23.05.2017 the Head of Planning be authorised to REFUSE the application for the following reasons:-

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

2. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan

Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.

3. In the absence of a planning obligation to secure a scheme to enhance the cycle path signage and a tactile crossing in the area, the proposal would not promote alternative modes of transport in accordance with Policy CS23 of the Core Strategy Development Plan Document.