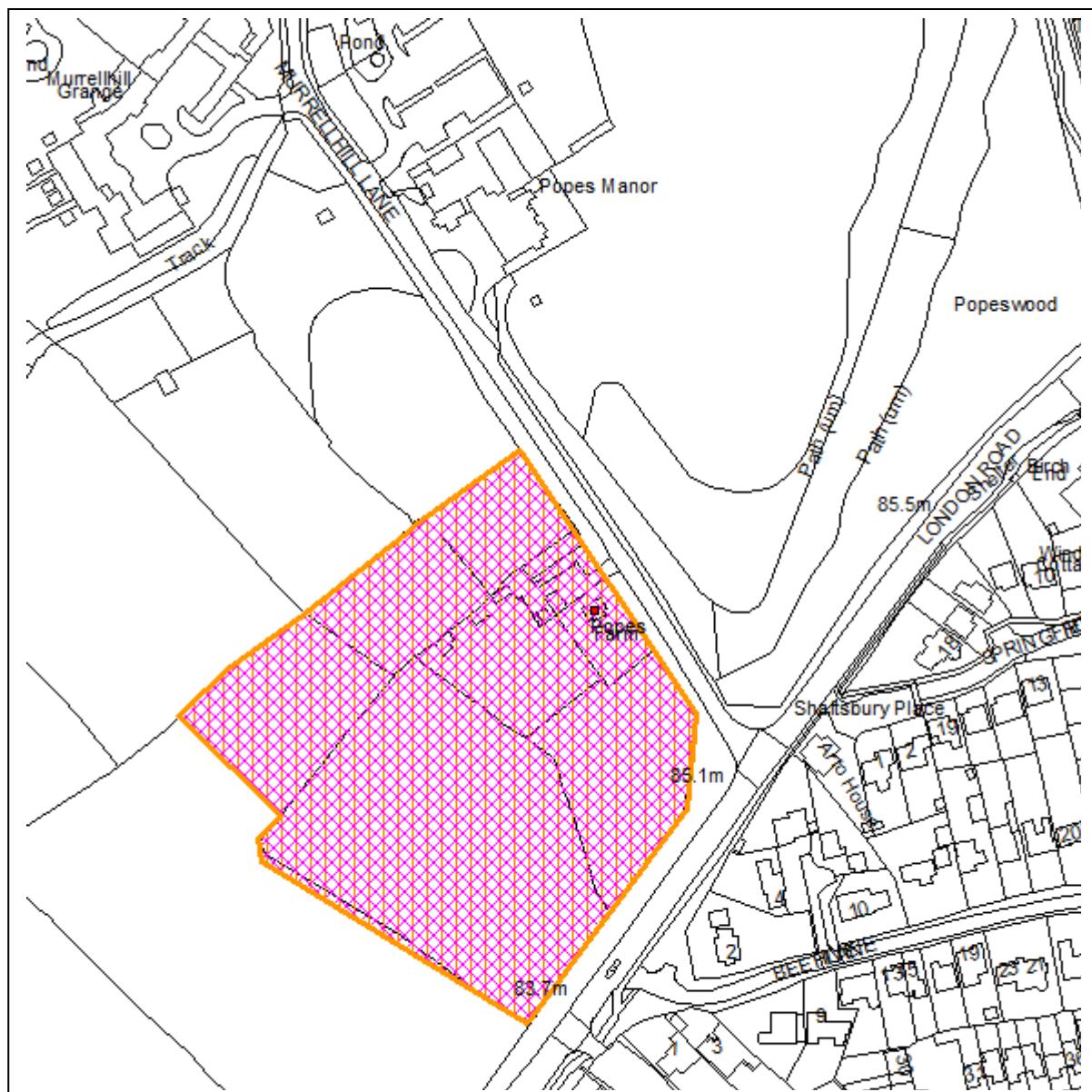


<b>ITEM NO:</b>		
Application No.	Ward:	Date Registered:
<b>17/00337/OUT</b>	<b>Binfield With Warfield</b>	<b>3 April 2017</b>
Site Address:		Target Decision Date:
		<b>3 July 2017</b>
Proposal:	<b>Amen Corner (North) Popes Farm Murrell Hill Lane Binfield Bracknell Berkshire RG42 4BY</b>	
	Outline planning application for the erection of 53 dwellings, associated vehicular and pedestrian access, car parking, drainage works and landscaping, including provision of open space, and alterations to existing outbuilding to provide a car barn and cycle store following removal of existing dwelling (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration)	
Applicant:	Shanly Homes	
Agent:	Mrs Ellen Timmins	
Case Officer:	Martin Bourne, 01344 352000 <a href="mailto:development.control@bracknell-forest.gov.uk">development.control@bracknell-forest.gov.uk</a>	

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



## **1. SUMMARY**

1.1 Outline planning permission is sought for the erection of 53 dwellings, associated vehicular and pedestrian access, car parking, drainage works and landscaping, including provision of open space, and alterations to existing outbuilding to provide a car barn and cycle store following the demolition of the existing dwelling on the site (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration).

1.2 The development of the western part of the site is acceptable in principle as it forms part of the Amen Corner North allocation (Policy SA6 of the SALP refers). The eastern part of the site lies outside a defined settlement. Issues associated with the proposal include whether it forms a comprehensive development with the Bellway Homes scheme to the west, the impact on the setting of Popes Manor (a listed building) and its impact on the character and appearance of the area. It is concluded that any adverse impacts associated with the development would not significantly and demonstrably outweigh the benefits of the proposal.

<b>RECOMMENDATION</b>
Following completion of a legal agreement outline planning permission be granted subject to conditions contained in Section 12 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.

## **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
Land part within, part outside a defined settlement
Part of site identified for residential development in SALP (Policy SA6)
Within 250m of a landfill site (part of site)
Trees on/adjoining site covered by TPOs 1223 and 130
Within 5km of SPA

3.1 The application site, which has an area of about 1.8ha, lies to the south-west of Murrell Hill Lane and north-west of London Road. A detached two storey house with outbuildings, including a timber barn with a pitched, tiled roof, accessed from Murrell Hill Lane is situated on the north-eastern part of the site. The remainder of the site comprises five small parcels of pasture currently used to graze sheep. The site generally falls from the north-east down to the south-west.

3.2 There are a number of trees, mainly mature Oaks, on or adjoining the site's boundary and within the site. The principal trees on the site are covered by TPO 1223. An Oak on the northernmost point of the site, adjoining Murrell Hill Lane, is covered by TPO 130. The trees on the site's boundaries with London Road and Murrell Hill Lane comprise a mix of species including wild cherry, sycamore, holly and ash as well as oak.

3.3 Land to the west of the site is currently under construction for 377 dwellings. An area of Ancient Woodland adjoins part of the site's north-western boundary. The grounds of Popes Manor, a listed building, lie to the north-east on the other side of Murrell Hill Lane. Housing off Beehive Lane lies beyond London Road to the south-east of the site.

## **4. RELEVANT SITE HISTORY**

4.1 16/00717/OUT: Outline planning application for the erection of 54 dwellings, associated vehicular and pedestrian access, car parking, drainage works and landscaping, including provision of open space, following removal of existing dwelling and outbuildings (access, appearance, layout and scale to be considered, landscaping reserved for future consideration) – REFUSED October 2016.

## 5. THE PROPOSAL

5.1 The proposal relates to an outline application (landscaping reserved for future consideration) for the erection of 53 dwellings following the demolition of the existing house on the site (a net increase of 52 dwellings).

5.2 Vehicular access is proposed from Murrell Hill Lane, broadly in the position of the existing access. An additional ramped pedestrian link to London Road is proposed.

5.3 A total of 53 dwellings are proposed of which 13 units are to affordable (25% of the net increase of 52 dwellings). The mix of dwelling size comprises:-

- 3 no. one bedroom
- 25 no. 2 bedroom
- 16 no. 3 bedroom
- 9 no. 4 bedroom

5.4 The proposed dwellings are in the form of flats (21 flats in 3 blocks plus 3 flats over garages [FoGs]) and houses (29 units). The houses and flats are two and 2.5 storeys in height. The existing timber barn on the site is proposed to be retained and converted into a car barn/store.

5.5 Three areas of informal open space are proposed allowing for the retention of groups of mature Oaks on the site and for a buffer to ancient woodland on adjoining land. The northernmost of these areas is proposed to accommodate a pond, part of the SuDS for the site.

5.6 The application has been amended in the course of its consideration.

## 6. REPRESENTATIONS RECEIVED

### Binfield Parish Council:

6.1 Recommends refusal:-

- 1) This development would have a negative impact to the setting of the three Grade II listed assets (Pope's Manor, Forecourt and Garden Wall to Pope's Manor and the Forecourt Wall of Pope's Manor). This development would be detrimental to the significance of these heritage assets.
- 2) The access onto Murrell Hill Lane would be an urbanising of a rural lane and will harm the character of the area.
- 3) This development is outside of the Settlement Boundary.

### Other representations:

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

- would harm character of Binfield which is losing its identity
- limited green spaces being diminished
- infrastructure can't cope with increase in development

- high density housing not in keeping with Murrell Hill Lane: should be fewer houses on lane with higher density elements accessed from Bellway site
- site should have been planned with Bellway development
- Murrell Hill Lane not designed for this level of traffic (possible office traffic from Popes Manor)
- lack of provision along lane for cyclists and pedestrians
- no proposals to make right-turn out of lane onto London Road safer
- contractor parking will be dangerous

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

### Highways Officer:

7.1 Comments reported in section 9(vi) below.

### Environment and Public Protection:

7.2 No objection subject to the imposition of conditions. Comments on noise, air quality and contaminated land summarised later in report.

### Lead Local Flood Authority

7.3 No objection subject to conditions

### Biodiversity Officer

7.4 No objection subject to conditions.

### Waste and Recycling Officer

7.6 No objection.

### Conservation advisor

7.7 No objection.

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

8.1 The main planning policies and associated guidance applying to this application are:-

	<b>Development Plan Policy</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Countryside	CS9 of CSDPD, EN8 of BFBLP	Consistent
Design	CS7 of CSDPD, EN1 and EN20 of BFBLP	Consistent
Parking	CS23 of CSDPD, M4 and M9 of BFBLP	Consistent
Highway Safety	CS23 and CS24 of CSDPD, M9 of BFBLP	Consistent
Cycling and pedestrians	CS23 and CS24 of CSDPD, M6 of the BFBLP, TC1 of the BNP	Consistent
Residential Amenity	EN20 and EN25 of BFBLP, ENV2 of BNP	Consistent
Housing	CS16, CS17 of CSDPD, H5 of BFBLP,	Consistent

	SA6 of SALP.	
Accessibility	CS7 of CSDPD, EN22 of BFBLP	Consistent
Biodiversity	CS1(vii) and CS7 (iii) of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
Noise	EN25 of BFBLP	Consistent
SPA	SEP NRM6, CS14 of CSDPD and EN3 of BFBLP	Consistent
Heritage	CS7 of CSDPD, BF2 of BNP	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Design SPD		
Streetscene SPD		
Parking Standards SPD		
Thames Basin Heaths Special Protection Area SPD		
Planning Obligations SPD		
Character Area Assessments SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Borough Landscape Character Assessment		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Comprehensive development
- iii Impact on character and appearance of the area
- iv Impact on the setting of listed buildings at Peacock Farm
- v Impact on residential amenity
- vi Transportation considerations
- vii Trees
- viii Biodiversity
- ix Thames Basin Heaths Special Protection Area (SPA)
- x Infrastructure contributions
- xi Affordable Housing
- xii Sustainability
- xiii Drainage
- xiv Noise and air quality

### i. Principle of Development

#### Land within the defined settlement

9.2 The western half of the site lies within land forming part of the Amen Corner North allocation. Development of this land is acceptable in principle as it forms part of the allocation under Policy SA6 of the SALP.

#### Land outside of the defined settlement

9.3 Land on the application site adjoining Murrell Hill Lane is not covered by the allocation and lies outside any defined settlement. Part of this land is previously developed, as it contains a house and a barn, but its development would be contrary to BFBLP Policies EN8 and H5 and CSDPD Policies CS2 and CS9.

9.4 However, the Council is currently unable to demonstrate a 5 year supply of land for housing which means that policies for the supply of housing are out of date (by virtue of paragraph 49 of the NPPF). As such the 'tilted balance' provided for in paragraph 14 of the NPPF applies which means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

9.5 The remainder of the report assesses the benefits and harm associated with this application and then applies the planning balance.

## **ii. Comprehensive Development**

9.6 As noted above part of the application site lies within the area allocated by SALP Policy SA6 for 400 dwellings, SANG and related infrastructure. The Illustrative Concept Plan in the SALP shows vehicular access for this wider area being taken from London Road. This being the case it would be expected that vehicular access to the development the subject of this application would be from the remainder of the Amen Corner North scheme currently being built by Bellway Homes. This would have the benefits of:-

- providing better integration with the remainder of the Amen Corner North development
- providing more convenient routes for pedestrians and cyclists, as well as vehicles, to new facilities to the west (SANG and other open space and primary school)
- reducing any harmful impacts on Murrell Hill Lane.

9.7 The approved reserved matters application for the rest of the Amen Corner North allocation (application 15/00873/REM refers) includes vehicular and pedestrian routes running to the boundary of that site. Unfortunately Bellway Home's land ownership does not extend right up to the boundary of the Popes Farm site itself; a 'ransom strip' of land was retained by a third-party which currently precludes a physical connection between the two sites.

9.8 The result of this is that if the outstanding eastern element of the Amen Corner North allocation is to be built, vehicular access has to be taken from Murrell Hill Lane since a further access onto London Road to serve the development would not be acceptable. The development proposed in the current application seeks to address the consequences of this, as discussed in the remainder of this report.

## **iii. Impact on Character and Appearance of Area**

### Character Area Assessments SPD and Bracknell Forest Borough Landscape Character Assessment

9.9 The site lies to the north of Character Area Assessments SPD Binfield - Popeswood Study Area C. This SPD makes reference to important roadside trees along London Road.

9.10 The part of the site which falls outside the SALP allocation is covered by the Bracknell Forest Borough Landscape Character Assessment (LCA). It forms part of Landscape Character Area C1: Binfield and Warfield Clay Farmland. 'Valued features and characteristics' for this character area include:-

- hedgerows and hedgerow standard oak trees
- the open and rural character
- rural lanes

9.11 The LCA's strategy is to protect valued attributes, manage existing positive attributes to ensure their survival and plan for the replacement of features. Drawing on this, examples include:-  
- protecting ancient woodlands, copses and remnant mature and standard trees;

- conserving the open and rural qualities of the landscape to the west of Binfield that create a sense of separation or ‘gap’ between the settlements of Binfield and Wokingham to the west;
- protecting the rural character of villages through appropriate planning and design of new development and conservation and enhancement of locally distinctive features or material; avoiding urbanising features that will erode the rural character;
- managing hedgerows;
- maintaining the character of the rural lanes through incorporating characteristic features – such as grass verges, hedgerow trees and hedges
- minimising the introduction of inappropriate signage, line painting and deep kerbs;
- improving biodiversity; and
- planning for the successful integration of potential new development in the landscape through sensitive design and siting.

### Assessment

9.12 It is proposed to serve the development from the existing vehicular access on to Murrell Hill Lane which would be upgraded. The existing barn lying to the north of this access, which forms a visually prominent feature on this part of the lane, would be retained and converted for storage and car parking purposes, with two new buildings accommodating flats constructed to the north-west and south-west served by a new parking court. A row of mature oaks lying further to the south-west would be retained within an open area (which includes the 15m no-build buffer around off-site ancient woodland to the north-west) and would close views into the site from the access on Murrell Hill Lane.

9.13 A new detached house fronting the lane is proposed in place of the existing house. A group of new houses and a FoG to the west and south of this property would be largely screened from direct views from the lane by this house and by existing vegetation on the site’s boundary which would be retained.

9.14 The south-western part of the site, the part covered by the SALP allocation, is proposed to accommodate further houses, FoGs and a flat block. The dwellings on the eastern side of this part of the site face towards two lines of retained mature trees set in open space. On the western side the dwellings generally face towards proposed houses on the Bellway site to the west. This part of the site lies at a lower level than London Road and views of it from the road will be partly screened and filtered by existing vegetation on the north-west side of London Road. This vegetation screen has recently been thinned to provide for a new footpath/cycleway linking west to the Bellway development, but new understorey planting should, over time, restore some of the screening of land to the north.

9.15 The construction of 53 dwellings on the application site, in place of the existing house and barn, will clearly change its character and appearance. The part of the site most clearly visible from London Road, the southern and western fields, is the part allocated for development in the SALP. Its context is already changing with the development of the Bellway development to the west. In the light of this the development proposed on this part of the application site is considered to be acceptable in terms of its character and appearance. In the course of the consideration of the application the layout of the corner closest to London Road, which contains a pumping station and parking as well as houses and flats, has been amended. It now provides space for more planting to supplement existing vegetation on the site’s boundary and it is considered that it will have an acceptable relationship, in visual terms, with the adjoining Bellway development.

9.16 As direct pedestrian links to the Bellway development are not currently achievable, a pedestrian link to the London Road is proposed from the centre of the application site. This will provide a shorter pedestrian route from parts of the site to destinations to the west including the primary school proposed on the Bellway site (the alternative is to use the main access on Murrell Hill Lane, walk south to London Road and then head west).

9.17 Because at this point the site lies at a lower level than London Road, the footpath will be on a gently sloping ramp. This will have a retaining wall on its eastern side and an embankment on the west with hand rails for the safety and convenience of users. It will be a visually prominent structure from some viewpoints within the site, and it will have to be carefully designed to avoid harming nearby trees, but its contribution towards pedestrian accessibility to the London Road and points west is considered to outweigh any visual harm.

9.18 The impact of the proposed development on Murrell Hill Lane is an important factor in the consideration of this application. Whilst the lane's southern end is affected by the busy London Road and existing built development on the south side of that road, the lane retains a pleasant rural character particularly as one moves northwards away from the main road. Further north along the lane the presence of Pope's Manor is an important consideration (see section (iv) below).

9.19 As noted above because it is not possible to take vehicular access from the Bellway site the existing vehicular access to Popes Farm is to be amended to serve the proposed development. Works associated with the Bellway development, in the form of a new footpath/cycleway on the northern side of London Road, are being undertaken which will affect the junction of Murrell Hill Lane with London Road. As part of the current proposal a footway is proposed on the west side of Murrell Hill Lane up to the site access which will further impact on the appearance of the lane at this point. All these highway works will have an urbanising impact on the character of the southern end of Murrell Hill Lane which currently has grass verges.

9.20 New built development proposed on the eastern side of the application site will be visible from the lane. New buildings, with the exception of the detached house proposed to replace the current farmhouse, will however be set back from the lane. Existing vegetation on the west side of Murrell Hill Lane will be retained and this will continue to provide a good degree of screening, particularly when deciduous trees and hedges are in leaf. As noted above levels on the site generally fall to the west, away from the lane.

9.21 Taking all this together it is considered that whilst the development of this part of the site will result in harm to the character and appearance of the southern end of Murrell Hill Lane, contrary to development plan policies, this harm will be moderate. This matter is considered further in the planning balance section at the end of this report.

#### Scale and appearance

9.22 Two of the apartment blocks are 2.5 storey (maximum height 9.5m) and the third two-storey (maximum height 9.0m). A number of house designs are proposed with detached houses, pairs of semis and short terraces. Most of the houses are two storey, with some with 2.5 storeys, and a maximum height of about 8.5m. This scale reflects that of the buildings approved on the Bellway development to the west and is considered to be acceptable taking account of the site's location and the character of the area, including built development on adjoining sites, site levels and boundary screening.

9.23 The proposed buildings have traditional designs. Those on the northern part of the site have taken design references from local vernacular agricultural buildings and have been arranged around a courtyard area, which also includes the retained/converted timber barn adjoining Murrell Hill Lane. The building designs generally incorporate gables with visual interest being provided by dormers and porches, brick detailing and the use of render and timber boarding as well as brickwork. The proposed designs are considered appropriate for this location. A condition is recommended to secure full details of materials.

#### Landscaping

9.24 Details of landscaping are reserved for subsequent approval should this outline application be approved. The site layout drawing shows adequate space within the layout for new planting. Careful attention will need to be paid to hard landscaping details including ensuring that any hard-surfaces within the root protection areas of retained trees are suitably designed and that the surface of the large parking-court in the north-east corner of the site complements the appearance of the retained barn and the apartment blocks adjoining it.

#### Conclusions on impact on the character and appearance of the area

9.25 It is considered that this is a well-designed scheme which successfully incorporates the retained oak trees within and on the edge of the site and responds positively to the new housing area being constructed to the west. It is recognised, however, that development on the eastern part of the site will adversely affect its existing semi-rural character, a matter which needs to be considered in the planning balance.

### **iv. Impact on the Setting of Listed Buildings at Popes Manor**

#### Listed Building Description

9.26 The grounds of Popes Manor lie on the east side of Murrell Hill Lane with the main house located about 70m to the north of the northern edge of the application site. Popes Manor dates from the late 17th century to early 18th century and was altered and extended late 19th century. The building was restored in the 1980s as an office building.

9.27 In addition to the house, the following structures are Grade II Listed:-

- the garden walls adjoining the northeast front.
- the forecourt wall to the northwest.
- the forecourt and garden walls to the south comprising a forecourt and garden wall dating from the early 19th century, it is built of red brick with a plain brick top defining right side of the forecourt and extending along road in front of garden for approximately 30 metres. The wall is approximately 2 metres high.

#### Application site

9.28 The application site contains two buildings, a main dwelling and a large 'L-shaped' outbuilding with associated utility buildings. The main house is a two storey brick-built structure originating from the late 19<sup>th</sup> century. Whilst the building has been altered to the rear, the front elevation along Murrell Hill Lane retains its Victorian character and detailing. The 19th century part of the building reflects the local vernacular architecture.

9.29 The associated outbuilding is a timber framed structure with clay tile, hipped-roof which is clad in timber weatherboarding. The building has a small cupola surmounted by a weathervane representing a local vernacular range of agricultural buildings.

9.30 Whilst the farm buildings are not considered to be of suitable architectural or historic quality for statutory protection as Listed Buildings they do make a positive contribution to the overall character and appearance of the lane and the setting of Popes Manor as it is approached along Murrell Hill Lane.

#### Planning (Listed Buildings and Conservation Areas) Act 1990: Consideration of the Setting of the Listed Buildings and NPPF

9.31 With respect to the determination of applications affecting the setting of a Listed Building, the applicable statutory provisions are detailed in Section 66(1) of the Act. Section 66(1) states:-

*'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.'*

9.32 Relevant extracts from the NPPF include:-

Paragraph 128: this requires applicants, '*to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance'*'.

Paragraph 131: this states that, local planning authorities should take into account '*the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*'.

Paragraph 132: this states: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*

Paragraph 133 states:-

*Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.*

Paragraph 134 of the NPPF states: *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

9.33 Advice is also provided in the Planning Practice Guide (PPG) for the NPPF.

### Proposals

9.34 The proposals include alterations to the existing Popes Farm outbuilding to provide a car barn and cycle store and demolition of the existing dwelling. The proposed new dwellings are defined as 'traditionally styled' and are 2 storeys in height with some 2 ½ storey dwellings.

### Setting

9.35 The proposed development site is divided into several smaller field parcels, with a number of trees along the edge of the site and field boundaries. The site location is within 40m of the closest Grade II Listed structures at Popes Manor (the forecourt and garden walls to the south).

9.36 The Grade II Listed Popes Manor and its associated walls have a considerable presence along Murrell Hill Lane and benefit significantly from the current setting which is characterised by the semi-rural Murrell Hill Lane. The setting of Popes Manor is further enhanced by the associated walls and walled garden to the north and the parkland with specimen trees and the lake to the rear (northeast). The garden walls have a group value with the main house which adds to the overall significance of the individual elements.

#### Heritage recommendations

9.37 In relation to the previous application on the site (16/00717/OUT) Murrell Hill Lane was assessed as retaining a semi-rural character and the extent of the proposed development as well as the demolition of Popes Farm was identified as having a potentially detrimental effect on the setting of the Grade II Listed Popes Manor.

9.38 Previous comments therefore recommended that a greater degree of separation should be maintained between the Grade II Listed Popes Manor and the proposed residential development which could be accomplished by retaining Popes Farm as a transitional area around the development which would act in mitigation of the potential effect on the setting. A subsequent detailed Historic Building Assessment by the application ascribed a low level of significance to the farmhouse in terms of its architectural and historic interest. However, the existing barn was assessed as having local architectural and historic significance as a good example of the local vernacular building tradition.

9.39 Therefore, the current proposals seek to retain and convert the existing barn as part of the revised application. Whilst this would result in some small loss of original fabric of the barn, its long-term future would be secured by its conversion to a car barn and cycle store as part of the scheme.

9.40 The farmhouse which was ascribed negligible architectural and historic interest in the Historic Building Assessment is proposed for demolition and replacement with a single detached house in a traditional farmhouse style.

9.41 In addition in the revised scheme, the northern part of the site has been redesigned to include a courtyard to resemble a traditional stable yard which would respect the semi-rural character of Murrell Hill Lane and provide a transitional area between the new development and the setting of Popes Manor to the north.

#### Heritage conclusions

9.42 The proposed development is located to the south of Popes Manor and its listed garden walls. Whilst the proposed demolition of Popes Farm farmhouse is considered harmful, the gist of previous comments was that the existing barn should be retained, that a greater buffer towards Popes Manor should be provided and that the semi-rural character of its setting should be respected. The main essence of historic building objections to the previous scheme are therefore considered to have been resolved by the amended scheme; no other over-riding historic building objections to the scheme remain in principle. It is therefore recommended that the proposals should be weighed against the benefits of scheme, including securing the long-term viable use of the barn, consistent with its conservation and the wider benefits of the proposals as described in paragraph 135 of the NPPF.

9.43 It will be important to secure good quality materials for the development to ensure that the significance of the heritage assets are preserved.

#### **v. Impact on Residential Amenity**

9.44 Housing to the south-east of the site is separated by the London Road. Given the separation and the existence of screening vegetation on the northern side of the road it is not considered that there will be any material impact on this housing.

9.45 The proposed development will adjoin housing which is currently under construction to the west on the Bellway site. The impact on this housing is considered to be acceptable with no unacceptable effects likely through overlooking or overbearing effects or loss of sunlight/daylight.

9.46 The siting relationships between the dwellings proposed are considered to acceptable and unlikely to give rise to any unacceptable impacts on residential amenity.

#### **vi. Transportation Considerations**

##### Access

9.47 Access to the site is proposed via Murrell Hill Lane using the access position of the current property. Murrell Hill Lane is a rural, narrow and unlit road subject to a 60mph speed limit. However due to the width of the road speeds are below this limit. The applicant has provided speed survey information that indicates 85th percentile speeds in the region of 28mph in the vicinity of the site.

9.48 The nature of Murrell Hill Lane in its current form means that is it not conducive to a safe intensification of use by all types of traffic and, to ensure that vehicles and other road users along the route are safeguarded, Murrell Hill Lane will require some more formal changes to address these concerns. It will need to be widened to at least the existing width of the lane when entering from the junction with London Road (5.1m). Such an improvement will need to extend up to and including the site entrance and at least 10m beyond. This would lead to significant improvements in highway safety.

9.49 In addition a new footway from the site access southwards to the footpath/cycleway being undertaken on London Road should also be introduced to provide a safe route for pedestrians. Ideally this route would be 2m wide but due to the ditch adjacent to the lane this may be problematic. Given the scale of the proposed development, and alternative routes that could serve pedestrians heading westwards, the footway could be of a lesser width (1.2m). Protection to the ditch would also need to be considered together with lighting to the site access from London Road.

9.50 An additional pedestrian link is proposed from the middle of the site to London Road. This link is proposed to be ramped as the London Road is at a higher level than the site at this point.

9.51 Whilst it is acknowledged that this site is not being served from the adjacent Bellway Homes site (see above), future pedestrian connections may be possible. As noted above a pedestrian route from the site to London Road is also proposed. However the further changes to the southern end of Murrell Hill Lane outlined above are also required to mitigate the impact of all the development using this route and to connect it suitably to the wider road network.

9.52 The internal road is 5.5m wide with 4.8m wide accessways and private drives. This is in line with standards for this scale of development.

9.53 Ideally, adoption of the main access road to the site should be secured by s106. If this cannot be achieved then permissive routes across the site and to its boundaries will need to be secured

by s106 agreement so that if future direct links to the Bellway site are possible then they can be implemented. The development will provide an opportunity for the wider public to pass through it and such routes need to be secured in perpetuity.

9.54 There is a pumping station close to the southern edge of the site. Access to this has been amended and is now acceptable.

9.55 The drainage of the roads within the site is an important factor and the advice of the drainage officer has been sought.

9.56 Bin collection points have been shown where necessary together with bin stores for the flats.

#### Parking

9.57 The level of parking on the site equates to the required standards, with a mixture of car ports and garages for some plots. The visitor parking is reasonably balanced across the site.

9.58 Convenient rear access to all properties is proposed.

#### Traffic Impact

9.59 The applicant has obtained information from the Bracknell Forest Traffic Multi Modal Model to help investigate the impact of the development in the future year 2026. In relation to traffic impacts the Transport Assessment provides detail in relation to the flows assessed in the future year which show that in 2026 the junction will operate within capacity. Murrell Hill Lane current witnesses very low levels of traffic and while the increase from this development will be large in percentage terms the overall number of trips is still very low and in that regard the capacity of the junction is unlikely to be compromised in the interim period between now and 2026 as the site gets developed.

#### S106

9.60 A section 106 will be required to secure S278 and S38 matters associated with the development and the required infrastructure. If the road is to remain private then the legal agreement will need to cover issues relating to the private nature of the road and to allow public access across the site in perpetuity to provide safe and sustainable access to the site and the wider area. It should also provide for the Council to step in and create a link(s) to the adjacent Bellway development should this become possible in time. Clauses should also be included to protect the Council from future residents wanting the road to be adopted.

#### Conclusion on highway matters

9.61 The application as amended is considered to address satisfactorily concerns raised by the Highway Officer.

#### **vii. Trees**

9.62 As noted above the site contains a number of trees of importance to the character and appearance of the area which are covered by TPOs. The Tree Officer had concerns about the proximity of development to certain trees which have been overcome with amendments to the layout. No objection is now raised to the application subject to the imposition of a condition to secure special measures to install and construct an appropriate footpath through the RPAs of protected trees T4 and T27 to minimise any adverse impact on their health and condition (*Officer comment: this is included in the Recommendation*).

9.63 As noted above an area of ancient woodland lies on the site's north-western boundary. Standing advice from the Forestry Commission and Natural England state that a 15m wide buffer should be provided between ancient woodland and development. This is provided for in the proposed layout.

### **viii. Biodiversity**

9.67 The applicant has provided additional information to address concerns raised by the Biodiversity Officer.

9.68 Bat roosts exist within the main house, barn and two trees. Four bat bricks and four access tiles will be included within the roofs of new garages to compensate for the loss of roosts. The proposed locations of these new roost features are shown on amended drawings. This is acceptable subject to their provision and retention which can be secured by condition.

9.69 Survey work shows the presence of several birds of conservation concern breeding or foraging on site. Appropriate details of mitigation have been provided. The provision of bird boxes can be secured by condition (biodiversity enhancements). Wildflower areas will need to form part of the landscape scheme at the reserved matters stage.

9.70 Survey work also confirms the presence of Stag beetles. The stumps of trees T1 and T2 could be retained but alternatives are suggested should this not be possible. All opportunities to retain these features in-situ should be pursued and therefore further details of stag beetle protection should be provided within a construction management plan secured by condition and in the landscape scheme as part of reserved matters.

9.71 Other conditions to protect biodiversity are recommended below including those relating to tree protection to protect the 15m wide buffer adjoining the ancient woodland during construction.

### **ix. Impact on SPA**

9.72 This site is located approximately 3.7 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.

9.73 Whilst the development can provide its own bespoke SANG solution in accordance with policy and guidance, the development could utilise spare SANG capacity provided by the Amen Corner North planning approval (reference 14/00315/OUT). This means that the development would not have to provide any SANG enhancement works as they are secured by the planning approval above but it would have to make a financial contribution towards the other SANG elements such as in-perpetuity maintenance because this element for the spare SANG capacity is to be secured from development which will utilise this capacity. However, the development would not be able to be occupied until the SANG is in place, available for public use and is transferred to Council ownership. The Amen Corner North SANG will be transferred by s106 obligation prior to the completion of the 100<sup>th</sup> dwelling of the Amen Corner North dwelling as permitted in application 14/00315/OUT.

9.74 The above contribution is to be secured by a Section 106 Agreement. This Agreement must also have an occupation restriction to ensure that the Amen Corner North SANGs enhancement works have been carried out and that the land is transferred to Council ownership *before* occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

9.75 The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

9.76 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). Absent any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.77 Provided that the applicant is prepared to enter into a Section106 Agreement which:

1. makes a financial contribution (see paragraph 3. above) towards the costs of the Amen Corner North SANG and Strategic Access Management and Monitoring (SAMM) measures (including administration and monitoring); and
2. enters into an obligation which restricts the occupation of the development until the Amen Corner North SANG is fully enhanced to SANG status and available for public use

the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.78 Alternatively the development could provide its own bespoke SANG with a contribution towards SAMM both to be secured by Section106 Agreement. Further advice and help on what is required can be discussed with the applicant if requested.

9.79 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, and permission may be granted.

## **x. Infrastructure Contributions**

9.80 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.
- The Planning Obligations SPD (6 April 2015) is also relevant.

9.81 If this outline application were to be approved then, at the reserved matters stage, CIL collected could go towards infrastructure projects or types 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
- strategic road network improvement outside the borough
- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities.

9.82 If the application were to be approved planning obligations should be sought to secure:-

Primary/nursery education – a financial contribution may be required towards nursery and primary facilities in the area in line with Planning Obligations SPD Para 5.4.4 this would be subject to confirmation on capacity of primary schools in the designated areas from the

LEA as per Planning Obligations SPD Paragraphs 5.4.15 to 5.4.17. Secondary and SEN provision is secured through CIL for the Blue Mountain facilities.

Community Facilities – a financial contribution will be required towards provision, expansion or improvement of the Community Facilities at Farley Moor or other Community Facility serving the site. See Planning Obligation SPD Para 5.5.5 this obligation is also covered by SALP Policy SA6.

Open Space of Public Value (OSPV) – the site lies partly within the SALP allocation where Policy SA6 applies and on-site in-kind open space at a standard of 4.3ha per 1000 population falls is sought. However, given the small size of the application site (1.8ha) the on-site provision of OSPV to a standard of 30m<sup>2</sup> per dwelling and a contribution towards the improvement of off-site facilities at Foxley Fields or other suitable off-site OSPV serving the development as per Planning Obligations SPD para 5.11.4 is considered appropriate. A commuted sum would be required to cover the maintenance of any OSPV transferred to the Council for 20 years.

Transport – A financial contribution of £15,000 towards enhancing crossing facilities adjacent to the junction of St Marks Road/Foxley Lane and ‘real time’ information at bus stops serving residents of the development as per Paragraph 5.2.4 of the Planning Obligations SPD.

9.83 Other matters to be covered by s106 comprise:-

- provision of on-site affordable housing (see section (xi) below)
- S278 and S38 agreement matters associated with the development and the required highway infrastructure provide for safe and sustainable access to the site and the wider area (see section (vi) above)
- necessary SPA mitigation (see section (ix) above, and
- long-term management and maintenance of SuDS on the site (see section (xiii) below).

## **xi. Affordable Housing**

9.84 Thirteen of the dwellings proposed are to be affordable which complies with the Council’s affordable housing policy (25% of 52 (net) dwellings). These comprise 8no flats and 5no houses as per the table below.

	<b>1 bed flat</b>	<b>2 bed flat</b>	<b>2 bed house</b>	<b>3 bed house</b>	<b>Total</b>
Affordable rent	3	5	-	1	9
Shared ownership	-	-	2	2	4
<b>Total</b>	<b>3</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>13</b>

9.85 These dwellings are in a cluster in the south of the site formed by a terrace of three dwellings, a pair of semi-detached houses and an apartment block. The Council’s Welfare and Housing Project Officer considers that the location, form of development and tenure split is acceptable. It is recommended that the provision of this affordable housing be secured by planning obligations.

## **xii. Sustainability**

9.86 A Sustainability and Energy Statement accompanied the application. With regards to CSDPD Policy CS10 it confirms that the water efficiency measures incorporated within the dwellings will ensure the water use is less than 105 litres per person per day which is acceptable. In terms of

CSDPD Policy CS12 the Sustainable Energy Officer has confirmed that the use of air source heat pumps proposed is acceptable. Both matters can be secured by condition.

### **xiii. Drainage**

9.80 The site is situated within Flood Zone 1 with a small area affected by surface water flooding during an extreme event. A Flood Risk Assessment (FRA) has been prepared to support the application and a number of recommendations are made in the report.

9.87 The FRA draws conclusions from a ground investigation undertaken by Airon in January. The report recommends that suitable works methods statements are agreed with the EA and Local Authority for construction and temporary works, and if their recommendations are implemented the flood risk from groundwater will be adequately mitigated.

9.88 Following discussions a revised drainage strategy and accompanying model has been submitted. The Drainage strategy incorporates permeable paving, geocellular storage and an online detention basin. Several gullies from the London Road drainage discharge into the site currently to the existing land drainage system and the consultant has made an allowance for this inflow both in the discharge rate and the design of the system. The highway drainage provision will need further detail and confirmation from Thames Water that the highway drainage will be able to discharge directly to adoptable sewers.

9.89 The earthworks around the pond and the detail of the permeable paving will require further refinement, together with confirmation that sufficient treatment times exist within the system. As the Applicant has demonstrated that sufficient storage has been provided within the site the LLFA is satisfied that further details can be submitted as detailed design progresses.

9.90 The receiving ditch for the drainage network is situated outside of the redline and has not been identified on the topographical survey. The LLFA has raised concerns about this issue and the Applicant has confirmed in writing that the ditch is within their ownership and that they have Riparian right to discharge.

9.91 The FRA does not include any correspondence with Thames Water regarding the proposed foul connection. Given the scale of development in the area a 'Grampian style' condition should be utilised with regard to the proposed foul drainage connections.

9.92 The Applicant has confirmed that the majority of the piped system is to be adopted by Thames Water with the geocellular storage, permeable paving and detention basin being privately maintained. As such it is recommended that proposals for the management and maintenance of the SUDS are secured through Section 106 Obligations.

9.93 In conclusion, the LLFA recommends approval subject to conditions.

### **xiv. Noise, Air Quality and Contaminated Land**

9.94 The Environmental Health Section has no objections to the proposed development on the grounds of noise, but would recommend a condition be imposed on any permission requiring the provision of alternative means of ventilation (acoustic trickle vents, background ventilation, in accordance with Building Regulations, etc.) in those properties adjoining London Road in order to achieve the required noise level reduction within those properties without compromising adequate ventilation.

9.95 In terms of air quality, as London Road carries heavy traffic, particularly at peak periods, it recommends that deliveries to and from the site should only take place outside of peak periods (between the hours of 9:30am and 3:30pm Monday to Friday) to ensure that delivery vehicles are

not caught in slow moving traffic, or contributing to traffic congestion at peak times, and thereby contributing to the production of NOx.

9.96 No information has been submitted regarding potential existing contamination of the site with harmful substances. A significant proportion of the proposed development lies within 250m of the boundary of a former landfill site and the Environmental Health Section therefore recommends the imposition of conditions to address this matter.

## **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.

### Consideration of harm/benefits associated with the proposal

#### *Economic Role*

10.2 The proposal would provide an additional 52 net dwellings. Those over and above the balance of 23 for the SALP Policy SA6 allocation at Amen Corner North (400 dwellings less 377 approved in Bellway scheme = 23), i.e. 29 dwellings, can be seen as a windfall contribution towards the five year housing land supply. Given the scale of the proposed development, the fact that the applicant is a house-building company and that the only outstanding reserved matter is for details of landscaping it is considered that the dwellings could be completed within the 5 year period. As the Council does not currently have a 5 year supply the provision of these dwellings carries significant weight.

10.3 As noted above the development is CIL liable.

10.4 It is considered that the economic benefits aside from the provision of additional dwellings, such as supporting the local economy through the creation of construction jobs and people spending at local shops once the dwellings are occupied, carry more limited weight given Bracknell's strong economy.

#### *Social Role*

10.5 The proposal provides for 25% of the net dwellings (13 dwellings) to be affordable. It is considered that this is a matter to which significant weight can be afforded.

#### *Environmental Role*

10.6 The proposal involves development on a site which, aside from the existing dwelling and barn, is a greenfield site part of which lies outside any settlement. The development of the eastern part of the site – and associated development on Murrell Hill Lane - conflicts with development plan policies which seek to protect the character, appearance and function of the countryside.

10.7 The proposal retains mature trees within and on the boundaries of the site in a landscaped setting and provides a buffer to an area of ancient woodland. The retention of vegetation on the site's boundaries, coupled with parts of the site lying at a lower level than adjoining roads, will mitigate the visual impact of the proposal from view outside the site.

10.8 In terms of heritage matters whilst the proposed demolition of Popes Farm farmhouse is considered harmful, the main historic building objections to the previous scheme have been resolved by the retention of the existing barn and a greater buffer towards Popes Manor.

10.9 Because of a ransom strip the development does not link as well to the Bellway Homes development to the west as it might otherwise have done. This impacts adversely on its accessibility to non-car modes of transport.

10.10 Overall it is considered that these environmental effects would result in moderate harm.

## **11. CONCLUSION**

11.1 The development of the western part of the application site is in accordance with the SALP. The development of the eastern part, which is not allocated in SALP, would be contrary to the development plan and would cause some harm to the character and appearance of the southern end of Murrell Hill Lane. Because of the presence of a ransom strip the development of this part of the site would, however, facilitate the development of the allocated area by providing a safe vehicular access (on to Murrell Hill Lane). Subject to the matters to be covered by a s106 and conditions the details of the scheme, including layout and design, are considered to be acceptable.

11.2 As set out at the start of this report the Council cannot currently demonstrate a 5 year supply of housing land. It therefore falls for a recommendation to be made by weighing up the benefits associated with this application against the harm. In this instance it is considered that the adverse impacts identified above would not significantly and demonstrably outweigh the benefits of the proposal in providing 52 (net) dwellings, 25% of them affordable. The application is therefore recommended for approval.

## **12 RECOMMENDATION**

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

- SPA mitigation measures
- the provision of on-site affordable housing
- long-term management and maintenance of SuDS on the site
- a financial contribution to community facilities
- the on-site provision of OSPV and a contribution towards the improvement of off-site facilities
- a financial contribution towards enhancing crossing facilities adjacent to the junction of St Marks Road/Foxley Lane and 'real time' information at bus stops
- securing permissive pedestrian routes on and across the site in perpetuity
- securing S278 and S38 matters associated with the development
- provision for permissive pedestrian and cycle access to the Bellway development on the application site's western and northern boundaries should agreement with third parties be reached;
- the developer informing all future purchasers of the private status of the roads and footways within the site and that they, not the Council, are responsible for them in perpetuity.

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

01. Application for approval of the details of the landscaping of the development (hereinafter called "the reserved matters") shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. 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

02. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters.

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

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

1313.PLN.SL.100 Location Plan

1313.PLN.201 Rev J Site Layout

1313.PLN.202 Rev K Information Plan

1313.PLN.204 Rev A Plots 1 – 7 Elevations

1313.PLN.205 Rev A Plots 1 – 7 Floor Plans

1313.PLN.206 Rev B Plots 8 – 13 Elevations and Floor Plans

1313.PLN.207 Rev A Plot 14 Elevations and Floor Plans

1313.PLN.208 Rev D Plots 15 – 19 Elevations

1313.PLN.209 Rev D Plots 15 – 19 Floor Plans

1313.PLN.210 Rev A Plots 20 & 21 Elevations and Floor Plans

1313.PLN.211 Rev A Plots 22 – 24 Elevations and Floor Plans

1313.PLN.212 Rev B Plots 25 – 29 Elevations and Floor Plans

1313.PLN.216 Rev B Plots 41 – 43 Elevations and Floor Plans

1313.PLN.217 Plots 44 – 46 Elevations and Floor Plans

1313.PLN.218 Plot 47 Elevations and Floor Plans

1313.PLN.219 Plot 48 Elevations and Floor Plans

1313.PLN.220 Rev A Plots 49 & 50 Elevations and Floor Plans

1313.PLN.221 Rev B Plots 51 & 52 Elevations and Floor Plans

1313.PLN.222 Rev A Plot 53 Elevations and Floor Plans

1313.PLN.223 Rev A Car Barn Elevations and Floor Plans

1313.PLN.224 Rev A Barn – Proposed Elevations and Floor Plans

1313.PLN.225 Rev B Street Section 1

1313.PLN.226 Rev A Street Section 2

1313.PLN.228 Rev C Plots 33-40 Elevations

1313.PLN.229 Rev C Plots 33-40 Floor Plans

1313.PLN.230 Rev C Plots 30-32 Elevations and Floor Plans

1313.PLN.233 Proposed Sections

1313.PLN.237 Proposed Sections

15-T124 08 Rev B Proposed Widening on Murrell Hill Lane

17-T124 10 Rev C Pedestrian Ramp Detail

17-T124 11 Pedestrian Minor Ramp Section

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

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site 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, Core Strategy DPD CS7]

05. No superstructure works 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]

06. No dwelling shall be occupied until means of pedestrian and vehicular access to it have been constructed in accordance with the approved drawings.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

07. No dwelling shall be occupied until a plan showing visibility splays has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

08. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawings. The spaces shall not thereafter be used for any purpose other than parking and turning.

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

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

09. The garage accommodation hereby approved shall be retained for the use of the parking of vehicles at all times.

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

[Relevant Policy: BFBLP M9]

10. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port.

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

[Relevant Policy: BFBLP M9]

11. The car parking spaces shown on the approved plans as 'v' (visitor parking) shall be marked as such before they are brought in to use. Thereafter there shall be no restrictions at any time on their use by the occupiers of, or visitors to, any of the buildings hereby approved

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

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

12. No dwelling shall be occupied until associated approved cycle parking facilities have been provided in accordance with the approved drawings. The facilities shall be retained as approved.

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

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

13. 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:-

- widening of the carriageway of Murrell Hill Lane in the vicinity of the site
- formation of a footway on the west side of Murrell Hill Lane in the vicinity of the site
- works to link the footpath from the centre of the site to the footway on the north side of London Road

No dwelling shall 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: BFBP M4, CSDPD CS1 CS23]

14. 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.

15. No development shall take place until a drainage strategy detailing on and off-site drainage works has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with Policy CS1 of the Core Strategy Development Plan Document.

16. No dwelling hereby permitted shall be occupied until any necessary works to improve the existing public foul sewerage network so that it is able to cope with the flows from the proposed development have been completed

REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with Policy CS1 of the Core Strategy Development Plan Document.

17. A minimum 3 month period of groundwater monitoring shall be undertaken during the winter/spring months, as appropriate, to inform the groundwater protection scheme referred to in the Clarke Bond FRA, encompassing both construction temporary works and post development features, to ensure adequate land drainage is provided and that SUDS features and tanks are adequately designed. The monitoring data together with an Interpretative report prepared by a Chartered Geotechnical Engineer and the detailed scheme shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted takes place. The approved scheme shall be implemented in accordance with the approved details before the development is completed.

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

18. No development shall take place until a detailed scheme for the management of the existing highway drainage demonstrating that the highway drainage from London Road will discharge to adoptable sewers, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the development is completed.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with Policy CS1 of the Core Strategy Development Plan Document.

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

- full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, collector pipes;
- construction details for permeable paving, including check dam locations and service crossings;

- construction details for geocellular storage demonstrating access for maintenance planting and drawings as appropriate taking into account the groundwater table;
- detailed design of the pond, including liner design, planting, side slopes, headwall details, sediment forebay design and RoSPA Assessment.

Calculations supporting the detailed design shall be submitted demonstrating that the scheme meets the existing 1 in 1 greenfield rates for the site in accordance with the Opus Surface water drainage strategy OEC Surface water drainage report dated December 2017 and revised Drainage Strategy Drawing OEC Dwg No. SH.39.202 revision P10 for all events up to the 1 in 100 year + 40% storm including 10% allowance for urban creep. The strategy should include details of exceedance routing throughout the development. The drainage strategy shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with Policy CS1 of the Core Strategy Development Plan Document.

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

REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with Policy CS1 of the Core Strategy Development Plan Document.

21. All ecological measures and/or works shall be carried out in accordance with the details contained in Ethos Environmental Planning Ecological Assessment dated March 2017, and the document prepared by Ethos Environmental Planning addressing comments made by the Biodiversity Officer for Bracknell Forest Council in relation to the site, submitted on 23 June 2017. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

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

22. The areas shown for bat roost purposes on the approved plans 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]

23. No dwelling shall be occupied until a habitat management plan has been submitted to and approved by the Local Planning Authority. 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, CS7]

24. 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, CS7]

25. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
- b) Materials including porous surface finish.
- c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
- d) Programme and method of implementation and arboricultural supervision.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to occupation of any dwelling hereby permitted.

The No Dig structure shall be retained in perpetuity thereafter.

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

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

26. No development shall take place until:

(i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details shall include:

- a) Existing and proposed finished levels.
- b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
- c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and

(ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: In the interests of safeguarding the long term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

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

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

REASON: In the interests of safeguarding the long term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

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

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

REASON: In the interests of bio-diversity and visual amenity of the site

[Relevant Plans and Policies: CSDPD CS1, CS7]

29. No development approved by this permission shall be commenced until a landfill gas risk assessment has been submitted to and approved in writing by the local Planning Authority. Where a risk from migrating gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority.

REASON: The proposed development is located near a former landfill site, the contents of which are not known. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers and users of the development.

30. No development shall take place until a contaminated land Phase I report (Desk Top Study) has been carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The Desk Top Study shall be submitted to, and approved in writing by, the local planning authority.

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

Following approval of the Desk Top Study, a Phase II report (Site investigation) may be necessary, depending on the findings of the Phase I report. This should be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. If required, the method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work and shall then proceed in strict accordance with the measures approved.

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

Any remedial or mitigating measures recommended by the findings from the Phase II report shall be approved by the Local Planning Authority and implemented before any dwelling is occupied.

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

REASON: The proposed development is located near a former landfill site, the contents of which are not known. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers and users of the development.

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

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

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.

32. No demolition or construction work shall take place outside the hours of 08:00 and 18:00 Monday to Friday; 08:00 and 13:00 Saturday and not at all on Sundays or Public Holidays.

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

33. No above ground development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting, including that serving car parking areas and pedestrian footpaths, including details of 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 character of the area and to ensure the safe use of pedestrian routes and parking courts.

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

34. No dwelling adjoining London Road shall be occupied until appropriate means of ventilation (such as acoustic trickle vents in accordance with Building Regulations) have been installed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority (affects plots 30-32 and 41-43).

REASON: To ensure that the future occupiers of dwellings are protected from road traffic noise in the dwellings.

[Relevant Plans and Policies: BFBLP EN25]

35. In the course of construction no deliveries to and from the site shall take place outside of the hours of 9:30am and 3:30pm Monday to Friday.

REASON: To ensure that delivery vehicles are not caught in slow moving traffic, or contribute to traffic congestion at peak times, thereby contributing to the production of NOx

36. The buildings hereby approved shall be constructed in accordance with the Sustainability & Energy Statement: Land at Popes Farm, Murrell Hill Lane, Binfield prepared by Bluesky Unlimited, dated 15th March 2017.

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

[Relevant Plans and Policies: CSDPD Policy CS10 and CS12]

37. Prior to the commencement of development, the applicant, their agents or successors in title, will secure the implementation of a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved 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 by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will be undertaken in accordance with the approved document.

**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, BFBP EN7]

38. Bin storage associated with the flats hereby approved shall be provided before the flats it serves have been occupied, and shall thereafter be retained available for use.

**REASON:** In the interests of residential amenity.

#### 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. Land Drainage Act Consent will be required for the construction of the outfall from the development site.

03. Section 278 Approval will be required for alterations to the London Road Drainage.

Should the applicant fail to complete the required S106 agreement by 31.03.2018 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 planning obligations to secure:-

- appropriate highway works under S278 and S38 of the Highways Act, and
- permissive pedestrian routes on and across the site in perpetuity and possible future links to adjoining land
- advice to future residents of the private status of roads and footpaths on the site

the proposal would not cater satisfactorily for the needs of pedestrians, cyclists and vehicle users to the detriment of road safety and sustainable development and would therefore be contrary to Policy M4 of the Bracknell Forest Borough Local Plan, Policies CS1, CS23 and CS24 of the Core Strategy Development Plan Document and Policy TC1 of the Binfield Neighbourhood Plan.

4. The proposed development would unacceptably increase the pressure on open space of public value and community facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secures the on-site provision of open space of public value, the proposal is contrary to Policies SC1 and R4 of the Bracknell Forest Borough

Local Plan, Policy CS8 of the Core Strategy Development Plan Document and the Planning Obligations Supplementary Planning Document (adopted February 2015).

5. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off which would be maintained for the lifetime of the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.