

**ITEM NO:**

Application No.

**18/00758/FUL**

Site Address:

Ward:

Binfield With Warfield

Date Registered:

27 July 2018

Target Decision Date:

26 October 2018

**Land At Tilehurst Lane Tilehurst Lane Binfield****Bracknell Berkshire**

Proposal:

**Erection of 53no. dwellings with associated landscaping and access from Tilehurst Lane.**

Applicant:

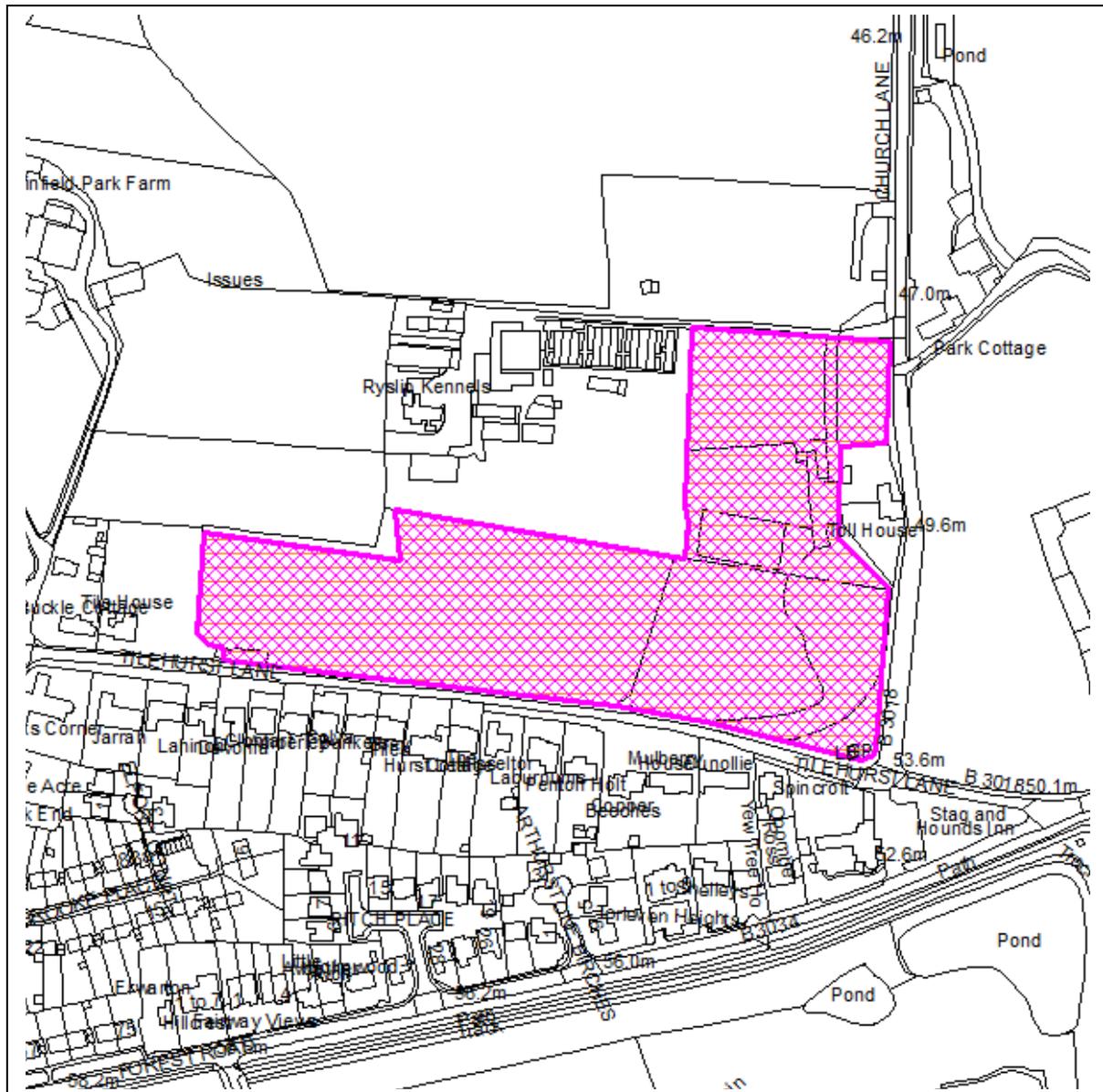
JPP Options Ltd

Agent:

Mr Douglas Bond

Case Officer:

Matthew Miller, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)**Site Location Plan** (for identification purposes only, not to scale)

## **OFFICER REPORT**

### **1. SUMMARY**

- 1.1 The proposed development is the erection of 53no. dwellings, with the associated formation of landscaping, and proposed access from Tilehurst Lane.
- 1.2 While there is some conflict with the Development Plan, and while the Council can now demonstrate a five year supply of housing land, the development has an extant planning permission for the erection of 28no. dwellings on this site (15/00452/OUT; allowed at appeal). This constitutes a fall-back position which must be given significant weight in the determination of this proposal.
- 1.3 It is not considered that the overall impacts of this proposal in comparison to the extant planning permission would give rise to materially greater harm, for the reasons set out in this report.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report, and the completion of a Section 106 Legal Agreement
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### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

- 2.1 The application is being considered by the Planning Committee following the receipt of 255no. objections.

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

<b>PLANNING STATUS</b>
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Outside the settlement boundary
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Located between 5 - 7km of the Thames Basin Heaths SPA
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Trees predominately to the front (southern) and eastern boundaries of the property are subject to TPO 1172
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Buildings within the vicinity of the site are Listed (see full report below)
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Protected species (grass snakes) appear to be present on site
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- 3.1 The 3.35ha site lies to the north of Tilehurst Lane, Binfield and west of Church Lane. The part of the site adjacent to Tilehurst Lane is largely under grass with freestanding young trees and further trees on its southern boundary. The northern part of the site is bounded by Church Lane to the east and the drive to Ryslip Kennels to the north. A two-storey house, Toll House, lies towards the northeast of the site (outside of, but enclosed by, the application site) and is accessed from Church Lane. To the rear (west) of the house is a paddock and a manege, within the application site. A stable building was also formerly located here but has been demolished. The northern part of the application site is a field under grass. The eastern part of the site, bounded by Church Lane, contains a band of trees.
- 3.2 The site undulates gently and the land generally falls to the north. A tree preservation order covers individual trees and groups of trees lying on the site to the north of Tilehurst Lane and close to Church Lane, south of Toll House (TPO 1172 refers).
- 3.3 The site lies to the north of the eastern extent of Binfield village. Residential properties front on to Tilehurst Lane opposite the application site with The Stag and Hounds PH, a listed building, at the eastern end of the lane close to the site's south-eastern corner.

- 3.4 Tile House, also a listed building, and its curtilage are situated immediately to the west of the site while Ryslip Kennels and land associated with it lie to the north. Land to the east of Church Lane comprises a large field in cultivation with the Wyevale Garden Centre beyond. Park Cottage lies close to the north-eastern corner of the application site on the other side of Church Lane.

#### **4. RELEVANT SITE HISTORY**

- 4.1 The relevant planning history is as follows:

13/00746/OUT

Outline application for the demolition of "Toll House" and the erection of 72 no. dwellings (71 net) with new vehicular and pedestrian access from Church Lane, and pedestrian access from Tilehurst Lane.  
Refused (2013), Appeal Dismissed (2015)

15/00452/OUT

Outline application for the erection of 28 dwellings, new open space, landscaping, together with new vehicular and pedestrian access from Tilehurst Lane.  
Refused (2015), Appeal Allowed (2017)

##### Land to the north

18/00765/FUL

Erection of 9no. dwellings (including 2 affordable dwellings) with associated landscaping and access.

Pending consideration at time of writing

[Officer Comment: this proposal would take access from the development subject to this application].

##### Adjoining property of Ryslip Kennels, Church Lane

19/00281/FUL

Demolition of several existing buildings and erection of new buildings accommodating replacement kennels and cattery with ancillary facilities comprising a vet surgery, grooming area, reception, workshop, dog agility field, dog walking field, agility barn and associated car parking.

Pending consideration at time of writing

- 4.2 Outline application 13/00746/OUT was refused and dismissed at appeal on the basis that, while the Council could not demonstrate a 5 year housing land supply, the harm of the proposal (72 units spread across the entirety of the site) on the setting of the countryside would outweigh the benefits of the proposal.
- 4.3 Outline application 15/00452/OUT was allowed at appeal on the basis that, even though some harm to the countryside remained despite a reduction in the number of units and significant changes to the layout, this harm no longer outweighed the benefit of providing additional dwellings where the Council did not have a 5 year housing supply.
- 4.4 While permission has been granted via appeal for 15/00452/OUT, and remains extant, it has not been implemented.

## 5. THE PROPOSAL

- 5.1 Planning permission is sought for the erection of 53 dwellings, open space and landscaping, together with new vehicular and pedestrian access from Tilehurst Lane.



- 5.2 The dwelling mix would consist of the following:

- 8no. one bedroom
- 10no. two bedroom
- 31no. three bedroom
- 4no. four bedroom

Of these, the following units would be affordable housing:

- 8no. one bedroom
- 5no. two bedroom

This represents an affordable housing contribution of 24.5% of the total development (in terms of unit numbers).

- 5.3 The dwellings would be primarily detached and semi-detached. Two sections of terraced dwellings and a two storey apartment building would also be sited within the northeastern section of the site. Each house would contain an enclosed rear garden, with the apartment building sited next to a copse.
- 5.4 Parking would be provided by a combination of detached, attached and integral garages and car ports, along with parking courts and individual driveways. Visitor spaces are also provided throughout the site.
- 5.6 The access point from Tilehurst Lane would be sited opposite the dwellings of Copper Beeches and Mulberry House, Tilehurst Lane, in the same location as that approved under 15/00452/OUT. A footpath running almost the length of the site is also proposed, connecting to Tilehurst Lane at two points at either end of the development.

- 5.5 The soft landscaping scheme proposed would include the provision of two ponds, one in a central location and one in the northeast of the site. An existing copse on the northeastern corner of the site would be retained, and a play area is also proposed in the centre of the site.
- 5.6 During the course of the application the total number of dwellings proposed has been reduced from 60 to 53, and various changes to the proposed layout have been made in respect of highway safety (including parking provision), elevational design, landscape and drainage matters.
- 5.7 It is noted that a separate planning application has been submitted for 9no. dwellings beyond the northwestern area of the site, which would take access from the proposal. As this is subject to a separate planning application it is being considered on its own individual merits separately to this report.

## **6. REPRESENTATIONS RECEIVED**

### Binfield Parish Council:

- 6.1 Binfield Parish Council object to the proposal on the following grounds:
- the application site falls outside the defined settlement of Binfield and forms an important link to Binfield's historic and agricultural past;
  - the proposal would have a detrimental impact on the setting of a number of Listed Buildings sited within the vicinity of the application site;
  - the proposal would be detrimental to highway safety due to introducing a significant number of additional traffic and pedestrian movements on to the narrow, rural layout of Tilehurst Lane;
  - the density of the proposal would be out of keeping with the character of the area, and would constitute an adverse urbanisation of a rural area;
  - the proposal is a speculative development which does not reflect the terms of the appeal decision for 18/00758/FUL, and
  - the cumulative impact of the proposal in combination with other housing developments (e.g. Blue Mountain, Harvest Ride) would add further pressure on the local road and infrastructure networks.

### Representations from Members of the Public:

- 6.2 At the time of writing 255 objections have been received from members of the public, primarily within Binfield (this total does not include instances of multiple objections received from the same address, or objections received without a full name or address). These are summarised below;

### Principle of development

- the site lies outside of the settlement boundary and undermines the historic character of Binfield;
- there is no demand for additional dwellings in this location, and the Council can demonstrate a five year supply of housing land;
- in view of the above two points, the proposal is therefore contrary to the Local Planning Authority's Development Plan;
- the countryside should be protected for its own sake;
- Binfield is already overpopulated and the cumulative impacts of this proposal with other housing developments both proposed and approved would give rise to harm;
- there is insufficient existing infrastructure provision, e.g. healthcare, schools, and

- the conclusions made by the Inspector in the appeal decision for approved application 15/00452/OUT no longer apply in view of the increased number of dwellings proposed.

Impact on the character of the area, including heritage and landscape

- the proposal would result in an urbanising impact which would undermine the character of the area;
- the density and number of dwellings detracts from the character of the area;
- the proposal would be out of character with the established street scene, and the likely requirement for lighting columns would also detract from the area;
- the proposal would result in the loss of undeveloped green space;
- the proposal would give rise to harm to the trees present on site, many of which are protected;
- the proposed designs of the dwellings is out of character with the area, and
- the retained level of tree cover to the boundaries of the development is insufficient in providing mitigation and screening to the extent of the development.

Impact on residential amenity

- the proposal would give rise to adverse impacts on the residential amenity of the neighbouring properties within Tilehurst Lane and Church Lane, in terms of overlooking, loss of privacy and overshadowing impacts, as well as general disturbance;
- the proposal would result in the loss of views existing neighbouring properties benefit from [Officer Comment: loss of view is not a material planning consideration];
- the noise produced from the neighbouring Ryslip Kennels would cause harm to prospective occupants, and would also put pressure on the operation of this business;
- the proposal would increase air pollution, to the detriment of neighbouring occupants, and
- the proposal would result in a poor quality of life for prospective occupants of the development, in view of its cramped nature.

Impact on highway safety

- the highway of Tilehurst Lane does not have capacity to take on additional vehicular or pedestrian traffic in view of its narrow, rural layout. Furthermore the lack of footpaths present on Tilehurst Lane, combined with dangerous sight lines, would cause harm;
- while the developer has provided information they consider supports the proposal in terms of traffic generation, this information is not agreed to be precise or representative;
- Tilehurst Lane is not suitable for the construction traffic which would be necessary to build the development;
- the site layout is poor in terms of parking locations and provision;
- no parking provision has been provided to the proposed play area, and this would cause harm in view of users from outside the development wishing to use this facility, and
- there are no footpaths proposed for the spanning the width of the site, either internally or on Tilehurst Lane [Officer Comment: an internal footpath is proposed within the application site spanning its width along Tilehurst Lane].

Other matters

- the site is located in the floodplain and experiences existing surface water drainage problems as an undeveloped site;
- the proposal, being on undeveloped land, would result in the loss of wildlife habitats;
- the proposal would increase air pollution, to the detriment of biodiversity, and
- the site has been subject to multiple planning applications which has resulted in stress and confusion for local residents, along with the feeling that the developer is

attempting to manipulate the planning system. [Officer Comment: in the context of the recent planning application history the stress and confusion placed upon residents is understood. However, ultimately as a regulatory matter the applicant has fully complied with the Planning system. In any event the application must be considered on its planning merits].

- 6.3 The above matters (except for the matters not determined to be material planning considerations as addressed above) are considered in the report below.
- 6.4 Following correspondence with interested parties it is anticipated that further representations may be received, with their timing after the publication of this report. Any such representations will be reviewed in a Supplementary Report.

**7. SUMMARY OF CONSULTATION RESPONSES**

Highway Officer

Following the submission of various changes to the layout and access, no objection subject to conditions.

Landscape Officer

Concerns raised over initially submitted scheme in respect of the increase in the quantum of development and loss of landscaping. These concerns have been addressed, with consideration also to the fall-back position.

Conservation Officer

No objection in view of fall-back position.

Tree Officer

No objection.

Environmental Health Officer

No objection subject to conditions.

LLFA (Lead Local Flood Authority)

Following the receipt of additional and amended information, including layout changes, no objection subject to conditions.

Biodiversity Officer

No objection subject to conditions.

Archaeology Officer

No objection subject to conditions.

**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	SALP Policy CP1 CSDPD Policy CS1	Consistent (Paras. 7, 11, 12, & 117 - 119)

	CSDPD Policy CS2	Consistent (Para. 17 & 117 -119).
Principle of development (outside settlement)	CSDPD Policy CS9 BFBLP 'Saved' Policies EN8 & H5	Elements are acknowledged to not be fully consistent.  However appropriate weight can be applied to elements which remain consistent. (Para. 170a) & b))
Design & Character	CSDPD Policy CS7 BFBLP 'Saved' Policy EN20	Consistent (Chapter 12)
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Heritage	CSDPD Policies CS1 & CS7 Binfield Neighbourhood Plan Policy BF2	Consistent (paras. 189 to 197)
Residential Amenity	'Saved' Policies EN20 & EN25 of BFBLP	Consistent (paras. 127, 170 & 180)
Transport	CSDPD Policies C23 & CS24 BFBLP 'Saved' Policies M9 Binfield Neighbourhood Plan Policies TC1 & TC2	Consistent (Chapter 9)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175)
SPA	SEP 'Retained' Policy NRM6 CSDPD Policy CS14	Consistent (paras. 170, 171, 173, 175, 176, 177)

	BFBLP 'Saved' Policy EN3	
Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 118, 170, 178 & 180)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)
Archaeology	NPPF (para. 189)	N/A
Affordable Housing/Mix	CSDPD Policies CS16 & CS17	Consistent (paras. 61, 62, 64 of the NPPF).
Open Space Provision	CSDPD Policy CS8 'Saved' Policy R4 of the BFBLP	Consistent (paras. 92 & 97 of the NPPF)
Securing Necessary Infrastructure	CSDPD Policy CS6 Binfield Neighbourhood Plan Policy CO1	Consistent (para. 54 to 56, 92 and 94)
<b>Supplementary Planning Documents (SPD):</b>		
Character Area Assessments SPD (2010) Design SPD (2017) Parking Standards SPD (2016) Planning Obligations SPD (2015) Sustainable Resource Management SPD (2008) Thames Basin Heaths SPA SPD (2018)		
<b>Other publications:</b>		
National Planning Policy Framework (NPPF) (2019) National Planning Policy Guidance (NPPG) (2019) Bracknell Forest Borough Landscape Character Assessment (LUC) (2015)		

## 9. PLANNING CONSIDERATIONS

- 9.1 The key issues for consideration are:
- i. Principle of Development
  - ii. Impact on Character and Appearance of Surrounding Area
  - iii. Impact on Residential Amenity
  - iv. Transport and Highways Considerations
  - v. Waste & Recycling
  - vi. Drainage Implications

- vii. Biodiversity Implications
- viii. Sustainability Implications
- ix. Archaeological Implications
- x. Thames Basin Heaths Special Protection Area (SPA)
- xi. Securing Necessary Infrastructure

**i. Principle of Development**

a) Policy Context

- 9.2 The site is located on land outside of a defined settlement (but not within the Green Belt), as shown on the Bracknell Forest Borough Policies Map (2013). The land outside of settlement extends to the west, east and north of the site, however the site adjoins the defined settlement to the south (on the opposite side of Tilehurst Lane).
- 9.3 CSDPD Policy CS1 states that development will be permitted which makes efficient use of land, is located so as to reduce the need to travel, promotes a mix of uses, and protects and enhances the character and quality of local landscapes and the wider countryside. CSDPD Policy CS2 states that land will be allocated for development on a sequential basis, which includes previously developed land and development as extensions to defined settlements with good public transport links to the rest of the urban area.
- 9.4 The above policies are considered to be fully consistent with the NPPF.
- 9.5 BFBLP 'Saved' Policy EN8 states that the countryside will be protected for its own sake, and that outside the defined settlement boundaries development will only be permitted where it would not adversely affect the character, appearance or function of the land, or would not damage its landscape quality. 'Saved' Policy EN8 contains a (non-exhaustive) list of development types which may be permitted in the countryside, which does not include new housing development except where required in connection with agriculture and forestry
- 9.6 BFBLP 'Saved' Policy H5 states that outside the defined settlement boundaries the erection of new dwellings will not be permitted unless it would cause no harm to the character of the area, or to the relationship between the settlement and the surrounding landscape, and that there is a need for the dwelling in connection with an acceptable use listed in Policy EN8.
- 9.7 The above policies are considered to be partly consistent with the NPPF insofar as they seek to protect and enhance the character of the countryside setting. Notably, Para. 170(b) of the NPPF states that Planning policies should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Para. 170(a) also states that policies should seek to protect and enhance valued landscapes.
- 9.8 However, it must be acknowledged that elements of BFBLP 'Saved' Policies EN8 and H5 are not fully consistent with the NPPF, as the NPPF does not strictly prohibit the erection of new dwellings (or buildings in general) to the same extent as the aforementioned policies. Furthermore the wording of CSDPD Policy CS9 is not considered to be wholly consistent with the NPPF in view of its specific reference to 'protecting the countryside for its own sake'. The fundamental aims of these policies can however still be considered broadly consistent with paras. 170a) and 170b) of the NPPF, and as such can be given appropriate weight.

- 9.9 In view of the above, the key test of the NPPF in this regard is considered to be whether such buildings would result in an adverse impact on the intrinsic character of the countryside, and therefore the siting of new building/s does not automatically give rise to harm.
- 9.10 Para. 117 of the NPPF states that planning policies and decisions should promote an effective use of land, however this is in respect of meeting the need for homes.
- 9.11 CSDPD Policy CS16 states that development will be permitted where it contributes to meeting the housing needs of all sectors of the community through the provision on suitable development sites. This policy is considered to be consistent with the NPPF.

#### b) Housing Supply

- 9.12 The Council is currently able to demonstrate a five year housing land supply, with a figure of 6.04 years relating to the monitoring period 2018/19.
- 9.13 The approved development for 28 units on the site covered by this application forms part of this five year housing land supply.

#### c) Fall-Back Position

- 9.14 The site benefits from an outline planning permission for 28 dwellings (allowed under appeal reference APP/R0335/W/15/3139035, in January 2017).
- 9.15 It is noted that this appeal decision was granted at a time when the Council could not demonstrate a five year housing land supply. This meant that the presumption in favour of sustainable development (as laid out in what is now paragraph 11 of the 2019 NPPF) became a 'tilted' balance in favour of development. This tilted balance no longer applies to this proposed development in view of the Local Planning Authority now having a five year housing land supply, and because the policies which are the most important for determining the application are not out of date.
- 9.16 However, regardless of the above, the appeal decision forms an extant planning permission for residential development on this site.
- 9.17 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 reflected in para. 2 of the NPPF and SALP Policy CP1.
- 9.18 The extant planning permission for residential development on this site is therefore a material consideration that must be given appropriate weight, in spite of potential conflict with the Development Plan. This is because the developer (who is the same applicant as that for the appeal decision) can seek to commence the development for 28 units irrespective of the outcome of this application. This means that the principle of this site's development for housing has already been established.

#### d) Assessment & Conclusions

- 9.19 The application relates to the development of a greenfield site lying outside of the defined settlement. Section 11 of the NPPF states that planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses. However, Para. 118(c) states that substantial weight should be given to the value of using suitable land for housing where it is within settlement. This fact

combined with the fact that the Borough has a 6.04 year housing land supply means that Section 11 of the NPPF carries limited weight in favour of the proposal beyond the fall-back position.

- 9.20 Because the principle of residential development has been established, the test for the acceptability of the proposal becomes whether it would give rise to greater material harm than the already consented development. Account must be taken of any potential benefits and disadvantages of this proposal in making this assessment.
- 9.21 It is acknowledged that the consented development was an outline scheme, in comparison to this proposal being a full application for planning permission. This is factored into the assessment.
- 9.22 The proposal is considered to be sited within a reasonably sustainable location in terms of transport links and connection to local facilities. This fact was also acknowledged within previous decisions, and is expanded upon further in the Highway and Transportation section of the report below.
- 9.23 The proposal is therefore considered acceptable in principle, however its overall acceptability is subject to matters including impacts on the general character and appearance of surrounding area, the residential amenities of neighbouring properties, highway safety implications etc. These are assessed below.

## **ii. Impact on Character and Appearance of Surrounding Area**

### (a) The Surroundings and Landscape

- 9.24 The site comprises an L-shaped area of mainly open land, located on the north-eastern edge of Binfield. Its southern section, lying alongside Tilehurst Lane, is rough grazing land. The eastern section runs adjacent to Church Lane, with the exception of the dwelling of Toll House, with its domestic gardens and outbuildings. To the rear of these, within the application site, is an area laid out as an equestrian manege, and beyond this is a further grass paddock. The site frontages to both Tilehurst Lane and Church Lane are enclosed by substantial hedgerows and wooded tree belts. Around Toll House there is a larger area of woodland which stretches up to the site's northern boundary. To the north and west of the appeal site is the Ryslip Kennels site, with various agricultural-style barns and other buildings, a large area of hardstanding, and a dog training area. Beyond this, to the west is Binfield Park, a Grade II\* listed house, and its extensive parkland, and to the north is cultivated arable land. To the east of Church Lane is open pasture land and a (now vacated) garden centre
- 9.25 The existing site is considered to make a significant contribution to the character of the countryside by forming an undeveloped, planted area of land that is heavily treed (mainly deciduous to the front and side boundaries). While the site itself has some degree of attractiveness, of potentially greater importance are the glimpsed north-facing views to the wider countryside beyond. The Inspector in the appeal decision for 15/00452/OUT considered that as the site is largely flat and featureless, its landscape value is fairly neutral. However, the views through to this wider countryside are considered of significant importance. Previous appeal Inspectors have also identified that the pastoral landscape quality of the application site is partly undermined by established buildings forming the Ryslip Kennels and the Toll House. This does reduce the value of the intrinsic character and beauty of the site, but does not entirely remove it.

- 9.26 Tilehurst Lane is an unlit, relatively narrow road that does not have pedestrian footways. This, in combination with the relatively low density housing on the southern side, which is also softened by planting, gives the lane a transitional feel from urban to rural. The site therefore also distinctly and positively contributes to the transition from an urban to a rural character.
- 9.27 The site lies immediately north of the 'Binfield' Study Area identified within the Character Area Assessments SPD (2010). This SPD again identifies a strong contrast between the urban form of the southern part of Tilehurst Lane and the open landscape to the north. It also states that Tilehurst Lane itself is characterised by its retention of remnants of its former, more fully rural, character, and most particularly through its planting and the presence of the roadside ditch.
- 9.28 The SPD goes on to recommend that redevelopment of Tilehurst Lane should respect the rural character and setting of Binfield Park, and to retain the existing planted boundaries. It is considered that the proposal seeks to achieve both of these goals (see 'Impact on Heritage Assets' in the report below).
- 9.29 The SPD does however more broadly emphasise the importance of open landscape either side of Binfield (of which the application site forms part) being able to maintain the rural surroundings and distinctive character of Binfield.
- 9.30 It is therefore considered that any form of significant residential development, even when at least partially screened by the existing tree lines, would affect the street scene, and occupy the foreground to views to the wider countryside. The existing tree line would also be slightly diminished through the proposed footpath and main highway access points, and in terms of the loss of lower areas of planting below the main tree lines.
- 9.31 As a consequence the proposed development would detract to some degree from the rural setting of the site, and this would give rise to some harm, as acknowledged by previous appeal Inspectors. However, the key test is whether the level of harm caused by the proposed development would be demonstrably greater than the allowed appeal scheme, along with consideration to the intrinsic benefits of the proposal. Account needs to be taken, not just of the comparative quantum of residential units, but also matters of density, layout and landscape.
- 9.32 The proposed scheme does seek to maintain, as well as is possible, the site's semi-rural ambience by ensuring vegetation and tree cover along both Tilehurst Lane and Church Lane is largely retained, and allowing a significant degree of visual permeability through the site out toward the rising and open countryside beyond. These views were deemed by the Inspector in appeal decision 15/00452/OUT to have critical importance in allowing the approved development. The defined views to the north that formed part of the appeal scheme have therefore been retained in equal measure within this proposal.
- 9.33 While no access would be taken from Church Lane, it is recognised that there would be some impact on the character of this lane and houses would be visible beyond the tree line, particularly when trees are not in leaf.
- 9.34 An increase in the number of residential units will result in a generally greater intensity of use which could have a harmful impact on the rural setting. However, the level of the increased impact over the consented scheme is difficult to quantify given that the amount of built form would be similar to the previously approved scheme. The higher number of units would result in increased vehicular, cycle and pedestrian

movements. However, the increased intensity of use is not considered to result in a significantly greater impact on the intrinsic character and beauty of the countryside than the approved development. Any additional conflict with policies CSDPD CS9 and BFBLP 'Saved' Policy EN8 is therefore minimal, and the overall level of harm in the planning balance is therefore considered to be limited.

- 9.35 The southern and eastern boundaries of the site, both heavily treed, are subject to Tree Preservation Order (TPO) 1172. Almost all of these protected trees are to be retained, with the exception of the proposed access points from Tilehurst Lane. While some trees would be lost, the layout of the proposal would be provided in such a way as to enable views to the open countryside beyond, which acts as some degree of mitigation. The extent of tree loss is not considered to adversely impact the overall quality and influence of this planting pattern. Furthermore, the retained trees and hedges could be enhanced by additional planting, secured by condition.
- 9.36 The root protection areas of the remaining trees are not considered to be at risk due to their siting being a sufficient distance from the proposed buildings. The Tree Officer raises no objection.
- 9.37 The proposal is therefore not considered to have an adverse impact on the character of the area through its impacts on trees. It is recommended that conditions be imposed to ensure that the proposed construction works would not harm these trees, e.g. from material storage among other matters, through a suitable management scheme.
- 9.38 The level of proposed soft landscaping is considered appropriate for the built development, and includes both active (e.g. the play area) and passive (e.g. the ponds) areas. The landscaping areas would be maintained by a private management company, and the play area would make a small contribution towards the overall provision of OPSV (Open Space of Public Value) within the Borough.
- 9.39 It is acknowledged that while the provision of this landscaping does provide some mitigation to the proposed built form in what is a countryside location, it does not fully prevent the adverse impacts of developing and urbanising this location. However, the key test is again the comparative harm caused by the proposal in comparison to the extant permission, and from a landscaping perspective, there is not considered to be either a benefit or harm.
- 9.40 While some indicative information has been provided in the submission, it is recommended that a condition be imposed to secure full details of the proposed soft and hard landscaping schemes, along with a post-completion management schedule.

#### (b) Layout and Design

- 9.41 The applicant has submitted a Site Layout Plan which provides a comparison of the proposed building footprint with that of the allowed appeal development. This is shown below:



9.42 The plan demonstrates that, with the exception of the siting of the apartment building and one set of terraced units towards the northeastern corner of the site, the revised proposal largely occupies the same footprint as the approved scheme. In association with this, the applicant has provided the following figures:

	<b>Total Area</b>
Built footprint (15/00452/OUT – indicative site layout)	3,615.14 sqm
Proposed built footprint	3,385.49 sqm
Green open space (15/00452/OUT– indicative site layout)	1.285 ha
Proposed green open space	1.271 ha

The above figures are considered to be accurate.

9.43 It is noted that the indicative site layout approved under 15/00452/OUT was an outline layout. Nonetheless, as part of a permitted scheme it can be given significant weight in terms of being a realistically implementable development to which the proposed development can be compared.

9.44 The figures show that the proposed total footprint would be 229.3 square metres less than shown on the indicative site layout associated with the outline application allowed at appeal. This is achieved by replacing larger, detached dwellings with smaller, but more numerous, semi-detached and terraced dwellings, and apartments. While the proposed apartment building and the set of terraced dwellings as mentioned in para. 5.3 of the report would be sited on land that was not previously occupied by buildings, this is because in other sections of the site the total footprint has been reduced.

- 9.45 The proposal would result in a total of 25 buildings (excluding garages) taking semi-detached dwellings and terraces as single, free-standing buildings. This can be compared to the 23 buildings shown on the indicative layout under the extant consent (again excluding garages). As both the approved development and the proposed development involve only two storey buildings, it is considered that, in this instance the footprint calculation is also reasonably reflective of the total volume of built form that would result.
- 9.46 The density of the proposed development would be 15.8 dwellings per hectare. While this is higher than the approved development, such a density is still relatively low compared to urban areas and is considered appropriate for this location at the edge of the settlement.
- 9.47 The above footprint figures do not take into account the ancillary elements of built form such as the internal highway network and individual driveways. However, in reviewing this, the proposal would result in a minor decrease in the overall level of open green space, equating to 0.015 of a hectare (150 sq metres). This amounts to a reduction of some 1.17% of the open space that would be provided by the consented scheme. This very small percentage reduction in open space is considered to amount to minimal harm in the overall planning balance.
- 9.48 The more varied dwelling mix now proposed, and the greater amount of affordable housing provision, are both benefits of the proposal. They also support the objectives of CSDPD Policy CS16, which encourages a greater range of housing types, sizes and tenure. Some weight can therefore be afforded in this regard, particularly in view of the provision of a higher number of affordable dwellings. While the Local Planning Authority can now demonstrate a five year housing land supply, the provision of additional housing remains a benefit in itself as it supports the Government's objective to significantly boost the supply of housing as set out in chapter 5 of the NPPF.
- 9.49 The increased number of residential units proposed in this application over the approved scheme makes more effective use of land. This is supported by chapter 11 of the NPPF. As the principle of the site's development for residential use has already been established through the existing consent, moderate weight is given to this aspect.
- 9.50 The proposed development is clearly distinguishable from the refused 72 unit application (13/00746/OUT), through the differences in layout, density and the provision of much greater areas of open green space. It is considered that the proposal more closely relates to the approved development, for the reasons detailed above.
- 9.51 While a significantly greater number of dwellings is proposed, the proposed layout largely reflects that of the extant approved development, with built form focused on the western, eastern and northeastern sections of the site, with a defined soft landscaped area in the centre.
- 9.52 The design and layout seek to avoid an overly urbanised development, and this is supported by the retained views within the site (with views to the land beyond in the western and central parts of the proposal). The layout also provides some degree of containment from the existing residential area south of Tilehurst Lane. In terms of overall housing density the proposal is considered to be similar to the density of development on the southern side of Tilehurst Lane, albeit it is recognised that the south of Tilehurst Lane is in settlement. It is also recognised that despite these efforts to limit the visual impact of the proposal, it would still be prominent from Tilehurst

Lane and would detract to some extent from its established character, though no more so than what has already been approved.

9.53 The existing architectural pattern of dwellings in Tilehurst Lane is very varied, and as such does not give rise to a specific design character. The elevational design of the buildings (as amended) includes elements of attempting to respect the semi-rural character such as timber cladding and other features such as timber car ports. There would a strong emphasis on the use of gable features within the proposal, and this is considered in keeping with the wider residential area to the south. Overall, the design of the residential units seeks to provide some variation to achieve good overall design interest, but at the same time avoiding excessive variation in order to seek a strong sense of place. Where dwellings have more than one active frontage in the street scene, they have been appropriately designed to draw interest to all relevant elevations. A condition is recommended to secure details of the proposed materials of the built development.

9.54 The drawings below show two examples of the proposed design:



9.55 Many dwellings would have relatively short frontages, however in the context of the site as whole, including its overall soft landscaping features, this is considered reasonable for a modern development. Landscape verges would be provided to the front and sides of all dwellings fronting roads to soften the streetscene.

9.56 During the course of the application significant changes have been made to the proposed parking arrangements, in the interests of character and landscape. These now consist of a variety of forms, including a mix of driveways to the front and sides of dwellings, and the provision of a mix of attached, integral and detached garages, car ports and two parking courts. This variety is considered a positive outcome, as while parking areas inevitably give rise to a hardening of the landscape, this must be weighed against the benefit of providing an acceptable level of parking, in the interests of highway safety. It is considered that the outcome achieved provides a satisfactory balance in this regard.

- 9.57 It is acknowledged that the proposal would give rise to the requirement for internal street lighting which would detract from the rural character of the area. However this was recognised by the Inspector who approved the earlier application. Fundamentally as the proposed layout is similar to that of the approved development, it is not considered that the proposal would give rise to materially greater street lighting demands.
- 9.58 It is therefore considered that while there would be a loss of some of the semi-rural character of the area through the proposed design and layout, this character would not be lost entirely. This is consistent with the conclusion made by the Inspector in the most recent appeal and, compared to the permitted scheme, the proposal is not considered to give rise to materially greater harm in respect of its layout and design. In terms of general design and layout the proposal is considered acceptable.

#### (c) Impact on Heritage Assets

- 9.59 Para. 189 of the NPPF states that in determining applications, applicants are required to describe the significance of any heritage assets affected, including any contribution made by their setting. The information provided should be proportionate to the assets' importance.
- 9.60 Para. 192 states that in determining application, Local Planning Authorities should take into account the desirability of sustaining and enhancing heritage assets, the positive contribution that heritage assets can make to sustainable communities, and the desirability of any new development in making a positive contribution to local character and distinctiveness.
- 9.61 Para. 193 states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to its conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.
- 9.62 Para. 195 states that where a development would lead to substantial harm (or total loss of significance of) a designated heritage asset, then consent should be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.63 Furthermore, Para 197 states that the effects of development on the significance of non-designated heritage assets should be taken into account.
- 9.64 The above tests are also supported by the supplementary guidance provided in the NPPG.
- 9.65 Various features of Heritage interest lie within the vicinity of the application site. These include:
- The Stag & Hounds Public House to the southeast of the application site, with access from Church Lane/Tilehurst Lane;
  - The dwelling known as Tile House, Tilehurst Lane, to the immediate west;
  - The dwelling known as Honeysuckle Cottage, Tilehurst Lane, immediately west of Tile House;
  - The dwelling and substantial grounds of Binfield Park, further to the northwest of the site. This includes the separate building known as the Lodge to Binfield Park, and the entrance gates and piers at the southern entrance to the Binfield Park site.

The above are Grade II Listed, with the exception of the building of Binfield Park itself, which is Grade II\*.

- 9.66 The Conservation Officer has been consulted on the proposed development.
- 9.67 The proposal would largely retain the layout and arrangement of dwellings approved under the consented outline planning permission 15/00452/OUT. The proposal also includes the retention and enhancement (in certain places) of the Tilehurst Lane trees and hedgerows and the retention and enhancement of the Church Lane trees and hedgerows. A 6 metre wide landscape buffer zone would be retained along the south and west boundaries, adjacent to the boundaries of the closest Listed Buildings: the Stag and Hounds Public House and Tile House (with Honeysuckle Cottage beyond). In fact, the distance between Tile House and the nearest proposed dwellings would be marginally increased when compared to the extant permission (15/00452/OUT).
- 9.68 It is inevitable that the introduction of additional built form would result in some impact to the setting of Tile House in particular, even when taking into account the separation distance (36 metres building-to-building), however, the extent of harm is not considered to be substantial.
- 9.69 Due to the intervening buildings and distance to Binfield Park, this Grade II\* Listed Building and its setting are considered to be unharmed by the proposed development, as are Binfield Park's Grade II Listed South Lodge and the associated Grade II Listed Gate and Piers to the south entrance.
- 9.70 It is further noted that in both the application for 72 dwellings (13/00746/OUT) and 28 dwellings (15/00452/OUT), it was not considered by the Local Planning Authority or the Appeal Inspectors that these proposals would result in harm to the Heritage assets. The proposal is therefore considered acceptable in terms of impacts on the setting of these Heritage assets.

### **iii. Impact on Residential Amenity**

#### (a) Amenities of Occupants of Neighbouring Properties

- 9.71 It is considered that due to the siting and layout of the proposed development, along with the separation distances it would not result in an adverse impact on the amenities of the occupants of the nearest neighbouring properties in Tilehurst Lane in terms of factors such as loss of light or loss of privacy. Similarly, it is not considered that harm would arise to the occupants of Toll House, Church Lane. In terms of increased light, noise and air pollution that may be generated by the proposal, these would again not be considered to give rise to harm.
- 9.72 The required construction works would inevitably give rise to some disruption to neighbouring occupants, especially in terms of noise. However, these works would be temporary, and would not constitute a reason for refusal of the application, especially where conditions can be imposed relating to construction management and hours of activity.
- 9.73 The commercial property of Ryslip Kennels is sited to the north of the application site. Concerns have been raised by the management of this business in respect of an adjacent residential use undermining the continued operation of these Kennels, especially if prospective residents were to complain of noise disturbances. This is a

material planning consideration and therefore the matter is reviewed in sub-section (b) below.

#### (b) Amenities of Prospective Occupants of Development

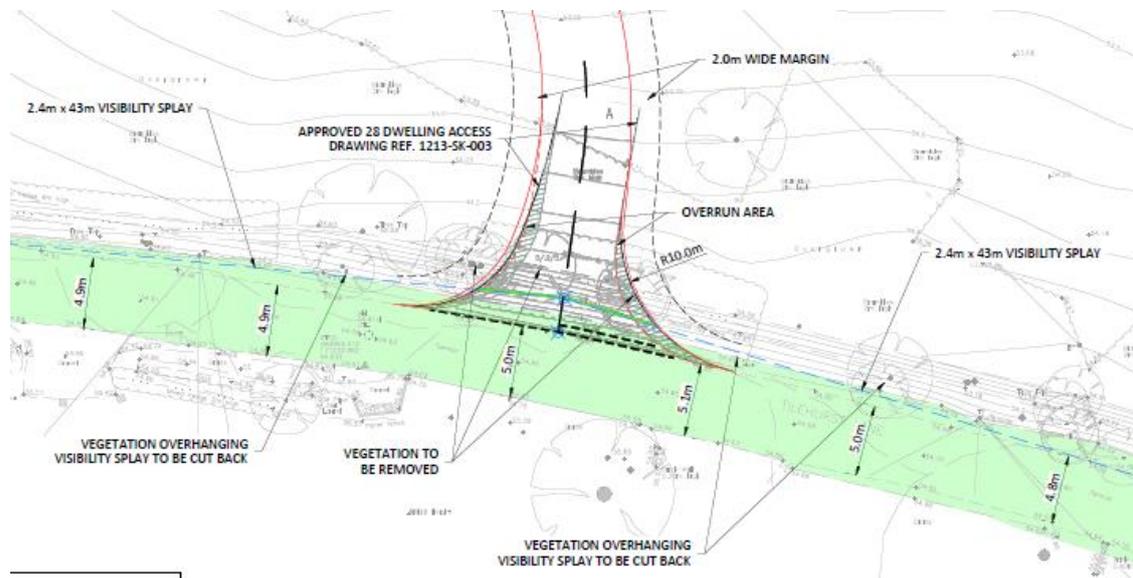
- 9.74 The proposed layout and design would provide acceptable separation distances and orientations of dwellings in order to avoid any potential adverse loss of light or loss of privacy impacts between prospective occupants. Side-facing windows, where necessary, would be obscure-glazed and non-opening and secured by planning condition, and these would only impact non-habitable rooms.
- 9.75 In terms of private amenity space each dwelling, with the exception of the apartment building, would contain a dedicated enclosed rear garden of reasonable size (for a modern development). The apartment building would directly adjoin the woodland copse on the northeastern corner of the development, and this copse is proposed to be used for the amenity of the apartment occupants, as well as public accessibility. These arrangements are considered reasonable.
- 9.76 The Ryslip Kennels commercial property lies immediately to the north of the application site. Due to the nature of this property, a degree of noise disturbance is generated by it. The applicant has undertaken a Noise Survey in respect of this matter, and the conclusions of this survey do not indicate that a significantly harmful level of noise is generated by this property. Nevertheless it is clear from public representations and from previous applications on this site that some form of mitigation would be required. The applicant proposes to achieve this through a combination of an acoustic wall as well as sound-proofing the relevant windows on plots 8, 9, 10 and 11. The siting of the acoustic wall, which would be to the rear of these plots, would not affect any of the views through the site. It is recommended that conditions be imposed to secure this.
- 9.77 The Environmental Health Officer has no objection to this approach, and it is also noted that this did not form a reason for refusal in the previous applications.
- 9.78 In summary it is therefore not considered that the proposal would give rise to adverse impacts on the amenities of neighbouring properties, or prospective occupants, subject to the recommended conditions.

#### **iv. Transport and Highways Considerations**

##### (a) Access

- 9.79 The site is located towards the eastern end of Tilehurst Lane. The road is subject to a 30mph speed limit. It is noted by local residents that vehicles do exceed this speed limit, despite the relatively narrow road width. The applicant has provided evidence within a speed survey of vehicles travelling within the speed limit in the vicinity of the proposed access. Furthermore, as the site entrance would be located towards the junction with Church Lane, vehicles are more likely to slow down as they approach or egress this junction. In view of the above the road speeds at the access point are expected to not exceed the speed limit.
- 9.80 Tilehurst Lane varies in width, with the width outside the site being between 4.8 to 5.1 metres. This width does cause some potential issues for larger vehicles in particular to easily pass, and this could well cause conflict with cars along this route. To mitigate against this, and to accommodate access for large vehicles, the width of the access point has been enlarged during the course of the application to enable

acceptable visibility splays and turning capacity, and this is shown on the figure below. The resulting access is now slightly wider than that previously approved. Vehicle tracking plans of large vehicles have been provided to demonstrate that this can be achieved. Visibility splays would be secured by condition.



- 9.81 The development proposes a pedestrian route connecting the western and eastern parts of the site to Tilehurst Lane, connecting its eastern end to the Stag & Hounds Public House. Tilehurst Lane currently does not have a pedestrian footway, and is unlit. Therefore while the route would be less direct than walking directly along Tilehurst Lane, it would still provide a net highway safety benefit. Furthermore, additional improvement works are proposed within the vicinity of the junction of Tilehurst Lane with York Road (to the west) and Church Lane (to the east), as part of the proposal, which would provide additional footpaths connecting to the development. These improvements also formed part of the allowed appeal decision 15/00452/OUT. These works are recommended to be secured by condition.
- 9.82 While the access is in the same location as that approved under the extant permission for a 28 dwelling development, an increased development to 58 dwellings would inevitably give rise to a significantly greater overall trip generation.
- 9.83 The applicant has provided a comprehensive Transport Statement to support the application. In reviewing this submission the Highway Officer concludes that the proposed access would be suitable to accommodate the vehicular movements anticipated. Impacts on traffic movements in the vicinity are reviewed in sub-section (c) below.

(b) Parking and Layout

- 9.84 As referred to at section 9.(ii)(b) of this report above, various changes have been made to the layout of the proposal in respect of parking during the application process.
- 9.85 The proposed on-site highway layout is considered acceptable, with a primary road crossing the centre of the site towards the vehicular access point, and connecting to various cul-de-sacs. The cul-de-sacs in turn would have adequate turning areas which would not conflict with on-plot parking. Footways would be provided throughout the site for pedestrians. Parking spaces, including the proposed parking

courts and visitor spaces, would also be reasonably overlooked to the benefit of site security.

- 9.86 The proposal would provide parking that would slightly exceed the numbers required by the Parking Standards SPD (2016), both to the residential units and in terms of visitor parking numbers. This slight over-provision has been provided to reflect the high car ownership that is typical of Binfield.
- 9.87 On certain plots, garages and car ports would form part of the parking provision; these would meet the Council's standards for internal size. Access and visibility to the parking spaces, as well as pedestrian access to individual dwellings, are all acceptable.
- 9.88 Concerns have been raised in neighbour representations that the proposed play area would not contain dedicated parking. The site as a whole however would contain above-standard visitor parking, with visitor spaces in close vicinity to this play area. Furthermore, in view of the size of the play area it is reasonable to expect that many off-site visitors would be local and arrive on foot.
- 9.89 It is therefore considered that the parking and road layout proposed for the development is acceptable, and delivers a net benefit in terms of pedestrian safety.
- 9.90 It is recommended that conditions be imposed to secure the parking and turning layouts (including garages and car ports), as well as to secure dedicated cycle parking. Most cycle parking could be provided in externally-accessible rear gardens, however the apartment building would require a cycle store. A condition is also recommended to secure details of on-site street lighting. The Council will also seek to secure the management and maintenance of the accesses and footpaths by the Management Company via the Section 106 Agreement, to allow access by the public.

#### (c) Traffic

- 9.91 The applicant has in their submitted transport information provided comprehensive details of expected trip numbers, and has factored in the separate residential planning applications to the west (17/01161/FUL, now refused) and the additional development for nine houses to the north (18/00765/FUL).
- 9.92 This has ensured that a robust assessment of the impact on local junctions has been considered. It is clear that the junction of Forest Road/Church Lane will experience capacity issues in the future and these developments do put an additional burden on this junction. In that regard it is expected that mitigation of this junction will be required in the longer term and it would be fair and reasonable to secure appropriate contributions from developments in the locality to this junction that would as a minimum cater for their impact.
- 9.93 However it should be noted that any such mitigation may actually improve the overall operation of the junction as well. This has been demonstrated in the mini roundabout assessments that have been undertaken; a scheme that was referred to in an earlier appeal on this site. A contribution of £10,000 towards an appropriate scheme at this junction is sought as this will aid in providing either a reasonable contribution to a medium term scheme for the area or for longer term proposals for the road network that may come about from wider development of the area. Such a contribution is considered be fair and reasonable compared to the likely costs of the works that will be required to the junction to deliver a junction with better capacity. It is also consistent with Policy TC2 of the Binfield Neighbourhood Plan.

- 9.94 Conditions are recommended to be imposed in relation to securing an appropriate construction management plan in respect of highway safety matters (times of delivery, etc.).

#### (d) Sustainability of Location

- 9.95 The site is located in reasonable proximity of the centre of Binfield and bus stops for the public transport in the area are close to the 400 metres advised walk distances. Walking routes in the area are lowly trafficked and a network of footways, which is to be enhanced by off-site works in conjunction with the proposal (see para. 9.80) will lead through the nearby housing providing traffic-free connections in some instances. These connections will link to established bus stops and the centre of Binfield. In addition the new school at Blue Mountain is in close proximity, and will also be linked via footpath routes.
- 9.96 It is noted that larger employment and shopping areas are further away and not within a comfortable walking distance but within cycling distances. New routes proposed for the secondary school will provide some improvements for cyclists heading towards the town centre. However further enhancements along the local roads near to the site would also improve access, and this is to be secured as per paras.9.80 and 9.92.
- 9.97 CIL payments to be secured (section xii) could be used in part for wider improvements on the network to mitigate cumulative impact, including as subsidy for supported bus services.
- 9.98 Considering the scale of the development and its location in relation to local facilities along with recent changes as well as improvements to be sought on and off site it is considered that this site is reasonably sustainable. This view was taken by the Inspector at the most recent appeal.

#### e) Conclusion

- 9.99 Subject to the imposition of appropriate conditions and the securing of appropriate contributions, the proposal would not be considered to result in an adverse impact on highway safety. It is acknowledged that Tilehurst Lane is a relatively narrow highway that does not lend itself well to handling a high volume of traffic. However, a significant portion of movements would be between the proposed access and the junction of Church Lane, which would be low speed, and improvements (including for pedestrians) would be sought at the junctions of Tilehurst Lane with York Road and Church Lane.
- 9.100 Para. 109 of the NPPF states:
- “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.*
- 9.101 The proposal is not considered to result in an unacceptable impact on highway safety, or a severe impact on the road network as a whole. Mitigation and benefit would be provided in the form of a pedestrian linkway, the proposed access would enable access for larger vehicles, and the site is in a sustainable location. Furthermore, the Highway Authority raises no objection.

**v. Waste and Recycling**

- 9.102 With the exception of the proposed apartment building, all of the proposed dwellings would have external access to their rear gardens to enable bin storage.
- 9.103 The Waste & Recycling Officer raises no objection to the proposal in respect of the layout arrangements, with turning heads provided for a large refuse vehicle to manoeuvre, and adequate site access.
- 9.104 It is recommended that conditions be imposed to secure bin storage, including the provision of dedicated storage for the apartment building.

**vi. Drainage Implications**

- 9.105 The site is not located in Flood Zones 2 or 3, however parts of the existing site are known to be vulnerable to poor drainage. Any built development would therefore have potential to exacerbate this issue without appropriate mitigation.
- 9.106 The applicant has therefore provided a Flood Risk Assessment, along with alterations made to the layout of the proposal as part of the application process – namely moving houses at high flood risk to more suitable locations.
- 9.107 The Lead Local Flooding Authority (LLFA) has reviewed the submitted information and advises that the applicant has set out how a SuDS (Sustainable Drainage Systems) scheme will be provided at the site using a series of ponds and tanked storage. Calculations have been provided setting out that the development will be restricted to runoff rates that will mitigate the impact of development both in terms of runoff rates and volumes of runoff. The application will involve enhancement of the existing ditch that runs through the site and the ditch, which forms a net benefit, and SuDS will be included in the maintenance responsibilities of the Private Maintenance Company that will be established at the site.
- 9.108 In comparison to approved development (15/00452/OUT) the siting of dwellings would be further away from known areas of drainage issues, and for this reason the proposal would result in net benefits to drainage in comparison.
- 9.109 It is recommended that conditions be imposed relating to the compliance with the submitted drainage information, including full details of the proposed drainage works and post-completion review and maintenance.
- 9.110 Therefore, subject to the imposition of conditions, the proposal would not be considered to result in adverse drainage implications, and may in fact achieve some benefits in comparison to the existing situation through providing formal drainage infrastructure.

**vii. Biodiversity Implications**

- 9.111 The Biodiversity Officer has been consulted on the proposal.
- 9.112 The submitted breeding bird survey has been carried out in the early part of the season and as noted, does not include data from the later part of the breeding season i.e. May to June. However, in combination with the findings of pre-existing survey data from the site, it is considered that the data provides sufficient information to consider the impacts of the development proposals on bird populations and the report's conclusions are therefore acceptable. The recommendations to protect and

enhance the retained woodland and hedgerows, and diversify the grassland and open water habitats and plant new trees and shrubs are appropriate to the findings. It is recommended that conditions be imposed requiring the submission of a Landscape and Ecological Management Plan (LEMP) and biodiversity enhancements.

- 9.113 The reptile survey has been carried out in accordance with good practice guidelines and the recommendations are appropriate to the findings of this survey and earlier survey work. The mitigation and enhancement measures set out in the report are to be secured by condition.
- 9.114 Furthermore, due to the identification of the presence of grass snakes on site, a mitigation and removal strategy is to be secured by Section 106 Legal Agreement. A commuted sum of £4,800 in respect of the costs of managing and maintaining the enhancement and monitoring works set out in the Off-site Reptile Enhancement Plan.
- 9.115 The eDNA (freshwater habitats) testing has been carried out in accordance with good practice guidance. The constraint of lack of access to two ponds is noted. The conclusion that great crested newts are unlikely to be found on site is appropriate to the survey findings and the proposed reasonable avoidance measures during construction are suitable and should be secured by condition if consent is granted.
- 9.116 The potential for development to have an adverse impact on bats through inappropriate lighting were noted in the Preliminary Ecological Appraisal along with the requirement to take precautions to check for badger activity during site clearance. Measures to prevent adverse impacts from lighting and to avoid impacts on badgers and other species during construction have been set out within the Appraisal and shall be secured by conditions requiring the submission of a lighting strategy for biodiversity and construction mitigation plan.
- 9.117 The ecological survey work has been carried out by appropriately qualified ecologists. It is therefore considered that the proposal would not give rise to an adverse impact on biodiversity, subject to the recommended conditions.

#### **viii. Sustainability Implications**

- 9.118 CSDPD Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.
- 9.119 The applicant has provided a 'Sustainability & Energy' Report which concludes that an average water use of 105 litres/person/day can be achieved, along with 10% of the energy requirements being met by air source heat pumps. The Renewable Energy Officer raises no objection. It is recommended that conditions be imposed to secure the implementation of the methods outlined in the report.

#### **ix. Archaeological Implications**

- 9.120 Berkshire Archaeology has been consulted on the proposed development.
- 9.121 The applicant, at the request of Berkshire Archaeology, has provided an archaeological desk-based assessment which considers the archaeological potential of the application area and the likely impacts of the proposal upon the buried archaeological heritage.

- 9.122 The assessment notes two Mesolithic (8,000 - 5,000 BC) flint scatters 600m south of the site and an Iron Age and Roman settlement at Park Farm (now Temple Park) 770m south-east of the site. Although the application area lies outside of the historic settlement of Binfield, spot finds of medieval pottery have been recorded around the application area. The assessment concludes that the site has a low to moderate potential for remains of medieval date and a low potential for remains of all other periods.
- 9.123 The assessment evidences that the site has been undeveloped agricultural land for at least the last 200 years. The report comments that the modern equestrian facilities within the site and past agricultural land use will have had some impact on below ground deposits.
- 9.124 The report concludes that the site has a low to moderate potential for remains and therefore the development proposal is considered unlikely to have either a significant or widespread archaeological impact. The report recommends that an appropriate programme of archaeological work can be secured by condition.
- 9.125 On the evidence of the distribution of these known settlements, in Berkshire Archaeology's view there is at least a moderate potential that the application site contains Iron Age and/or Roman remains, especially given its location on the fringes of The Cut, which seems to be a focus for prehistoric and Roman settlement and agriculture.
- 9.126 However, on balance, Berkshire Archaeology concurs with the report's conclusions that further archaeological investigation of the application area is merited but this can be secured by condition should the scheme be permitted. This is in accordance with Paragraph 199 of the NPPF which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.
- 9.127 A condition is recommended to be imposed to secure a scheme of archaeological field evaluation prior to commencement of works. Subject to this condition, Berkshire Archaeology raises no objection.

**x. Thames Basin Heaths Special Protection Area (SPA)**

- 9.128 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heaths Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. Furthermore, developments over 50 dwellings or more located between 5km and 7km of the SPA are also likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out including mitigation requirements.
- 9.129 This site is located approximately 5.52 km from the boundary of the SPA and, following advice from Natural England, therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

- 9.130 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.
- 9.131 In this instance, the development would result in a net increase of 53 dwellings which includes affordable and market dwellings. Because the site is located between 5km and 7km of the SPA the full SANG contribution is not sought because of the likely reduced impact upon the SPA. In agreement with Natural England the SANG contribution should be one quarter of the amount normally sought. Therefore the development results in a total SANG contribution of £66,994.50.
- 9.132 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Because the site is located between 5km and 7km of the SPA the full SANG contribution is not sought because of the likely reduced impact upon the SPA. In agreement with Natural England the SANG contribution should be 1/3rd of the amounts normally sought. This results in a total SAMM contribution of £11,240.33.
- 9.133 The total SPA related financial contribution for this proposal is £78,234.83. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG are completed.
- 9.134 Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

#### **xi. Securing Necessary Infrastructure**

- 9.135 The following matters would be secured by means of a Section 106 Legal Agreement (except for the Communications matter which can be adequately secured by planning condition):

##### Affordable Housing

The application seeks to provide 24.5% of the total number of dwellings as affordable housing (see para. 5.2). This meets the Local Planning Authority's policy requirement of 25%.

It is recognised that, while the Council has a five year supply of housing, as a separate matter to this there is a significant demand for the provision of additional affordable housing. There is therefore some benefit in providing additional housing within this proposal in comparison to the numbers in the current approved development. This factor can therefore be afforded some degree of weight.

### Community Facilities

Due to the added pressure on community facilities from additional residential use on site, the Council will seek through a planning obligation to secure £90,000 towards community facility improvements at Farley Hall Community Centre to increase capacity.

### Education

The Local Education Authority (LEA) has confirmed that there are currently no small projects in the area under which a contribution could be sought. The educational facilities at the former Blue Mountain site are subject to separate funding.

### Open Space and Biodiversity

The development would require 0.4ha of passive OSPV and 0.3ha of active OSPV to meet policy requirements. An on-site play area measuring approximately 0.04ha would contribute towards Active OSPV provision. The remainder of the provision will be secured in the form of a contribution of £60,000 (index linked) towards improvements by Binfield Parish Council to York Road Play Area which could serve the site.

A Reptile Mitigation Strategy is to be secured in respect of the presence of grass snakes (see para. 9.114)

### SPA

See section 9.(xi) of the report.

### Transport

See paras. 9.80 and 9.92 of the report.

### Communications

Policy CO1 of the Binfield Neighbourhood Plan requires all residential development within the area to be served by superfast broadband (fibre optic) connection. As a result a condition is recommended to be imposed to this effect.

## **10. CONCLUSIONS**

- 10.1 The proposed development would provide residential development on undeveloped land within the countryside. Therefore the proposal gives rise to some conflict with CSDPD Policies CS1, CS2, CS9 and BFBLP 'Saved' Policy EN8.
- 10.2 However, significant weight must be attached to the fact that the site has an extant planning permission for residential development (15/00452/OUT). This has already established the principle of residential development on this site. The key test is therefore whether the proposal would cause additional harm balanced against its additional benefits taking into account the approved scheme.
- 10.3 It is also acknowledged, that even with a 5 year supply of housing, there are social and economic benefits to the provision of additional housing. While it is considered that the local economy of Binfield and Bracknell Forest Borough is currently buoyant, a moderate degree of weight can be applied to this benefit.

- 10.4 It is considered that any greater harm caused by the proposal is limited, and that there are benefits arising from the proposal, most significantly in the form of the additional housing, and especially the affordable housing. It is not considered that the proposal would result in any materially greater harm to the intrinsic character and beauty of the countryside, in comparison with the extant permission. The proposal is therefore considered acceptable in these regards, in accordance with para. 2 of the NPPF and SALP Policy CP1.
- 10.5 It is not considered that the proposal would result in an adverse impact on the character and appearance of the area, on the residential amenity of the occupiers of the neighbouring properties, on highway safety, on protected trees, biodiversity, drainage or archaeology interests, subject to the recommended conditions. It is therefore considered that the development complies with 'Saved' policies EN1, EN20 and M9 of the BFBLP, Policies CS7, CS10, CS12, CS14 and CS23 of the CSDPD, Policies BF2, CO1, TC1 and TC2 of the Binfield Neighbourhood Plan, the Design SPD, the Parking Standards SPD, the Planning Obligations SPD, and the NPPF.

## 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 following measures:

- avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);
- provision of an acceptable standard of affordable housing;
- provision of, and contribution towards, areas of OSPV;
- contributions towards the provision and maintenance of community facilities;
- protection and translocation of grass snakes, and commuted sum payment;
- contribution towards off-site highway network improvements;
- securing an appropriate site drainage strategy, and
- management and maintenance of Accesses and Footpaths by Management Company;

that the Head of Planning be authorised to **APPROVE** the application subject to the following condition(s):-

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:

- Received on 27 July 2018:

ITB13632-GA-002 Rev.C 'Proposed Footway Connections'

ITB13632-GA-17 'Proposed Footway Alignment, Tilehurst Lane – Option 1B'

- Received on 24 January 2019:

2409 101 'Aff 3,4 & 5 Plans & Elevations'

2409 102 'Aff 6 to 13 Floor Plans'

2409 103 'Aff 6 to 13 Elevations'

2409 104 'Plots 1 & 2 Plans & Elevations'  
2409 105 'Plots 3 & 4 Plans & Elevations'  
2409 106 'Plot 5 Plans & Elevations'  
2409 108 'Plot 7 Plans & Elevations'  
2409 110 'Plots 9 & 10 Plans & Elevations'  
2409 114 'Plots 14 & 15 Plans & Elevations'  
2409 115 'Plots 16 & 17 Plans & Elevations'  
2409 116 'Plot 18 Plans & Elevations'  
2409 117 'Plots 19 & 20 Plans & Elevations'  
2409 118 'Plots 21 & 22 Plans & Elevations'  
2409 122 'Plot 29 Plans & Elevations'  
2409 123 'Plot 30 Plans & Elevations'  
2409 124 'Plot 31 Plans & Elevations'  
2409 125 'Plots 32 & 33 Plans & Elevations'  
2409 126 'Plots 34 & 35 Plans & Elevations'  
2409 127 'Plots 36 & 37 Plans & Elevations'  
2409 128 'Plots 38, 39 & 40 Plans & Elevations'  
2409 129 'Cycle And Bin Storage'  
2409 130 'Double Garage Details'

- Received on 13 February 2019:

ITB13632-GA-025 Rev.C 'Swept Path Analysis – Site Access – Refuse Vehicle  
Passing Estate Car'  
ITB13632-GA-027 Rev.C 'Comparison Of Revised Proposed Access Arrangement  
With Approved Access Arrangement'

- Received on 14 February 2019:

2409 100 Rev.A 'Aff 1 & 2 Plans & Elevations'  
2409 107 Rev.A 'Plot 6 Plans & Elevations'  
2409 109 Rev.A 'Plot 8 Plans & Elevations'  
2409 111 Rev.A 'Plot 11 Plans & Elevations'  
2409 119 Rev.A 'Plots 23 & 24 Plans & Elevations'  
2409 120 Rev.A 'Plots 25 & 26 Plans & Elevations'  
2409 121 Rev.A 'Plots 27 & 28 Plans & Elevations'

- Received on 21 March 2019:

2409 01 Rev.D 'Proposed Site Plan'  
2409 112 Rev.B 'Plot 12 Plans & Elevations'  
2409 113 Rev.A 'Plot 13 Plans & Elevations'  
2409 02 Rev.B 'Site Layout Plan – Approved Scheme Overlay'  
ITB13632-GA-029 Rev.A 'Swept Path Analysis - Estate Car'

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

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

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

[Relevant Policies: BFBLP 'Saved' Policy EN20; Core Strategy DPD CS7]

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

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

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

05. Notwithstanding the information shown on the approved plans, the development shall not be begun until a scheme depicting full details of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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

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

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

06. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. The approved details shall thereafter be implemented and retained as such.

REASON: In the interests of the visual amenity of the area

[Relevant Plans and Policies: CSDPD CS1, CS7]

07. The development hereby permitted shall not be begun until a site-specific method statement for the storage of materials and the associated construction works undertaken in respect of the development located within the minimum Root Protection Areas (RPAs) of the protected trees to the rear of the property, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) The mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.

- f) Parking/use of tracked or wheeled machinery or vehicles of any description.
- g) A site plan identifying all areas where such work is to be undertaken.
- h) The timing and phasing of the above works.

The approved Method Statement shall be observed, performed and complied with.

REASON: In order to safeguard tree roots and thereby safeguard trees in the interests of the visual amenity of the area.

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

08. 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 with or without modification), no windows at first floor level or above shall be installed on the side-facing elevations of the following dwellings hereby approved, with the exception of those shown on the approved plans:

- Both side-facing elevations: Plots 13, 18
- North-facing side elevations: Plots 3, 5, 7, 20, 33, 35
- South-facing side elevations: Plots 2, 4, 6, 21, 34, 36
- East-facing side elevations: Plots 8, 10, 12, 15, 17, 28
- West-facing side elevations: Plot 9, 14, 16, 29

REASON: In the interests of the residential amenity of the neighbouring properties within the development hereby approved.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

09. The following windows on the first floor side elevations of the dwellings hereby permitted, shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed with the exception of a top hung openable fanlight:

- Both side-facing elevations: Plots 13
- North-facing side elevations: Plots 3, 5, 7, 20, 33, 35
- South-facing side elevations: Plot 2, 4, 6, 21, 34, 36
- East-facing side elevations: - Plots 8, 10, 12, 15, 17, 28
- West-facing side elevations: Plot 9, 14, 16, 29

Any replacement windows shall be glazed and fixed to this standard, and retained as such.

REASON: In the interests of the residential amenity of the neighbouring properties within the development hereby approved.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

10. No development to Plots 8, 9, 10 or 11 shall take place until details have been submitted to, and approved by the Local Planning Authority in respect of acoustic boundary treatments on their northern boundaries. The approved acoustic boundary treatment shall be implemented prior to the occupation of these dwellings, and thereafter permanently retained.

REASON: In the interests of the residential amenity of prospective occupants.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

11. The dwellings hereby approved shall not be occupied until the windows have been installed in accordance with the sound insulation measures detailed within document 'WSP Noise Assessment' received by the Local Planning Authority on 27 July 2018 have been implemented in full. The windows shall thereafter be retained in accordance

with these measures, and any replacement windows shall also be installed to this specification.

REASON: In the interests of the residential amenity of prospective occupants.  
[Relevant Policy: BFBLP 'Saved' Policy EN20].

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

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

REASON: In the interests of the amenities of the area.  
[Relevant Policies: BFBLP 'Saved' Policies EN20, EN25].

13. No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the area.  
[Relevant Policies: BFBLP 'Saved' Policies EN20, EN25].

14. The remainder of the development hereby permitted shall not commence until the means of vehicular access to the site has been provided in accordance with the approved plans.

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

15. The dwellings hereby permitted shall not be occupied until visibility splays have been provided both to the access/egress to individual parking spaces and to the main site access in accordance with the approved plans. 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 carriageway.

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23; BFBLP 'Saved' Policy M9]

16. No dwelling shall be occupied until the primary west-to-east pedestrian footpath hereby approved, as identified in drawing 2409 01 Rev.D 'Proposed Site Plan', received by the Local Planning Authority on 21 March 2019, has been implemented in full.

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23, Binfield Neighbourhood Plan TC1]

17. The dwellings hereby permitted shall not be occupied until their corresponding vehicle parking spaces (including parking courts), along with associated turning and access, have been surfaced and marked out in accordance with approved drawing 2542\_PL01 2409 01 Rev.D 'Proposed Site Plan', received by the Local Planning

Authority on 21 March 2019. The spaces shall thereafter be kept available for parking, along with access and turning (where relevant) at all times.

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

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

18 The relevant dwellings hereby permitted shall not be occupied until their corresponding garages and car ports have been completed and made available for parking, in accordance approved drawing 2542\_PL01 2409 01 Rev.D 'Proposed Site Plan', received by the Local Planning Authority on 21 March 2019. The garages and car ports, and their access, shall thereafter be kept available for vehicular parking at all times.

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

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

19. The dwellings hereby permitted shall not be occupied until their associated cycle store and access has been implemented in accordance with details to be submitted in respect of all of the dwellings. The store and access shall thereafter be kept available for cycle parking at all times.

REASON: In order to ensure adequate bicycle facilities are provided, in the interests of highway safety.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23, Binfield Neighbourhood Plan TC1]

20. The dwellings hereby permitted shall not be occupied until their associated bin storage and access has been implemented in accordance with details to be submitted in respect of all of the dwellings. The store and access shall thereafter be kept available for refuse storage at all times.

REASON: In order to ensure adequate bin storage facilities are provided, in the interests of the character of the area and highway safety.

[Relevant Policies: CSDPD Policy CS7 and CS23, BFBLP 'Saved' Policy EN20]

21. 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 with or without modification), no fences, gates or walls shall be erected on the site, in accordance with the details hereby approved, or via information to be provided as part of Conditions 4 or 10 of this permission, or any other details that may approved in writing by the Local Planning Authority.

REASON: In the interests of the character of the area, and highway safety.

[Relevant Policies: Core Strategy DPD CS7, CS9, CS23; BFBLP 'Saved' Policies EN8, EN20]

22. No development shall commence 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, and
- (e) Temporary portacabins and welfare for site operatives.

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 highway safety.

[Relevant Policies: BFBLP 'Saved' Policy EN20, Core Strategy DPD CS23]

23. No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the amenity of neighbouring properties & prospective occupants, the character of the area, highway safety, and nature conservation.

[Relevant Policies: BFBLP EN20 and EN25; CSDPD CS1, CS7, CS23]

24. No dwelling on the site shall be occupied until the improved on- and off-site highway works have been provided, in accordance with approved drawings ITB13632-GA-002 Rev.C 'Proposed Footway Connections' and ITB13632-GA-17 'Proposed Footway Alignment, Tilehurst Lane – Option 1B', both received by the Local Planning Authority on 27 July 2018.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23; BFBLP 'Saved' Policy M9]

25. No development shall commence until full details of the Drainage System(s) in relation the approved drainage strategy (Clive Onions FRA and Drainage Strategy dated 11th February 2019 Version 2) have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- a) full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting and drawings as appropriate taking into account the groundwater table, and
- b) calculations demonstrating that the strategy accords with the approved rates for the 1 in 1, 1in 30 and 1in100 + allowance for climate change.

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

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

[Relevant Policies: CSDPD CS1, NPPF]

26.No development shall commence until a drainage strategy detailing any on- and off-site drainage works, along with proposed points of connection, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The development shall thereafter be carried out in accordance with the approved details.

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

[Relevant Policies: CSDPD CS1, NPPF]

27. No occupation of any dwelling shall take place until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, has been submitted and approved by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes, cover systems, etc. REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policies: CSDPD CS1, NPPF]

28. The development hereby permitted shall not commence until a great crested newt mitigation and enhancement strategy has been submitted to and approved in writing by the council. The strategy shall include details of the measures that will be taken to ensure that great crested newts are not harmed during works and details of the on-site habitat enhancements that will be provided. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

29. The development hereby permitted (including any site clearance and demolition) shall not commence until a wildlife protection plan for construction has been submitted to and approved in writing by the local planning authority. The plan shall include:

- i) an appropriate scale plan showing where construction activities are restricted and protective measures;
- ii) details of protective measures to avoid impacts during construction;
- iii) a timetable to show phasing of construction activities, and
- iv) persons responsible for compliance with legal consents, planning conditions, installation of protective measures, inspection and maintenance.

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1, CS7]

30. No dwelling shall be occupied until a landscape and ecological management plan (LEMP) has been submitted to, and approved by, the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organization responsible for implementation of the plan, and
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved scheme.

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

31. The development hereby permitted shall not commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan showing the location of these enhancements, has been submitted to and approved by the Local Planning Authority.

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

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

32. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.

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

33. 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 with or without modification), no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with the details provided in respect of Condition 23, or in details set out in a Lighting Design strategy for Biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

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

34. The development hereby permitted shall be implemented in accordance with the water usage measures detailed within document 'Bluesky Unlimited – Sustainability & Energy Statement', received by the Local Planning Authority on 27 July 2018, indicating usage of 104.99 litres per person per day. Such measures shall be retained thereafter.

REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policies: Core Strategy DPD CS12]

35. The development hereby permitted shall be implemented in accordance with the submitted renewable energy measures detailed within document 'Bluesky Unlimited – Sustainability & Energy Statement', received by the Local Planning Authority on 27 July 2018. Such measures shall be retained thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

36. No development shall commence, including any site preparation works, until a programme of archaeological field evaluation has been undertaken in accordance with a written scheme of investigation has been submitted and approved by the Local Planning Authority.

REASON: In the interests of historic archaeological features which may be present on site

[Relevant Policy: NPPF]

37. No development shall commence until the archaeology mitigation strategy informed by the evaluation undertaken in Condition 36 has been submitted and approved by the Local Planning Authority. The mitigation strategy shall be implemented in accordance with the approved details.

REASON: In the interests of historic archaeological features which may be present on site

[Relevant Policy: NPPF]

38. No dwelling shall be occupied until provision has been made for the installation of superfast broadband (fibre optic) internet connections.

REASON: in the interest of providing sustainable communications infrastructure.

[Relevant Policy: Binfield Neighbourhood Plan Policy CO1].

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

1. Commencement
2. Approved Plans
3. Materials
8. Side Windows
9. Obscure Glazing
13. Hours of Construction
14. Site Access
15. Visibility Splays
16. Primary Footpath
17. Vehicle Parking
18. Garages & Car Ports
21. Boundary Restrictions
24. On- & Off-Site Highway Works
32. Bird Nesting
33. External Lighting (Biodiversity)
34. Water Usage
35. Energy Demand
36. High Speed Broadband

Details will be required in respect of the following conditions before the commencement of above-ground works:

- 3. Materials
- 23. Site Lighting

Details will be required in respect of the following conditions before the commencement of development:

- 4. Finished Floor Levels
- 5. Hard & Soft Landscaping
- 6. Boundary Treatments
- 7. Tree Protection
- 10. Acoustic Screening
- 12. Site Construction (Amenity)
- 22. Site Construction (Highway Safety)
- 25. FRA Strategy
- 26. Sewage Connection
- 28. Great Crested Newt Strategy
- 29. Wildlife Protection Plan
- 31. Biodiversity Enhancements
- 36. Archaeology Preparation
- 37. Archaeology Mitigation

Details will be required in respect of the following conditions before the occupation of dwellings:

- 11. Acoustic Windows
- 19. Cycle Parking
- 20. Bin Storage
- 27. Flooding Verification Report
- 30. LEMP

03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

Should the applicant fail to complete the required S106 agreement by 28 June 2019 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), and the NPPF.

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, the resolution on affordable housing made by BFC Executive on 29 March 2011, and the NPPF.

3. 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), and the NPPF.

4. In the absence of a planning obligation to secure implementation of the reptile mitigation strategy and off-site enhancement plan and on-going maintenance of the associated works the proposal is contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document, and the NPPF.

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, the Flood Risk and Coastal Change PPG updated 15/04/2015, and the NPPF.