



PLANNING COMMITTEE

09 NOVEMBER 2023

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

(Assistant Director: 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
9th November 2023
SUPPLEMENTARY REPORT

Correspondence received and matters arising following preparation of the agenda.

Item No: 5

21/00592/FUL

Land South Of Forest Road Newell Green Warfield Bracknell Berkshire

ADDITIONAL REPRESENTATIONS RECEIVED

Two additional representations have been received. Matters raised that are relevant to this application are summarised as follows:

1. The decision should be deferred to allow time to independently review recently submitted changes. *[Officer response: Technical drainage information required for technical review has been available since 8 August (Flood Risk Assessment & Drainage Strategy – published 30 June 2023, Pluvial Modelling Study Update Technical Note – published 8 August 2023). It would therefore be unreasonable and without justification to delay the application from being considered at the November committee.]*
2. Proposal will exacerbate off-site flooding on existing properties – this is backed-up by the independent Flood Risk Assessors survey and report submitted by objectors, which highlighted significant concerns regarding the off-site flood modelling. Redrow, the developer, has not provided a satisfactory response. *[Officer response: Refer to Para 6.2 of the officer report and ‘Additional information’ (iii) below.]*
3. Proposed ditches will inevitably block-up without maintenance and flood gardens as a result. *[Officer response: As referred to below, in response to concerns raised at the committee site visit, conditions have been amended to enable the appointed management and maintenance company to inspect the ditchline with private ownership annually (and whenever necessary) and to carry out maintenance as necessary.]*
4. Properties are already saturated by new development in the area. *[Officer response: No evidence has been submitted to justify claims that saturation of rear gardens has been caused by new development.]*
5. Existing residents should not have to pay to mitigate risk/damage caused by new development. *[Officer response: Agreed, and noted. The applicant’s drainage submission demonstrates that the development would not cause increased off-site flood risk.]*
6. With changes to ground levels, existing properties will be unacceptably overlooked by new development. *[Officer response: Refer to section 9.iii. – Impact on residential amenity.]*
7. No evidence to show that the LLFA has considered the independent Flood Risk Assessors (Aegaea) note or challenged the applicant as a result. There are issues with: underestimate of the catchment size, groundwater monitoring and the eastern boundary 150mm depression, which could increase flood risk. *[Officer response: Refer to Para 6.2 of the officer report and ‘Additional information’ (iii) below.]*
8. Members should visit neighbouring properties to understand the development impact. *[Officer response: It is understood that a property was visited as part of the October planning committee site visit, however the request to visit neighbouring properties was received too late to be scheduled into the November planning committee site visit. The site*

visit did how last for approx. 1.5 hrs, which included observation of the rear of Forest Road properties.]

AMENDMENTS TO OFFICER REPORT

Para 3.3: replace table with:

No. Beds	Market (Houses)	Affordable (Houses)	Affordable (Flats)	Affordable (Maisonette)	Total
1 Bed			2	2	4
2 Bed	1		3		4
3 Bed	13	1			14
4 Bed	14	1			15
5 Bed	6				6
Total	34	2	5	2	43

Para 9.138: amend table to:

	1b 2p flat/maisonette	2b 4p flat	3b 5p house	4b 6p house
Shared Ownership	2	1		
Social Rent			1 (plot 37)	1 (plot 38 <u>36</u>)
Affordable Rent capped at LHA	2 (ground floor unit as WC accessible)	2		

AMENDMENTS TO RECOMMENDATION

The wording of the following conditions have been amended:

36. No development shall commence until details of how the surface water drainage system (inclusive of flood mitigation measures) **and overland flow routes** 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. **Such details should also include confirmation of the inspection regime and the carrying out of necessary maintenance works by the management company of drainage systems and overland flow routes through privately owned property.** The approved details shall thereafter be complied with.

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.

37. No dwelling shall be occupied until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme **and overland flow routes** shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. ⁴Written 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.

39. No dwelling shall be occupied until evidence of legal covenants associated with the deeds of properties relating to any aspects of a drainage system(s) **and overland flow routes** that passes through privately owned property but serves multiple properties is submitted to the Local Planning Authority. **Such evidence should include allowing the management company access on to privately owned property on an annual basis, and as and when required, to inspect drainage systems and overland flow routes, and the right to carry out any necessary maintenance works in accordance with the management and maintenance plan.**

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.

ADDITIONAL INFORMATION

- i. Since the application was deferred from 12th October 2023 Planning Committee, four documents have been received and publicly available on the planning portal since 24th October.

Two documents relate to Landscaping, and the Pluvial Modelling report includes updated Engineering Layout plans in the Enclosures section that were previously publicly available and contain only minor changes. The Drainage Non-Technical Note was requested from the developer by Members to assist understanding for Members and the public generally. It is drafted in plain English for the layperson, only draws on pre-existing information and was produced to assist understanding only.

The following schedule provides a summary of amendments:

Doc	Amendment	Reason	Amended doc ref	Note
Landscape Management and Maintenance Plan	Para 4.1: Following installation and after transfer the landscape shall be the responsibility of and maintained in perpetuity by: • Domestic Owners, • Redrow Homes and their appointed Management Companies (should these be contracted out), • Bracknell Forest Council County Council Highways, • Bracknell Forest District Council,	Correction	Landscape Management and Maintenance Plan – RED23091 – Man Rev A	Docs listed under Condition 2 as an approved document. Prevents need for conditions requiring this information to be submitted for approval.
Soft Landscape Specification	Para 5.4.: Cultivation: The topsoil in areas to be seeded shall be ploughed or disc harrowed, <u>except in Root protection areas where only hand tools should be used,</u> to a depth not exceeding 150mm, care being taken not to bring the subsoil to the surface. All weeds, rubbish, and stones 75mm and above shall be removed from the site.	Point of clarification	Soft Landscape Specification - RED23091 - Spec Rev A	
Pluvial Modelling Study Update Technical Note	To include updated Engineering Layout (Sheets 1-3) plans in Enclosures section. Changes: Site layout underlay & key updated, overland flow channel splayed at Forest Road, private parking marked as non-permeable.	Minor amendment and points of clarification – minor amendments were shown on earlier submitted and publicly available plans.	Pluvial Modelling Study Update Technical Note – October 2023 [Issue 3]	Doc listed under Condition 2 as an approved document.
Drainage Non-Technical Note	New document, to assist understanding only. Refers only to information already publicly available. Not to be included as an approved document.			

- ii. Attention is drawn to photographs provided by Cllr Sheila Collings to Members of the Planning Committee and Council officers on 6 November 2023 following a visit to existing properties on Forest Road. These are provided in Appendix 1.
- iii. Planning Committee report, para 6.2 – summary and response to the Flood Risk Assessment and Surface Water Drainage Strategy, submitted by objectors and undertaken by an appointed drainage consultant: The following provides a detailed response to each of the 9 points raised in Section 3: Conclusion:

1. Catchment Size, it is acknowledged that the whole catchment is much larger than the site and a reduced catchment has been modelled however the variance in flood extents can be seen and to better estimate the future flooding to the area, the full catchment should be applied unless fully justified to the Lead Local Flood Authority (LLFA).

RESPONSE: Comments in respect to the 'catchment used is viewed to be undersized' is incorrect. The Aegaea Report (AR) presented commentary between BFC as LLFA and Cole Easdon (CE) during December 2022 – March 2023 with respect to the FEH catchment size used within the pluvial modelling report. Contrary to the AR comment above, BFC expressed concern that the FEH catchment descriptors used were based on a much larger catchment than the pluvial modelling study catchment. CE revised the FEH catchment descriptors to reflect the smaller study size to the satisfaction of BFC.

From this point, and for the remainder of the AR, the author confuses the comments on FEH catchment size with the overall modelled catchment size. There are a number of subsequent references through the AR such as BFC's concerns regarding 'catchment size' that were not in relation to the size of the model catchment, rather they were made in relation to the FEH rainfall catchment size. The overall catchment area modelled as part of the Study was deemed appropriate by the LLFA. As part of the CE study it was not considered necessary to model the pluvial flood risk for the larger catchment of The Cut as the flood risk from this is represented by detailed fluvial modelling undertaken by the Environment Agency.

2. Update the water level in the model from the Cut to be the 1 in 30 and not the 1 in 20.

RESPONSE: The surcharged water level in The Cut that has been modelled using a 1 in 20 flood level was deemed acceptable following review by the LLFA as this assumes the outfall from the sewer network is surcharged for the duration of the event.

3. Confirmation of the box culverts being modelled into the proposed and the supporting extents provided for review.

RESPONSE: To clarify, the existing box culverts at Sutton Road and Crozier Lane are included within the model. The proposed 450mm diameter culvert of Ditch 1 on the western boundary has also been included within the model. The two short lengths of proposed 1000mm x 400mm box culvert, which will facilitate the proposed cycle crossing, have not been included in the model. This approach has been agreed with the LLFA following a capacity assessment of the unmodelled culverts that demonstrated these were appropriately sized.

4. Augmented Hydrology applied to the EA model which is 10 years old. Updated hydrology calculations would be best practice.

RESPONSE: The EA model addresses fluvial flood risk which is outside of the statutory remit of the LLFA. CE prepared and submitted a Flood Risk Technical Note TN7736/01 to address EA Objection Comments received on the 17th August 2021. TN7736/01 described the methodology and results of the EA model rerun. The EA removed their objection, subject to condition, on the 5th May 2022. As such the fluvial model results, and associated assessment of fluvial risk are considered acceptable.

5. If the hydrology or model is updated the flood compensatory storage would require review and evolution.

RESPONSE: The EA objection was removed in May 2022. Since that time, the proposed layout has been amended and development is not now proposed within the modelled fluvial floodplain extent, as detailed within Issue 5 of the CE Flood Risk Assessment. As, such, compensatory storage is not required.

6. Winter Groundwater Monitoring to be conducted to better understand the risk of flooding from this source and how it contributes to the surface water flooding as part of the baseline model - pluvial modelling, and its impact on the proposed drainage strategy (basins etc).

RESPONSE: The Site Investigation was undertaken in April 2015. Groundwater levels in England typically reach a seasonal high in April of any year following the cumulative effects of rainfall throughout the winter period percolating into and recharging the aquifer. As such, it is considered that the site investigation is likely to have captured the seasonal peak groundwater levels and additional groundwater monitoring is not necessary. The LLFA consider this to be acceptable.

7. Ditch 1 to be surveyed and where possible added to the Cut model as an additional inflow- to the north of the site the area is known to flood and it is felt Ditch 1 is not accurately represented in the current EA modelling and submitted modelling as this could change the flood extents in this location, as well as the interactions with the urban network.

RESPONSE: The EA model addresses fluvial flood risk which is outside of the statutory remit of the LLFA. CE prepared and submitted a Flood Risk Technical Note TN7736/01 to address EA Objection Comments received on the 17th August 2021. TN7736/01 described the methodology and results of the EA model rerun. The EA removed their objection, subject to condition, on the 5th May 2022. As such the fluvial model results, and associated assessment of fluvial risk are considered acceptable.

Ditch 1 was surveyed, and the surveyed levels were subsequently utilised within the pluvial modelling as well as informing the drainage design. Ditch 1 has been modelled appropriately within a pluvial model using topographical survey and which includes a surcharged level in The Cut and urban surface water inflows. As such the LLFA considers the representation of Ditch 1 acceptable.

8. More details to be provided on the proposed works to Ditch 1, to adhere to the councils Ordinary Watercourse Consent requirements.

RESPONSE: An Ordinary Watercourse consent application will be required to be submitted by the applicant, for approval by the LLFA, at the appropriate time following planning approval. The LLFA would require proposed Ditch 1 details is submitted with the application at that time.

9. It is viewed that the risk of flooding to the Eastern boundary of the site is potentially underestimated given that the full catchment has not been modelled (justification required). Especially given that the properties to the eastern boundary currently experience flooding from surface water with evidence provided in Appendix A. There is concern that the 150mm depression is not enough mitigation even more so if the catchment is underestimated. Flood extents could be much greater if the full catchment is modelled and could potentially mirror those provided by the EA.

RESPONSE: Under the existing modelled scenario, runoff from the adjacent properties flows onto the site and is then conveyed across the site before discharging onto Forest Road. Without mitigation the proposed development will interrupt this existing flow path that originates offsite, resulting in an increased flood risk. The 150mm engineered depression has been designed, based on modelled outputs of flow depth, to convey this potential flow of water to Forest Road without causing detriment to either existing or proposed properties. The design arrangement has been discussed extensively with the LLFA, and is satisfied with the mitigation proposals.

The applicant site receives offsite pluvial flows from the existing properties to the east. Altering the model catchment will not alter the volume of runoff generated from these properties. The 150mm depression has been designed to maintain a conveyance route along the eastern boundary for pluvial flows generated upstream of the site. As described above the AR report confuses the comments made in relation to FEH rainfall catchment by the LLFA and the modelled study catchment. The LLFA considers both the modelled catchment size and amended FEH catchment size to be robust for purpose.

AMENDMENT TO OFFICER REPORT

Paragraph 6.2. should read:

Letters of objection have been received from the occupants of ten neighbouring properties, as well as a petition containing 21 signatures. The issues raised can be summarised as follows:

- o Development too large,
- o Not in keeping with the design of the surrounding area,
- o Potential creation of a House of Multiple Occupation or Bed and Breakfast,
- o Parking Issues,
- o Loss of privacy,
- o Loss of light,
- o Overlooking,
- o Overshadowing,
- o Overbearing,
- o Inaccuracies in the Light Assessment,
- o Inaccuracies in the Section Drawings,
- o Concern regarding linking garage to property.

Paragraph 7.1. should read:

The Highway Authority was consulted and raised some concerns regarding the submitted parking plan. An amended plan was received to which the Highway Authority raised no objections.

Paragraph 9.18. should read:

The two-storey element would be set in from the side elevations and set down from the ridge line of the enlarged dwelling. It would only protrude a maximum of 3 metres from the rear of the existing building and as such would appear subservient in scale and design to the host dwelling.

Paragraph 9.27. should read:

The existing dwelling is separated from the rear boundary of the site by approximately 16 metres. The proposed two-storey extension would therefore be separated from the same boundary by 13 metres. The distance to the closest neighbouring dwelling to the rear is approximately 18 metres thus 4 metres less than the 22 metres recommended in the Design SPD.

Paragraph 9.35. should read:

The Building Research Establishment (BRE) guide 'Site layout planning for daylight and sunlight' is used as a guideline for assessing potential losses of light and the acceptable levels of loss for a habitable room. The guide specifies that: The guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens, and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas, and garages need not be analysed. A test to measure whether a development would have a potential loss of light is the '45-degree test' where a line is drawn from the eaves and closest corner of the projection at a 45 degree towards the neighbouring property. In accordance with paragraph 2.2.17 of the BRE guidance "If the centre of a main window of the next-door property lies on the extension side of both these 45° lines then the extension may well cause a significant reduction in the skylight received by the window."

Paragraph 9.48. should read:

The Officer has no concerns regarding the proposed single-storey extension or conversion of the garage.

Paragraph 9.53. should read:

Whilst the proposed development would convert the existing garage it is noted that the existing garage does not to comply with the stated dimensions outlined within the SPD and therefore, would not need to be replaced. Furthermore, there is no evidence that there was a restrictive condition on the original planning consent for the garage and therefore, the conversion could be undertaken without requiring planning permission. Nonetheless, the submitted parking plan demonstrates where three car parking spaces can be provided outside of the garage within the site, meeting the requirements of Table 6 of the Parking Standards SPD (2016).

Paragraph 9.53. should read:

Therefore, the application is recommended for approval subject to conditions.

AMENDMENT TO RECOMMENDATION

Condition 2 should read:

02.The development hereby permitted shall be carried out only in accordance with the following approved plans:

Existing Floor Plans, received on 11/07/2023, Amended Existing and Proposed Site Plans Rev A and Amended Proposed Parking Plan Rev A and Amended Proposed Sections & Levels Rev A, received on 18/09/2023, Amended Existing Elevations, Amended Proposed Elevations Rev B, Amended Proposed Elevations Rev C, Amended Proposed Floor Plans Rev C received on 16/10/2023 and AMENDED PROPOSED PARKING PLAN REV B received on 02/11/2023.

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

Condition 7 should read:

07. The development shall not be occupied until the associated car parking for 3 cars has been surfaced and provided in accordance with the approved drawing 'AMENDED PROPOSED PARKING PLAN REV B', received on 02/11/2023. 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]

Informative 4 should read:

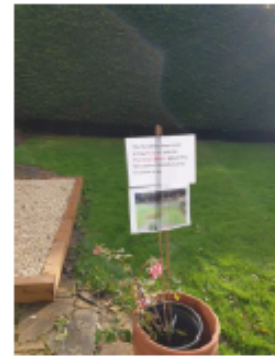
No details are required to be submitted in relation to the following conditions; however, they are required to be complied with:

- 01. Time limit
- 02. Approved plans
- 03. Material
- 04. Obscure Glazed and Non-Opening
- 05. Additional Windows
- 06. Ridge Height
- 07. Parking Provision

21/00592/FUL – Views of existing properties

Please note this is not intended to be a lobbying document, just an indication of what Planning Committee members would have seen had they visited existing properties on 4 November 2023. Information such as heights indicated on signs may or may not be accurate (not been checked).

Linthorpe, Forest Rd



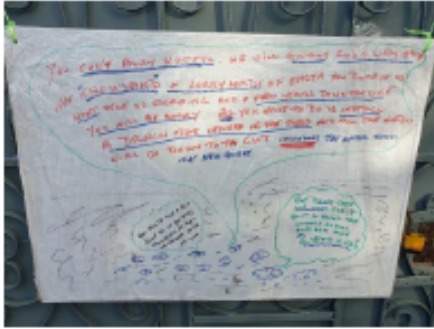
Rear garden – lawn under water



Manhole cover (BT?) to front of property – water bubbling up from where screwed in place and edges, and running across pavement

21/00592/FUL – Views of existing properties

Albren, Forest Rd



Former car sales plot, Forest Rd



Water bubbling up from corner of old and newer fencing and running across the plot onto Forest Rd