

Unrestricted Report

ITEM NO: 06

Application No.
19/00327/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
8 April 2019

Target Decision Date:
8 July 2019

Land At South West Of Abbey Place Abbey Place Warfield Bracknell Berkshire

Proposal: **Erection of 9 dwellings with associated access, parking and landscaping.**

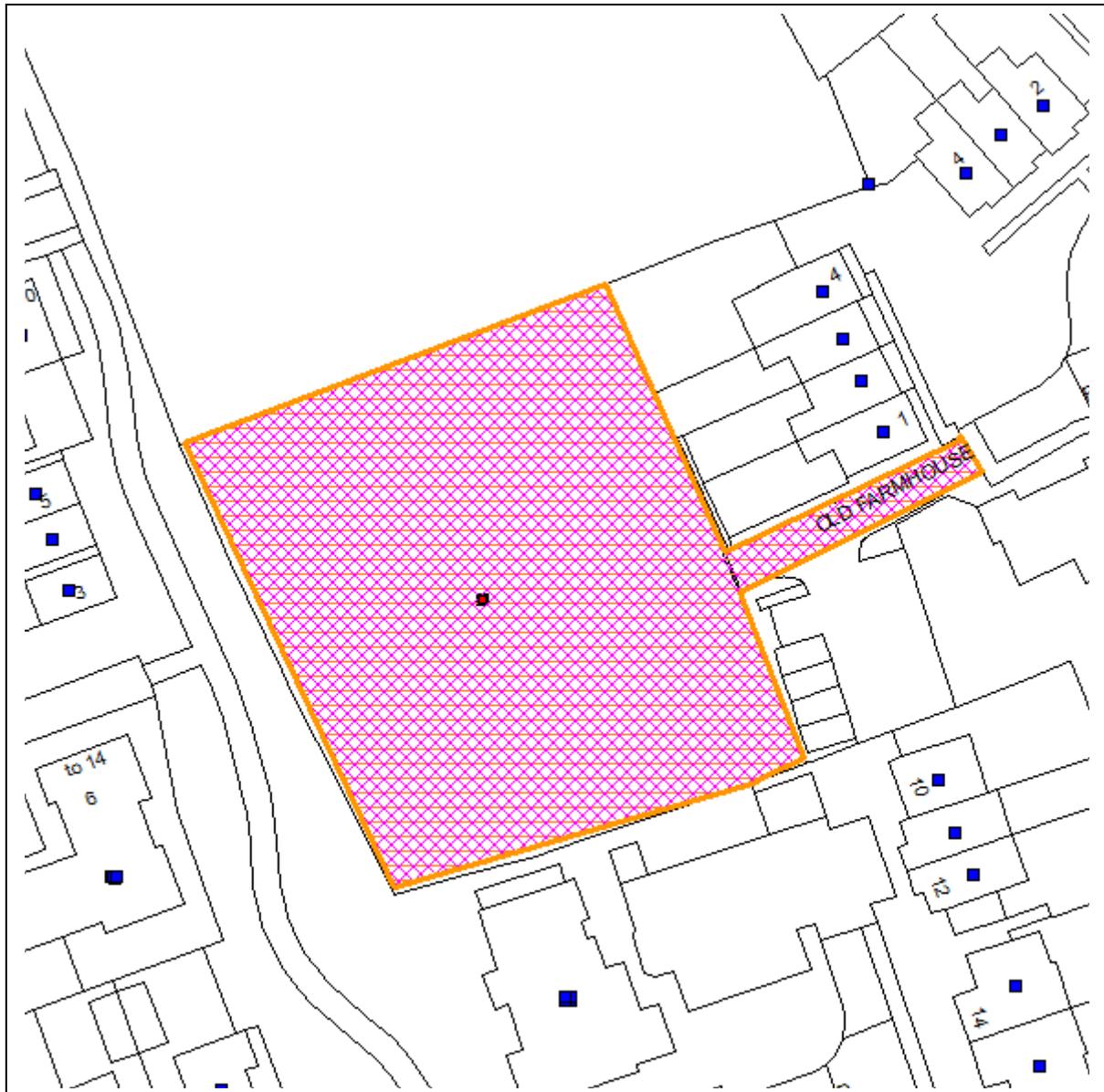
Applicant: Mr Richard Barter

Agent: (There is no agent for this application)

Case Officer: Hilary Coplestone, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 This application for full planning permission for the erection of 9 dwellings was presented to the meeting of the Planning Committee on 10th September 2020. At that meeting it was resolved that the Head of Planning be authorised to approve the application subject to the prior completion of a s106 agreement to secure the provision of on site and off site infrastructure and the conditions amended, added to or deleted as the Head of Planning considers necessary. The resolution also included the need for consultation with the applicant in relation to pre-commencement conditions. Discussions are taking place with the applicant with respect to the s106 agreement and no decision has yet been issued
- 1.2 Following the Committee, it came to light that the newly built and occupied properties to the west of the site, within the Redrow development, were omitted from the consultation on the revised scheme in May 2020. Additional consultation has now been undertaken to include 13 properties within Sutton Road, Burge Place, Crozier Lane, adjacent to the north-south greenway. This report summarises the additional consultation responses and addresses any new issues not previously addressed in the original report. A copy of the report to the meeting of the Planning Committee on 10th September is attached as Appendix 1.

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| RECOMMENDATION |
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| Planning permission be granted subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA, affordable housing and other contributions and measures. |
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 This application is reported to Planning Committee as 3 additional letters of objection have been received in addition to 5 objections received previously as reported to the Planning Committee on 10th September.

3. PLANNING STATUS AND SITE DESCRIPTION

- 3.1 This is set out in section 3 of the attached report

4. RELEVANT SITE HISTORY

- 4.1 This is set out in section 3 of the attached report

5. THE PROPOSAL

- 5.1 This is set out in section 4 of the attached report

6. REPRESENTATIONS RECEIVED

- 6.1 3 additional representations have been received as result of the additional consultation of properties to the west of the site. The objections from occupiers of 4 and 5 Burge Place, Warfield and 43 Darby Vale are summarised as follows:

- Impact on local wildlife and biodiversity

- Loss of an open green space
- Land should be used as a landscaped woodland park
- Loss of outlook and loss of privacy
- Loss of sunlight
- Increase in noise, activity and car fumes
- Loss of trees/vegetation

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The consultation responses are set out in section 7 of the attached report. The consultation responses are unchanged.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 These are set out in section 8 of the attached report.

9. PLANNING CONSIDERATIONS

9.1 These are set out in section 9 of the attached report. Para 9 iii) relates to the impact on the amenity of neighbouring properties and occupiers, however, the relationship of the proposed development to new properties in Burge Place, Crozier Lane and Sutton Road is now addressed below along with the representations received as a result of the additional consultation.

i) Impact on the amenity of residential occupiers to the west of the site

9.2 Properties immediately to the west of the development comprise i) a terrace of 3 dwellings (nos. 3 – 5 Burge Place) ii) an apartment block (nos. 6 – 14 Burge Place) and further to the north iii) a detached property 10 Crozier Lane and to the south iv) 5 Sutton Road. These properties are separated from the application site by the north-south greenway; a cycle and pedestrian route flanked on either side by landscaping. Properties in Burge Place have the most direct relationship to the application site. The distance between the proposed apartment block (plots 4 – 9) and nos. 2 – 5 Burge Place is over 23m and the distance between the proposed detached house, plot 3 and the apartment block, nos. 6 to 14 Burge Place is over 25m.

9.3 The Bracknell Forest Design SPD (2017) recognises that it is important to achieve reasonable levels of privacy for the inhabitants and for residents of neighbouring buildings (Principle 3.9.11 of Bracknell Forest Design SPD refers). The SPD refers to back to back relationships between buildings and recognises that blocks of flats do not have private 'backs' in the way most houses do. In considering the relationship between blocks of flats, the SPD indicates that a minimum distance between facing habitable windows is 22m to avoid unacceptable overlooking, increasing to 30m when the relationship is between the rear of flats and the rear of houses. However, in the case of the current proposal, the proposed block of flats has been designed to have frontage within Abbey Place and also to the north-south greenway. The scheme has been designed to ensure that it does not turn its back on the development to the west (a point recognised by the Inspector in an earlier appeal – section 8 of attached report refers) and it is integrated with the wider area. The proposed flats and single house within the application site are separated from Burge Place by the north-south greenway which incorporates a pedestrian and cycle route and landscaping. Although not a street, where the SPD indicates a separation of 12m between the frontage of properties is generally acceptable, the route is public and the degree of privacy afforded in this location differs from a traditional back to back relationship. In these circumstances, the

separation distance between the proposed development is acceptable and planting within the application site and along the north-south greenway will help integrate the new development into its surroundings and provide privacy to new occupiers and those to the west.

- 9.4 Objections have also been raised to the loss of outlook and impact on biodiversity. With respect to the impact on the outlook, or view, from the properties in Burge Place will change, however, there is no private right to view and an objection on this basis cannot be justified. In terms of the impact on biodiversity, this is addressed in section 9 (vii) of the attached report. Mitigation would be provided for any impacts on biodiversity and loss of trees arising from the development.

10. CONCLUSION

- 10.1 The principle of development on the application site, as part of the strategic allocation of Warfield, is in accordance with adopted planning policy as explained in section 9 (i) of the attached report. The objections raised by new occupiers to the west of the proposed development and from a resident within Darby Vale have been noted and addressed in paragraphs 9.2 – 9.4 above. Notwithstanding, these additional objections, the recommendation to grant planning permission for the proposed development as set out in the report to the Planning Committee on 10th September stands subject to an extension in time to complete the s106 agreement to 31st March 2021.

RECOMMENDATION

11. Following the completion of planning obligations secured by an agreement, under Section 106 of the Town and Country Planning Act 1990, relating to:
- The construction of affordable housing and an off-site contribution towards affordable housing.
 - The construction of the pedestrian and cycle access within the site, and a financial contribution for the delivery of the section within the Redrow site to the west.
 - A permissive right through the development by foot or bicycle.
 - A contribution towards the ICT fit out of the Warfield West Primary School
 - A financial contribution towards the Warfield Community Hub and new Neighbourhood Centre.
 - A financial contribution for off-site open space provision to be used towards Priory Fields and/or the Warfield Memorial Ground Playing Field.
 - The provision and long-term maintenance of sustainable drainage (SuDs).
 - The Thames Basins Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) and contribution towards Strategic Access Management and Monitoring (SAMM).

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 and following the required consultation with the applicant in relation to pre-commencement conditions:

- 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 (as amended).

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

Block Plan AP-BP- 01 Site Layout AB-SL_9U-01C - Rec. 26.5.2020
Site Layout Coloured - AB-CSL_9U- 01 - Rec. 12.6.2020
Plot 1 - Plans and Elevations AB-PE_9U - 01 - Rec. 7.8.2020
Plot 2 - Plans and Elevations AB-PE_9U - 02 - Rec. 7.8.2020
Plot 3 - Plans and Elevations AB-PE_9U - 03 - Rec. 7.8.2020
Plots 4-9 - Plans and Elevations AB-PE_9U - 04A - Rec 12.6.2020
Streetscene - AB-SS - 01- 02 - Rec. 7.8.2020
Drainage Strategy C200 Rev 5 - Rec. 3. 8. 2020
Existing Ditch Engineering works BR- 533-0037 C203A - Rec. 29.1.2020
Flood Risk Assessment Calibro Report Ref BR-537-0037 Rev 02 - Rec 3.2.2020
Tree Protection Plan TMC - 13075 - L/C - Rec. 11.5.2020
Tree Survey and Constraints Plan TMC - 13075 - S/C - Rec 11.5.2020
Arboricultural Impact Statement 13075- AIA - C - Rec.11.5.2020
Phase 1 Geo Environmental Risk Assessment - Rec 8.4.2019
Sustainability Statement - Rec 30.4.2020

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

03. No structure hereby permitted shall be built above existing ground level until samples 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 EN20, Core Strategy DPD CS7]

04. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the building/s in relation to a fixed datum point has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area and to protect the amenities of neighbouring properties. [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no additional windows shall be constructed at first floor level or above in the side elevations of the dwellings hereby permitted other than as shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property. [Relevant Policies: BFBLP EN20]

06. The following window(s) in the development hereby permitted or any replacement window 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 non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Plot 1 - ground floor (west elevation) lounge Plot 2 – ground floor (east elevation) lounge.

REASON: To prevent the overlooking of neighbouring property. [Relevant Policies: BFBLP EN20]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that order with or without modification), no enlargement, addition, improvement or other alteration permitted by Classes [A, B, C, and E] of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwellings hereby permitted.

REASON: To safeguard the character of the area and the amenities of adjoining properties. [Relevant Policies: BFBLP EN20]

08. The development shall not be begun until a scheme depicting 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 out 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 nature conservation [Relevant Plans and Policies: CSDPD CS1, CS7]

09. No development shall commence until details of boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatments have been provided in accordance with the approved details.

REASON: In the interests of the appearance of the site [Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

10. No retained tree, hedgerow or group of shrubs specified as to be retained on the approved drawings shall be cut down, uprooted or destroyed. Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans which die, are removed or irreparably damaged during the course of the development, or within a period of 5 years of the completion of the development, shall be replaced with another tree, hedgerow or group of shrubs of the same species and size as that originally planted.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area. [Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

11. All existing trees, hedgerows and groups of trees shown to be retained on the approved drawings shall be protected during the course of building works by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012 or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area. [Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

12. No demolition shall be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with and retained as such thereafter.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with 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.

REASON: In the interest of protecting bio-diversity. [Relevant Policies: BFBLP EN2, Core Strategy DPD CS1]

14. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith.

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

15. No development shall commence until the details of the design, specification and location of the Solar PV as detailed in the Sustainability Statement have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details and retained as such thereafter.

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

16. No development shall commence until details of the specification for the construction of the pedestrian and cycle link connecting the highway and the western boundary of the site as illustrated on drawing AB_SL_9U-01C shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling within the development hereby approved shall be occupied until the pedestrian and cycle link to the western boundary of the site has been constructed in accordance with the approved details.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians. [Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

17. No development shall take place until a plan showing visibility splays at the junction of the turning head and the car parking area to the rear of plots 4 – 9 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

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

18. No dwelling shall be occupied until that part of the access road which provides access to it, along with adjacent margins and street lighting placed within these margins, has been constructed to an adoptable standard in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

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

19. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for 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]

20. No development shall commence until: (a) details of the location of 2 visitor car parking spaces, and (b) details of the signing for the visitor car parking spaces have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking spaces shall be provided and signed in accordance with the approved details before the occupation of any of the dwellings hereby approved and the spaces and signage shall thereafter be retained.

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]

21. The garage accommodation for plot 3 shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met. [Relevant Policy: BFBLP M9]

22. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No dwelling shall be occupied until the approved scheme has been implemented and the facilities shall be retained as such thereafter.

REASON: In the interests of accessibility of the development to cyclists. [Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

23. No gates shall be provided at the vehicular access to the site.

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

24. No development (including demolition and site clearance) shall take place, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include as a minimum; (i) Routing of construction traffic (including directional signage and appropriate traffic management measures); (ii) Details of the parking of vehicles of site operatives and visitors; (iii) Areas for loading and unloading of plant and materials; (iv) Areas for the storage of plant and materials used in constructing the development; (v) Location of any temporary portacabins and welfare buildings for site operatives; (vi) Details of any security hoarding; (vii) Details of any external lighting of the site; (viii) Details of the method of piling for foundations; (ix) Measures to control the emission of dust, dirt, noise and odour during construction; (x) Measures to control surface water run-off during construction; (xi) construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site; (xii) Details of wheel-washing facilities; and (xiii) Areas for the turning of construction vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear. The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.

REASON: In the interests of highway safety and to mitigate and control environmental effects during the demolition and construction phases. [Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

25. Should any unforeseen contamination be encountered during the development, the local planning authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the local planning authority in writing. A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas. [Relevant Policies: BFBLP EN25}

26. No development shall commence until: i) the exploratory archaeological work as set out in the 'Project specification for an archaeological evaluation' (dated 5th June 2018, ref. 14e218ev) has been implemented; ii) a further programme of archaeological mitigation has been submitted to and agreed in writing with the Local Planning Authority should the results of the exploratory investigation justify it. The further programme shall be implemented in accordance with the approved details.

REASON: The site lies in an area of archaeological potential, particularly for prehistoric and Roman remains. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets to be lost in accordance with national and local planning policy. [Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

27. No development shall commence until full details of the Drainage System(s) in accordance with the Calibro Report Ref BR-537-0037 Rev 02 with updated Drainage Strategy drawing (T4C drawing no. C200 Rev.5) provided by Josh Blackall's email dated 3rd August 2020 have been submitted to and approved in writing by the Local Planning Authority. Full details shall include all components of the proposed drainage system in accordance with the including dimensions, locations, gradients, invert and cover levels, headwall details, planting, fencing and drawings as appropriate 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.

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

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

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

29. No dwelling hereby approved shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. 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 in accordance with policy CS1 of the Core Strategy.

30. No dwelling hereby approved shall be occupied until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) 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 in accordance with policy CS1 of the Core Strategy.

31. No part of the development shall be occupied until details of on-site refuse storage (including any open air storage facilities) for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste storage facilities in the interests of amenity. [Relevant Policy: Relevant Policy: Core Strategy DPD CS13]

32. The hours of site clearance and construction shall be limited to: - between 8:00 am and 6:00 pm Monday to Friday - between 8:00 am and 1:00 pm Saturday There shall be no site clearance or construction undertaken on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises. [Relevant Policies: BFBLP EN25]

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. 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. The applicant is advised that Ordinary Watercourse Consent for works to install the pedestrian access could be required if works will disturb the ditch line.

03 Thames Water (TW) has advised:

i) There are public sewers crossing or close to your development. If significant work is planned near existing sewers it is important that risk of damage is minimised.

ii) TW will need to check that the development does not limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read the following guide.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>

iii) 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 Waters Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

iv There are easements and wayleaves running through the site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Water to discuss their proposed development in more detail at the following address:.

Thames Water Developer Services
Reading Mail Room
Rose Kiln Court
Rose Kiln Lane
Reading RG2 0BY

Tel: 0800 009 3921

mail: developer.services@thameswater.co.uk

In the event of the S106 agreement not being completed by 31st March 2021, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

1) The proposed development would undermine the delivery of land to the north of Whitegrove and Quelm Park for a large, comprehensive, well designed and mixed-use development by failing to make a proportionate contribution to the infrastructure needs associated with the development and the site wide allocation. The proposal is therefore contrary to Policy SA9 of the Site Allocations Local Plan, Policies CS1 and CS5 of the Core Strategy Development Plan Document and the Warfield Supplementary Planning Document.

2) The proposal fails to provide the affordable housing and as such would impact on the quantum and location of affordable housing across the strategic location and would fail to fulfil the social and health and wellbeing objectives for this strategic site, in the delivery of a balanced community of a mix of dwelling types and tenure which works for the needs of different groups within the community. As such the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 and CS17 of the Core Strategy Development Plan Document; the Bracknell Forest Planning Obligations Supplementary Planning Document and Policy SA9 of the Site Allocations Local Plan and the Warfield Supplementary Planning Document (2012).

3)The occupants of the proposed 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 Local Plan, Policies CS5 and CS14 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Warfield Supplementary Planning Document (2018) and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2012)

APPENDIX 1

Unrestricted Report

ITEM NO: 07

Application No.
19/00327/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
8 April 2019

Target Decision Date:
8 July 2019

Land At South West Of Abbey Place Abbey Place Warfield Bracknell Berkshire

Proposal: **Erection of 9 dwellings with associated access, parking and landscaping.**

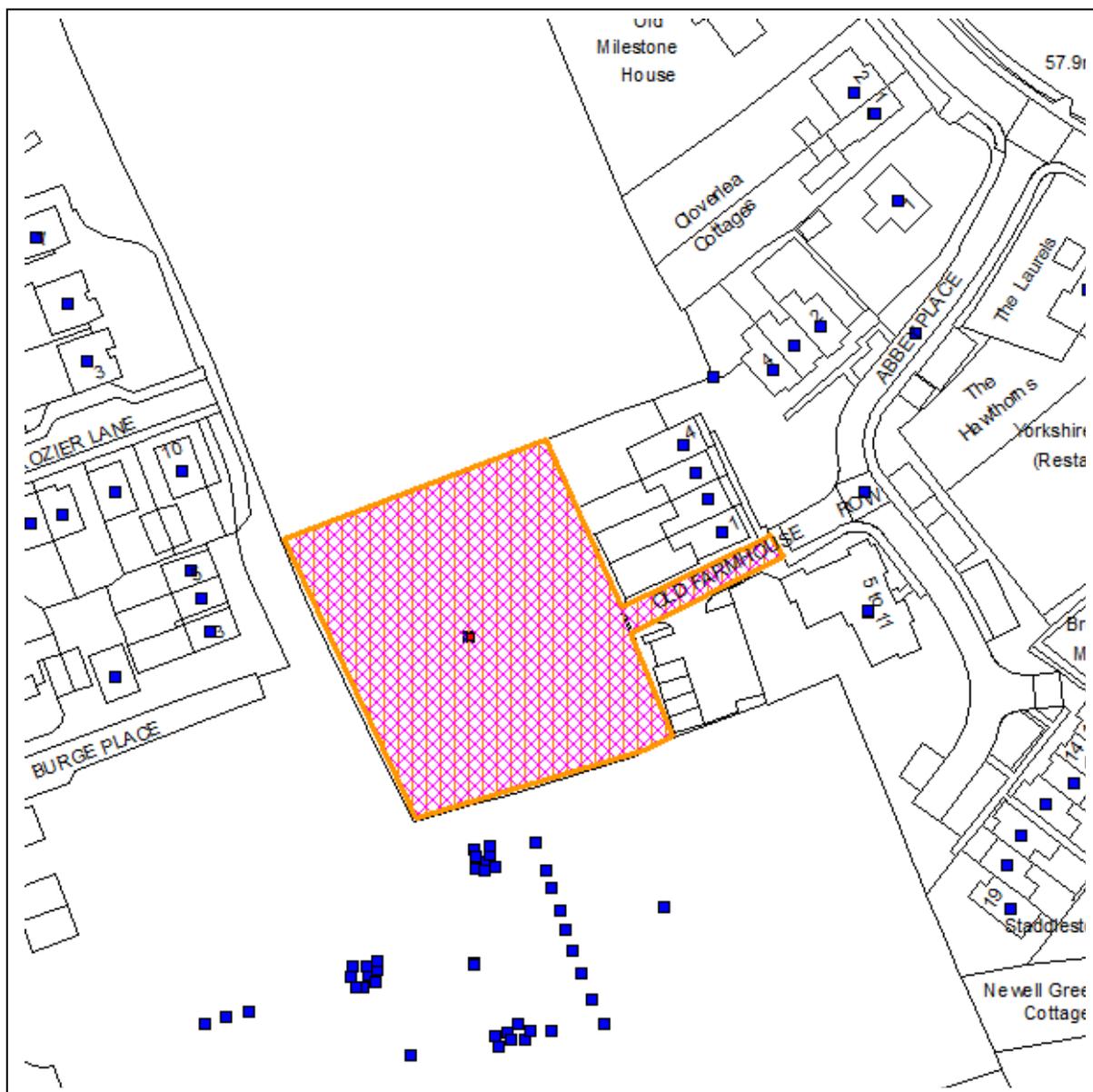
Applicant: Mr Richard Barter

Agent: (There is no agent for this application)

Case Officer: Hilary Coplestone, 01344 352000

Development.control@bracknell-forest.gov.uk

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



4. SUMMARY

- 4.1 This application seeks full planning permission for the erection of 9 dwellings.
- 1.2 The site is allocated for residential development in the Site Allocations Local Plan and falls within the strategic allocation of Warfield. The proposed development is acceptable in terms of its impact on the character and appearance of the area and on the living conditions of nearby residents. There are no overriding highway concerns. The development of this site will accord with the strategic site allocation and supporting policies.

RECOMMENDATION

Planning permission be granted subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA, affordable housing and other contributions and measures.

5. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 5.1 This application is reported to Planning Committee as more than 5 objections have been received.

7. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

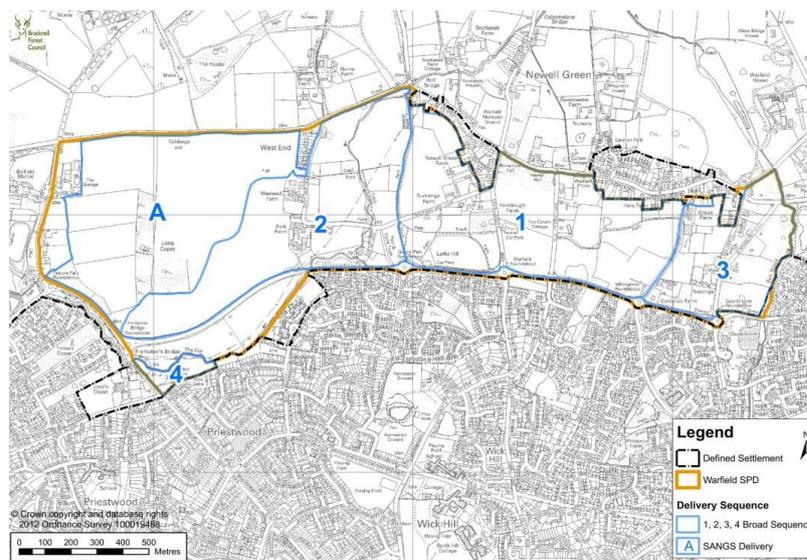
Within settlement boundary

Allocated site: SALP Policy SA9

Sites on site boundary covered by area TPO 1152

Within 5km buffer of the Thames Basins Heaths Special Protection Area

- 7.1 The application site is located within the Warfield strategic development area (Policies Core Strategy CS5; SALP SA9 and Warfield SPD refers). The strategic development area is divided into three sub areas, numbered 1, 2 and 3 as shown on Plan 1 below:



Plan 1 – Warfield Development Areas.

- 7.2 The site is located on the north eastern edge of Area 1 adjacent to the existing housing development within Old Farmhouse Row and Abbey Place.

7.3 The site is largely devoid of vegetation except for groups of trees along the western and southern boundaries of the site. There is a change of level across the site as it falls gently from south to north with the level difference being just over 1m at the greatest point. The site is covered by an area Tree Preservation Order – TPO 1152 (Dated December 2013). The TPO covers all trees of all species on land to the north of Watersplash Lane and East of Newell Green and Farmhouse Row, Warfield.

8. RELEVANT SITE HISTORY

8.1 The most recent application in respect of this site is application 14/00980/FUL for the erection of 10 dwellings and associated car ports and landscaping. This was refused on 2nd February 2015 and a subsequent appeal was dismissed on 9th February 2016. In this decision the Inspector concluded that:

- i) The line of small trees on the western side of the site *'appear to be remnants of a neglected hedge and are of limited landscape value'*. The planting contributes *'to the landscape setting of the development area but is not of such quality for its complete retention to be a significant benefit'*. (para 12 refers).
- ii) The development (subject to overcoming the ransom strip along the boundary of the site) would have the potential to provide an access on the boundary and thereby integrate with the wider development area.
- iii) Due to the limitations imposed by CIL Regulation 123 (i.e. the pooling restrictions) the proposal would endanger the comprehensive approach to the delivery of the Warfield Strategic development as set out in policies CS5 and SA9.
- iv) The development would impact on the Thames Basins Heaths given uncertainty as to when the nominated SANG i.e. at Wellers Lane would be delivered.
- v) The delivery of 3 affordable dwellings would be consistent with the requirement to provide affordable housing within the wider development area of which the site forms a part.
- vi) The impact on ecology could be mitigated by the use of conditions.
- vii) The early approval of proposals for minor parts of the designated area could undermined the Council's strategy to encourage joint working between developers and landowners to share the costs of infrastructure and deliver the comprehensive development of the wider site.

4.2 Beyond the application site, the key applications which have led to development within the strategic development within Warfield are:

- i) Application: 13/01007 - Land North of Harvest Ride and South of Forest Road and East of West End Lane, Warfield

This was a hybrid planning application for a residential-led mixed-use development comprising:

Outline planning application for up to 750 residential dwellings (with a minimum of 675 dwellings) including 60-bed senior living scheme; new two form-entry primary

school; formal and informal open space; associated landscaping; works to river cut and provision of new north-south link road. (All matters reserved except for means of access to the development); and

Full planning application for the development of Phase 1 at the south western corner of the site for the erection of 87 residential dwellings (87 of the 750 dwellings described above) with associated open space, parking and landscaping; creation of two new access points off Harvest Ride and provision of north-south link road between Harvest Ride and Forest Road – Approved 28 October 2014.

ii) 16/01253/FUL (Land south of Fairclough Farm): Erection of 52 no. dwellings with associated parking, landscaping and open space and vehicular access onto Newell Green - Approved 2018.

iii) 16/01274/FUL (Land at Watersplash Lane): Demolition of existing buildings and erection of 43 dwellings with associated accesses (to land to west and to Watersplash Lane), parking and landscaping. - Approved 2018.

iv) 16/01195/FUL (Land East of Avery Lane and North of Watersplash Lane): Erection of 116 dwellings with associated landscaping, infrastructure works, and open space of public value served by vehicular access from north-south link road and pedestrian/cycle links to Watersplash Lane. - Approved 2018.

The three separate applications ii) – iv) above are referred to as the development at Newell Green. They were linked by an overarching s106 agreement to secure the necessary social and physical infrastructure as required by adopted planning policy

In addition to the above, the Council's policy to secure comprehensive development has been supported by Inspectors on appeal, in the following cases:

- The erection of 40 dwellings and 70-bedroom care home at Fairclough Farm, Newell Green, Warfield (application: 13/00027/FUL) was refused on 29th April 2013 and a subsequent appeal dismissed on 2nd May 2014.
- The erection of 5 detached dwellings at Land to the South and West of 2 Fairclough Cottages, Watersplash Lane (application 18/00918/FUL) was refused on 28 June 2019 and a subsequent appeal dismissed on 11th December 2019.

9. THE PROPOSAL

9.1 This application seeks full planning permission for the erection of 9 dwellings in the form of a mix of houses and flats. The development would comprise:

- 2 x 3 bed detached dwellings (Plots 1 and 2)
- 1 x 4 bed dwelling (Plot 3)
- 4 x 2-bedroom flats and 2 x 1-bedroom flats (Apartment block plots 4 –9)

The layout of the development is shown on Plan 2 below



Plan 2 – Layout of the proposed development

9.2 The development would be accessed via Abbey Place/Old Farmhouse Row. Car parking spaces (total 21) would be provided on the individual house plots or within a communal car parking area to the rear (east) of the proposed apartment building. The distribution of car parking spaces would be as follows:

Plots 1 and 2: 2 car parking spaces each on a driveway between the dwellings.

Plot 3: 3 car parking spaces comprising 2 spaces on the driveway and 1 in a garage.

Plots 3 – 9: 14 car parking spaces, including 2 spaces for people with disabilities.

5.3 The layout of the development would take the form of a cul de sac with the three houses located towards the southern boundary and the apartments on the western half of the site, fronting the proposed north-south greenway. The north - south greenway will be delivered as part of the approved development at Newell Green. The development would be served from the central 'T shaped' access/service road which would provide a turning head to enable vehicles to manoeuvre on site and depart in forward gear. A pedestrian and cycle access 3 m in width would facilitate access to and from the north-south greenway and the wider development area to the west of the site (refer to section 9.0 below for details). The car parking to serve the apartments would be located on the eastern half of the site, separated from the rear boundary of 1- 4 Old Farmhouse Row by a landscaped area. The landscape buffer would vary in width from approximately 6 m to the rear of no. 1 Old Farmhouse Row (measurement includes the verge adjacent to the turning head) narrowing to approximately 5 m to the rear of 4 Old Farmhouse Row.

9.3 The houses would be two-storey in height (approx. 8.10m to ridge). The apartment would be three storeys in height (max height approx. 9.5m to ridge) including accommodation within the roof. A single dormer (serving the central hallway) would be provided in the western roof slope and two dormers and two roof lights (serving the living/dining area of each apartment) would be provided in the eastern roof slope.

9.4 The properties would be constructed of a combination of brick (including a string course and quoin detailing) with a tiled roof.

9.5 The separation distance between the apartment block and the eastern boundary of the site would be 27m. The total separation distance between the rear building line of 1 – 4 Farmhouse Row (i.e. to include existing rear gardens) would be approximately 42 m.

- 5.5 Plots 1 – 2 would have a rear, south facing garden area between 10.5m and 13m in depth, with Plot 3 benefiting from additional space (10.5m in depth) between the side flank wall of the dwelling and the western boundary of the site. The garden space for the apartment block would be located to the west of the building. The garden would be between approx. 5m and 6m in depth when measured from the rear building line to the eastern edge of the ditch line. Additional open space in the form of landscaping would be provided to the front (east) of the apartment block and on the edge of the car parking area.
- 5.6 A total of 6 trees (1 x Hawthorne and 5 x Ash trees) are located on the western and southern boundary of the site. An existing Ash tree on the southern boundary of the site to the rear of Plots 1 and 2 would be retained. The remaining Ash trees and the hedgerow along the western boundary of the site and the existing ditch line would be removed. Replacement tree and hedge planting would be undertaken along the western boundary.

6 REPRESENTATIONS RECEIVED

Warfield Parish Council

- 6.1 Object and recommend refusal on the grounds of the overdevelopment of the site; the impact of traffic on Forest Road; insufficient space for a turning circle and the failure of the layout to integrate with the surrounding area.

Other representations

- 6.2 Objections have been received from the occupiers of 4 properties in Old Farmhouse Row and from one occupier in Abbey Place. The objections are summarised as follows:
- The safety of the access to the site from Abbey Place which is considered too narrow for emergency vehicles, refuse vehicles and parked vehicles. The access would impact on the safety of residents of Old Farmhouse Row given the absence of a pavement to the existing car park. The development, in a form of a cul de sac, would mean the access would be a two - way road and would be dangerous for the elderly and children.
 - Old Farmhouse Road should not be shown as the proposed development boundary. The road is unadopted and has been part of the Old Farmhouse Road access and development for over 10 years.
 - Any measures to reduce speed of vehicles along the straight road could affect the foundations on 1 Old Farmhouse Row.
 - Access should be from the new development at Newell Green – there should be no obstruction to that now that Millgate has acquired the ransom strip.
 - The car parking is located to the rear of Old Farmhouse Row, but this will likely overspill onto the access road.
 - The proposed link through the development would undermine the self - containment of Abbey Place and Old Farmhouse Row and the neighbourhood watch scheme that is in place.
 - The number of vehicles and associated movements will increase pollution; impact on the use of the rear gardens of the existing properties and the health and quality of life of existing occupiers.
 - The increase in traffic will lead to pressure at the junction of Abbey Place and Forest Road.
 - No construction traffic should be allowed through Abbey Place and the access to the site is unsuited to construction traffic and would result in the deterioration and

damage to the road surface and vibration damage to houses in Old Farmhouse Row and 5 Abbey Place.

- In 2013 a previous ground investigation report indicated that there were high levels of lead in the infilled pond and that construction workers should wear PPE. This is not identified in the current application. – Officer note: No objections have been raised by Environmental Health on the grounds of contamination.
- The development could lead to flooding and the neighbouring development at Watersplash Lane has caused flooding. The potential for flooding needs to be investigated and details need to be provided of the geo cellular tanks, permeable paving and maintenance
- The impact of the development on the privacy of residents of Old Farmhouse Row by virtue of overlooking.
- Loss of privacy due to the large windows with Juliet balconies in the rear elevation of the apartment block.
- The area should be planted with trees to reduce pollution.
- The development will impact on existing wildlife. Bats are present in the area.

In addition to the above, concerns have been raised regarding the existing management arrangements/responsibilities of the communal areas such as areas of landscaping within Abbey Place, albeit it is acknowledged that this is a matter between the existing residents and Millgate.

7 SUMMARY OF CONSULTATION RESPONSES

Highways Officer

- 7.1 Reports no objection to the layout but notes that there are ongoing discussions regarding the pedestrian and cycle connection to the greenway to the west. Officer note: A condition is recommended to secure the provision of the pedestrian and cycle link within the development. A contribution would be secured through a s106 agreement for a financial sum to be payable to the Council for the implementation of the whole of the route (within the application site and within the adjoining site (Redrow site) to the west) if not provided by the applicant Millgate in consultation with Redrow by the last occupation. Refer to section iv) Highways and Access of this report for further details. The Highway Authority recommends approval subject to conditions.

Biodiversity Officer

- 7.2 Reports no objection subject to conditions.

Landscape Officer

- 7.3 Reports no objection subject to condition.

Tree Officer

- 7.4 Reports no objection subject to condition.

Head of Housing

- 7.5 Reports no objection to the provision of 25 % of the dwellings as affordable housing. This would equate to 2.25 units. This could be delivered as 2 x 1 bed shared ownership properties with the remaining 0.25 of a unit as a commuted sum of £13,431 (paid of commencement).

Education - Children, Young People and Learning

- 7.6 No objection subject to a financial contribution towards ICT fit out of Warfield West primary school classrooms.

Thames Water

7.7 No objection subject to informatives relating to the undertaking of construction work close to existing sewers; access to existing services and the need to secure a Groundwater Risk Management Permit.

Berkshire Archaeology

7.8 Reports no objection and (in the event of approval) a condition is recommended relating to archaeological work and mitigation.

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 | CP1 of SALP, CS1 & CS2 of CSDPD | Consistent |
| Design | CS7 of CSDPD, Saved policy EN20 of BFBLP | Consistent |
| Housing | CS5, CS16, CS17 of CSDPD, Saved policies H8 and H14 of BFBLP and SA9 of SALP | Consistent |
| Parking | Saved policy M9 of BFBLP | Consistent NPPF refers to Las setting their own parking standards for residential development, this policy is considered to be consistent. |
| Transport | CS23 and CS24 of CSDPD, Saved policy M6 of BFBLP | Consistent |
| Infrastructure mitigation | CS6, CS8 CS23 and CS24 of CSDPD, Saved policy R4 of BFBLP | Consistent |
| Trees, Landscape and Biodiversity | Saved policies EN1, EN2, EN3 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD | Consistent |
| SPA | CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP | Consistent |
| Sustainability (resources) | CS10 and CS12 of CSDPD | Consistent |
| Archaeology | Saved policies BFBLP EN6 and EN7 of BFBLP | Consistent |

Relevant SPDs include:-

| |
|--|
| Warfield SPD (2012) |
| Bracknell Forest Character Areas Assessment SPD (2010) |
| Design SPD (2017) |
| Streetscene SPD (2011) |
| Parking standards SPD (2016) |
| Planning Obligations SPD (2015) |
| Thames Basin Heath Special Protection Area SPD (2018) |

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. The principle of the development
- ii. Design and Impact on the character of the area
- iii. Impact on Neighbouring Properties/Occupiers
- iv. Highways and Access
- v. Drainage
- vi. Archaeology
- vii. Biodiversity
- viii. Trees and Landscaping
- ix. Infrastructure Contributions /CIL
- x. Thames Basins Heaths Special Protection Areas (SPA)
- xi. Affordable Housing
- xii. Sustainability Issues/CIL

i. Principle of development

9.2 The Government's planning policies are set out within the National Planning Policy Framework (NPPF) (2019). This explains, at paragraphs 10 and 11, that a presumption in favour of sustainable development lies at the heart of the NPPF. In terms of decision making this means that developments which accord with an up to date development plan should be approved without delay, or where there are no relevant policies, or the policies which are most important for determining are out of date that permission be granted unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed'; or
- ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole'.

The policy advice of the NPPF is supported by the National Planning Practice Guidance (NPPG).

9.3 It is important to note, having regard to point i) above, that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitat sites (in this case the Thames Basins Heaths SPA) or the '*project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site*' (Para 177 refers).

9.4 The presumption in favour of sustainable development is reflected in the local planning framework as set out in the Bracknell Forest Core Strategy (2008); the Bracknell Forest Local Plan (Jan 2002) (BFLP); the Site Allocations Local Plan (SALP) (July 2013) and the Warfield Supplementary Planning Document (February 2012). To summarise the key policies seek to:

- Ensure that development makes the effective use of land, buildings and infrastructure whilst balancing this against the requirement to reduce the need to travel and

protecting and enhancing character, the quality of local landscapes and natural resources. (Policy CS1 refers);

- Permit development within defined settlements and on allocated sites and to ensure that development is consistent with the character, accessibility and provision of infrastructure and services within the individual settlement. (Policy CS2 refers);

- Protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance and function of the land. (Policies: Core Strategy- CS9; BFLP - EN8 refer; H5 refer);

- Reflect a positive approach to considering development proposals supporting the presumption in favour of sustainable development and, having regard to the advice of the NPPF, to approve development without delay, unless material considerations indicate otherwise.

- Secure the delivery of *'a comprehensive, well designed mixed use development on land North of Whitegrove and Quelm Park'* (Policy: Core Strategy - CS5 refers). Policy SA9 of the SALP states *'a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development'* and *'where appropriate, the Council will work proactively with applicants jointly to seek solutions which means that proposals can be approved wherever possible, and to secure a development that improves the economic, social and environmental conditions within the area'*.

9.5 The land at Warfield is identified for a comprehensive, well designed, mixed use development in the Core Strategy DPD (policy CS1 refers) and the Site Allocations Local Plan (SALP) (policy SA9 refers). The land is allocated for the development of 2,200 residential units (including affordable housing); employment; neighbourhood centre, two primary schools, multi-functional community hub and on-site open space and Suitable Alternative Natural Greenspace (SANG). The infrastructure requirements to support the development are set out within SALP Policy SA 9. This includes the need for measures to avoid and mitigate the impact on the Thames Basins Heaths SPA and identifies the preferred solution for a SANG at Cabbage Hill.

9.6 The site is located within the Warfield allocation; it is the remaining parcel of land between recently approved development at Newell Green and the existing residential development at Abbey Place (incorporating Old Farmhouse Row) which is located outside the allocation.

9.7 SALP Policy SA9 is supported by the Warfield SPD and the Area 1 Masterplan which relates to Area 1 on Plan 1 above (para 3.1 refers) and the importance of these documents in decision making is set out below:

a) The Warfield SPD sets out specific guidance relating to the development of the Warfield Strategic Location. Development Principle W1 explains *that 'the Council will expect planning applications to support the comprehensive development of Warfield including accessibility and the delivery of infrastructure'*. The SPD was adopted following public consultation and it supplements Core Strategy Policy CS5 and SALP Policy SA9. It can therefore be afforded full weight as a material consideration in the determination of planning applications.

b) The Area 1 Masterplan was endorsed by the Council as being technically sound on 15th February 2015. It satisfies the requirements of SALP Policy SA9.

The Masterplan provides the parameters and design principles to set the context for development proposals. It is a material consideration in the assessment of any application relating to all or any part of Area 1. The Masterplan reflects the access and movement strategy within the Warfield SPD. The design principles set out in the masterplan are the starting point for the assessment of a proposal. Any departure from the key principles of the masterplan must be justified and, demonstrate an improvement or enhancement to what could be achieved through conformity to the masterplan.

- 9.8 Given this context, the application is acceptable in principle: the site lies within a defined settlement and is allocated for residential development. The remainder of the report considers the details of the proposal.

ii) The design and impact on the character of the Area

- 9.9 Policy W2 of the Warfield SPD sets out the Design Principles and explains that the design strategy and the design principles should inform the design and layout of all development proposals that come forward for the site. The Warfield SPD defines character areas and the application site is located within the Newell Green South Character area where development is required to reflect the development in Newell Green and be of an informal layout, with densities at around 35 dwellings per hectare (dph).
- 9.10 The proposed development would have a density of 32 dph which is appropriate to the character area in which the site is located. The development has been designed to:
- address the relationship of the site to neighbouring development, in particular to Old Farmhouse Row and Abbey Place to the east;
 - address the relationship to the development at Newell Green to the west and to the south;
 - secure a means of access via Abbey Place (4.8 metres in width) to ensure that vehicles may access and depart from the site safely; provide manoeuvring space and parking on site to standard;
 - provide a pedestrian and cycle link (3 metres in width) within the site to make possible a connection to the north south greenway to the west;
 - deliver a design that creates interest when viewed from within the development but also ensure that the architectural treatment would reflect the scale and form of development within Abbey Place and also that approved as part of the wider development of Newell Green to the south and the west; and,
 - provide amenity space which would be of value to the occupiers of the development but also, through landscaping on the western edge and within site (including tree planting), contribute to the character of the area and to biodiversity.
- 9.11 The proposed development provides a mix of houses and flats. The flats (6 no.) are located towards the western edge of the development and the houses along the south boundary. The flats and one of the houses (plot 4) have been designed to be in keeping with the development to the south, in terms of scale, design and materials. The buildings would be constructed of brick (including brick detailing) with tiled roofs. The materials would be subject to condition in the event of approval. The relationship of the proposed development to the neighbouring development to the south when viewed from the west, is shown on the elevation below:



Image: View of proposed development from the west (the application proposal is between the vertical red lines)

- 9.12 The overall design and layout is consistent with the guidance provided within the Warfield SPD which, for Newell Green South, includes reference to:
- a mix of dwelling types;
 - the opportunities to create internal mews areas and shared courtyards;
 - the use of varying plot sizes to create interest in the street scene; and,
 - the need to provide for the retention of trees and hedgerows and for areas to be provided for new trees and landscaping.
- (Table 2.1 Warfield SPD Character Areas Summary).

This guidance is reinforced by the Area 1 Masterplan which, among other matters, refers to:

- housing development within this area being predominantly two storey in height with limited use of apartments;
- the use of soft landscaping, including hedges for boundary treatments; and,
- parking to be provided on plot or within parking courtyards.

The Area 1 Masterplan develops the Warfield SPD access strategy, by encouraging the development of recreational links through the wider allocation to promote movement by foot and cycle to local facilities. For the reasons set out above the proposal is not considered to have any significant adverse impact on the character of the area and accords with the relevant policies and design guidance.

iii. Impact on the amenity of neighbouring properties/occupiers

- 9.13 The layout of the development has been designed to create suitable separation distances between the built form of the flats and houses and the existing properties within Old Farmhouse Row. The proposed flats (plots 4 – 9) would be approximately 27m from the rear boundary of properties within Old Farmhouse Row, and approximately 42 m from the rear elevation of the flats and the existing houses.
- 9.14 The proposed flats would also be separated by the car parking area and an existing strip of land (between 5 and 6 m in width) which would be retained and provides the existing service margin for the Thames Water. The separation distance is comparable to that which exists between the apartment block and the houses on the development to the south and is consistent with the Bracknell Forest Design SPD (2017). This explains that 22m is an acceptable minimum separation distance on privacy grounds.

- 9.15 To conclude, the proposal has been designed to provide an acceptable relationship between the new and existing homes to ensure that there are no unacceptable impacts in terms of overlooking, overshadowing or overbearing. It will provide acceptable residential amenity for existing occupiers and future occupiers of the proposed development.

iv. Highways and Access

- 9.16 The layout of the development has been designed in consultation with the Highways Officer. The development would effectively form an extension to Abbey Place, an adopted road with a 20mph speed limit. The access into the site from Abbey Place (to the south of 1 Old Farmhouse Row) is 4.8m wide. It is a shared surface that already serves the rear parking court with garages to the south. The width of the access would accord with highway standards and would be adequate to serve the proposed dwellings. The development has been designed as a shared surface; no footways are provided but adequate space has been provided within the development to ensure that vehicles, including refuse/service vehicles may manoeuvre within the development and leave the site in forward gear.
- 9.17 The development is provided with parking which complies with the Parking Standards SPD, March 2016. Plots 1 and 2 (3-bedroom) are provided with two off-street parking spaces; plot 3 (4-bedroom) is provided with two off-street car parking spaces and a garage; and the flats (4 x 2-bedroom flats and 2 x 1-bedroom flats) are provided with the correct level of parking with one space for each 1-bedroom flat and two spaces for each 2-bedroom flat. Two separate visitor spaces plus two disabled spaces are provided. Plots 1 and 2 have a cycle parking store in the rear garden, plot 3 has cycle parking to the rear of the garage and the flats have a cycle store provided adjacent. Accordingly, the proposal complies with Policy M9 'Vehicle and Cycle Parking' of the Local Plan.
- 9.18 It is accepted that the development would generate additional vehicle movement within Abbey Place and at the junction with and onto Forest Road. Data from the TRICS database indicates that the development is likely to generate around 5 trips during each of the morning and evening peak hours and around 38 trips over the day. The impact would not be severe to warrant an objection to the development on highway terms. The impact on amenity associated with amenity vehicular activity and level of pollution generated would not substantiate a reason for refusal of the scheme. However, the importance of controlling the access to and from the site is recognised and, in the event of approval, a condition is recommended to secure the submission of a Construction Environmental Management Plan (CEMP), for approval by the Local Planning Authority, prior to the commencement of the development.
- 9.19 The Highway Authority which has confirmed that the layout it is satisfactory subject to:
- pedestrian and cycle connectivity being secured to the west; and,
 - conditions being attached to the decision relating to
 - the timing of the delivery of the pedestrian/cycle route;
 - details of visibility splays;
 - construction and adoption details;
 - construction/retention of car parking spaces (including location of visitor spaces); and,
 - use of the garage for plot 3; details of cycle parking facilities and the submission of the Construction Environmental Management Place (CEMP).

It is proposed to include all the conditions suggested by the Highway Authority (HA) with the exception of the provision of the pedestrian and cycle link which the HA has requested should be prior to the occupation of the development. The reasons for this exception are explained below.

9.20 The delivery of pedestrian and cycle routes, is a key element of the access strategy for the strategic development at Warfield. Development Principle W1 of the Warfield SPD relates to the overarching objective of comprehensive development and states that it *'expects planning applications to support the comprehensive development of Warfield including accessibility and the delivery of infrastructure'*. This is consistent with highway and access related policies of the Bracknell Forest Borough Local Plan (2002) (BFBLP) policies EN20; EN22; M4; M5; M6; M7 and M8 refer. Core Strategy (2008) Policies CS7 and CS23 are also relevant and require access and highway issues to be an integral part of the design and layout of development proposals. These policy objectives are reflected in the SALP Policy SA 9 which refers to the need for a well-designed mixed use development, in line with agreed masterplans with *'a comprehensive set of on and off site transport measures to mitigate the development's impact on roads and encourage sustainable transport'*. The strategy is reflected in the Warfield SPD (Section 9 refers). This emphasises reducing dependence on the private car, allowing for sustainable modes of travel with links to and from Bracknell Town Centre and neighbouring areas and future development in north Bracknell. The importance of this sustainable transport strategy is set out in paragraph 9.2 of the Warfield SPD which states:

'A focus on delivering sustainable travel and a highly accessible development will therefore form the basis of the transport strategy for this urban extension. This should include permeable and connected streets within the development which will have a direct influence over how people will choose to travel'.

9.21 The application site provides an opportunity to deliver a pedestrian and cycle link to the land to the west (currently under construction by Redrow). Going west, the link would facilitate access via the north-south greenway to Watersplash Lane, the primary school, the allotments, the east - west green way and the Country park beyond. Going east through the proposed development and Abbey Place, connections would be provided to Forest Road (served by bus service 53) and the Church, Warfield Memorial playing Field and the countryside to the north. The relationship of the application site to the north – south green way is illustrated on Plan 3 below.



- 9.22 At the time of the appeal in 2016, the Inspector noted that the existence of a link on the western boundary of the site would have the potential to provide an access and thereby integrate the development with the wider area. At that time, a ransom strip prevented connectivity to the boundary and the land to the west. Since the date of the appeal there has been the following a change in planning circumstances:
- The applicant has acquired the ransom strip and the curtilage of the site has been extended to the western edge of the ditch.
 - Development is now underway on the land to the west (the Redrow site) and the s106 associated with that development includes non - ransom provisions on the boundary with the application site.
 - Redrow is currently in discussion with the Highway Authority in respect of the s38 agreement and have agreed, in principle, to include the section of the pedestrian/cycle route (marked a) on the plan above), on the plan submitted as part of the s38 agreement.
- 9.23 The current application illustrates the location of the pedestrian and cycle route within the development (marked a) on the plan above). The applicant, Millgate, has confirmed that the link would be provided to the boundary of the site prior to the occupation of the dwellings on the site and has confirmed a willingness to work with Redrow to secure the delivery of the whole link (i.e. sections a) and b) on the plan above).
- 9.24 At the time of writing, the delivery of the route is still subject to discussion between Millgate and Redrow and the s38 agreement has not been completed. In these circumstances, a condition to prevent occupation of the proposed dwellings prior to completion of the whole of the pedestrian route (sections a) and b) on the plan above) would not be reasonable. It would also not be lawful since it would involve land outside the curtilage of the application site and thus outside the control of the applicant. A condition, to require the construction of the section within the application site to be completed to the boundary prior to first occupation, would be reasonable and lawful. If agreement to the delivery of the whole of the route cannot be agreed between both parties, the fall back (if BFC has adopted the link) would be for Millgate to construct the balance of the link under Licence or provide funding for the work to be undertaken by the Highway authority. The funding for the offsite work would be secured as part of the s106 agreement, payable prior to the occupation of the last dwelling within the development if agreement has not been reached to deliver the route beforehand. The applicant has indicated that the development would not be subject to adoption by the Highway authority and therefore, if this is the case, a permissive right of way to enable access by foot and cycle and maintenance plan to ensure the route is safe for public use will also be required as part of the s106 agreement.
- 9.25 Subject to the use of conditions as recommended by the Highway authority and the approach as set out in paragraph 9.24 above, there is no objection the development on highway terms.

v. Drainage

- 9.26 The site is not situated in a flood plan and is shown to be at low risk of surface water flooding. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to support the application. A ditch is located to the north west of the site, which

facilitates the flow of water northwards. The existing ditch along the western boundary would be widened. A culvert which runs beneath the ditch with an outfall via a headwall in the north west corner of the application site. As part of the development, the culvert would be removed, and the ditch realigned. The drainage improvements to the ditch would necessitate the removal of 4 Ash Trees and the remnants of the hedgerow on the western boundary.

- 9.27 The proposed drainage strategy utilises a combination of geocellular storage and tanked permeable paving within the car parking area to restrict surface water run-off and provide water quality treatment. Surface water runoff would be attenuated with 125 cubic metres of storage to restrict its runoff from the site to the practical minimum discharge rate of 1.5 litres/second for all events up to and including the 1 in 100 year plus 40% climate change event. Surface water would be discharged into the ditch to north of the site.
- 9.28 The Lead Local Flood Authority has been engaged throughout the evolution of the layout and Senior Engineer for Flood Risk and Drainage (acting for the Council as Lead Local Flood Authority - LLFA) has investigated complaints regarding surface water flooding with the car parking area serving the existing garage court to the south of Farmhouse Row. The source of the problem was related to the construction of the site to the south and the problem has been now been resolved. With respect to the application site, the only the only matter to be resolved relates to the measures required to treat water avoid increased pollution within the water course. This relates to the requirements of paragraph 165 of the NPPF and the advice that sustainable drainage systems should '*where possible, provide multifunctional benefits*'. This is presently being pursued with the applicant and the outcome will be reported to the Committee.

vi. Archaeology

- 9.29 The application site is located within an area of archaeological potential. In accordance with Paragraph 189 of the NPPF a Project specification for an Archaeological Evaluation Desk Based Assessment has been submitted in support of the application. This reports that the site lies less than 400m from the remains of a Middle Age settlement excavated at Fairclough Farm in 1994. It is noted that '*such sites are not commonplace on the clay dominated landscape of East Berkshire but there may have been the focus of prehistoric settlement centre on the valley of The Cut, which lies to the south of the proposed site*'. The Assessment also reports that '*evidence of Roman occupation has been recorded at Cabbage Hill and other pre historic finds and deposits have been found at Kennel School Lane and north of Manor Farm, including a small Bronze Age burnt mound*.' Roman and medieval pottery has been found to the south and west of the site.
- 9.30 Berkshire Archaeology reports no objections subject to conditions to secure the undertaking of exploratory archaeological work in accordance with the submitted Project specification for an archaeological evaluation or a comparable scheme submitted to an approved by the Local Planning Authority with a further programme of archaeological mitigation if the first exploratory investigation warrants it. Subject to the application of these conditions and the implementation of the scheme of investigation, the proposal would be in accordance with the requirements of the NPPF and saved policies EN6 and EN7 of the Bracknell Forest Borough Local Plan.

vii. Biodiversity

- 9.31 The application site was subject to an ecological survey in 2014. However, in the interest of best practice a follow up survey was undertaken, and the results submitted in support of the application. Particular attention was paid to recording the presence of badgers, bats, amphibians and reptiles. The follow up report concluded that *'there are no habitats of international, national, county or local importance that would be directly or indirectly affected by the proposals.'* Furthermore, *'the site is of overall limited ecological value, and the species recorded on the site can be described as common, or abundant and are found in similar places across much of Britain, with no evidence of protected species recorded'*. Specific concerns have been raised to the accuracy of the ecology report submitted in respect of the application and the impact on bats. The Biodiversity Officer has advised that the report considered bats and there is no outstanding issue as no on the existing features were suitable for roosting bats
- 9.32 The Biodiversity Officer notes that the development will result in the loss of existing trees (4) and vegetation on the western boundary of the site and whilst this is regrettable, it is also noted that hedge and tree planting will be provided as part of the landscaping scheme. As such there is no objection to the development subject to conditions to secure the submission of landscaping details, biodiversity enhancements and the requirement for any lighting to be subject to approval. The application of these conditions and compliance would demonstrate the protection and enhancement of biodiversity in accordance with the Bracknell Forest Core Strategy Development Plan Document policies CS1 and CS7.

viii.Trees and Landscaping

- 9.33 The proposed development would result in the removal of 4 Ash Trees located on the western boundary of the site and a Hawthorn on the southern boundary of the site. The Tree Officer reported that none of the trees are of any amenity merit and the Ashes are potentially unsustainable due to the risk of infection by the disease 'Chalara Ash Dieback'. Although the trees were noted as having a limited life span consideration was given, in the evolution of the layout, to the retention of the trees on the western boundary of the site. This did not prove possible due to the need to provide for improvements to the ditch line (the trees are growing close to or within the ditch) and the need to avoid a tree/building conflict. Replacement planting will be required as part of a landscaping scheme to be secured by condition. Whilst the loss of the trees is regrettable it should be noted that in the previous appeal in 2016 the Inspector commented that whilst the planting contributes *'to the landscape setting of the development area, but is not of such quality for its complete retention to be a significant benefit'*. (para 12 refers).
- 9.34 Subject to a condition to secure the submission of a landscaping scheme and replacement tree planting the proposal would comply with Policy EN1 of Bracknell Forest Borough Local Plan.

ix.Infrastructure Contributions

- 9.35 The proposal would be CIL liable and is located in the 'land at Warfield' charging zone with a CIL rate of £220 per square metre.
- 9.36 Development at Warfield is dependent upon the delivery of housing alongside the necessary supporting infrastructure. The Planning Obligations Supplementary Planning Document (SPD), February 2015, sets out the Council's approach to securing infrastructure by planning obligations and explains the relationship with the Community Infrastructure Levy (CIL). At Warfield the distinction is made between specific on-site infrastructure and strategic infrastructure to be secured through a s106

planning obligation and CIL as summarised in Table 1 below:

| Section 106 | CIL |
|---|------------------------------------|
| Local Transport Infrastructure | Strategic Transport Infrastructure |
| Travel Plan | Secondary Education |
| Waste Recycling | Post - 16 Education |
| Primary Education (inc. nursery) | Special Educational Needs |
| Green Infrastructure to include: a) Open Space of Public Value (OSPV), i.e. land (ha) and/or off-site financial contributions; ii) Special Protection Area (SPA) Avoidance and Mitigation, i.e. SAMM and bespoke SANG | Library Facilities |
| Affordable Housing | Built Sports Facilities |
| Community Facilities | |

9.37 At the time of the previous appeal the CIL Regulations 2015, Regulation 123 restricted the pooling to no more than five planning obligations towards any particular infrastructure project (known as the 'pooling restriction'). This restriction has since been lifted which has now opened opportunities for the development of smaller, residual sites, including the application site, subject to them making proportionate contributions to site wide infrastructure.

9.38 Without prejudice to the outcome of the decision by this Committee discussions have commenced with respect to the content of a s106 agreement which will include mechanisms to secure:

- Affordable Housing – 25% of the total number of dwellings (2.25 dwellings) – two x 1 bed flats to be provided for social rent and on off-site contribution of £13,431
- The construction the pedestrian and cycle access within the site and an off-site contribution for the delivery of the section within the Redrow site to the west in the event that it has not been possible for the applicant to agree terms with Redrow.
- Permissive rights through the development by foot or cycle.
- A contribution towards the ICT fit out of the Warfield West Primary School
- A financial contribution towards the Warfield Community Hub and new Neighbourhood Centre.
- An off-site open space contribution to be used towards Priory Fields and/or the Warfield Memorial Ground Playing Field (274 square metres of open space will be provided on site).
- The provision and long-term maintenance of sustainable drainage (SuDs).
- The Thames Basins Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) (the Wellers Lane SANG would provide mitigation for the impact of the development on the SPA) and contribution towards Strategic Access Management and Monitoring (SAMM).

9.39 The precise details of the s106 remain to be finalised and therefore it is recommended that approval of the application be delegated to the Head of Planning subject to completion of the s106 agreement to secure the necessary infrastructure in respect of this site.

x. Thames Basins Heath Special Protection Area (SPA)

9.40 In accordance with the Thames Basins Heath Special Protection Areas SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

- 9.41 This site is located approximately 4.8 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. The applicant has confirmed that capacity has been secured at the Frost Folly SANG in Wellers Lane. The SPA Officer has confirmed that SANG capacity exists at this location and it would therefore provide the mitigation for the development.
- 9.42 The development is also required to contribute towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis based on the Council's formula in Table 1 of the Thames Basin Heaths Special Protection Area SPD. The applicant has agreed to the financial contribution of £5,131 towards SAMM.
- 9.43 Providing the applicant is prepared to make a financial contribution towards the costs of the SPA avoidance and mitigation measures and link the site to the Frost Folly SANG, the application would be in accordance with the SPA mitigation requirements. The delivery of SANG and SAMM to serve the development would be secured through the s106 Agreement.
- 9.44 Subject to the completion of the s106 Agreement, the SPA officer has advised, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2017), and permission may be granted.

xi. Affordable Housing

- 9.45 Paragraph 63 of the NPPF states that '*the provision of affordable housing should not be sought for residential developments that are not major developments*' i.e. below 10 dwellings. However, the application forms part of the strategic allocation at Warfield and, as such, this site is required to deliver 25% of the dwellings (equivalent to 2.25 dwellings) as affordable housing. The recently published Bracknell Forest Housing Needs Assessment (July 2020) reports that Warfield and the northern parishes have some of the highest housing costs in the Borough. Within this area in particular, a range of housing products are required for rent or affordable home ownership. The proposed development would meet the 25% affordable housing requirement in the form of two x 1-bedroom flats as shared ownership and an off-site contribution of £13,431 (in respect of the proportion of the dwelling i.e. 0.25) to be paid upon the commencement of the development.

xii Sustainability Issues

- 9.46 Section 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Para 150 explains (amongst other matters) that new development should be planned for in ways that '*can help reduce greenhouse gas emissions, such as through its locations, orientation and design*'.
- 9.47 Specific advice on sustainable measures to be included within the design of developments is set out within Policy EN20 – Design Considerations in new developments of the BFBLP (para 2.137 refers) and policies CS10 - Sustainable Resources and CS12 – Renewable Energy of the CSDPD; site specific guidance within the Warfield SPD and the Design SPD.
- 9.48 On 25th March 2015, in a written statement to parliament, the Secretary of State for Communities and Local Government announced a new approach for the setting of technical standards for new housing. On 27th March 2015 code for sustainable homes

was subsequently withdrawn, although it was considered reasonable to retain one element of code being that of water usage restriction measures. Given the new approach, Policy CS10 requires the submission of Water Calculations demonstrating how development will restrict the use of water within dwellings to 110 liters/person/day.

9.49 For residential developments of five or more net additional dwellings, Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10%; and how 20% of the development's energy requirements will be met from on-site renewable energy generation.

9.50 As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (Oct 2008), an energy demand assessment should include the following:

- A prediction of the energy demand (in kWh) and carbon emissions (in kg/CO₂) for the site;
- List of assumptions used i.e. whether these have come from Building Regulations or benchmarks;
- Details of energy efficiency measures;
- A prediction of the energy demand and carbon emissions for the site taking into account energy efficiency measures;
- A feasibility study for all relevant renewable energy technologies;
- The choice of renewable energy systems proposed and the associated energy and carbon savings.

9.51 The application has been supported by a Sustainability Statement which sets out the options available to satisfy the Council's policy requirements. It explains that the developer will meet the Building Regulation reduction in emissions across all dwellings relative to a 2013 Part L1A Building Regulations baseline. This will be achieved by adopting a 'fabric first approach' through the use of improved energy measures such as improved thermal fabric efficiency, air tightness and effective heating controls. The Sustainability Statement further explains that *'By taking a fabric first approach, this development seeks to take advantage of advanced heating controls, meaning the carbon emissions will improve by 18.93%, and an energy demand reduction would be 24.13%. Taking that baseline and installing Solar PV to 6 dwellings on the site, 20.46% of the energy demand will be met by renewable energy'*.

9.52 Although the Sustainability Statement has fulfilled the requirement of the information expected to be provided within an energy demand assessment as set out in para 9.51 above, no details have been provided to show where the Solar PV panels would be located. In the event of approval a condition is therefore recommended to demonstrate how Solar PV would be incorporated in to the development and thereby achieve the energy demand as set out in the submitted statement.

xiii. Waste and Recycling

9.53 The layout is designed to ensure that a refuse vehicle can access the site and leave the site forward gear. The road within the development would be subject to a condition to ensure that it would be of a construction that would not be damaged by a loaded refuse vehicle. Refuse storage facilities would be provided within the curtilage of the houses (plots 1 – 3) or within a combined bin and cycle store for the flats (plots 4 – 9). The Waste and Recycling Officer has been consulted and the outcome of the consultation will be reported to Committee. However, notwithstanding the outcome of the consultation it is recommended, in the event of approval, that a condition be

attached to require the details of refuse storage facilities to be submitted and approved in writing by the Local Planning Authority to ensure that the design and capacity meets the needs of the development.

10. CONCLUSION

- 10.1 There is no objection in principle to the development since the site is an allocated site located within the settlement. The development would contribute the Council's Housing supply and 25% would be delivered as affordable housing, both on site and as a commuted sum. The development would secure the appropriate infrastructure/mitigation through a s106 agreement which would contribute to the wider infrastructure provision within the strategic allocation.
- 10.2 The proposed development would secure the development of one of the remaining parcels of land adjacent to the approved development at Newell Green and the design and layout would be in keeping with the character of the area. The impact of the proposal on the living conditions of the occupiers of nearby residents has been considered and the scheme is considered acceptable and in line with adopted guidance. Conditions are recommended to secure details of the scheme of working during the construction period via a Construction and Environmental Management Plan (CEMP).
- 10.3 The Highway Authority report no objection to the layout. Vehicle parking is in accordance with adopted standards. Whilst cycle storage is shown (within sheds/cycle store), a condition is recommended to ensure that the storage as shown has the capacity to meet the needs of the development. The Highway Authority objects to the failure of the development to deliver the whole of the pedestrian and cycle route on the western boundary of the site but the report explains how this could still be achieved, either by the applicant working collaboratively with Redrow or ultimately by the Highway authority, using its statutory powers with funding secured from the applicant.
- 10.4 It is concluded that the proposed development is in accordance with the development plan, NPPF and relevant guidance. The application is therefore recommended for approval as per the Recommendation below.

RECOMMENDATION

11. Following the completion of planning obligations secured by an agreement, under Section 106 of the Town and Country Planning Act 1990, relating to:
- The construction of affordable housing and an off-site contribution towards affordable housing.
 - The construction of the pedestrian and cycle access within the site, and a financial contribution for the delivery of the section within the Redrow site to the west.
 - A permissive right through the development by foot or bicycle.
 - A contribution towards the ICT fit out of the Warfield West Primary School
 - A financial contribution towards the Warfield Community Hub and new Neighbourhood Centre.
 - A financial contribution for off-site open space provision to be used towards Priory Fields and/or the Warfield Memorial Ground Playing Field.
 - The provision and long-term maintenance of sustainable drainage (SuDs).
 - The Thames Basins Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) and contribution towards Strategic Access Management and Monitoring (SAMM).

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 and following the required consultation with the applicant in relation to pre-commencement conditions: -

1. 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 (as amended).
2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

Block Plan AP-BP- 01

Site Layout AB_SL_9U-01C - Rec. 26.5.2020

Site Layout Coloured – AB_CSL_9U- 01 - Rec. 12.6.2020

Plot 1 - Plans and Elevations AB_PE_9U – 01 – Rec. 7.8.2020

Plot 2 - Plans and Elevations AB_PE_9U – 02 – Rec. 7.8.2020

Plot 3 - Plans and Elevations AB_PE_9U – 03 – Rec. 7.8.2020

Plot 4 – Plans and Elevations AB_PE_9U – 04A – Rec 12.6.2020

Streetscene - AB-SS – 01- 02 – Rec. 7.8.2020

Drainage Strategy 1836 C200 Rev4 - Rec. 3. 7. 2020

Flood Risk Assessment BR – 537 – 0037 – Rec. 29.1.2020

Existing Ditch Engineering works BR- 533-0037 C203A - Rec. 29.1.2020

Tree Protection Plan TMC – 13075 – L/C - Rec. 11.5.2020

Tree Survey and Constraints Plan TMC – 13075 – S/C - Rec 11.5.2020

Arboricultural Impact Statement 13075- AIA – C - Rec.11.5.2020

Phase 1 Geo Environmental Risk Assessment - Rec 8.4.2019

Sustainability Statement – Rec 30.4.2020

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

3. No structure hereby permitted shall be built above existing ground level until samples 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 EN20, Core Strategy DPD CS7]
4. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the building/s in relation to a fixed datum point has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area and to protect the amenities of neighbouring properties.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows shall be constructed at first floor level or above in the side elevations of the dwelling hereby permitted other than as shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

6. The following window(s) in the development hereby permitted or any replacement window 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 non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Plot 1 - ground floor (west elevation) lounge

Plot 2 – ground floor (east elevation) lounge

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no enlargement, addition, improvement or other alteration permitted by Classes [A, B, C, and E] of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwellings hereby permitted.

REASON: To safeguard the character of the area and the amenities of adjoining properties.

[Relevant Policies: BFBLP EN20]

8. The development shall not be begun until a scheme depicting 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 out 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 nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

9. No development shall commence until details of boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatments have been provided in accordance with the approved details.

REASON: In the interests of the appearance of the site

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

10. No retained tree, hedgerow or group of shrubs specified as to be retained on the approved drawings shall be cut down, uprooted or destroyed.
Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans which die, are removed or irreparably damaged during the course of the development, or within a period of 5 years of the completion of the development, shall be replaced with

another tree, hedgerow or group of shrubs of the same species and size as that originally planted.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

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

11. All existing trees, hedgerows and groups of trees shown to be retained on the approved drawings shall be protected during the course of building works by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012 or any subsequent revision. The development shall be carried out in accordance with the approved drawings.
REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
12. No demolition shall be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with and retained as such thereafter.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with 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.
REASON: In the interest of protecting bio-diversity.
[Relevant Policies: BFBLP EN2, Core Strategy DPD CS1]
14. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
15. Prior to the commencement of the development, details of the design, specification and location of the Solar PV as detailed in the Sustainability Statement shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance and retained as such thereafter.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: CSDPD CS10]

16. Prior to the commencement of the development details of the specification for the construction of the pedestrian and cycle link connecting the highway and the western boundary of the site as illustrated on drawing AB_SL_9U-01C shall have been submitted to and approved in writing by the Local Planning Authority. The pedestrian and cycle link to the western boundary of the site shall be constructed in accordance with the approved details prior to the first occupation of any dwelling within the development hereby approved,
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]
17. No development shall take place until a plan showing visibility splays at the junction of the turning head and the car parking area to the rear of plots 4 – 9 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
18. No dwelling shall be occupied until that part of the access road which provides access to it, along with adjacent margins and street lighting placed within these margins, has been constructed to an adoptable standard in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
19. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for 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]
20. No development shall take place until:
(a) details of the location of 2 visitor car parking spaces, and
(b) details of the signing for the visitor car parking spaces
have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.
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]
21. The garage accommodation for plot 3 shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
22. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking

facilities. No dwelling shall be occupied until the approved scheme has been implemented and the facilities shall be retained as such thereafter.

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

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

23. No gates shall be provided at the vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

24. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). The surface water drainage works shall be completed before occupation of the dwellings hereby permitted and shall be operated and maintained as such thereafter.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.

[Relevant Policies: CSDPD CS1, BFBLP EN25]

25. No development (including demolition and site clearance) shall take place, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include as a minimum;

(i) Routing of construction traffic (including directional signage and appropriate traffic management measures);

(ii) Details of the parking of vehicles of site operatives and visitors;

(iii) Areas for loading and unloading of plant and materials;

(iv) Areas for the storage of plant and materials used in constructing the development;

(v) Location of any temporary portacabins and welfare buildings for site operatives;

(vi) Details of any security hoarding;

(vii) Details of any external lighting of the site;

(viii) Details of the method of piling for foundations;

(ix) Measures to control the emission of dust, dirt, noise and odour during construction;

(x) Measures to control surface water run-off during construction;

(xi) construction and demolition working hours and hours during which delivery vehicles or

vehicles taking materials away are allowed to enter or leave the site;

(xii) Details of wheel-washing facilities; and

(xiii) Areas for the turning of construction vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.

REASON: In the interests of highway safety and to mitigate and control environmental effects during the demolition and construction phases.

[Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

26. Should any unforeseen contamination be encountered during the development, the local planning authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the local planning authority in writing. A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures

have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

[Relevant Policies: BFBLP EN25]

27. No development shall take place until:

i) the exploratory archaeological work as set out in the 'Project specification for an archaeological evaluation' (dated 5th June 2018, ref. 14e218ev), or a comparable scheme of

work submitted to and approved in writing by the Local Planning Authority, has been implemented;

ii) a further programme of archaeological mitigation has been submitted to and agreed in writing with the Local Planning Authority should the results of the exploratory investigation

justify it. The further programme shall be implemented in accordance with the approved details.

REASON: The site lies in an area of archaeological potential, particularly for prehistoric and Roman remains. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets to be lost in accordance with national and local planning policy.

[Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

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. 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. The applicant is advised that Ordinary Watercourse Consent for works to install the pedestrian access could be required if works will disturb the ditch line.

03. Thames Water (TW) has advised:

iv) There are public sewers crossing or close to your development. If significant work is planned near existing sewers it is important that risk of damage is minimised.

v) TW will need to check that the development does not limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read the following guide. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>

vi) 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 Waters Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

- iv There are easements and wayleaves running through the site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Water to discuss their proposed development in more detail at the following address:.

Thames Water Developer Services
Reading Mail Room
Rose Kiln Court
Rose Kiln Lane
Reading
RG2 0BY
Tel: 0800 009 3921
Email: developer.services@thameswater.co.uk

In the event of the S106 agreement not being completed by 31 December 2020, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

- 3) The proposed development would undermine the delivery of land to the north of Whitegrove and Quelm Park for a large, comprehensive, well designed and mixed use development by failing to make a proportionate contribution to the infrastructure needs associated with the development and the site wide allocation. The proposal is therefore contrary to Policy SA9 of the Site Allocations Local Plan, Policies CS1 and CS5 of the Core Strategy Development Plan Document and the Warfield Supplementary Planning Document.
- 4) The proposal fails to provide the affordable housing and as such would impact on the quantum and location of affordable housing across the strategic location and would fail to fulfil the social and health and wellbeing objectives for this strategic site, in the delivery of a balanced community of a mix of dwelling types and tenure which works for the needs of different groups within the community. As such the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 and CS17 of the Core Strategy Development Plan Document; the Bracknell Forest Planning Obligations Supplementary Planning Document and Policy SA9 of the Site Allocations Local Plan and the Warfield Supplementary Planning Document (2012).
- 5) The occupants of the proposed 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 Local Plan, Policies CS5 and CS14

of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Bracknell Forest Planning Obligations Supplementary Planning Document, the Warfield Supplementary Planning Document (2012) and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2012)