

ITEM NO: 6

Application No.
13/00783/REM

Ward:
Binfield With Warfield

Date Registered:
17 September
2013

Target Decision Date:
17 December 2013

Site Address:

Proposal:

Land North Of Peacock Lane Peacock Lane Bracknell Berkshire

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

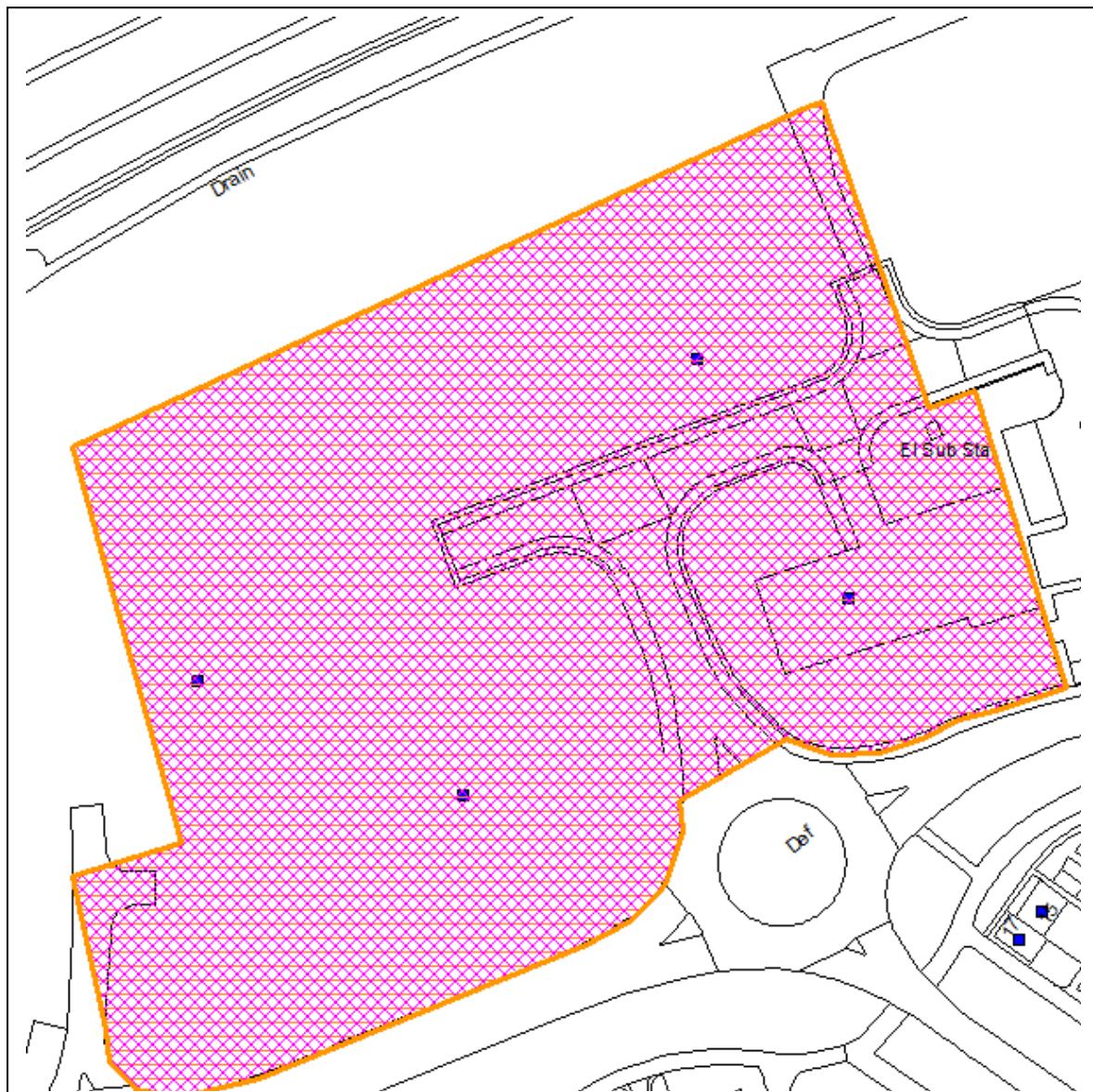
Applicant: Persimmon Homes & Redrow Homes

Agent: Pegasus Planning Group

Case Officer: Martin Bourne, 01344 352000

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



1. SUMMARY

1.1 Reserved matters approval is sought for the erection of 128no. dwellings in the form of three blocks of flats, houses and flats over garages (FoGs) with associated access roads and amenity open space on land originally proposed for commercial development.

1.2 The principle of the proposed use is in line with the SALP which allocates this site for higher density residential development. The form of development accords with the amended Peacock Farm Master Plan/Design Statement approved by Planning Committee in July 2017. The design and layout is considered acceptable for this visually prominent site with adequate access and car parking, taking account of the impact on the setting of the listed buildings at Peacock Farm. The impact on the highway network and on the living conditions of nearby residents is considered acceptable. Mitigation of the impacts of the development, including those on the SPA, is secured by obligations associated with the outline planning permission for the overall Jennett's Park development.

RECOMMENDATION
Reserved matters approval be granted subject to conditions in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is reported to Planning Committee following the receipt of more than 5 objections. This item was deferred by the July meeting of Planning Committee to allow for a query in relation to the determination of the proposal as a reserved matters application to be considered further. Following legal advice it is considered that the application is a valid Reserved Matters application and therefore there is no reason preventing it from being approved. With regard to CIL, the outline planning permission was granted before CIL was introduced in the Borough and the s106 agreement attached to the Outline planning permission secured in kind infrastructure, services and contributions to off-site provision for up to 1500 dwellings. Given that the number of dwellings will not exceed 1500 and the mitigation has already been provided, the council cannot seek CIL on the dwellings in this application as this would be double charging.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Land within defined settlement
Identified for residential development in SALP (Policy SA2)
Within 250m of a landfill site (parts of site)
Within 5km of SPA
Within 500m of an SSSI (Wykery Copse)

3.1 The 1.94 hectare application site lies on the north side of Peacock Lane. It is bounded to the east partly by vacant land allocated for small business units and partly by Peacock Farm, where listed buildings were converted to a public house/restaurant in 2008, together with its car park and associated outbuildings. To the west and north is vacant land, itself bounded to the west and north by Vigar Way/Berkshire Way, which is allocated for use as a park and ride (P+R) site.

3.2 The site itself is vacant, overgrown land containing partly built roads put in to serve the commercial development originally intended for this part of the Jennett's Park development. Some of it has been filled (see planning history below) but it generally slopes down gently from Peacock Lane towards Berkshire Way. There are no mature trees on the site.

4. RELEVANT SITE HISTORY

4.1 98/00288/OUT (623523): Outline application for new residential neighbourhood (approximately 64 ha) and country park (approximately 37 ha) incorporating dwellings, a primary school, neighbourhood centre, recreation facilities, retained woodland, nature conservation areas, wildlife corridors and play areas. Development of an area of mixed use on land north of Peacock Lane (approximately 5.1 ha) incorporating a public house (including conversion of Peacock Farm buildings) a park and ride site and employment area. Provision of all necessary ancillary services and facilities including structural landscaping, incidental open space, balancing ponds and road, public transport, cycle and pedestrian works including a new junction on Berkshire Way and works to Peacock Lane – APPROVED May 2003

4.2 Peacock Farm Masterplan/Design Statement submitted pursuant to condition 29 of Outline planning permission 623523 - APPROVED June 2005

4.3 06/00720/REM: Submission of details of siting, design, external appearance and landscaping for commercial development area infrastructure access road and services providing access to land parcels C1 - C6 – APPROVED October 2006

4.4 07/01272/REM: Erection of temporary building for use as community centre – APPROVED January 2008

4.5 10/00777/REM: Submission of details of scale, layout, appearance and landscaping for the filling of land to adjust ground levels for the future park and ride facility and adjacent commercial areas, using fill from elsewhere on the Jennett's Park development, pursuant to outline planning permission 98/00288/OUT (623523) – APPROVED December 2010

4.6 13/00155/COND: Details pursuant to condition 29 (Master Plan Design Statement) of planning permission 623523 (note for clarification: amendment to approved Master Plan Design Statement to provide for residential development north of Peacock Lane) – NOT YET DETERMINED (considered elsewhere on this agenda).

5. THE PROPOSAL

5.1 Reserved matters approval is sought (including details of layout, scale, appearance, access and landscaping), pursuant to the outline planning permission for the Jennett's Park development as a whole, for the erection of 128no. dwellings with pedestrian, cycle and vehicular access from Peacock Lane.

5.2 The dwellings mix proposed is as follows:-

- Three blocks of flats:-
 - Block A (3 and 4 storey): 16 flats - 9 x one bedroom and 7 x 2 bedroom flats
 - Block B (4, 5 and 6 storey): 32 flats - 11 x one bedroom and 21 x 2 bedroom flats
 - Block C (3, 4 and 5 storey): 48 flats - 18 x one bedroom and 30 x 2 bedroom flats
- 3 no. 2 bedroom FoGs (2 storey)
- 29 no. 3 bedroom semi-detached/terraced houses – two, two and a half and three storey).

5.3 Car parking is proposed in parking courts behind the proposed houses fronting on to Peacock Lane (generally open but with some car ports and car barns) together with undercroft and surface parking serving the blocks of flats.

5.4 Areas of amenity space are proposed to serve the blocks of flats but, in line with the SALP, there is no requirement for on-site open space given the proximity of the site to open space at Peacock Meadows to the south-west.

5.5 The application has undergone a series of amendments in the course of its consideration chiefly to improve the quality of the design of the flat blocks and to provide a higher parking ratio.

5.6 An amended Peacock Farm Master Plan/Design Statement was approved by Planning Committee in July 2017 (application 13/00155/COND) and therefore this application can be considered as a reserved matters application pursuant to outline planning permission 98/00288/OUT (623523). That permission was subject to a condition (no. 28) stating that the development shall not exceed 1500 dwellings. Some 1300 dwellings have been approved on land south of Peacock Lane so with the additional 128 dwellings for which reserved matters approval is now sought this total will not be exceeded.

5.7 Whilst the current proposals involves the loss of land originally allocated for commercial development it does not preclude the development of an 'area of mixed use on land north of Peacock Lane (approximately 5.1 ha) incorporating a public house (including conversion of Peacock Farm buildings), a park and ride site and employment area' as included in the description of the outline planning permission.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council:

6.1 Recommend refusal:-

1. The dwellings are too high and out of keeping with the existing area and the design statement.
2. The noise from the adjacent A329 will be excessive and there is an absence of a bund and adequate landscaping to alleviate the noise.
3. There are no local amenities such as shops.
4. The Committee were concerned that the parking capacity was inadequate.
5. The Committee were also concerned that there needs to be suitable access for various service vehicles
6. There is insufficient soft landscaping.

Other representations:

6.2 Twelve objections have been received raising concerns which may be summarised as follows:-

- The size and style of the four, five and six storey flats are not in keeping with the rest of Wykery Copse and Jennett's Park and will dwarf surrounding properties
- This very high rise will give an incorrect perception of the street scene of the town one would expect to see when entering Bracknell down its main artery
- The design does not follow the original Jennett's Park Master Plan
- this number of dwellings will lead to an unsightly block appearance with the resulting loss of an open and pleasant view to local residents

- The designs of the houses are not in keeping with the rest of Jennett's Park and Wykery Copse; designs should be kept similar so the estate is kept as a cohesive one.
- No more building applications should be granted until services and shops have been allocated, confirmed and established.
- the increase in number of dwellings would cause further traffic jams entering Jennett's Park roundabout to the A329 from Vigar Way and increase traffic along Peacock Lane.
- there will be a large increase in the number of residents on the north side of Peacock Lane needing pedestrian access to the main Jennett's Park development (School, Parks, Shops, Community Centre) and the single Pelican crossing at Butler Drive is inadequate, also the 40mph speed limit would be too high for what would now be considered a residential road.
- insufficiency of off-street parking for new residents.

6.3 There were two further representations:

6.4 One supported the application but suggested that alterations need to be made to Peacock Lane to reduce the speeds and the volume of traffic that use this road with the road reduced to a 30mph zone, and traffic calming measures put in place.

6.5 The other included a comment that consideration should also be made to the need for a commercial area - there is now far too much office space within the Bracknell area, which will never be filled.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer:

7.1 The Highway Authority has no objection subject to conditions.

Environment and Public Protection:

7.2 Raised concerns regarding noise and air quality which have been addressed by the submission of additional information.

Lead Local Flood Authority

7.3 No objection.

Biodiversity Officer

7.4 The submitted landscape strategy should include biodiversity enhancements such as native tree, shrub, hedgerows and herb-rich seed mix/turf where currently more ornamental species are proposed. Recommends a condition to secure this.

Environmental Policy Officer (SPA)

7.5 Suitable mitigation already secured.

Waste and Recycling officer

7.6 No objection.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policies EN1 and EN20 of BFBLP	Consistent
Parking	CS23 of CSDPD, Saved policy M4 and M9 of BFBLP	Consistent
Housing	CS16 of CSDPD	Consistent
Accessibility	CS7 of CSDPD, Saved Policy EN22 of BFBLP	Consistent
Biodiversity	CS1(vii) and CS7 (iii) of CSDPD	Consistent
Noise	Saved Policy EN25 of BFBLP	Consistent
SPA	Retained SEP Policy NRM6, CS14 of CSDPD and Saved policy EN3 of BFBLP	Consistent
Housing at Peacock Farm	PH1.2 of BFBLP	-
Supplementary Planning Documents (SPD)		
Design SPD		
Streetscene SPD		
Parking Standards SPD		
Thames Basin Heaths Special Protection Area SPD		
Planning Obligations SPD		
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 Impact on the setting of listed buildings at Peacock Farm
- v Transportation considerations
- vi Biodiversity
- vii Thames Basin Heaths Special Protection Area (SPA)
- viii Infrastructure contributions
- ix Sustainability
- x Drainage
- xi Noise and air quality
- xii Environmental Impact Assessment

i. PRINCIPLE OF DEVELOPMENT

9.2 The site lies within a defined settlement and the principle of building on it has been established by outline planning permission 98/00288/OUT (623523). The Masterplan/Design Statement approved pursuant to the outline planning permission identified this part of the Jennett's Park development for commercial use (offices and hotel(s)). No proposals for such uses have come forward and in the 2013 SALP the application site, and land adjoining it to the north-east, was allocated for residential development at a density of 70 dph (giving a total of 182 dwellings).

9.3 The SALP sets out a list of requirements for the site which may be summarised as follows:-

- investigation and remediation of any land contamination;
- affordable housing [see (xii) below]
- impact of the development upon the local road network [see (v) below]
- noise (in relation to the proximity of the site to the A329) [see (iii) below]
- setting of the adjacent Listed Building (Peacock Farm) [see (iv) below]
- demonstration of adequate waste water capacity [see (x) below]
- mitigation of impacts [see (viii) below]
- SPA mitigation [see (vii) below].

9.3 The form of development proposed by this reserved matters application accords with the amended Peacock Farm Master Plan/Design Statement approved by Planning Committee in July 2017, and is therefore in compliance with condition 29 of the outline planning permission.

9.4 The details contained in this reserved matters application are assessed against the Masterplan/Design Statement, development plan policies and the NPPF in the remainder of this report.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

Layout

9.5 The proposed layout utilises the existing vehicular accesses from roundabouts on Peacock Lane serving land to the north. The main access is that running north from the roundabout junction of Peacock Lane with Osprey Avenue. Two and 2.5 storey houses are proposed fronting Peacock Lane to either side of this junction and then fronting this access road as it runs north into the site. A visual stop to this road is formed by flat Block C. This building, which has a landscaped courtyard in front of it, rises from 3 storeys, next to the access road, to 5 storeys towards the site boundary. The access road running east to serve the Peacock Farm PH is fronted on its south side by a further pair of semi-detached houses and a flat over a garage (FoG).

9.6 Running west, to link with an access road connecting to the roundabout on Peacock Lane forming a junction with Vigar Way, the access road runs to the south of flat Block B, a 4-6 storey high building marking the site's north-west corner. The visual stop on this length of road is formed by two FoGs running parallel to the site's western boundary.

9.7 The landmark building on the site's south-western corner – the Peacock Lane/Vigar Way roundabout – is flat Block A, a part 3, part 4 storey building.

9.8 The main parking areas are in the form of parking courts serving the houses located either side of the main access road into the site. Flat Blocks B and C have undercroft parking with further surface parking adjoining the flats. Flat Block A has parking to the north and east.

9.9 The layout draws on principles contained in the Design Statement approved for commercial development on the site, with buildings fronting roads and larger/taller buildings forming 'corner' or

'gateway' features. Space is provided for planting to enhance the street scene and to visually soften and break up large areas of parking.

9.10 The blocks of flats have internal bin stores at ground floor level as do the FoGs. All the houses have access to their rear gardens to allow bins to be stored there during the week and presented for collection within 25m of adopted highways on collection days. To assist this, bin collection points are proposed in the parking courts serving the groups of houses either side of the main access into the site.

Scale

9.11 The site capacity for residential development set out in the SALP is based on 70 dph. To seek to accommodate the resulting numbers on the site (1.94 ha @ 70 DPH = 135 dwellings) the majority of the dwellings (77%) are in the form of flats and the flat blocks have elements ranging from 3 to 6 storeys in height. The number of dwellings proposed in the application as amended (128) is slightly below the SALP figure (135 dwellings) but the shortfall is not considered of overriding concern. The Design Statement recognises that there may be minor variations from approved densities (Section 10.0 – Land Account).

9.12 The houses on the site are two and 2.5 storeys in height (the house on plot 11 immediately to the south of flat Block C could be considered 3 storeys). This is in keeping with the nature of housing fronting Peacock Lane in the vicinity of the site and respects the setting of Peacock Farm (see below).

9.13 The site lies in an open setting, particularly the western and northern elements, with the dual carriageway of Berkshire Way and the railway line to the north and open space at Peacock Meadows to the west beyond Vigar Way (also a dual carriageway). In line with the Peacock Farm Design Statement and SALP it is considered that parts of the site can accommodate large, tall buildings without them appearing visually overbearing or causing amenity issues. Indeed, it is considered beneficial to have buildings of such a scale both to provide visual interest on this gateway site to Bracknell and also to help screen the houses and their gardens on the southern and eastern parts of the site from the traffic noise from Berkshire Way.

Appearance

9.14 The overarching design aim has been for the houses on the site's Peacock Lane frontage to be in keeping with the development on the south side of Peacock Lane and Peacock Farm PH, Butler Drive/Jardine Place to the east, and also to provide a visual link to the flat blocks on the site's northern and western edges. The houses, therefore, are of a relatively simple design with front or side-facing gables, unfussy fenestration/dormers and visual interest being provided by the use of a variety of materials – bricks, render and weatherboarding (again picking up design cues from buildings nearby).

9.15 This approach means that the houses do not appear out of keeping in relation to the proposed flats which are of a contemporary design with flat/monopitch roofs and simple window designs. The bulk and massing of the flats is broken up with varied storey heights/roof lines, projecting elements and large corner balconies. A variety of materials are proposed to create visual interest with brickwork, render and weatherboarding.

Landscape

9.16 The layout provides space for soft landscaping with the houses set back from Peacock Lane to allow for front gardens large enough to accommodate tree and shrub planting. Each of the flat blocks has amenity space which can be landscaped and space is provided within the parking courts for tree and shrub planting to be undertaken. A condition is recommended to be imposed to

secure full planting details and this can ensure that the enhancements sought by the Biodiversity Officer can be secured.

Conclusions on impact on the character and appearance of the area

9.17 It is considered that this is a well-designed scheme which addresses the site's constraints and opportunities whilst broadly achieving the quantity of development sought in the SALP. It is therefore concluded that the submitted details would be in sympathy with the character and appearance of the area and would accord with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

9.18 The nearest dwellings to the application site are those on the south side of Peacock Lane and those lying to the east. To the south of Peacock Lane houses at Grouse Meadows lie a minimum of about 27m from the edge of the application site (which at this point would accommodate two storey houses fronting on to Peacock Lane). These existing dwellings lie at a higher level than the application site and are separated from it by Peacock Lane and the landscaped strip to the south of it which contains a footpath/cycleway.

9.19 Houses to the west of Osprey Avenue which front onto Peacock Lane lie further away from the application site and the landscaped strip to the south of Peacock Lane is mounded at this point. Dwellings at Jardine Place to the east of the site are over 85m from the application site boundary with the Peacock Farm PH and its parking areas or the site allocated for small businesses in between.

9.20 The closest distance between a proposed block of flats and an existing dwelling is about 50m (between Block A and houses at Linnet Close, south of Peacock Lane). Given these separation distances it is not considered that the proposed development will give rise to any unacceptable impacts on the living conditions of nearby dwellings in terms of loss of sunlight/daylight or privacy or overbearing impacts. The outlook from properties looking over the application will change, and there will be increased traffic flows, but such impacts would have been associated with the development of the site for the commercial purposes which were originally approved.

9.21 The main impact on the living conditions of future residents would be traffic noise from Berkshire Way, Vigar Way and Peacock Lane. The layout has been designed so that the amenity areas serving the flats and the gardens to the proposed houses are, as far as possible, protected from road noise by nearby buildings. A condition (no. 26) imposed on the outline planning permission requires a scheme for protecting proposed buildings/gardens from road noise to be submitted to and approved before works are undertaken and for the mitigation works to be completed before the dwellings are occupied. The proximity of the Peacock Farm PH to proposed dwellings has also been considered but is not felt to be a matter of overriding concern subject to suitable boundary treatments (to be secured by condition).

9.22 Overall it is not considered that the proposed development would result in any unacceptably adverse impacts on the amenities of nearby residents and/or the amenity of future occupiers and the application is therefore compliant with CSDPD Policy CS7 and saved BFBLP Policy EN20 of the BFBLP and the NPPF.

iv. IMPACT ON THE SETTING OF LISTED BUILDINGS AT PEACOCK FARM

Listed Building Description

9.23 Peacock Farmhouse and Peacock barn and outbuildings are grade II listed buildings. The farmhouse and outbuildings are used as a public house and restaurant. The main farmhouse

dates from the 16th century, being built of timber framing with the outer walls re-faced in brick probably during the early 18th century.

9.24 The listed outbuildings form a shallow, U-shaped range of late 16th and early 18th century barns. The outbuildings consist of an east-west cattle shed linking the main farmhouse to the north-south timber-framed barn and a further east-west brick-built barn is joined to its southern gable.

9.25 Also within the curtilage of the listed buildings are several other farm buildings. These include a well-built 19th century softwood timber-framed barn to the west of the site; a Dutch barn to the north-west of the site; and a single storey, a pre-fabricated structure is located to the east of the site.

The Setting of Listed Buildings

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

9.27 Section 66(1), on the determination of applications affecting the setting of a Listed Building, states that:-

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

9.28 The two Listed Buildings are partly screened from the adjacent proposed development site to the west by Dutch barn and barn/cart shed. The main visual impacts on the settings of the Grade II Listed Buildings would potentially result from construction on Plots 1 to 14.

Building Heights

9.29 The proposed building heights for the land immediately to the west of Peacock Farm (Plots 1 to 14) consists of 3no. two storey houses and 1no. one storey car barn building plus 5no. two-and-a-half storey houses.

9.30 The 3 buildings immediately adjacent to Peacock Farm consist of two storey houses (Plots 1 and 14) (c.8m high) and an associated one storey car barn building (c.6m high maximum). The 5no. two-and-a-half storey houses (Plots 5 to 11) are separated from Peacock Farm by the intervening housing plots. Parking and access is to the rear of the houses, thereby not affecting the streetscene.

9.31 The area of land further to the west of the access road consists of 14no. two/two-and-a-half storey semi-detached/terraced houses (Plots 15 to 30) fronting the main road and a part three storey/part four storey block of flats (Block A) on the corner plot.

9.32 The block of flats to the rear (Blocks B and C) consist of part three to part six storey blocks.

9.33 The heights of the proposed two-and-a-half storey and two storey semi-detached house and single storey car barn adjacent to Peacock Farm are considered to be acceptable in relation to the scale of the existing farm buildings. An existing large one-and-a-half storey Dutch barn and two storey timber boarded cart shed/barn provide screening from the main Listed Buildings, and in any case, are located over 30m to the east of the site.

9.34 Although the five and six storey flats to the rear (Blocks B and C), along A329 Berkshire Way, may register in some oblique views from in front of Peacock Farm this is not considered to be significant due to the slope of the ground and screening from existing and proposed buildings.

9.35 The design of the proposed buildings adjacent to Peacock Farm specifies 'grey-tiled', traditional pitched roofs'. The exterior buildings materials would consist of brick (Plot 14 and all garages), render (Plots 1 to 5 and 11 and 12), ashlar effect (Plots 7 and 8), tile hanging (Plots 6 and 7) and timber boarding (Plots 10 and 13). The blocks of flats located to the rear of the site facing the A329 Berkshire Way would be finished in timber-boarding, brick and render. The roofs are specified as mono-pitched single ply.

Conclusions on listed building matters

9.36 The specified heights of the proposed semi-detached houses and car barn adjacent to the Grade II Listed Peacock Farm Buildings are considered to be of an appropriate scale in relation to the existing buildings. However, additional information and specification will be required to be submitted together with appropriate samples of the proposed roof materials, bricks, ashlar effect finish, render and weatherboarding.

9.37 It is therefore concluded that subject to the use of appropriate materials the proposed development would accord with the relevant parts of CSDPD Policies CS1 and CS7 and the NPPF. Full details of materials are recommended to be secured by condition.

v TRANSPORTATION CONSIDERATIONS

Access

9.38 Access to the site is via existing roundabout junctions that are located on Peacock Lane. The main access to the site serves the Peacock Farm public house and would have served the commercial uses that were previously proposed. The road layout that was previously approved and constructed to access this area is to be reused. The road is at least 6m wide and this is adequate to serve the proposed housing development as well as the public house.

9.39 The proposal also seeks to utilise the road that adjoins the Vigar Way roundabout that would have served the park and ride site. The road is also constructed and is wide enough to serve this development. The two junctions are connected via an internal road that has been suitably designed for the scale of the proposals and in doing this traffic from the site can be easily distributed over the two junctions which will reduce the demand at any one junction and help balance the demand on the local road network.

9.40 There are also proposals to connect to the existing cycle network which is located on the southern side of Peacock Lane to improve access for pedestrians and cyclists to facilities to the south and east of the site. These proposals involve providing footpath/cycleways on the north side of Peacock Lane and splitter islands on Peacock Lane/Osprey Avenue roundabout to make it easier for pedestrians and cyclists to cross the road. A condition is included in the Recommendation to secure the off-site works proposed.

9.41 Due to the nature of the road layout access for deliveries and refuse is provided and there are some turning areas that will allow for such vehicles to turn around as necessary.

Parking

9.42 Car parking for the proposed flats and houses is provided across the site in the form of car barns, car ports below flats, undercroft parking below flats and parking courts. Each dwelling has parking meeting the council's standards (1no space for a one bedroom dwelling, 2no spaces for 2

and 3 bedroom dwellings and 3no spaces for 4 bedroom dwellings). A total of 28no. visitor spaces are provided, spread across the site. This exceeds the Council's standard. Spaces suitable or use by disabled people are provided.

9.43 The proposal provides parking to standards with visitor parking distributed across the site, Some parking is provided within rear parking courts and adequate pedestrian links through to the front of dwellings are proposed.

9.44 Cycle parking has been provided at ground floor level in the flat blocks with cycle parking for the houses in stores in the garden areas. Its implementation is secured by condition 38 of the outline planning permission (623523).

Traffic Impact

9.45 The applicant has provided a Transport Statement in relation to the development and compared it to the original permitted use in the masterplan. The document demonstrates that the proposed B1 use on the site would have generated a similar level of trips during the peak hours and the slight changes in direction of flow created by the site in either peak hour are nominal. Furthermore, as noted above, two points of entry to the site are proposed thus spreading the traffic unlike the commercial scheme.

9.46 Overall it is felt that the proposal would not have a detrimental impact on the operation of the local road network.

Conclusion on highway matters

9.47 The application has been amended to address concerns raised by the Highway Officer. Conditional approval is therefore recommended.

vi BIODIVERSITY

9.48 As the site has been left vacant for a number of years its potential to provide a habitat for wildlife has increased. Accordingly the Biodiversity Officer recommends that conditions be imposed to secure the implementation and retention of a scheme for the provision of biodiversity enhancements. These conditions are included in the Recommendation.

vii IMPACT ON SPA

9.49 Reserved matters approvals are required to be assessed under Article 6(3) of the Habitats Directive and Regulation 48 of the Habitats Regulations.

9.50 Taking into account the avoidance measures provided within the Section 106 Agreement dated 17 May 2004 and the Supplementary Unilateral Undertaking dated 5 June 2007 (which provide mitigation through the SANG at Peacock Meadows), the Council is able to form the view that there is no risk that this project for which authorisation is sought through the reserved matters application is "likely to have a significant effect" on the SPA on its own. In addition as there is not likely to be any negative impact there is no risk the application will have a significant impact in-combination with other plans or projects.

viii INFRASTRUCTURE CONTRIBUTIONS

9.51 This is a reserved matter pursuant to an outline planning permission granted before CIL was introduced in the Borough. The development is not, therefore, CIL liable. The s106 agreement, as amended, associated with the outline planning permission secured in kind infrastructure and

services, and contributions to off-site provision for up to 1500 dwellings and commercial development on the site including:-

- a primary school
- a community centre
- active and passive open space
- SANG
- affordable housing (see ix below)
- transportation improvements including works to Peacock Lane, a link from that road to Berkshire Way and associated roundabout junctions
- public art
- a shop (currently under construction).

ix AFFORDABLE HOUSING

9.52 The s106 associated with the outline planning permission secures affordable housing at Jennett's Park on the basis of a proportion of net developable land rather than a proportion of housing numbers. The original proportion was 20% of net developable land to be occupied by affordable dwellings subject to a cap for the development as a whole of 300 affordable dwellings. To date 295 affordable dwellings have been provided at Jennett's Park.

9.53 Changes in a Deed of Variation to the original s106, dated July 2010, included reducing the 20% net developable land proportion slightly (to 19.43%) and increasing the cap on the maximum number of affordable dwellings to 320. Applying this to the current reserved matters application the affordable requirement is calculated to be 25 dwellings, taking the total across the Jennett's Park development as a whole up to the maximum of 320 units.

9.54 The applicants have agreed to providing 25 affordable dwellings but have not yet identified the dwellings in the development to meet this requirement. It is therefore recommended that the additional condition below (no. 11) be imposed requiring the dwellings proposed to be affordable to be identified before the development is commenced. Mechanisms to ensure that the affordable dwellings thus identified are delivered are included in the existing s106 agreement, as amended by the Deed of Variation.

ix SUSTAINABILITY

9.55 The outline application to which this reserved matters application is pursuant was approved before the CSDPD was adopted so there is no specific requirement for a sustainability statement or renewable energy in this instance.

x DRAINAGE

9.56 Foul and surface water drainage is secured by the outline planning permission and a condition (no. 40) imposed on it.

xi NOISE AND AIR QUALITY

9.57 The site is bounded by Peacock Lane to the south and Berkshire Way, a dual carriage-way, lies to the north. A condition imposed on the outline planning permission (26) requires a scheme for protecting buildings/gardens in any phase from road noise to be submitted and approved before the development of that phase is begun. The Environmental Health Officer felt that in this instance it would be beneficial for details of traffic noise monitoring and attenuation measures to be submitted to the Council for review at this stage.

9.58 Accordingly a noise report has been prepared. This confirms that road noise is an issue and recommends a combination of acoustic glazing and ventilation for facades facing the roads/pub. The Environmental Health Officer has considered this report and is satisfied that noise issues have been satisfactorily addressed subject to imposition of a condition:-

- securing the implementation of the recommendations in the report, and
- requiring the testing of buildings post-completion with no building to be occupied until it meets the standards set out in BS8233:2014.

9.59 The Environmental Health Officer also requested that the applicants carry out an air quality (AQ) assessment to ascertain whether they will be creating Air Quality Management Area (AQMA) by building residential accommodation in this area. An AQ report has been prepared. The detailed atmospheric dispersion modelling undertaken for the first year in which the development is expected to be fully operational (2019) shows predicted pollutant concentrations to be well within the relevant health-based air quality objectives at the façades of proposed receptors. It therefore concludes that air quality is acceptable at the development site, making it suitable for the proposed uses. The development does not, in air quality terms, conflict with national or local policies, or with measures set out in BFBC's Air Quality Action Plan. There are no constraints to the development in the context of air quality.

9.60 The Environmental Health Officer is happy with the AQ report but believes that the Dust Management Plan contained within it should be added to the site's Working Method Statement. A Working Method Statement is required under condition 27 of the outline planning permission. An informative is recommended to pick up the Environmental Health Officer's request.

xii ENVIRONMENTAL IMPACT ASSESSMENT

9.61 An Environmental Impact Assessment was required in conjunction with outline planning application 623523 and it was accompanied by an Environmental Statement. As explained in section 5 above the current reserved matters application will not result in the maximum number of dwellings permitted under the outline planning permission (of 1500) being exceeded. If approved and implemented it will result in 128 dwellings being constructed in place of up to 6500 sq m of B1 office floorspace, a 100 bedroom hotel and possibly also a smaller hotel. The difference in the volume of traffic generated by the residential development in place of the commercial development is not significant.

9.62 The commercial scheme proposed office and hotel buildings of between 2 and 4 storeys in height. The buildings proposed in the current application range from two storey houses to flat blocks, one of which has a 6 storey element. Given that storey heights in commercial buildings typically exceed those in residential buildings it is not considered that the proposed development will be materially taller and bulkier than that approved under the original Design Statement.

9.63 The impact on the Thames Basin Heaths is satisfactorily mitigated.

9.64 Taking these matters into account it is not considered that the development detail the subject of this application will result in an impact which has not been assessed by the original EIA.

10. CONCLUSIONS

10.1 This reserved matters application accords with the Peacock Farm Masterplan/Design Statement, as amended at the July Planning Committee, and Policy SA2 of the SALP; the dwellings provided will make a contribution to the Council's 5 year housing land supply. The proposed details are considered to be acceptable in terms of the impact of the proposed development on the character and appearance of the area, the setting of listed buildings at Peacock Farm and the living conditions of nearby residents and of future residents of the dwellings. Parking to meet the Council's standards is provided as part of the scheme and the

access arrangements are acceptable. The impact of the development on infrastructure, local services and the SPA is mitigated by obligations secured in association with the outline planning permission.

10.2 The application is therefore recommended for approval.

11 RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be carried out only in accordance with the following plans:-

14.022.100 29 Site Layout Colour
14.022.A01B House Type A Leicester
14.022.B01B House Type B Leicester
14.022.B02B House Type B Leicester
14.022.C01C House Type B Nottingham
14.022.C02C House Type B Nottingham
14.022.D01B House Type D Chester
14.022.20H Flat Type A
14.022.21H Flat Type A
14.022.22H Flat Type A
14.022.23H Flat Type A
14.022.24H Flat Type A
14.022.30J Flat Type B
14.022.31J Flat Type B
14.022.32J Flat Type B
14.022.33J Flat Type B
14.022.34J Flat Type B
14.022.35J Flat Type B
14.022.36J Flat Type B
14.022.CB Car Barn
EF_BK01_M.1D F series Type 101 (2no. drawings)
EF_BK02_M.1D F series Type 136-137
EF_BK02_M.1D F series Type 136-137
EF_BK14_M.1C F series Type 142
EF_BK14_M.1C F series Type 142
14.022.45D Block C Elevations
14.022.41C Block C First Floor
14.022.44D Block C Fourth Floor
14.022.40C Block C Ground Floor
14.022.42C Block C Second Floor
14.022.43C Block C Third Floor
EF_FOG_M.1A F series Type FOG
EF_FOG_M.1A F series Type FOG
7425-CB3-01 Triple Car Barn
7425-CB3-02 Triple Car Barn

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

02. No development shall be commenced until all outstanding details of hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

03. There shall be no restrictions on the use of the car parking spaces shown on the approved plan as visitor parking for the occupiers of, or visitors to, any of the dwellings hereby permitted.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Plans and Policies: BFBLP M9]

04. No development shall be commenced until all outstanding details of external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

05. The development hereby permitted shall not be commenced until a method statement for carrying out the installation of tree root barriers in the vicinity of the trees to be planted adjacent to any adoptable highway and service trenches, pipes, sewers, conduits, etc. has been submitted to and approved in writing by the Local Planning Authority. The method statement shall describe works designed to minimise any adverse impact caused by tree roots to these surfaces, structures and services, and likewise prevent damage to tree roots caused by location, installation and repair of below ground services.

The method statement shall include:

- a) An approved planning layout to 1:200 scale showing the accurate trunk position of the trees in relation to the proposed works,
- b) Layout and construction profile drawings, and
- c) Construction implementation method statement including timing/phasing of the works.

The root barrier installation shall be carried out, and services located, in full accordance with the approved details.

REASON: In order to safeguard the adopted highways and below ground services, to safeguard new trees, and in the interests of the visual amenity of the area.

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

06. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting serving the car parking areas and pedestrian footpaths including lighting units and levels of illumination. The approved scheme for each area shall be implemented before the first use of that area and the lighting retained in accordance therewith.

REASON: In the interests of the amenity of neighbouring property, the character of the area and to ensure the safe use of the parking courts.

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

07. No development shall take place until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

Retention of ecological mitigation/bat roost feature

08. Any areas shown for bat roost and bird nesting purposes in the approved scheme of biodiversity enhancements shall thereafter be retained as such and shall not be used for any other purpose.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

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

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

10. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for the following off-site highway works:
- works to improve pedestrian/cycle access from the site to routes on the south side of Peacock Lane, including works on the north side of the road.

No dwelling hereby approved shall be occupied until the off site highway works have been completed in accordance with the approved scheme.

REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4, CSDPD CS23]

11. No development shall take place until details of the affordable housing to be provided as part of this development, pursuant to planning obligations associated with outline planning permission 623523 (98/00288/OUT), have been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development assists in meeting the housing needs of the area.
[Relevant Plans and Policies: BFBLP H8, CSDPD CS16 and CS17]

12. No dwelling hereby approved shall be occupied until:-

- i) a post-completion test has been undertaken to ensure that the dwelling meets the standards set out in BS8233:2014 Sound Insulation and Noise Reduction for Buildings, and
- ii) the test results have been submitted to the Local Planning Authority, and
- iii) the Local Planning Authority has confirmed in writing that it is satisfied with the test results.

REASON: To ensure that the amenities of the future residents are not adversely affected by noise.
[Relevant Policies: BFBLP EN25]

Informatics

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

02. Details submitted to satisfy condition 27 (working method statement) of outline planning permission 98/00288/OUT (623523) should include a Dust Management Plan, as shown in table 5.4 of the RPS Air Quality Assessment (JAP9722 Rev 0).