

Agenda Annex

BRACKNELL FOREST BOROUGH COUNCIL

PLANNING COMMITTEE

11th November 2021

SUPPLEMENTARY REPORT

Correspondence received and matters arising following preparation of the agenda.

Item No: 05
20/00571/FUL
Land R/O 89 Locks Ride Ascot Berkshire

AMENDMENT TO REPORT:

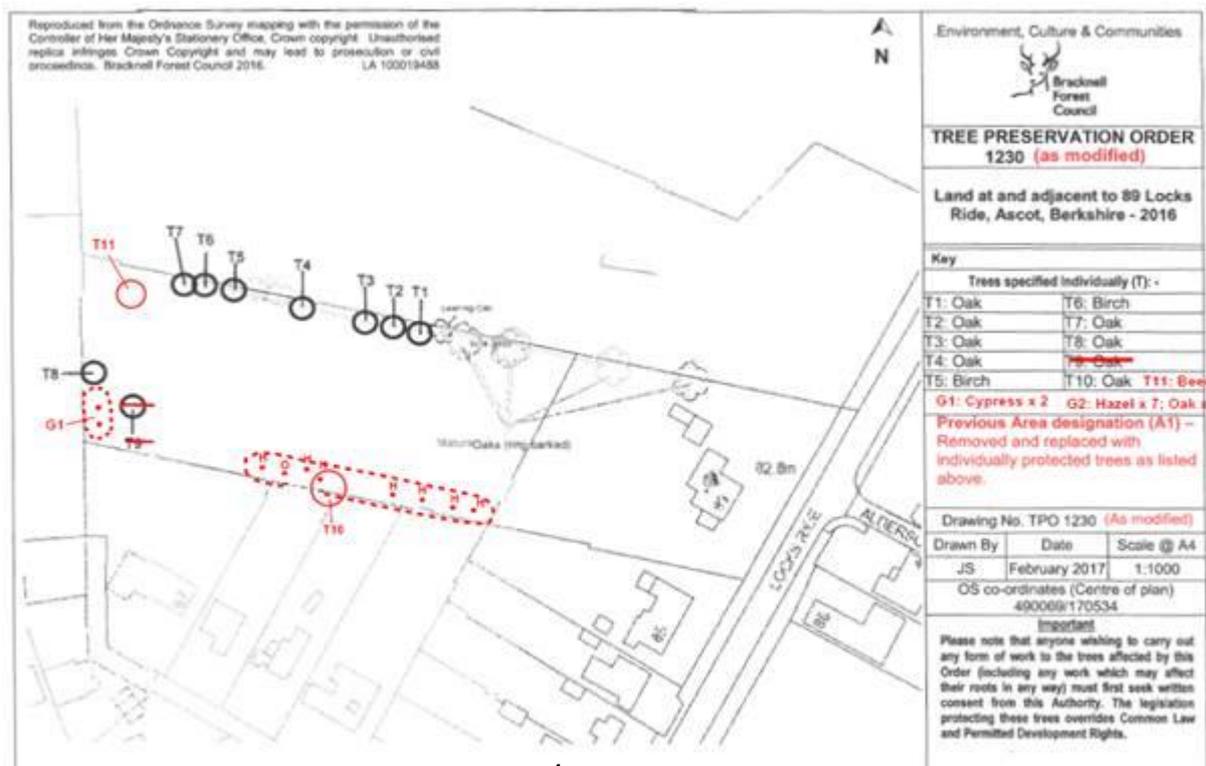
Amendment to section 6. Representations:

Following the publication of the committee report, one further representation has been received objecting to the proposal which is summarised as follows:

- Concerns raised in respect of the accuracy of the applicant's tree survey specifically relative to the southern boundary with 67-73 Locks Ride. It appears all bar 2 semi / mature trees are to be felled close to and parallel with the Southern boundary which would adversely impact on the character and appearance of the surrounding area, and neighbouring residential amenities.

Officer Comment: A Modified Tree Preservation Order (TPO1230) was issued today to include additional trees along the southern boundary thereby ensuring more of the southern boundary screening is retained long-term, which is considered to address the objector's concerns. This does not conflict with anything the applicant has put forward in that this boundary screening was shown to be retained in any case, but the TPO does now identify particular trees that are now afforded a higher degree of protection.

Extract TPO 1230



AMENDMENT TO RECOMMENDATION:

Condition 6 wording revised as follows:

06. No dwelling/ building hereby permitted shall be occupied until hard and soft landscaping works have been completed in full accordance with a landscaping scheme that has been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall include:-

- a) comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations; and
- b) comprehensive 5 year post planting maintenance schedule including any ecological management requirements; and
- c) underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes; and
- d) means of enclosure (walls and fences etc); and
- e) paving including open spaces, paths, steps and ramps, patios, cycle routes, driveways, parking courts, play areas etc. with details of proposed materials and construction methods; and
- f) recycling/refuse or other storage units.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, As a minimum, the quality of all 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 next planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

Item No: 06

21/00755/PAC

Lily Hill House Lily Hill Road Bracknell Berkshire RG12 2SJ

AMENDMENT TO REPORT:

6.2 Representations

14 additional letters of objection have been received including one from Councillor Marc Brunel-Walker, Executive Member for Economic Development. The concerns raised relate to issues already reported on the agenda and:

- cumulative loss of employment space within the Borough
- this area should have been included within the Article 4 Direction that removed permitted development rights
- cumulative impact on local infrastructure
- lack of demand for small flats that will be created
- contrary to Policy HE1 of Bracknell Neighbourhood Plan
- traffic generation
- need for a bat survey

- need for a sewage survey

7.9 An Appropriate Assessment which satisfies the consultation requirements of Regulation 63(3) of the Conservation of Habitats and Species Regulations (2017) as amended has been undertaken. The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (TBH SPA) along with any larger developments comprising over 50 net new dwellings within the 5 - 7km zone is likely to have a significant effect on the integrity of the TBH SPA, either alone or in-combination with other plans or projects.

7.10 This site is located within the 400m - 5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone 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 will need to make an application under Regulation 75 of the Conservation of Habitats and Species Regulations 2017 and enter into a s106 Agreement which secures Suitable Alternative Natural Greenspace (SANG) capacity and Strategic Access Management and Monitoring (SAMM) payments which are payable on completion of the s106 Agreement.

7.11 The Council is convinced, following consultation with Natural England, that unless the applicant can secure SANG capacity and SAMM payments, it will not be possible demonstrate that there will not be any adverse effect on the integrity of the SPA. Pursuant to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 as amended, in this event the proposal may not be implemented. An informative to this effect is recommended.

AMENDMENT TO RECOMMENDATION:

Informative 01 be amended to read:

It is a condition of the consent given by the General Permitted Development Order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority (the Council) has given written approval under the Conservation of Habitats and Species Regulations 2017 as amended. This Prior Approval Notice does NOT constitute approval under the Conservation of Habitats and Species Regulations 2017 as amended. The Council and Natural England are of the view that any residential development between 400 metres and 5 kilometres of the boundary of the Thames Basin Heaths Special Protection Area or residential development of 50 or more dwellings between 5 kilometres and 7 kilometres of such boundary cannot be approved under the Conservation of Habitats and Species Regulations 2017 as amended unless a planning obligation is entered into under Section 106 of the Town & Country Planning Act 1990 to ensure that the development has no adverse impact upon the Special Protection Area. Your development comprises such a form of development.

Item No: 07
21/00141/FUL
Land North Of Tilehurst Lane Binfield Bracknell Berkshire

AMENDMENT TO REPORT:

6.2 Representations from Members of the Public

3 additional letters of objection have been received which raise concerns that have already been reported on the agenda and the following:

- that the proposed drainage strategy fails to take into account the future building works at the western end of Tilehurst Lane and the works currently under construction at the eastern end, pointing out that the drainage of the site changes with every foundation laid, a situation which is exacerbated by climate change
- Scheme has already been dismissed on appeal
- Overdevelopment
- Drainage of surface water and flood risk

vii. Drainage Implications

Additional information is provided by the Drainage Engineer to explain why the submitted drainage information overcomes the previous reason for refusal, as follows:

The previous reason for refusal in relation to drainage, and subsequent outcome of the appeal, related to the management of surface water flood risk at the proposed development site coming from the south of the site. The Council disagreed with the hydrological methods the applicant had used to estimate the flood flows during extreme events. The Council subsequently considered that the applicant had not demonstrated that the proposed mitigation scheme for surface water flood risk was adequate. Furthermore, the applicant had not demonstrated how long-term maintenance of the mitigation scheme would be undertaken.

In the latest application, the applicant has undertaken further, detailed hydrological analysis based on up-to-date methods and a better understanding of the upstream catchment. The Council are therefore satisfied that the estimates of surface water flows are representative of the anticipated peak event. It follows that the design of mitigation scheme, based on the revised flows, is now considered adequate. The applicant has provided more detail of the proposed mitigation scheme and provided evidence that the scheme could be mitigated in perpetuity. Planning conditions will be set on the permission to require further details of the maintenance approach as the design progresses.

In response to the concern raised about the drainage strategy failing to take into account other permitted development in Tilehurst Lane, the Drainage Engineer states:

Individual developments are required to manage surface water to ensure that the discharge from the site is not greater than the undeveloped situation. The current Tilehurst Lane application was assessed against this criteria and the preceding applications would have applied the same. Sustainable Drainage Systems (SuDS) are used on each of the sites to attenuate excess flows during extreme rainfall events. In terms of the increasing frequency of more extreme rainfall events, developers are obliged to allow for the predicted increase in rainfall intensity over the lifetime of the development.

AMENDMENT TO RECOMMENDATION:

Amendment to Condition 02 to read:

02. The development hereby permitted shall be carried out in accordance with the plans hereby approved which were received and validated by the Local Planning Authority:

Proposed Site Layout Dwg. 01K

Plots 1 and 2 (Affordable) Plans and Elevations Dwg.02A

Plots 3 and 4 Plans and Elevations Dwg. 03A

Plots 5 and 6 Plans and Elevations and Cycle Store Details Dwg. 04A

Plot 7 Plans and Elevations Dwg. 05

Plot 8 Plans and Elevations Dwg. 06

Plot 9 Plans and Elevations Dwg. 07

Location Plan Dwg. 09B

Tree Protection Plan JPP21401-03C

General Arrangement EVY0919-01 P5

Proposed Drainage Schematic Dwg: 2020/219/01/H

Drawing ITB 13320-SK-006 Rev A Site Layout Amendments and Swept Path Analysis

Addition of Condition 32:

No dwelling shall be occupied until the 21m Forward Visibility Splay indicated on Drawing ITB 13320-SK-006 Rev A has been provided. This area shall at all times 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]

Item No: 08

21/00104/REM

Beaufort Park South Road Wokingham Berkshire RG40 3GD

AMENDMENT TO REPORT

5.2 The submitted layout includes an apartment building close to the entrance to the site with a mixture of terraced, semi-detached and detached dwellings. Buildings vary in height between 2 and 2.5 storey houses and 2.5-3.5 storey apartments. The proposals include 61 market dwellings and 7 affordable dwellings. The affordable dwellings comprise a mix of 2 houses and 5 apartments. A wheelchair accessible ground floor one bedroom apartment is included as part of the affordable rent provision (designed to meet part M4(3) of the Building Regulations). The number of affordable housing units to be provided was established under the outline planning permission.

5.5 A total of 153 car parking spaces to include 9 garages, 6 car ports and 11 visitor parking spaces will be provided throughout the site.

9.29 The northern woodland includes a LAP (Local Area for Play). The provision of the play area will not adversely impact on the woodland and the incorporation of the LAP within the area of open space is considered to be acceptable.

10.3 The woodland in the northern part of the site is to be retained as open space and a LAP is shown within this area. The provision of the LAP does not harm trees and this is considered to be a suitable location for the play space.

AMENDMENT TO RECOMMENDATION:

Amendment to Conditions to read:

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

19269-C101 REV S
19269-P101 REV AJ
TWWL23039 10D
TWWL23039-03I

19269/P110c
19269/P111c
19269/P112f
19269/P113b
19269/P114d
19269/P115d
19269/P116e
19269/P117c
19269/P119c
19269/P120c

19269/P121c
19269/P122b
19269/P123c
19269/P124e
19269/P125c
19269/P126b
19269/P127c
19269/P128c
19269/P129c
19269/P130c
19269/P131c
19269/P132c
19269/P133c
19269/P134b
19269 / P135/b
19269/P137c
19269/P138c
19269/P140b
19269/P141c
19269/P142b
19269/P143b
19269/P144
19269/P145

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

02. No development above slab level shall take place until samples of the materials to include bricks, tiles, balcony screening materials and surface 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. Full details of the play equipment for the LAP shall be submitted and approved in writing by the Local Planning Authority prior to its installation. Details shall include all equipment specification and method of fixing.

The equipment shall be installed in accordance with the approved details and retained as such thereafter.

REASON: In the interests of the visual amenity and in the interests of the provision of recreational, leisure and educational play.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS1, CS7 and CS8]

Additional conditions:

06. All ecological measures and/or works shall be carried out in accordance with the details contained in Ecology Solutions Ecological Assessment January 2021 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. An ecological site inspection report shall be submitted prior to practical completion of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

07. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

a) risk assessment of potentially damaging development activities

- b) identification of "biodiversity protection zones"
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during development (may be provided as a set of method statements)
- d) the location and timing of sensitive works to avoid harm to biodiversity features
- e) the times during development when specialist ecologists need to be present on site to oversee works
- f) responsible persons and lines of communication
- g) the role and responsibilities on site of an ecological clerk of works or similarly competent person
- h) the use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the development period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning authority.

REASON: In the interests of nature conservation Informative: protective fencing will be required to prevent construction activities from encroaching on the retained heathland area.

08 No part of the development shall be occupied until a scheme for informing buyers and residents about reptiles in gardens and the surrounding area and their importance has been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in accordance with the scheme.

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

09. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the practical completion of the development. The content of the LEMP shall include the following:

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

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

The approved plan will be implemented in accordance with the approved details.

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

Item No: 10
21/00743/FUL
7 York Way Sandhurst Berkshire GU47 9DE

AMENDMENT TO REPORT

Additional paragraph 7.2: Previous, similar, application 21/00205/FUL was refused as the proposed development did not provide additional parking nor a parking survey to demonstrate that the anticipated parking demand could be accommodated on-street in the vicinity of the site. For the current application, 21/00743/FUL, the Highway Authority has not made a recommendation that the application be refused, as the applicant provided a parking survey which demonstrates that there is sufficient capacity to accommodate anticipated

parking demand on-street in the vicinity of the site. The applicant has also accepted conditions (04 and 05) to limit the number of staff and patients within the site at any one time to the same as at present, despite the increase in consulting rooms.

Paragraph 9.17 amended to read:

9.17 The application seeks to provide two additional consulting rooms (increasing the total to 6). The two additional consulting rooms would, to accord with the Parking Standards SPD (March 2016), require 6 additional car parking spaces to be provided. However, the applicant has confirmed that the number of staff and patients on site at any one time would remain as at present and the applicant has accepted conditions (04 and 05) in this regard. The applicant has also provided a parking survey which demonstrates that there was sufficient capacity to accommodate anticipated parking demand on-street in the vicinity of the site.

Paragraphs 9.18 and 9.19 deleted.

Paragraph 9.20 amended to read:

9.20 As such, while the parking shortfall cannot be accommodated on site, given the availability in the wider area it is not considered that the proposed development would have an adverse impact on highway safety sufficient to warrant a refusal; and the applicant has accepted conditions (04 and 05) to restrict staff and patient numbers to the same as at present (13 staff and 4 patients).

AMENDMENT TO RECOMMENDATION

Condition 04 amended to state:

04. The staff present at 7 York Way connected to the dental practice shall not in total exceed 13 at any time.

REASON: To reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety.

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

Condition 06 amended to state:

06. No part of the development hereby approved shall be occupied until the vehicle parking spaces have been provided in accordance with the approved drawing (91/A) and the sign moved to ensure that all spaces are at least 2.4m wide by 4.8m long. The spaces approved shall be retained at all times for parking in association with the development.

REASON: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety.

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

Condition 08 amended to state:

08. Notwithstanding that shown on the approved plans, the development hereby approved shall not commence until a waste management scheme has been submitted to and approved in writing by the LPA. This scheme shall include the following:

- The number and dimensions of all bins required in connection with the dental practice and first floor residential accommodation;
- Details of a covered bin storage area;
- A scheme for bringing all bins to the front of the application site for bin collection, including a sufficiently wide access path constructed of a bonded material.

No bins other than those included within the waste management scheme shall be present on the application site at any time.

REASON: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development.

Informative 02 amended to state:

02. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

- (1) Commencement
- (2) Approved plans

- (3) Materials
- (4) Limit to staff
- (5) Limit to patients
- (6) Vehicle parking

The applicant is advised that the following conditions require discharging at specific stages:

- (7) Cycle parking
 - (8) Bin storage
-

This page is intentionally left blank