

**ITEM NO: 05**

Application No.  
**19/00497/FUL**  
Site Address:

Ward:  
Binfield With Warfield

Date Registered:  
6 June 2019

Target Decision Date:  
5 September 2019

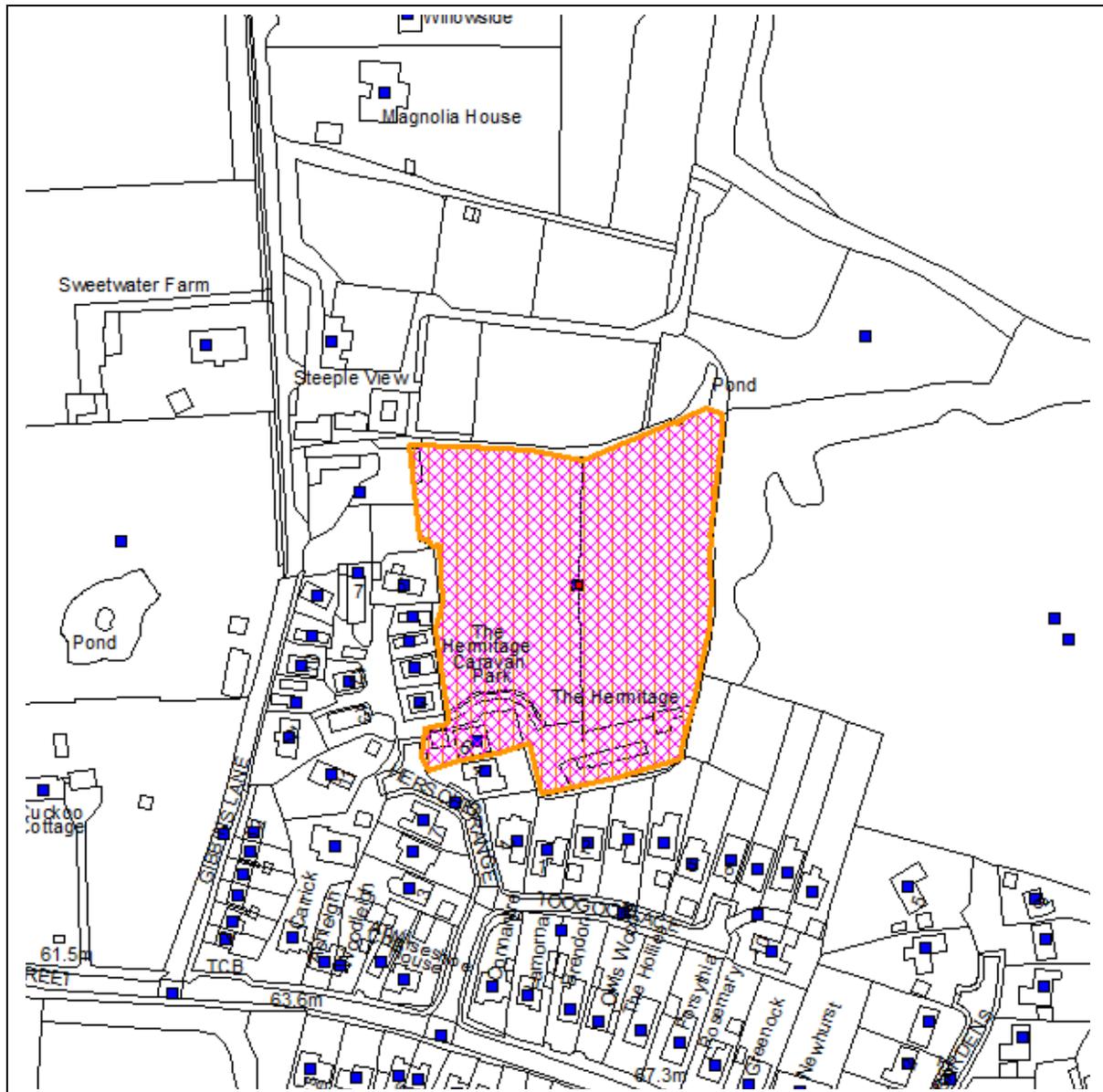
**Land North Of Herschel Grange Warfield Street  
Warfield Bracknell Berkshire**

Proposal: **Erection of 33 dwellings (including 10 affordable dwellings), with car parking, landscaping, open space and access from Herschel Grange, following demolition of 6 Herschel Grange.**

Applicant: Mr Peter Reed

Agent: (There is no agent for this application)

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 comprises the erection of 33 dwellings (32 net) on a site the majority of which comprises undeveloped land lying outside a defined settlement. The development would conflict with countryside policies in the development plan but the harm is considered to be minor. Accordingly, under the planning balance with appropriate weight given to countryside policies and a consideration of the benefits of the proposal, the application is recommended for approval.
- 1.2 The proposal would not adversely impact upon the character and appearance of the immediate area, nor would it adversely affect the residential amenities of the occupants of neighbouring residential dwellings. The proposal would also be acceptable in terms of highway safety and parking, subject to proposed conditions.
- 1.3 Relevant conditions will be imposed in relation to multiple matters, including surface water drainage and biodiversity. A legal agreement is required to secure contributions towards various required mitigation measures, and the scheme is CIL liable.

| <b>RECOMMENDATION</b>   |
|---|
| Delegate to the Head of Planning to grant planning permission following the completion of a Section 106 Agreement and subject to the conditions in Section 12 of this report. |

### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

- 2.1 The application is being considered by the Planning Committee following the receipt of 22no. objections.

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

| <b>PLANNING STATUS</b>                              |
|---|
| Majority of site is outside the settlement boundary |
| Sited within 5km of the Thames Basin Heaths SPA     |

- 3.1 The application site consists of 6 Herschel Grange, a two-storey detached house, and its curtilage together with a predominately undeveloped grass field to the north and east bounded by a combination of wooden fencing and planting, including tall hedging to the eastern boundary. Two dilapidated stable buildings are sited towards the southern boundary of the site. The site appears to have had historic equestrian use, its current use is as horse grazing and it was historically known as The Hermitage. Current access to the site is via a single gated track immediately north of 6 Herschel Grange.
- 3.2 The site is bordered by the housing development of Herschel Grange and Toogood Place to the south, the Hermitage Caravan Park to the west, and (currently) undeveloped land to the north and east.
- 3.3 The majority of the site is located outside a defined settlement, but adjoining the settlement boundary of Warfield (which links continuously to the Bracknell town urban area) to the south, as identified in the Bracknell Forest Borough Policies Map (2013).

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

- 4.1 The site history of the application site is as follows:

5491

Application for extension to existing caravan site  
Refused (1959)

612413

Erection of stable block, tack room and feed room and hay store.  
Approved (1987)

18/00650/FUL

Erection of 34 dwellings (including 8 affordable dwellings), with car parking, landscaping, open space and access from Herschel Grange, following the demolition of No.6 Herschel Grange.

Refused (2019)

The relationship between this proposal and the refused application 18/00650/FUL is considered in this report.

- 4.2 The land to the immediate east of the application site (land north of Newhurst Gardens) has planning permission for the following:

16/01004/OUT

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

Appeal Allowed (2018)

- 4.3 The existing housing development consisting of Herschel Grange and Toogood Place was permitted under multiple applications determined between 1995 and 2001. The existing caravan park to the west (The Hermitage) has been present since the early 1960s.

## **5. THE PROPOSAL**

- 5.1 The proposed development consists of the erection of 33no. dwellings (32no. net) on primarily undeveloped land to the north-east of the current housing at Herschel Grange, and north of the housing within Toogood Place. It would adjoin the existing mobile home site known as The Hermitage Caravan Park to the west. The proposal would involve the demolition of the existing dwelling of 6 Herschel Grange to enable vehicular access to the site (from Warfield Street via Herschel Grange).
- 5.2 The proposed dwelling mix would consist of 4no. one bedroom, 10no. two bedroom, 10no. three bedroom, 6no. four bedroom (5 net in view of the demolition of 6 Herschel Grange), and 3no. five bedroom units. Of these, 4no. one bedroom, 5no. two bedroom, and 1no. three bedroom units are proposed to be affordable housing units, which represents 31.3% of the net total.
- 5.3 The dwellings would be a mix of detached, semi-detached and terraced houses, and a 2.5 storey apartment building on the south-eastern corner of the site. The proposal includes an amenity area, pumping station, detention basin, and an indicative cycle and pedestrian connection to the approved Newhurst Gardens development. Various detached and attached car ports are also proposed.
- 5.4 During the course of the application amendments have been made to the site layout, including the relocation of the proposed apartment building, the provision of drainage

features, and provision for a future pedestrian/cycle access to the approved Newhurst Gardens development to the east.

## 6. REPRESENTATIONS RECEIVED

### Warfield Parish Council

- 6.1 Warfield Parish Council objects to the proposal on the following grounds:
- the site is located outside the defined settlement boundary;
  - the proposal would constitute overdevelopment of the site and be out of keeping with the area;
  - concerns are raised as to increasing traffic levels across the local area resulting from the proposal combined with the extant permission for housing north of Newhurst Gardens, and the impact this would have on highway safety;
  - the proposal would result in an urbanisation of a defined Character Area, and
  - the proposal would adversely impact local open space.

### Representations from Members of the Public

- 6.2 21no. other objections have been received. These are summarised as follows:
- the site is located outside the defined settlement boundary, and would not relate well to the existing settlement form or the wider rural setting;
  - the proposal is contrary to the Bracknell Forest Council Development Plan;
  - Bracknell Forest Council now has a Five Year Land Supply and so this cannot be used to justify the proposal, and there is no evidence that the proposal would meet the housing needs of the community;
  - the proposal would result in an adverse impact both on the countryside setting and on the existing character of development to the immediate south. It would result in a negative urbanisation of the area. Warfield Street is a designated Character Area and the proposal would have a negative impact on this;
  - the proposal constitutes overdevelopment of the site;
  - the proposal, in combination with the Newhurst Gardens development, and other development taking place further to the south of Warfield Street, would result in an unfavourable erosion of the countryside and a harmful net increase in traffic movement. Concerns have been raised with regards to existing levels of traffic;
  - the proposal would result in the loss of soft landscaping features including trees;
  - the benefits of providing needed additional housing does not outweigh the harm of the proposal;
  - the proposed apartment building is excessive in height and inappropriate in this location;
  - the location of the proposal is not sustainable in relation to access to local amenities, and occupants would be reliant on personal vehicles;
  - the proposal would result in an adverse impact on surrounding heritage assets (Listed Buildings);
  - the proposed access to the site from Herschel Grange is not acceptable and would result in an adverse impact on highway safety;
  - the proposal would result in unacceptable levels of pollution generation;
  - the proposal would result in additional on-street parking occurring within the existing highway of Herschel Grange;
  - the proposal does not include a Construction Management Plan;
  - the proposal does not make provision for sustainable energy features, e.g. solar panels;
  - the proposal would result in an adverse impact on the residential amenities of occupants living within Toogood Place, through the loss of existing planting screening and the resulting overlooking and loss of privacy, and
  - the proposal would result in adverse environmental impacts, and

- the objections made to previous refused application 18/00650/FUL for this site have not been overcome.

The above matters are considered below.

**7. SUMMARY OF CONSULTATION RESPONSES**

Highway Officer

No objection subject to conditions.

Biodiversity Officer

No objection based on additional information received, subject to conditions.

Tree Officer

No comment.

Landscape Officer

No objection to the principle of the site in landscape terms.

Lead Local Flood Authority (LLFA)

Following the receipt of amended & additional information, no objection subject to details which can be secured by planning condition.

Principal Conservation Advisor

No objection.

Environmental Health Officer

No objection subject to conditions.

Thames Water

Refer to Informative 04.

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

8.1 The key policies and guidance applying to the site and the associated policies are:

|                                    | Development Plan | NPPF   | Weight to be attributed, with reference to para. 213 of NPPF      |
|------------------------------------|------------------|--|---|
| Sustainable development principles | SALP Policy CP1  | Para. 11(d) refers to 'policies which <u>are most important for determining the application are out-of-date</u> '. CP1 wording differs to this. Furthermore, the PPG states that there is no need for a policy to directly replicate para. 11. | Limited (policy not used in planning application decision-making) |

|   |   |  |  |
|---|---|--|--|
|   | CSDPD Policy CS1                              | Consistent (Paras. 7, 8, 11, 12, & 117 - 119)  | Full   |
| Principle of development - outside settlement | CSDPD Policy CS2                              | Consistent (Para. 17 & 117 -119)   | Full   |
|   | CSDPD Policy CS9 and BFBLP 'Saved' Policy EN8 | Elements are acknowledged to not be fully consistent (para. 170 a) and b) however the thrust of these policies remains consistent (paras. 78-79, 103, 104a, 117 & 170) | Moderate   |
|   | BFBLP 'Saved' Policy H5                       | Generally Consistent (paras. 79, 103, 117, 170, 213)   | Limited, but relevant  |
| Housing Provision                             | CSDPD Policy CS15                             | Inconsistent – utilises now outdated evidence base as basis for policy requirements.   | None (policy not used in planning application decision-making) |
| Design & Character                            | CSDPD Policy CS7                              | Consistent (Chapter 12)  | Full   |
|   | BFBLP 'Saved' Policy EN20                     | “  | Full   |
| Trees & Landscape                             | CSDPD Policies CS1 & CS7                      | Consistent (paras. 127 & 170)  | Full   |
|   | BFBLP 'Saved' Policies EN1, EN2 & EN20        | “  | Full   |
| Residential Amenity                           | 'Saved' Policies EN20 & EN25 of BFBLP         | Consistent (paras. 127, 170 & 180)   | Full   |
| Transport                                     | CSDPD Policies C23 & CS24                     | Consistent (Chapter 9)   | Full   |
|   | BFBLP 'Saved' Policies M4, M6, M8 & M9        | “  | Full   |
| Drainage                                      | CS1 of CSDPD                                  | Consistent (paras. 163 & 165)  | Full   |
| Biodiversity                                  | CSDPD Policies CS1 &                          | Consistent (paras. 170   | Full   |

|  |   |   |          |
|--|---|---|----------|
|  | CS7<br><br>BFBLP 'Saved' Policies EN1, EN2 & EN20 | & 175)<br><br>“   | Full     |
| SPA  | SEP 'Retained' Policy NRM6                        | Consistent (paras. 170, 171, 173, 175, 176, 177)  | Full     |
|  | CSDPD Policy CS14                                 | “   | Full     |
|  | BFBLP 'Saved' Policy EN3                          | “   | Full     |
| Noise and Pollution (including Land Contamination)       | CSDPD Policy CS1                                  | Consistent (paras. 118, 170, 178 & 180)   | Full     |
|  | BFBLP 'Saved' Policy EN25                         | “   | Full     |
| Sustainability of build (Renewable Energy and Water Use) | CSDPD Policies CS10 & 12                          | Consistent (para. 149)  | Full     |
| Archaeology  | CSDPD Policy CS1                                  | Consistent (para. 189)  | Full     |
|  | 'Saved' Policy EN7                                | “   | “        |
| Heritage   | CSDPD Policies CS1 & CS7                          | Consistent (paras. 189 to 197)  | Full     |
| Affordable Housing/Mix                                   | CSDPD Policies CS16 & CS17                        | Consistent (paras. 61, 62, 64 of the NPPF).   | Full     |
|  | 'Saved' Policy H8 of BFBLP                        | Definition of 'affordable housing' provided in Para. 5.59 of Policy is not consistent with the NPPF. However main thrust of policy is consistent with paras. 61, 62 and 64 of the NPPF. | Moderate |
| Open Space Provision                                     | CSDPD Policy CS8                                  | Consistent (paras. 92 & 97 of the NPPF)   | Full     |
|  | 'Saved' Policy R4 of the BFBLP                    | “   | Full     |
| Securing Necessary Infrastructure                        | CSDPD Policy CS6                                  | Consistent (para. 54 to 56, 92 and 94)  | Full     |

|   |  |
|---|--|
| <b>Supplementary Planning Documents (SPD):</b>  |  |
| Character Area Assessments SPD (2010)<br>Design SPD (2017)<br>Parking Standards SPD (2016)<br>Planning Obligations SPD (2015)<br>Streetscene SPD (2011)<br>Sustainable Resource Management SPD (2008)<br>Thames Basin Heaths SPA SPD (2018) |  |
| <b>Other publications:</b>  |  |
| National Planning Policy Framework (NPPF) (2019)<br>National Planning Policy Guidance (NPPG) (2019)<br>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
- iii. Impact on Heritage Assets
- iv. Impact on Residential Amenity
- v. Transport and Highways Considerations
- vi. Drainage Implications
- vii. Biodiversity Implications
- viii. Sustainability Implications
- ix. Contaminated Land Implications
- x. Archaeological Implications
- xi. Thames Basin Heaths Special Protection Area (SPA)
- xii. Securing Necessary Infrastructure

An overall planning balance is then undertaken.

### i. Principle of Development

#### Housing Land Supply

9.2 The Council is able to demonstrate a 6.09 years' supply of housing (as of July 2019), relating to the monitoring period 2018/19. The Inspector at the recent appeal APP/R0335/W/18/3217574 (Scotlands House, Forest Road, Warfield, LPA ref: 18/00650/FUL) agreed that the Council could demonstrate a 5 year supply of housing land.

#### Relevant Development Plan Policies

The majority of the site is located outside a defined settlement in the countryside. The following policies in the development plan are relevant to development in such areas.

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. The above policies are considered to be fully consistent with the NPPF.

- 9.4 CSDPD Policy CS9 states that land outside settlements will be protected for its own sake, particularly from development that would adversely affect the character, appearance or function of the land.
- 9.5 BFBLP 'Saved' Policy EN8 again 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.
- 9.7 It is acknowledged that CS9 and EN8 are not wholly consistent with the NPPF, as they seek to protect the countryside for 'its own sake', which is not reflected in the NPPF. Instead, para. 170(b) of the NPPF states that planning policies and decisions should contribute towards and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. However, with reference to para. 213 of the NPPF, the general thrust and purpose of these policies remain broadly consistent with the NPPF as their overarching aim involves an appreciation of the intrinsic value and beauty of the countryside, and as such they can be afforded moderate weight.
- 9.8 BFBLP 'Saved' Policy H5 is considered to have limited weight as it restricts the erection of new dwellings in countryside, which the NPPF does not state. However, it can be given some weight in view of its overarching aim which involves an appreciation of the intrinsic value and beauty of the countryside. This accords with para. 213 of the NPPF.
- 9.9 Policies CS2, CS9, EN8 and H5 are considered to be the most important policies to the determination of this application. For the reasons above, they are not considered to be out-of-date.
- 9.10 The application site is designated in the Draft Bracknell Forest Local Plan to be allocated as a housing development for 33no. dwellings (site designation 'War9'). The evidence base for the Local Plan indicates that the site is suitable for development when compared to the alternative sites available. However, as this is a Draft Policy document, only minimal weight can be attributed to it at present.
- 9.11 At present, the policies of the Warfield Neighbourhood Plan can be afforded little weight, although this weight will increase as the plan progresses towards adoption. Within this context it is noted that proposed Policy WNP1: A Spatial Strategy for the Parish indicates that development proposals beyond the identified boundaries of Newell Green, Warfield Street and Hayley Green will only be supported if they are 'appropriate forms of development and they are consistent with development plan policies relating to the historic environment, heritage assets, landscape character, protecting the natural environment and where they will not compromise the delivery of the green infrastructure network'.

#### Conclusion on Principle of Development

- 9.12 The proposal for building houses and flats on a primarily green field site would conflict with the Council's countryside policies. Giving those appropriate weight, as described above, the proposal is not considered acceptable in principle. This means that the application should be

refused unless material considerations indicate otherwise. The remainder of the report therefore considers these and concludes matters in the planning balance.

## ii. Impact on Character and Appearance

### Impact on the Character and Setting of the Countryside

- 9.13 The site is located within the C1: Binfield Warfield Clay Farmland Landscape Area, as defined in the LUC Bracknell Forest Borough Landscape Character Assessment (2015). This document details that the southern part of the study area (which includes the application site) provides an important green space function between the urban edge of Bracknell to the south and the more fully rural area to the north. It further states that the study area as a whole, and towards which the site contributes, is characterised by gently undulating farmed fields with a lack of woodland cover overall, providing an open feel.
- 9.14 The two stable buildings within the south of the application site are previously developed land (PDL) because, whilst they are somewhat dilapidated, they are still of reasonably substantial construction, and contribute to the overall equestrian use of the site. In addition the existing dwelling of 6 Herschel Grange represents both PDL and land in defined settlement. The proposed development would, however, have a substantially greater footprint, floor area and volume than these buildings.
- 9.15 The site is bordered by a defined settlement to the south. The Hermitage Caravan Park to the west does not lie within this defined settlement but its use as a caravan park needs to be taken into account in assessing the setting of the development proposed on the application site.
- 9.16 The land to the east (land north of Newhurst Gardens) also lies outside the defined settlement but has an extant outline planning permission for the erection of up to 50 dwellings. This development would be physically and visually separated from the application site by a tall, dense strip of planting located on the shared boundary. The proposed housing (based on the outline scheme) would have a separation distance of c.40 metres to the closest dwelling within this proposal.
- 9.17 Land lying outside the settlement at Gibbins Lane to the north-west comprises Steeple View: a number of buildings including a dwellinghouse, stables and various outbuildings and paddock land, and Fairacres: a dwellinghouse and a relatively large equestrian use, including a significant number of stables and other outbuildings, and a large amount of hardstanding.
- 9.18 As described above, the application site is a predominately undeveloped greenfield site, largely under grass. It contains some valued landscape features (as listed in the LUC Bracknell Forest Borough Landscape Character Assessment) in the form of hedgerows, with some scattered mature trees. However, the site is relatively flat and is visually enclosed by development to the south and west, and by mature hedging to the east with additional development approved to the east.
- 9.19 While the site opens up to the north, there are limited public vantage points from this direction. From the west the site is again largely screened, except for a visual gap when viewed from Gibbins Lane immediately north of The Hermitage caravan park. This restricts its visual value and contribution to the wider countryside.
- 9.20 The Landscape Officer has been consulted on the proposal, and considers that the principle of the development on the site is acceptable in landscape terms. This is because the site is

judged to have low to medium landscape sensitivity due to its relationship with the existing settlement, and the limited visibility of the site from public vantage points.

- 9.21 While any form of built development on a greenfield site has the potential to detract from the intrinsic value and beauty of the countryside, the extent of the contribution and influence of the site to the wider value and beauty of the countryside is an important factor. For the above reasons the proposal would result in some harm to the countryside, but in this instance the harm is considered to be no more than minor.
- 9.22 The proposal would conflict with elements of CSDPD Policy CS9, and BFBLP 'Saved' Policies EN8 and H5, however in view of the weight to be attributed to these policies, the overall harm arising is considered to be no more than minor.

#### Impact on Character and Appearance of Warfield Street



\*The specific housing layout shown on the above plan has been amended.

- 9.23 The site lies north of the 'Warfield Street' (area B1) study area of the Character Area Assessments SPD (2010), which begins on the southern side of Toogood Place. In view of the close vicinity, it is reasonable to consider the proposal against the analysis and recommendations of this SPD.
- 9.24 The existing residential area to the south and along Warfield Street consists mainly of one and two storey dwellings. The character of the cul-de-sac, and particularly of Herschel Grange and Toogood Place, is suburban, the Character Assessment SPD notes that the wider context is of a semi-rural character.
- 9.25 The proposed development, particularly when considered with the extant outline planning permission to the east, represents a significant increase in the built footprint of the settlement along Warfield Street, within a semi-rural setting. However, it would form an extension to the existing 1990s suburban cul-de-sac developments of Herschel Grange and Toogood Place, which themselves largely fall outside the study area, and do not follow the linear frontage development form of the original Forest Road (including Warfield Street) settlements. The site would continue this suburban pattern and harmonise with the existing built form forming a sympathetic continuation of the settlement. Furthermore it would meet

the Character Area Assessment recommendation of being designed in the form of cul-de-sacs, minimising the impact on the street scene of Warfield Street.

### Layout and Design



### *Example street scene:*



- 9.26 The proposed layout and density of the development reflects a suburban form of development. This is also reflected in the standardised footprint of the proposed plots. The Character Area Assessment SPD allows for some flexibility in proposed architectural styles and the development therefore reasonably reflects this, although the site lies beyond this Character Area.
- 9.27 The applicant has stated that the design philosophy for the site is to seek to achieve its own architectural style. There is some degree of variety in building designs and external materials. Overall it is considered that the development seeks to provide a modern design style, particularly in making use of large amounts of glazing, while making use of traditional brick colours and timber cladding. It is considered that this gives rise to a development of good design quality with its own sense of place, which would sit comfortably with the 1990s residential development to the immediate south.
- 9.28 The proposed dwellings would be predominantly two storey in height, although various plots, mainly those on the eastern side, would also contain loft space accommodation. The

proposal includes a 2.5 storey apartment building which, following amendments, has been relocated to the south-eastern corner of the site.

- 9.29 A mix of driveways and parking courts are proposed, as well as attached and detached car ports. It is considered that, in combination with the proposed soft landscaped frontages, the parking mix enables some design variety and prevents an over-abundance of hardsurfacing.
- 9.30 It is also proposed to provide a cycle and pedestrian linkage to the approved housing development to the north of Newhurst Gardens. This would be of benefit to future residents potentially reducing car trips.
- 9.31 It is recommended that conditions be imposed to secure details of the external materials to be used on the development, as well as proposed boundary treatments, in the interests of the character of the area.

#### Landscaping & Trees

- 9.32 No trees within the site or on its immediate boundary are subject to Tree Preservation Orders (TPOs). The Tree Officer has no comment to make in view of this.
- 9.33 A significant degree of planting is present to the southern and eastern borders of the site and, while this has a somewhat unmaintained appearance, it nonetheless contributes to the landscape character. The site itself is mainly open pasture, and limited planting is present to the western and northern boundaries. The planting that is present on these boundaries is of high quality and includes trees of significant visual quality.
- 9.34 It is proposed to retain the majority of the existing trees that are present on the northern and southern boundaries, and the applicant has demonstrated that this can be achieved in respect of the proposed layout. This would accord with the recommendations of the Character Area Assessments SPD which states that new developments should retain and reinforce tree and hedgerow planting.
- 9.35 It is recommended that a condition be imposed to secure details of a proposed planting scheme, including the retention of relevant existing vegetation, in the interests of the character of the area.

#### Conclusions on Impact on the Character of the Area

- 9.36 The proposal would be a clearly suburban form of development by virtue of its density, scale and design. As a result the proposal would change the semi-rural character of the existing site. It would, however, accord with the character of Herschel Grange/Toogood Place to the immediate south. Both of these elements are given weight in the planning balance (section 10).

#### **iii. Impact on Heritage Assets**

- 9.37 The following Grade II Listed buildings lie within the general vicinity of the application site:
- Warfield Hall, Forest Road – located 0.7 km to the west of the application site;
  - Horseshoe House, Warfield Street – located at the junction of Warfield Street with Herschel Grange;
  - Pear Tree Cottage, Warfield Street – to the east of the application site, and
  - Newell Hall, Warfield Street – to the west of the application site. This listing includes the stable block and yard, walls and gate piers to Newell Hall.

- 9.38 The Principal Conservation Advisor has been consulted on the proposal.
- 9.39 The proposal would not be easily visible from the wider vantage points available from the entrance of Herschel Grange or from Warfield Street. There is not considered therefore to be any inter-visibility with the above-mentioned buildings.
- 9.40 The proposed design consists of a two storey mix of detached, semi-detached and terraced houses. Some of the larger houses would incorporate rooms in the roof space, with an apartment containing 5 apartments of two-storeys with an apartment in the roof space.
- 9.41 The houses and apartments would be predominantly brick clad with two brick colours with a feature brick. A number of gables will also include horizontal timber weatherboarding with roofs finished in dark grey roof tiles and windows and door frames in dark grey. The houses and apartments would include gable features, French doors, tall windows, bay windows and Juliette balconies.
- 9.42 In view of the lack of inter-visibility with designated heritage assets and the lack of any functional relationship, there is not considered to be harm to the significance of the closest Listed Buildings in terms of impacts on their settings or significance. The proposal is not considered to result in an adverse impact on the settings of the nearest heritage assets, and therefore accords with CSDPD Policies CS1, CS7, and the NPPF.

#### **iv. Impact on Residential Amenity**

##### Impact on occupants of neighbouring properties

- 9.43 It is considered that due to the siting and layout proposed, along with the relevant separation distances, the development would not result in an adverse impact on the amenities of the nearest neighbouring properties in Herschel Grange, Toogood Place, The Hermitage Caravan Park, or to any homes built under the extant outline permission at land north of Newhurst Gardens. This includes consideration of loss of light, loss of privacy and any overbearing impacts.
- 9.44 There would be a separation distance of 11.5 metres from the dwelling of Plot 33 to the rear boundary of 1 Toogood Place, and a 24 metre total back-to-back distance. There would be a 11.5 metre separation distance from the western side elevation of the dwelling of Plot 33 to the rear elevation of 4 Herschel Grange. While there would be limited separation from the dwelling to the rear boundary, it is not considered that such a separation distance gives rise to any adverse loss of light impacts, including to the rear garden of no.4.
- 9.45 The proposed apartment building would have a separation distance of approximately 5 metres to the southern boundary of the site, and a total separation distance of approximately 20 metres to the rear elevation of 3 Toogood Place to the south. This total separation distance, combined with the addition of built form only on the northern side, is not considered to give rise to an adverse loss of light impact or be overbearing.
- 9.46 The above-mentioned dwellings would contain side-facing windows directed towards properties in Herschel Grange and Toogood Place. However, these windows would serve bathrooms, and in the case of Plot 33, a landing on the second floor as well. Conditions are recommended to be imposed to restrict the formation of further windows on these elevations, and to restrict the windows shown to be obscure-glazed with limited opening, in the interests of preventing any adverse loss of privacy impacts. The apartment building would contain north-facing side windows however these would have acceptable separation distance to the front-facing windows of plot 26.

- 9.47 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 adverse harm, especially in the overall planning balance.
- 9.48 It is noted that the Design SPD provides guidance on back-to-back distances for dwellinghouses, stating that the distance between buildings at the rear should be 22 metres. This is not achieved between the dwellings on the west side of the proposal and the mobile homes of the caravan park. It is considered that the distances proposed, being between 14 and 17 metres, are acceptable given that the boundary treatments would screen views to the closest windows of the mobile homes, which are all at ground floor level. Furthermore, the windows in question would also be screened by the proposed addition of boundary fencing. As the windows are sited close to the boundary of the site these would provide effective screening.
- 9.49 Much of this existing vegetation lies within The Hermitage, and is therefore beyond the control of the application site. Additional soft landscaping to provide further screening and close existing gaps can be secured via the proposed landscaping condition, along with boundary fencing also being secured by condition. As a consequence there would be no unfiltered views created by the proposal.
- 9.50 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. The Environmental Health Officer recommends the imposition of conditions relating to the provision of details of a working method statement to control the impacts of demolition and construction works on the amenities of the area, as well as a restriction on the hours of works.

#### Impacts on prospective residents of development

- 9.51 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 at first floor level or above which face onto neighbouring dwellings are recommended to be obscure-glazed and non-opening and secured by condition. These affected side windows would be to non-habitable rooms, mainly bathrooms.
- 9.52 Each dwelling, including the apartment building, would have private amenity space provided both by enclosed rear gardens of reasonable size, and in some cases, reasonably-sized front gardens as well to dwellings.

#### Conclusion on impact to residential amenity

- 9.53 It is not considered that the proposal would give rise to adverse impacts on the amenities of neighbouring properties, or prospective occupants, subject to conditions, in accordance with BFBLP 'Saved' Policies EN20 and EN25, the Design SPD, and the NPPF.

### **v. Transport and Highways considerations**

- 9.54 The Highway Officer has been consulted on the proposal.

#### Access & Layout

- 9.55 Herschel Grange is a cul-de-sac which provides access to 8 dwellings, 12 mobile homes and 11 dwellings along Toogood Place.

- 9.56 The Herschel Grange carriageway is 5.5 metres wide and provided with two 1.8 metre footways for the initial 50 metres to the junction with Toogood Place, where it becomes a 5.5 metre wide shared street with 1.8-metre-wide verges to the entrance to the mobile park. It is proposed that this length of shared street will remain and a new 5.5-metre-wide estate road with footways will commence at the end of the existing cul-de-sac. An additional 1.8 metre footpath would be provided at the proposed access to connect to the existing footpaths.
- 9.57 To enter the site, the extension of Herschel Grange will go through a 180 degree bend, and while this will curtail vehicle speeds, adequate forward visibility should be provided. Forward visibility splays of 17 metres for vehicle speeds of 15 mph have been provided, and these splays are in accordance with Manual for Streets guidance. The road has been designed to a maximum speed of 20 miles per hour, however it is accepted the design of the bend will ensure vehicle speeds will likely be below this limit. Within the site, adequate forward visibility splays have been shown on all bends. It is recommended that the proposed visibility splays be secured by planning condition.
- 9.58 Swept path analysis has been provided for the full length of Herschel Grange and the new internal roads. While a refuse vehicle will cross over the centre line of the road on the two bends this is not uncommon on quiet estate cul-de-sacs and given the requisite forward visibility splays are provided, this will not be detrimental to road safety. Refuse collection is a weekly operation and therefore the likelihood of two large vehicles being on the road at the same time is very low.
- 9.59 Off-street bin storage would be provided by external access to the rear gardens of individual dwellings. A bin store has been provided for the apartment building. It is recommended that conditions be imposed to secure the bin storage for the dwellings and apartments.
- 9.60 A pedestrian and cycle route connecting this development to the land north of Newhurst Gardens development (16/01004/OUT) is proposed towards the northeastern corner of the site.

#### Parking

- 9.61 The proposal consists of 4 x one bed units, 10 x two bed units, 10 x three bed units, 6 x four bed units and 3 x five bed units. According to the parking SPD this requires 71 spaces with another 7 visitors spaces making a total of 78 spaces. 78 spaces are shown and therefore the parking is policy compliant.
- 9.62 Parking is proposed in a mixture of car ports and driveways, and the sizes of these meet requirements.
- 9.63 Cycle storage is proposed in cycle stores within the gardens of the houses and each dwelling is provided with a gate accessing either the driveway or street. The apartment building is provided with a dedicated cycle store.
- 9.64 In the interests of highway safety, it is recommended that conditions be imposed to secure and retain the proposed parking (including the car ports and cycle store).

#### Traffic & Sustainability of Location

- 9.65 It is acknowledged by the applicant that the site is only served by a bus with a two-hour frequency and that most local services are over 1km away. However, in the appeal decision on the site to the east at Newhurst Gardens (16/01004/OUT), the Inspector considered the implications of the sustainability of the area. They concluded that the site is sustainably

located, and while every site is to be considered on its own merits, the material and geographic implication for this site are similar.

- 9.66 It is also acknowledged that as the strategic Warfield development on the southern side of Forest Road/Warfield Street (SA9) continues to progress, the sustainability of this proposal will improve, particularly in respect of accessibility, and the provision of education and community facilities.
- 9.67 The Council will seek contributions towards improvements to footpaths along Forest Road, improvements towards public transport in the form of bus stop improvements, and capacity improvements along the Forest Road/Bracknell Road/Jigs Lane junction (Five Ways crossing). This is considered reasonable in view of the additional traffic that would be generated by the proposal.
- 9.68 The Council will also seek formal adoption of roads and footpaths within the site, including the proposed access to the Newhurst Gardens development, but excluding the areas of shared surface. This will also be secured via Section 106 Agreement.

#### Conclusion on Highway Safety

- 9.69 It is considered that the development would not result in an adverse impact on highway safety, in accordance with Policy CS23 of the CSDPD, 'Saved' Policy M9 of the BFBLP, the Parking Standards SPD (2016), and the NPPF, subject to the recommended conditions and Section 106 obligation requirements.

#### **vi. Drainage Implications**

- 9.70 Whilst the site is not located in Flood Zones 2 or 3, the proposal is a major-scale development on what is predominately undeveloped land. Furthermore, Environment Agency data indicates that sections of the site are at particular risk of surface water flooding.
- 9.71 Following initial comments from the Lead Local Flooding Authority regarding the sustainability of the proposed drainage scheme, an alternative strategy has been submitted. This strategy also addresses the drainage reason for refusal in previous application 18/00650/FUL.
- 9.73 The design involves re-laying a culvert over 90 metres of private land, along with the provision of a foul water pumping station and a detention basin. The surface water generated on the site would now flow with gravity instead of being required to be pumped. Furthermore, the detention basin would provide the opportunity to store and filter water, serving also to reduce pollution.
- 9.74 The applicant will need to enter into a Section 106 Agreement to secure management of the proposed drainage solution, and this agreement will also need to secure the off-site arrangements. In addition, various conditions are recommended to be imposed to secure further details and retention of the proposed drainage strategy.
- 9.75 Subject to the above, the proposal would not result in an adverse impact on surface water drainage, in accordance with Policy CS1 of the CSDPD, and the NPPF.

#### **vii. Biodiversity Implications**

- 9.76 The Biodiversity Officer advises that in order to demonstrate that the development would protect and enhance biodiversity, the following matters are required:
- mitigation for impacts on bats;

- mitigation for impacts on great crested newts;
- mitigation for stag beetles;
- tree removal details, and
- design of retained green infrastructure

9.77 Following the receipt of additional information, the above matters have been sufficiently addressed. The reason for refusal in the previous application 18/00650/FUL has also been addressed through this information.

9.78 Various conditions are recommended to be imposed in the interests of biodiversity, these include compliance with the submitted information, details regarding wildlife protection during construction works, biodiversity enhancements and boundary treatments, and also restrictions on external lighting (due to the presence of bats).

9.79 It is therefore not considered that the proposed development would result in an adverse impact on biodiversity, in accordance with CSDPD Policies CS1 and CS7, and the NPPF, subject to the recommended conditions.

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

9.80 In respect of the proposed additional dwellings, 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.

9.81 No details of the above have been submitted for consideration, and therefore it is recommended that these be secured by way of planning condition.

#### **ix. Contaminated Land Implications**

9.82 It is not clear from available information whether the site may be contaminated. As a major-scale housing development is proposed, a precautionary approach is therefore recommended.

9.83 The Environmental Health Officer therefore recommends the imposition of conditions to undertake exploratory investigative works, and if contaminated land is found, further appropriate measures to remediate this.

#### **x. Archaeological Implications**

9.84 The Applicant has provided a desk-based archaeological assessment. Berkshire Archaeology has been consulted and advise that it is in broad agreement with the assessment and its conclusions. The assessment of the site's archaeological potential is fair and it acknowledges that current knowledge may under-represent the reality. It should be noted that the proposal covers a reasonable area (1.2ha) of largely undeveloped agricultural land.

9.85 Berkshire Archaeology therefore agrees that an initial programme of exploratory archaeological investigation would be appropriate and the results of this exercise would inform the need for and scope of any strategy to mitigate the impacts of development. This may include further archaeological investigation prior to, or during, construction.

9.86 This programme of work is recommended to be secured by condition. Subject to this, the proposal would not be considered to result in an adverse impact on archaeological interests on the site, in accordance with the NPPF.

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

9.87 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out including mitigation requirements.

9.88 This site is located approximately 4.9 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.89 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 Supplementary Planning Document (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.

9.90 In this instance, the development would result in a net increase of 4 x one bedroom, 10 x two bedroom, 10 x three bedroom, 6 x four bedroom and 3 x five bedroom dwellings replacing the existing five bedroom dwelling which results in a total SANG contribution of £164,587.

9.91 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. Taking account of the per bedroom contributions this results in a total SAMM contribution of £20,912.

9.92 The total SPA related financial contribution for this proposal is £185,499. 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 is completed. 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. The Applicant has agreed to enter into a S106 agreement to secure these contributions.

**xii. Securing Necessary Infrastructure**

9.93 The following matters would be secured by means of a Section 106 Legal Agreement :

Affordable Housing

- 9.94 The application seeks to provide 31.3% of the total number of dwellings as affordable housing (see para. 5.2). This exceeds the Local Planning Authority's policy requirement of 25%.

#### Community Facilities

- 9.95 Due to the added pressure on community facilities from additional residential use on site, the Council will seek through a planning obligation to secure funds towards community facility improvements.

#### Education

- 9.96 The Local Education Authority (LEA) will seek, through a planning obligation, a contribution towards the Woodhurst primary school.

#### Open Space of Public Value OSPV)

- 9.97 As the proposed development only provides a limited amount of OSPV the Council will seek a financial contribution towards the provision of, or an increase in capacity of off-site active and passive open space. This would be in the form of a contribution of c. £2600 per dwelling (index linked) towards Active and Passive Open Space Improvements to Warfield Memorial Ground or other suitable alternative site capable of serving the development.

#### Transport

- 9.98 See paragraph 9.79 of the report.

#### SuDS

- 9.99 As highlighted in para. 9.83 of the report, planning obligations will be required to ensure approval of the SuDS specification and a long term Management and Maintenance Plan prior to commencing development on site. A planning obligation will also be required to secure a SuDS monitoring contribution to monitor SuDS for their lifespan.

#### SPA

- 9.100 See section 9.(xi) of the report.

#### Community Infrastructure Levy (CIL)

- 9.101 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.
- 9.102 CIL applies to any new build that involves the creation of additional dwellings. The site falls within the 'Northern Parishes' charging area, for which the charge is £269.08 per square metre for 15+ dwellings (2019 figures).

### **10. THE PLANNING BALANCE**

- 10.1 Para. 11(c) of the NPPF states that development shall be approved which accords with an up-to-date development plan (applying an 'orthodox' planning balance). However, para. 11(d) states that where the policies which are most important for determining the application are out of date, including where the Council cannot demonstrate a five years' supply of

housing land, development should only be refused where any adverse impacts would significantly and demonstrably outweigh the benefits. This is known as a 'tilted' planning balance.

- 10.2 The Council's countryside policies are not considered to be out-of-date because the Council can demonstrate a five years' supply of housing land, and for the reasons explained in paras. 9.3 to 9.9 of the report,. The 'tilted' balance set out in para. 11 of the NPPF is therefore not triggered. The proposal would conflict with CSDPD Policy CS9, and BFBLP 'Saved' Policies EN8 and H5, however the weight to be attributed to these policies is reduced as they are not fully consistent with the NPPF.
- 10.3 The proposal is considered to result in some harm to the intrinsic value and beauty of the countryside (para. 170b) of the NPPF), as well as to the semi-rural character of the site. However, for the reasons explained in the report, this harm is considered to be minor in the context of the overall modest landscape value of the site combined with the fact that the proposal would relate well to the existing settlement and the site's limited inter-visibility with the wider landscape to the north. Furthermore, matters concerning surface water drainage and biodiversity, which formed reasons for refusal in the previous application (18/00650/FUL), have now been overcome.
- 10.4 While the Local Planning Authority is able to demonstrate a five years' supply of housing, Inspectors in recent appeal decisions have given significant weight to the benefit of additional housing in general. This includes both economic and social benefits, in terms of job creation and contributions towards the local economy and reflects the government's policy in the NPPF to significantly boost the supply of housing.
- 10.5 The proposal would offer 31% of the dwellings as affordable housing. Whilst below the 35% which would be sought under the emerging Local Plan, this is above the Council's current policy requirement of 25%. This is considered to be a significant benefit.

## **11. CONCLUSION**

- 11.1 While the proposal would result in some harm to the intrinsic value and beauty of the countryside, and to the semi-rural character of the site, this harm is minor, and the weight to be applied to the Council's countryside policies is reduced. The proposal offers benefits in the form of an above policy-compliant level of affordable housing , and the provision of housing generally. The development would not result in material harm to the amenities of the residents of neighbouring properties, highway safety, biodiversity or drainage, subject to the recommended conditions. A legal agreement will secure various contributions towards infrastructure and mitigation, and the scheme is CIL liable.
- 11.2 The application is therefore recommended for conditional approval, subject to the completion of a Section 106 Agreement and the issue of a CIL liability notice.

## **12. RECOMMENDATION**

- 12.1 **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 the agreed standard of affordable housing;
  - provision of, and contribution towards, areas of OSPV;

- contributions towards the provision and maintenance of community facilities;
  - contribution towards the provision of educational facilities;
  - contribution towards off-site highway network improvements;
- securing the adoption of the highways within the site by the Council (excluding areas of shared surfacing), and
- securing an appropriate site drainage strategy.

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

- Received on 6 June 2019:

17-J2176-115 Rev.A 'Individual Cycle Store Plans And Elevations'

- Received on 30 September 2019:

WYG A108468 Rev.C 'Flood Risk & Drainage Assessment'

- Received on 4 October 2019:

17-J2176-13 Rev.A 'Car Barn Allocation / Plans And Elevations'

17-J2176-101 Rev.A 'PLOTS 1, 2 and 3 Floor Plans & Elevations'

17-J2176-102 Rev.A 'PLOT 4, 5, 9 & 10 Floor Plans & Elevations'

17-J2176-103 'PLOTS 6, 7 and 8 Floor Plans & Elevations'

17-J2176-105 Rev.A 'PLOTS 11, 12, 24, 25 Floor Plans & Elevations'

17-J2176-106 Rev.A 'PLOTS 13, 14, 15, 16 Floor Plans & Elevations'

17-J2176-107 Rev.A 'PLOT 17 Floor Plans & Elevations'

17-J2176-110 Rev.A 'PLOT 19 & 20 Floor Plans & Elevations'

17-J2176-112 Rev.A 'PLOT 23 Floor Plans & Elevations'

17-J2176-113 Rev.A 'PLOT 26 Floor Plans & Elevations'

17-J2176-102 Rev.A 'PLOT 33 Floor Plans & Elevations'

- Received on 18 October 2019:

17-J2176-02 Rev.H 'Proposed Site Plan'

- Received on 27 November 2019:

17-J2176-104 Rev.B 'Apartments Plans & Elevations'

17-J2176-108 Rev.B 'PLOT 18 Floor Plans & Elevations'

17-J2176-109 Rev.B 'PLOT 27 Floor Plans & Elevations'

17-J2176-111 Rev.A 'PLOTS 21 & 22 Floor Plans & Elevations'

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. No above-ground construction works shall take place 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, residential amenity, and surface water drainage

[Relevant Policies: BFBLP 'Saved' Policy EN20, Core Strategy DPD CS1, CS7]

05. No part of the development shall be occupied until details of a scheme of walls, fences, gates and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full for each building approved in this permission before its occupation.

REASON: In the interests of the visual amenity of the area, and biodiversity

[Relevant Plans and Policies: CSDPD CS1, CS7; BFBLP 'Saved' Policy EN20]

06. 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]

07. 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 stated elevations of the following dwellings hereby approved, with the exception of those shown on the approved plans:

- Both side-facing elevations: Plots 26, 28-32
- North-facing side elevations: Plots 5
- South-facing side elevations: Plots 6, 18
- East-facing side elevations: Plots 2, 10, 12, 19, 21, 23, 25
- West-facing side elevations: Plots 1, 11, 13, 20, 22, 24, 27, 33
- Rear-facing elevation: Plot 3

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

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

08. The following windows on the first floor stated 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 26, 28-32
- North-facing side elevations: Plots 5
- South-facing side elevations: Plots 6, 18
- East-facing side elevations: Plots 2, 10, 12, 19, 21, 23, 25
- West-facing side elevations: Plots 1, 11, 13\*, 20, 22, 24, 27, 33
- Rear-facing elevation: Plot 3

\*Excluding the second floor roof windows.

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].

09. 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].

10. 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].

11. No further development (beyond the creation of the site access) hereby permitted shall commence until the means of vehicular and pedestrian 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]

12. No dwelling on plots 13 to 18 (inclusive) shall be occupied until a footpath/cycleway link has been provided to the site boundary as shown on the approved site plan ('Possible future access point for footpath-cycleway to Newhurst Gardens') in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The link shall be retained and maintained in accordance with the approved details until such time that the land is required to provide access to the adjacent land.

REASON: To ensure that the land is made available to provide a link to the neighbouring site in the case of future redevelopment of that land in the interests of ease of movement for cyclists and pedestrians.

[Relevant Policies: BFBLP M6, CSDPD CS23]

13. The relevant 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]

14. The relevant dwelling hereby permitted shall not be occupied until that part of the access road which provides access to and egress from it, including the provision of turning heads within the development, has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. The relevant 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 17-J2176-02 Rev.H 'Proposed Site Plan', received by the Local Planning Authority on 18 October 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]

16. The relevant dwellings hereby permitted shall not be occupied until their corresponding car ports have been completed and made available for parking, in accordance approved drawing 17-J2176-13 Rev.A 'Car Barn Allocation / Plans And Elevations', received by the Local Planning Authority on 4 October 2019. The 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]

17. 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 enlargements, improvements or alterations shall be made to the car ports, and no gate or door shall be erected to the front of the car ports.

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

[Relevant Policy: BFBLP M9]

18. The relevant dwelling hereby permitted shall not be occupied until their associated cycle store and access has been implemented in accordance with the approved details. 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]

19. The relevant dwelling hereby permitted shall not be occupied until their associated bin storage and access has been implemented in accordance with the approved details. 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]

20. 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]

21. 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]

22. All ecological measures and works shall be carried out in accordance with the details contained in the following documents received by the Local Planning Authority:

- Applied Ecology Ltd 'Ecology Version 4.0 Report August 2019' received on 22 August 2019
- Merewood 'Landscaping proposals and Green Mitigation Plan' received on 22 August 2019
- 'Merewood 'Arboricultural Implications Assessment and Method Statement' received on 2 September 2019

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1, CS7]

23. 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]

24. 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]

25. 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]

26. 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 21, 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]

27. Prior to the occupation of any dwelling, the areas shown for green corridor and bat roost purposes as shown on approved drawing 17-J2176-02 Rev.H 'Proposed Site Plan', received by the Local Planning Authority on 18 October 2019, shall be provided, retained and thereafter not be used for any other purpose.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

28. An ecological site inspection report shall be submitted to the Local Planning Authority within three months of the first occupation of the first dwelling hereby approved. Any recommendations contained within this report and agreed in writing by the Local Planning Authority shall be performed, observed and complied with.

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

29. No development shall take place until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources. [Relevant Policy: Core Strategy DPD CS10]

30. No development shall take place until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.  
[Relevant Plans and Policies: CSDPD Policy CS12]

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Policies: BFBLP EN25]

32. Following approval of the Phase I, if a Phase II report (Site investigation) is required it shall be submitted to, and approved in writing, prior to the commencement of development. It shall be completed by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The method and extent of this site investigation shall then proceed in strict accordance with the measures approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Policies: BFBLP EN25]

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

REASON: In the interests of historic archaeological features which may be present on site  
[Relevant Policy: NPPF]

34. No development shall commence until any required archaeology mitigation strategy informed by the evaluation undertaken in Condition 32 has been submitted to 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]

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

- Detailed design of the pond to flood storage in accordance with document WYG A108468 Rev.C 'Flood Risk & Drainage Assessment', received on 30 September 2019;
- Details of vehicular access to all components of the drainage scheme for maintenance;
- Full details of all components of the proposed drainage system including exceedance areas, tanks, pipes, locations, gradients, invert and cover levels, headwall details, planting if necessary and drawings as appropriate taking into account the groundwater table;
- Supporting calculations demonstrating that the allowable discharge rates set out in the approved FRA are achieved together with confirmation of the gully spacing calculations to demonstrate they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.

The approved details shall be implemented and thereafter retained.

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

[Relevant Policy: CSDPD CS1]

36. No development shall take place 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.

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

[Relevant Policy: CSDPD CS1]

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

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

[Relevant Policy: CSDPD CS1]

38. The dwellings hereby approved shall be not occupied until the sustainable urban drainage (SuDS) scheme for this site has been completed in accordance with the approved details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. This shall include written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the local planning authority.

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

[Relevant Policy: CSDPD CS1]

39. The dwellings hereby approved shall not be occupied until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, has been submitted to and approved by the Local Planning Authority. This shall include photographs of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes, cover systems, and any similar features/works required.

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

[Relevant Policy: CSDPD CS1]

### Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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
7. Window Restrictions
8. Obscure-Glazing
10. Hours of Construction
11. Site Access
12. Newhurst Gardens Access
13. Visibility Splays
14. Dwelling Access
15. Vehicle Parking
16. Car Port Retention
17. Car Port Alterations
18. Cycle Parking
19. Bin Storage
22. Ecological Measures
25. Bird Nesting
26. External Lighting (biodiversity)
27. Green Corridor & Bat Roosts
32. Contaminated Land Phase II

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

3. Materials
4. Finished Floor Levels
21. Site Lighting

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

5. Boundary Treatments
6. Hard & Soft Landscaping
9. Construction Management (Working Method Statement)
20. Construction Management (Highways)
23. Construction Management (Wildlife Protection Plan)
24. Biodiversity Enhancements
29. Water Usage
30. Energy Demand

31. Contaminated Land Phase I
33. Archaeological Preparation
34. Archaeological Mitigation
35. Drainage Systems
36. Drainage Works & Connections
37. Drainage Maintenance & Management

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

38. SuDS scheme
39. Drainage Verification Report

Details will be required in respect of the following condition within three months of the first occupation of any dwelling:-

28. Ecological Site Inspection

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.

04. Thames Water has provided the following comments:

#### WASTE COMMENTS

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

#### WATER COMMENTS

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444-448200

Should the applicant fail to complete the required S106 agreement by 16 March 2020 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 'Saved' 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 Policy R4 of the Bracknell Forest Borough Local Plan, Policies CS6 and CS8 of the Core Strategy Development Plan Document, the Planning Obligations SPD, and the NPPF.
4. 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 Policies CS1 and CS6 of the Core Strategy Development Plan Document, 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.