

ITEM NO: 6

Application No.
18/00453/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
30 April 2018

Target Decision Date:
30 Oct 2018

Land To The North Of Church Lane and East Of Wellers Lane Warfield Bracknell Berkshire

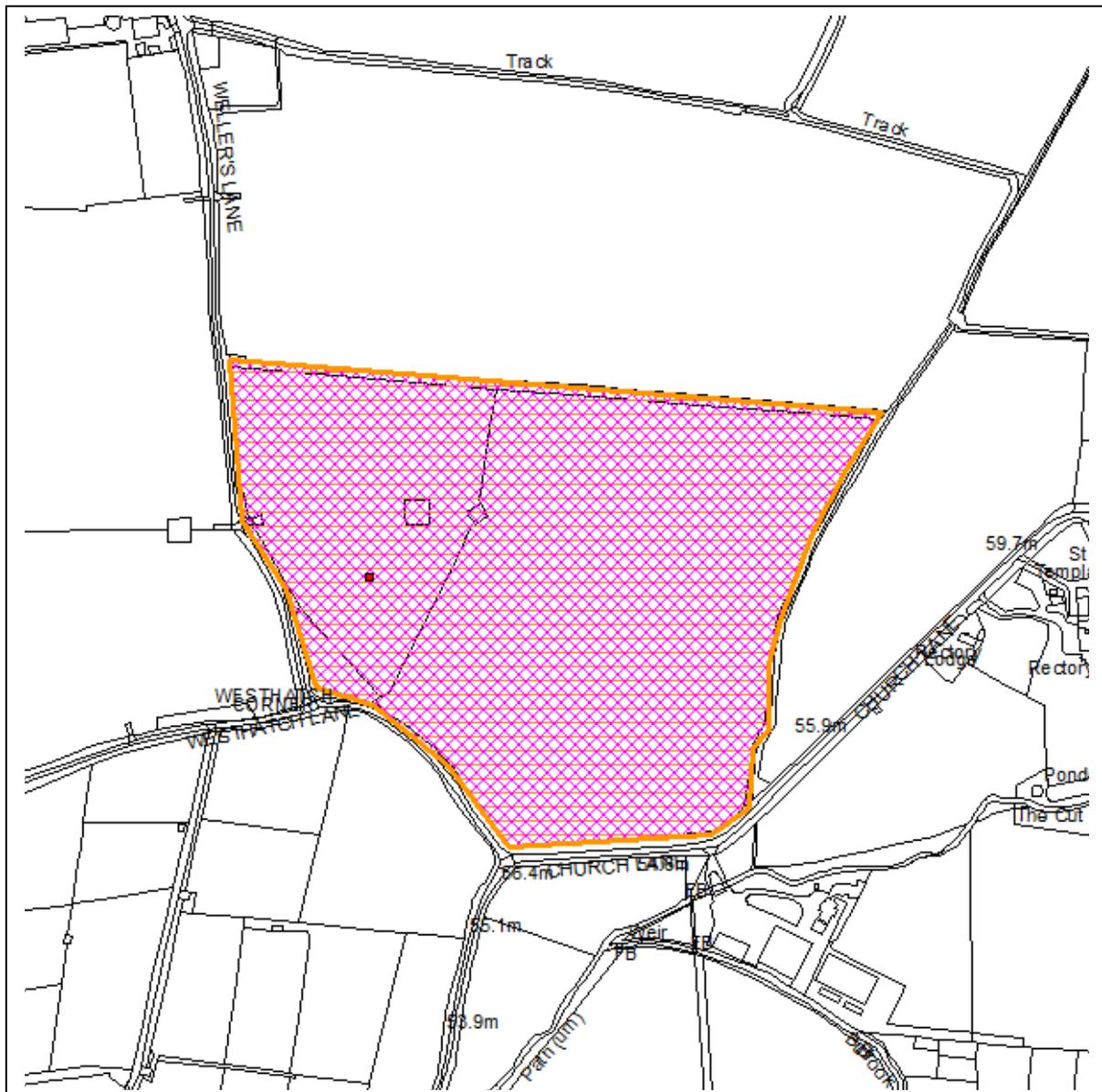
Proposal: **Change of use of agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated landscape works and the delivery of car parking spaces within an existing area of hardstanding.**

Applicant: Miss Cindy Wan

Agent: (There is no agent for this application)

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

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



1. SUMMARY

- 1.1 The proposal relates to the change of use of 12.2 hectares of Grade 3 agricultural land within the Green Belt to Suitable Alternative Natural Greenspace (SANG) and the provision of 20 car parking spaces within the existing Frost Folly Car Park.
- 1.2 It is considered that the proposed change of use of land would be consistent with Policy GB2 of the Bracknell Forest Borough Local Plan which provides for changes of use of land relating to outdoor sport and recreation and the recently published National Planning Policy Framework (NPPF).

1.3

RECOMMENDATION

Delegate to the Head of Planning to Approve the application subject to the conditions in Section 11 of this report and the completion of a Section 106 Agreement.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is to be considered by the Planning Committee due to the receipt of more than 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

The application site is located outside the settlement boundary in a countryside location, within the Green Belt.

- 3.1 The application site relates to two separate, but related, parcels of land comprising 12.3 ha of agricultural land (Grade 3) to the east of Wellers Lane and part of the existing Frost Folly car park (0.2 hectares). The Frost Folly car park serves the recently completed (but yet to be opened) Frost Folly SANG and the existing agricultural land to the south is currently managed for arable purposes. The existing field is enclosed by trees, scrub and hedgerows, although three mature Oak trees (classified as Category B trees) are located in the north-west quadrant of the site. An existing post and rail fence runs alongside the existing hedgerow within the boundary of the field, which is broken by a field gate on the western boundary in Wellers Lane and, to the south, in Westhatch Lane.
- 3.2 The ground levels on the site fall from the north-west corner, adjacent to Wellers Lane towards the eastern boundary of the site. The south-eastern corner of the site falls within Flood Zones 2 and 3 of the River Cut and the eastern edge of the development is bounded by an Unnamed Ordinary Watercourse (UOW). Long range views are available across the site from Wellers Lane towards the Church of St Michael (Grade II* Listed).
- 3.3 The site of the proposed SANG has no public access, however, an existing public right of way runs along the northern and eastern boundaries of the Frost Folly SANG to the north. This forms part of the circular recreational footpath around the Borough based upon existing rights of way (FP3 (Warfield) ramblers route 10).
- 3.4 Wellers Lane is located to the east of Maidenhead Road (A 3095) and to the north of Warfield Street (B3094). Bowyers Lane and Westhatch Lane link the Maidenhead Road to Wellers Lane. Wellers Lane, Bowyers Lane and Westhatch Lane are part of a network of single lane carriageways, with occasional passing places located to the north of Warfield which are rural in character and subject to a 60mph speed limit.

3.5 The application site is located within a rural area with the nearest residential properties located within Bowyers Lane to the north-west.

4. RELEVANT SITE HISTORY

4.1 At the time of the submission of the application, an existing agricultural building was located in a prominent location in the north-west quadrant of the site and was included in the description of the application. However, on 22 June 2018 an application was submitted for the demolition of the existing agricultural building under Part 11 Class B of the Town & Country Planning (General Permitted Development)(England) Order 2015. Condition B2 (b) of the Order requires developers to apply for prior determination for the demolition of an agricultural building and to establish whether the method of demolition and any restoration needs to be approved by the Local Planning Authority. Prior Approval was granted on 20th July 2018. The building has now been removed and the description of the current planning application has been amended.

4.2 Whilst the demolition of the existing agricultural building is the most recent application and is related to the future use of the land as SANG, the current application could form one of 4 SANGs (other than this proposal) north of Warfield as set out below:

Frost Folly SANG Wellers Lane (application 15/011161/FUL). This was granted planning permission on 11th November 2016. The planning permission has been implemented; the SANG has been signed off as being completed (in compliance with the SANG management plan) and is in the process of being transferred to the Council.

Frost Folly SANG Wellers Lane (application 18/00453/FUL). This is an application for an extension to the existing SANG to include the field to the south. This is currently subject to consideration.

Land north of West Hatch Lane, Bracknell (application 17/00923/FUL). This relates to the land to the south of Moss End Farm. It has been resolved to grant planning permission subject to the completion of a s106 agreement and a decision is expected to be issued shortly.

5. THE PROPOSAL

5.1 This application relates to the change of use of agricultural land (Grade 3) (which is currently managed for arable purposes), to a Suitable Alternative Natural Greenspace (SANG). The change of use would relate to an area of 12.1 hectares immediately abutting the southern boundary of the Frost Folly SANG and would form an extension to the existing SANG. Car parking to serve the SANG would be provided at the Frost Folly car park. The car park (which was re-surfaced with a resin finish as part of the planning permission for the Frost Folly SANG) currently accommodates 36 spaces which are delineated by granite setts. The area to the south of the delineated spaces, accommodates planters but has the capacity to provide additional car parking spaces. The car park is owned by Warfield Parish Council and the applicant has agreed terms with the Parish Council to accommodate a further 20 spaces between the existing planters. The car park is accessed via Wellers Lane and directional signage has already been installed on the Maidenhead Road (A3095) directing traffic to the Frost Folly SANG along Bowyers Lane. An additional sign is located at the junction of Bowyers Lane and Wellers Lane. The installation of the signage was a requirement of the SANG Management Plan for Frost Folly. The planning application for the SANG itself (excluding the car parking area) comprises the following elements:

- The formation of a minimum 2.3 km circular walk which would meander through areas of planting. This would comprise a mown footpath with the exception of a section of surface

path in the south – eastern corner of the site (with Flood Zones 1 and 2) which would be hard surfaced to maintain passable paths through the wetter winter months.

- The formation of footpath linkages between the existing SANG at Frost Folly and the proposed SANG to facilitate access and an extension to existing walking routes.
- The retention of all existing boundary vegetation (including tree lines, scrub and hedgerows) except where two sections are removed on the northern boundary to facilitate access to the Frost Folly SANG.
- The retention of the three mature Oak trees in the north-western corner of the site.
- Landscaping to include the planting of extensive areas of wildflower grassland, subdivided by native hedgerows (the native hedgerows will be used to divide the SANG into four parcels defined as Areas A – D) with standard trees and woodland planting, along with woodland copses, native shrub planting and individual tree planting.
- The provision of water bodies in the south – eastern corners of the site with associated aquatic and wetland planting.
- The retention of existing post and rail fencing along the northern (except where removal is required to facilitate pedestrian access); western and southern boundary of the site and the erection of new post and rail fencing along the eastern boundary.
- The provision of a cattle corral at the intersection of the north-south and east-west hedgerow line to enable the three quarters of the SANG to be grazed. The north-western part (Area A) would not be grazed due to the need to provide a 50m protection zone around the three Oak trees which have roosting boxes and have been used by Kestrels, Barn Owls and Little Owls.
- The provision of field and pedestrian gates (including kissing gates with mobility access on the northern boundary) within and the SANG to ensure the containment of cattle within the north-western corner of the site (Area A).
- The provision of an information board in the north-western section of the SANG at the intersection of paths.
- Benches, litter bins, dog bins and waymarkers (e.g. wooden posts or similar) would be located within the SANG.

5.1 The conversion of the existing arable field to SANG along with the provision of the associated car parking spaces will be undertaken in phases. In the event of approval, the development would be subject to the completion of a s106 agreement which would secure the phased provision of the SANG with a commuted sum, payable to the Council, to cover its interim management and maintenance for a period of 20 years at which point the whole of the site would be required to be delivered to the standard required by Natural England. The phased provision of the SANG would enable the site to be laid out to a standard to provide public access but the ownership would be retained by the applicant who would be able to negotiate with other landowners/developers within 4km of the site to use land. The delivery of the SANG phasing would be split between the 'First SANG Enhancement Works' and the SANG Upgrade Works. The scope of work within each stage is summarised below:

First SANG Enhancement Works – the provision of the additional car parking spaces; repairs and improvements to existing fencing; landscaping and pond construction.

SANG Upgrade Works – this will involve upgrades to individual areas of the site. This could be undertaken in full or on a phased basis. Each phase would be no less than 2 hectares in size. The work involved in the upgrade of each phase would include the delivery of all infrastructure proposed within that phase including information board; new waymarkers; bins; benches and connections to the existing SANG.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council: raised an objection to the initial car parking layout (revised plans have been received to address the concerns regarding the layout).

6.1

Other Representations:

6 responses have been received from residents of Bowyers Lane who object to the application on grounds of the use of Bowyers Lane to provide access to the SANG. The comments received are summarised below:

- The use of Bowyers Lane will endanger the safety of horse riders, walkers and cyclists who use the lane. It will be a major rambler access point for the new country park. There are no footpaths and walkers are forced to walk in the road which has no refuges for vehicles to pass.
- Bowyers Lane is single track at the top end, has no passing places and many drivers are incapable of reversing their cars.
- The junction at Bowyers Lane and the Maidenhead Road 3095 has a very dangerous blind spot and visibility is poor as cars come very fast around the bend. The junction has been an accident location.
- The new signposting (covered at present) which will direct traffic to use Bowyers Lane is not acceptable.
- The increase of Bowyers Lane traffic will exacerbate the difficulties of vehicles emerging onto the A3095 from Buckle Lane which forms the other side of the crossroads opposite Bowyer Lane. There has is an uphill restricted view towards Bracknell. There has been one fatality at this location.
- Access to the SANG would be better from the next junction, Westhatch Lane since it has better visibility, has a 40mph speed limit and is not used by horse riders and walkers as much as Bowyers Lane. It also has passing spaces in the form of gateways which are not present of Bowyers Lane.
- Westhatch Lane and Wellers Lane have very little existing traffic since they do not have any residential or commercial properties;
- Bowyers Lane could be closed at its junction with Wellers Lane and gates so that it would only be used by pedestrians; cyclists and horse riders and residents only and this should take place before the country park is open.

Additional Comments relate to:

- Lack of safe routes for horse riders given the speed of traffic on the rural road network;
- The lack of provision of a track for horses at Frost Folly;
- Previous assurances by the Parish Council regarding the planning of the Wellers Lane SANG that access would be via Westhatch Lane and not Bowyers Lane.
- The previous application for Moss End Garden Village i.e. at the time of the planning application for the Moss End garden village, the planning authority acknowledged that Bowyers Lane is too dangerous for any increase in traffic, due to its single track nature which had already seen three head-on crashes. When approved, access to the garden village was prohibited from Bowyers Lane (two existing accesses were closed) and a new entrance was formed on the A3095. At the time it was acknowledged that the lane was too dangerous for traffic and was not capable of being improved due to ditches, hedges and banks on either side.

7. SUMMARY OF CONSULTATION RESPONSES

- 8.1 Highways Officer - reports no objections subject to conditions to off-site highway works and use of car parking spaces
- 8.2 Parks and Countryside Manager – no objection subject to conditions to secure the implementation of the SANG and planting in accordance with the approved plans and the prior completion of a s106 agreement.
- 8.3 Landscape Officer – reports no objection.
- 8.4 SPA Officer – reports no objection subject to the completion of a s106 agreement to secure the implementation of the SANG in accordance with the approved plans, the future transfer of the SANG, and the payment of commuted sums for on-going management and maintenance.
- 8.5 Natural England – reports no objection
- 8.6 Environment Agency – reports no objection subject to a conditions relating to no change in level within the flood zone.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1- Core Strategy	Consistent with the NPPF
Design	EN20 – BFBLP; CS7 – Core Strategy	Consistent with the NPPF
Amenity	EN20 – BFBLP; CS7 – Core Strategy	Consistent with the NPPF
Highways	M4; M6 – BFBLP; CS24 – Core Strategy	Consistent with the NPPF
Green Belt	GB2 - BFBLP	Consistent with the NPPF
Supplementary Planning Documents (SPD)		
<ul style="list-style-type: none"> - Designing for Accessibility SPD (June 2006) - Parking Standards SPD (July 2007) - Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD (March 2012) - Planning Obligations SPD (February 2015) - Bracknell Forest Borough Landscape Character Assessment (Sept 2015) 		
Other publications		
National Planning Policy Framework (NPPF)		

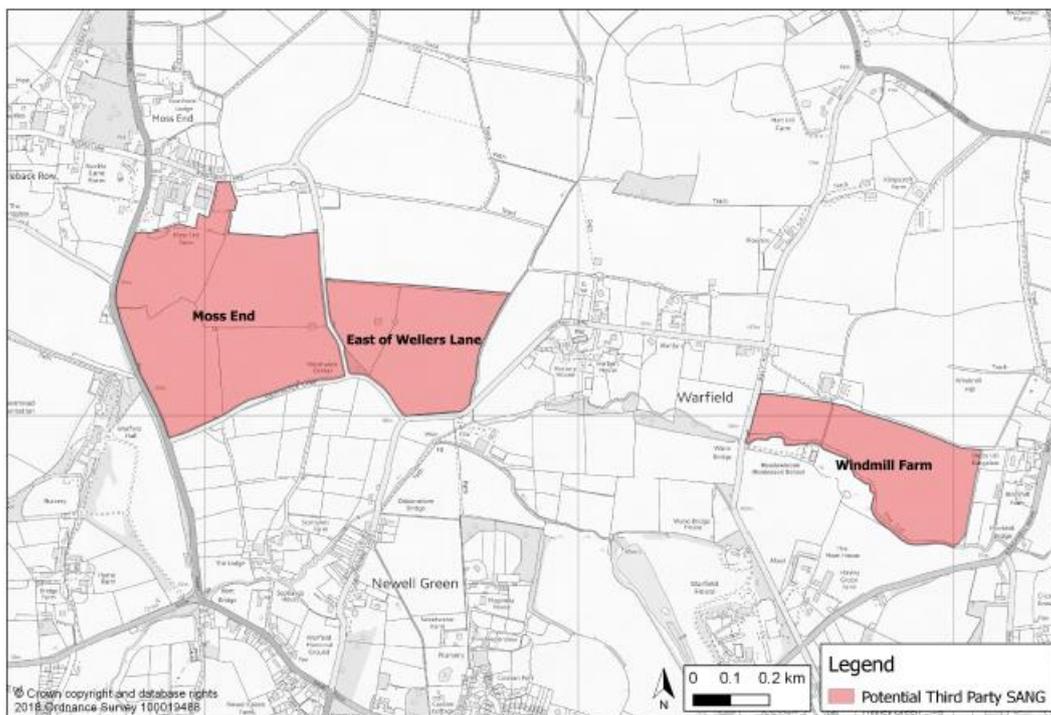
9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

i. Principle of Development

9.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This is reinforced by the NPPF which explains that *'at the heart of the Framework is a presumption in favour of sustainable development'* (Paragraph 10 refers) which should be applied when making planning decisions. In terms of decision making, Paragraph 11 explains this means that developments which accord with the development plan *'should be approved without delay', and that 'where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date'* that permission should be granted unless *'the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise'*. The policy advice of the NPPF is supported by the National Planning Practice Guidance (NPPG). The presumption in favour of sustainable development is reflected in the Bracknell Forest Borough Council Site Allocations Local Plan (SALP), Policy CP1 refers. This states that planning applications which accord with the Development Plan should be approved without delay unless material considerations indicate otherwise.

9.3 The proposed SANG is designed to mitigate the impact of residential development within 4km of the site on the Thames Basin Heaths Special Protection Area (TBHSPA). The importance of the Thames Basin Heaths is recognised within the retained Policy NRM6 of the South East Plan (Thames Basin Heaths Special Protection Area); the Core Strategy - policies CS5 and CS14 refer; the SALP - policy SA9 refers; the Warfield SPD and the Bracknell Forest Thames Basin Heaths SPA Avoidance and Mitigation SPD April 2018 (TBH SPD). The TBH SPD identifies the application site as one of a group of SANGs north of Warfield the locations of which are illustrated on the map below.



9.4 The Council's SPA Officer reports that the proposed SANG would be used to mitigate the impact on the TBHSPA and would have the capacity provide the mitigation for in the region of 654 dwellings. The SPA Officer has no objections in principle to the development subject to the completion of the development in accordance with the approved plans; agreement to a SANG Management plan and the completion of s106 agreement to secure, amongst other matters:

- the phased implementation of the SANG to ensure that when completes it will meet the SANG Quality Standards set by Natural England;
- the transfer of the SANG to the Council with a sum of £792,229 to enable the land to be maintained in perpetuity. This includes a baseline maintenance sum applied over 20 years at £1,605 per hectare plus £994 SANGs maintenance costs applied over 125 years and allows for estimated interest rates and inflation to be applied over the period;
- a monitoring fee of £3,200

9.5 The site is located outside the settlement area boundary; within the Green Belt and Landscape Character Area C1 Binfield and Warfield Clay Farmland within the Bracknell Forest Landscape Character Assessment (LCA). Policy GB2 of the Bracknell Forest Borough Local Plan (BFBLP) - Changes of Use of Land within the Green Belt states that:

' There will be a general presumption against changes of use of land unless for the following purposes:

- i) Outdoor sport and recreation; or*
- ii) Cemeteries; or*
- iii) Other uses which protect the open, rural and underdeveloped character of the Green Belt*

Provided that the change of use would not cause material permanent or temporary harm to the living conditions of those people residing in or close to the Green Belt'

9.6 This policy is reinforced by Policy CS1 – Sustainable Development of the Bracknell Forest Core Strategy Development Plan Document (CSDPD) which explains that development will be permitted which protects and enhances *' the character and quality of local landscapes and the wider countryside'* (criterion 7 refers).

9.7 Policy GB 2 (i) of the BFBLP provides for the changes of use of land relating to outdoor sport and recreation which is consistent with the recently published NPPF (July 2018). The following sections of the NPPF are key to the assessment of the proposal:

Paragraph 143. This explains that *'inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances'*.

Paragraph 144. This sets out the planning balance and explains that *'When considering any planning application, local authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'*.

Paragraphs 145 and 146 set out the forms of development that are not inappropriate in the Green Belt. In Paragraph 146 e) this includes: *'material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds'*. Such a material change of use is not inappropriate in the Green Belt (along with the other

categories of development within Paragraph 146) *'provided they preserve its openness and do not conflict with the purposes of including land within it .*

9.8 The application was submitted prior to the introduction of the new NPPF. In the previous NPPF the change of use of land within the Green Belt was not included in the categories of development not considered to be inappropriate in the Green Belt. The applicant therefore submitted a justification to demonstrate how the development would be consistent with the objectives of Green Belt policy and that *'very special circumstances'* exist in this case for granting planning permission. Given the changes to the NPPF as set out in paragraph 4.5 above, the principle of the use of land for SANG, which would be used for outdoor recreational purposes, would be acceptable subject to preserving the openness of the Green Belt and not conflicting with the purposes of including land within it (i.e. the five purposes of the Green Belt as set out in Paragraph 134 of the NPPF) i.e.

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Bullet points 1 – 3 are relevant in the assessment of this case.

9.9 The proposed change use of agricultural land to SANG would result in 12.1 hectares of land being laid out and landscaped to meet the design/layout standards for SANG; enable its use for recreational purposes and provide open space that would mitigate the impact of development within the Borough on the Thames Basins Heaths Special Protection Area (SPA). The car parking to serve the SANG would be located on an existing area of hardstanding which already forms part of the Frost Folly car park, albeit with delineated car parking spaces. In the event of approval, the application would be subject to a s106 agreement to secure (amongst other matters) the transfer of the land to the Council to ensure that it would be maintained in perpetuity for a period of 125 years. The legal agreement to secure the management of the land would ensure that it would be safeguarded from development, kept permanently open and would fulfil the purpose of the Green Belt as set out in bullet points 1 – 3 above. The impact of the development on the openness of the Green Belt and other material considerations are set out below.

ii) Impact on the Landscape Character

9.10 Chapter 8 of the NPPF relates to promoting healthy and safe communities and Paragraph 96 relates to the importance of the delivery of high quality open spaces for health and well-being and the need for planning policies and decisions to take opportunities to enhance existing public rights of way and adding links to existing networks. This is reinforced by guidance on Green Belts, specifically paragraph 141 which states that local planning authorities should be *'looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity'*. Whilst opportunities for recreational use are encouraged this has to be balanced against ensuring that development proposals contribute to and enhance the natural and local environment (Chapter 15 of the NPPF refers).

9.11 The agricultural quality (in this case Grade 3) of the land contributes to the landscape character of the site. Paragraph 170 (a) of the NPPF relates to the protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils. Footnote 53 refers relates to plan making and the need to ensure that where *'significant*

development of agricultural land is demonstrates to be necessary, areas of poor quality land should be preferred to those of a higher quality’.

9.12 Policies EN1 and EN2 of the Bracknell Forest Borough Local Plan (BFBLP) relate to protecting existing tree and hedgerow cover and supplementing existing tree and hedgerow cover. These policies refer to the importance of tree and hedgerow cover in providing green links between open spaces and wildlife sites, their value as habitats for wildlife and the importance of planting of indigenous trees appropriate to the character of the area and a variety of other indigenous plants. At a strategic level, the Core Strategy, Policy CS1 refers relates to sustainable development. Criterion viii) includes the need to *‘protect and enhance the quality of local landscapes and the wider countryside’*. These policies are consistent with the NPPF.

9.13 Bracknell Forest Borough Landscape Character Assessment (Sept 2015) updates the existing Bracknell Forest landscape evidence studies and forms for of the evidence base for the emerging comprehensive local plan. Within this study the application site falls within Landscape Character Area C1 Binfield and Warfield Clay Farmland of the Bracknell Forest Landscape Character Assessment (LCA). The key characteristics of the area as extracted from the LCA are:

1. Underlying clay geology, cut by water courses including the Cut River creating a gently undulating landform with mid-distant views across grass and arable fields to low ridgelines and wooded horizons.
2. A farmed, working landscape of medium to large sized fields of mixed arable and pasture, and smaller fields around the edges of villages.
3. Small deciduous woodlands and well-managed hedgerows which provide rhythm and emphasis to views across the landscape.
4. Quiet and rural character with limited scattered settlement well integrated into the landscape.
5. Historic manor houses sited within remnant parkland landscapes, often hidden from view behind high fences or coniferous boundaries.
6. Rural lanes bordered by hedgerows, grass verges and ditches.

Characteristics 2, 3, 4 and 5 as detailed above are relevant to the proposal. The design of the SANG should reflect the existing character of the landscape and seek not only replicate, but enhance the character of the land.

9.14 The SANG has been designed to meet the design quality standards set by Natural England. It would provide a 2.3km circular walk, landscaping/tree planting, information boards, litter bins and dog bins. 20 car parking spaces, would be provided within the existing Frost Folly car park which has been used for car parking purposes for more than 20 years. Whilst the number of car parking spaces in the car park would increase from 36 (existing) to 56 (proposed) the car parking and the existing hardstanding is a pre-existing use within the Green Belt. The increased area of car parking spaces within an area of existing hard standing, would lead to more cars being parked but any impact on the openness of the Green Belt and on the character of the area would be limited and of a short term nature in conjunction with visits to the SANG or access to the wider footpath network.

9.15 The landscaping strategy for the site (and also the recent removal of the existing farm building) benefits the setting of the Church of St Michael (Grade II* Listed) by opening up views to the east framed by hedgerow planting and existing trees. The Council's Landscape Officer reports no objection to the principle of the development and the layout of

the circular walk. The implementation of planting in accordance with the approved scheme, will assist in reinstating and reinforcing lost/existing landscape features and the assimilation of the SANG into the landscape. The use of an area of former agricultural land as SANG would therefore be consistent with the essential characteristics of the openness of the Green Belt and would enhance and preserve the landscape in perpetuity.

iii) Impact on Existing Tree Cover

- 9.16 Paragraph 175 (c) of the NPPF recognises the importance of ancient woodland and ancient or veteran trees and paragraph 175 (d) encourages opportunities to incorporate biodiversity improvements when considering development proposals.
- 9.17 Policy EN1 of the BFBLP (Protecting tree and hedgerow cover) relates to the importance of tree and hedgerow cover and explains the importance to the character and appearance of the landscape and townscape; the role in providing green links and habitats for wildlife and their importance in areas of historic significance. This policy is reinforced by Policy EN20 (Design considerations in new development) and policies of the Bracknell Forest Core Strategy policies CS1 – Sustainable Development Principles and CS7 (Design) refers.
- 9.18 The impact on the landscape character of the area is explained in section 5 above. However, it is important to note that existing trees and hedgerow would be retained and supplemented with additional tree and hedge planting within SANG. The existing Oak trees within the north-eastern corner of the site would be further safeguarded given need to locate pathways at a distance of 50m to avoid disturbance the nesting boxes used by Kestrels, Barn Owls and Little Owls.

iv) Impact on Ecology

- 9.20 The importance of taking opportunities to improve habitats and biodiversity is recognised in paragraphs 174 – 177 of the NPPF. Policies EN3 of the BFBLP and the Bracknell Forest Core Strategy (Policy CS1) recognise the need for the Borough's biodiversity to be protected, conserved and enhanced.
- 9.21 The application has been supported by an ecological assessment which has informed the design, layout, landscaping and future management regime as set out in a SANG Management Plan. The Council's Biodiversity officer reports no objection to the application.

v) Highways and Access

- 9.21 The NPPF (Paragraph 108 refers) explains that in assessing applications for development, it should be ensured that:
- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
 - b) *safe and suitable access to the site can be achieved for all users; and*
 - c) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

In balancing the impact of the development on the highway, Paragraph 109 states:

'Development should only be prevented or refused on highway grounds if there would be and unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe'

- 9.22 At a local level the BFBLP, Policy M4 states that *'Development which would result in a material increase in the use of the existing highway will not be permitted unless appropriate pedestrian, cycling and public transport routes and facilities are provided and/or improved and any reasonably required highway works undertaken'*. This is reinforced by Policies M6 – Cycling and Walking of the BFBLP which requires development to provide safe, direct and well signed pedestrian and cycle routes within the Borough which is reflected in the objectives of the overarching design policy, Policy CS1 within the Core Strategy DPD. Recognition of the need for development to mitigate for any transport impacts which may arise is reflected in Policy CS24 of the Core Strategy DPD. The policy approach reflected in these policies is consistent with the general sustainability thrust of the NPPF.
- 9.23 The Highway Authority (HA) has no objection to the principle of the development, including the use of the Frost Folly car park and the additional 20 car parking spaces. The 20 spaces would exceed the standards prescribed by Natural England (i.e. 1 space/hectare =12 spaces for a 12.1 ha SANG) but the HA recognises that the extra 8 spaces would be beneficial at times when the SANG experiences a high demand, especially since the highway cannot accommodate any overspill parking. Furthermore, it is noted that other SANGs within the Borough have been provided with between 20 – 30 spaces, with the latest approved SANG on Forest Road at Cabbage Hill being provided with 25 spaces. However, site observations of other SANG car parks indicates that they are often at near capacity and therefore the combined provision of 56 spaces for these two adjoining SANGS will provide sufficient provision capacity. In terms of the access to the car park, this has visibility splays of 2.4 metres by 70 metres which significantly exceeds the Design Manual for Roads and Bridges (DMRB) standards.
- 9.24 Section 6 of this report provides a summary of the objections from residents to the access arrangements for the SANG i.e. via Bowyers Lane, having regard to the impact of traffic movements on the safety and convenience of other highway users, in particular horse riders, walkers and cyclists who use the lane. Particular concerns have been raised regarding an increase in traffic using Bowyers Lane, on the safety of the junction between Bowyers Lane and the Maidenhead Road (A3095) and Buckle Lane. Reference is made to the occurrence of accidents at this location; the speed of traffic through the rural road network and the lack of passing places.
- 9.25 The concerns from residents in Bowyers Lane (and also the pattern of use across the wider network) are a reflection of their day to day experience as residents and users of the lane and also a reaction to the installation of directional signage at the junction of Bowyers Lane and the Maidenhead Road and at the northern end of Wellers Lane at the junction with Bowyers Lane. The siting of the existing signage was a requirement of the SANG Management Plan in respect of the Frost Folly SANG. Residents of Bowyers Lane advocate that access to the SANG, both existing and proposed should be via Westhatch Lane and Wellers Lane.
- 9.26 The application has been supported by a Transport Statement and the HA notes that:
- Wellers Lane, Church Lane and Westhatch Lane are all single carriageway roads with a 60mph speed limit, although speed surveys undertaken by the applicant have shown the 85th percentile vehicle speeds to be significantly lower than the posted speeds of 28.6 miles per hour northbound and 18.6 miles per hour southbound on Wellers Lane.

- A review of accident data on CRASHMAP shows there have been no recorded accidents on these single carriageway roads surrounding the site since 1999. This indicates that vehicular movements from the existing Frost Folly Country Park and SANG have not been detrimental to highway safety. Whilst there have been no accidents along Bowyers Lane, there has been one accident at the Bowyers Lane and Maidenhead Road junction in the last 5 years. This involved a car exiting left from Bowyers Lane being hit by a vehicle travelling south on Maidenhead Road.
- The Transport Statement assesses the impact of the proposed SANG by assessing visitor surveys undertaken by Natural England at other SANGs which provide mitigation for the TBHSPA over 2012/13. Given the lack of suitable data for such use classes on TRICS, the first principle approach is justified. The conclusions are that as visits to the SANG occur constantly across the day, vehicular traffic to the SANG will be similarly spread across the day.
- The adjacent roads have limited passing spaces and a site inspection has shown that evidence of overrun has occurred to the existing verges, especially along Westhatch Lane and Bowyers Lane. The direct route from the main road network, A3095 and A330 to Frost Folly is via Wellers Lane and Bowyers Lane. Bowyers Lane is wide enough for two way car flows as it passes through the hamlet of Moss End before narrowing to a single carriageway to Wellers Lane. Given that the extension to the car park at Frost Folly will increase vehicle movements along the adjacent network and to prevent significant damage occurring to verges it is recommended that passing bays are provided along Bowyers Lane and Wellers Lane and at the Bowyers Lane and Wellers Lane junction.
- Signage to the car park should promote the Bowyers Lane Route.

9.27 In response to HA comments the applicant has undertaken a survey of Wellers Lane and Bowyers Lane to assess where passing places could be provided or existing passing places improved. The locations of these localised improvements to include resurfacing and road widening to prevent over running of verges is illustrated on the map below:



(Source: Site Passing Place Improvement Plan – PBA Drawing Number; 36151/5504/001 Rev A)

- 9.29 The concerns of residents regarding the impact of traffic on Bowyers Lane are noted including the preference that Westhatch Lane should be promoted as the access to Frost Folly SANG. Although Westhatch Lane would not be signposted as a route to the Frost Folly SANG there is a reasonable prospect that it would be used given that it will also provide a route to the Moss End SANG. Vehicular movement along Westhatch Lane would be also improved through the provision of passing places. The SANG at Moss End Farm could also provide a starting point for a much longer walk given the connectivity provided by footpaths within the Moss End SANG and the Frost Folly SANG. As such, Moss End car park could provide an interceptor car park to help off-set any impacts on Bowyer Lane and Wellers Lane.
- 9.30 Having regard to the assessment of the impact of the vehicular activity associated with the increased use of the Frost Folly car park and the highway and the provision of new passing places or improvements to existing passing places, the impact on the safety and convenience of other highway users would not warrant a refusal of the application on highway grounds. In the event of approval it is recommended that a condition be attached to secure the off-site highway works.

v) Impact on Residential Amenity

- 9.31 Policy EN20 BFBLP states that development should not affect the amenity of surrounding properties or area and Policy CS1 recognises the importance of sustainable development and the need to protect and enhance the health of the local population.
- 9.32 The objections from residents in Bowyers Lane are summarised in Section 6. Although there is no objection to the principle of the SANG, the key area of concern relates to traffic impacts associated with the development which have been addressed in the Highway section above. Notwithstanding the above assessment, consideration has also been given the noise and activity associated with vehicular movement on the living conditions of residents within the Bowyers Lane but having regard to the nature of the use it is not considered that the proposed development would demonstrably or significantly impact on the amenity of occupiers living within the vicinity of the site.

10 CONCLUSIONS

- 10.1 The site would deliver SANG to mitigate the impact of development within 4km of the application site on the TBH SPA, including the strategic development at Warfield and would make a positive contribution in assisting the delivery of housing. The proposed use would not be an inappropriate use within the Green Belt having regard to the assessment set out within this report. The landscape and character of the application site would be changed through additional planting and measures (as set out in paragraph 1.3 of this report) to enable it to function as SANG and there would be an increase in the number of cars parking on an existing area of hardstanding. It is concluded however that these changes, would not be harmful to the Green Belt in itself and the use of the land as SANG would positively enhance the use of the Green Belt and provide opportunities for public access; recreation and enhance the landscape, its visual amenity and biodiversity.

11 RECOMMENDATION

- 11.1 **Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to:-
- the legal mechanism for the delivery of the SANG.

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details received by the Local Planning Authority on 19th and 20th September 2018:-

Site Location Plan (drawing ref. 6518-SANG_EXT_SLP Rev A)

Planning, Design and Access Statement Rev E September 2018

SANG Management Plan September 2018 Rev. 6826.SANG.vf7

Ecological Assessment April 2018 Rev. 6826.EcoAss.vf2

Flood Risk Assessment Rev P8 September 2018 prepared by BWB Consulting Ltd

Transport Statement Rev TS Final V2 prepared by Peter Brett Associates LLP

Illustrative Parking Layout (drawing ref. 36151-5501-027 Rev F) prepared by Peter Brett Associates LLP

Detailed Hard and Soft Landscape General Arrangement Plans prepared by Fabrik

- D2571 L.100 Rev PA04
- D2571 L.301 Rev PA07
- D2571 L.302 Rev PA06
- D2571 L.303 Rev PA05
- D2571 L.304 Rev PA05
- D2571 L.305 Rev PA07
- D2571 L.306 Rev PA06
- D2571 L.307 Rev PA06

Tree Report Rev A prepared by ACD Ltd

Passing Place Improvement Locations Plans prepared by Peter Brett Associates LLP

- 36151/5504/001 Rev A
- 36151/5504/002 Rev A
- 36151/5504/003 Rev A
- 36151/5504/004 Rev A
- 36151/5504/005 Rev A

36151/5504/006 Rev AREASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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03. Prior to the completion of the First SANG enhancement works the car parking spaces as illustrated on drawing number drawing ref. 36151-5501-027 Rev F shall be in accordance with the details as specified in the approved scheme and thereafter shall be retained for the parking purposes to serve the development.

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]

04. The first SANG enhancement works and the relevant phases of the SANG upgrade works shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:-

- (a) Parking of vehicles of site personnel, operatives and visitors

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

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 (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

05. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority.

REASON: In the interests safeguarding visual amenity.

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

06. Notwithstanding the details of planting as shown on drawing numbers:

- D2571 L.100 Rev PA04
- D2571 L.301 Rev PA07
- D2571 L.302 Rev PA06
- D2571 L.303 Rev PA05
- D2571 L.304 Rev PA05
- D2571 L.305 Rev PA07
- D2571 L.306 Rev PA06
- D2571 L.307 Rev PA06

- i) Prior to the commencement of the development details of the final landscaping scheme (to include construction detail of the ponds; fencing, gates, waymarkers and refuse bins) shall have been submitted to and approved in writing by the Local Planning Authority. All planting comprised in the soft landscaping works as part of the first SANG enhancement works shall have been submitted to and approved in writing by the Local Planning Authority. The planting shall be undertaken in the nearest planting season (1st October to 31st March inclusive) following the implementation of the first SANG enhancement works.
- ii) Prior to the commencement of the development of each phase of the SANG upgrade works, details of the final hard and soft landscaping schemes to be implemented as part of each SANG upgrade phase shall have been submitted to and approved in writing by the Local Planning Authority. All planting comprised in the soft landscaping works as part of the SANG upgrade works shall have been submitted to and approved in writing by the Local Planning Authority. The planting shall be undertaken in the nearest planting season (1st October to 31st March inclusive) following the implementation of each phase of SANG upgrade works prior to the transfer of any part of the approved SANG, or as otherwise may be agreed in writing by the Local Planning Authority.

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, unless the Local Planning Authority gives written consent to any variation.

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

07. The development should not be publicly accessible until the off-site works on Wellers Lane and Bowyers Lane have been completed in accordance with the details as shown of the following plans:

- 36151/5504/001 Rev A
- 36151/5504/002 Rev A
- 36151/5504/003 Rev A
- 36151/5504/004 Rev A
- 36151/5504/005 Rev A
- 36151/5504/006 Rev A

REASON: In the interests of the convenience and safety of all highway users.
[Relevant Policy: BFBLP EN20, M4, CSDPD CS7, CS24]

a) Informative(s)

01. The developer is advised that a section 278 Agreement will be required for works within the highway.

02. Land Drainage Act Consent from Bracknell Forest Borough Council will be required for works to the existing ditches, including structures and outfalls.

03. The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.

04. 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.

05. The First SANG Enhancement Works as specified in conditions 3 and 4 are those works specified in in paragraph 5.1 above unless otherwise agreed in the s106 agreement

In the event of the s106 planning obligation not being completed by 31 December 2018 the Head of Planning be authorised to REFUSE the application for the following reasons:-

1. The absence of an agreement to secure the in perpetuity management and maintenance of the site would result in the land not satisfying the minimum requirements to qualify as SANG as required in Bracknell Forest Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD (March 2012) and as such would impact on the character of the use of land within this Green location. As such the development would be contrary to policies C1 of the Core Strategy DPD and GB2 of the Bracknell Forest Borough Local Plan DPD

Doc. Ref:

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