

Date Published: 24 February 2022



## **PLANNING COMMITTEE**

**24 FEBRUARY 2022**

### **SUPPLEMENTARY PAPERS**

**TO: ALL MEMBERS OF THE PLANNING COMMITTEE**

The following papers have been added to the agenda for the above meeting.

These were not available for publication with the rest of the agenda.

Kevin Gibbs  
Executive Director: Delivery

**Page No**

### **Planning Applications**

(Director of Planning)

**The conditions for public speaking have been met in the applications marked 'PS'.  
For further information or to register for public speaking, please contact Customer  
Services 01344 352000.**

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Agenda Annex

**BRACKNELL FOREST BOROUGH COUNCIL**  
**PLANNING COMMITTEE**  
**24th February 2022**  
**SUPPLEMENTARY REPORT**

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**Correspondence received and matters arising following preparation of the agenda.**

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**Item No: 6**

**Land to the North of Church Lane and West of Malt Hill, Bracknell**

**ADDITIONAL REPRESENTATIONS**

Additional objections have been received from the owner of Old Oak House (previously Fowlers) and the Warfield Environment Group.

The objections, and responses to the issues raised, are set out below:

a) Summary of Objections from Old Oak House.

- i. Scale and location of SANG in combination with others in the area is putting a huge amount of SANG land in one part of the Borough. This area was not identified as SANG within the SPD; the development of SANG is concentrating pressure in one part of the borough with associated impacts in terms of traffic; access and impact on the countryside.

**Response:** The Thames Basins SPD identified the private SANGs that were known at the time of its adoption. The report explains how this SANG will link to others within the vicinity; the impact in terms of traffic and the value of this space as providing an opportunity for recreation within the Countryside. SANG land in the north of the Borough, both existing and proposed form a significant and valued public asset for local people ensuring it is safeguarded from development. It is not a matter for the Council to dictate the location of SANGs provided they meet the criteria of Natural England's requirements for SANGs.

- ii. The proposal would result in the loss of Grade 3 Agricultural Land.

**Response :** The report refers to the NPPF and Footnote 58 (para 9.10 refers) and that where significant development of agricultural land is deemed to be necessary, that LPA's seek to use areas of poorer quality in preference to that of higher quality. The best and most versatile land is defined as Grades 1, 2 and 3a. Although the applicant has not undertaken surveys to determine whether the land is Grade 3a or 3b (and this is not addressed in the planning statement), the proposed use of the land would not make the land incapable of reversion to agricultural purposes in the longer term.

- iii. Impact on Neighbours – the proximity of the internal pathway is still too close to Old Oak House. The proposed planting area is not deep enough. At present, walkers using the existing concrete track feed existing animals (sheep and a horse). The proximity of the footpaths impact on the living conditions of occupiers of Old Oak House in terms of loss of privacy and security.

**Response:** The impact on the amenity of neighbouring occupiers is addressed within the report (paras 9.31 -9.33 refer).

- iv. Highway safety – it is noted that a speed survey was undertaken but this was in October 2020 at a time when the country faced a pandemic and was under strict work from home restrictions. The speed survey was obviously heavily impacted during that period and the survey does not represent the true nature of traffic on Malt Hill. Regular near-misses occur

due to speeding cars using this road as a cut through to Maidenhead to avoid the Three - Legged Cross.

**Response:** The Highway Authority has advised that looking at the traffic counter for the surrounding area would indicate traffic levels at the time of the survey were reduced due to the pandemic but they were around 15% higher for the same month in the following year (2021) and they continue to rise towards pre pandemic levels since then.

The survey carried out for vehicle speeds also indicated the level of daily trips along Malt Hill and this indicated that average weekday daily flow of around 1000 two way trips passed along the route during the period of the survey. Roads such as Malt Hill do not typically carry as much traffic as more strategic routes on the network and thus the level of reduction witnessed during the pandemic may actually be less than on other routes. However, if we were to consider the potential of a 15% increase on the levels observed, it is not considered that such an increase, spread over a typical weekday period would be significant enough to alter conditions drivers face when using the route.

The speeds observed are a fair reflection of typical road speeds and the nature of the road itself is likely to be the biggest factor in controlling actual road speeds not the volumes expected to be using it.

- v. No alternative car park location was explored – Harrow Estates declined to explore the potential to provide a car park on Church Lane.

**Response:** The location of the car park is acceptable for the reasons as set out in the report. The application is considered on its own merits and the suggested location for the car park is not within the ownership of the applicant.

b) Summary of objections from Warfield Environment Group

- i. No survey has been undertaken and the ecological assessment makes no reference to ground nesting birds and the application makes no reference to Skylarks which have suffered a recent and dramatic population decline, causing them to be given higher UK conservation status (i.e. red) than any of the birds in the Thames Basins Heath SPA. The skylark is a Bracknell Forest Biodiversity Action Plan (2018-2023) priority species. Lapwings and grey partridges, also with a UK Conservation status of red have been spotted on an around this site.

- ii. The use of the existing SANG at Frost Folly demonstrates how this proposal threatens a bird with a higher conservation status than those birds it is designed to protect. The impact of human and canine activity is evidenced by the following:

- Footpaths are ignored despite notices requesting visitors to keep to them. This is a real issue for ground-nesting birds especially during the breeding season.
- Dogs are not kept on leads despite notices requesting that they are, even more of an issue, dogs can on occasion be seen chasing birds.
- Visitors climb over fences into areas that they are not permitted to access.

**Response:** During the course of the assessment of the application the Biodiversity Officer raised concerns in relation to the impact on farmland birds namely the Skylark and the Barn Owl.

In response, the Ecologist acting for the applicant explained that the Ecological Assessment acknowledged that the site offers some opportunities for nesting and foraging birds. It is concluded that the site is not considered to be of any particular importance for birds given habitats present and the local biological data. Arable land and pastureland in the local area is in no short supply and it is expected that Skylark will be present and, making the best use of both habitat types. Additionally, the proposals will deliver open

spaces of species rich meadow grassland (a preferred habitat of Skylark) which will be of value to this species, helping to diversify nesting opportunities in the local area.

The Biodiversity Officer reports no objection but recommends a condition to require the submission of a method statement in respect of the erection of perimeter fencing to ensure that the impact on any hedgerows and protected species is minimised.

In the event of approval a condition is recommend.

#### AMENDMENT TO RECOMMENDATION

- Amend Condition 02: Delete Ecological Assessment April 2018 and replace with Ecological Assessment December 2021 6826
- Delete Condition 04
- Amend Condition 06 to read: The development shall not be publicly accessible until directional road signs have been installed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of the convenience and safety of all highway users.  
[Relevant Policy: BFBLP EN20, M4, CSDPD CS7, CS24]
- Amend Condition 09 to read: Prior to the commencement of the development, construction details of the ponds shall have been submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
- Amend Condition 10 to read: All planting comprised in the soft landscaping works, as shown on the approved general arrangement plans, shall be undertaken as part of the first SANG Enhancement Works. The planting shall be undertaken in the nearest planting season (1<sup>st</sup> October to 31<sup>st</sup> March inclusive) with others of the same size, species and quality as approved.

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 (1<sup>st</sup> October to 31<sup>st</sup> 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]

Additional Conditions:

Additional Conditions:

13. Before the commencement of the development, details of the construction of the culvert and the proposed vehicular access shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of highway safety and drainage.  
[Relevant Policies: Core Strategy DPD CS23 HW014]

14. No development (including any initial site-clearance works) shall commence until details of method statement in respect of the erection of perimeter, stock proof fencing as shown on Drawing PL08 Enhancement Works Plan, so designed to minimise their adverse impact on existing hedgerows and protected species, shall have been submitted to and approved in writing by the Local Planning Authority. The fencing shall thereafter be implemented in accordance with the approved details

REASON: - In order to safeguard existing hedgerows and avoid the adverse ecological impact arising from the installation of the fencing. [BFBLP – Policies EN1, EN3 and CS DPD Policy CS1]

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**Item No: 7**

**21/00427/FUL**

**North Lodge Farm Forest Road Hayley Green Warfield Bracknell Berkshire RG42 6DD**

**AMENDMENT TO RECOMMENDATION**

Amend condition 26:

No development shall commence until a surface water drainage scheme (SWDS) for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include BRE365 Compliant Infiltration tests to establish whether infiltration is viable on the site and a period of groundwater monitoring to determine the presence of any groundwater table. The drainage strategy shall be informed by the geotechnical investigation and demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm with a suitable allowance for climate change and allowances for urban creep included (results for 1 in 1, 1 in 2, 1 in 30, 1 in 100 and 1 in 100 + 40%). Should infiltration not be feasible, discharge rates from the site will not exceed the run-off rates or volumes from the equivalent greenfield rates of the area associated with the catchment of the ditch into which discharge is proposed as set out within the Odyssey Markides Section 73 Application Drainage Strategy Technical Note dated October 2021. Flood risk will not be increased elsewhere in accordance with the principles of the Flood Risk Assessment. The strategy should include detailed levels design to demonstrate exceedance routing throughout the development, and calculations demonstrating sufficient water quality treatment times are provided within the SUDS scheme. The agreed details shall be fully implemented in the drainage scheme and thereafter retained.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding. [Relevant Policies: Section 14 NPPF]

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**Item No: 8**

**21/00707/OUT**

**Former Bus Station Site Market Street Bracknell Berkshire**

**AMENDMENTS TO REPORT**

9.34 In regard to the Gym use that could occur on the site, this appears to be within blocks B&C (Approx. 510m<sup>2</sup>) and this would require a total of 13 parking spaces. Again, no parking is provided but such a use could be accommodated within local car parks. Typical peak demand for such a use occurs in the early morning and evenings before or after more general peak demand has occurred and at weekends when use varies throughout the day. It should also be remembered that trips to such facilities may be linked with another trip such as shopping or work. In that regard some of the demand on the local car parks may in reality already be in place as part of another trip. A revised Technical Note has been submitted that indicates that the applicant is seeking to secure 12 further spaces as they could operate at unsociable hours when staff may use the car for their trip. Given the capacity in local car

parks this level of parking can also be secured by legal agreement for use by staff in Units A and B/C only.

#### AMENDMENTS TO CONDITIONS.

##### Amend Condition 09:

09. Prior to the occupation of each phase of development a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, shall be submitted to and approved in writing by the Local Planning Authority. An ecological site inspection report shall be submitted within three months of the first occupation of the first dwelling hereby approved confirming the implementation of the approved enhancement measures.

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: Core Strategy CS1]

##### Amend Condition 14:

14. No development above slab level shall take place until details of the access to the site have been submitted to and approved in writing by the Local Planning Authority. The buildings shall not be occupied/open for trade until the works have been completed.

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

##### Amend Condition 19:

19. Prior to commencement (excluding demolition, site clearance enabling works and piling) of each phase details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point are to be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area. [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

##### Amend Condition 22:

22. No commercial unit shall be occupied until details of plant and equipment including air conditioning units or chiller units have been submitted to and approved in writing by the Local Planning Authority. The details should include a noise assessment. The noise generated from the plant and equipment whilst in operation shall not cause the existing background noise level to increase whilst in operation measured in accordance with BS4142:2014. The plant and equipment shall be installed and operated in accordance with the approved scheme.

REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

[Relevant Policies: BFBLP EN25]

##### Amend Condition 23:

23. The development hereby permitted shall not be begun (excluding demolition, site clearance, enabling works and piling) until a plan showing visibility splays 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]

##### Amend Condition 26:

26. No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:

- Access and egress to the site from Market Street
- Widening the footway along the site frontage with Market Street

The buildings constructed in the course of the development shall not be occupied/open for trade until the off-site highway works have been completed in accordance with the scheme.  
REASON: In the interests of highway safety.

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