

Notice of Meeting

Planning Committee – Advisory Meeting

Councillor Dudley (Chairman),
Councillor Brossard (Vice-Chairman),
Councillors Angell, Dr Barnard, Bhandari, D Birch, Brown, Gbadebo,
Green, Mrs Hayes MBE, Heydon, Mrs Mattick, Mrs McKenzie,
Mrs McKenzie-Boyle, Mossom, Parker, Skinner and Virgo

Thursday 17 June 2021, 6.30 pm
Zoom Meeting



Agenda

Recommendations arising from this meeting will be considered in accordance with the delegations approved by Council on 28 April 2021.

Item	Description	Page
1.	Apologies for Absence	
	To receive apologies for absence. Reporting: Hannah Stevenson	
2.	Minutes	5 - 10
	To approve as a correct record the minutes of the meeting of the Committee held on . Reporting: ALL	
3.	Declarations of Interest	
	Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting. Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days. Any Member with an Affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting. Reporting: ALL	
4.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent. Reporting: Hannah Stevenson	

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.

Planning Applications

(Head of Development Management)

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.

5.	PS: Application 20/01063/FUL - Crown Land East Of Swinley Road, Ascot	15 - 40
	Application for temporary planning permission for use of land for filming purposes. Works to include construction of film set and use of associated land for parking and storage purposes for a period of 12 months. Reporting: Jo Male	
6.	PS: Application 20/00714/FUL - Land to Rear of Eggleton Cottage and Poplar Cottage, Chavey Down Road, Winkfield Row, Bracknell	41 - 56
	Erection of detached 3 bedroom dwelling with associated access and parking. Reporting: Basia Polnik	
7.	PS: Application 21/00262/FUL - Kenrick, Chavey Down Road, Winkfield Row, Bracknell	57 - 66
	Single storey front extension. Reporting: Basia Polnik	
8.	Application 21/00077/FUL - 1 To 8 Robins Gate, Bracknell	67 - 78
	Erection of new floor of accommodation and conversion of former management area to form 4 flats (2 one bedroom and 2 two bedroom). Reporting: Basia Polnik	
9.	Application 21/00145/3 - Ullswater, Bracknell	79 - 84
	Conversion of grassed amenity areas to provide 10 additional parking spaces in 4 locations. Reporting: Basia Polnik	
10.	Application 21/00224/FUL - 7 Flint Grove, Bracknell	85 - 92
	Installation of a detached pre-fabricated garden building within the rear garden to be used for ancillary use (C3) and pre-school classes (F1). Reporting: Basia Polnik	
11.	Application 21/00276/OUT - Land to the Rear of Rendcombe, Terrace Road South, Binfield	93 - 108
	Outline Application with all matters reserved except for access for the	

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.

	erection of a two storey dwelling with integral garage and associated access to rear of existing dwelling. Reporting: Basia Polnik	
12.	Application 21/00485/RTD - Telecommunications Mast, Ringmead, Great Hollands, Bracknell	109 - 120
	Installation of a 18m Phase 8 Monopole with cabinet and associated ancillary works. Reporting: Basia Polnik	

Sound recording, photographing, filming and use of social media is permitted. Please contact Hannah Stevenson, 01344 352308, hannah.stevenson@bracknell-forest.gov.uk, so that any special arrangements can be made.

Published: 7 June 2021

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.

This page is intentionally left blank

**PLANNING COMMITTEE – ADVISORY
MEETING
20 MAY 2021
6.30 - 7.34 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Dr Barnard, D Birch, Brown, Gbadebo, Green, Mrs Hayes MBE, Heydon, Mrs Mattick, Mrs McKenzie, Mossom, Parker and Virgo

Apologies for absence were received from:

Councillors Bhandari, Mrs McKenzie-Boyle and Skinner

Also Present:

Councillors Atkinson

3. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 22 April 2021 and the minutes of the Annual Meeting held on 28 April 2021 be approved as a correct record and signed by the Chairman.

4. Declarations of Interest

There were no declarations of interest.

5. Urgent Items of Business

There were no urgent items of business.

6. PS: Application No 20-01063-FUL - Crown Land East of Swinley Road, Ascot

This item has been deferred.

7. PS: Application No 20-00714-FUL - Land Rear of Eggleton and Poplar Cottages, Chavey Down Road, Winkfield

This item was deferred.

8. PS: Application No 21-00018-COND - Conyngwood, Mushroom Castle, Winkfield

Details pursuant to conditions 3 (materials), 4 (obscure glazing), 5 (access), 8 (site organisation) and 15 (onsite renewables) of planning permission 18/00639/FUL.

The Committee noted:

- The supplementary report tabled at the meeting.
- The objections received by 10 addresses as summarised in the agenda.
- The representations from the public speaker who joined the meeting.

RECOMMENDED that the Head of Planning be authorised to **APPROVE** the details submitted in respect of conditions 3, 4, 5, 8, and 15 of planning permission 18/00369/FUL, and as listed below:

01. The use of the following materials, as detailed within the 'External materials Images' document are acceptable:

- Wienerberger Cassandra Multi Brick
- Ibstock Ashdown Funton Multi Second hand stock
- HF Weatherd Clay Tile (Red/ Brown)
- Square paving slabs (sandstone)
- Permeable block paving (red/brown)

The development shall be carried out in accordance with the approved details.

02. This condition did not require any details to be submitted, the developer needs to comply with the condition.

03. The access works shall be carried out in accordance with details shown on drawing 17046-03 rev. C

04. The details shown on drawing MC/001 rev A are acceptable.

Each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on Planning Committee 20th May 2021 the site, other than those in the approved scheme shall be used for the approved purposes.

05. Details within Energy Demand Statement (ref: S2004-Energy Demand) dated

16th April 2021 are acceptable.

The proposal should be carried out in accordance with the approved details

9. **Application No 20-00585-FUL - Land South Of Foxley Lane, Binfield**

Full planning application for a residential development of one 4 bedroom dwelling with associated carport, parking and landscaping

The Committee noted:

- The supplementary report tabled at the meeting.
- The comments of Bracknell Town Council as detailed in the agenda.
- The 5 representations received as summarised in the agenda.
- The additional information as set out at the Committee meeting and detailed below:

The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk , to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following measure:

- avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);

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

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

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

02. The development shall be carried out in accordance with the following plans and details received by the Local Planning Authority:

Site location plan (018456-90 Rev. C) received 11.01.21

Proposed block plan (108456-135 Rev. B) Received 11.01.21

Proposed boundary and landscaping plan (108456-195 Rev. D) received 11.01.21

Proposed elevations (108456-253 Rev B) received 21.03.21

Proposed floor plans (108456-254 Rev C) received 21.03.21

Proposed site plan (108456-190 Rev. F) received 12.04.21

Proposed Secure Cycle Store and Car Port (108456-1000) received 06.05.21

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

03. The following, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development:

a) Sample panel of all facing brickwork which demonstrates the brick type, colour, texture, face bond, mortar mix and pointing, to be erected on site and maintained there during the course of construction;

b) Samples and/or manufacturer's details of the roof materials;

c) Plan and elevation drawings, with materials annotated, of all new windows and window openings (including surrounds) at a minimum scale of 1:10;

d). Plan and section drawings, with materials annotated, of all new doors at a minimum scale of 1:10;

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to safeguard the special architectural and historic interest of the neighbouring building.

[Relevant policy: CSDPD CS1, CS7, BFBLP, EN20]

04. 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, D and E of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASON: To safeguard the setting of the adjacent listed building and the residential and visual amenities of the occupiers and adjoining properties.

[Relevant Policies: CSDPD, CS1, CS7, BFBLP EN20]

05. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 10%). The buildings thereafter constructed by the carrying out of the development

shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

06. The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

07. 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/buildings 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]

08. All ecological measures and/or works shall be carried out in accordance with the details contained in QUANTS Ecological Appraisal and Great Crested Newt eDNA Survey May 2020 as already submitted with the planning application

REASON: In the interest of bio-diversity.

[Relevant Policy: CSDPD CS1, CS7, BFBLP EN1, EN2, EN20]

09. No development shall commence 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.

REASON: In the interest of bio-diversity.

[Relevant Policy: CSDPD CS1, CS7, BFBLP EN1, EN2, EN20]

10. An ecological site inspection report shall be submitted prior to occupation of any dwelling hereby approved to confirm that the works required by conditions 8 and 9 above have been undertaken.

REASON: In the interest of bio-diversity.

[Relevant Policy: CSDPD CS1, CS7, BFBLP EN1, EN2, EN20]

11. 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 prior to the occupation of the dwelling, 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 bio-diversity.

[Relevant Policy: CSDPD CS1, CS7, BFBLP EN1, EN2, EN20]

12. Notwithstanding the submitted plans the dwelling hereby permitted shall not be occupied until hard and soft landscaping, including boundary treatments and other means of enclosure, has been provided for that dwelling in accordance with a scheme 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 in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision and completed in full accordance with the approved scheme. All trees and other plants included within the approved details shall be healthy, wellformed 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 interest of bio-diversity.

[Relevant Policy: CSDPD CS1, CS7, BFBLP EN1, EN2, EN20]

13. No development (other than the construction of the access) shall take place until the access has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

14. Before any other part of the development hereby permitted is commenced, the proposed vehicular access shall be formed and provided with visibility splays, in accordance with details as shown on the approved plans. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway and maintained clear if any obstruction exceeding 0.6 metres in height at all times.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. The dwelling shall not be occupied until the associated vehicle parking and turning space has been surfaced and provided 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]

16. Notwithstanding the approved plans, any gates provided shall open away from the highway and be set back a distance of at least 10 metres from the edge of the carriageway of the adjoining highway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

17. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of construction site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained throughout the course of construction of the development free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

In the event of the S106 planning obligations not being completed by 22 July 2021 , the Head of Planning be authorised to extend this period or REFUSE the application on the grounds of:-

1. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2018).

CHAIRMAN

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS
AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
17th June 2021**

**REPORTS ON PLANNING APPLICATIONS RECEIVED
(Head of Planning)**

		Case Officer	Reporting Officer
5	20/01063/FUL Crown Land East Of Swinley Road Ascot (Ascot Ward) Application for temporary planning permission for use of land for filming purposes. Works to include construction of film set and use of associated land for parking and storage purposes for a period of 12 months. Recommendation: Refuse.	Trevor Yerworth	Jo Male
6	20/00714/FUL Land To Rear Of Eggleton Cottage and Poplar Cottage Chavey Down Road Winkfield Row (Winkfield And Cranbourne Ward) Erection of detached 3 bedroom dwelling with associated access and parking. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Sarah Horwood	Basia Polnik
7	21/00262/FUL Kenrick Chavey Down Road Winkfield Row (Winkfield And Cranbourne Ward) Single storey front extension. Recommendation: Approve.	Alexander Ralph	Basia Polnik
8	21/00077/FUL 1 To 8 Robins Gate Bracknell (Wildridings And Central Ward) Erection of new floor of accommodation and conversion of former management area to form 4 flats (2 one bedroom and 2 two bedroom). Recommendation:	Olivia Jones	Basia Polnik
9	21/00145/3 Street Record Ullswater Bracknell Berkshire (Great Hollands South Ward) Conversion of grassed amenity areas to provide	Lucy Ormrod	Basia Polnik

10 additional parking spaces in 4 locations.
Recommendation:

- | | | | |
|----|---|---------------|--------------|
| 10 | 21/00224/FUL
7 Flint Grove Bracknell Berkshire
(Bullbrook Ward)
Installation of a detached pre-fabricated garden building within the rear garden to be used for ancillary use (C3) and pre-school classes (F1)
Recommendation: | Olivia Jones | Basia Polnik |
| 11 | 21/00276/OUT
Land To The Rear Of Rendcombe Terrace Road
South Binfield
(Binfield With Warfield Ward)
Outline Application with all matters reserved except for access for the erection of a 3-bedroom dwelling with integral garage and associated access to rear of existing dwelling.
Recommendation: | Olivia Jones | Basia Polnik |
| 12 | 21/00485/RTD
Telecommunications Mast Ringmead Great Hollands
(Great Hollands South Ward)
Installation of a 18m Phase 8 Monopole with cabinet and associated ancillary works.
Recommendation: | Sarah Horwood | Basia Polnik |

Background Papers

Background papers comprise the relevant planning application file and any document therein with the exception of any document which would lead to disclosure of confidential or exempt information as defined in section 100A of the Local Government Act 1972 as amended.

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

BFBLP Bracknell Forest Borough Local Plan
CSDPD Core Strategy Development Plan Document
SALP Site Allocations Local Plan
RMLP Replacement Minerals Local Plan
WLP Waste Local Plan for Berkshire

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

RSS Regional Spatial Strategy (also known as the SEP South East Plan)

NPPF National Planning Policy Framework (Published by DCLG)
NPPG National Planning Policy Guidance (Published by DCLG)
PPS (No.) Planning Policy Statement (Published by DCLG)
MPG Minerals Planning Guidance
DCLG Department for Communities and Local Government

SITE LOCATION PLAN

For information the plans are orientated so that north is always at the top of the page.

THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 (“the HRA”) makes it unlawful for a public authority to act in a way that is incompatible with the rights set out in the European Convention of Human Rights.

Those rights include:-

Article 8 – “Everyone has the right to respect for his private and family life, his home.....”

Article 1 - First Protocol “Every natural or legal person is entitled to the peaceful enjoyment of his possessions”.

In some circumstances a local authority may be under an obligation to take positive action to protect an individuals interests under Article 8.

The relevant Convention Rights are not absolute. A Council may take action even though it interferes with private and family life, home and enjoyment of possessions, if it is for a legitimate purpose, necessary and proportionate. In effect a balancing exercise has to be conducted between the interests of the individual and the wider public interest.

Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more

detailed consideration of any Convention Rights affected.

Unrestricted Report

ITEM NO: 05

Application No.
20/01063/FUL

Site Address:

Ward:
Ascot

Date Registered:
21 December 2020

Target Decision Date:
15 February 2021

Crown Land East Of Swinley Road Ascot Berkshire

Proposal:

Application for temporary planning permission for use of land for filming purposes. Works to include construction of film set and use of associated land for parking and storage purposes for a period of 12 months.

Applicant:

Ms E PILL

Agent:

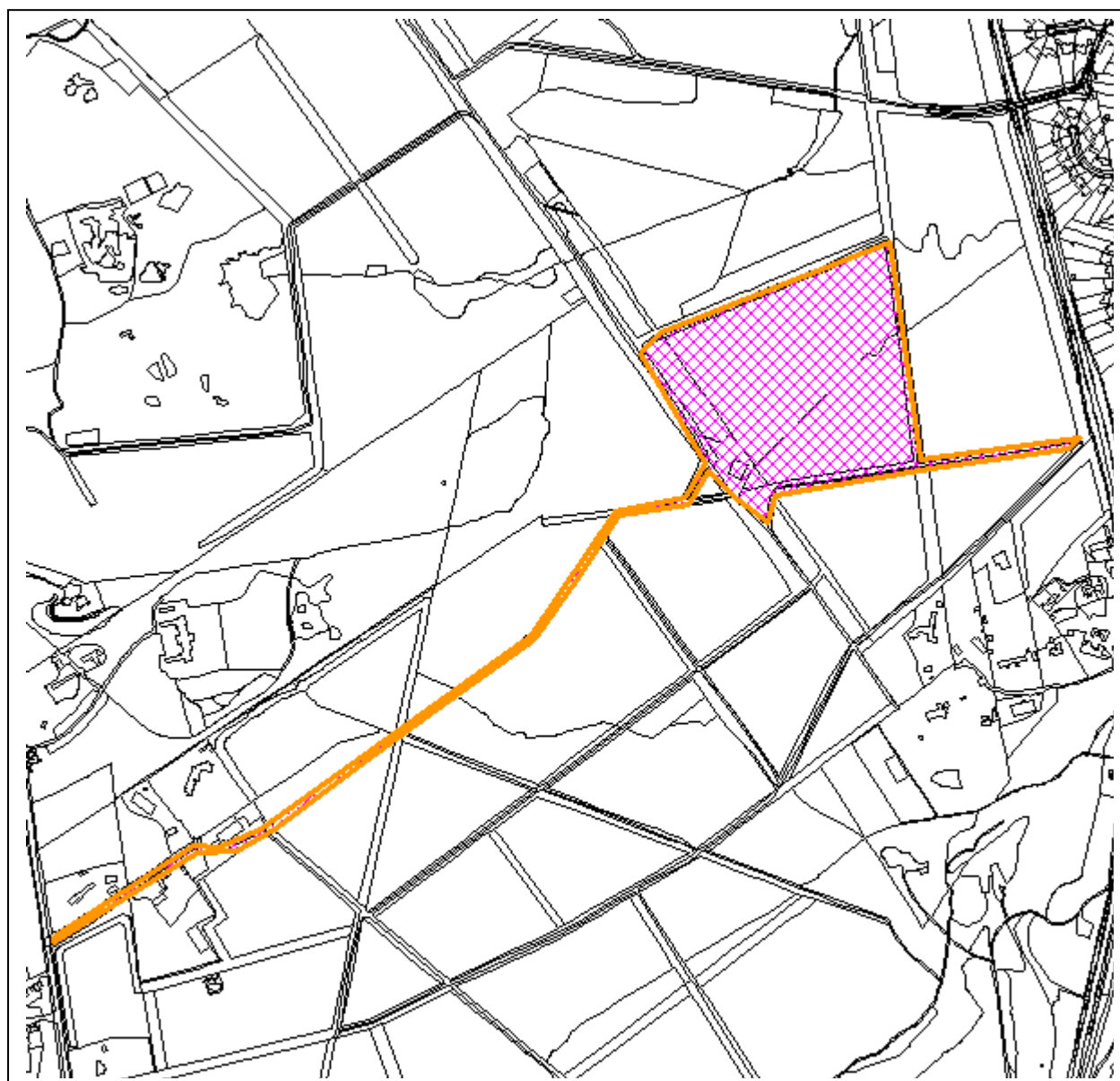
Ms J Long

Case Officer:

Trevor Yerworth, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 The proposed development relates to a site within the Green Belt. It proposes an inappropriate form of development which is 'by definition' harmful to the Green Belt. Furthermore, it would result in harm to the openness of the Green Belt and to the character and appearance of an area which is valued locally as a place for tranquil informal recreation. It is not considered that 'very special circumstances' exist that clearly outweigh the harm to the Green Belt and any other harm.

1.2 In addition, the proposal as it stands would result in an unacceptable impact on highway safety. Whilst the submission and approval of a Transport Management Plan could be secured by condition and could help mitigate some of the potential impact, insufficient information as to the feasibility and effectiveness of the proposed measures has been provided to demonstrate that highway safety concerns can be adequately addressed.

1.3 The applicant is proposing that part of the parking requirement be met off-site but has not demonstrated that feasible or available parking can be secured. Without certainty over the off-site arrangements it is considered likely that more parking will be drawn onto the main site, further exacerbating highway safety concerns.

1.4 The applicant has not demonstrated that the proposed development would not have a detrimental impact on biodiversity.

RECOMMENDATION

Planning permission be refused for the reasons set out in Section 11 of this report

2 REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 This application is reported to committee at the request of Councillor Brunel-Walker.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Green Belt

Outside the settlement boundary

Sited within 5km of the Thames Basin Heaths SPA

Biodiversity Opportunity Area

SSSI 500m buffer (access track only)

3.1 The 12.9ha site is located within the south eastern part of the over 200ha Swinley Forest which lies between the A332 Swinley Road to the west and the Ascot to Bagshot railway line to the east. The site is an open area of land that has been recently cleared and which forms part of a large commercial forest that benefits from permissive public access.

3.2 The vehicular access to the site would be from the west, off the private Buttersteep Rise and Swinley Road. Within the site, forest tracks would provide access to the film set and support area.

3.3 Swinley Forest Golf Course and residential properties on Bodens Ride are approximately 320 metres away to the south.

4. RELEVANT SITE HISTORY

4.1 12/00642/T Validation Date: 15.08.2012

Two year temporary permission for the holding of a family based Christmas Event to be open to members of the public between 1st December and 24th December 2012, and 22nd November and 24th December 2013, with set up and dismantling between 10th October and the opening of the event and 27th December and 31st January each year respectively, together with ancillary works to improve the existing access arrangements onto Swinley Road (A332) and in the formative year to strengthen existing forest access routes and pathways with the removal of all structures from site and the reinstatement of the land in the intervening periods.

WITHDRAWN 12.09.2012

5. THE PROPOSAL

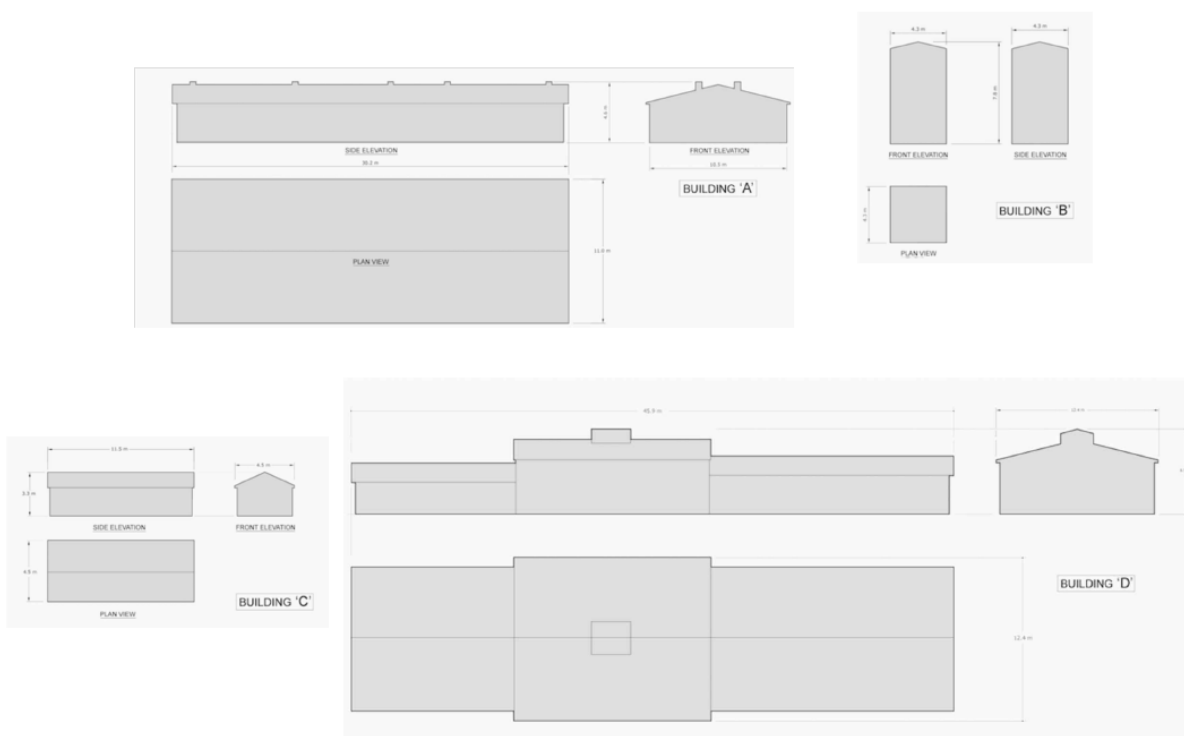
5.1 Planning permission is sought for the temporary use of land for film making including the creation of a film set on the land, to allow for the filming of a television series for a US Production company. Filming use of the land is required for a 12-month period, with filming proposed to occur over 30 days within a four-month period following the required preparation period. Following the conclusion of filming, the land will be reinstated to its former appearance.

5.2 In addition to the construction of the film set, adjacent areas will be used for the creation of a unit base, and for parking on filming weeks. The built film set would be created in the northern section of the application site and would involve the construction of temporary buildings and fencing. In addition, the proposal would require associated activities including parking and a Unit Base including portacabin site office; toilet facilities; technical vehicles including power supply generators; waste water and fresh water bowers; storage containers; two marquees for costume/dining (during the filming period) and construction and general waste skips. The Unit Base would be located to the south west of the main set. It would also include areas of hardstanding to accommodate up to 20-25 vehicles, typically in the range from 7.5 tonnes to 18 tonnes.



Set layout – showing approximate location of temporary set structures

5.2 There are no permanent or fixed structures proposed to be built. Set structures would not exceed 7.8m in height and would be made and constructed in situ and removed at the end of the filming period. Overnight accommodation would be provided on the site for security reasons during the construction and filming phases.



Examples of set structures

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Winkfield Parish Council supports the proposals subject to submission by the applicant of an acceptable highways report and a comprehensive traffic management plan.

CPRE Berkshire

CPRE Berkshire objects to this application on a number of grounds including:

- inappropriate development in the Green Belt resulting in encroachment and visual and spatial loss of openness to the Green Belt. Does not accept the very special circumstances put forward as the site is isolated, and unlikely to benefit local businesses some miles distant. Overall, there would be few if any benefits, and these are outweighed by the harm to the Green Belt.

- Several SSSIs are nearby, the nearest Swinley Park and Brick Pits SSSI, and the application site is in proximity to the Thames Basin Heaths SPA, a network of heathland sites that provide habitat for important ground-nesting bird species, for which it was designated. The filming schedule could impact particularly on nesting birds and young fledged birds, potentially reducing breeding success and populations.

- There is no assessment of the access route, which traverses the Forest from the west. The Habitats Study considered parking areas, but not potential disturbance from cars, buses and other heavy vehicles traversing the Forest during filming. The route goes through some of the alternative breeding/foraging areas that the report suggests will mitigate the proposal. There is also no consideration of potential vehicle pollution on the Forest and nearby vulnerable habitats. In addition no consideration is given to wider disturbance of the Forest in

terms of potential (recreational) footfall from up to 350 extra people. These are significant gaps in the ecological assessment.

- The study did not cover other species of conservation concern in the Forest, yet potential impacts could be significant. Both Woodcock and Nightjar are seriously affected by night-time light and noise. While the report concludes that viable Woodlark and Nightjar habitat will be restored onsite from 2022 onwards, intervening seasons may be critical.

- There is inadequate consideration of whether the proposed access route is safe or adequate, or of impact on the quiet residential area. The proposal indicates that site traffic would turn off and exit onto the fast (60mph limit) and busy A322. There is no evidence safety has been adequately assessed.

- It is proposed the site would then be accessed via a residential road and a forest track. These are not intended or capable of the estimated volume or types of traffic. Heavy vehicles would be in use throughout construction/removal and the filming period. While forest tracks are undoubtedly suitable for forestry vehicles, such vehicles are few in number and are also designed for the terrain. Buttersteep Rise is a small, quiet road. Consideration does not seem to have been given to whether it is adequate for the traffic, or of adverse impact on residents. Multiple heavy-vehicle movements during the construction/ removal phases and an overwhelming number of vehicles during filming is more than the road can cope with and would be severely disruptive to the tranquil community.

- The site is accessed via roads passing through or near the TBH SPA. There are other European sites in the vicinity. We are not clear whether this development, given the traffic volume including heavy traffic (albeit sporadic and temporary), needs to be considered under the Habitats Regulations.

The Society for the Protection of Ascot & Environs (SPAЕ)

6.3 SPAЕ objects to this application on a number of grounds including:

- The set pieces would remain in situ for the whole of the year. They therefore would have a high degree of permanence, physically changing the character of the site for the elapsed duration. They would be visually intrusive, and the proposal would represent encroachment into the countryside. In spatial and visual terms, the proposal would cause substantial harm to the openness of the Green Belt. It is inconceivable that such use of this land would not have major adverse impact on the Green Belt and so would amount to inappropriate development.

- The case put forward for very special circumstances has an emphasis on the economic benefits that may be derived. However the nearest locations for retail and other services are in Ascot Centre (2.8 miles away and in the Royal Borough) and Bagshot (2.9 miles away and in Surrey Heath BC). SPAЕ considers that there would be little economic and financial impact on the local area. Further, there would be little employment gain in the set-up and take-down for the set pieces. Employment would inevitably come from outside the area and it is also very doubtful that acting talent and support staff would be drawn from the local community. As such, the proposal is highly unlikely to outweigh the detrimental harm that would result from development in the Green Belt.

- The proposed development is in an area of high biodiversity value and is located adjacent to the Swinley Park and Brick Pits SSSI. The proposal is therefore likely to have a direct adverse and harmful impact on the habitat and wildlife. The proposal should contribute to minimising impacts on and providing net gains for biodiversity. If significant harm to

biodiversity resulting from the proposal cannot be avoided (through locating on an alternative site with less harmful impacts), then adequate mitigation should be provided.

- The proposal would adversely affect the character and appearance of the land, it would damage its landscape quality and it would injure the visual amenity of the Green Belt.

- The proposed access is from the A332 which has a 60mph speed limit. We would expect Thames Valley Police to be satisfied that the additional traffic would not result in safety concerns. Further, car movements, light and noise within the site would seriously disrupt those residents who live within the Green Belt land on Swinley Road.

Creative England (CE)

6.4 CE supports this application. CE is the national agency that provides support to the creative industries in England, outside London. It supports international and domestic film and TV production to shoot in England and works to improve the environment for filming in England. It works in close collaboration with the British Film Commission, to attract inward investment from film and TV production. CE states that the film and TV industry in the UK generates significant value for the UK economy. In 2019, film production in the UK generated a total spend of £1.95 billion.

Creative England estimate the average amount a production spends when filming on location per day is in excess of £42,000 on a major feature film and in the region of £22,000 for a high-end television drama. The impact to both the national and local economy is clear to see.

High-end UK productions create outstanding content in demand by audiences globally and generating much-needed expenditure and support more than 180,000 jobs to drive the UK's economic and social recovery. Despite the UK's success in attracting international productions in film and high-end TV, the supply of studio and alternative build space is not in-step with demand. This temporary planning application directly responds to the shortage of studio and alternative build space in the UK that Creative England have seen over the last number of years. Temporary planning permission would also ensure that the UK remains internationally competitive by ensuring sufficient infrastructure to support inward investment.

Given Berkshire's proximity to the M3, M4, Central London, Heathrow and the largest Studios in the UK its unsurprising that the County has been home to some of the biggest productions to shoot in the UK over recent years such as Netflix' The Crown and Bridgerton, Universals' Fast and Furious 9, MGM's No Time To Die and Sony's Cinderella to name but a few. This validates Berkshire's importance as a filming destination in the UK and the opportunity to ensure communities across the County enjoy the profile, job opportunities and economic benefits that the sector generates.

Other Representations

6.4 78 letters of objection have been received, the vast majority of these from local residents living in Ascot and Bracknell. They raise the following concerns:

Transport

- Buttersteep Rise, is a small road, barely wide enough for two cars to pass each other. 300 cars on this per day will not only block our entrance, but there is no provision in the application for restoring the road surface once production is completed (that number of heavy vehicles will destroy it).

- additional traffic would further impact already busy routes. The junction of the A322/A332 is already notorious and often leads to incidents which then cause a gridlock on the M3 junction 3 roundabout. Furthermore, traffic destined for Ascot Race Course and Sunningdale/ Wentworth Golf courses often lead to horrendous traffic issues for local residents.

- Traffic leaving the A322 to enter the tight Buttersteep Rise track will create another accident danger spot on entry and exit.

Green Belt/ Harm to character of area

- The woods are used by thousands of walkers, dog walkers and ramblers everyday. It is an attractive and unspoilt area of land providing a quiet, secluded area of peace and tranquility for local residents. In addition, many people pay a substantial membership fee to park at Buttersteep in order to have a safe place to exercise and walk their dogs. If this goes ahead it will be unsafe for walkers using the forest, and will impact on the ability to park, unload/load dogs safely, and reduce the area of forest people can access, due to a large area being closed off, which will push all the dog owners/walkers onto a smaller space.

- By any standards, the proposed development is huge. A total of 15 buildings (Types A, B, C and D) each ranging between about 18sq.m and 570sq.m, is massive. The potential is for in excess of 4,000sq.m, or more.

- Although the application is for a 'temporary' development of one year, experience shows that these types of applications get extended over time and may become permanent, which would be totally unacceptable. Furthermore, any temporary development approval would set a dangerous precedent for potential future development.

Environment and Ecology

- The proposed development is incredibly unsustainable in terms of land use, impact on the environment and ecology, use of high carbon materials, use of power generation (assumed diesel and associated pollution), lack of public transport links etc. Developments of this type should be built on brownfield or regeneration sites with existing infrastructure.

- This Application has not addressed biodiversity aspects at all. The area is known for endangered species, including ground nesting birds and rare reptiles.

Economic benefits

- Whilst any assistance to the local economy is very welcome especially in today's climate, it queries what proportion of this is going to be brought to BFC.

- will have a significant negative impact to dog walking businesses.

6.5 45 letters of support received. The vast majority of these are not from local addresses and include support from across the country including London, Bedford and Leeds. The supporting letters highlight the economic benefits of this proposal.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

7.1 Objection for the reasons set out in the report.

Biodiversity Officer

7.2 To demonstrate how the application protects and enhances biodiversity, further information is required to address the following points:

1. Local records and survey information
2. Ecological Impact Assessment
3. Potential impacts and mitigation

The application in its current state does not demonstrate that it protects and enhances biodiversity in accordance with EN1, CS1, CS7, NPPF, Circular 06/05, NERC Act 2006 and Conservation of Habitats and Species Regulations 2017 (as amended). Therefore, it should be withdrawn or refused unless such information can be provided within the timeframe of the application.

Parks & Countryside Officer

7.3 There are almost no public rights of way in the Crown Estate land that falls within the Bracknell Forest area. All access for recreation and leisure is by permission, which could be withdrawn at any time. (The exception is Crowthorne Woods which the Crown Estate took over from the Forestry Commission, so different rights were already in place there.)

The Crown Estate website for Buttersteep Forest and Swinley Park refers to the fact that these are working forests where large machinery operates, and areas are clear felled and replanted in a sustainable method of commercial timber production. It is considered that this sets the recreational access in context. It is not a static landscape with inalienable rights of public access; rather a working forest where the public are allowed to have permissive access. There is no open access land in this area of the Crown Estate.

Would not recommend refusal based on loss of access to the countryside as:

- 1 It is a relatively small area compared to the total area that the public are allowed to use and explore.
- 2 It is used by permission, not by right.
- 3 The area of land will have been forest plantation in the past and probably will be again in the future.
- 4 The application is for temporary use, and the land will be restored after 12 months
- 5 The forest tracks are primarily for forest operations, maintenance, timber extraction, and the public access is a by-product of the layout of tracks and parcels of forest.

It may well be possible to create an alternative path to the west of the film set, connecting Buttersteep Hill northward to Passmore's Plantation.

Environmental Health Officer

7.4 No objection.

Lead Local Flood Authority

7.5 No comments received.

SPA Officer

7.6 This proposal is not located on the SPA or SANG. It also does not involve a net increase in dwellings and the filming area lies approximately 2km from the SPA. Therefore, it is not considered that this proposal requires an Appropriate Assessment.

Royal Borough of Windsor & Maidenhead

7.7 No comments received.

Surrey Heath Borough Council

7.8 No comments received.

8. DEVELOPMENT PLAN

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

	Development Plan	NPPF	Weight to be attributed, with reference to para. 213 of NPPF
Sustainable development principles	SALP Policy CP1	Para. 11(d) refers to 'policies which <u>are most important for</u> determining the application are out-of-date'. CP1 wording differs to this. Furthermore, the PPG states that there is no need for a policy to directly replicate para. 11.	Limited (policy not used in planning application decision-making)
	CSDPD Policy CS1	Consistent (Paras. 7, 8, 11, 12, & 117 - 119)	Full
Principle of development – Green Belt	BFBLP 'Saved' Policies GB1 and GB2	Elements are acknowledged to not be fully consistent (para.145 & 146) however the thrust of these policies remains consistent	Not fully consistent therefore not full weight
	CSDPD Policy CS9 and BFBLP 'Saved' Policy EN8	Elements are acknowledged to not be fully consistent (para. 170 a) and b) however the thrust of these policies remains consistent (paras. 78-79, 103, 104a, 117 & 170)	Not fully consistent therefore not full weight

Design & Character	CSDPD Policy CS7 BFBLP 'Saved' Policy EN20	Consistent (Chapter 12) “	Full Full
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170) “	Full Full
Residential Amenity	'Saved' Policies EN20 & EN25 of BFBLP	Consistent (paras. 127, 170 & 180)	Full
Transport	CSDPD Policies C23 BFBLP 'Saved' Policy M9	Consistent (Chapter 9) “	Full Full
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175) “	Full Full
Noise and Pollution	CSDPD Policy CS1 BFBLP 'Saved' Policies EN15 & EN25	Consistent (paras. 118, 170, 178 & 180) “	Full Full
Other publications:			
National Planning Policy Framework (NPPF) (2019) National Planning Policy Guidance (NPPG) (2019) Bracknell Forest Borough Landscape Character Assessment (LUC) (2015)			

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development – Green Belt issues
- (ii) Impact on the character and appearance of the area
- (iii) Transport Implications
- (iv) Impact on residential amenity
- (v) Biodiversity
- (vi) Planning Balance

i. Principle of Development

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.2 The proposed film set would be located in an area of countryside designated by the Bracknell Forest Borough Policies Map as Green Belt. National Planning Policy, (set out in the NPPF 2019), states “The Government attaches great importance to Green Belts” and that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

9.3 The NPPF states that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, (paragraph 143). It goes on to state, in paragraph 144, “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

9.4 Paragraph 145 states that “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”, with the exception of the certain types of buildings. Paragraph 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, and these include material changes in the use of land.

9.5 In order to make a more robust assessment of the harm to the Green Belt the Government has provided additional guidance on how to assess the impact of a proposal on the openness of the Green Belt. This states:

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.”

9.6 The proposed change of use of the land for the construction of a film set and associated activities, for a 12 month period involves a set build of a number of temporary buildings, rising to a maximum height of 7.8m, and fencing covering an area of

approximately 9.7ha (although the majority of the buildings would be confined to a core area of approximately 1.6ha). In addition, the proposed unit base, would cover a further area of approximately 0.63ha, and would accommodate parking, a portacabin site office, power and water supplies, storage containers, marquees for costumes and dining, technical vehicles and generators and construction and general waste skips.

9.7 While an argument could be made that the duration of the development and its remediability count in favour of the proposed development, it is considered that, on balance, the proposed development would cause substantial harm to the openness of the Green Belt taking into account the following spatial and visual impacts:

- the fact that the site is currently completely undeveloped;
- the scale and number of the proposed structures, plant and parking areas comprising the set and unit base;
- the fact that this is clearly a popular area for public outdoor recreation and thus would be readily perceived in public views;
- the degree of activity that would be generated.

9.8 Cumulatively these factors would result in a significant loss of openness albeit for a limited period of time. This would conflict with one of the five purposes of Green Belts, namely that of assisting in safeguarding the countryside from encroachment. As such the proposed development is considered to constitute inappropriate development within the Green Belt. The NPPF makes clear that inappropriate development is 'by definition' harmful and should not be approved except in very special circumstances and that these will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.9 The principle of development is unacceptable unless there exist any "very special circumstances" which clearly outweigh the harm to the Green Belt, and any other harm. These are considered within the 'Planning Balance' section of this report.

ii Impact on character and appearance of area

9.10 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity.

9.11 The Bracknell Forest Borough Landscape Character Assessment (2015) (LCA) provides a comprehensive landscape character assessment for all land outside defined settlements. It identifies different landscape character areas, describes their key characteristics and features of value and suggests an appropriate landscape strategy for each character area. The application site is identified within the LCA as falling within landscape type A Forested Sands. This character area comprises a large expanse of forest plantation between the settlements of Bracknell to the north, Crowthorne and Sandhurst to the west, Camberley to the south and South Ascot to the east. Key characteristics of this landscape type relevant to the application site include:

- Large areas of forestry plantation interspersed with broadleaf woodland and limited areas of open heath, giving a sense of enclosure and remoteness.
- Typically short views, contained by trees, with occasional distinctive long views along historic, straight rides through the trees and glimpsed views from more elevated areas. Where areas have been felled or trees lost to forest fires, views open out to enable appreciation of the undulating landform and the scale of the landscape

- A very low settlement density and few transport corridors.
- Well-used recreation areas valued by the local community. Substantial parts of the forest are owned by the Forestry Commission and Crown Estate, with public access allowed in most of these areas.
- Despite the non-native land cover and presence of forestry operations the area has a sense of remoteness; a sense of removal from the surrounding urban settlements and a connection to the history of Windsor Forest.
- Used as a film location - Swinley Forest was used as a film location for Harry Potter and the Deathly Hallows in 2009.

9.12 This is an area characterised by extensive forest which provides a continuity of character as well as a large sense of scale. The influence of the suburban development at its edges is limited. The area is an important recreation resource for the adjacent settlements of Bracknell and Ascot and includes large areas of publicly accessible land where provisions are made for a range of activities, including biking and walking.

9.13 The report identifies the following valued features and characteristics of this landscape area which are considered of particular relevance to the application site:

- The extensive areas of forest and woodland where an undeveloped character predominates, providing opportunities for recreation and enjoyment of the landscape as well as a wooded setting to the surrounding settlements and forming a physical and visual separation between Crowthorne and Bracknell.
- The forest and the historic rides are particularly important, providing associations with the historic Royal Forest of Windsor created in the 11th century by William the Conqueror. The woodland and undeveloped areas are key to Bracknell Forest borough's character as a whole; and areas of Swinley Forest have more recent film and literary associations, having been used as a location for the filming of Harry Potter and the Deathly Hallows in 2009.
- Mosaics of broadleaf and mixed woodland, remnant heathland and grasslands which provide important habitats as well as contribute to the visual diversity of the area (a variety of colours and textures and changing seasonal interest).
- The undeveloped character, sense of naturalness and remoteness provided by the lack of built development and the remaining deciduous and mixed woodlands and heathlands. This sense of remoteness and escape is highly valued so close to dense urban parts of the borough.
- Heavily enclosed character with distinctive long but framed views opening out along historic, straight rides through the trees.
- Recreational areas of open access land (although this is in part controlled due to the Thames Basins Heath SPA).

9.14 The report proceeds to identify a detailed landscape strategy for this landscape character area, including the protection of the valued attributes identified above, and in particular to protect the undeveloped nature, sense of remoteness and dark skies in the interior areas of forest, which provide an escape from the settled parts of the borough.

9.15 The application site comprises an open clearing within an area of generally forested countryside and lies at the intersection of two of the straight rides characteristic of this area. It is evident from numerous of the objections from local residents that the informal recreational function of this area of countryside is a highly valued feature. The siting, scale and design of the proposed development would therefore be incongruous and harmful to the rural character and appearance of the area. The weight attributed to this harm is set out in the Planning Balance section of this report.

9.16 It is also significant that one of the identified characteristics is that areas of Swinley Forest have recent film and literary associations. It is therefore considered that the small scale and temporary use of the land for filming would not in itself be harmful to the character of this area. However, it is considered that there is a substantial difference between using this site as a film location and developing a substantial film set with all the associated activities over an extended period of time. It is the proposed erection of set buildings and the scale and duration of the proposed activity here as evidenced by the amount of traffic that would be generated and length of time involved, that are considered to be the main causes of harm to the character and tranquillity of this remote countryside location.

9.17 On balance, it is therefore considered that the proposal would result in harm to the character and appearance of the area and is therefore considered to be contrary to CSDPD Policy CS7, and, 'Saved' Policy EN20 of the BFBLP.

iii Transport Implications

Access

9.18 The site would be accessed via Buttersteep Rise, which is a private road which serves several residential properties and provides access to Crown Estate land and car park at its eastern end. It is understood this car park is there to cater for the wider public who pay to use it whilst walking in the surrounding woodland. Buttersteep Rise has been improved over the years and now has bollards on one side and a low post and wire fence on the other, both of which are located close to the edge of the road and therefore provide very little room for vehicles to get close to the edge of the road. The road is around 4.5m wide and this coupled with proximity of the bollards and fence provide very little room for cars and larger vehicles to pass.

9.19 The junction with Swinley Road is relatively informal with limited kerbing and the junction will need to be tracked for the expected vehicles to ensure that the safety of motorists both on Buttersteep Rise and on Swinley Road is not compromised. Visibility in both directions is good but as Swinley Road has a 60mph speed limit it is imperative that the junction into and out of the site can operate safely.

9.20 The applicant has submitted a Transport Assessment that sets out the likely trips and types of vehicles expected from the intended use of the site and provides information on the tracking of delivery vehicles that will access Buttersteep Rise during the site set up and take down (strike) events. The original proposal indicated that all vehicles would be expected to come from the south and exit southwards through the junction. Whilst it is understood that deliveries may be advised to use this route, this cannot be guaranteed and as the strategic local road network also exists to the north of the site it is quite possible for such deliveries to arrive and exit in this direction.

9.21 In relation to the tracking that has been provided it is clear from the movements executed that the largest vehicles will overrun the centre line of Swinley Road on exit and this gives rise to safety concerns. Large goods vehicles by their very nature are heavy and slow moving from a standing start. This coupled with the speed limit and straight alignment of Swinley Road means that the potential for conflict between turning vehicles is greater. Should a vehicle try to turn earlier to avoid overrunning the centre line then the adjacent ditch and headwall are likely to be overrun and thus could lead to damage to the highway. It is also noted that any vehicles turning right into Buttersteep Rise take up a lot of the road space and so with a vehicle waiting at the junction to exit this would restrict the ability for a HGV to turn in easily, or if already turning and a vehicle is exiting the potential for such a vehicle to stop suddenly and be partially on Swinley Road could occur also leading to conflict.

9.22 As stated above the Transport Assessment does not consider the potential harm that might arise from vehicles accessing from the north of the junction, which could not be precluded. Tracking for minibuses from either direction into and out of the junction should also be undertaken for the maximum size of vehicle expected to be used. This could include smaller buses that are commonly used to serve businesses that have private shuttle bus contracts and hold approximately 30 - 40 passengers.

9.23 In response to these concerns the applicant has reviewed the situation and is now proposing that vehicles enter from and exit to the north of Buttersteep Rise. However the tracking that has been provided still raises concerns as the amount of road space needed is excessive for the size of the junction and existing vehicles along Buttersteep Rise would not be expecting a HGV so would not naturally stop over 25m from the junction to allow it to pass. This in reality is likely to lead to the incoming HGV to suddenly stop potentially overhanging Swinley Road which could lead to conflict.

9.24 In addition, visibility for exiting vehicles would be restricted by a waiting HGV and with its indicators on an approaching vehicle from the north may choose to try and overtake as forward visibility would be good and this could lead to conflict with an emerging vehicle from the junction. The swept paths submitted have considered the manoeuvre, but this has not considered such vehicles waiting at the stop line. The current tracking would require vehicles to make such turns without being able to see oncoming traffic. This is unacceptable and should be carried out with vehicles appropriately waiting at the stop line and then turning out.

9.25 It is also expected that the larger HGVs will overrun the edge of Swinley Road leading to highway safety issues and damage to the highway adjacent. In order to safely allow such operations to occur, alterations to the northern kerb line on Swinley Road and on Buttersteep Rise would be required to allow sufficient space at the junction for vehicles to enter the site safely as well as provide sufficient room for exiting vehicles as well. An increase in junction radii and compound curve or splay arrangement are expected to be required to facilitate safe access. It is anticipated that such changes would be required over the first 25-30m of the junction. There appears to be a T service chamber that could be affected by such changes as well as a headwall but this would need proper investigation. Such changes would be expected to be carried out under a S278 agreement.

9.26 Alterations to the northern kerb line may be possible within the ancient highway and it is assumed that the Crown Estate has control of Buttersteep Rise and the verge areas adjacent. However the applicant has not carried out the required investigations or submitted acceptable proposals for the required highway improvements. It should also be noted that while signage and instructions can be provided this would not completely preclude some deliveries either arriving from or exiting to the south. For the above reasons it is considered that the applicant has not demonstrated that a safe access can be provided onto Swinley Road.

9.27 Furthermore Buttersteep Rise itself is limited in width when considering the potential for HGV's and cars to pass each other and alterations to the current bollards or fence adjacent to the road edge would be required to widen the road nearer the junction and provide passing places along the road. However, this would not address the form of the junction and the safety issue relating to increased use by this proposal. The applicant has suggested that the submission and approval of a Transport Management Plan could be conditioned to provide mitigation for these issues. This could include provisions relating to the control of access during filming to the Buttersteep Forest Members Car Park, and for forestry vehicles; the creation of passing spaces along Buttersteep Rise, the provision of signage and banksmen or provisions relating to the timing and routing of HGVs. While a number of these measures may individually or in combination provide an element of mitigation for the highway safety concerns insufficient detail has been provided at this stage

to demonstrate that acceptable mitigation could be provided or secured within the control of the applicant. A number of the proposed measures include works to be carried out by or restrictions on a third party (the Crown Estate) and relate to land outside the application red line. In addition, insufficient information has been provided on the feasibility and effectiveness of some of the proposals in terms of providing the required outcomes. While the Highway Authority is continuing to work with the applicant to overcome the highway concerns, to date no form of acceptable mitigation has been demonstrated that would justify a change to the recommendation of refusal.

Parking

9.28 The Transport Assessment also outlines the trips associated with the day to day operation of the site when filming is in progress and sets out that a large proportion of the site staff and crew as well as cast members and extras will be collected by mini busses from local rail stations or from off-site car parking to be secured elsewhere. The applicant has stated that two off-site parking options are being looked at which could also accommodate parking for delivery vehicles to wait until they are permitted to enter the site. As both options are located off-site the Council would need to be satisfied that such off-site parking was feasible and that the applicant had secured control of such parking.

9.29 One option is at Lapland. However, this option would appear to conflict with the extant planning permission for Lapland which is limited to LUK only and to specified time periods. In addition, it would appear that this site may not be suitable for the HGVs required for this development. It would therefore appear that in order to pursue this suggestion a further planning permission will be required on the Lapland site. Furthermore the junction arrangements at Lapland are limited and the use of the site by HGVs would need to be carefully controlled and the applicant has not set out which access to that site would be used, this would be required to ensure the highway is not damaged leading to safety issues. It should also be noted that there is a narrow railway bridge on the section of Swinley Road south of Lapland and increasing the amount of traffic from cars but more specifically HGVs could create an enhanced risk of conflict in this area from those directed to wait at this location. It is therefore not considered that Lapland would be a feasible option and would not be a suitable location for vehicles to wait off site.

9.30 The second option suggested is Ascot Racecourse. If Lapland is unavailable for the reasons set out above then the use of the racecourse could have significant implications if it displaced parking for racecourse functions. The applicant has also failed to demonstrate that this would be a feasible or suitable option or that it has secured the necessary control required to implement this.

9.31 Overall without certainty over the off-site arrangements it is considered very likely that more parking will be drawn onto the main site and this will impact on the use of Buttersteep Rise and could further increase the impact on the surrounding area and potentially the junction with Swinley Road.

9.32 Pedestrian access from the car parking for walkers into the areas of woodland will also have to be managed to reduce any conflict with vehicles entering or exiting the site. However, it is considered that this could be secured by condition.

Traffic impact

9.33 The impact of the development will be impacted by the extent of what occurs on site and how people arrive at the site. Due to the uncertainty over the off-site parking arrangements the full impacts of this proposal cannot be fully assessed as they could be different from what has been outlined.

Pedestrian safety

9.34 There is a potential conflict between vehicles and pedestrians using the forest routes between Buttersteep Rise and the unit base/ film set. However, the routes within the wooded area are predominantly straight with verge areas to the side of them. In that regard, with mitigation measures such as suitable alternative routes for pedestrians and advisory signage on speed and of potential users along the route so that both vehicles and pedestrians are made aware of each other such matters could be addressed by a suitable condition.

iv Residential Amenity

9.35 Saved Policy EN20, criterion vii considers that new development should not adversely affect the amenities of neighbouring residents.

9.36 The nearest residential dwellings to the proposed film set are on Bodens Ride, approximately 320 metres away to the south. It is considered that this distance is adequate to prevent undue noise or light impacts on these properties and no objection has been raised by the Environmental Health Officer.

9.37 There are also residential properties on Buttersteep Rise. Although there are unlikely to be any direct impacts on the amenities of these properties, some inconvenience in accessing these properties may arise as a result of the additional traffic, narrow width and any issues entering or leaving from Swinley Road as set out above. Although it is not considered that this would result in sufficient grounds upon which to refuse the application in its own right, it adds weight to the highway concerns about the suitability of the access arrangements.

9.38 The proposal is therefore considered to comply with 'saved' Policy EN20 vii) of the BFBLP.

v Biodiversity

9.39 The application in its current state does not demonstrate that it protects and enhances biodiversity in accordance with EN1, CS1, CS7, NPPF, Circular 06/05, NERC Act 2006 and Conservation of Habitats and Species Regulations 2017 (as amended). In particular the insufficient information has been submitted on the following matters:

Local records and survey information

9.40 The Habitat Survey does not provide sufficient information to determine the existing value of the site for biodiversity. The proposed site is located within an area that shares characteristics of the Thames Basin Heaths SPA and Swinley Brick Pits SSSI. Therefore, it is likely to support a range of notable and protected species that could be affected by the proposed film set.

9.41 The UK Guidelines for Accessing and Using Biodiversity Data (CIEEM, 2016) explain that for ecology surveys supporting a development application "The sources consulted for the background data search may vary depending on the location of the proposed development, but must always include the LERC where one exists." The Habitat Survey does not include any local records search, and this leads to a lack of information about the potential impacts of the proposals on protected and notable species. Local records are required to provide an indication as to the potential for species that may be present on the site and could require further assessment.

9.42 The Habitat Survey provides information about the habitat structure on the site but no habitat map to show the distribution of differing habitat types or structures. The report comments on the rides and suggests "They are largely poorly vegetated with any species

richness confined to the margins.” The rides in this area provide margins of short heather and acid grassland up to 3 metres in width and in many areas these margins occur on both sides (particularly on the south side of the site). These rides are known to support reptiles and invertebrates such as Silver Studded-Blue butterfly. Therefore, this value should be recognised and included in an ecological impact assessment.

9.43 The Habitat Survey does provide detailed consideration of the three Schedule 1 birds Nightjar, Woodlark and Dartford Warbler but does not refer to any survey data to support the statements in the report. It is highly likely that these birds are present but unclear how important this site may be in the local context to assess whether the loss of a breeding season could be compensated by the extended provision of young plantation habitat (i.e. setting back the restocking to allow a longer period of open habitats). This area is regularly surveyed, and survey information is held by the Crown Estate which should be included as an evidence base.

9.44 Strict adherence to Standing Advice from Natural England would require further surveys for schedule 1 birds, reptiles, amphibians, and notable invertebrates. However, given the short-term nature of the proposals and the good potential for site restoration it should be possible to use a thorough ecological impact assessment based on survey information to address the potential impacts of the proposals.

9.45 Paragraph 43 of the NPPF explains “The right information is crucial to good decision-making; particularly where formal assessments are required”. The Habitat Survey provided with this application does not provide sufficient information for the council to conclude that the proposals will protect biodiversity and requires revision to include a local records search and survey information.

Ecological Impact Assessment

9.46 The Habitat Survey does not follow recognised methodology and provides limited consideration of the potential impacts of the proposals on biodiversity. The report does not follow guidelines for Ecological Impact Assessment (CIEEM, 2018) which results in an inconsistent approach to assigning the ecological value of the site, identifying potential impacts, and recommending appropriate mitigation.

9.47 The report focuses mainly on the schedule 1 birds (Nightjar, Woodlark and Dartford Warbler) and considers some short-term impacts during site set-up and long term impacts on their habitat. However, it does not systematically identify potential impacts through the different stages of the film set and it does not consider other species. The report identifies a ditch and seasonal pond at the site but does not make any further comment as to their suitability for great crested newts which are known to be present at the Swinley Brick Pits SSSI.

9.48 The area is likely to be suitable for reptiles such as Adder (*Viperus berus*), which may also use hibernacula of particular importance for population that would need to be protected from any clearance or human activity. In particular, there is a potential hibernaculum on the ride to the west of the site (Kings Ride). The local area also has records of Silver-studded Blue (*Plebejus argus*) which has poor dispersal and could be using heather on the rides. Adder, Silver-studded Blue and several other species recorded in this area are Species of Principal Importance (SPI). Under section 40 and 41 of the NERC Act 2006, the Council must have regard to the conservation of listed habitats and species of principal importance.

9.49 Therefore, further information is required to assess how species will be affected by the proposals and what mitigation will be implemented to avoid, reduce and compensate for these effects. Paragraph 99 of the ODPM Circular 06/2005 states “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the

proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”

Potential impacts and mitigation

9.50 As mentioned above, the Habitat Survey report does not provide an ecological impact assessment which means that potential impacts are not readily identified. There is little information about the activities during the lifetime of the film set in the Supporting Statement which leads to uncertainty regarding the potential impacts of the proposals. Therefore, further information and a precautionary approach to assessing impacts will be needed. A number of potential impacts are described below. These need to be considered and addressed through the mitigation hierarchy in an ecological impact assessment. While it is recognised that the Crown Estate will continue management works in agreement with Natural England that may affect habitats and species in this area, this application has to be considered on its own merits against planning policy and guidance and in a consistent manner with other planning applications.

i) Direct habitat loss – temporary/permanent

9.51 Section 3.10 of the Support Statement provides a schematic diagram of the site with various blocks on an aerial photo but it is not clear whether all vegetation within the site would be removed. The potential impacts of the scheme including direct habitat loss and potential disturbance of schedule 1 birds depends on the extent of vegetation removal. The Habitat Survey does not provide any details of the remediation of the site following the strike of the film set except to mention “an assumed forestry restocking regime”. While the Crown Estate will have a stocking regime and standard working practices to replace vegetation at the site, the presence of a film set is additional to their original stocking plan. To demonstrate that biodiversity will be protected and enhanced by these proposals, the ecological impact assessment should identify specific mitigation and compensation which could take the form of a restoration plan.

9.52 It would appear that the ditch line and ponded area are outside the area required for the film set but there is no confirmation of this in the Habitat Survey. These areas should be specifically protected from any vehicles or vegetation clearance. There are four ride areas which appear to be marked for parking and facilities which may have differing habitat and impacts. There is no information to show how these areas would function. Some of these rides include heathland that could be lost to parking and temporary buildings. In the first instance, consideration should be given to avoiding rides with heathland margins or fencing off areas of this habitat. As a second measure, protective matting could be used to preserve the existing habitat. If protection is not possible or fails, a restoration plan should be outlined as compensation in the ecological impact assessment. There is a risk that some activities on the site could result in permanent habitat loss through compaction of the soil, impounding of the ditch lines and importing materials, particularly if ground conditions are poor.

ii) Killing, injury or disturbance of protected species/species of principal importance

9.53 Depending on the timing of the site clearance, breeding birds, reptiles and invertebrates could be killed, injured or disturbed. The Habitat Survey suggests that clearance will be outside the bird breeding season in February but depending on the extent of the clearance and the activity at the site, schedule 1 birds may still nest close to the site and be disturbed by later activities. In addition, there is no consideration of clearance methods that will protect reptiles which could be active in February depending on weather conditions. In addition, Kings Ride located adjacent to the west of the site includes a pile of partially buried logs and wood chippings which could be used by reptiles as a hibernaculum that appears to be in a parking area. This feature should be protected from physical clearance and fenced off for the duration of the site activities.

iii) Disturbance – temporary

9.54 Due to the lack of information regarding filming activities, there are a range of potential impacts that may need to be considered. If Schedule 1 birds attempt nesting on any remaining areas of heathland near the film set before filming begins, they could still be disturbed. This would depend on the frequency and severity of human presence, animals, vehicles, noise, vibration, explosions or lighting. Lighting at night could have impacts beyond the immediate site depending on the lighting being used. Security and film lighting could have impacts on a wide range of species such as bats, nightjars and invertebrates depending on its intensity, duration and type.

iv) Air Quality

9.55 There could be localised temporary impacts from particulates emissions caused by generators or running vehicles. These could smother some areas of vegetation which may not be an issue within the cleared area of the site but it may be a potential impact in parking areas where there is presence of heathland/acid grassland and some priority species. This could be remedied by using parking areas close to conifer rather than more open habitats and/or using renewable energy and electric vehicles.

9.56 In the absence of adequate information in respect of local records and survey information; Ecological Impact Assessment and potential impacts and mitigation, the application in its current state does not demonstrate that it protects and enhances biodiversity in accordance with saved Policy EN1 of the BFBLP, Policies CS1 and CS7 of the CS, and national policy contained in the NPPF, Circular 06/05, NERC Act 2006 and Conservation of Habitats and Species Regulations 2017 (as amended).

vi Other material considerations

Permitted Development Rights

9.57 Schedule 2 Part 4 Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) specifies that the use of any land for any purpose for not more than 28 days in total in any calendar year, (of which not more than 14 days in total may be for the purposes of— (a) the holding of a market; (b) motor car and motorcycle racing including trials of speed, and practicing for these activities) is permitted development i.e. does not require planning permission, including the provision on the land of any moveable structure for the purposes of the permitted use. Class BA extended this right for an additional 28 days until 31st December 2021. Therefore, the use of the land for filming for a period of up to 56 days during 2021 would not require planning permission.

9.58 Schedule 2 Part 4 Class E of the Town and Country Planning (General Permitted Development) Order 2015 specifies that the temporary use of any land or buildings for a period not exceeding 9 months in any 27 month period for the purpose of commercial film-making ; and the provision on such land during the filming period of any temporary structures, works, plant or machinery required in connection with that use is permitted development. Class E development is permitted subject to the condition that (a) any structures, works, plant or machinery provided under the permission must, as soon as practicable after the end of each filming period, be removed from the land; and (b) the land on which any development permitted by Class E has been carried out must, as soon as reasonably practicable after the end of the filming period, be reinstated to its condition before the development was carried out. It is noted that Class E is less restrictive than Class B in terms of the physical works permitted. Class E permits the provision of any temporary structures, works, plant or machinery required in connection with that use whereas Class B only permits moveable structures which is not considered to include the construction of a film set.

9.59 However, development is not permitted by Class E where the land in question is more than 1.5 hectares or the use of the land is for overnight accommodation. Furthermore development is only permitted subject to the condition that before the start of each new filming period the developer must apply to the LPA for a determination as to whether prior approval of the authority will be required for the dates and hours of operation of the filming period; the transport and highway impacts of the development; the noise and lighting impacts of the development, in particular the effect on any occupier of neighbouring land and the flooding risks of the site.

9.60 Accordingly and theoretically, the applicant could erect a substantially smaller film set on a smaller site up to 1.5ha (including any base unit and parking), with no overnight accommodation and film for no more than 9 months without requiring planning permission subject to the prior approval process. Due to the size of the site being restricted to 1.5 hectares, a film set and base unit of a comparable size to that proposed under the current application could not be provided under permitted development. The set would also have to be removed from the land after each filming period and the land reinstated to its original condition.

9.61 If the applicant chose to take the permitted development route they would need to either restrict the activities to filming within the natural environment for up to 56 days (i.e without the erection of a film set) or apply to the Council for prior approval under Class E. It is important to note that the relevant permitted development rights criteria do not require any consideration to be given to the impact of the proposal on the Green Belt, character of the area in which the site is located, or biodiversity. However, prior approval under Class E does require a consideration of transport and highway impacts and, in view of the highway concerns discussed above it is unlikely that prior approval would be granted for a development of the scale of that proposed.

9.62 The Permitted Development Rights available to the applicant are a material consideration in the assessment of this planning application and the weight given to this is set out in the Planning Balance below. In particular it demonstrates Government support for the film industry. It is also considered relevant in that it establishes a fallback position for the applicant whereby some form of film making may be acceptable on this site in principle albeit on a much smaller scale. The highway safety issues would still have to be assessed (unless the activity was restricted to just filming for up to 56 days), but a much smaller scale proposal would be likely to have reduced the highway impacts, and subject to any required mitigation, could potentially be deemed acceptable.

Economic benefits

9.63 Paragraph 80 of the NPPF states that planning decisions “should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.” Para.82 states: Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for...creative or high technology industries...”

9.64 The applicant has submitted a ‘Statement of Very Special Circumstances’, which sets out the economic benefits of the proposal. These benefits are supported by the letter submitted by Creative England (CE). CE states that the film and TV industry in the UK generates significant value for the UK economy, and that in 2019, film production in the UK generated a total spend of £1.95 billion. 2019 also saw the second highest level of spend by international filmmakers ever recorded, reaching £1.77 billion. CE claims that this highlights the confidence international filmmakers have in the UK’s creativity, the expertise of our crews, and world-class production facilities combined with the generous UK film tax relief.

On a more local level, CE estimate the average amount a production spends when filming on location per day is in excess of £42,000 on a major feature film and in the region of £22,000 for a high-end television drama.

9.65 The applicant claims that this proposal would provide both direct and indirect benefits to the local economy resulting from local spend in the immediate surrounding area on staffing, hotel, transport, cleaning, security, catering and waste requirements along with spending in nearby restaurants, shops and petrol stations. During the period of construction and filming the staff and the production company will use local facilities and services. This will bring a boost to the local economy and provide local employment and use of local services. This will feed directly into the local economy. It should however be noted that in view of the remoteness of the site from Bracknell the nearest local centres are Bagshot and Ascot, both outside the Borough.

9.66 The economic benefits of the proposal are material considerations relevant to the assessment of the proposal and the weight given to this is set out in the Planning Balance section below.

Lack of suitable and available alternative sites

9.67 In its supporting letter, Creative England states that “despite the UK’s success in attracting international productions in film and high-end TV, the supply of studio and alternative build space is not fully in-step with demand.” It adds that “temporary planning permission for the proposal would ensure that the UK remains internationally competitive by ensuring sufficient infrastructure to support inward investment.”

9.68 It is therefore considered that there is evidence that there is a demand for additional film studios and filming locations, especially within the local area on account of its proximity to the M3, M4, Central London, Heathrow and the largest studios in the UK. Indeed, this is recognised by this Council’s support for the industry, including the promotion of filming locations within the Borough, and its work with the Berkshire Film Office.

9.69 However, the applicant has not demonstrated that any alternative sites were considered during the site selection process, in particular it has not been demonstrated why a Green Belt site is necessary. Notwithstanding this, the applicant has submitted details of a number of sites within the region where planning permission has been granted for filming, including previously developed and non-Green Belt sites. The demand for and availability of suitable film sites are material considerations relevant to the assessment of the proposal and the weight given to this is set out in the Planning Balance section below.

Precedent and cumulative impact

9.70 It is established practice that each application must be determined on its own merits and concerns about setting a precedent must be treated very cautiously. However, a common feature in several other similar proposals submitted by the applicant is the multiple number of applications made for temporary film sets on these sites. Once a temporary permission has been granted this establishes the acceptability of the principle of creating a film set on a site, and as can be seen in other cases, further similar applications, either on different parts of the general site or at different points of time may be made.

9.71 A ‘very special circumstance’ will not normally be considered to create a precedent where a particular development, site characteristic or planning history is unique to an area. However if there is a possibility that the very special circumstances relied upon could be replicated, leading to a number of subsequent similar permissions on a site that would cumulatively, or through repeated operations over an extended period of time result in a recurring loss of openness to the Green Belt, this may be a potent reason for rejecting a proposed development. Even if individually a proposal would be relatively inconspicuous or

have a limited effect on the openness of the Green Belt, if such arguments were to be repeated, the cumulative effect of many permissions could destroy the very qualities which underlie Green Belt designation.

9.72 Precedent and cumulative impact are considered material considerations relevant to the assessment of the proposal and the weight given to this is set out in the Planning Balance section below.

vii Planning Balance

9.73 As set out in paragraph 9.3 above, inappropriate development in the Green Belt is, by definition harmful and should not be approved except in very special circumstances. Local Planning Authorities are required to give substantial weight to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.74 In addition, while the NPPF specifies the amount of weight to be given to certain issues, for example, any harm to the Green Belt is to be given substantial weight, there are other material considerations where the weight given is a matter for the decision-maker, having regard to the information before them. Accordingly, the 'weighing-up' exercise outlined below is an Officer recommendation and the weight, for issues in favour or against, could be varied according to the Committee's judgement of the proposal.

9.75 In this case, the proposal is considered to constitute inappropriate development in the Green Belt, would lead to loss of openness in the Green Belt and would lead to encroachment of development in the countryside. This harm to the Green Belt is given substantial weight, albeit that it would be limited to one year. Given the undeveloped and rural nature of the land, harm to the character and appearance of the area would also be caused and this is also given significant weight. Highway safety is also very important and in view of the advice from the Highway Authority that the proposed access has not been demonstrated to be safe, and the uncertainty that remains about any off-site parking, this issue is also given significant weight. The Council has a statutory duty in regard to protected species and their habitats and, as the potential harm to these are unknown due to lack of information, this is also given significant weight.

9.76 The proposed development would have a negative impact on the current informal recreational use of the land as evidenced by the very large number of objections to this application from local users. The urbanising nature of the film set, supporting base facilities and traffic would be very evident to forest users both visually and audibly, especially given the central location of the film set within the publicly accessible area of Swinley Forest. Furthermore, many more people may choose to come and walk in Swinley Forest to have a look when there are sets being built or filming activity going on than at other times. This would all detract from the tranquil rural experience that existing users currently enjoy. This harm is considered to have moderate weight as opportunities to mitigate this impact may exist, and public access would be maintained. However, this issue further adds to the cumulative concerns about this site. It is not considered that the proposal would directly harm the living conditions of any residents living within the vicinity of the application site so this is considered to have a 'neutral' impact and therefore no weight is given to this issue.

9.77 In favour of the proposal, the site benefits from Permitted Development Rights (PDR) which allows commercial film-making to take place on the site for a period not exceeding 56 days or the provision on such land during the filming period of any temporary structures, works, plant or machinery required in connection with that use for a period of 9 months in any 27 month period. However the application site area and the development proposed far

exceeds the amount that could be provided under permitted development and would be permanently in place for 12 months, as opposed to being removed from the site after each filming period as required by the PDR. Furthermore, it is far from clear that prior approval would be granted in view of the transport and highways impact of the proposal. Accordingly, this consideration is given limited weight. Based on the limited information submitted, only limited weight is given to the lack of alternatives to the application site.

9.78 Having regard to the supporting information provided, significant weight is given to the economic benefits arising from the proposal, (as required by paragraphs 80 and 82 of the NPPF). The claimed economic benefits may be limited by the remoteness of the site to Bracknell, although closer centres at Bagshot and Ascot may benefit. These benefits would be limited due to the temporary nature of the proposal, although it may result in long term benefits by securing further investment into the UK's Film and TV Industry. It is also a possibility that despite the temporary nature of this application, should it be permitted, further similar applications may be made in the future as an expectation of a successful outcome would have been created. Should this happen, the economic benefits may become recurring.

9.79 Given the weighting attributed to the other considerations set out above and, as the test requires that for 'very special circumstances' to exist the harm to the Green Belt and any other harm must be clearly outweighed by other considerations, it is not considered that this test has been met in this case. Therefore, the proposed development is considered to result in harm to the Green Belt by reason of inappropriateness and that this harm and other harm identified is not clearly outweighed by any other considerations. In addition, the proposal as it stands would result in an unacceptable impact on highway safety, would result in harm to the character and appearance of the area and has not demonstrated that it would not have a detrimental impact on biodiversity. For these reasons refusal is recommended.

10. RECOMMENDATION

That the Head of Planning be authorised to refuse the application for the following reasons:

1. The proposed development constitutes inappropriate development within land designated as Green Belt, and as such is contrary to Saved Policies GB1 and GB2 of the Bracknell Forest Borough Local Plan; Policy CS9 of the Core Strategy Development Plan Document and paragraphs 143-146 of the National Planning Policy Framework. The applicant has not demonstrated that any very special circumstances exist that would outweigh the potential harm to the Green Belt by reason of inappropriateness or any other harm.
2. The proposal, by reason of its siting, design and scale, would detract from the rural character and appearance of the area and be detrimental to the enjoyment of its recreational value. This is contrary to Saved Policy EN20 of the Bracknell Forest Borough Local Plan and paragraph 170 of the NPPF.
3. The proposal fails to provide a safe access to the site from Swinley Road. This will result in an unacceptable detrimental impact to highway safety. The proposed development is therefore contrary to Saved Policy M4 of the Bracknell Forest Borough Local Plan and Core Strategy Policy CS23 and paragraphs 108, 109 and 110 of the NPPF.
4. The applicant has not demonstrated that off-site parking options are available or feasible. In the absence of secured off-site parking the proposed amount of car parking on site is insufficient which is likely to lead to overspill parking or parking obstructing the highway to the detriment of road safety and/or biodiversity. The proposed development is therefore contrary to Saved Policies EN20 and M9 of the Bracknell Forest Borough Local Plan and Core Strategy Policies CS1, CS7 and CS23.

5. It has not been demonstrated that biodiversity can be adequately protected and enhanced. As such, the development would be contrary to Policy EN20 of the Bracknell Forest Borough Local Plan and Policies CS1 and CS7 of the Core Strategy Development Plan Document and paragraphs 170 and 175 of the NPPF.

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application. However, given the fundamental concerns with the proposal it has not been possible to negotiate a satisfactory way forward, and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

02. This refusal is based on the following plans:

- PL-010-Site Location Plan
- PL-100-Proposed Block Plan
- PL-200-Proposed Structures - Plans and Elevations

ITEM NO:

Application No.
20/00714/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
14 September
2020

Target Decision Date:
9 November 2020

Site Address:

**Land To Rear Of Eggleton Cottage and Poplar
Cottage Chavey Down Road Winkfield Row Bracknell
Berkshire RG42 7PN**

Proposal:

Erection of detached 3 bedroom dwelling with associated access and parking.

Applicant:

S Powell

Agent:

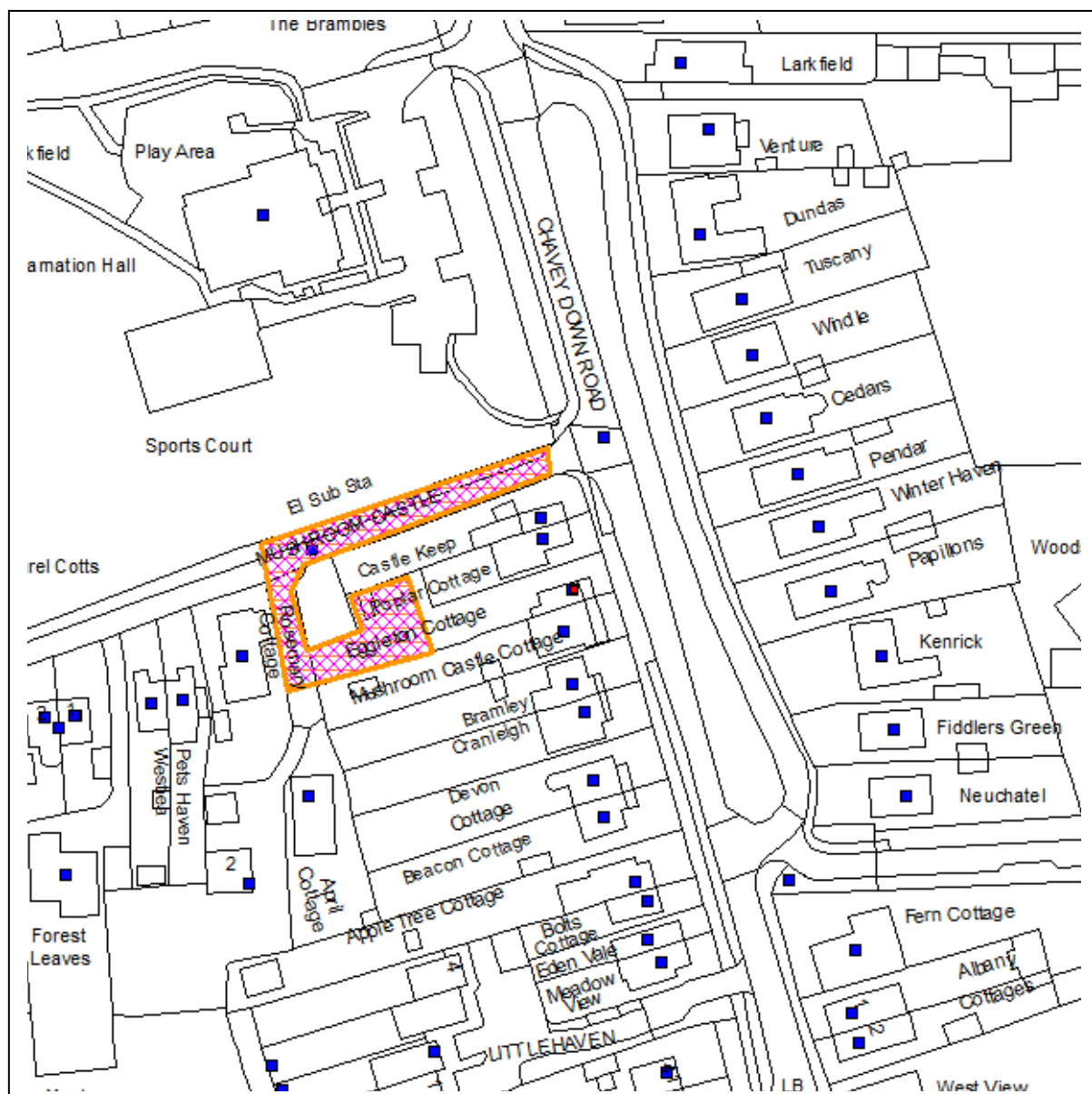
Mr David Lomas

Case Officer:

Sarah Horwood, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle.

1.2 The proposal would not adversely affect the residential amenities of neighbouring occupiers and acceptable living conditions would be provided for future occupiers of the proposed dwelling. The dwelling as proposed due to its revised design, reduction in height and bulk and placement of windows overcomes the reasons for refusal of previous application 19/01031/FUL relating to overlooking and impact on the character of the area.

1.3 The proposal would not adversely impact upon the character and appearance of the surrounding area. Sufficient on-site parking can be provided along with cycle and bin storage. A Construction Traffic Management Plan demonstrates that the construction of the development would not result in adverse highway safety issues to other vehicles/pedestrians on Mushroom Castle.

1.4 A legal agreement will secure contributions for SPA mitigation.

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.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as more than 5 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within a defined settlement boundary
Within 5km of the Thames Basin Heath SPA
Located within Area D: Winkfield Row South (Northern Villages Study Area) of Character Area Assessments Supplementary Planning Document.

3.1 The application site currently consists of part of the rear garden of residential dwellings known as Eggleton Cottage and Poplar Cottage. Both these dwellings face on to Chavey Down Road. The application site also adjoins an electrical substation.

3.2 The surrounding area is residential, comprising predominately semi-detached and detached dwellings of differing architectural design.

4. RELEVANT SITE HISTORY

4.1 Application, LPA ref: 19/01031/FUL was refused at Planning Committee in June 2020 against officer recommendation for the erection of no1. two storey, 3 bedroom dwelling including soft and hard landscaping with access from Mushroom Castle for the following reasons:

1. The proposed development, by means of its siting, overall height and bulk, would have an adverse impact on the character and appearance of Mushroom Castle. The proposal would therefore be contrary to Saved Policy EN20 of the Bracknell Forest Borough Local Plan and Policy CS7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.
2. The proposed development would have an unacceptable degree of overlooking towards the rear gardens of the immediate neighbouring properties facing onto Chavey Down Road. The proposal would therefore result in an adverse impact on amenity of neighbouring occupiers, contrary to 'Saved' Policy EN20 of the BFBLP and the NPPF.
3. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

5. THE PROPOSAL

5.1 Full permission is sought for the erection of a 3 bedroom dwelling with associated access and parking.

5.2 The proposed dwelling would be a maximum of 10.4m wide and range between 6.1m and 9.4m in depth, with an eaves height of 2.4m and ridge height of 6m. The proposed dwelling would be accessed from Mushroom Castle. On-site parking would be provided for 2no. vehicles. A private side/rear garden would be provided, along with bin and cycle storage.

5.3 The proposed dwelling would comprise the following layout:
Ground floor: hallway, WC, kitchen, living room, study, bedroom;
First floor: 2no. bedrooms, bathroom.



5.4 This revised proposal differs from refused application 19/01031/FUL in that the eaves height of the dwelling has been reduced from 4.9m to 2.4m (-2.5m) and the ridge height reduced from 6.75m to 6m (-0.75m). The dwelling as proposed would be one and a half storeys high, with rooms

in the roofspace and dormer windows, as opposed to a full height two storey dwelling. As a result of the change in the design of the dwelling from that previously refused, there are no longer windows proposed at first floor level on the eastern elevation facing towards the rear gardens of dwellings on Chavey Down Road (only windows at ground floor level) and a window proposed at first floor level on the southern elevation serving a bathroom will be obscure glazed and fixed shut to a height of 1.7m above internal floor level.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Recommend the application for refusal for the following reasons:

1. The proposed development, by means of its siting, overall height and bulk, would have an adverse impact on the character and appearance of Mushroom Castle. The proposal would therefore be contrary to Saved Policy EN20 of the Bracknell Forest Borough Local Plan and Policy CS7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.
2. The proposed development would have an unacceptable degree of overlooking towards the rear gardens of the immediate neighbouring properties facing onto Chavey Down Road. The proposal would therefore result in an adverse impact on amenity of neighbouring occupiers, contrary to 'Saved' Policy EN20 of the BFBLP and the NPPF.
3. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area, contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

Other representations

6.2 18no. letters of objection (summarised) as follows:

- Impact to neighbours, including overlooking, unneighbourly, disruption during build works, light/noise pollution.
- Impact to character of area, including overdevelopment, cramped, too many infill developments in the area, impact to trees/vegetation.
- Highway concerns relating to construction, access, increased traffic, insufficient parking, risk of accidents, affect emergency services access.
- Impact to highway and pedestrian safety.
- No need for extra housing in this area. Council has a 5 year housing land supply. Other developments approved in area.
- Mushroom Castle is a private lane.
- Financial gain to developer/landowner.
- Impact on Thames Basin Heath Special Protection Area.
- Pressure on sewer system.
- Unsustainable location.
- Scheme almost identical to that refused previously.

6.3 2no. letters of support received:

- New house will be a pleasant addition to area.
- There is a range of house types and heights in the area.
- Houses on Mushroom Castle are infill sites.
- Objections have been addressed.
- Building materials and deliveries can take place in a safe and considerate manner.
- Proposal is not overdevelopment.

6.4 A letter of representation has been received from the planning agent which states:

- We have worked with the Council to overcome the previous reason for refusal.
- The main issue of concern is that of highways and access. It is acknowledged that Mushroom Castle is narrow, and traffic is constrained. Like before these matters have been evaluated by the professional Highways Authority who have no objections to this scheme.
- Residents' concerns about the disruption and noise are speculative and not controllable through the planning process.
- Regarding the potential loss of neighbouring vegetation, it has been proven that this is also unfounded and unnecessary, and in any event, lie outside the applicants' control. Where appropriate vegetation will be retained and replaced with new planting which is being secured through a planning condition.
- The 'backland' or 'shoehorning' development - there is an established precedence within immediate vicinity. The recent redevelopment at Inglewood Cottage is comparable material consideration. The design follows the Council's design policies and will not result in any shadowing, overlook or privacy issues on neighbours. The design is sympathetic to those around it.
- As this is the second scheme recommended for approval, if it is refused then it is likely to be appealed.

7. SUMMARY OF CONSULTATIONS RESPONSES

Highways Officer

7.1 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Residential Amenity	Saved Policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Design SPD		
Parking Standards SPD		

Character Area Assessments SPD
Thames Basin Heath Special Protection Area (SPD)
Other publications
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)
CIL Charging Schedule

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of surrounding area
- iv. Impact on highway safety
- v. Trees and Biodiversity
- vi. Thames Basin Heath SPA
- vii. Community Infrastructure Levy (CIL)
- viii. Energy sustainability
- ix. Drainage/SuDS

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12).

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF. In particular, Policy CS2 permits development within defined settlements.

9.4 The site is located with the Defined Settlement as designated by the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area, highway safety etc.

ii. Residential amenity

9.5 The proposed dwelling would result in the sub-division of part of the rear gardens serving both Poplar Cottage and Eggleton Cottage to the east, which face onto Chavey Down Road. The depth of the rear gardens for the retained dwellings at Poplars and Eggleton Cottages following the sub-division of part of the rear gardens would be between 11.8m and 17.5m which would be acceptable. The rear (eastern) elevation of the proposed dwelling would be set 8.5m from the proposed boundary of its rear garden, with a separation distance of 20.3m to the rear elevations of Poplar and Eggleton Cottages at the closest points. Given these separation distances and the height and design of the proposed dwelling, it would not appear overbearing, or result in loss of daylight or overshadowing to the occupiers of the cottages. Further, due to the separation distances and that there will be windows only at ground floor level on the rear elevation, no overlooking will result to the rear gardens or rear elevations of the retained cottages. Windows on the rear elevations of the retained cottages would also not result in significant overlooking to

the proposed garden of the dwelling. A planning condition is recommended removing permitted development rights for any windows (rooflights or dormers) on the rear (eastern elevation) of the roofslope of the dwelling in the interests of the occupiers of Poplar and Eggleton Cottages.

9.6 The application site adjoins the rear gardens of Mushroom Castle Cottage to the south and Castle Keep to the north. There is a detached garage and parking area sited within the rear most part of the garden of Mushroom Castle Cottage. There would be views of the proposed dwelling from the rear gardens of Mushroom Castle Cottage and Castle Keep, however due to the height of the dwelling at 1.5 storeys, and that there would be approximately 25m separation distance between the rear elevations of these dwellings and the rear elevation of the proposed dwelling, it would not appear overbearing or result in overshadowing to the rear gardens of these adjoining dwellings.

9.7 A window is proposed on the side (southern) elevation of the dwelling at first floor level which will serve a bathroom. A planning condition is recommended to secure that this window is obscure glazed and fixed shut to a height of 1.7m above internal floor level to ensure that no overlooking and loss of privacy results to the garden of Mushroom Castle Cottage. A further condition is recommended to remove permitted development rights for any additional windows at first floor level on the southern elevation of the dwelling in the interests of the occupiers of Mushroom Castle Cottage. On the rear (eastern) elevation of the proposed dwelling, there will be windows only at ground floor level and as such, no overlooking will result to the rear gardens of Mushroom Castle Cottage and Castle Keep. No windows are proposed at first floor level on the northern elevation facing the garden of Castle Keep and this will again be controlled by planning condition.

9.8 A planning condition is recommended to secure details of boundary treatments along the northern, eastern and southern boundaries of the new plot in the interests of both future occupiers of the proposed dwelling and adjoining dwellings.

9.9 One of the reasons for refusal of application 19/01031/FUL was on the grounds of overlooking towards the rear gardens of the immediate neighbouring properties facing onto Chavey Down Road. Given the height and design of the dwelling subject to this current application have been revised when compared to the refused application; the placement of proposed windows, and planning conditions which are recommended to restrict windows on the northern, eastern and southern elevations/roofslope of the proposed dwelling and ensure a first floor window on the southern elevation is obscure glazed, it is considered that this revised scheme would address one of the reasons for refusal of application 19/01031/FUL and no adverse level of overlooking and loss of privacy would result to existing dwellings on Chavey Down Road.

9.10 To the south-west and west of the site lie April Cottage and Rosemary Cottage, both of which are accessed off Mushroom Castle. The front elevation of Rosemary Cottage is orientated 90 degrees to that of the front elevation of the proposed dwelling. The proposed dwelling would face onto the side elevation of Rosemary Cottage and its rear garden. The front elevation of the proposed dwelling would be set 14m-15m from the side boundary with Rosemary Cottage, with the parking area/front garden of the proposed dwelling and the access drive of Mushroom Castle as intervening features between. In view of this separation distance and the height and design of the proposed dwelling, it would not result in an adverse level of overlooking/loss of privacy or appear unduly overbearing to the occupiers of Rosemary Cottage. The front elevation of April Cottage is orientated 90 degrees to that of the front elevation of the proposed dwelling, with an approximate 20m separation distance. In view of this separation distance and the orientation of the April Cottage relative to the proposed dwelling, the proposal, whilst it would appear visible to the occupiers, would not result in an overbearing impact or unacceptable overlooking/loss of privacy.

9.11 In relation to the residential amenities of future occupiers of the proposed dwelling, all habitable rooms would be served by windows for natural daylight and ventilation, sufficient on-site parking would be provided, along with a private garden.

9.12 As such, the proposal would not be considered to significantly affect the residential amenities of neighbouring occupiers and acceptable residential amenity will be provided for future occupiers of the proposed dwelling. As such, the proposal would be in accordance with Saved policy EN20 of the BFBLP and the NPPF.

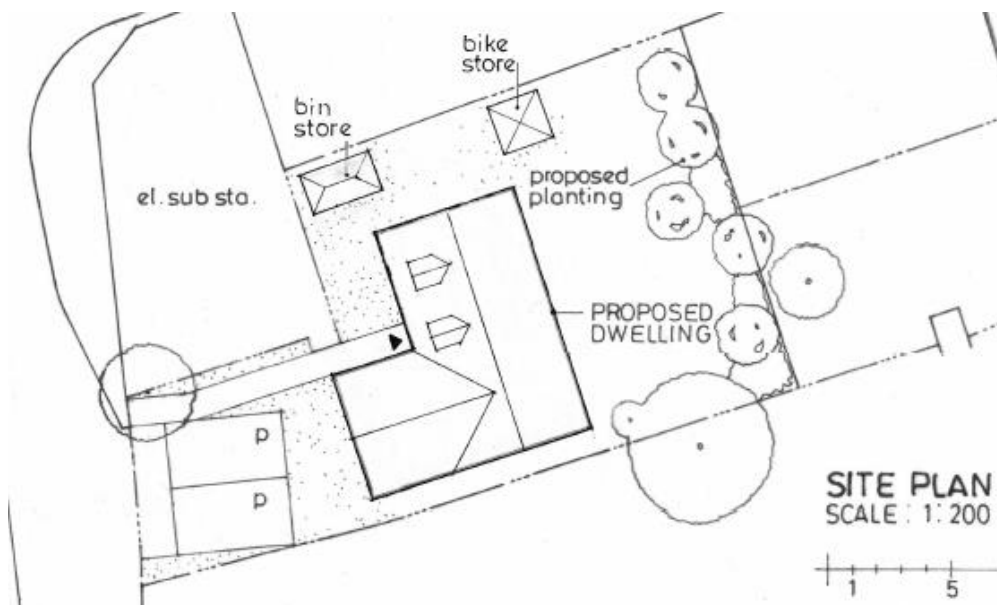
iii. Impact on character and appearance of surrounding area

9.13 The site is located within Area D: Winkfield Row South of the Character Area Assessments Supplementary Planning Document. The SPD states that the area is varied in terms of landscape and architecture with the most significant characteristic being the ribbon development on both sides of Chavey Down Road and along Locks Ride. The SPD recommends that the strongly defined frontage along Chavey Down Road is important and that proposed backland development should ensure that it does not impact negatively on the existing street scene.

9.14 The Council's Design SPD sets out a number of recommendations that are relevant to the proposed development. Of particular relevance are the following recommendations:

Backland development should:

- not harm the existing character of the local area;
- maintain the quality of environment for existing residents;
- create a satisfactory living environment for the new home owners and existing surrounding properties;
- relate to a site of sufficient size and suitable shape to accommodate the number of dwellings proposed when compared to the existing grain of development in the area, together with their external space, access and parking requirements;
- not be taller than the existing buildings nor be highly visible from the main street frontage.



9.15 The proposed dwelling would constitute backland development. The rear gardens of Eggleton and Poplar Cottages on Chavey Down Road would be sub-divided, reducing the size of the rear gardens of each of the retained dwellings, and creating a new plot for the proposed dwelling, its associated garden and on-site parking. Backland development is evident in the local area and therefore the principle of backland development is acceptable. The proposed dwelling would be accessed from and face onto a driveway on Mushroom Castle which currently provides access for

3 other dwellings. The proposed dwelling would be sited in excess of 40m from Chavey Down Road to the east and some 11m from Mushroom Castle to the north. Due to its height and design, appearing as a chalet style dwelling with rooms in the roofspace, it would not appear visually intrusive when viewed from either Chavey Down Road or Mushroom Castle. Views of the proposed dwelling from Mushroom Castle would be further mitigated by an existing substation and trees/hedging outside of the application site. The proposed dwelling would be set back between 8.6m and 9.6m from the access drive off Mushroom Castle which the proposed dwelling would be accessed from. The proposed dwelling would be visible when viewed from this access drive, however, due to its setback, with parking and a garden area in-between, and its height and design, the proposal would also not appear visually intrusive from this viewpoint or harm the visual amenities of the area. The front elevation of the dwelling would be sited in a broadly similar location to a detached garage directly to the south at Mushroom Castle Cottage and would be sited with a similar setback from the access drive as April Cottage to the south-west of the site. The proposed dwelling would therefore not adversely impact the existing street scene on Chavey Down Road or Mushroom Castle (including the access drive from which it would be accessed), in accordance with the Character Area Assessments SPD and the Design SPD.

9.16 Mushroom Castle and Chavey Down Road are characterised by a mix of styles and heights of dwellings. Two existing dwellings at April Cottage and Inglewood Cottage, situated along the section of Mushroom Castle from which the new dwelling would be accessed, are detached bungalows, along with Rosemary Cottage directly to the west of the site. Other dwellings along Mushroom Castle are two storeys high, along with dwellings on Chavey Down Road which immediately adjoin the application site. The dwelling proposed by this revised application has been reduced in height and now takes the form of a 1.5 storeys high dwelling with rooms in the roofspace, as opposed to a full two storeys high dwelling refused by previous application 19/01031/FUL. The reduction in the height and bulk of the dwelling when compared to that of the previous scheme would ensure that the dwelling as proposed would not appear unduly prominent in the streetscene and would better reflect the scale of dwellings in the immediate area which addresses one of the reasons for refusal.

Refused application 19/01031/FUL



As proposed:



9.17 The proposed dwelling would comprise a pitched roof, with front facing gable on the western elevation and 2no. proportionately sized front facing dormer windows. It would be of a cottage style appearance. The proposed dwelling would reflect design features of existing dwellings in the surrounding area and it would therefore assimilate well into the streetscene. There are a mix of

brick types, render and roof tiles in the immediate area and a planning condition is recommended for details of materials for the proposed dwelling to be submitted to the LPA for approval.

9.18 The level of development proposed is not considered to represent overdevelopment of the site. The proposal would result in the net gain of 1 no. dwelling within the settlement, with adequate space retained between the proposed dwelling and adjoining buildings, along with appropriately sized gardens for both the retained dwellings at Eggleton and Poplars Cottages and the proposed dwelling. The size of the development plot is comparable with other plot sizes in the area. The plot would accommodate on-site parking provision for the dwelling, along with bin and cycle storage, and sufficient space for soft landscaping and a private rear garden. The NPPF refers to the effective use of land and it is considered that this proposal would comply with this objective with the net gain of 1 no. dwelling on a site located within the settlement boundary.

9.19 As such, the proposal would not adversely affect the character and appearance of the surrounding area, in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, the Character Area Assessments and Design SPDs, and the NPPF.

iv. Highway implications

9.20 A 3 bedroom dwelling is proposed which is likely to generate around 4-6 vehicular trips per day. 2 car parking spaces are proposed for the dwelling, compliant with the Parking Standards SPD (March 2016). A covered cycle store is proposed to accommodate 3 cycles, in accordance with the Parking Standards SPD.

9.21 A bin store will be provided on site. On collection day, the bins would be taken to the end of the driveway that serves the proposed dwelling and two other existing dwellings to the south-west of the application site, to be collected as the refuse truck does not enter down the access drive, but passes along Mushroom Castle itself. An informative is recommended to address this.

9.22 The applicant has submitted a Framework Construction Traffic Management Plan, which sets out the types of vehicles needed to construct the development. This document includes swept path drawings of the vehicles, which would enter and leave Mushroom Castle from/to Chavey Down Road in a forward gear and only be required to reverse down the access road from Mushroom Castle to the development site, which also serves Mushroom Castle Cottage, April Cottage and Inglewood Cottage (no.2 Mushroom Castle). The Framework Construction Traffic Management Plan also sets out where construction vehicles would wait adjacent to the site so as to not obstruct access to Mushroom Castle Cottage, April Cottage and Inglewood Cottage. This will require the developer to ensure that vehicles are scheduled such that not more than one delivery vehicle attends the site at any one time, as set out in paragraph 4.1.3 of the Framework Construction Traffic Management Plan. A planning condition is recommended to ensure that the development is constructed in accordance with the Framework Construction Traffic Management Plan.

9.23 The decision on the previous application on this site (refused application 19/01031/FUL did not include any reasons for refusal on highway grounds. Subject to the imposition of conditions, the proposal is considered to be in accordance with CS23 of the CSDPD, Saved Policy M9 of the BFBLP, the Parking Standards SPD and the NPPF and would not result in adverse highway safety implications.

v. Trees and Biodiversity

9.24 There are no trees within the application site which are protected by a Tree Preservation Order and the site is also not located within a Conservation Area. Whilst the proposal would require the removal of some existing vegetation to facilitate the development, a landscaping

condition is recommended to ensure that sufficient soft landscaping can be provided within the application site.

9.25 The application site forms part of the residential gardens of the existing dwellings at Eggleton Cottage and Poplar Cottage and is of low ecological value.

9.26 A planning condition is recommended to ensure biodiversity enhancements are provided on site, including the provision of bird and bat boxes and sufficient landscaping. Subject to this condition, the proposal would not adversely impact upon biodiversity and would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

vi. Thames Basin Heaths Special Protection Area (SPA)

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

9.28 This site is located approximately 4.6km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.29 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD). The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.30 In this instance, the development would result in a net increase of a single 3-bedroom dwelling which results in a total SANG contribution of £6,112.

9.31 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £711.

9.32 The total SPA related financial contribution for this proposal is £6,823. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA.

vii. Community Infrastructure Levy (CIL)

9.33 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the Borough and the type of development.

9.34 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings.

9.35 The site lies within the charging zone of the Northern Parishes.

viii. Energy sustainability

9.36 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement in relation to water usage, aimed at achieving an average water use in new dwellings of 110 litres/person/day. A planning condition is recommended in relation to the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

9.37 Policy CS12 requires the submission of an Energy Demand Assessment in relation to 10% offset by renewable energy source. A planning condition is recommended in relation to the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD.

ix. Drainage/SuDS

9.38 The application site is located within Flood Zone 1. A condition is recommended to ensure that the hard-surfaced areas proposed for access and on-site parking/turning are SuDS compliant.

10. CONCLUSION

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle.

10.2 The proposal would not adversely affect the residential amenities of neighbouring occupiers and acceptable living conditions would be provided for future occupiers of the proposed dwelling. The proposal would also not adversely impact upon the character and appearance of the surrounding area. Due to its revised design, reduction in height and bulk and placement of windows, the revised proposal overcomes the reasons for refusal of previous application 19/01031/FUL relating to overlooking and impact on the character of the area.

10.3 No adverse highway safety implications would result, with sufficient on-site parking provision, cycle and bin storage. A Construction Traffic Management Plan has been submitted and reviewed by the Council's Highway Officer which demonstrates that the construction of the development would not result in adverse highway safety issues to other vehicles/pedestrians on Mushroom Castle.

10.4 A legal agreement is required to secure contributions for SPA mitigation. This will overcome the holding reason for refusal on previous application 19/01031/FUL relating to the SPA.

10.5 The application is therefore recommended for approval, subject to the completion of a legal agreement.

11. RECOMMENDATION

11.1 **Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA);

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:

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

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

Drawing no. 19.067.6 received 14 September 2020

Drawing no. 19.067.7A received 10 May 2021

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

3. The development hereby permitted shall not be begun until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the visual amenities of the area.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

4. The development hereby permitted shall not be begun until details showing the finished floor levels of the dwelling hereby approved in relation to a fixed datum point 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 character of the area.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

5. The first-floor window in the southern elevation of the dwellinghouse hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed.

REASON: To prevent the overlooking of neighbouring properties

[Relevant policies: BFBLP EN20]

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the roofslope of the eastern elevation of the dwelling hereby approved or on the northern and southern elevations at first floor level and above, except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

7. The dwelling hereby permitted shall not be occupied 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 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. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such.

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

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

8. The dwelling hereby permitted shall not be occupied until details of a scheme of walls, fences, gates and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the occupation of the approved dwelling.

REASON: In the interests of the visual amenities of the area

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

9. The development hereby permitted shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: CSDPD CS10]

10. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Assessment, as approved, and retained as such thereafter.

REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

11. The dwelling hereby permitted shall not be occupied until the associated vehicle parking spaces have been surfaced in accordance with the approved plans. The spaces shall be retained and 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, CSDPD CS23]

12. The dwelling hereby permitted shall not be occupied until secure and covered cycle parking has been provided in accordance with the approved plans. The facilities shall thereafter be retained.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

13. 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). It 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: BFBLP EN25, CSDPD CS1]

14. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors;
- (b) Storage of plant and materials used in constructing the development;
- (c) Temporary portacabins and welfare for site operatives.

Loading and unloading of plant and vehicles and wheel cleaning facilities, including control of dust/dirt shall be undertaken in accordance with the details contained in the Framework Construction Traffic Management Plan reference SJ/ITB16028-001A TN dated 26 April 2021. Each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for their approved purposes.

REASON: In the interests of amenity and highway safety.

[Relevant Policies: BFBLP M9, CSDPD CS23]

15. The dwelling hereby permitted shall not be occupied until a scheme for the provision of biodiversity enhancements 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 thereafter be performed, observed and complied with prior to the occupation of the dwelling hereby approved and retained as such thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

16. The development shall be constructed in accordance with the Framework Construction Traffic Management Plan reference SJ/ITB16028-001A TN dated 26 April 2021.

REASON: In the interests of highway safety and amenity of neighbouring dwellings during the construction period.

[Relevant Policies: BFBLP EN20, CSDPD CS23]

In the event of the S106 agreement not being completed by 30 September 2021, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document, the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework

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

1. Time limit
2. Approved plans
5. Obscure glazing
6. Restrictions on windows
11. Parking
12. Cycle parking
13. SuDS
16. Construction Traffic Management Plan

The following conditions require discharging prior to commencement of development:

3. Materials
4. Slab level
9. Sustainability Statement
10. Energy Demand Assessment
14. Site organisation

The following conditions require discharge prior to the occupation of the dwelling hereby approved:

7. Landscaping
8. Boundary treatment
15. Biodiversity enhancements

3. Future occupiers of the dwelling will need to carry their bins/refuse to the end of the driveway onto Mushroom Castle on bin collection day.

4. To ensure compliance with the planning condition requiring construction of the site in accordance with the Framework Construction Traffic Management Plan (condition 16) the developer will need to ensure that construction vehicles accessing the development site do not exceed the sizes set out within the Framework Construction Traffic Management Plan; that construction vehicles are scheduled so as not to obstruct Mushroom Castle nor the access road from Mushroom Castle to the development site, which also serves Mushroom Castle Cottage, April Cottage and Inglewood Cottage (no.2 Mushroom Castle); and that all vehicles enter and leave Mushroom Castle from/to Chavey Down Road in a forward gear.

ITEM NO:

Application No.
21/00262/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
10 March 2021

Target Decision Date:
5 May 2021

Site Address:

**Kenrick Chavey Down Road Winkfield Row Bracknell
Berkshire RG42 7PB**

Proposal:

Single storey front extension to provide additional accommodation ancillary to the main dwelling.

Applicant:

Mr and Mrs Neil and Tracey Tompkins

Agent:

Mr Bill Lascelles

Case Officer:

Alexander Ralph, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for the erection of a single storey front extension.
- 1.2 The proposed development is within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area. The relationship with adjoining properties is acceptable and adequate parking can be provided.

RECOMMENDATION
Planning permission be granted subject to the conditions set out in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is being considered by the Planning Committee as more than five objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Inside settlement boundary
Within 5km of SPA
Character Area (Northern Villages Study Area, Area D Winkfield Road South)

- 3.1 The application site is located within the settlement boundary and relates to a 4-bedroom detached bungalow. The site is located in a character area, Area D of the Northern Villages Study Area as defined by the Character Area Assessments SPD. This assessment states that the built form in this area is varied, with a variety of boundary treatments.

4. RELEVANT SITE HISTORY

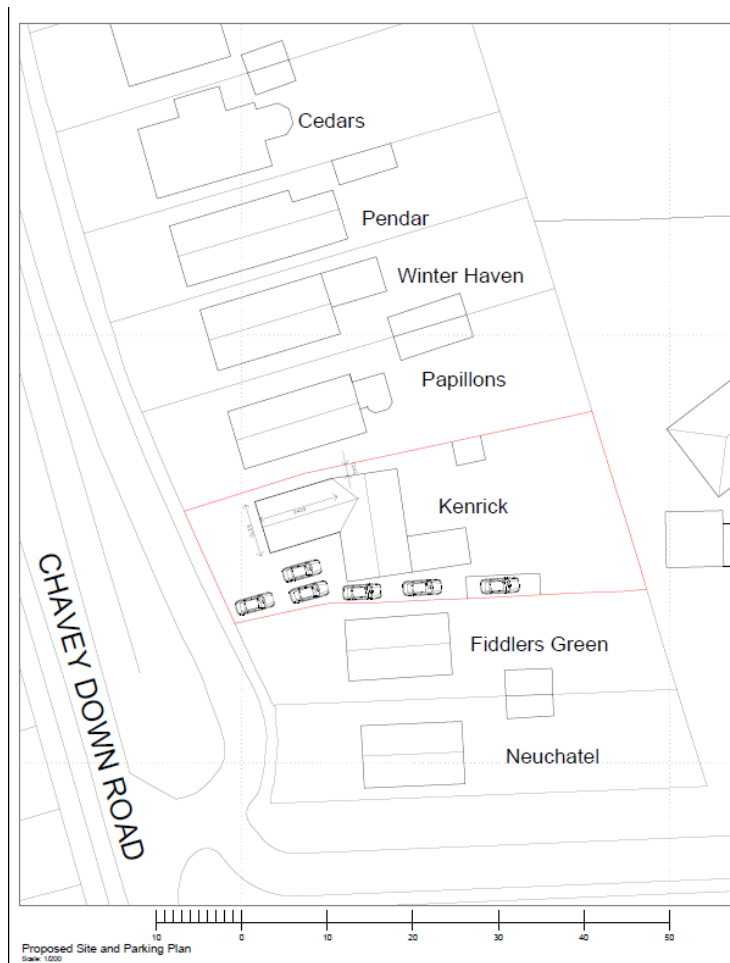
- 4.1 The relevant planning history is set out below:

601006- Erection of single storey rear extension.
Approved 1975.

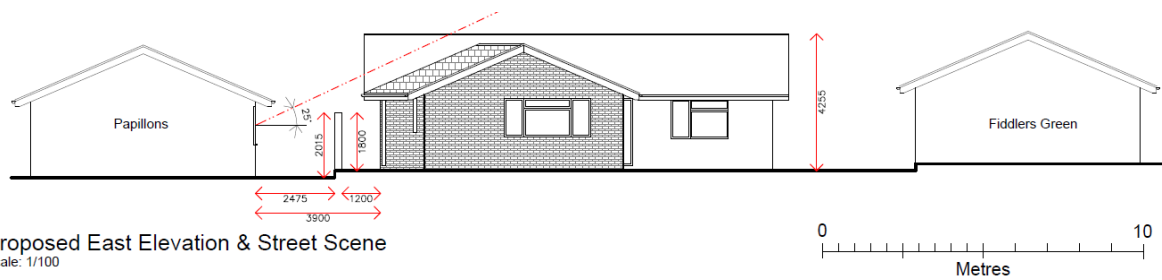
601535- Erection of single storey extension forming utility room and WC.
Approved 1976.

5. THE PROPOSAL

- 5.1 The proposal is for a single storey front extension measuring a maximum of 9.40 metres in depth, a maximum of 3.88 metres in height, and 6.27 metres in width. The extension would provide a bedroom, wet room, kitchenette/living area for the applicant's disabled family member allowing a level of independence whilst receiving family support.



Proposed Site and Block Plan



Proposed Front Elevation



Proposed Floor Plan

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

- 6.1 Winkfield Parish Council recommended refusal, stating that due to the increased elevation of this property compared to its surroundings, the size and bulk of the proposed development will be overbearing, making the neighbouring bungalow subordinate, causing loss of amenity to neighbouring properties and a detrimental impact on the street scene, and this would be therefore an unacceptable design elements.

Other representations

- 6.2 12 objections have been received from 11 addresses. The issues raised can be summarised as follows:
- Concern regarding the character and appearance of the streetscene due to the proposal.
 - Issues regarding parking.
 - Concern regarding the impact of the proposal on the residential amenity of neighbouring properties.
- 6.3 There have also been 3 support comments from 3 addresses. The issues raised can be summarised as follows:
- The proposal would improve the appearance of the streetscene
 - The proposal would improve the quality of life for the occupier.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

- 7.1 Any comments received will be reported in the supplementary report. However, it is considered that parking for three vehicles can be achieved on the site.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP,	Not fully consistent
	CS1, CS2 of CSDPD	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Design SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Community Infrastructure Levy

i. Principle of development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements.

ii. Impact on character and appearance of the area

9.4 The design is considered to be in keeping with the existing dwelling and matching materials are proposed. Papillons is set approximately 9.41 metres further forward than the existing dwelling of Kenrick at present, and the front elevation of the proposal would not project further than the front elevation of Papillons. There is approximately a 7.00

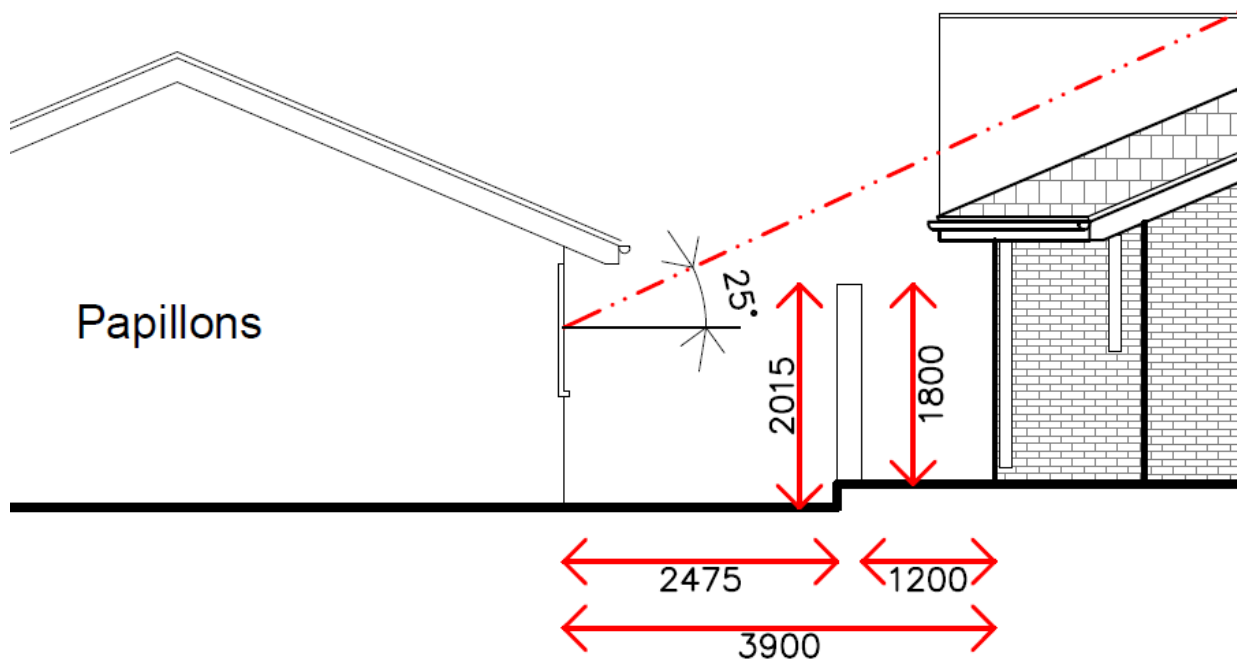
metre separation gap between the extension and the side boundary of Fiddlers Green which would provide a transition between the front elevations of Papillons and Fiddlers Green.

- 9.5 Subject to the proposed condition regarding materials, it is not considered that the development would not result in an adverse impact on the character and appearance of the area or the host property, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

iii. Impact on Residential Amenity

- 9.6 The nearest dwellings to the application site are “Papillons”, located to the north of the application site, and “Fiddlers Green” located to the south. A window serving a bathroom would be the only window facing “Papillons”. The agent has provided a loss of light assessment to show the loss of light to neighbour dwellings is within acceptable parameters.





Loss of light assessment to side facing windows

9.7 The plans show a 3.9 metre separation gap between “Papillons” and the proposed extension (2.91 metres if counting the roof overhangs of the proposal to the overhang of “Papillons”). A loss of light assessment has been undertaken in accordance with BRE guidelines to assess the impact of the proposal on the side facing windows of “Papillons” with a 25-degree angle drawn from the approximate centre position of windows situated on the side of “Papillons”. The plan takes into account the levels changes between the two properties and indicates that the 25-degree line does not intersect with any part of the proposal, and therefore any light loss is considered to be acceptable.



9.8 To the south of the application site is “Fiddlers Green.” There is a 11.72 metre separation distance from the south facing element of the proposal to the nearest point of the dwelling of “Fiddlers Green”. At this distance, no loss of light to habitable rooms at Fiddlers Green would result due to the separation between the dwellings.

9.9 It is noted that a side facing ground floor window in the proposed extension would look towards “Fiddlers Green”. However, due to the ground floor nature of this window, plus the fact that the view from it would be partially obscured by part of the existing dwelling of “Kenrick, it would not be considered that overlooking would be so adverse to warrant refusal of the application .

9.10 The proposal is considered to comply with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

iv. Transport implications

9.11 It has been demonstrated that parking for three vehicles can be achieved at the site in line with the maximum amount for the Bracknell Forest Parking SPD (2016) for a property with 4 or more bedrooms although the parking plan submitted with the application shows that parking for six vehicles.

viii. CIL

9.12 The Council, in consultation with Natural England, has formed the view that any net Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.13 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) the creation of additional dwellings.

9.14 In this case, the proposal would not be CIL liable as it does not comprise the creation of new dwellings.

10. CONCLUSIONS

10.1 The proposed development is within the settlement boundary where the principle of development is acceptable. The proposal would not have any adverse impacts on the character of the area, residential amenity or highway safety. A condition is recommended to ensure that the accommodation remains ancillary to the main dwelling.

10.2 The application is therefore recommended for conditional approval.

11. RECOMMENDATION

11.1 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: -

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.

2. The development shall be carried out only in accordance with the following approved plans, and other submitted details, received on 13.05.2021 and 02.06.2021 by the Local Planning Authority.

Drawings received on 13.05.2021:

SHADOW - 3D VIEW OF PROPOSED AT 12PM 21ST DECEMBER
SHADOW - 3D VIEW OF PROPOSED AT 3PM 21ST DECEMBER
SHADOW - 3D VIEW OF PROPOSED AT 9AM 21ST DECEMBER
SHADOW - PROPOSED 12PM 21ST DECEMBER
SHADOW - PROPOSED 12PM 21ST JUNE
SHADOW - PROPOSED 12PM 21ST MARCH
SHADOW - PROPOSED 3PM 21ST DECEMBER
SHADOW - PROPOSED 3PM 21ST JUNE
SHADOW - PROPOSED 3PM 21ST MARCH
SHADOW - PROPOSED 9AM 21ST DECEMBER
SHADOW - PROPOSED 9AM 21ST JUNE
SHADOW - PROPOSED 9AM 21ST MARCH

Drawings received on 02.06.2021:

2021- 1399- PL SHEET 1 REV A

2021- 1399- PL SHEET 3 REV A

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance to those of the existing dwelling.

REASON: In the interests of the visual amenities of the area.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

4. The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse, "Kenrick" Chavey Down Road, Winkfield Row, Bracknell, Berkshire, RG42 7PB, and shall at no time form a separate dwelling.

REASON: The creation of a separate unit would require mitigation measures.

[Relevant Policies: SEP NRM6, Core Strategy DPD CS14, BFBLP EN3]

Informatives:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

1. Time Limit
2. Approved Plans
3. Materials
4. Ancillary Use

3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed on-line at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

ITEM NO:

Application No.

21/00077/FUL

Site Address:

Ward:

Wildridings And Central

Date Registered:

25 January 2021

Target Decision Date:

22 March 2021

1 To 8 Robins Gate Bracknell Berkshire

Proposal:

Erection of new floor of accommodation and conversion of former management area to form 4 flats (2 one bedroom and 2 two bedroom).

Applicant:

Gilbert Homes Ltd

Agent:

Mr Neil Davis

Case Officer:

Olivia Jones, 01344 352000

development.control@bracknell-forest.gov.uk
Site Location Plan (for identification purposes only, not to scale)


OFFICER REPORT

1. SUMMARY

- 1.1 Planning permission is sought for the erection of an additional floor and the creation of 4no. additional flats.
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area or highway safety. The relationship with adjoining properties is considered acceptable.

RECOMMENDATION

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

2. REASONS FOR REPORTING THE APPLICATION TO PLANNING COMMITTEE

- 2.1 The application has been reported to the Planning Committee following the receipt of over 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Defined Settlement

Between 400m and 5km of the Thames Basin Heath SPA
--

Area A of the Bracknell Study Area identified in the Character Area Assessments SPD

- 3.1 The existing building consists of a detached block of flats containing 8no. flats and a management area accessed from Robins Gate.
- 3.2 The application site is located within a residential area which is a designated character area identified in the Character Area Assessments SPD (2010). The application site is located adjacent to a pair of Locally Listed Buildings (Chapel House and The Chapel).
- 3.3 The application site is located within the defined settlement boundary and is positioned between 400m and 5km of the Thames Basin Heath SPA.

4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history is summarised as follows:

16/00102/FUL

Change of use of land from D2 to C3 and erection of 6No. dwellinghouses and 8No. flats with parking and access.
Approved 2016

16/01282/FUL

Erection of 14 dwellings with parking and access.
Approved 2017

5. THE PROPOSAL

- 5.1 Planning permission is sought for the erection of an additional floor, providing 4no. additional flats.
- 5.2 The application site is on sloping ground, and therefore the building would have the appearance of four storeys when viewed from Larges Lane. The building would increase in height from 6.6 metres to 8.75 metres.
- 5.3 6no. additional parking spaces, and secure storage for 4no. additional bicycles are proposed.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 No objection raised

6.2 Other Representations

Letters of objection have been received from the owners/occupants of 8 properties, raising the following concerns:

- (i) Additional floor would be out of keeping with the existing character of the area
- (ii) Adverse impact on the quality of life of surrounding residents
- (iii) Adverse impact on the peace of the neighbouring graveyard

- (iv) Insufficient parking provision
- (v) Adverse impact on highway safety
- (vi) Impact on property values
- (vii) Impact on the amenity of occupiers during construction works, including scaffolding restricting use of the garden
- (viii) Loss of privacy, including to neighbouring residents and users of the graveyard
- (ix) Overbearing and dominant impact on neighbouring properties
- (x) Development would block sunlight into gardens
- (xi) Insufficient bin provision
- (xii) Lack of affordable housing provision

Officer Comment: The impact on property values is not a planning consideration and therefore cannot form a reason for refusal. Nuisance arising from construction is dealt with under separate Environmental Health legislation, and therefore cannot form a reason for refusal. The number of new dwellings proposed is insufficient to require affordable housing provision, and therefore cannot be a requirement of this planning application. All other concerns are addressed in the report.]

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection subject to suitable conditions

Heritage Officer

7.2 Advised less than substantial harm to the setting of the locally listed Chapel and Chapel Lodge. Therefore, a planning balance is required to weigh the public benefit against the impacts on heritage assets.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Design and Character (including heritage)	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Residential Amenity	Saved policies EN1, EN2, EN20 and EN25 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent
Trees	'Saved' policy EN1 of the BFBLP	Consistent
SPA	NRM6 of the South East Plan, 'Saved' policy EN3 of the BFBLP	Consistent
Biodiversity	CS1 and CS7 of the CSDPD	Consistent
Sustainability	CS10, CS12 of the CSDPD	Consistent
Supplementary Planning Documents (SPDs)		
Design (2017) Parking Standards (2016) Streetscene (2010) Thames Basin Heath SPA (2018)		

Sustainable Resource Management (2008)
Other publications
National Planning Policy Framework (NPPF)
Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (BRE SLPDS)
CIL Charging Schedule (2015)

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development
- (ii) Impact on the character and appearance of the area
- (iii) Impact on heritage assets
- (iv) Impact on residential amenity
- (v) Highway safety consideration
- (vi) Sustainability
- (vii) Thames Basin Heath SPA
- (viii) Community Infrastructure Levy
- (ix) Planning Balance

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area.

ii. Impact on Character and Appearance of Surrounding Area

9.4 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 124 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.5 The application site is located within Area A of the Bracknell Study Area identified in the Character Area Assessments SPD. This area is characterised as follows:

- Characterised by large buildings in space;
- Development heights range from 2 storey houses to 7 storey institutions;
- No coherent architectural approach;
- Due to proximity to the town centre could be suitable for greater densities;
- Development along Larges Lane should consist of houses and smaller blocks of flats to create a transition to the residential areas to the east.

9.6 The Design SPD recommends that the height of buildings should respond to the following factors:

- The existing heights and degree of variation in height in the local context;
- The scale and importance of the space that the building will define or enclose;
- Its position in the street hierarchy;
- The position of the building line in relation to the street;
- Whether it is a focal point or landmark location in the development;
- Its impact on the setting of any heritage assets or views; and
- The density of development.

9.7 It is proposed to erect an additional floor to the building, resulting in a four storey building when viewed from Larges Lane. The building would increase in height from 6.6 metres to 8.75 metres. The design of the extension has been revised during the course of the application and would be sympathetic to the existing building. The materials would be similar to those on the existing building. It is considered that the proposed development would not appear disproportionate to the existing building.

9.8 The proposed additional floor would be set back from the front elevation by 2 metres at the central point, with steps in on either side elevation. This would provide a visual break between the existing building and the proposed additional storey. Furthermore, the additional floor would be clad in dark grey cladding, to reduce the visual prominence of the development on the area.

9.9 It is acknowledged that the resulting building would be taller than the surrounding buildings and would appear prominent in the streetscene. However, the proposed building is located in a prominent location on the bend of Larges Lane as it transitions from widely spaced dwellings well screened by vegetation, to an area of more dense residential plots. The building is set back from the highway by approximately 5.5 metres at its closest point, with the nearest neighbouring building approximately 16 metres away.

9.10 The character area assessment identifies that buildings up to 7 storeys high would be suitable for the area, although development on Larges Lane should be shorter blocks of flats. It is considered that a 4 storey building would therefore comply with the recommendations of the Character Area Assessments SPD.

9.11 Given the separation distance from the building to the highway, and the separation distance to the surrounding properties, it is not considered that the increase in height would appear significantly incongruous within the streetscene to the detriment of the character of the area.

iii. Impact on Heritage Assets

9.12 Bullbrook Cemetery on Larges Lane contains a Chapel and Chapel Lodge which are locally listed buildings. The Chapel and Lodge buildings date from around 1880 and have architectural and townscape value as local landmarks.

9.13 PPG states that local planning authorities may identify non-designated heritage assets and in some areas, these heritage assets may be identified as 'locally listed' (DCLG et al, 2014, para. 39). These identified heritage assets may include buildings, monuments, sites, places, areas or landscapes which have a degree of value meriting consideration in planning decisions but which are not formally designated heritage assets (DCLG et al, 2014, para. 39). Under paragraph 197 states that:

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

9.14 The Locally Listed chapel buildings, which are landmark buildings, are located directly opposite the proposed development which has inter-visibility with them being 16m away from Chapel House at its closest point. The proposed development would not have any material impact on the non-designated heritage assets themselves but would affect their settings. However, the existing townscape around the locally listed buildings is defined partly by the existing three storey development along Large Lane. The existing building has a curved front elevation onto Larges Lane and a flat roof and comprises 8 apartments with a further 6 townhouses along Larges Lane. The existing flats adjacent to the Chapel, between Larges Lane and Farnham Close, are also three storeys high.

9.15 Generally, the prevailing storey heights in the adjacent area is three storeys. Although there are buildings of four storey and higher, these are generally located towards Bracknell town centre around Bracknell and Wokingham College. Therefore, the proposed four storey building would be taller than the prevailing townscape. For this reason it is considered that it would result in less than substantial harm to the setting of the Locally Listed Buildings; any harm should be balanced against the public benefits of the scheme in the planning balance.

iv. Impact on Residential Amenity

9.16 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 127 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future occupants of land and buildings.

Overlooking

9.17 Due to the separation distance between the building and the surrounding residential dwellings, it is not considered the proposal would result enable increased levels of overlooking to private residential properties and their gardens, over and above what can be achieved by the existing situation.

Overbearing

9.18 Due to the separation distance between the building and the surrounding residential dwellings (the closest building is approximately 16 metres away), it is not considered that the proposal would appear unduly overbearing to the occupants of the surrounding properties.

Overshadowing

9.19 The nearest residential property, 1 Robins Gate Cottages, has no side windows that are the primary sources of light to habitable rooms. As such, the increase in height of the building would not be considered to have a significant impact on the occupants of this dwelling in terms of loss of light. The residential property to the north-west, The Willows, is located approximately 36 metres from the proposed development. This separation distance is sufficient to avoid any overshadowing impacts to this property.

Existing and Future Occupants

9.20 All the rooms in the proposed flats would either have south facing windows, or two sources of light to the habitable rooms. It is considered that the proposed flats would receive sufficient daylight.

9.21 Balconies are proposed for two of the new flats, and outside amenity space to the south of the building could be used by existing and future residents. As this land is to the south of the building

in question an increase in height would not result in significant levels of overshadowing to this area.

v. Highway Safety Considerations

9.22 Policy CS23 of the CSDPD states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the BFBLP states that development will not be permitted unless satisfactory parking provision is made for vehicles and cycles. The supporting test to this policy also states that the standards set out in the Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 (SPD), can be applied flexibly in certain circumstances.

9.23 The proposal is for 2 x 2-bedroom and 2 x 1-bedroom dwellings; this requires 6 additional parking spaces to be provided to accord with Table 6 of the Parking Standards SPD.

9.24 A Block Plan has been submitted, demonstrating where 6 additional car parking spaces along with 6 residents' cycle spaces and 4 visitor cycle spaces would be located. The proposed car and cycle parking would meet the requirements of the Council's Parking Standards SPD (March 2016) for the proposed development.

9.25 Sufficient bin storage is proposed to meet the BFC requirements of 100 litres of waste per household per week. Access to the bin storage has been improved.

9.26 The 2x1-bedroom and 2x 2-bedroom flats in this location are likely to generate around 10 vehicular trips per day based on TRICS data used to inform the Council's Transport Model.

vi. Sustainability

9.27 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, cover water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.

9.28 It is recommended that these requirements are secured by condition.

vii. Thames Basin Heath SPA

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

9.30 This site is located approximately 2.7 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.31 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD). The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA

and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.32 In this instance, the development would result in a net increase of two x 1-bedroom dwellings and two X 2-bedroom dwellings which results in a total SANG contribution of £19,192.

9.33 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £1,850.

9.34 The total SPA related financial contribution for this proposal is £21,042. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area SPD and the NPPF.

viii. Community Infrastructure Levy (CIL)

9.35 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.36 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) the creation of additional dwellings.

9.37 In this case, the proposal would be CIL liable as it comprises the creation of new dwellings.

ix. Planning Balance

9.38 The proposal would affect the setting of Locally Listed Chapel Buildings and it was concluded that this would result in 'less than substantial harm'. The harm would be of a low order. However, and in accordance with Paragraph 193 of the NPPF, any harm must be afforded 'great weight' to the heritage asset's conservation in the decision-making process. Paragraph 196 goes on to say that where a development proposed would lead to less than substantial harm, as in this case, the harm should be weighed against the public benefits.

9.39 The proposal would provide 4no. additional dwellings, adding to the provision of housing within the borough in a sustainable location close to Bracknell Town centre. This would be considered a public benefit. As set out in the previous section, the proposed development would not be considered to have a significant adverse impact on the character and appearance of the area. As such, it is considered that the public benefit overrides the less than substantial harm which is of a low order to the settings of the Locally Listed Buildings.

9.40 In light of this assessment, the application is considered to be acceptable in terms of highway safety, character and appearance of the area and amenities of neighbouring properties. The low order of harm identified to the setting of the listed building is considered to be outweighed by the contribution to the housing land supply and other associated public benefits. Subject to the completion of the S106 agreement to secure SPA mitigation, and relevant conditions the application is therefore recommended for approval.

10. RECOMMENDATION

10.1 Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following measures:

- Avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);

That the Head of Planning be authorised to **APPROVE** application 21/00077/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:

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

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

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

Location Plan (001/B) – Received 25.01.21
Proposed Block Plan (102/E) – Received 28.04.21
Proposed Lower Ground Floor (109/A) – Received 25.01.21
Proposed Ground Floor (110/C) – Received 28.04.21
Proposed First Floor (111/A) – Received 25.01.21
Proposed Second Floor (112/E) – Received 27.05.21
Proposed Roof (113/D) – Received 27.05.21
Proposed Section A-A (140/D) – Received 27.05.21
Proposed Section B-B (141/B) – Received 27.05.21
Proposed South-West Elevation (170/D) – Received 27.05.21
Proposed North-West Elevation (171/E) – Received 27.05.21
Proposed North-East Elevation (172/D) – Received 27.05.21
Proposed South-East Elevation (173/E) – Received 27.05.21

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

03. The development hereby permitted shall not commence until details of the all proposed external materials are submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. The development hereby approved shall not be occupied until the associated vehicle parking and turning space has been provided 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]

05. The dwelling shall not be occupied until a plan showing the floor plan and elevation of the cycle store shown on the approved plans, showing 4 secure and covered cycle spaces, is submitted to an approved in writing by the Local Planning Authority. The cycle parking spaces and facilities shall thereafter be retained.

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

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

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

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

07. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as constructed shall be carried out in accordance with the approved assessment and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS12]

08. 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). It 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]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

- (1) Time limit
- (2) Approved plans
- (4) Vehicle parking
- (8) SUDS

The applicant is advised that the following conditions are required to be discharged:

- (3) Materials
- (5) Cycle parking
- (6) Sustainability Statement
- (7) Energy Demand Assessment

03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

ITEM NO:

Application No.

21/00145/3

Site Address:

Ward:

Great Hollands South

Date Registered:

16 February 2021

Target Decision Date:

13 April 2021

Street Record Ullswater Bracknell Berkshire

Proposal:

Conversion of grassed amenity areas to provide 10 additional parking spaces in 4 locations.

Applicant:

Mr David Humphrey

Agent:

Mr David Humphrey

Case Officer:

Lucy Ormrod, 01344 352000

development.control@bracknell-forest.gov.uk
Site Location Plan (for identification purposes only, not to scale)


OFFICER REPORT

1. SUMMARY

- 1.1 Planning permission is sought for the conversion of grassed amenity areas to provide 10 additional parking spaces in 4 locations.
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the character and appearance of the area, residential amenity or highway safety.

RECOMMENDATION

Planning permission be granted subject to the conditions set out in Section 11 of this report.
--

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been reported to the Planning Committee as it is a scheme which the Director for Place, Planning and Regeneration is responsible for promoting.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within defined settlement

- 3.1 The proposed parking bays would be located in 4 areas of amenity land along the residential street, Ullswater.

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning history is set out below:

15/00112/FUL

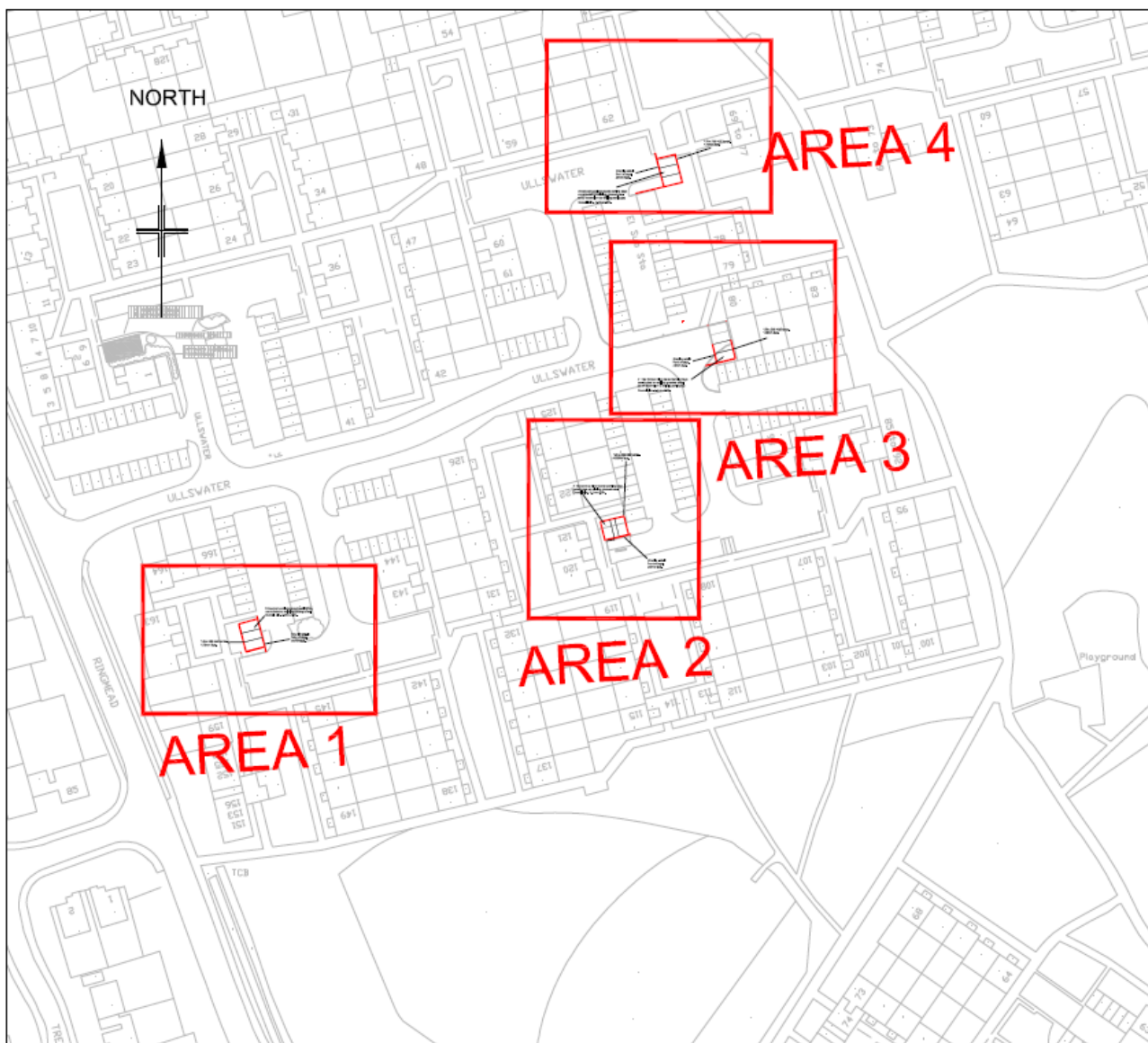
Approved 2015

Conversion of grassed amenity area to form 4no. parking bays.

(Near No: 1 Ullswater)

5. THE PROPOSAL

- 5.1 It is proposed to form 10 parking bays within Ullswater.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 No objection

Other responses received

6.2 Two letters neither supporting, nor objecting to the proposal have been received from one address. The concerns raised can be summarised as follows:

- i) In 'Area 2' 4 existing parking spaces including a disabled parking bay will be lost with one gained and one disabled space gained as at the moment two cars can be parked on the grassed area and then one car in front of the existing disabled bay (*Officer Comment* – the 'existing' parking spaces being referred to are not formal parking spaces as they are places where cars are currently parking on amenity land or in front of disabled spaces blocking access to them)
- ii) Suggest the single garage be demolished then remove the whole grassed area and place car parking spaces along this whole area and you could get 5 or 6 spaces, which

would mean we would gain spaces and not lose them. (*Officer comment* – The ownership of the garage is not known and this is outside of the proposed development and the proposal can only be assessed as submitted which does not include the proposed demolition of a garage)

6.3 A number of other objections were received, however no name or contact details were given and therefore cannot be counted as formal objections.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1 No objection.

Landscaping Officer:

7.2 No objection subject to condition.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Not fully consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of the BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD (2016)		
Streetscene SPD (2011)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Highway Safety considerations

i. Principle of development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts

upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety etc. These matters are assessed below.

ii. Impact on character and appearance of the area

9.3 The majority of the parking bays are to be located on grassed amenity land, with some extending from existing parking hardstanding.

9.4 The proposed bays are not considered to have a significant detrimental impact on the streetscene subject to the provision of planting to mitigate the loss of soft landscaping. A condition requiring a landscaping plan prior to commencement is recommended.

iii. Impact on Residential Amenity

9.5 Due to the nature of the proposed parking spaces, they would not result in an adverse impact on the residential amenities of the occupiers of neighbouring properties in regards to possible overlooking, overbearing or overshadowing. Furthermore, considering this is currently a built-up residential area and the presence of the existing parking spaces, it is not considered that the proposal would result in an adverse level of noise and disturbance to the local residents.

iv. Highway Safety

9.6 The proposed spaces are situated near to existing parking spaces, expanding into grass amenity areas. These are all acceptable to the Highway Authority and no highway safety concerns have been raised.

v. Landscaping Considerations

9.7 The Landscaping Officer considers the proposal acceptable subject to planting to mitigate the loss of amenity landscape areas and to enhance the character of the area, as well as knee rails or bollards to prevent parking beyond the proposed parking bays and to protect the proposed planting.

9.8 The Landscaping Officer has stated that these can be addressed by a condition.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the surrounding area, highway safety or the residential amenities of the occupiers of the neighbouring properties. It is therefore considered that the proposed development complies with 'Saved' policies EN20 of the BFBLP, Policies CS1, CS2 and CS7 of the CSDPD, BFBC SPDs and the NPPF.

11. RECOMMENDATION

That the application be approved subject to the following 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.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority on

Design and Access Statement – Received 29.01.2021

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

3. 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 parking spaces being brought into use, whichever is sooner. All hard landscaping works shall be carried and completed prior to the parking spaces being brought into use. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. REASON: In the interests of good landscape design and the visual amenity of the area. [Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]

Informatives

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 following conditions do not require details to be submitted, but must be complied with:
 1. Time limit
 2. Approved plans
03. The applicant is advised that the following condition requires discharging prior to the commencement of development:
 3. Landscaping scheme
04. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership
05. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

ITEM NO:

Application No.
21/00224/FUL

Site Address:

Ward:
Bullbrook

Date Registered:
1 March 2021

Target Decision Date:
26 April 2021

7 Flint Grove Bracknell Berkshire RG12 2JN

Proposal:

Installation of a detached pre-fabricated garden building within the rear garden to be used for ancillary use (C3) and pre-school classes (F1).

Applicant:

Mr & Mrs Arden

Agent:

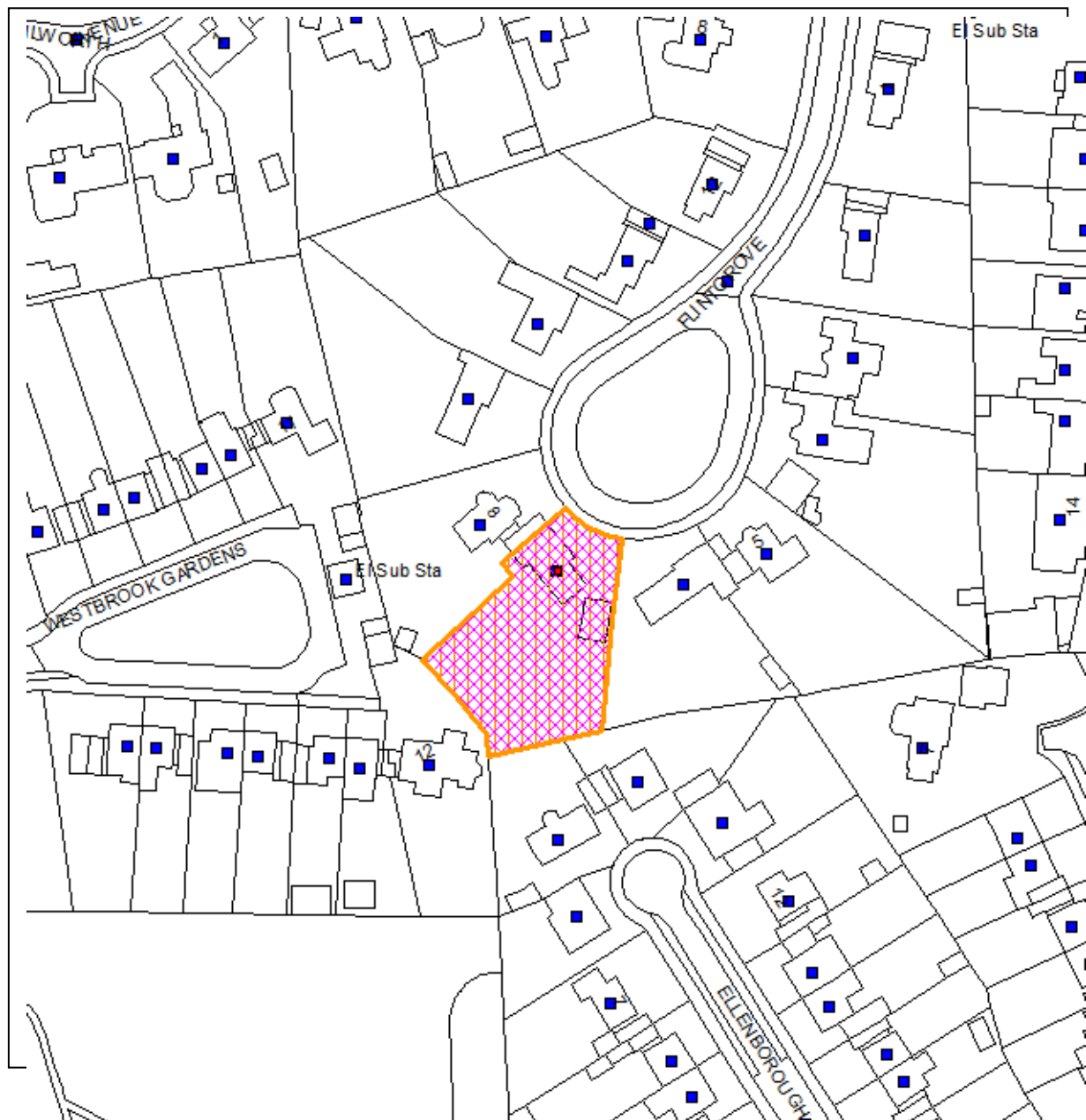
Mr Scott Allen

Case Officer:

Olivia Jones, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 Full planning permission is sought for the erection of a detached building for mixed use as ancillary residential outbuilding linked to 7 Flint Grove (class C3), and for pre-school classes (class F1).
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area or highway safety. The relationship with adjoining properties is considered acceptable.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASONS FOR REPORTING THE APPLICATION TO PLANNING COMMITTEE

- 2.1 The application has been reported to the Planning Committee at the request of Councillor Dudley on parking provision and highway safety grounds.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Defined Settlement

- 3.1 7 Flint Grove is a two storey semi-detached property. The application site is located within the defined settlement boundary, within an area predominantly residential in character.

4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history is summarised as follows:

The building was constructed under Section 6/1 of the New Towns Act 1965

15/00153/FUL

Erection of a detached garage to side following demolition of existing conservatory
Approved 2015

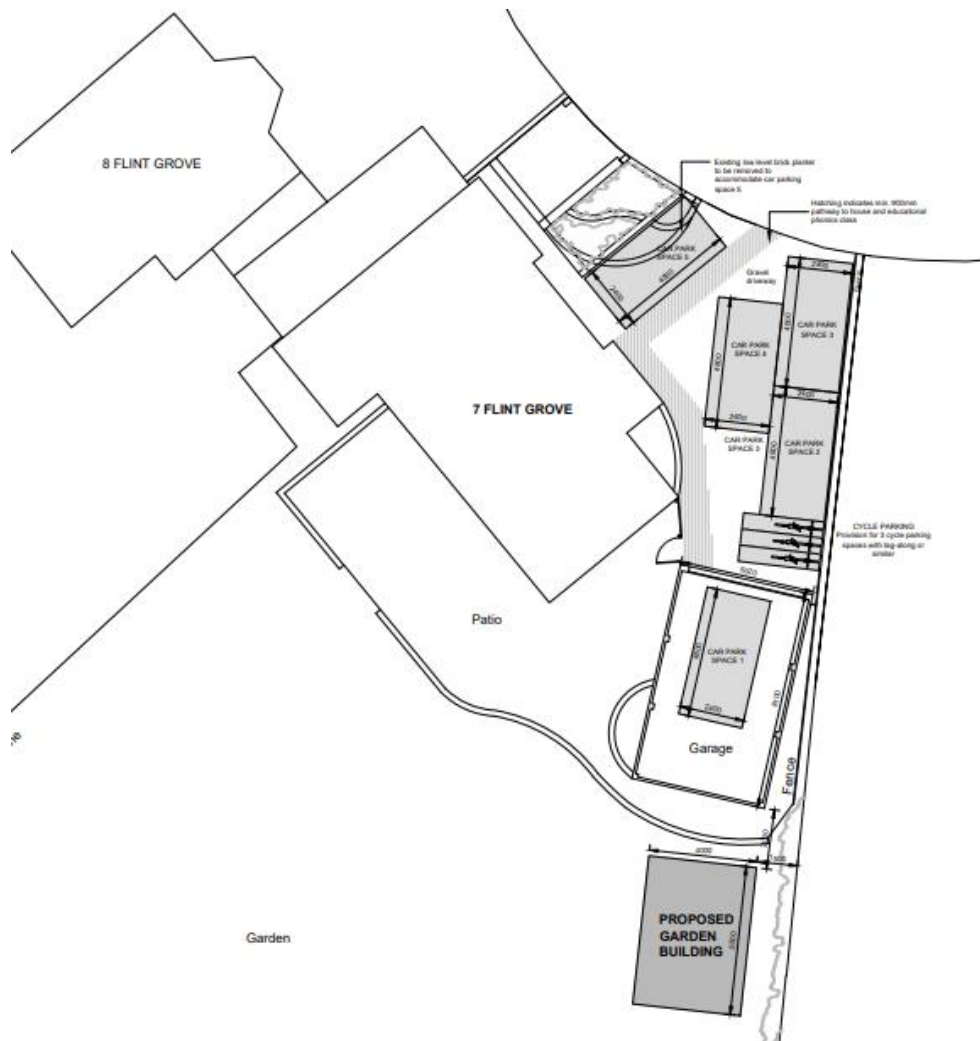
15/00530/FUL

Erection of part two storey part single storey front and side extensions following demolition of garage and conservatory.
Approved 2015

5. THE PROPOSAL

- 5.1 It is proposed to erect an outbuilding within the rear garden of 7 Flint Grove for a mixed use comprising ancillary residential use to the occupants of 7 Flint Grove (use class C3), and for providing music classes for pre-school children (use class F1).
- 5.2 The proposed building would be located in the rear garden of 7 Flint Grove and would have a depth of 5.5 metres, a length of 4 metres and a height of 3.37 metres.

5.3 It is proposed to use the building for phonics classes for children aged 1-4. Up to 6 children (and their parents) would be present per class, and each class would run for 45 minutes. Two classes would be run per day, within the working hours of 9:30am – 2:45pm Monday to Friday. All activity will take place inside the building.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Objection on the following grounds:

- (i) The peak times for traffic caused by this business will clash with the local residents in this small Cul-de-Sac causing an extra burden on traffic for the residents.
- (ii) Bringing a commercial business to a small residential space if out of keeping for this quiet area.

Other Representations

6.2 Letters of objection from the occupants of two properties have been received raising the following concerns:

- (i) Noise disturbance
- (ii) Insufficient parking provision and highway safety concerns
- (iii) Additional traffic would have adverse impact on character of area
- (iv) Commercial uses should not be allowed in a residential area

6.3 Letters of support from the occupants of six properties have been received.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection subject to suitable conditions

Environmental Health

7.2 No objection subject to suitable conditions

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Design and Character (including heritage)	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Residential Amenity	Saved policies EN1, EN2, EN20 and EN25 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent
Supplementary Planning Documents (SPDs)		
Design (2017) Parking Standards (2016)		
Other publications		
National Planning Policy Framework (NPPF) Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (BRE SLPDS)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development
- (ii) Impact on the character and appearance of the area
- (iii) Impact on residential amenity
- (iv) Highway safety consideration

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area.

ii. Impact on Character and Appearance of Surrounding Area

9.4 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 124 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.5 The outbuilding would be located within the rear garden and therefore would not have a prominent impact on the character of the area. While large, the building is not out of keeping in a residential rear garden.

9.6 It is proposed to use the building for a combination of ancillary residential use and commercial use. The use of the building as a residential outbuilding would not be considered excessive in relation to the plot size, and it is not considered that the use of the building for commercial use would result in an additional impact on the appearance of the area.

9.7 Concern has been raised that any increase in traffic would adversely affect the character of the area. As set out in section (iv) any increase in on-street parking would be modest, and therefore it is not considered there would be an over proliferation of vehicles within Flint Grove to the detriment of its character.

iii. Impact on Residential Amenity

9.8 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 127 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future occupants of land and buildings.

9.9 Given the single storey nature of the building and its distance to the nearest neighbouring properties it would not be considered to cause unacceptable impacts on residential amenity by reason of its size and massing.

9.10 A Noise Assessment has been submitted by the applicant and reviewed by the Environmental Health Officer. It has been advised that, subject to a condition restricting all activity to the inside of the building, the proposed use is unlikely to have a significant adverse impact on the amenities of the neighbouring occupiers.

9.11 Should unacceptable levels of noise occur, this planning permission does not override the powers of environmental health legislation to control noise nuisances.

iv. Transport and Highways Considerations

9.12 Policy CS23 of the CSDPD states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the BFBLP states that development will not

be permitted unless satisfactory parking provision is made for vehicles and cycles. The supporting text to this policy states that the standards set out in the Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 (SPD) can be applied flexibly in certain circumstances.

- 9.13 Five off-street parking spaces can be provided within the application site. Three of these spaces would be required for the occupants of the existing dwelling, allowing two off-street parking spaces for visitors to the phonics class. There is also likely to be on-street space available to park a further vehicle adjacent to the low-level brick planted and former driveway (permitted to be removed in 2015), subject to this not being used by others. This would require half of parents to arrive by modes of travel other than private car.
- 9.14 Secure cycle storage can be provided within the existing garage for the bicycles of the residents of 7 Flint Grove. Side access into the rear garden would allow for secure storage of cycles in the garden for the visitors during music classes.
- 9.15 It is considered that sufficient provision for visitors to the music classes would be provided, and any on-street parking would be minimal and would not be considered to have a significant adverse impact on highway safety.

10. CONCLUSIONS

- 10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the surrounding area, highway safety or the residential amenities of the occupiers of the neighbouring properties. It is therefore considered that the proposed development complies with 'Saved' policies of the BFBLP, Policies of the CSDPD, BFBC SPDs and the NPPF.

11. RECOMMENDATION

- 11.1 That the Head of Planning be authorised to **APPROVE** application 21/00224/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:

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

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

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

Location Plan (01) – Received 01.03.21

Proposed Plans and Elevations (05/A) – Received 10.05.21

Specifications of Garden Room – Received 01.03.21

Design and Access Statement (annotated) – Received 26.03.21

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

03. The development hereby approved shall not be occupied until the associated vehicle parking and turning spaces have been provided 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]

04. The development hereby approved shall not be occupied until the associated cycle storage has been provided in accordance with the approved drawing. The cycle parking spaces and facilities shall thereafter be retained.

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

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

05. The building hereby approved shall only be used for pre-school classes during the following hours:

09:30 to 14:45 hours Monday to Friday (excluding public holidays)

At all other times the building shall be used only for purposes ancillary to the residential use of 7 Flint Grove.

REASON: To prevent unacceptable impacts on residential amenity.

06. There shall be no more than 6 children present in connection with the pre-school classes within the building hereby approved at any one time.

REASON: To prevent unacceptable impacts on residential amenity.

07. The pre-school classes shall be undertaken exclusively within the building hereby approved, and no activities in connection with the pre-school classes shall take place outside the approved building.

REASON: To prevent unacceptable impacts on residential amenity.

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

- (1) Time limit
- (2) Approved plans
- (3) Parking
- (4) Cycle parking
- (5) Hours of operation
- (6) Number of children
- (7) Restriction of classes to inside of building

03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

05. This planning permission does not grant consent for a dropped kerb. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk , to agree the access construction details and to grant a licence before

any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

ITEM NO:

Application No.
21/00276/OUT

Site Address:

Ward:
Binfield With Warfield

Date Registered:
14 April 2021

Target Decision Date:
9 June 2021

Land To The Rear Of Rendcombe Terrace Road South Binfield Bracknell Berkshire RG42 4DN

Proposal:

Outline Application with all matters reserved except for access for the erection of a 3-bedroom dwelling with integral garage and associated access to rear of existing dwelling.

Applicant:

Mr Michael Edwards

Agent:

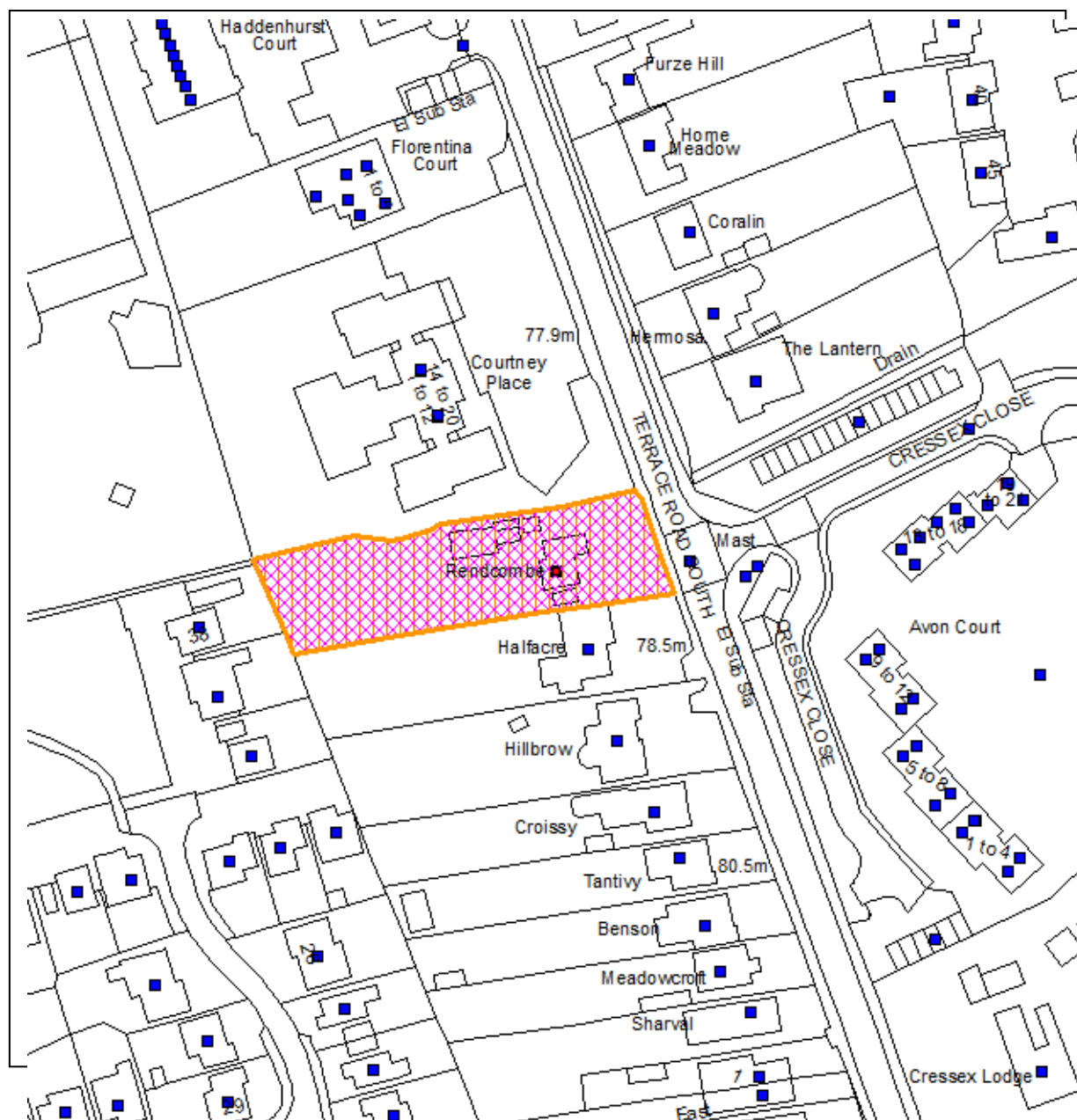
Mr Richard Brown

Case Officer:

Olivia Jones, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 Outline planning permission is sought for the erection of a detached dwelling and associated access, with all other matters reserved.
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area or highway safety. The relationship with adjoining properties is considered acceptable.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASONS FOR REPORTING THE APPLICATION TO PLANNING COMMITTEE

- 2.1 The application has been reported to the Planning Committee following the receipt of over 5 letters of objection.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Defined Settlement

Between 400m and 5km of the Thames Basin Heath SPA
--

Within Binfield and Popeswood Study Area of the Character Area Assessments SPD
--

TPO 422 to north of application site

Within Northern Parishes CIL Charging Zone
--

- 3.1 This 0.15ha application site lies to the west of Rendcombe, on land that currently forms part of its residential curtilage. The application site is accessed from a driveway off Terrace Road South.

4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history is summarised as follows:

01/00874/FUL

Erection of a part 2 storey, part 3 storey building to provide 7no. 2 bedroomed flats together with associated parking with access from Courtney Place, following demolition of existing house.

Refused 2001 (Appeal Dismissed)

03/00984/FUL

Formation of vehicular access (dropped kerb) onto Terrace Road South. Erection of brick wall (max height 2m) to front boundary.

Approved 2003

07/00618/FUL

Erection of 1 block comprising 5no. two bedroom and 3no. one bedroom flats with associated parking, cycle and bin stores following demolition of existing dwelling.

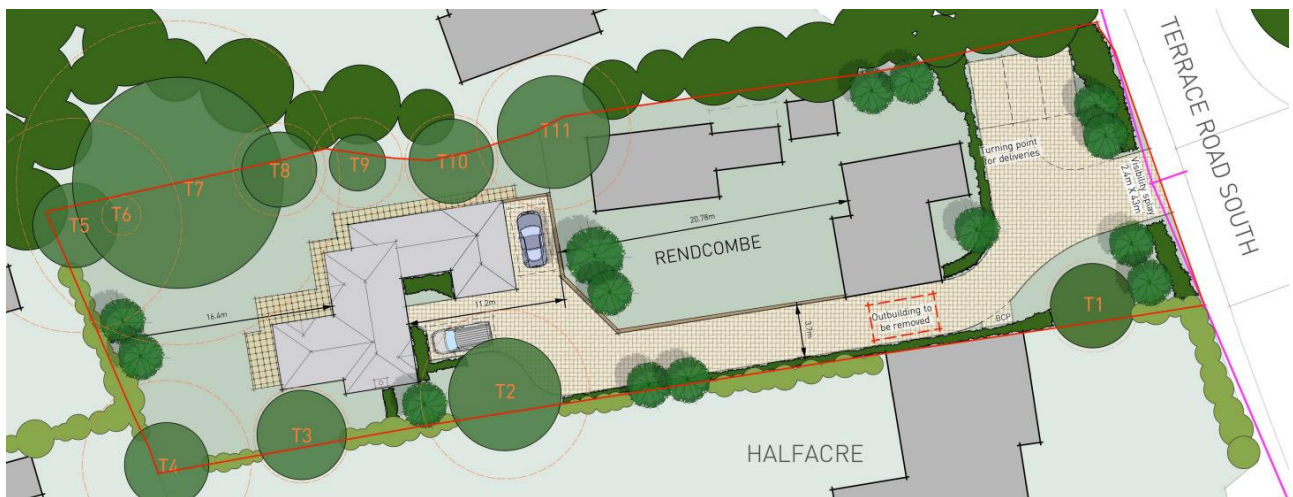
Refused 2007

08/00284/FUL

Erection of 1 block comprising 2no. two bedroom and 4no. one bedroom flats with associated parking, cycle and bin stores following demolition of existing dwelling.
Refused 2008

5. THE PROPOSAL

- 5.1 This is an application for outline planning permission for the erection of a new residential dwelling within the rear garden of Rendcombe, a detached residential property. All matters have been reserved except for access, and therefore this application will consider the principle of a new dwelling within the application site, and the access arrangements. Considerations such as design, layout, scale and landscaping will be considered at reserved matters stage.
- 5.2 Indicative drawings show the provision of a detached three bedroom dwelling within the existing rear garden of Rendcombe. An integral garage is proposed, as well as hardstanding for the provision of 2 parking spaces. Access to the new dwelling would run along the southern boundary of the site following the removal of an existing outbuilding. The existing access is proposed to be relocate further south.



6. REPRESENTATIONS RECEIVED

Binfield Parish Council

- 6.1 Objection on the following grounds:
- (i) This proposal is against policy BF1 - Backland and infill development in the Binfield Neighbourhood Plan in the following ways:
 - a. BF1 point 2 - leads to over development of the site;
 - b. BF1 point 3 - will lead to the appearance of cramming;
 - c. BF1 point 4 - any dwelling added will change the scale of development in this area where the properties all have large front and rear gardens. This proposal is not in keeping with the neighbouring properties.
 - d. BF1 point 6 - the risk that this additional dwelling will reduce the level of private amenity for existing residential properties is very high.
 - e. BF1 point 8 - the boundaries between properties in this area is made up of mature tree lines. The creation of an access road, which is proposed to be far too close to the boundary (and building) of Halfacre will change irrevocably the boundary between the two properties.
 - (ii) Risk to large mature trees that are in the immediate vicinity and important features of the area.
 - (iii) The proposed access point is extremely unneighbourly; it is far too close to the boundary treatment with Halfacre.

Other Representations

6.2 Letters of objection have been received from the occupants of 7 neighbouring properties raising the following concerns:

- (i) Inconsistencies on the plans
- (ii) Unacceptability of backland development, resulting in a precedent
- (iii) Overdevelopment of the plot
- (iv) Development out of character with the surrounding area
- (v) Position and design of proposed dwelling would appear out of keeping and have a detrimental impact on residential amenity
- (vi) Impact on mature well established trees
- (vii) Flooding concerns
- (viii) Impact on biodiversity
- (ix) The proposed access would result in noise disturbance and pollution from cars and increased visibility due to the raised ground for the access
- (x) The proposed access does not provide sufficient visibility, with a potential impact on highway safety

Officer Comment: This application cannot consider the specifics of a new dwelling, such as potential overlooking, overbearing or overshadowing impacts. Furthermore, considerations such as the impact on protected trees and the design of the dwelling on the character of the area would be considered at reserved matters stage.

The concerns regarding the principle of backland development, and the impact of the proposed access, are addressed in the report.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection, subject to suitable information submitted with reserved matters application

Tree Officer

7.2 No objection, subject to suitable information submitted with reserved matters application

Biodiversity Officer

7.3 No objection, subject to suitable conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD BF1 of Binfield Neighbourhood Plan	Consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Residential Amenity	Saved policies EN1, EN2, EN20 and EN25 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent
Trees	'Saved' policy EN1 of the BFBLP	Consistent

Biodiversity	CS1 and CS7 of the CSDPD	Consistent
Drainage	CS1 of the CSDPD	Consistent
Supplementary Planning Documents (SPDs)		
Design (2017) Parking Standards (2016) Streetscene (2010)		
Other publications		
National Planning Policy Framework (NPPF) Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (BRE SLPDS)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development
- (ii) Impact on the character and appearance of the area
- (iii) Impact on residential amenity
- (iv) Highway safety consideration
- (v) Tree Considerations
- (vi) Biodiversity Considerations
- (vii) Drainage Considerations
- (viii) Sustainability Considerations
- (ix) Other matters

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area, highway safety etc.

ii. Impact on character and appearance of the area

9.4 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 124 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.5 The site is located in a character area as designated by the Council's Character Area Assessments Supplementary Planning Document adopted March 2010 - in the area of Binfield and Popeswood. The SPD defines the area as distinguished by long narrow gardens, however there is no uniform building type.

9.6 Section 3.6 of the Council's Design Supplementary Planning Document adopted March 2017 refers to backland development. The SPD states:

"All backland development should be subordinate, i.e. it should occupy a minor proportion of the block in which it is sited; should be designed to the highest standards and should have a positive and legible entrance.

Backland development should:

- not harm the existing character of the local area;
- relate positively to the existing layout and existing urban form;
- create a positive and legible entrance to the backland site;
- maintain the quality of environment for existing residents;
- create a satisfactory living environment for the new home owners and existing surrounding properties;
- relate to a site of sufficient size and suitable shape to accommodate the number of dwellings proposed when compared to the existing grain of development in the
- area, together with their external space, access and parking requirements;
- not be taller than the existing buildings".

9.7 Binfield is also subject to the Binfield Neighbourhood Plan which came into force in April 2016 and forms part of the Development Plan. Policy BF1 of the Neighbourhood Plan refers to infill and backland development and states:

"All infill and backland development shall protect the amenity of neighbours and reflect the scale, mass, height and form of neighbouring properties. Development proposals must demonstrate how they address the recommendations and contribute positively to the features of the respective character areas identified in the Bracknell Forest Character Area Assessments Supplementary Planning Document. In particular, development proposals shall

- ensure that they do not lead to over-development of a site; and
- avoid the appearance of cramming; and
- have a similar form of development to properties in the immediate surrounding area; (this is particularly the case for applications for two or more dwellings on a site currently or previously occupied by a single property)".

9.8 This outline application is for assessment of the access only, and therefore the scale, layout and design of the proposed dwelling are therefore not under consideration of this application. However, the suitability of the subdivision of the site is assessed as follows:

9.9 This particular stretch of Terrace Road South from Rendcombe southwards is characterised by detached or semi-detached dwellings set on an established building line fronting the highway, with long, narrow gardens. Northwards from Courtney Place (adjoining Rendcombe to the north), the character changes with flatted developments and commercial premises.

9.10 The proposed backland development would not reflect the existing grain of development. From Rendcombe southwards along Terrace Road South, the development is in a ribbon pattern with long spacious gardens to the rear of the houses. The subdivision of the site would reduce the size of each plot, out of character with the remaining dwellings to the south.

9.11 However, it is noted that the building to the north, Courtney Place, does not follow the established pattern of development. The building is a large block of flats, set well into the site and reducing the depth of available outside amenity space for the occupants. The proposed

dwelling would only marginally project further to the rear than the existing built form on Courtney Place.

9.12 As such the application site can be seen as a transition plot between the established plot layouts along the southern properties along Terrace Road South and the more dense development for the northern properties along Terrace Road. Therefore, the possibility of backland development may be suitable subject to an acceptable design and layout.

9.13 The proposed driveway would run along the southern boundary of Rendcombe with Halfacre. The driveway would have a width of 3.7 metres. A boundary hedge is shown running along the boundary with Halfacre, and it is considered that this provision of soft would soften the impact of the hardstanding on the character of the area.

9.14 As such, subject to a suitable soft landscaping scheme the proposed access is not considered to have a significant adverse impact on the character of the area and would be in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, Design SPD and the NPPF.

iii. Effect on residential amenity

9.15 BFBLP 'Saved' Policies EN20 and EN25 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. BFBLP 'Saved' Policy EN20 and CSDPD Policy CS7, require the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. These requirements are considered to be consistent with the general design principles in the NPPF.

9.16 This outline application seeks to assess means of access, of the 2no. proposed dwellings. Detailed matters for the layout, scale, appearance and landscaping would be assessed at reserved matters stage.

9.17 Nevertheless, the impact of a new dwelling within the rear garden of Rendcombe can be assessed. The proposal would result in the provision of one additional dwelling.

9.18 The Design SPD recommends that any upper storey rear windows are located at least 10 metres from the rear boundary, and 22 metres from the upper storey rear elevations of properties to the rear. The size of the plot is sufficient that this separation distance can be achieved. The layout of any dwelling could ensure upper storey side windows are restricted to avoid overlooking to the properties on either side. Furthermore, the size of the plot is considered sufficient that a modest dwelling is unlikely to appear unduly overbearing to the occupants of neighbouring properties and any overshadowing impacts are likely to be minimal. This would be ensured at reserved matters stage.

9.19 The proposed access would be located at ground level, and therefore would have a limited impact on the residential amenity of the neighbouring properties. The access would be located close to the neighbouring dwelling, Halfacre, however the access would be used to serve only one dwelling and is not likely to be intensively used to the detriment of the amenities of the neighbours. The access should be partially screened by the hedging on the boundary of the properties, and it is noted that a private view is not a material planning consideration. As such, the view of the access should not form a reason for refusal.

9.20 Concern has been cited that the driveway would be raised, increasing visibility levels into the neighbouring property and its private garden area. Design details of the access including any ground levels and materials should be secured by condition to ensure no unacceptable levels of overlooking, and suitable provision for run-off water.

9.21 As such, the principle of a dwelling and the proposed access would not be considered to affect the residential amenities of residents of neighbouring properties and would be in accordance with 'Saved' policy EN20 of the BFBLP and the NPPF.

iv. Transport considerations

9.22 Policy CS23 of the CSDPD states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the BFBLP states that development will not be permitted unless satisfactory parking provision is made for vehicles and cycles. The supporting text to this policy also states that the standards set out in the Bracknell Forest Borough Parking Standards can be applied flexibly in certain circumstances.

- Access –

9.23 Rendcombe has an existing dropped-kerb footway crossover access on Terrace Road South, a classified C class local distributor road which is subject to a 30mph speed limit. There are no parking restrictions.

9.24 The access shown on the submitted plans is measured as 4.8m wide, which would enable cars entering and exiting the development to pass, as indicated on Figure 7.1 of Manual for Streets. This compares with an existing access width of circa 5.0m. The applicant will need to enter into a Highways Act Section 278 agreement with the Highway Authority in order to form the access onto Terrace Road South.

9.25 Visibility to the right when exiting the property is currently impeded due to a hedgerow, and the applicant has detailed the replanting of this hedgerow behind the visibility splay for the new access location. The resulting visibility splay is annotated as 2.4 x 43m on the submitted plans, compliant with Manual for Streets requirements for a 30mph road. In addition, 2m x 2m visibility splays between the back of the footway and edge of the driveway should also be provided for pedestrian safety, this can be dealt with by condition.

9.26 A 3.7m wide driveway with adjacent margins is proposed to the south of the existing property. This is compliant with the Highways Guide for Development for a single dwelling and for fire tender access. The layout would appear to allow a fire tender to be within 45m (hose length) of all parts of the new dwelling without needing to reverse more than 20m, as the area annotated "Turning Point for Deliveries" could be used in this regard.

- Refuse Collection –

9.27 Bracknell Forest Council's refuse vehicle will not enter unadopted roads which are not constructed to adoptable standards. In this case, refuse collection will be from Terrace Road South as for the existing dwelling. In order to meet the walking distances set out in the Building Regulations part H6, a refuse collection has been shown within 25m of Terrace Road South for the new dwelling, where bins are to be placed by residents on collection day.

- Dwelling Size and Parking –

9.28 Whilst the application is in outline, with all matters reserved except for access, it is noted that the parking layout submitted for the new dwelling is sufficient for the 3-bedroom dwelling indicated, with 2 off-street car parking spaces plus a garage - which could be used for cycle parking.

9.29 Sufficient off-street parking for the existing dwelling can be retained, and would be provided to the front of the existing dwelling.

9.30 As such the proposal would be in accordance with 'Saved' policy M9 of the BFBLP, Policy CS23 of the CSDPD and Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 (SPD).

v. Tree Considerations

9.31 'Saved' policy EN1 of the BFBLP states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows. Trees and hedgerows are important to the retention of the character and appearance of the landscape or townscape of the area. Section 15 of the NPPF states that the planning system should contribute to and enhance the natural and local environment.

9.32 There is a blanket Tree Preservation Order (TPO) on the adjoining site to the north at Courtney Place. There are further trees within the application site which are not covered by a TPO.

9.33 A Tree Survey has been submitted at outline application stage which has been reviewed by the Council's Tree Officer. No objection in principle is set out by the Tree Officer. However, the applicant should take care to ensure the new dwelling has a sustainable relationship with the surrounding trees, and sufficient soft landscaping to mitigate the loss of unmade garden. As such, the provision of comprehensive arboricultural data and details of tree protection are required at reserved matters stage.

vi. Biodiversity Considerations

9.34 Policy CS1 of the CSDPD states that development will be permitted which protects and enhances the quality of natural resources including biodiversity. Policy CS7 of the CSDPD states that development proposals will be permitted which promote biodiversity. 'Saved' policy EN15 of the BFBLP states that external lighting schemes will only be acceptable where they would have no adverse impact on wildlife. These policies are considered to be consistent with the NPPF which states that the planning system should contribute to, and enhance, the natural and local environment by minimizing impacts on biodiversity.

9.35 As the proposals are set within a relatively empty garden there are unlikely to be significant impacts on biodiversity. However, the Beech tree identified as T7 in the tree survey has significant deadwood in the canopy. Beech trees can have high biodiversity value as mature trees and this is enhanced by the presence of deadwood. Therefore, all efforts should be made to avoid an unsustainable relationship with a new dwelling or removal of the tree.

9.36 A condition securing biodiversity enhancements is recommended.

vii. Drainage Considerations

9.37 Policy CS1 of the CSDPD states that development should conserve the use of resources including water through a reduction in use and protect and enhance the quality of natural resources including water. Paragraph 163 of the NPPF states that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

9.38 The application site is located outside Flood Zone 2 and 3. As such, the principle of a new dwelling and associated hardstanding is not considered to have a significant impact on flooding within the surrounding area. A condition is recommended requiring SuDS compliant building practices.

viii. Sustainability Considerations

9.39 The Core Strategy DPD policies CS10 and CS12 require a sustainability statement and energy demand assessment where new buildings are proposed.

9.40 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 now requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day.

9.41 CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating that a proportion of the development's energy requirements will be provided from on-site renewable energy production which the proportion shall be at least 20% of the site's energy needs (heat, cooling and power) or at least 10% for proposals of less than 5 dwellings or other development with a floor area less than 500m². It should also be demonstrated how the development's potential carbon dioxide emissions will be reduced by at least 10%.

ix. Thames Basin Heath SPA

9.42 In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) Bracknell Forest Council (BFC) has carried out a Habitats Regulations Assessment of the proposed development.

9.43 The following potential adverse effects on habitats sites were screened out of further assessment:

Loss of functionally linked land (TBH SPA)

Air pollution from an increase in traffic (TBH SPA, Windsor Forest and Great Park

Special Area of Conservation (SAC), Thursley, Ash, Pirbright and Chobham SAC and Chilterns Beechwoods SAC)

9.44 Recreational pressure on the TBH SPA was screened in for Appropriate Assessment.

9.45 BFC, 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.

9.46 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.

9.47 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to BFC towards the cost of measures to avoid and mitigate against the effect upon the TBH SPA, as set out in BFC's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (April 2018)

9.48 The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the TBH SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution

towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.49 In this instance, the development would result in a net increase of a single 3-bedroom dwelling within the 400m – 5km TBH SPA buffer zone which results in a total SANG contribution of £6,112.

9.50 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £711 which is also calculated on a per bedroom basis.

9.51 The total SPA related financial contribution for this proposal is £6,823. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until BFC has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with South East Plan saved Policy NRM6, saved policy EN3 of the Bracknell Forest Borough Local Plan (2002), Policy CS14 of the Core Strategy Development Plan Document (2008), the Thames Basin Heaths Special Protection Area Supplementary Planning Document and the National Planning Policy Framework.

x. Community Infrastructure Levy

9.52 CIL applies to any new build that involves the creation of additional dwellings. The site falls within the 'Northern Parishes' charging area. As this is an outline planning application with the final floor space of the proposal subject to change, the CIL charge will be calculated and issued at Reserved Matters stage.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and the access would not result in an adverse impact on the character and appearance of the surrounding area, highway safety, the residential amenities of the occupiers of the neighbouring properties, trees, biodiversity or drainage, subject to suitable conditions. It is therefore considered that the subdivision of the site and the proposed access complies with 'Saved' policies of the BFBLP, Policies of the CSDPD, BFBC SPDs and the NPPF.

11. RECOMMENDATION

11.1 **Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to the following measures:

- Avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);

That the Head of Planning be authorised to **APPROVE** application 21/00276/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:

01. Approval of the details of the appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

03. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

04. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 14.04.21 by the LPA:

Site Location Plan (003-1)

Site Plan (004-1 Rev B)

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

05. The landscaping details required by condition 01 shall include details of a scheme of walls, fences, gates and any other means of enclosure. The approved scheme shall be implemented in full for the dwelling approved in this permission before its occupation.

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

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

06. The landscaping details required by condition 01 shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of good landscape design and the visual amenities of the area, and nature conservation

[Relevant Policies: BFBLP EN1, EN2 and EN20, CSDPD CS1 and CS7]

07. The landscaping details required by condition 01 shall include comprehensive arboricultural data including:

(i) A proposed site-layout plan (at 1:200 scale) showing:

- Accurate trunk position and canopy spreads of all trees within the application site and all trees on neighbouring land that could be affected by or influence the proposed development.
- All proposed tree removal shown clearly with a broken line or hatched area.
- Proposed underground services layout including (existing reused and proposed) water, foul & and surface water drainage, any soak-away and associated ducting, electricity, gas, and any external lighting.
- Existing and

proposed finished levels within 15 metres of the trunks any existing trees within the site or on neighbouring land including together with details of any associated soil level re-grading and retaining structures. • Vehicle access and parking layout. • Footpaths and any other hard-standing areas. • Bin and cycle storage facilities. • Proposed soft-landscape structural planting areas.

- (ii) A comprehensive tree-protection plan (TPP), phased where necessary, to take account of site clearance works, construction, and landscaping. Note: Measures should also include protection of retained areas for landscaping (Reference Section 6.2.1.2 of BS 5837:2012).

REASON: In order to ensure that trees worthy of safeguarding are suitably protected
[Relevant Policies: BFBLP EN1]

08. The new dwelling shall not be occupied until the existing access to the site from Terrace Road South is closed and the footway/verge is reinstated with full-height kerbs in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the reinstatement shall be retained thereafter.

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

09. No development (other than the construction of the access) shall take place until the new access onto Terrace Road South has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority and provided with visibility splays of 2.4m x 43m onto the carriageway of Terrace Road South in each direction. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway and maintained clear if any obstruction exceeding 0.6 metres in height at all times.

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

10. No development (other than the construction of the access) shall take place until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway of Terrace Road South. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

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

11. The new dwelling shall not be occupied until the means of vehicular access to it within the site has been provided and surfaced with a bound or bonded material in accordance with the approved plans along with details (including any ground level raising) to be submitted to and approved in writing by the Local Planning Authority as part of a Reserved Matters application.

REASON: In the interests of highway safety and to avoid deposition of loose material on the public highway.
[Relevant Policies: Core Strategy DPD CS23]

12. The new dwelling shall not be occupied until the associated vehicle parking and turning space for both the new dwelling and the existing dwelling on the site has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority as part of a Reserved Matters application. The spaces shall not thereafter be used for any purpose other than parking and turning.

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]

13. The new dwelling shall not be occupied until a scheme for covered and secure cycle parking facilities has been submitted to and approved in writing by the Local Planning Authority as part of a Reserved Matters application. The cycle parking facilities shall be provided and thereafter retained save as otherwise agreed in writing by the Local Planning Authority.

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

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

14. 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]

15. The development hereby permitted shall not commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan showing the location of these enhancements, has been submitted to and approved by the Local Planning Authority.

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

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

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

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

REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

18. 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]

19. No construction works shall take place until details showing the finished floor level of the dwelling hereby approved in relation to a fixed datum point 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 character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

20. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

In the event of the S106 agreement not being completed by 30 September 2021, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document, the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

Informative(s):

- 01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 02. The applicant should note that numerous conditions attached to this planning permission must be discharged with the local planning authority prior to the commencement and/or occupation of the development.
- 03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
- 04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
- 05. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk, to agree a Section 278 agreement in

relation to the access construction details for the new access and details of reinstatement of the footway/verge at the existing access. Permission must be granted by the Highway Authority before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

ITEM NO:

Application No.

21/00485/RTD

Site Address:

Ward:

Great Hollands South

Date Registered:

7 May 2021

Target Decision Date:

1 July 2021

Telecommunications Mast Ringmead Great Hollands Bracknell Berkshire

Proposal:

Installation of a 18m Phase 8 Monopole with cabinet and associated ancillary works.

Applicant:

Hutchison UK Ltd

Agent:

Grace O'Donnell

Case Officer:

Sarah Horwood, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 An assessment has been made as to whether the prior approval of the Local Planning Authority is required for the siting and appearance of the proposed development which comprises the installation of a 18m high Phase 8 monopole with a wraparound cabinet and associated ancillary works.

1.2 As the proposal is for the installation of a new mast and associated development, it must be assessed on its own merits against the relevant criteria and it is concluded that prior approval is required. It is recommended that prior approval is granted as the siting and appearance of the proposed development would not result in unacceptable impacts to the residential amenities of neighbouring dwellings, the character of the area or result in highway safety implications.

RECOMMENDATION
Prior approval is required and prior approval is granted subject to the recommendation set out in Section 12 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been submitted under the prior approval procedure and therefore requires determination within 56 days.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within the settlement boundary

3.1 The proposed telecommunications installation is proposed to be sited on an area of soft landscaping located between a footpath and the highway on Ringmead. There is an existing hedge which runs alongside the footpath and towards the highway boundary are existing trees.

3.2 The immediate surrounding area is residential, comprising a mix of bungalows and two storey dwellings.

4. RELEVANT SITE HISTORY

4.1 There is no relevant planning history relating to the site.

5. PERMITTED DEVELOPMENT RIGHTS FOR ELECTRONIC COMMUNICATIONS APPARATUS

5.1 Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) covers development by electronic communications code operators.

5.2 Class A permitted development is:

Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—

- (a) the installation, alteration or replacement of any electronic communications apparatus,
- (b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or
- (c) development ancillary to radio equipment housing.

5.3 The proposed 18m high monopole with a wraparound cabinet and 3no. cabinets would constitute the installation of electronic communications apparatus as set out above and be classed as "ground based equipment".

5.4 The caveats relating to ground-based equipment are set out at A.1 (1) of the GPDO 2015 (as amended) which states:

Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A (a) if...

- (c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—
 - (i) 25 metres above ground level on unprotected land; or
 - (ii) 20 metres above ground level on article 2(3) land or land which is on a highway;

5.5 The proposed mast at a height of 18m would be sited on unprotected land (that is land that is not article 2(3) land or highway land) and would satisfy the above caveats. As such, the proposal would be considered permitted development, subject to the following conditions set out at A.2 (3) of the GPDO 2015 (as amended):

(3) Subject to sub-paragraph (5), Class A development...

(c) on unprotected land where that development consists of—

(i) the installation of a mast...

is permitted subject, except in case of emergency (in which case only paragraph A.3(12) applies), to the conditions set out in paragraph A.3 (prior approval).

5.6 The proposal consists of the installation of a mast with a wraparound cabinet, and proposed cabinets which satisfies the criteria for permitted development set out in Class A, Part 16 of the GPDO 2015 (as amended). As such, the developer must apply to the Local Planning Authority for determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development, as set out under paragraph (4) A.3 of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5.7 The Code of Best Practice on Mobile Network Development in England (November 2016) provides some guidance as to what matters can be considered relating to siting and appearance. Siting can include existence of topographical features and natural vegetation, impact on skyline, site in relation to existing masts, structures and buildings. Design can include height in relation to surrounding area, appearance of the installation, material, colouration.

5.8 The Council has 56 days in which to consider RTD applications. If no decision is made within the timeframe (or within an agreed extension of time), the application will be deemed as approved.

5.9 The 3no. proposed cabinets due to their size do not require prior approval as set out under paragraph A.3 of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5.10 The proposed development due to its siting would not interfere with highway sightlines, or access for road users, and thus would not create a highway safety concern. The development would therefore not impact upon highway safety in accordance with Article 3, paragraph 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which states that:-

(6) The permission granted by Schedule 2 does not, except in relation to development permitted by Classes A, B, D and E of Part 9 and Class A of Part 18 of that Schedule, authorise any development which requires or involves the formation, laying out or material widening of a means of access to an existing highway which is a trunk road or classified road, or creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons.

6. THE PROPOSAL

6.1 This is an application for determination as to whether the prior approval of the Local Planning Authority will be required for the siting and appearance of electronic communications apparatus in accordance with Class A of Part 16 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As the proposal is for the installation of a new mast and cabinets, it is considered that prior approval is required. An assessment is required therefore as to the acceptability of the siting and appearance of the proposal.

6.2 The proposal comprises the installation of a 18m high Phase 8 monopole with a wraparound cabinet at the base, and 3no. additional cabinets.

6.3 The proposed mast would provide new 5G coverage for the H3G LTE (Three) network.

6.4 The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

Technical justification

6.5 The supporting information submitted as part of the application states:

- There is a requirement to upgrade the UK H3G (Three) network to provide improved coverage and capacity, most notably in relation to 5G services.
- Three are in the process of building out the UK's fastest 5G network. Three has 140MHz of 5G spectrum (and 100MHz of it contiguous), which means the service will be much faster and able to handle more data.
- The site is required to provide new 5G coverage for H3G LTE in order to improve coverage in the RG12 area of Bracknell. The cell search areas for 5G are extremely constrained with a typical cell radius of approximately 50m meaning that it would not be feasible to site the column outside of this locale.
- To bring this new technology to the wider population H3G will need to provide a mix of upgrades to existing sites and the building of new sites. New sites will be needed for many reasons, including that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded.
- 5G and the network services it provides, means the equipment and antennas required are quite different to the previous, and existing, service requirements. In particular, the nature of the antennas, and the separation required from other items of associated equipment, is such that it

cannot utilise some existing structures that provide an installation for another operator, most notably in a street works or highways environment

- The 5G antennas are some 3 times as heavy as previous antennas, while the associated Remote Radio Units also now need to be placed at the top of the pole, thus many street works designs are no longer structurally capable of hosting all the equipment of 2 operators
- The height of the pole has been kept down to the absolute minimum capable of providing the required essential new 5G coverage.
- The mast must be in a position where it can be physically constructed. Existing underground services continue to be a significant obstacle to the deployment of the rollout of 5G.
- Mobile phone base stations operate on a low power and base stations therefore need to be located in the areas they are required to serve. Increasingly, people are using their mobile devices in their homes which means base stations need to be located in, or close to, residential areas.
- Base stations also have to fit in with the existing network. Sites have to form a patchwork of coverage cells with each cell overlapping to a limited degree with surrounding base stations to provide continuous network cover as users move from one cell to the other. However, if this overlap is too great, unacceptable interference is created between the two cells.

Site selection process

6.6 Para 115 of the NPPF states that "applications for electronic communications development (including applications for prior approval) should be supported by the necessary evidence to justify the proposed development. This should include...for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met".



6.7 9 alternative sites (shown above) have been considered and discounted as part of the search process for a new base station on Ringmead and Great Hollands Road. The sites were discounted by the operator for reasons including proximity to residential dwellings; obstruction caused by trees; insufficient pavement width; being close to a pedestrian crossing; on a cycle lane or unknown scarring on a pavement.

7. REPRESENTATIONS RECEIVED

Bracknell Town Council

7.1 Any comments received will be reported in the supplementary report.

Other representations

7.2 Any comments received will be reported in the supplementary report.

8. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

8.1 No objection.

9. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
Design	Saved policy EN20 of BFBLP CS7 of the CSDPD	Consistent
Residential amenity	'Saved' policies EN20 and EN25 of the BFBLP	Consistent
Highway Safety	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent
Trees	Saved Policy EN1 of the BFBLP, CS1 of the CSDPD	Consistent
Telecommunications development	Saved Policy SC4 of BFBLP	Consistent
Other publications		
National Planning Policy Framework (NPPF) 2019		
Community Infrastructure Levy Charging Schedule (CIL)		

10. PLANNING CONSIDERATIONS

10.1 The key issues for consideration relating to the proposed mast and cabinets is whether the siting and appearance of the development is acceptable.

i. Principle of development

10.2 The principle of development is established by the GPDO 2015 (as amended). Consideration is given to any policies in the development plan or the NPPF only in so far as they are relevant to matters of siting and appearance as set out at paragraphs A.2 and A.3 of Class A, Part 16, Schedule 2 of the GPDO 2015 (as amended).

10.3 Under the prior approval process, the LPA has 56 days to make and notify its determination on whether prior approval is required as to siting and appearance of the proposed development and to notify the applicant of the decision to give or refuse such approval under Class A, Part 16, Schedule 2 of the GPDO 2015 (as amended).

10.4 There are also local and national policies relating to telecommunications development which are material considerations.

10.5 Policy SC4 of the Bracknell Forest Borough Local Plan states: "Planning permission for network telecommunications development will be permitted provided that... There is no reasonable possibility of erecting antennas in an existing building or structure or of sharing facilities...The development must be sited so as to minimise its visual impact, subject to technical and operational considerations."

10.6 Section 10 of the NPPF refers to supporting high quality communications. Para 112 states "advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G)".

10.7 Para 113 states "the number of radio and electronic communications mast, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate".

10.8 In May 2021, the Department for Digital, Culture, Media and Sport informed Local Authorities of the importance of digital connectivity to enable people to stay connected and businesses to grow, especially with the COVID-19 pandemic which has highlighted how important it is to have access to reliable, high quality mobile connectivity. The Government is committed to extending mobile network coverage across the UK, including 5G and the correspondence highlights the key role that the planning system plays in delivering the necessary infrastructure.

10.9 The proposed mast would provide 5G coverage. Both local and national planning policies supports the expansion of electronic communications networks, including next generation mobile technology such as 5G.

ii. Residential amenity

10.10 The proposed mast would be sited 7.6m from the side/rear elevation at no. 1 Turnberry and 14.9m from the rear elevation of no. 1 Birkdale to the south-west, which are the closest residential dwellings. It is acknowledged that the proposed mast would be located close to these existing dwellings and would therefore appear visible to the occupiers when viewed from the rear elevations and rear gardens of the dwellings. However, due to the design of the mast, it would be a slimline structure, with the pole ranging in width between 0.3m and 0.4m, increasing to 0.7m on the top with the antennas, viewed against a backdrop of trees, it would not appear so unduly prominent and overbearing to the closest adjoining residential dwellings as to warrant refusal of the application.

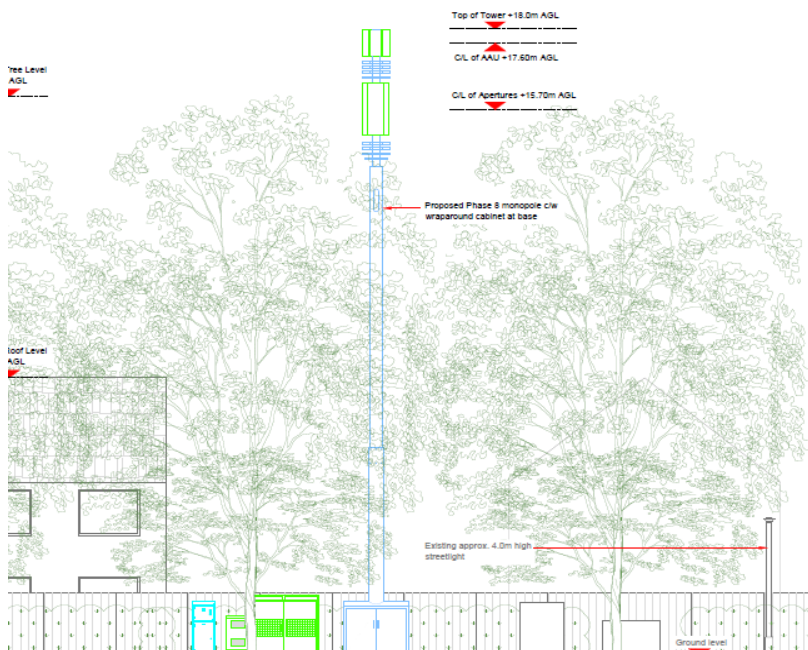
10.11 The proposed mast would be sited some 26m from the side/rear elevations of dwellings at Underwood to the east and some 42m from further dwellings to the east/south-east at Ullswater. Given these separation distance, with the highway at Ringmead as an intervening feature in-between, along with the presence of existing trees which would provide some screening to the proposed mast, it would not appear unduly intrusive to the detriment of the occupiers of dwellings at Underwood or Ullswater.

10.12 The mast meets the ICNIRP guidelines for public exposure (health implications are considered further under the heading - v. Health).

10.13 As such, the siting and appearance of the proposed development would not be considered to significantly affect the residential amenities of neighbouring occupiers and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

10.14 The proposed mast and cabinets would be located on an area of soft landscaping between a footpath and the highway on Ringmead to the east. The proposed mast would cause some visual harm to the area due to its height and siting. However, this degree of harm is not considered unacceptable. The proposed mast would be viewed in the context of surrounding vertical street furniture, including streetlight columns and highway signage. There are also adjoining trees which would provide some screening to the development. The proposed mast would exceed the height of surrounding streetlight columns, the nearby two storey dwellings and trees. However, the supporting information submitted with the application states that there is a network requirement for the mast to be such a height and it is the lowest possible height it can be to provide the necessary coverage.



10.15 The drawings submitted with the application indicate that existing trees to the east of the proposed installation are 16m high and the proposed mast at 18m, would be 2m higher than the highest trees. There is however a technical requirement for the height of the mast to exceed the height of adjoining trees to provide network coverage. The siting of the mast close to existing trees would provide some screening and a backdrop to the proposed installation. Further, it is considered more appropriate to site the mast close to trees as opposed to a location which would be more open, with no adjoining vegetation or trees, where such an installation would appear starker in the streetscene.

10.16 The proposed mast would comprise a single monopole which would be slimline in appearance, with the pole itself between 0.3m and 0.4m wide, with a wider headframe which would be 14m above ground level. The design of the slimline monopole would be more desirable within a residential area than another structure such as a lattice tower.

10.17 The proposed mast would be of a galvanised finish, with grey cabinets. The colour of the mast would be acceptable, where the adjoining trees are deciduous, and the height of the mast would exceed the tree canopy.

10.18 The supporting information submitted with the application states that due to the weight of 5G antennas, many existing masts are not structurally capable of hosting the equipment of 2 operators. It is also stated that whilst this mast will provide network coverage only to the Three network (and not EE and H3G LTE who have a site sharing agreement); in order to accommodate a mast share between the 2 operators, this would lead to a technical requirement of a bulkier designed mast which would not be appropriate in a residential area. As such, in this instance, site sharing is not a viable option.

10.19 The proposed telecommunications equipment would not appear unduly cluttered in the streetscene when viewed in conjunction with nearby street furniture, including existing BT cabinets.

10.20 It has been confirmed that the proposed development would be located outside of the root protection area and canopy of adjoining trees. The development shall comply with the National Joint Utilities Group (NJUG) 'Guidelines for the planning, installation, and maintenance of utility services in proximity to trees'. An informative is recommended to cover this point.

10.21 There is a technical need to provide network coverage in the area. Alternative sites within the immediate area have been considered and discounted and the supplementary information submitted with the application states that the height of the proposed mast is the minimum needed to provide 5G coverage.

10.22 It is therefore considered that the siting and appearance of the proposed development would not result in significant adverse impacts on the character and appearance of the area. The proposal is therefore in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN20 and SC4, and the NPPF.

iv. Impact on highway safety

10.23 The siting of the proposed monopole and associated cabinets would not affect the adjoining carriageway on Ringmead or Turnberry; and would also not affect the footpath.

10.24 As such, the siting of the proposal would not result in adverse highway safety issues and would be in accordance with CS23 of the CSDPD and the NPPF.

Other matters

v. Health

10.25 Paragraph 116 of the NPPF states that "local planning authorities must determine applications on planning grounds only. They should not...set health safeguards different from the International Commission guidelines for public exposure.

10.26 The applicant has submitted a certificate which confirms that the proposed mast meets ICNIRP (International Commission Non-Ionising Radiation Protection) guidelines.

10.27 Public Health England (PHE) is clear that there is no credible evidence of a negative impact of mobile technology, including 5G on people's health. Central to PHE's advice are the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), which is formally recognised by the World Health Organisation.

10.28 As an ICNIRP certificate accompanies the application, there are no grounds for refusal based on perceived health risks.

vi. Need

10.29 BFBLP 'Saved' Policy SC4 refers to telecommunication development being permitted provided that there is a need for the development.

10.30 Paragraph 116 of the NPPF states that "local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

10.31 The technical need for the proposed installation within this location has been demonstrated, along with other sites considered and discounted within the relevant search area.

vii. Community Infrastructure Levy (CIL)

10.32 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

10.33 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the proposal is not CIL liable as it would not constitute the creation of internal floor space/a new dwelling.

11. CONCLUSION

11.1 An assessment has been made as to whether the prior approval of the Local Planning Authority is required for the siting and appearance of the proposed development which comprises the installation of a 18m high Phase 8 Monopole with a wraparound cabinet and 3no. additional cabinets, in accordance with Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

11.2 It is concluded that prior approval is required and should be granted.

11.3 Prior approval granted by Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is subject to conditions set out in paragraphs A.3 (9), A.3 (11) and A.2 (2) which specify the development must:

- Begin no later than the expiration of 5 years beginning with the date on which the approval was given or in any other case, not later than the expiration of 5 years beginning with the date on which the local planning authority received the application;
- Be undertaken in accordance with the details approved or submitted with the application;
- Be removed from the land as soon as reasonably practicable after it is no longer required for electronic communications purposes; and the land restored to its condition before the development took place.

12. RECOMMENDATION

12.1 That prior approval is required and that the decision to grant prior approval for the siting and appearance of the development subject to the following additional conditions is delegated to the Head of Planning:

1. The development hereby permitted shall be carried out only in accordance with the following approved plans received 7 May 2021 by the Local Planning Authority:

002 SITE LOCATION PLAN

210 PROPOSED H3G SITE PLAN

260 PROPOSED H3G ELEVATION

303 PROPOSED H3G ANTENNA SCHEDULE & LINE CONFIGURATION

305 EQUIPMENT SCHEDULE & SUPPORT STRUCTURE DETAILS

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

Informatives

1. The development shall comply with the National Joint Utilities Group (NJUG) 'Guidelines for the planning, installation, and maintenance of utility services in proximity to trees'

This page is intentionally left blank