

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 14 October 2021, 6.30 pm
Online Only via Zoom



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.	
2.	Minutes	3 - 4
	To approve as a correct record the minutes of the meeting of the Committee held on 29 September 2021.	
3.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>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.</p> <p>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.</p>	
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.	

Planning Applications

(Director of Planning)

EMERGENCY EVACUATION INSTRUCTIONS

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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 20/00571/FUL Land R/O 89 Locks Ride, Ascot	9 - 30
	Construction of 7no. dwellings (1no. three-bedroom and 6no. four-bedroom detached houses) with associated garages, parking, access and landscaping.	
6.	PS 21/00217/FUL Land At Formerly The Mango Tree, 63 Church Street, Crowthorne	31 - 56
	Construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.	
7.	20/00947/FUL Land North Of Cain Road, Cain Road, Bracknell	57 - 84
	Erection of 68 bed care home (Class C2) with garden, parking and dedicated access off Turnpike Road and erection of 50 dwellings (5 no. one bedroom, 12 no. two bedroom, and 33 no. three bedroom) with associated parking, landscaping and access off Cain Road.	

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

Published: 4 October 2021

EMERGENCY EVACUATION INSTRUCTIONS

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**PLANNING COMMITTEE
29 SEPTEMBER 2021
2.30 - 2.50 PM**

Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Mrs McKenzie, Mossom and Virgo

Apologies for absence were received from:

Councillors Angell, Dr Barnard, Bhandari, D Birch, Brown, Gbadebo, Green, Mrs Hayes MBE, Heydon, Mrs Mattick, Mrs McKenzie-Boyle, Parker and Skinner

64. **Minutes**

RESOLVED that the minutes of the meeting held on 16 September 2021 were approved as a correct record.

65. **Declarations of Interest**

There were no declarations of interest.

66. **Urgent Items of Business**

There were no urgent items of business.

67. **20/00716/FUL 329 Yorktown Road College Town Sandhurst Berkshire GU47 0QA**

Erection of 2no detached 3 bedroom dwellings

The Committee noted:

- The supplementary report tabled at the meeting.
- The amended plan that had been submitted by the applicant
- The comments of Sandhurst Town Council objecting to the proposal as detailed in the agenda.
- The 7 letters of objection received as summarised in the agenda.
- The 2 additional letters of representation as detailed in the supplementary report.

A motion to approve the recommendation in the officer report was proposed but not seconded.

Therefore an alternative motion to refuse the application was proposed and seconded, and on being put to the vote was **CARRIED**.

RESOLVED that application 20/00716/FUL be **REFUSED** for the following reasons:

1. By reason of siting and layout, and bulk and scale, the proposed development would result in a cramped form of development providing insufficient amenity space for future occupiers and having a detrimental impact on the character and visual amenities of the area. The proposed development would therefore

be contrary to Saved Policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy Development Plan Document, the Design Supplementary Planning Document (March 2017) and the National Planning Policy Framework.

2. The erection of two additional dwellings and the increase in use of the access off Yorktown Road would constitute unneighbourly development, in particular in relation to the occupiers of 331 Yorktown Road, 333 Yorktown Road and 1 College Road. As such the proposal is considered contrary to 'Saved' policy EN20 of the Bracknell Forest Borough Local Plan, the Design Supplementary Planning Document (March 2017), 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 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).

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
14th October 2021**

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

		Case Officer	Reporting Officer
05	<p>20/00571/FUL Land R/O 89 Locks Ride Ascot (Winkfield And Cranbourne Ward) Construction of 7no. dwellings (1no. three-bedroom and 6no. four-bedroom detached houses) with associated garages, parking, access and landscaping. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Paul Corbett	Basia Polnik
06	<p>21/00217/FUL Land At Formerly The Mango Tree 63 Church Street Crowthorne (Crowthorne Ward) Construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Katie Andrews	Jo Male
07	<p>20/00947/FUL Land North Of Cain Road Cain Road Bracknell (Binfield With Warfield Ward) Erection of 68 bed care home (Class C2) with garden, parking and dedicated access off Turnpike Road and erection of 50 dwellings (5 no. one bedroom, 12 no. two bedroom, and 33 no. three bedroom) with associated parking, landscaping and access off Cain Road. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Simon Roskilly	Jo Male

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.

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Unrestricted Report

ITEM NO: 05

Application No.
20/00571/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
13 August 2020

Target Decision Date:
8 October 2020

Site Address:

Land R/O 89 Locks Ride Ascot Berkshire

Proposal:

Construction of 7no. dwellings (1no. three-bedroom and 6no. four-bedroom detached houses) with associated garages, parking, access and landscaping.

Applicant:

Mr Wesley Mc Carthy

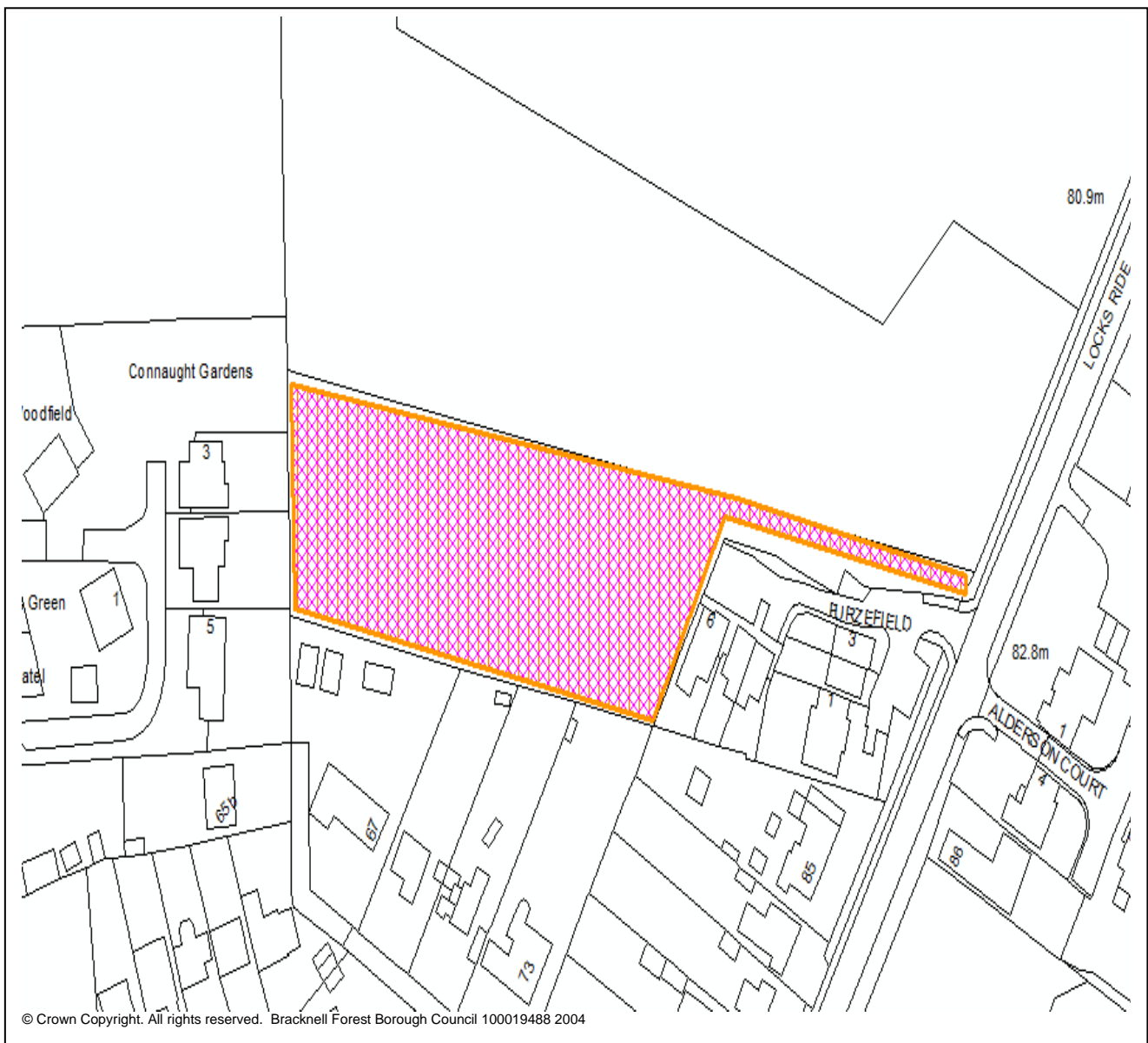
Agent:

(There is no agent for this application)

Case Officer:

Paul Corbett, 01344 352000

Development.control@bracknell-forest.gov.uk



1. SUMMARY

1.1 This application seeks permission for the construction of 7no. dwellings (1no. three-bedroom and 6no. four-bedroom detached houses) with associated garages, parking, access and landscaping on land to the rear of former 89 Locks Ride. Six new dwellings have already been constructed to the front of the site by the same applicant. The proposal will utilise the existing access road by extending it to the rear of the site

1.2 The site is located within the Countryside, whereby the principle of developing such a site is normally unacceptable, however the Council currently has a 5 Year Housing Land Supply (5YHLS) shortfall and therefore a 'tilted' planning balance is applied in which permission should only be refused where the adverse impacts of the development would significantly and demonstrably outweigh the benefits. After a full assessment it is considered that the proposal would not result in significant harm to the character of the area, trees, amenities, highway safety, biodiversity or drainage. The development provides benefits, particularly by contributing towards the supply of housing, and it is considered that, when applying the 'tilted balance', the proposal can be supported.

1.3 The proposal results in a net increase in new dwellings within 400m - 5km of the SPA and therefore will need to secure the identified SPA Mitigation via a S106 Legal Agreement. The development is also CIL Liabile.

RECOMMENDATION

Planning permission be granted subject to the prior completion of a s106 legal agreement and conditions set out in Section 11 of this report

2. REASON FOR REPORTING TO PLANNING COMMITTEE

2.1 The application has been reported to the Advisory Planning Committee due to the number of objections received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Land outside settlement - Countryside

3.1 The site comprises an enclosed field to the rear of 6no. newly erected dwellings now addressed as 'Furzefield' off Locks Ride.



3.4 The site is covered by Tree Preservation Orders TPO 81, TPO 1254 and TPO 1230 which relate primarily to perimeter trees enclosing the site

4. RELEVANT SITE HISTORY

4.1 The most relevant applications affecting this site are as follows:

4.2 **2018: 18/00249/OUT - REFUSED 2019**

Erection of 13no. dwellings, with associated access, parking and landscaping following demolition of existing dwelling (all matters reserved for subsequent approval).

Reasons for refusal:

01. As part of the site falls outside of the settlement boundary, development on this part of the site is not acceptable in principle in this countryside location and would result in an unacceptable urbanising impact which would harm the intrinsic character and beauty of the countryside. The proposal would therefore be contrary to Policies EN8 and H5 of the Bracknell Forest Borough Local Plan and Policy CS9 of the Core Strategy Development Plan Document.

02. 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).

03. In the absence of a planning obligation to secure a SuDS specification, management and maintenance plan and monitoring contribution; the adoption of the estate road; and contribution towards off-site public open space in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy CS6 of the Core Strategy Development Plan Document and the Planning Obligations SPD (2016).

4.3 The 2018 refusal remains directly comparable as it amounted to 7 dwellings to the rear of the site (within the countryside) and 6 dwellings to the front of the site (within the settlement). The 6 dwellings to the front of the site were approved under a separate planning permission 17/00160/OUT which have since being constructed and occupied. The current amended scheme amounts to 7 dwellings.

4.4 2017: 17/00160/OUT Approved (with Legal Agreement) 2018

Erection of 6 no. dwellings with associated access, parking and landscaping following demolition of existing dwelling and outbuilding.

4.5 2018: 18/00458/REM Approved

Submission of Reserved Matters relating to scale, appearance, layout and landscaping pursuant to Outline Planning Permission 17/00160/OUT for erection of 6 dwellings.

5. THE PROPOSAL

5.1 The applicant is seeking to extend the existing access road into the enclosed field behind the recently built properties at Furzefield to construct a further 7no. dwellings (1no. three-bedroom and 6no. four-bedroom detached houses) with associated garages, parking, and landscaping.

5.2 The proposal also incorporates a landscaped buffer to the northern boundary.

6. REPRESENTATIONS RECEIVED

6.1 Winkfield Parish Council

Recommend refusal of the application for the following reasons:

Recommend refusal:

This is an overdevelopment which will result in a dramatic adverse effect on the character of the area, contrary to CS9 of the CSDPD, saved policies EN8 and H5, particularly when taken within the context of other applications on the site specifically and more generally within the area. Additionally, WPC has concerns about the impact of development on drainage and flooding and highways.

[The scheme has since been reduced from 9 to 7 dwellings since this comment was made. Winkfield Parish have been notified of this revision.]

Other Representations

6.2 A total of 89 objections have been received in respect of the application and these are summarised as follows:

- Out of settlement countryside development
- Overdevelopment
- Out of Character to the wider area
- Highway and Pedestrian Safety concerns, limited visitor parking will lead to on street parking
- Impact on the drainage system
- Ecological and environmental damage that would be caused to this current greenfield site. Damage to trees , hedgerow and wildlife
- Not a sustainable location - not in reasonable walking distance of key community amenities e.g shops , doctors , dentist , post office and very irregular bus service

These are addressed within subsequent sections of this report.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highways

Conditional Approval

7.2 Tree Service

Conditional Approval

7.3 Landscape

Conditional Approval

7.4 Biodiversity

Conditional Approval

7.5 Environmental Health

No objection.

7.6 Waste & Recycling

No objection

- 7.7 Renewable Energy Officer
Conditional Approval
- 7.8 Environmental Policy Officer (SPA)
Approve subject to securing SPA Mitigation
- 7.9 Berkshire Archaeology
Conditional Approval
- 7.10 Lead Local Flood Authority
Conditional Approval

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Land Outside Settlement (Countryside)	'Saved' policy EN8 of the BFBLP, CS9 of CSDPD	Not fully consistent
Character	CS7 of CSDPD, Saved policies EN2 and EN20 of BFBLP.	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Residential Amenity	Saved policies EN20 and EN25 of BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Archaeology	CSDPD Policy CS1 'Saved' Policy EN7	
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards 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 surrounding area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Trees & Landscaping
- vi. Biodiversity
- vii. Thames Basin Heath SPA
- viii. Community Infrastructure Levy (CIL)
- ix. Sustainability
- x. Drainage
- xi. Archaeology

i. Principle of Development

9.2 The site is located on land outside of a defined settlement and within the Countryside, as shown on the Bracknell Forest Borough Policies Map (2013).

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration.

9.4 The NPPF confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 11 sets out that for decision takers this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.5 Footnote 8 indicates that for the purposes of para. 11(d) in relation to applications involving the provision of housing, the policies which are most important for determining the application should be considered out of date in instances including where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years, with transitional arrangements applying.

9.6 The Council currently is unable to demonstrate a five-year supply of deliverable housing sites (4.2 years as at April 2021). The proposed residential development of this predominantly greenfield site within the countryside therefore needs to be assessed on a 'tilted balance' whereby the Council's countryside policies are considered out of date and permission should be granted unless the adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

- 9.7 CSDPD Policy CS1 states that development will be permitted which makes efficient use of land, is located so as to reduce the need to travel, promotes a mix of uses, and protects and enhances the character and quality of local landscapes and the wider countryside. CSDPD Policy CS2 states that land will be allocated for development on a sequential basis, which includes previously developed land and development as extensions to defined settlements with good public transport links to the rest of the urban area. The above policies are considered to be fully consistent with the NPPF.
- 9.8 CSDPD Policy CS9 states that land outside settlement will be protected for its own sake, particularly from development that would adversely affect the character, appearance or function of the land.
- 9.9 BFBLP 'Saved' Policy EN8 again states that the countryside will be protected for its own sake, and that outside the defined settlement boundaries development will only be permitted where it would not adversely affect the character, appearance or function of the land, or would not damage its landscape quality. 'Saved' Policy EN8 contains a (non-exhaustive) list of development types which may be permitted in the countryside, which does not include new housing development except where required in connection with agriculture and forestry
- 9.10 BFBLP 'Saved' Policy H5 states that outside the defined settlement boundaries the erection of new dwellings will not be permitted unless it would cause no harm to the character of the area, or to the relationship between the settlement and the surrounding landscape.
- 9.11 Policies CS2, CS9, EN8 and H5 are considered to be the most important policies to the determination of this application. However they are not considered to be consistent with the NPPF and, in combination with the Council not having a five years' supply of housing, are considered out of date. Accordingly, the 'tilted' balance set out in para. 11d) of the NPPF is triggered. This balancing exercise is carried out in Section 10 of this report.

ii. Impact on character and appearance of surrounding area

- 9.12 The layout of the current application reflects the layout of the existing development to the front of the site, and the seven remaining dwellings provide a continuation of this development. This layout would allow for the protected trees to the northern boundary of the site to be retained.
- 9.13 The Design SPD sets out that new buildings should have a coherent design approach that influences the whole development from its form to the elevations, including use of materials and detailing. The layout and elevations have been provided, demonstrating that the proposed development would reflect the dwellings that have been permitted to the front part of the site.
- 9.14 The proposed dwellings would all have gable features to the front, reflecting the houses on the opposite side of Locks Ride and providing consistency throughout the development. The dwellings would be brick built with tiled roofs with design features to distinguish them from each other such as tile hanging, bay windows and decorative ridge tiles and contrasting window detailing to add visual interest to the elevations.

- 9.15 The proposals would comprise seven detached houses and when compared with the already built dwellings would contribute to creating a varied street scene while the common features retain a sense of place.
- 9.16 The introduction of new dwellings on the greenfield part of the site that is in the countryside would in itself alter the character and appearance of the land to the rear of the site. However, the site is developed on three sides and the proposal seeks to incorporate a landscape strip to the northern edge which abuts the wider countryside and seeks to preserve the northern boundary screening comprising a number of protected trees. The development would therefore lead to a minor extension of the existing settlement.
- 9.17 The proposal seeks to maintain much of the existing boundary screening and where this can't be maintained such as where a number of large trees have died it will be supplemented with new tree and understorey planting.
- 9.18 The applicants supporting Landscape and Visual Impact Assessment (LVIA) concludes in the nontechnical summary that –

“1.1.4 The site has an overall assessed low landscape sensitivity and will be subject to a medium magnitude of landscape impact. The significance of landscape character is moderate/minor adverse (i.e. not a material change) as a worst case.

1.1.5 The visual impact assessment identified that the visual baseline would not be subject to material adverse visual effects during the construction phase due to the similar site context.

1.1.6 Following mitigation measures, vegetation growth and weathering, visual impacts would be ameliorated from the local landscape.

1.1.7 With the implementation of a successful mitigation strategy, the overall residual impact on the landscape is considered to have a negligible neutral overall effect on the surrounding landscape character and negligible neutral residual visual effects. It should be considered that this type of development is not out of character within the receiving landscape.”

- 9.19 The Councils Landscape Officer has reviewed the applicants LVIA and raises no objection and recommends approval subject to the submission of a scheme of full hard and soft landscaping and boundary treatment. Such details can be secured by condition and will help preserve a balance of hard/soft landscaping to avoid adversely impacting upon the character of the area.
- 9.20 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area, in accordance with CSDPD Policy CS7, CS9, BFBLP 'Saved' Policies EN8, and EN20, the Design SPD, and the NPPF, subject to the recommended conditions.

iii. Impact on Residential Amenity

- 9.21 The new dwellings back onto existing residential gardens to the south (67-73 Locks Ride) and west (3-5 Connaught Gardens).
- 9.22 Reasonable levels of privacy can be achieved by considering the distance between windows on different plots. For two storey houses as proposed, a minimum back to back distance of 22m between facing windows is accepted as providing a reasonable

degree of privacy for the occupants of both dwellings. The intervening distances between the proposed dwellings and the existing dwellings to the south measure out at approximately 46m and to the west at approximately 29m respectively as illustrated below:



9.23 The applicants Landscape Master Plan also seeks to maintain existing boundary trees and vegetation with proposals to enhance this where practical, which reinforces the common boundaries and maintains a sense of enclosure.

9.24 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring occupiers or the future occupiers of the proposed dwellings and would therefore be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iv. Highways Implications

Access

9.25 The proposed development utilises the existing access that serves the newly erected 6no. dwellings to the front of the site.

Parking

9.26 The development proposes 4no, visitor car parking spaces equally spaced out along the northern side of the vehicular access road. Parking standards require 1 space per 5 units.

9.27 Plot 11 has 2 car parking spaces which is in accordance with the Council's Car Parking Standards for a 3 bedroomed dwelling.

9.28 Plots 7, 8, 9, 10 & 13 have 3 car parking spaces each which is in accordance with the Councils Car Parking Standards for 4 bedroomed dwellings. 1 space is provided for within the attached single garages which are shown to have minimum dimensions of 6m (length) by 3.5m (width) by 2.4m (height) including a storage element of a minimum of 1.5m (length) by 3.5m (width) by 2.4m (height). The garage doors are also at least 2.4m wide excluding the frame.

9.29 Plot 12 makes provision for 4 car parking spaces, 2 within a detached double garage. This is 1 space over the Councils Car Parking Standards.

9.30 Secure covered cycle parking can easily be accommodated on each plot as the proposed garages all include a storage area within the proposed garages except for plot 11 as this plot does not include a garage. Cycle storage is shown to be provided

for on plot 11 by incorporating a small cycle store within the rear garden as shown in the applicants cycle store details. A cycle parking condition is imposed to ensure the necessary details of cycle parking provision can be secured for each plot before occupation.

Trips

9.31 7no. dwellings are likely to generate around 3 two way trips in either peak hour and daily levels of around 35 two way movements per day.

9.32 The site is some distance from facilities, and it is understood that the local bus service has more recently changed in the area and now does not run along Locks Ride but on Chavey Down Road to the south of the development. Therefore the walk to any bus stop now has increased making it a less attractive modal choice; therefore the majority of trips are likely to be by car.

Refuse collection and servicing

9.33 Bin store locations are shown on the revised site layout plan which are located away from the street frontage within the rear enclosed gardens for each dwelling which all benefit from access gates. The access road and the Y-turning head have all being designed to accommodate servicing by the Council's Refuse Vehicle as demonstrated by Refuse Vehicle Tracking Plan 22248-01E.

9.34 The Highway Authority proposes to include specifically worded clauses into the S106 legal agreement controlling the status of the road as private to ensure there is no future obligation on the Council to adopt it whilst maintaining suitable access for refuse collection.

9.35 A site organisation condition will be required to ensure access and safety for existing residents to the properties at the front of the site is not compromised during the construction phase.

9.36 To conclude, with suitable conditions, the proposal is not considered to result in any unacceptable highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

v. Tree and Landscaping implications

9.37 Policy EN1 of the BFBLP seeks to protect tree and hedgerow cover which is important to the retention of a clear distinction between built up areas and the countryside, and the character and appearance of the landscape. Policy EN20 confirms that in determining planning applications, the Council will have regard to retaining beneficial landscape features and avoid the loss of natural features, such as trees, which it is desirable to retain. Policy CS7 of the CSDPD requires development proposals to build on local rural character and enhance the landscape.

9.38 The site is covered by a number of Tree Preservation Orders as follows:
TPO 81 - T13 & T14 (both Oaks) are applicant's trees T23 and T4 respectively
TPO 1254 - T1 (Oak) is applicants' tree T25
TPO 1230 – trees T1 – T10 (1-4 are Oaks; 5 & 6 are Birch; 7-10 are Oaks) are applicant's trees 31, 32, 34 & 35; 36 & 37; 38, 40, 41 & 46 respectively.

9.39 The applicants Tree Protection Plan identifies which trees are to be retained and shows how the protected trees and other vegetation shown to be retained can be safeguarded throughout the construction phase.

- 9.40 A dedicated 0.5m service strip is identified to the northern side of the access road which avoids the root protection areas of the northern boundary trees.
- 9.41 The Landscape masterplan proposes new planting comprising predominantly native and wildlife friendly species, with retained and enhanced hedgerows on the northern and southern boundaries. New tree planting along the western boundary will include heavy standard trees, to provide an instant screen.
- 9.42 The level of landscaping and useable amenity space on site is considered to be acceptable and overall there is an adequate balance between hardstanding, and landscaping for this site.
- 9.43 It is considered that with suitably worded conditions with regard to matters relating to the safeguarding of the existing trees and proposed hard and soft landscaping, that this proposal would not conflict with BFBLP Policies EN1 and CSDPD Policies CS1 and the NPPF.

vi. Biodiversity

- 9.44 An Ecological Impact Assessment (Nov 2020) was undertaken on the site by Grass Roots Ecology which concluded that the development proposals 'would not result in any significant habitat loss'.
- 9.45 The Council's Biodiversity Officer has reviewed the updated ecology report and notes that revising the turning head assists in providing a better corridor along the northern boundary which should allow badgers to continue to move through the site and occupy the identified setts in the long term. It is recommended that permitted development rights are removed for extensions and hardstanding on plot 13 as this particular plot was identified as sensitive due to its proximity to badger setts. It is also recommended that before any commencement of any works onsite, further surveys will be required for the presence of badgers.
- 9.46 A repeat ground level and climbed tree inspection also concluded that the trees do not currently support a bat roost. The report did comment that "It is however recommended that the northern, western and southern boundaries are retained as dark corridors and that any new street and external lighting is designed to ensure that these areas are not illuminated." A condition is therefore recommended to ensure any external lighting is controlled.
- 9.47 The scheme also proposed to use close-boarded fences with hedgehog friendly gravel boards, where close-boarded fencing is needed, the provision of bird and bat boxes on and around the new houses and log/habitat piles in the ecological corridor.
- 9.58 As such subject to conditions, the development would accord with Policies CS1 and CS7 of the CSDPD and the NPPF.

vii. Thames Basin Heath SPA

- 9.49 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m - 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 therefore been carried out including mitigation requirements.

- 9.50 This site is located approximately 4.5km 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.
- 9.51 The total SPA related financial contribution for this proposal is £52,693. The applicant has agreed to enter into a S106 agreement to secure this contribution.
- 9.52 In the event the application is supported by the Advisory Planning Committee the applicant has agreed to proceed to secure the SPA mitigation and enter into a Section 106 Agreement to secure the measures. Should this not be the case the application will need to be refused as this would lead to an adverse effect on the integrity of the SPA and would not comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area SPD, the Planning Obligations SPD and the NPPF.

viii. Community Infrastructure Levy (CIL)

- 9.53 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.
- 9.54 CIL applies to any new build (except outline applications and some reserved matters applications) including those that involve the creation of additional dwellings. 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.
- 9.55 This proposal is CIL liable.

ix. Energy sustainability

- 9.56 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how average water use in new dwellings would be restricted to 110 litres/person/day. This is consistent with section 15 of the NPPF. As no details of the above have been submitted for consideration, it is recommended that a condition be imposed to secure this.
- 9.57 For residential developments of more than five dwellings CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. This is again consistent with section 15 of the NPPF. Again, as no details of the above have been submitted for consideration, it is recommended that a condition be imposed to secure this.

x. Drainage

- 9.58 A revised Drainage Strategy was submitted to demonstrate that the site can be adequately drained and as such the Lead Local Flood Authority (LLFA) is satisfied that in this case and on the basis of the recent reduction in the number of dwellings now proposed, the development can be supported in principle, subject to the submission of a detailed drainage design; this can be secured by conditions before the commencement of development.

9.59 Therefore it is not considered that development would result in increased flood risk off site and as such is considered to comply with paragraph 163 of the NPPF.

Xi Archaeology

9.60 The Council's Archaeological Advisor has been consulted and concludes that, on the basis of the size and location of the site and its consistency with the adjacent development the site could have archaeological implications, and these can be mitigated by an appropriate programme of archaeological work, should the proposal be permitted. The following condition is therefore recommended:

Condition:

9.61 No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. Reason: The site lies in an area of archaeological potential. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets in accordance with national and local planning policy.

10. PLANNING BALANCE AND CONCLUSIONS

Tilted balance

10.1 The "tilted balance" refers to the presumption in paragraph 11(d) ii of the NPPF that, where the presumption applies, planning permission should be granted unless there are "adverse impacts which would significantly and demonstrably outweigh its benefits."

10.2 The "tilted balance" is triggered where an authority is unable to demonstrate a five-year supply of housing land. The Council's current 5 Year Housing Land Supply stands at 4.2 years as of April 2021.

10.3 As set out in the various sections of this report, the proposed development is considered to comply with the following Development Plan Policies; CSDPD Policies CS1, CS7, CS14, CS23 and CS24, BFBLP 'Saved' Policies EN20, EN25 and M9, SEP 'Saved' Policy NRM6, the Design SPD, the Parking Standards SPD and the Thames Basin SPA SPD, and the NPPF. Whilst there is conflict with Policies CS9, EN8 and H5, this can be given limited weight given that they are considered 'out of date' as a result of footnote 8 of the NPPF.

10.4 Benefits from the scheme come in the form of delivery of new housing and both economic and social benefits, including in terms of job creation and contributions towards the local economy. The proposal will also generate CIL receipts.

10.5 While the proposal would result in some harm to the intrinsic value and beauty of the countryside, through the loss of this greenfield site, this harm is considered minor, especially in the context of the weight to be applied to the Council's countryside policies. By contrast, the proposal offers significant benefits in the form of additional housing when the Council has a shortfall. Furthermore, it is not considered that the development would result in harm to the amenities of the residents of the neighbouring properties, highway safety, biodiversity, trees or drainage, subject to the recommended

conditions. A legal agreement will secure the SPA mitigation, and the scheme is CIL liable.

- 10.6 The application is therefore recommended for approval subject to conditions and the completion of a s106 agreement to secure the necessary SPA mitigation.

11. RECOMMENDATION

- 1.1 **Following the completion of planning a obligation under Section 106** of the Town and Country Planning Act 1990 relating to:-

- 01. Mitigation of impacts on the Thames Basin Heaths SPA; and
- 02. Clause controlling the status of the road as private to ensure no future obligation on the Council to adopt it whilst maintaining suitable access for refuse collection.

That the Assistant Director: Planning be recommended to **APPROVE the** application subject to the following conditions amended, added to, or deleted as the Assistant Director: 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 (as amended).
- 02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority.

20-J3186-LP Location Plan - Received 31-8-21
20-J3186-201 Coloured Site Layout - Received 30-9-21
20-J3186-201 Proposed Site Plan - Received 30-9-21
20-J3186-202 Plot 7 Floor Plans - Received 31-8-21
20-J3186-203 Plot 7 Elevations - Received 31-8-21
20-J3186-204 Plot 8 Floor Plans - Received 31-8-21
20-J3186-205 Plot 8 Elevations - Received 31-8-21
20-J3186-206 Plot 9 Floor Plans - Received 31-8-21
20-J3186-207 Plot 9 Elevations - Received 31-8-21
20-J3186-208 Plot 10 Floor Plans - Received 31-8-21
20-J3186-209 Plot 10 Elevations - Received 31-8-21
20-J3186-210 Plot 11 Floor Plans - Received 31-8-21
20-J3186-211 Plot 11 Elevations - Received 31-8-21
20-J3186-212 Plot 12 Floor Plans - Received 31-8-21
20-J3186-213 Plot 12 Elevations - Received 31-8-21
20-J3186-214 Plot 13 Floor Plans - Received 31-8-21
20-J3186-215 Plot 13 Elevations - Received 31-8-21
20-J3186-216 Plot 12 Garage - Received 31-8-21
20-J3186-218 Fencing Details - Received 31-8-21
Secure Bicycle Storage Details -Received 30-9-21
22248-01e Refuse Vehicle Tracking - Received 26-11-20
Tree Protection Plan - TPP - Rev I - Sept 2021 Received 22-9-21
Landscape Masterplan NKH1135-10 rev B Received 21-9-21

GS Ecology Ecological Assessment November 2020
GS ecology email dated 15.01.2021

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

03. Prior to any development above slab level, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The submitted samples shall include details of bricks, roof tiles, windows, doors, boundary enclosures and other hard surfaces. The development shall be constructed in accordance with the approved details.

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

04. 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 to the dwellings hereby permitted.

REASON: The site is located outside settlement where there is presumption against development where controls over the form, scale and nature of development are required to control overdevelopment within countryside and safeguard protected trees that provide an important visual enclosure to the site and safeguard badger setts.
[Relevant Policies: BFBLP EN8, Core Strategy DPD CS9]

05. No hard surfaced area of any description within the minimum Root Protection Areas of any trees to be retained (calculated in accordance with Section 4 of British Standard 5837:2012 or any subsequent revision) shall be constructed until a detailed site specific construction method statement has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include:-

- a) an approved development layout plan identifying all areas where special construction measures are to be undertaken; and
- b) materials including porous surface finish; and
- c) construction profile(s) showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure; and
- d) a programme and method of implementation and arboriculture supervision.

The hard surfaced areas shall be constructed in full accordance with the approved scheme, under arboricultural supervision, prior to the first occupation of the development. The approved surfacing shall be retained thereafter.

REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained and protected trees, in the interests of the visual amenity of the area.

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

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

The landscaping scheme shall include:-

- a) comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other

operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations; and

b) details of semi mature tree planting; and

c) comprehensive 5 year post planting maintenance schedule including any ecological management requirements; and

d) underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes; and

e) means of enclosure (walls and fences etc); and

f) paving including open spaces, paths, steps and ramps, patios, cycle routes, driveways, parking courts, play areas etc. with details of proposed materials and construction methods; and

g) recycling/refuse or other storage units; and

h) play equipment; and

i) other landscape features (water features, seating, trellis and pergolas etc).

Where a development is to be phased a landscaping scheme for each phase shall be submitted which, in addition to those items listed above, shall include details of the landscaping to be provided within that phase, including structural landscaping and landscaping for communal areas. No dwelling shall be occupied within a Phase until all the structural and communal landscaping for that Phase has been completed in addition to the landscaping associated with that dwelling

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision."

Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the next planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

07. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the building/s in relation to a fixed datum point in the surrounding area 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 and to protect the amenities of neighbouring properties.

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

08. 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]

09. No dwelling shall be occupied until a means of access for pedestrians has been constructed in accordance with the approved plans (20-J3186-201 Proposed Site Plan).
REASON: In the interests of accessibility and to facilitate access by pedestrians.
[Relevant Policies: BEBLP M6, Core Strategy DPD CS23]
10. No dwelling shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway/carriageway. The dimensions shall be measured along the edge of the drive and the back of the footway/ edge of the carriageway 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 development shall not be occupied until:
(a) details of the location of 4 visitor car parking spaces, and
(b) details of the signing for the visitor car parking spaces
have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
12. No dwelling shall be occupied until the car parking areas as shown on the approved plan have been drained and surfaced in accordance with details submitted to and approved by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.
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. No dwelling shall be occupied until the garages hereby permitted comprising a separately accessed storage area shall be thereafter retained as such. The remainder of the garage accommodation shall have minimum dimensions of 6m (length) by 3.5m (width) by 2.4m (height) and shall be permanently retained for the use of the parking of motor vehicles.
REASON: To ensure that the development is provided with adequate parking in the interests of highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
14. No dwelling shall be occupied until secure and covered cycle parking spaces (3 spaces for 3 beds/ 4 spaces for 4 beds) have been provided in accordance with the approved cycle store details. 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]
15. 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]

16. No development (including demolition and site clearance) 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.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS23]
17. No development [including demolition and site clearance] shall take place until a Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures for:
- the control of dust, odour and other effluvia
 - the control of noise (including noise from any piling and permitted working hours)
 - the control of pests and other vermin (particularly during site clearance)
 - the control of surface water run-off)
 - The control of noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site
 - The control of waste from the site so that NO BURNING will commence.
- Construction activity shall be carried out in accordance with the approved CEMP.
- REASON: In the interests of the amenities of the area.
[Relevant Policies: BFBLP EN25]
18. No development shall take place until a full surface water drainage scheme (SWDS) for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include BRE365 Compliant Infiltration tests to establish whether infiltration is viable on the site. The SWDS shall be informed by the geotechnical investigation and demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm with a suitable allowance for climate change and allowances for urban creep included (results for 1 in 1, 1 in 2, 1 in 30, 1 in 100 and 1 in 100 + 40%), will not exceed the run-off rates and volumes from the existing site and that flood risk will not be increased elsewhere. The SWDS should include detailed levels design to demonstrate exceedance routing throughout the development in the event of a failure of the pumping station, and calculations demonstrating sufficient water quality treatment times are provided within the SUDS scheme.
- REASON: To ensure that the site is properly drained and does not increase the risk of flooding
[Relevant Policies: Core Strategy DPD Policy CS1]
19. No development shall take place until full details of the surface water drainage scheme (SWDS) have been submitted to and approved in writing by the Local Planning Authority. These shall include:
- Full details of all components of the proposed drainage system including
- dimensions, locations, gradients,
 - invert and cover levels,
 - headwall details,

- collector pipes,
- catchpit locations and filter specifications,
- Services locations in private areas
- Constructions details for permeable paving, including check dam locations and service crossings,
- Surface water pumping station specification and measures securing long term ownership and responsibility for maintenance.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding. [Relevant Policies: Core Strategy DPD Policy CS1]

20. The development shall not be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new residential units (that form part of the approved development) 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]
21. 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:-
(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 20%).
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]
22. The development (including site clearance and demolition) shall not be begun until:-
(i) the site has been further surveyed for the presence of badgers
(ii) the survey has been submitted to and approved by the Local Planning Authority, and
(iii) a scheme to minimise disturbance to badgers during the construction of the development, to mitigate the impact of the development upon them, and to improve their habitat has been submitted to and approved by the Local Planning Authority.
No dwelling shall be occupied until the scheme is performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN2]
23. All ecological measures and/or works shall be carried out in accordance with the details contained in the GS Ecology Ecological Assessment November 2020 and maintained as such thereafter.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design

strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed.

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

In the event of the S106 agreement not being completed by 14th January 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons: -

- 01 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 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 and 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 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. Compliance with conditions:
The applicant is advised that the following conditions require discharging prior to commencement of development: 3, , 5, 7, 8, 16, 17, 18, 19, 21, 22

The following conditions require discharge prior to the occupation of the dwellings hereby approved: 6, 9, 10, 11, 12, 13, 14, 20

No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 4, 15, 23, 24

02. This planning permission contains certain conditions that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site (including any initial clearance works). Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised. This may be highlighted in any subsequent search carried out on the property/ properties.
03. Trees on and adjacent to this site are protected by a Tree Preservation Order. In simple terms, detailed written consent must be therefore obtained from the Council's Tree Section before undertaking any form of work to such trees (including any work affecting their root systems), unless detailed works to such trees have been specifically approved in writing as a part of this planning permission. Any pruning or removal of trees without the necessary consent or any damage arising from non compliance with other conditions of this permission or otherwise may be liable to prosecution by the Council. This may be in addition to any enforcement action deemed appropriate for non compliance with relevant planning conditions. Property owners, developers and/ or any other relevant persons are therefore advised to take appropriate measures to ensure that all persons responsible for overseeing works approved under this permission are suitably briefed on this matter.
04. The Tree Preservation Order legislation protecting trees on and adjacent to the site overrides any Permitted Development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification). Prior written consent must therefore be obtained from the Council's Tree Service before undertaking any works which require the removal and/or pruning of a protected tree or may affect/cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description (parking bays, driveways footpath, patios etc.), foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description, construction of outbuildings (sheds, greenhouses, summerhouses etc.) or building extensions not requiring planning permission near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary written consent or any damage caused above or below ground arising from non-compliance with this requirement can be liable to legal action by the Council which can include prosecution, a substantial fine and incur a criminal record.

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Unrestricted Report

ITEM NO: 06

Application No.
21/00217/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
26 February 2021

Target Decision Date:
23 April 2021

**Land At Formerly The Mango Tree 63 Church Street
Crowthorne Berkshire RG45 7AW**

Proposal:

Construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.

Applicant:

Mr Neil De-Mendonca

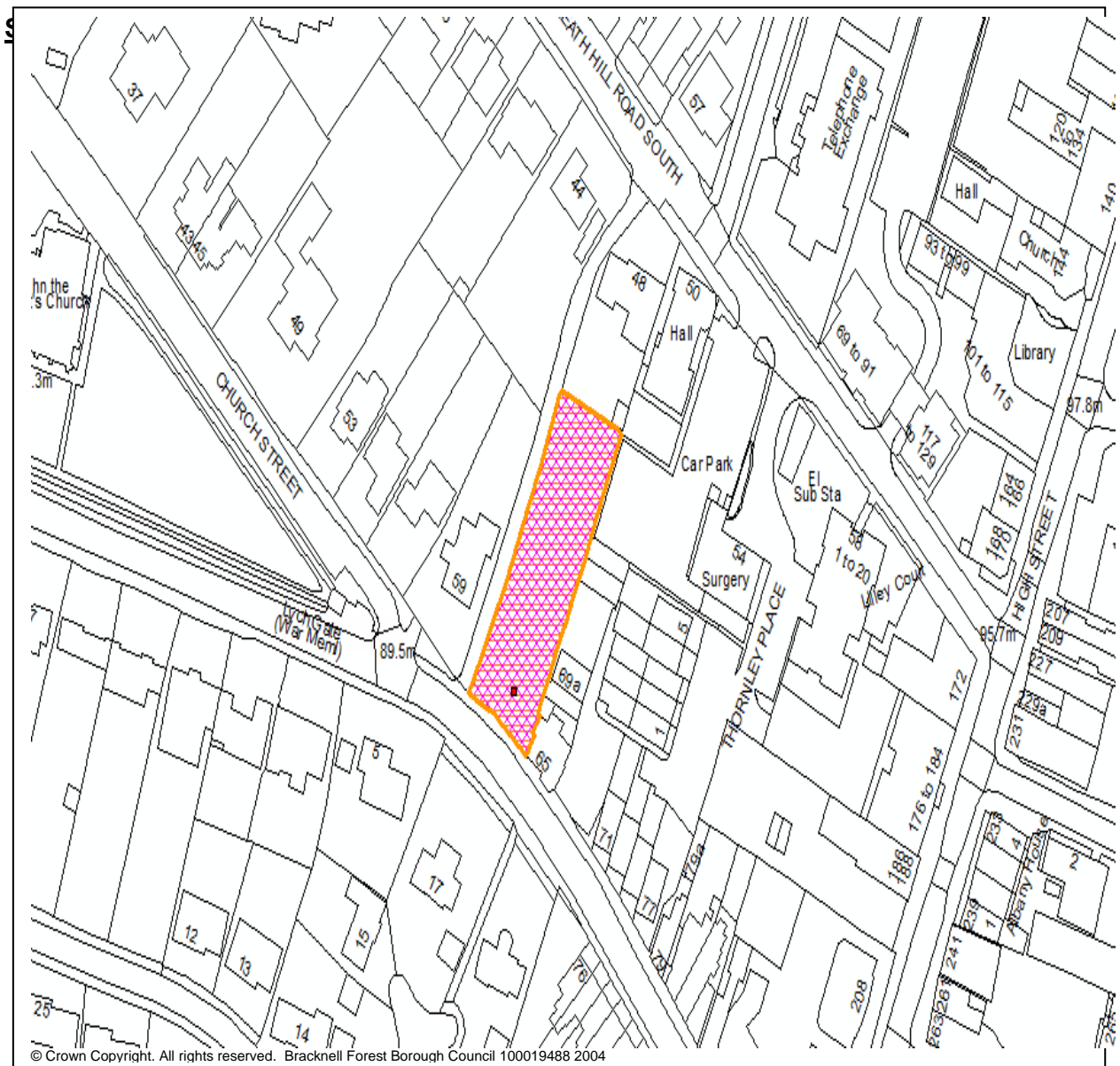
Agent:

Miss Nasrin Sayyed

Case Officer:

Katie Andrews, 01344 352000

Development.control@bracknell-forest.gov.uk



OFFICER REPORT

1.0 SUMMARY

1.1 This application relates to the site of The Mango Tree, which has previously been demolished, and is located within the Crowthorne Conservation Area. The application is for 8 flats and is submitted following the grant of planning permission 17/01273/FUL for 5 flats and a refused application 20/00347/FUL for 10 flats.

1.2 The proposal is considered, on balance and having regard to extant application 17/01273/FUL, to have addressed the reasons for refusal under 20/00347/FUL. The proposal would respect the character and appearance of the area and have a neutral effect on the Crowthorne Conservation Area. On balance, it would not adversely affect the amenities of either existing or future residents.

1.3 The proposal provides parking acceptable to the Highway Authority and a safe and functional vehicular access.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement in relation to the Thames Basin Heaths SPA and highway matters.

2.0 REASON FOR REPORTING APPLICATION TO PLANNING ADVISORY COMMITTEE

2.1 The application has been reported to the Planning Advisory Committee following the receipt of more than 5 letters of objection.

3.0 PLANNING STATUS AND SITE DESCRIPTION

3.1 The site is now vacant but was previously occupied by the Mango Tree which was a detached building comprising a restaurant (Class A3) on the ground floor and a three bedroom flat at first floor level. The site had a side vehicular access which leads to parking at the rear.

3.2 The site is located close to Crowthorne High Street but is not within Crowthorne Village Centre, as defined by the Bracknell Forest Borough Policies Map, which borders the site to the east. It is located within the Crowthorne Conservation Area which extends to High Street to the east and along Church Street around St John the Baptist Church to the west.

3.3 The site is bordered by No.59 Church Street to the west and No.67 Church Street to the east. It is noted that No.67 Church Street is now in residential use following the cessation of the ground floor fish and chip shop (Class A5) use.

PLANNING STATUS

Within Defined Settlement

Within 5km of the SPA

Within Crowthorne Conservation Area

Crowthorne Study Area C (Crowthorne Centre) of the Character Area Assessments SPD

4.0 RELEVANT SITE HISTORY

4.1 The relevant planning history can be summarised as follows:

4.2 Application 15/01269/FUL - Change of use from a restaurant with residential flat over to residential flats providing 2no. two bedroom units at the ground floor level and 1no. two bedroom unit and 1no. one bedroom unit at first floor level with shared amenity space - APPROVED (with Legal Agreement) 2016

4.3 Application 16/00074/FUL - Change of use from a restaurant (A3) with residential flat to single family dwelling (C3) - APPROVED 2016

4.4 Application 16/01236/FUL - Change of use from A3 restaurant with residential flat over to C3 residential providing 5no. 2 bed flats over 3 floors with private shared amenity space and car parking. This includes alterations and extensions to the existing building including a basement. (Note: This application is an amended scheme to planning permission 15/01269/FUL) - APPROVED (with Legal Agreement) 2017

4.5 Application 17/01273/FUL - Erection of three storey building providing 5no. 2 bed flats over 3 floors with private shared amenity space and car parking following demolition of existing building. APPROVED (with Legal Agreement) 2018

4.6 18/00375/NMA - Non Material Amendment to alter roofline and fenestration for planning permission 17/01273/FUL. APPROVED 2018

4.7 During the stripping out of the building in accordance with permission 16/01236/FUL, it became apparent that the fabric of the building was in poor condition with the walls at first floor level bowing inward and as such, that permission could not be implemented due to the structural instability of the building. Planning permission 17/01273/FUL was subsequently granted. Under that permission, the building was to be taken down brick by brick with the bricks cleaned and re-used in the construction of the new building. It is understood from the Planning Committee Report under 17/01273/FUL that the bricks have been cleaned in accordance with that permission and are being stored on site.

4.8 20/00347/FUL Construction of a replacement building to provide 10 No. residential flats with ancillary car parking and landscaping. REFUSED 24.09.2020 for the following reasons:

1. The proposal due to its bulk, mass and scale would result in development which would not preserve or enhance the character or appearance of the Crowthorne Conservation Area. This is considered to be contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document, EN20 of the Bracknell Forest Borough Local Plan, the Crowthorne Conservation Area Appraisal (2007) and the NPPF.

2. The proposal due to its bulk, mass, scale and layout would result in an unsatisfactory form of development, detrimental to the character and amenities of the area contrary to Policy CS7 of the Bracknell Forest Core Strategy Development Plan Document (adopted February 2008), Bracknell Forest Borough Local Plan Policy EN20, Crowthorne Study Area C (Crowthorne Centre) of the Character Area Assessments SPD and the NPPF.

3. The proposed development by reason of its layout and design would result in a cramped development which would not create a good residential environment for future occupiers by reason of a poor outlook from habitable rooms and no outdoor amenity space. This is contrary to saved Bracknell Forest Local Plan Policy EN20 and the NPPF.

4. The layout of the development is substandard, including placing the access road too tight to the proposed building. The site layout does not demonstrate that "safe and suitable access to the site can be achieved for all users", does not "give priority first to pedestrian and cycle movements", does not "create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles" and does not "allow for the efficient delivery of goods, and access by service and emergency vehicles". In addition, the level of parking provided is below the Council's Parking Standards, which would lead to the displacement of vehicles onto surrounding roads, and increase the risk of illegal, inconsiderate or obstructive parking, which would in turn have an adverse effect on the free flow of traffic and highway safety. The resulting development would have an unacceptable impact on highway safety and the development is contrary to Core Strategy Development Plan Document Policy CS23 and Bracknell Forest Borough Local Plan saved policies M6 and M9, supported by the NPPF at paragraphs 108, 109 and 110.

5. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not have an adverse impact on trees on the boundaries of the site which make a significant contribution to the Conservation Area and biodiversity. This is considered to be contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document and Saved Policies EN1 and EN20 of the Bracknell Forest Borough Local Plan and the NPPF.

6. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off and it has not been shown that use of SuDS would be inappropriate for the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.

7. 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, the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

5.0 THE PROPOSAL

5.1. Following the previous demolition of the building at the site this application is for the construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.

5.2 The proposed building is 2.5 storeys in height with a pitched roof over. The building has a width of 8.9m, and length of 23.19m with a total height of 8.12m. It has been designed with 6 pitched roof dormer windows on the side and rear elevations with 2 x chimneys punctuating the roof line.

5.3 17 car parking spaces are shown at the rear of the site which includes 2 x disabled parking spaces. A bin store is shown halfway down the access with 2 x cycle stores within the site.

5.4 An area of rear amenity space has been shown with some space for landscaping and landscaped edges to the rear of the site and the existing hedge to the north west to be maintained and managed.

5.5 The application has been amended since it was initially submitted to remove a parking space from the front of the site, increase the rear amenity area in size, provide extra space to the rear boundary and provide updated drainage information.

5.6 The application follows an approval at the site (ref:17/01273/FUL) for 5 flats which has partly been implemented due to the demolition of the existing building. This consent remains extant.

5.7 Application 20/00347/FUL was refused at the site on the 29 September 2020. The application was for 10 replacement flats with the proposal considered to not preserve or enhance the Crowthorne Conservation Area; to harm the character of the area; to fail to create suitable amenity for future residents; to result in highway safety concerns; not to have demonstrated that it would not harm trees or biodiversity; fail to demonstrate that it incorporated suitable drainage; and did not mitigate its impact on the Thames Basin Heaths SPA.

6.0 REPRESENTATIONS RECEIVED

Crowthorne Parish Council

6.1 Recommends approval of the application with the following caveats:

- Car Parking meets standards but two spaces need to be sufficiently sized (4.8 x 2.4m) to enable them to be used for disabled parking.
- Passive EV (Electric Vehicle) charging infrastructure must be included to anticipate future requirements. (Annexe E Supplementary Parking Standards Document).
- Secure cycle and motorcycle storage needs to be included.
- Development of more than 5 units requires an energy demand assessment and onsite renewable energy production to reduce CO2 by 10%.
- Bricks from the original building should be used wherever possible and new bricks should be of a Victorian character to match.
- The overall development must take account of the character of the Crowthorne Conservation Area.
- Drainage considerations need to be agreed and resolved.

Other representations

6.2 12 letters of objection were received on the original plans raising the following objections:

- Loss of daylight, overshadowing and privacy to properties.
- Noise disturbance due to number of residents.
- Design and scale out of character with surroundings.
- Highways safety concerns from 8 flats.
- Insufficient parking.
- Special attention should be paid to the desirability of preserving or enhancing the conservation area.
- Issue with water table.
- Flats out of character.
- Original bricks were required to be re used in 5 unit scheme.
- Plans do not include 1.7m high windows overlooking no.65-67 Church Street which were included in 17/01273/FUL.
- Plans show a parking space directly outside dining room window causing fumes and blocking light and highway safety concerns [*Officer note: this parking space has been removed from the plans*].
- Visitor and disabled parking should be provided on site.

- Applicant was granted permission for 'internal alterations' to convert building to 5 apartments, with minimal change to exterior. Building then demolished and required to build to original size.
- Contrary to Crowthorne Neighbourhood Plan.
- Building was slowly dismantled over last couple of years and due to care one assumed to be rebuilt. Dismayed to find application for 8 flats.

6.3 1 letter which raises neither support nor objection:

Believe 8 flats excessive but would like to raise awareness of the following:

- Previous uses at the site have been busy with the previous restaurant use having at least 30 plus patrons on site at one time.
- Third floor windows do not face Church Street and no difference from before.
- The driveway is as before.
- The removal of trees and shrubs would benefit Thornley Place and 59 Church Street.
- Brick/tile work conform to conservation guidelines.
- Something needs to be done with the land as it will stop youths accessing the property to cause damage/being a general nuisance.

7.0 SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection to amended information subject to conditions

Environmental Health

7.2 Recommends conditions if the application is recommended for approval

Tree Officer

7.3 Objection to the plans on Arboricultural grounds. Car park would harm trees and hedging in Conservation Area.

7.4 Officer note: The car park is laid out in a similar way to that approved under application 17/01273/FUL and is considered a betterment to the extant application as it proposes protection to the trees during development and working to a general method statement during construction.

Biodiversity Officer

7.5 Updated bat survey confirms the buildings continue to have negligible potential to support roosting bats. The report does identify two trees with low potential that should be retained or felled sensitively.

7.6 Support the Tree Officer's request for further information and redesign of the car park. If issues resolved recommend a scheme of management works to restore the existing hedgerow to maintain its value and longevity.

Heritage Consultee

7.7 No objection subject to conditions

Waste and Recycling Officer

7.8 No objection. The bin storage area is accessible and of adequate size for the number of bins required for 8 flats.

Lead Local Flood Authority

7.9 No objection to amended drainage information subject to conditions

8.0 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Limited (policy not used in planning application decision-making) Consistent
Design	CS7 of CSDPD, 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.
Trees & Landscaping	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 130 & 174)
Heritage	CSDPD Policies CS1 & CS7	Consistent (paras. 194 to 208)
Drainage	CS1 of CSDPD	Consistent (paras. 167 & 169)
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 180)
Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 120, 174, 183 & 185)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 153)
Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 55 to 57, 93 and 95)
Supplementary Planning Documents (SPD)		
Parking Standards SPD Planning Obligations SPD (2015) Thames Basin Heath SPA SPD Character Area Assessments SPD Design SPD		

Other publications
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

8.2 In addition, the Crowthorne Neighbourhood Plan was adopted 9 June 2021. The relevant policies from this which are considered consistent with the NPPF are:

CR1: High Quality Design
 CR4: Promoting Good Design in Crowthorne Centre
 CR12: Biodiversity

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Conservation Area
- iii. Impact on Character and Appearance of Area
- iv. Trees and Landscape
- v. Impact on Residential Amenity
- vi. Transport and Highways Considerations
- vii. Biodiversity
- viii. Sustainability
- ix. Surface Water Drainage/Flood risk
- x. Thames Basin Heaths Special Protection Area
- xi. Community Infrastructure Levy (CIL) and S106 Contributions
- xii. Affordable Housing

i. Principle of Development

9.2 The 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 CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon the character and appearance of the surrounding area, the Crowthorne Conservation Area, residential amenities of neighbouring properties, highway safety etc. These matters are assessed below.

9.3 The site also has planning permission (ref:17/01273/FUL) for the demolition of the Mango Tree, which has previously taken place, and the erection of a building for 5 flats. This application remains extant. A later application 20/00347/FUL for 10 flats was refused on 24.09.2020 and regard must be had to both of these applications in reaching a decision under the current application. However it is important to note that the principle of demolition, which has previously occurred and redevelopment of the site has already been established.

ii. Conservation Area

9.4 The Mango Tree is located within the Crowthorne Conservation Area.

Conservation Areas

9.5 Recent legal cases have established that under section 70(3) of the TCPA 1990 the general power to grant planning permission under section 70(1) is expressly subject to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1) provides that the local authority has a statutory duty that:

'with respect of any building or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

9.6 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, respects local patterns of development and the historic environment, provides safe communities and enhances the local landscape where possible.

9.7 BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area and be appropriate in terms of scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views. It further states that the design of the development should promote local character and a sense of local identity.

9.8 The Crowthorne Neighbourhood Plan Policy CR1 advises ...as appropriate to their scale, nature and location development proposals should have regard to the following design attributes which form the essential character of Crowthorne (vii) the importance of conserving and enhancing the character and appearance of Church Street, Crowthorne Conservation Area.

9.9 The Crowthorne Conservation Area appraisal (2007) described the Mango Tree buildings as follows:

"Nos. 63 and 67 Church Street are both commercial in character and currently function as restaurants (Plate 21). These two buildings are an important element in the view along Church Street towards the landmark building of St John the Baptist's Church. Both buildings face directly onto the street and provide definition at the junction between Waterloo Road and Church Street. No.63 is of red brick construction in Flemish bond and hipped roof finished with tiles. The front elevation is symmetrical with a shop front style entrance central door flanked by plate glass of vertical emphasis fixed between timber mullions. The shop front design appears chunky in relation to the design of the building but the fascia is of appropriate proportions and is painted. Green glazed tiles relating to the earlier shop front survive below the black paint. The first floor windows are casements with a vertical emphasis. The path to the left of No.63 had been created by the early 20th century and linked Church Street with the Heath Hill Road development (Plate 22). This narrow lane is bounded on either side by high hedge boundaries which provide a strong sense of enclosure. The receding view along the path also adds interest to the streetscene. A number of alleyways and drives to the side of this row of shops provide glimpses of the rear of the conservation area and the townscape beyond."

9.10 The proposal takes its design cue from the approved planning permission 17/01273/FUL, although the current proposals are of a larger scale. The proposed design consists of a two and a half storey building, with attic accommodation lit by rooflights and pitched dormers. The overall form of the building follows the same outline, partly based on the original building at No.63 Church Street, with a hipped roof and brick construction. An extract from the submitted plans showing the proposed elevations is provided below, with the elevations of the approved scheme then provided for comparative purposes:



Proposed Front Elevation



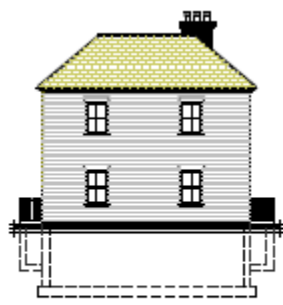
Proposed Rear Elevation



Proposed South East Elevation



Proposed South West Elevation



Rear Elevation



Front Elevation



North Side Elevation & Basement Section



South Side Elevation & Basement Section

Approved plans 18/00375/NMA – associated with 17/01273/FUL

9.11 The Character of the Conservation Area results from its residential quality with relatively small-scale, domestic buildings of traditional early to late 19th century design, generally in brick with slate or tile hipped or gabled roofs with traditional sash fenestration.

9.12 The proposed design for the replacement building has been altered from refused application 20/00347/FUL to reduce the mass and scale with additional design detailing for the roof including dormer windows. Although the scale of the building would increase to the rear of the streetscene, the front elevation is relatively modest and in-keeping with the Conservation Area. The additional elements such as the cycle racks and car parking are to the rear of the building.

9.13 As stated in the Crowthorne Conservation Area appraisal (2007):

“The conservation is not a bar to new development. However, development should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. New buildings do not necessarily have to directly imitate earlier styles, but they should be well-designed and respect their context, character and appearance. In designing new buildings in the area, special regard should be had for such matters as scale, height, form, massing, respect for the traditional pattern of frontages, vertical or horizontal emphasis, and detailed design such as the scale and spacing of window openings, and the nature and quality of materials”.

9.14 Whilst the proposed development would result in some harm to the character or appearance of the Conservation Area, and it cannot be said to preserve or enhance the Conservation Area due to the previous demolition of a period building in the Conservation

Area, this test is only desirable. Leaving the site empty would leave a large hole in the Conservation Area. Good quality materials would help to reduce the building's impact and overall its impact is considered to be neutral when considering the previous demolition and gap created in the Conservation Area. As a result, reason for refusal 1 of application 20/00347/FUL has been addressed.

iii. Impact on Character and Appearance of Area

9.15 CSDPD Policy CS7 requires high quality design which in this case should build on the local character, respect local patterns of development, enhance landscape and aid movement and accessibility. Policy EN20 of the Local Plan supports Policy CS7 and sets out how development should be in sympathy with its local environment and appropriate in terms of mass and scale, layout and materials amongst other criteria.

9.16 Policy CR1 of the Crowthorne Neighbourhood Plan requires High Quality Design which integrates with local surroundings and landscape context as well as the existing built environment and sets out a number of design criteria.

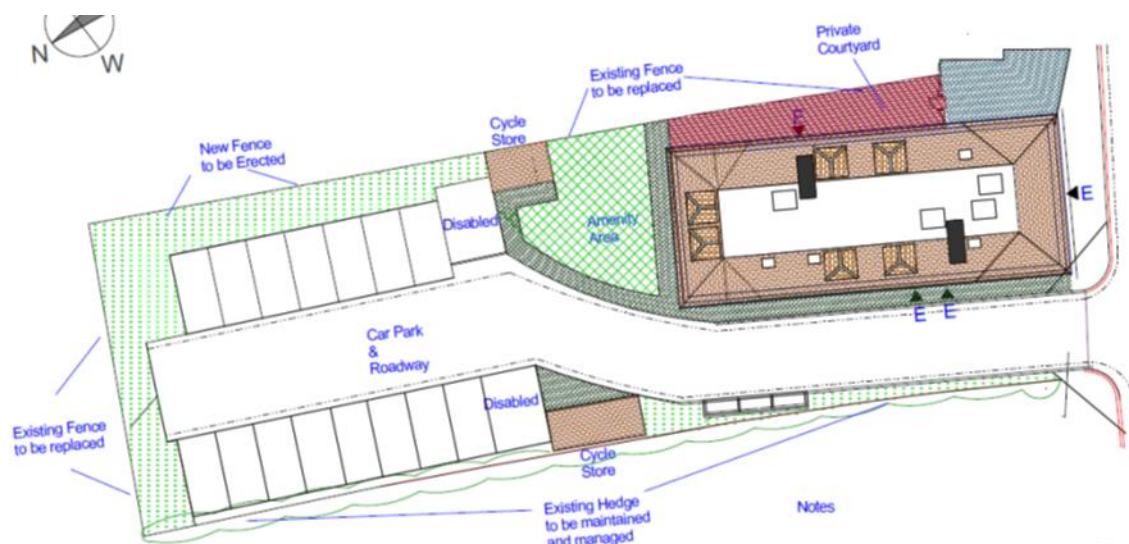
9.17 The site falls within area CR4 Promoting Good Design in Crowthorne Centre. This policy requires development to be appropriate to their scale, nature and location which will be supported provided it has regard to (i) terraced properties and high density building density of the periphery of the High Street and (ii) the historic quality and significance of a large number of buildings in the north of the historic core, at the junction of High Street and Dukes Ride.

9.18 The site falls within the Crowthorne Study Area C (Crowthorne Centre) of the Character Area Assessments SPD. This sets out, in summary, that the area has a positive character as a centre for Crowthorne. The following relevant recommendations are set out in the SPD:

- Development should not be set back from the building line as this would adversely affect the linear, well framed character of the area;
- Public realm should be consistent, free of clutter and unnecessary level changes;
- External details of all development should be to a high standard of design to enhance the local character;
- New developments should contribute to active ground floor uses and upper floor uses to create an appropriate town centre scale of development; and
- Aim to create a continuous street frontage within the town centre.

9.19 The site is also located within the Crowthorne Conservation Area which the application site is considered to have more of a relationship with, than the commercial village Centre, where as detailed above buildings are of a domestic scale.

9.20 The proposed development would result in a building, which has been reduced in scale and mass from refused application 20/00347/FU. Whilst the rear of the building would be viewable from Waterloo Road due to its reduction by 4.71 metres in length it is not considered to result in an unduly overbearing impact on Waterloo Road. The design has closely followed approved application 17/01273/FUL and the addition of 6 dormer windows on the roof are considered to be sympathetic to the design of the building which are found else where in the Conservation Area.



Proposed Site Plan

9.21 The Council's SPD on Design advises at para 3.9.8 where a block of apartments is proposed, a careful balance is needed between the building footprint, its position on the plot in response to local character, parking provision and useable open space for residents.

9.22 Application 20/00347/FUL was refused partly on the grounds that it showed a tight relationship with the parking and bin stores, that it failed to provide any outdoor space for future residents and that it hadn't demonstrated that trees or hedging could be retained. This current application has been amended to show an outside amenity area for future residents with bin storage of an appropriate size and a betterment in relation to the retention of the trees and hedging compared with extant application 17/01273/FUL.

9.22 Therefore on balance it is considered that the development can be achieved on the site without significantly harming the character and appearance of the surrounding area and has addressed reason for refusal 2 on refused application 20/00347/FUL.

iv. Trees and Landscape

9.24 CSDPD Policy CS1 seeks to protect the character and quality of local landscapes. 'Saved' BFBLP Policies EN1 and EN2 seek to preserve trees and hedgerows which are important to the character and appearance of the area.

9.25 The proposed development site is within the Crowthorne Conservation Area, which protects all trees (above 75mm in diameter) in and adjacent to the site. Its western boundary is flanked by a line of trees of varying ages; including a (lapsed) hedgerow and those of later maturity. Along the opposite boundary, large notable trees offer high amenity value, with the natural gradient of the site further enhancing their prominence in the landscape. Overall, the trees contribute significantly to the character of the area.

9.26 Application 17/01273/FUL was granted without consideration to the trees and allowed a carpark layout which was approved in a similar layout to what is proposed under this application. Application 20/00347/FUL was refused as the application had not considered the trees/hedging as part of the application and it hadn't been demonstrated that no harm would occur to them.

9.27 Under this current application Arboricultural Information has been provided with the application which has considered the trees on the site. The Arboricultural Officer has advised that the submitted report is a fairly reasonable assessment of tree quality on and off site. He has advised that most of the trees, whilst contributing visually to the area in varying degrees, have either historically been topped or poorly managed. This combined with their heavily compromised rooting areas off site may compromise the sustainability of many in the longer term. It has been accepted that many of the trees on site could be replaced by more sustainable long term tree planting.

9.28 The Council's Arboricultural Officer has however advised that the proposed carpark layout will cause harm to the trees to be retained on the site and hedging on the boundary. Notably T7 on the rear boundary is a class B/borderline A tree with high amenity value and other trees shown for retention also offer amenity value in the Conservation Area. Extant application 17/01273/FUL allowed a carpark in a similar layout to that now proposed which didn't consider the trees/hedging and could be constructed at any time. This current application however has considered the trees and will work to a general arboricultural method statement submitted with the application and provide tree protection during the development. Therefore, whilst the Council's Arboricultural Officers objections are noted, due to the extant consent which could be implemented without any tree protection, objection could not be reasonably sustained in relation to the impact of the development on the trees and reason for refusal 5 on application 20/00347/FUL is considered to have been addressed.

v. Impact on Residential Amenity

9.29 Policy EN20 criterion (g) of the BFBLP stipulates that in considering proposals, the amenity of surrounding properties should not be adversely affected. The amenities of existing residents and future occupiers is therefore a material consideration in considering an application.

Existing residents

9.30 In relation to 67 Church Street the proposed building would be larger than the building that was previously on site. The previously approved extant application 17/01273/FUL showed a continuous two storey building running alongside no.67 and next to their property which is in two separate parts. This application spreads the built form past the rear element of no.67 however this adjacent building is in business use with a parking area behind, and there is a dense boundary of trees between the two properties. A loss of light or overbearing impact could not be argued regarding no. 67 due to the previous circumstances and approved extant application 17/01273/FUL.

9.31 With regards to the south east elevation facing No.67 Church Street, one first floor side facing bedroom window faces towards the application site. This window was located opposite the existing Mango Tree previously and consent 17/01273/FUL allows a new building next to it with a bedroom window almost directly opposite it at the first floor level. Under this application a similar relationship would be formed and the windows closest to this first floor window are recommended to be conditioned to be obscure glazed with any opening parts set 1.7m above the finished floor levels. At the ground floor No.67 has a dining room window that would be nearly opposite a bedroom window in the proposed development. This relationship was accepted under the extant permission 17/01273/FUL. It is therefore not considered a significant loss of privacy can be argued in relation no.67 due to the extant consent. No.67 does not have an area of amenity to the rear and in view of the previous permission it is not considered it could be argued that there would be any additional harm.

9.32 The application has introduced dormer windows at the roof level that would look beyond the side of no.67 Church Street to the backs of the houses at 1 to 5 Thornley Place. The dormer windows would be located approximately 23m from the backs of these houses and

therefore these windows should be obscurely glazed as a distance of 30m is normally expected to protect privacy, with only opening parts above 1.7m to prevent a significant level of overlooking to these properties.

9.33 At its closest point, the side of the proposed building would be at least 13 metres from the side of 59 Church Street, across the existing footpath and due to the existing position of no.59 would not project past its rear. The proposal has windows in the side elevation facing this property, which the previous building did, however the proposed building projects back further. There would be habitable room windows at the first floor level and roof level looking over towards the rear of no 59 although a distance of 13m between the properties and the position of the properties would prevent a significant level of overlooking.

9.34 The proposal is set at least 32 m from the rear boundary of the site and properties at the rear which will protect any overlooking or loss of amenity.

9.35 In view of the above the impact on neighbouring amenity could not reasonably form a reason for refusal due to the previous permission 17/01273/FUL and the original building that was at the site. Impact on residential amenity was also not a reason for refusal under application 20/00347/FUL.

Future Occupiers

9.36 Application 20/00347/FUL was partly refused on the grounds that it would create poor outlook for future residents and didn't provide any outdoor amenity space. Application 17/01273/FUL which remains extant, consented bedrooms with windows that were required to be served by high level windows set 1.7m above the finished floor levels. This would not create outlook for them. This relationship has therefore been established under 17/01273/FUL and it would not be reasonable to say this wasn't acceptable now for the bedroom windows looking towards no.67 Church Street. This would also prevent any significant overlooking to the neighbouring dwellings. Other living accommodation within the flats would achieve suitable light and outlook.

9.37 This application has now provided an area of outdoor amenity for the future residents and whilst this is smaller in size to that approved under the extant application 17/01273/FUL it is deemed to be acceptable in view that the Council does not have a requirement for a set size of amenity space.

Noise

9.38 The previous use of the site as a restaurant with residential above would have created a certain level of noise and it is not considered that 8 residential flats would create a level of noise that would be unacceptable.

9.39 In view of the above it is considered that reason 3 for refusal under 20/00347/FUL has been addressed and on balance the application would provide a suitable level of amenity for future occupiers.

vi. Transport and Highways Considerations

9.40 The Highways Officer has advised following the receipt of amended plans:

Access

9.41 A Section 278 agreement with the Highway Authority will be needed to form the access onto Church Street and this agreement should be secured through the S106 agreement.

9.42 The pedestrian route adjacent to the accessway would be 1.5m wide, flush with the carriageway but alternatively surfaced to make its function clear. Along with the soft

landscaping strip on the opposite side, the access is appropriate to be considered a shared surface accessway in accordance with the Highways Guide for Development.

9.43 Refuse collection points are provided adjacent to the accessway, within 25m of the adopted highway of Church Street.

Parking

9.44 The development of 8 x 2-bedroom flats requires 16 residents' car parking spaces and 2 visitor car parking spaces to fully comply with the Parking Standards SPD (March 2016). In this instance, 17 car parking spaces are provided (including 2 disabled spaces), 1 visitor space short of the Parking Standards. The additional visitor parking space could be provided adjacent to the building onto Church Street where there is an existing dropped-kerb (between nos. 63 and 65 Church Street). However, in the Highway Authority's view, discouraging reversing movements to/from Church Street is preferable to provision of a further visitor parking space in this location.

9.45 Cycle parking is provided in 2 x cycle stores, which should provide sufficient space for the required amount of cycle parking (16 spaces). This should be secured by condition.

Trips

9.46 An 8 x 2-bedroom flat development in this location is likely to generate around 24 vehicular trips over the day as a whole.

9.47 In view of the above the revised parking layout and access has overcome the reason for refusal under application 20/00347/FUL and reason 4 for refusal has been addressed.

vii. Biodiversity

9.48 An updated bat survey confirms the buildings continue to have negligible potential to support roosting bats, with the buildings now demolished. The report does identify two trees with low potential that should be retained or felled sensitively. The tree on the western site boundary identified as T12 by the Arboricultural Assessment is proposed for removal and a condition is recommended for works to be in line with the report.

9.49 Whilst it is noted that the Biodiversity Officer requires that the carparking is moved away from the existing hedge along the western boundary the hedge has been shown for retention on the application plans. The car park is in line with planning permission 17/01273/FUL which remains extant and the applicant has said the hedge can be retained which is important in the interest of protecting biodiversity in line with core policies CS1 and CS7.

9.50 It is noted that the Biodiversity Officer requires the trees to be protected further at the site and carpark amended however in considering the tree comments above, extant planning permission 17/01273/FUL has allowed a carpark which would have more impact than that proposed now. This application can be seen as a betterment and conditions can be applied to secure tree protection measures and retention of the hedge and its management.

viii. Sustainability

9.51 Policy CS10 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.

9.52 Core Strategy Policy CS12 advises for development proposals for five or more net additional dwellings, or for 500 square metres (GEA) or more of floorspace for other development, any application should be accompanied by an energy demand assessment demonstrating how (potential) carbon dioxide emissions will be reduced by at least 10% and

will provide at least 20% of their energy requirements from on-site renewable energy generation.

9.53 No statements have been submitted in support of the application, therefore conditions should be applied in the event of the application being approved requiring the submission of a Sustainability Statement and Energy Demand Assessment prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

ix. Surface Water Drainage/Flood risk

9.54 The site is within flood zone 1 with the National Planning Policy Guidance (PPG) stating that all uses are appropriate within this zone and the site would not be subject to flood risk. However the site is also within an area where there is a high risk of surface water flooding especially within Church Street adjacent to the site.

9.55 The application was initially submitted with limited drainage details although further information has now been provided which has been considered by the Lead Local Flood Authority. The drainage scheme includes permeable paving with concrete baffles to contain water and a cellular soakaway. Detailed calculations have been provided regarding infiltration and runoff.

9.56 The Lead Local Flood Authority has raised no objection to the amended drainage scheme subject to conditions and it is considered that reason for refusal 6 on application 20/00347/FUL has been addressed.

x. Thames Basin Heaths Special Protection Area

9.57 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.

9.58 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)

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

9.60 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.

9.61 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.

9.62 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)

9.63 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.

9.64 In this instance, the development would result in a net increase of eight X 2-bedroom dwellings within the 400m – 5km TBH SPA buffer zone which results in a total SANG contribution of £33,539 taking account of payments already received from previous applications.

9.65 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £1,578 which is also calculated on a per bedroom basis.

9.66 The total SPA related financial contribution for this proposal is £35,117. 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.

9.67 Subject to securing the appropriate mitigation by means of a S106 agreement, reason for refusal 7 on application 20/00347/FUL has been addressed.

xi. Community Infrastructure Levy (CIL) and S106 Contributions

9.68 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL applies to new builds including those that involve the creation of additional dwellings.

9.69 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. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough.

xii. Affordable Housing

9.70 Policies CS16 & CS17 of the Core Strategy in relation to housing needs and affordable housing can be afforded full weight in relation to para. 62 & 63 of the NPPF as they are consistent with para.60 of the NPPF which seeks to deliver a wider choice of homes, a mix of housing and affordable housing. Policy CS17 seeks to provide affordable housing on suitable sites, and the Planning Obligations SPD seeks affordable housing provision on all development providing a net increase of 15 units or more, at a threshold of 25% subject to viability. This application would fall below the threshold and as such no affordable housing is required to be provided.

10. CONCLUSIONS

10.1 The proposal seeks planning permission for the construction of a replacement building to provide 8 No. residential flats with ancillary car parking and landscaping.

10.2 The proposal is acceptable in principle as it follows extant permission 17/01273/FUL which allows the demolition of the existing building and its rebuild for 5 flats. In reaching the recommendation on this application regard has also been had to refused application 20/00347/FUL for 10 flats and whether this application has overcome the reasons for refusal attached to that decision.

10.3 The application has been amended since its initial submission to remove a parking space from the front of the site and increase the amenity area to the rear of the site and increase the distance of the parking area to the rear from the trees. The proposal would have some harm to the character or appearance of the Conservation Area, and would not preserve or enhance it when considering the original building that has been demolished. However, considering the site now, which leaves a large gap in the Conservation Area, on balance the development is considered to have a neutral effect on the Conservation Area. The scale and mass has been reduced from refused application 20/00347/FUL and the introduction of dormer windows on the roof would not increase the overall height of the building compared with approved consent 17/01273/FUL.

10.4 The proposal would provide a betterment in terms of protecting trees and hedging on the site compared with extant application 17/01273/FUL.

10.5 The proposal would not result in any unacceptable detrimental impacts upon the amenities of existing and/or future occupiers subject to conditions requiring obscure glazing to windows with any opening parts of windows to be set 1.7m above finished floor levels in line with extant consent 17/01273/FUL.

10.6 The development provides on-site amenity space along with an accepted drainage strategy following consideration of the Lead Local Flood Authority.

10.7 The proposal is considered acceptable by the Local Highway Authority in terms of off-street parking and safe access.

10.8 The scheme, subject to conditions, would provide adequate biodiversity mitigation.

10.9 In conclusion and considering extant consent 17/01273/FUL, the proposed development for 8 flats is considered, on balance, to have addressed the reasons for refusal under application 20/00347/FUL and would have a neutral effect on the Crowthorne Conservation Area within a settlement location.

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 SPA.
- Requirement to enter into S278 for the construction of the access.

That the Assistant Director: Planning be recommended to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary: -

01. The use 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: -
791.050F Proposed Site Plan
953.022M Proposed Site Plan
953.020G Proposed Elevations
953.021H Proposed Floor Plans
953.024B Proposed Street Scene
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 before the relevant part of the work is begun:
a) Sample panel of all facing materials, including previously retained bricks to be used under 17/01273/FUL and a sample panel(s) of 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 for the proposed works,
c) Plan and elevation, with materials annotated, of all new window openings (showing brick gauged headers);
d). Plan and elevation drawings, with materials annotated, of all new doors at a minimum scale of 1:10 with typical moulding and architrave;
The relevant part of the works shall not be carried out otherwise than in accordance with the approved details.
REASON: In order to safeguard the appearance of a building in a Conservation Area in accordance with the requirements of policy.
[Relevant Policies: BFBLP EN20 and Core Strategy DPD CS1]
04. The following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:
• schedule of materials and finishes for the hard landscaping including car parking and access road surfaces.
All work shall be carried out in full accordance with the approved document(s).
REASON: In order to safeguard the appearance of the site in a Conservation Area in accordance with the requirements of policy.
[Relevant Policies: BFBLP EN20 and Core Strategy DPD CS1]
05. No development (other than the construction of the access) shall take place until the access onto Church Street 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]
06. No dwelling shall be occupied until the access road between the adopted highway of Church Street and the car parking and turning area including provision for both vehicles and pedestrians has been constructed in a bound or bonded material in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. No dwelling shall be occupied until the associated vehicle parking and turning space for 17 cars to park and turn has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to

prevent the likelihood of on-street car parking which would be a danger to other road users.

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

08. The development shall not be occupied until (a) details of the location of 1 visitor car parking space, and (b) details of the signing for the visitor space have been submitted to and approved in writing by the Local Planning Authority. The car parking space shall be provided and signed in accordance with the approved details and the space and signage shall thereafter be retained.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

09. The development shall not be occupied until 16 secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development. 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]

10. No development shall take place until a Construction Transport Management Plan has been submitted to and approved in writing by the Planning Authority to include:

- (a) Details of parking for contractors and visitors;
- (b) Details of areas for storage of plant and materials;
- (c) Details of areas for welfare and associated cabins;
- (d) Details of wheel wash to be provided to avoid deposition of material on the highway; and
- (e) Swept path drawings indicating that the largest anticipated construction vehicle can turn around within the site and leave in a forward gear onto Church Road.

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

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

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

11. No development [including demolition and site clearance] shall take place until a Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures for:

the control of dust, odour and other effluvia

- the control of noise (including noise from any piling and permitted working hours)
- the control of pests and other vermin (particularly during site clearance)
- the control of surface water run-off)
- The control of noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site
- The control of waste from the site so that NO BURNING will commence.

Construction activity shall be carried out in accordance with the approved CEMP.

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

[Relevant Policies: BFBLP EN25]

12. During the construction of the development hereby approved the Arboricultural Method Statement Addendum and Tree Protection Plan produced by ATS dated June 2021 shall be complied with in full.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention.

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

13. The following window(s) in the development hereby permitted or any replacement window shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Flat 4 first floor bedroom window eastern (side) elevation

Flat 5 first floor bedroom window eastern (side) elevation

Flat 7 and 8 dormer windows eastern (side) elevation

Flat 1 ground floor living room eastern (side) elevation

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

14. The Technical Briefing Note, Addendum Bat Roost Assessment Report, dated Dec 2020 produced by aspect ecology, shall be complied with in full during the development.

REASON: In the interests of biodiversity.

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

15. No dwelling shall be occupied until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -
- a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout to include the retention of the hedge on the north western boundary, proposed numbers/densities locations.
 - b) Comprehensive 5 year post planting maintenance schedule.
 - c) Paving including paths, patios, proposed materials and construction methods, parking courts, etc.
 - d) Location, site specific design (including foundation requirements), and implementation method statement for permanent low barriers to prevent vehicle parking access onto retained soft landscaping areas forming part of the Root Protection areas of protected trees affecting the site.

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 BS 8545:2014 - Trees: from nursery to independence in the landscape - Recommendations 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 and shall not be used for any other purpose

REASON: In the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

16. No development shall take place until full details of the Drainage System has been submitted to and approved in writing by the Local Planning Authority in accordance with the approved drawings (GTA submission dated 21st July 21) These shall include: full details of all components of the proposed drainage system including dimensions, permeable paving construction, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table. The agreed details shall be fully implemented within the development.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
17. No dwelling shall be occupied until details of how the surface water drainage shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
18. No dwelling shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the local planning authority.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
19. Prior to practical completion of any property a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes, cover systems.
Reason: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
20. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that:
 - (a) the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
 - (b) a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%)has been submitted to and approved in writing by the Local Planning Authority. The building shall thereafter be constructed in accordance with the approved assessment and retained as such thereafter.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD CS12]
21. 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]

22. No dwelling shall be occupied until details of boundary treatments have been submitted to and approved in writing by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved scheme shall be implemented in full before the occupation of any of the flats approved in this permission.

REASON: In the interests of the visual amenities of the area and in the interests of biodiversity.

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

In the event of the S106 agreement not being completed by 14th January 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons: -

- 01 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 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 and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

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 applicant is advised that the following conditions require discharging prior to commencement of development: 3, 4, 5, 10, 11, 16

The following conditions require discharge prior to the occupation of the dwellings hereby approved: 6, 7, 8, 9, 15, 17, 18, 19, 20, 21, 22

No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 12, 13, 14

03. A Section 278 Agreement will be needed with the Highway Authority in order to form the access onto Church Street. 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 through the Section 278 agreement, 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

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Unrestricted Report

ITEM NO: 07

Application No.
20/00947/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
18 November 2020

Target Decision Date:
17 February 2021

**Land North Of Cain Road Cain Road Bracknell
Berkshire**

Proposal: **Erection of 68 bed care home (Class C2) with garden, parking and dedicated access off Turnpike Road and erection of 50 dwellings (5 no. one bedroom, 12 no. two bedroom and 33 no. three bedroom) with associated parking, landscaping and access off Cain Road.**

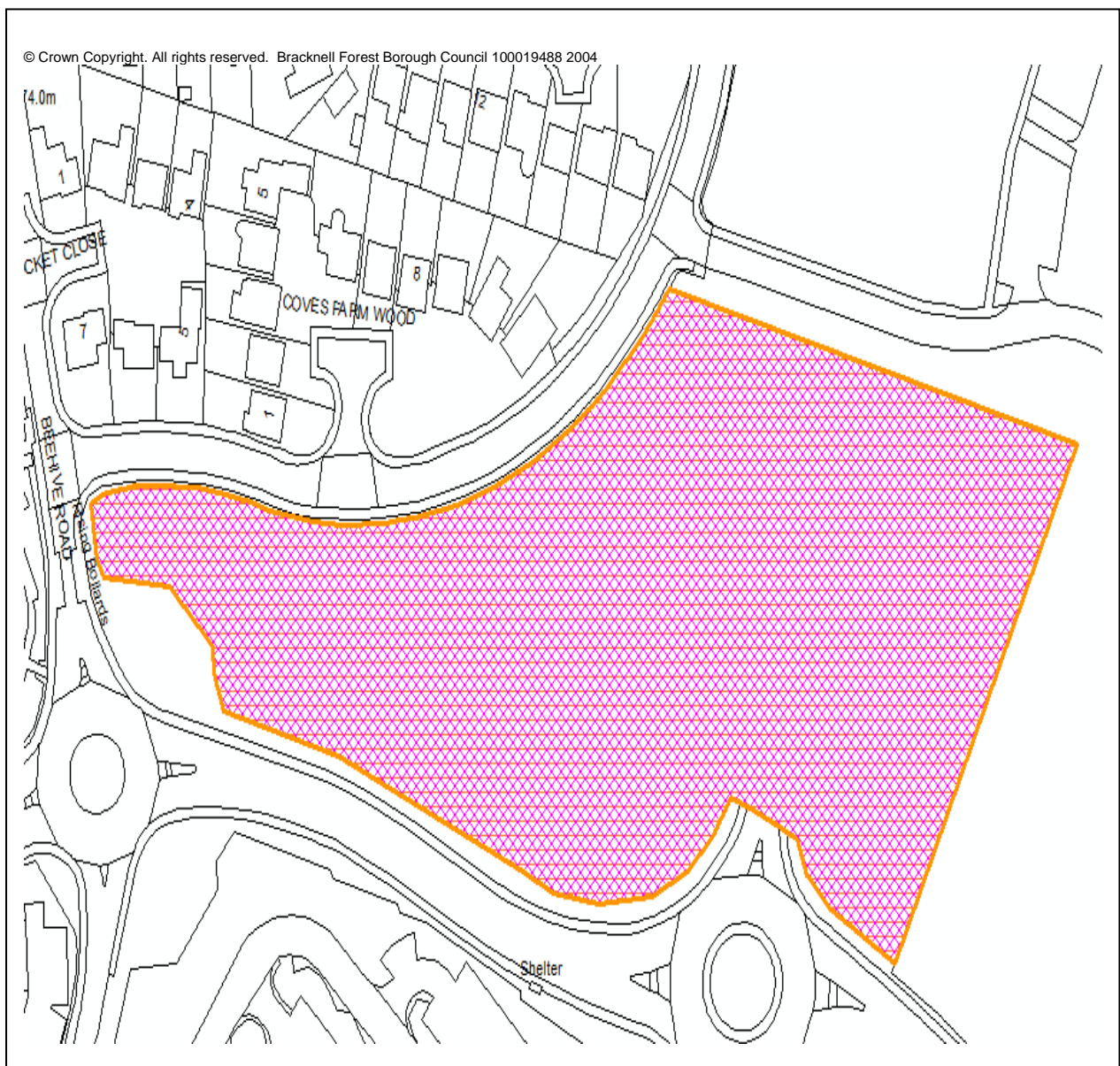
Applicant: Danescroft (FREOF V Bracknell) LLP

Agent: Mr Sam Tiffin

Case Officer: Simon Roskilly, 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 a 68no. bedroom care home (Use Class C2) with a communal garden, parking and dedicated access off Turnpike Road and the erection of 50no. dwellings, with associated landscaping, all accessed off an existing arm from the Cain Road roundabout.
- 1.2 The application proposes the development of land, allocated for housing under Policy SA2 of the Site Allocation Local Plan with an estimated capacity of 75 no. dwellings. The application proposes the erection of 50no. dwellings and construction of a 68 bedroom care home. When the appropriate housing ratio is applied to these bedspaces, it equates to a further 38 dwellings, making a total contribution of 88 residential units towards the Council's housing land supply.
- 1.3 Given that the number of housing units proposed, exceeds the indicative capacity identified within Policy SA2, the proposal is considered to be acceptable in principle and represents an efficient use of land in a sustainable location.
- 1.4 Having assessed the scheme against development plan policies and the NPPF, the development as a whole is considered in-keeping with the character of the area, resulting in an acceptable transitional form of development which responds to its location in between an existing employment area and the residential properties off Turnpike Road and Beehive Road.
- 1.5 The proposal provides adequate parking to serve the proposed uses and would not result in any significant highway safety implications.
- 1.6 The layout and design of both the care home and the dwellings ensures that both elements of the development will be served by appropriate amenity space. The scheme, subject to appropriate conditions and a completed S106 agreement, will provide policy compliant biodiversity mitigation and enhancement, surface water drainage, landscaping, affordable housing provision, SPA mitigation and adequate infrastructure. Approval is therefore recommended.

RECOMMENDATION
Planning permission be granted subject to the completion of a s106 agreement and conditions as set out in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Inside the settlement boundary and allocated for housing under SALP Policy SA2 Located within 5km of Thames Basin Heaths SPA

- 3.1 The site is situated to the west of Bracknell and south of Popeswood village. The site is currently vacant and contains existing vegetation predominantly along its

north-eastern and eastern boundary, with sporadic clusters of overgrowth within the site.

- 3.2 A public footpath runs beside the eastern edge of the site from Cain Road linking into the Farley Wood Community Centre. Across the footpath is a football pitch and a large carpark serving the 3M centre. A roundabout on Cain Road sits just south of the site with an exit ending at the site boundary. Beyond this is the site of two office buildings previously occupied by Hewlett Packard which lie within a Defined Employment Area. West of the site is the Bracknell Ski Centre, featuring a dry ski slope and an ice rink. Beyond this is a new development by Bellway Homes and beyond that, the A329.
- 3.3 To the north is Farley Wood Community Centre, which features a car park, tennis courts and recreation ground.
- 3.4 The site was allocated for 75 residential dwellings under SALP Policy SA2- Other Land within Defined Settlements

4. RELEVANT SITE HISTORY

- 4.1 20/00622/FUL- Part retention/part erection of 2.4m timber hoarding for a temporary period of 24 months. [APPROVED 05.08.21]

5. THE PROPOSAL

- 5.1 Planning permission is sought for the erection of a 68no. bedroom care home (Use Class C2) with an associated communal garden, parking and dedicated access off Turnpike Road along with the erection of 50no. dwellings accessed off an existing Cain Road roundabout arm.
- 5.2 Both parts of the development would be provided with appropriate landscaping and public footpaths linking the residents with the wider area via both Turnpike Road and Cain Road.
- 5.3 The development has been designed so that the care home can be constructed separately from the 50no. dwellings, and as such each part can come forward in separate phases independent of each other.
- 5.4 Care Home
The 68-bed care home is located within the western part of the site, addressing Cain Road, Turnpike Road and Beehive Road. The building has a cranked linear footprint with centrally located main entrance from the parking area to the north which is accessed from Turnpike Road. Servicing is from the eastern side of the building, also accessed from Turnpike Road. The care home will have its own self-contained amenity space and car parking for the residents and staff.
- 5.5 The care home accommodation is arranged over three floors and provides the following on-site C2 care facilities: -

- Lounge/Dining area
- Café
- Hair & Beauty
- Assisted Bathrooms
- On-site nurse(s) with on-site medication store
- On-site manager

- Laundry service
- Cinema
- Library

Dwelling Houses

- 5.6 The 50no. dwellings consist of the following mix contained within 2no. apartment blocks, one detached house with the remainder being semi-detached or terrace units: -
- 5 no. one bedroom
 - 12 no. two bedroom
 - 33 no. three bedroom
- 5.7 The houses and apartment blocks are to be set within landscaped streets with the three main areas of open landscaping being the play area to the north, landscaping to the front of apartment units 17-29 opening out onto Turnpike Road and the SuDS retention basin within the south east corner of the site fronting the Cain Road roundabout.
- 5.8 Parking for the housing will take the form of private garages and driveways as well as parking courts which will include appropriate tree planting.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council

- 6.1 Binfield Parish Council recommend refusal of the application giving the following reasons:
- (i) The development as proposed is over development for the site [Officer Comment: The proposal as a whole is considered to represent a sympathetic layout in-keeping with the area and making good use of the land available.]
 - (ii) Inadequate parking which would lead to impacts on the surrounding roads [Officer Comment: The Highway Authority is satisfied that sufficient parking is provided to serve both the care home and housing.]
 - (iii) The site could not lead to a net gain in biodiversity [Officer Comment: A suitable strategy for biodiversity net gain has been agreed with the Council's Biodiversity Officer.]
 - (iv) In addition, whilst the site is possibly too small for its own play area, pedestrian access to the Farley Wood community area would be of benefit. [Officer comment: Unfortunately, no direct access to the Farley Wood Community area could be secured. There is a footpath running north to south along the eastern edge of the development site, however this is not a formal public right of way. This permissive path would still be in place and the site as a whole has been designed so as to link to the existing footpaths that connect with the Farley Wood community area.]

Other representations received

- 6.2 Eight objections have been received from neighbouring properties. The issues raised can be summarised as follows:
- (i) Care home represents an overdevelopment of a small plot and not in-keeping with the area. A 30 bed two storey care home would be more appropriate. [Officer

Comment: The proposal as a whole is considered to represent a sympathetic development in-keeping with the area and making good use of the land available. A 30 bed care home is unlikely to be viable, and there is a genuine need for care home accommodation within the Borough, which this proposal would help to meet.]

- (ii) Loss of light to the houses north of the site from the care homes. [Officer Comment: Between the 3 storey care home and the residents of Pocket Close and Covens Farm Wood there would be a 30m gap at the closest point and a 58m gap at the furthest point. This gap would contain a carpark for the care home, landscaping and Turnpike Road itself. This degree of separation would ensure that the care home building will not cause loss of light or overshadowing to the residential properties to the north.]
- (iii) Parking for the care home will be insufficient leading to parking on Turnpike Road. [Officer Comment: The Highway Authority is satisfied, based on robust evidence provided, that adequate parking is provided to serve the care home.]
- (iv) Deliveries into the care home will be disruptive and unsafe. [Officer Comment: The Highway Authority is satisfied with the proposed access arrangements.]
- (v) Care home exit is too close to the junction. [Officer Comment: The Highway Authority is satisfied with the proposed access arrangements.]
- (vi) Car parking insufficient for dwellings leading to parking on Turnpike Road. [Officer Comment: Proposed parking for the dwellings accords with the adopted Parking Standards.]
- (vii) Site cleared of trees and vegetation. This should be considered when looking at ecological enhancement. [Officer Comment: This has been considered by the Council's Biodiversity Officer.]
- (viii) Development will overwhelm local infrastructure. [Officer Comment: The impact of the development of this site on local infrastructure has been taken into consideration when it was allocated for housing within the SALP. Any further infrastructure mitigation will sought as part of the S106 agreement and/or CIL payments.]
- (ix) Removing the bollards between Cain Road and Beehive Road will reinstate the 'rat run'. [Officer Comment: The bollards in question are outside of the redline of this application and are therefore unaffected by this submission.]
- (x) SuDS feature a hazard for children [Officer Comments: Details of fencing and landscaping will be secured by way of drainage/landscaping conditions.]
- (xi) Play area too small for the site. [Officer Comment: Due to the size of the site there is no requirement to provide an on-site play area. Contributions towards active and passive open space of public value will be secured under the S106 agreement.]
- (xii) Temporary hoarding out of keeping and resulting in highway safety implications. [Officer Comment: The temporary siting of hoarding for 24 months has been approved under planning permission 20/00622/FUL]
- (xiii) Affordable homes provision is considered low. [Officer Comment: The applicant intends to provide 30% on-site affordable housing which exceeds the current policy requirement of 25%.]
- (xiv) Landfill site nearby and possible contaminated land. [Officer Comment: The Council's Environmental Health Officer has recommended conditions that seek to mitigate any possible land contamination that may be found.]
- (xv) Proposed Cain Road/Turnpike Road footpath link will encourage office workers to park on Turnpike Road. [Officer Comment: The Highway Authority recommend that funding for a Traffic Regulation Order (TRO) be secured in order to prevent indiscriminate parking locally.]

6.3 In addition, two further representations have been received which generally support the proposal however request that overflow parking be provided to serve

the care home, parking restrictions be imposed along Turnpike Road and that improvements be made to the local broadband infrastructure.

7. SUMMARY OF CONSULTATION RESPONSES

Highways

- 7.1 The Highway Authority has worked closely with the Planning Authority and applicant to refine the site layout and design of roads and parking, and recommends approval subject to s106 obligations, conditions and informatives.

Tree Service

- 7.2 The Tree Service confirms that the Arboricultural information submitted is sufficient and that the Group G1 of trees the subject of TPO No. 272 lie outside the application site. They raise no objection to the development subject to conditions relating to tree retention and protection.

Lead Local Flood Authority/Drainage Officer

- 7.3 The LLFA recommend conditional approval of this application.

Environmental Health

- 7.4 The Environmental Health Officer recommends conditions relating to potential land contamination and a landfill gas risk assessment.

SPA

- 7.5 An Appropriate Assessment has been carried out and the Council's Environmental Policy Officer has no objection to the scheme subject to appropriate mitigation being secured by way of a completed S106 agreement.

Biodiversity

- 7.6 The Council's Biodiversity Officer requested further information in respect of Biodiversity Net Gain which has been provided. Final comments awaited.

Landscape

- 7.7 The Council's Landscape Officer makes recommendations in respect of a number of trees specified within the proposed planting plan and recommends that any permission is subject to a landscaping condition which should combine any ecological management requirements with the landscape maintenance schedule.

Archaeology

- 7.8 Berkshire Archaeology recommend conditional approval.

Waste and Recycling

- 7.9 The Council's Waste and Recycling Officer Manager has indicated that the waste collection for the residential dwellings is acceptable. In relation to the care home, it is noted that the refuse collection is likely to be private.

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 the CSDPD SA2 of the SALP	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP and CS23 of the CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Design SPD (2017)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Binfield Neighbourhood Plan (2016)		

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 Biodiversity and Landscaping
- vi Drainage
- vii Affordable Housing
- viii Sustainability and Energy
- ix Thames Basin Heaths SPA
- x S106 Obligations
- xi Community Infrastructure Levey/ CIL

i. Principle of development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map.

9.3 The site is allocated for housing development by virtue of Policy SA2 - Other Land within the Settlement of the SALP with an indicative capacity of 75units.

9.4 The Policy SA2 requirements are as follows: -

- Investigation and remediation of any land contamination;
- Appropriate tree surveys and protection of trees subject to a Tree Preservation Order;
- Provision of affordable housing;
- Provision of open space;

- Appropriate ecological surveys and mitigation of any impacts;
- Transport Assessment to assess the impact of the proposals upon the local road network and junctions;
- Demonstrate that there is adequate waste water capacity both on and off site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure;
- Mitigation of impacts in accordance with Limiting the Impact of Development SPD, and/or other relevant legislation/policy/guidance;
- Make financial contributions towards existing Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring and take any other measures that are required to satisfy Habitats Regulations, the Council's Thames Basin Heaths SPA Avoidance and Mitigation Strategy and relevant guidance in agreement with Natural England;
- This is not a comprehensive list, and there may be other requirements.

9.5 The application proposes residential development on a site which is allocated for housing within the SALP. The proposed development is therefore considered to be acceptable in principle and in accordance with CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to it having no adverse impacts upon the character and appearance of the surrounding area, residential amenities of neighbouring properties, etc. These matters are assessed below.

ii. Impact on character and appearance of the area

9.6 CSDPD Policy CS7 requires high quality design which should build on local character, respect local patterns of development, enhance landscape and aid movement and accessibility. Policy EN20 of the Local Plan is consistent with Policy CS7 and sets out how development should be in sympathy with its local environment and appropriate in terms of mass and scale, layout and materials amongst other criteria.

9.7 The development site north of Cain Road has been referred to as the 'Island Site' as it does not immediately adjoin any other developed sites. However, it is important that the site takes note of what surrounds it and for its development to provide an appropriate transition between the defined employment area to the south, further employment uses to the west, residential areas to the north and the open recreational land to the east.

Layout

9.8 The layout below, is one that has evolved throughout the planning application process and which is now considered to represent a good use of land in a sustainable location, proving an appropriate transition between the employment uses and residential area that it adjoins.



- 9.9 The proposed care home has been located so as to reflect the position of taller buildings, for example Octagon House which is west of this site, and occupies the western end of the 'Island Site'. The narrowing of the site in this area lends itself to this type of linear form of development which is also appropriate for the function of the care home.
- 9.10 The three storey care home addresses the Cain Road street scene well and will not appear out of character given the bulk and massing of built form present on the southern and western sides of the Cain Road roundabout.
- 9.11 The care home is considered to be set within an adequate area of landscaped amenity space for use by future residents, which also serves to soften the visual impact of the building within the Beehive Road/Turnpike Road corner street scene.
- 9.12 The layout of the 50no. dwellings takes account of the site characteristics with the proposed apartment building addressing the gateway entrance off Cain Road with height, making good use of an existing roundabout arm. There is also another apartment building to the north that, via its positioning and proposed landscaping, appropriately addresses the character of the Turnpike Road/Coves Farm Wood residential area.
- 9.13 The layout as a whole is considered legible, allowing pedestrians to easily navigate the two sites out into the surrounding residential or employment areas. This is achieved via the well thought out pedestrian and cycle connectivity both to the north and south of this development site.
- 9.14 Overall, the layout is considered acceptable as it respects and responds to the pattern of existing development in this transitional area between employment space and residential areas.

Design and External Appearance



STREET ELEVATION A - A



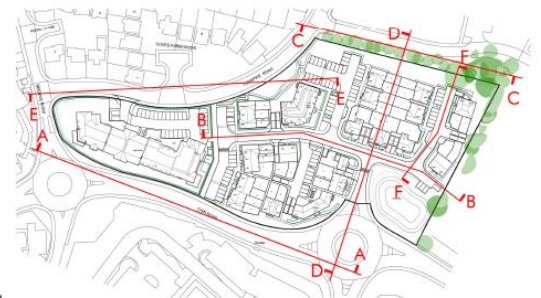
STREET ELEVATION F - F



STREET ELEVATION C - C



STREET ELEVATION D - D



KEY ELEVATION 1:1000

- 9.15 The design, bulk and massing of the proposed buildings, along with their external finishes which reference the mock-tudor development north of this site, allows this scheme to create its own sense of place. Overall the external appearance of the development is considered to be in-keeping with what you would expect of a site developed in between an existing employment area and an existing residential area.

- 9.16 To conclude on the development's impact on the character and appearance of the area, the proposed design, bulk, mass and layout of the care home/housing development is not considered detrimental to the character and appearance of the adjoining employment and residential areas, and is therefore considered to be consistent with BFLP Policy EN20, CSDPD Policy CS7 and SALP Policy SA2.

iii. Impact on Residential Amenity

- 9.17 The scheme as a whole, located on a site which does not immediately adjoin any other development, will not result in any loss of privacy or overshadowing nor would it appear overbearing to existing residents living off Turnpike Road. It also provides adequate levels of amenity for future occupiers.
- 9.18 Although the layout has made an efficient use of land, back-to-back distances between dwellings still generally accord with the standards set out in the Council's Design SPD. There is one part of the site where units 17-29 contained in a 3-storey apartment block will have side facing kitchen windows, 16m from the rear windows of plots 30-32. However, after discussing this issue with the applicant, it has been agreed that these kitchen windows could be conditioned to be part (two thirds) obscure glazed as they are secondary sources of light to the rooms in question. This solution, secured by way of a condition, would prevent any loss of privacy.
- 9.19 To conclude, given the above assessment, the proposal is not considered to result in any adverse impacts upon both existing or future residential amenity, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended conditions.

iv. Transport implications

Access

- 9.20 The residential component of the site would re-use an existing vehicular access onto the northern arm of a roundabout on Cain Road. The care home component proposes a new vehicular access onto Turnpike Road in the north-west of the site, east of the junction with Beehive Road. It is noted that Beehive Road is stopped up for vehicular traffic at its southern end, where it meets Cain Road.
- 9.21 There are existing footway/cycleways which run along both sides of Cain Road adjacent to the site on which there are bus stops served by the X4 Lion bus service which runs between central Reading and Bracknell via Wokingham with services stopping on Cain Road between 06:17 and 23:37 towards Bracknell and 06:32 to 23:17 towards Reading (weekdays) with 2 services per hour weekdays and Saturdays and 1 service per hour on a Sunday.
- 9.22 A new pedestrian and cycle route would be created north-south through the centre of the development connecting to Cain Road to the south and Turnpike Road to the north. Pedestrian connections around an area of green space are also proposed onto Turnpike Road north of plots 17 to 32.
- 9.23 The creation of new access points onto Cain Road and Turnpike Road will require a Highways Act Section 278 agreement with the Highway Authority, this should be secured in the S106 agreement and should also incorporate any

remedial work to the adopted highway (including verge, footway and access from Cain Road roundabout) which is required, in particular it is noted that construction of hoarding around the site may have damaged the adopted highway verge and the island on the northern arm of the roundabout of Cain Road needs remedial work to replace bollards, and refresh kerbs and surfacing.

- 9.24 Areas of the site should be offered for Highways Adoption under Section 38 of the Highways Act and this should be secured through the S106 agreement. In particular, adoption of the following areas is expected:
- The north-south footway/cycleway between Cain Road and Turnpike Road along with any margins and street lighting to this; and
 - Carriageways, footways, margins and street lighting within the site - up to and including turning heads needed for refuse collection and fire tender
 - also ensuring that there is an adopted pedestrian connection between the north-south footway/cycleway through the site to the roundabout access onto Cain Road.
- 9.25 It is not anticipated that car parking or aisles between parking spaces would be adopted beyond the turning areas required for refuse collection and fire tender, nor the car parking or aisle within the (western) care home portion of the site, which would be served by private refuse collection. Private Access and Footpath (PAF) clauses in the S106 agreement should be considered for the footpaths within the public open spaces and children's play area to the north of the site and pedestrian connections to these from the adopted (or to be adopted) highway network.

Car Parking

- 9.26 The proposed car parking in the (eastern) residential component of the site meets the requirements set out in Table 6 and Table 7 of the Council's Parking Standards SPD (March 2016), including provision of visitor parking. Whilst disabled parking provision isn't explicitly shown, there are numerous spaces within the site where there is sufficient space to provide a transfer area and create a disabled parking space should there be a defined need, compliant with the Parking Standards SPD.
- 9.27 The (western) care home component of the site does not fully meet the Parking Standards SPD (March 2016) parking space numbers, however the applicant has provided a robust evidence base including examples of similar facilities in the local area which demonstrate that the proposed parking is sufficient for the development in this location, close to walking, cycling and public transport networks. 26 car parking spaces are proposed, with 2 of these providing disabled spaces, giving a ratio of 2.6 residents per car parking space which is similar to the ratio of parking to residents at the Astbury Manor Care home, Crowthorne Road, Bracknell. In addition to the car parking, a space for a patient transport vehicle / ambulance is also proposed.
- 9.28 To further ensure that demand for care home parking does not overspill onto the local road network a number of measures have been proposed by the applicant:
- Commitment to funding the costs of a Traffic Regulation Order (TRO) and lining works to restrict parking along a section of Turnpike Road adjacent to the care home access, should the TRO be successful through consultation. This commitment, including all costs of the TRO including consultation, TRO and implementation, should be secured through the Section 106 agreement.
 - Commitment to operating a robust Travel Plan to encourage staff and visitors of the care home to use sustainable alternative modes of travel, this should be

secured through the Section 106 agreement and through a planning condition setting out annual monitoring.

Predicted Trip Generation

- 9.29 The trip generation from the proposed development has been assessed using data from the Council's transport model. The number of trips predicted from the development is 36 two-way trips in each of the AM and PM peak hours. Factoring the peak hour trips up using the TRICS input data to the Council's transport model indicates a trip generation of around 325 trips over the day as a whole (07:00 - 19:00). Because care homes operate shifts, which reduces the trip generation during peak hours, the predicted trip generation for the 50 dwellings and care home during peak hours is very similar to the predicted trip generation that was assessed at site allocation stage for 75 dwellings.
- 9.30 The highest percentage changes in traffic flows occur, predictably, at the site accesses onto Cain Road and Turnpike Road, where the highest predicted increase (occurring in the AM peak hour) is 2.1% and 3.4% of peak hour traffic using Cain Road and Turnpike Road respectively, which is likely to be imperceptible to other road users compared with daily traffic variation. This is an allocated site and there is sufficient capacity on the local road network to accept the predicted number of trips from the proposed development. The Local Highway Authority recommend conditional approval of this application.

Conclusion on Transport Implications

- 9.31 The Highway Authority has worked closely with the Planning Authority and applicant to refine the site layout and design of roads and parking. The proposals are for residential and care home development within an allocated site for residential development. The number of vehicular trips predicted for the residential and care home development is very similar to that which was assessed at site allocation stage for 75 dwellings. The highest percentage changes in traffic flows occur, predictably, at the site accesses onto Cain Road and Turnpike Road, where the highest predicted increase (occurring in the AM peak hour) is 2.1% and 3.4% of peak hour traffic of peak hour traffic using Cain Road and Turnpike Road respectively, which is likely to be imperceptible to other road users compared with daily traffic variation.
- 9.32 The residential component of the site is compliant with the Council's Parking Standards SPD (March 2016). The care home component of the site proposes less parking than set out in the Parking Standards SPD (March 2016) but with a robust evidence base, comparison with similar care homes and subject to the commitment through Section 106 of a number of additional measures to promote and encourage travel by sustainable alternative modes and discourage travel by car.
- 9.33 The Highway Authority recommends that the application is approved subject to S106 obligations, conditions and informatives.
- 9.34 Given the above, the application is not considered to result in any adverse highway safety implications and as such complies with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

v. Biodiversity and Landscaping

9.35 The Council's Biodiversity Officer requested further information in respect of Biodiversity Net Gain which has been provided. Details of the Officer's final comments and any recommended conditions will be provided to the Committee within the Supplementary Report.

9.36 A proposed planting plan accompanies the application. The Ecological Assessment recommends the use of native and fruit bearing species in order to encourage and support biodiversity. The Landscape Officer advises that this has been achieved in some places however that there are some areas where tree selection could be improved. It is recommended that a landscaping condition be imposed and that the required landscape maintenance schedule should be combined with any ecological management requirements.

vi. Drainage

9.37 The entire site is located within Flood Zone 1 however, as it exceeds 1ha in size, a Flood Risk Assessment (FRA) accompanied the application. Following consideration of this information, the Council's Drainage Officer requested Thames Water's confirmation that sufficient sewerage capacity exists to serve the site; further information to demonstrate how surface water flood risk would be managed; and revisions to the layout to allow maintenance of the proposed SuDS features.

9.38 This information has been submitted and verbally agreed with the Drainage Officer. Details of their final comments and any recommended conditions will be provided to the Committee within the Supplementary Report.

vii. Affordable Housing

9.39 The development will deliver 15 affordable homes which represents 30% on-site affordable housing provision, exceeding the current policy requirement of 25% and is therefore acceptable.

9.40 The proposed tenure split, agreed with the Housing Department, will provide 67% as affordable rent (10 dwellings), and 33% as shared ownership (5 dwellings). This affordable housing will be secured through a S106 agreement.

viii. Sustainability and Energy

Dwellings

9.41 Application of CSDPD Policy CS10 requires the submission of a Sustainability Statement covering water efficiency and demonstrating how average water use in new dwellings would be restricted to 110 litres/person/day

9.42 For residential development of more than 5 dwellings, CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation.

Care Home

9.43 In respect of the care home, the application of Policy CS10 would require the submission of a pre-assessment estimator demonstrating likely compliance with BREEAM 'Care Home' Very Good as a minimum requirement.

- 9.44 For a building with a floor area of more than 500 sqm, the application of CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation.
- 9.45 None of the required Sustainability Statements/Energy Demand Assessments accompany the application, however compliance with Policies CS10 and CS12 can be secured by means of appropriately worded conditions.

ix Thames Basin Heaths Special Protection Area (SPA)

- 9.46 An Appropriate Assessment has been undertaken and it is considered that the proposed development will not have an adverse impact on the integrity of the Thames Basin Heaths SPA subject to appropriate mitigation being secured in accordance with the Thames Basin Heaths Special Protection Area SPD by means of a s106 legal agreement.

x. S106 obligations

- 9.47 A S106 Legal Agreement is required to secure the following :-

- Affordable Housing – a minimum of 25%
- C2 Use – Secure C2 use in respect of the care home for the lifetime of the building
- Community Facility contribution – a financial contribution of £2860 index linked per C3 use dwelling and a financial contribution per unit at the care home towards health and community facilities at the Blue Mountain site
- Open Space Public Value (OSPV) – on site open space at 30m² per dwelling (1500m²) plus contribution towards off-site OSPV at Farley Wood.
- SuDS – Obligations to secure a Design Specification, Implementation Strategy and ongoing Management and Maintenance including a fee of £8000 for the monitoring of the SuDs scheme for a period of 100 years
- Biodiversity – to secure off-site biodiversity net gain and monitoring if required by Biodiversity Officer's final comments
- Transport – to enter into a s278 Highways Agreement for adopted highway works to the access for the care home and a s38 Highways Agreement for the construction and adoption of the on-site roads.

xi Community Infrastructure Levy/ CIL

- 9.48 Bracknell Forest Council has an adopted Community Infrastructure Levy (CIL). CIL is applied as a charge on each square meter of new development. The amount payable varies depending on the location of the development within the borough and the type of development.
- 9.49 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. This application involves a net increase in dwellings and floorspace and would therefore be liable for CIL. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued

10. CONCLUSIONS

- 10.1 Planning permission is sought for the erection of a 68no. bedroom care home (Use Class C2) with a garden, parking and dedicated access off Turnpike Road and the erection of 50no. dwellings, with associated landscaping, all accessed off an existing Cain Road roundabout arm.
- 10.2 Policy SA2 of the Site Allocation Local Plan allocates this site for housing with an estimated capacity of 75no. dwellings. The proposal, when the appropriate ratios is applied to the care home bedspaces, would provide a contribution equivalent to 88 housing units towards meeting local housing need.
- 10.3 The scheme is considered to comply with development plan policies and the NPPF as the design, bulk and massing of the buildings, and use of external materials, respects the character and appearance of the surrounding area, providing an appropriate transitional form of development which responds to its location between an existing employment area and the residential properties off Turnpike Road and Beehive Road.
- 10.4 The proposal is considered to provide adequate parking and would not result in any significant highway safety implications.
- 10.5 The layout and design of both the care home and the dwellings ensures that the development will not adversely impact on existing occupiers and provides an appropriate standard of amenity for future residents. Subject to conditions and a completed S106 agreement, the development will provide policy compliant biodiversity mitigation and enhancement, the provision and maintenance of surface water drainage, landscaping, affordable housing provision, SPA mitigation and adequate infrastructure mitigation.
- 10.6 It is therefore considered that the proposed development complies with 'Saved' policies EN1 and EN20 of the BFBLP, Policies CS1, CS2 and CS7 of the CSDPD, Policy SA2 of the SALP, relevant SPDs and the NPPF.

11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act related to:

- Entering into s278 Agreement with the Highway Authority relating to the creation of a new access onto Turnpike Road, creation of pedestrian and cycle access points onto Turnpike Road and Cain Road, and any other changes or remedial work to the adopted highway,
- Entering into a s38 Agreement with the Highway Authority for adoption, as a minimum, of the north-south footway/cycleway; and carriageway, footways, margins and street lighting within the site
- Private Access and Footpath (PAF) clauses
- Travel Plan
- Affordable Housing
- Community Facility Contribution
- Contribution towards off-site OSPV at Farley Wood
- SuDS specification/implementation/Management and Maintenance Strategy including monitoring contribution
- SPA Mitigation

- Restriction on Use of Building to Class C2 purposes
- Funding for Traffic Regulation Order (TRO)
- Contribution towards achieving off-site Biodiversity Net Gain

That the Assistant Director: Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Assistant Director: 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 only in accordance with the following approved plans and documents: -

2851-C-1005-PL-T.1 Site Layout
 2851-A-1700-PL-J Parking Plan
 2851-A-1701-PL-J Refuse Plan
 2851-C-1010-PL-K Street Elevations A-A
 2851-C-1011-PL-H Street Elevations B-B, E-E
 2851-C-1012-PL-L Street Elevations C-C, D-D
 2851-C-3000-PL-B_3BH2(Semi)- Plots 1-2
 2851-C-3001-PL-H_3BH2(Semi)- Plots 3-4
 2851-C-3005-PL-B_3BH1 & 3BH2- Plots 5-6
 2851-C-3006-PL-B_3BH1 & 3BH2- Plots 13-14
 2851-C-3010-PL-B_3BH1 & 3BH2- Plots 7-8
 2851-C-3011-PL-B_3BH1 & 3BH2- Plots 15-16
 2851-A-3015-PL-C_3BH4 & 3BH5 - Plots 9-12 Plans
 2851-C-3016-PL-C_3BH4 & 3BH5 - Plots 9-12 Elevations & Sections
 2851-A-3040-B_AFFORDABLE FLAT_plans_plots 17-29
 2851-C-3041-C_AFFORDABLE FLAT-Elevations-Plots 17-29
 2851-C-3045-PL-B_3BH1,3BH2 & 3BH2+ (Terrace)- Plots 30-32
 2851-C-3050-PL-B_3BH1 & 3BH2 (Terrace x3)- Plots 37-39
 2851-C-3055-PL-B_3BH1 & 3BH2 (Terrace X4)- Plots 33-36
 2851-C-3060-PL-C_3BH2(Semi)- Plots 40-41
 2851-A-3070-PL-C_PRIVATE BLOCK - Plots 44-47 Plans
 2851-C-3071-PL-B_PRIVATE BLOCK & 3HT(Semi)- Plots 44-47 Elevations
 2851-C-3080-PL-D_3HT(semi) & 3HT2 - Plots 48-49
 2851-C-3085-PL-C_3HT3 - Plot 50
 2851-C-3090-PL-A_3HT2 Semi - Plots 42-43
 2851-C-1005-PL-T.1 Schedule of accommodation

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

3. Prior to commencement of any development above slab level in any individual phase, as identified in a Site Phasing Plan, to have been submitted to an approved in writing by the Local Planning Authority pursuant to Condition 38 of this permission, samples of the external materials to be used in that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials.

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

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

4. Prior to commencement of any development above slab level in any individual phase, as identified in a Site Phasing Plan, to have been submitted to an approved in writing by the Local Planning Authority pursuant to Condition 38 of this permission, details showing the finished floor levels of the buildings in each phase hereby approved in relation to a fixed datum point shall be 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]

5. Notwithstanding what is shown on the approved plans: the first and second floor side facing kitchen windows in the apartment building containing Units 17-29 of the development hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) unless the parts of the window which are clear glazed are more than 1.7 metres above the floor of the room in which the window is installed. They shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

6. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

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

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

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

7. No above slab level works, associated with the C3 dwelling phase, 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 and maintained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

8. No above slab level works, associated with the C2 Care Home phase, shall take place until a pre-assessment estimator, demonstrating likely compliance with BREEAM Care

Homes 'Very Good' as a minimum requirement, 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]

9. Within one month of the first occupation of the care home development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of "Very Good" or "Excellent" BREEAM rating.

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

[Relevant Policy: Core Strategy DPD CS10]

10. Prior to commencement of above slab level works in any individual phase an Energy Demand Assessment shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 20%).

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]

11. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works, all construction works and hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:-

a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.

b) All proposed tree, hedge or shrub removal shown clearly with a broken line.

c) Proposed location/s of 2.1m high protective barriers, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.

d) Illustration/s of the proposed protective barriers to be erected.

e) Proposed location/s and illustration/s of ground protection measures within the main root

protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
f) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.

g) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.

h) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

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

REASON: In order to safeguard trees and other vegetation.

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

12. The protective fencing and other protection measures specified by condition 11 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

a) No mixing of cement or any other materials.

b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.

c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description. d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.

e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.

f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.

b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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

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

13. No development other than that required to be carried out as part of an approved scheme of remediation shall commence until conditions 14 to 17 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 16 has been complied with in relation to that contamination.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 15.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

19. No development approved by this permission shall commence until a landfill gas investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. Where a risk from gas is identified, a scheme to mitigate the effects of gas shall be submitted to the Local Planning Authority for written approval. Before any buildings are occupied the approved scheme shall be implemented and a validation report shall be submitted to the Local Planning Authority for approval.

REASON: To protect future occupiers of the site and structures from the risks associated with the migration of toxic and flammable gasses.

20. No development including demolition and site clearance shall commence until a Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include as a minimum measure for: -

- the control of dust
- the control of noise
- the control of pests and other vermin (particularly during site clearance)
- the control of surface water run-off
- the control of noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site
- the control of works to limit harm to the sites ecology

Construction activity shall be carried out in accordance with the approved CEMP.

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

21. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or public holidays.

REASON: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

22. No development shall take place until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority. These shall include:

Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account opportunities for infiltration across the site. Details of the permeable paving construction, bio retention design and cross-sections through the pond including earthworks specification for any bunding and lining required. Full details of filtration measures to be incorporated to prevent blockages within the system.

Calculations demonstrating that the design shall accord with the principles and rates set out in the Stuart Michael Flood Risk Assessment Issue 6 dated October 2020/

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

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

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

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

24. Before any Class C3 dwelling hereby permitted can be occupied, details of the design, operation and ongoing maintenance regime for electric vehicle charging infrastructure with a minimum output of 7kW to be provided for 20% (1 in 5) of the parking spaces shown on the approved plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the electric vehicle charging infrastructure shall be provided and maintained in working unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of sustainable transport.

[Relevant Policy: Local Plan Policy M9; NPPF paragraph 110 e); and Parking Standards SPD paragraph 3.8 part 1 supported by the NPPF at paragraph 105 e).

25.No dwelling shall be occupied until the site access onto Cain Road along with the pedestrian and cycle link between Cain Road and Turnpike Road has been constructed in accordance with the approved drawings and in accordance with construction and street lighting details which have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy BFBLP M6, DPD CS23 and CS24]

26.No development shall take place on the eastern (Class C3 dwellings) part of the development until an on-site highway visibility plan to include both forward visibility and

junction visibilities conforming to Manual for Streets 20mph specification has been submitted to and approved in writing by the Local Planning Authority. The visibility splay areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

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

27. No Class C3 dwelling shall be occupied until that part of the access road which provides access to that dwelling and its parking, along with adjacent footways and margins, and street lighting has been constructed in accordance with the approved plans with details of construction and street lighting 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]

28. No development shall take place on the eastern (Class C3 dwellings) part of the development until a scheme for at least 20% (1 in 5) of the residential car parking spaces within the development to be provided with electric vehicle charging infrastructure with a minimum output of 7kW per charge point has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the associated electric vehicle charging infrastructure has been provided in accordance with approved details and thereafter the electric vehicle charging infrastructure shall maintained in working order.

REASON: In the interests of sustainable development and modes of travel.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS1 and CS23]

29. No Class C3 dwelling shall be occupied until its associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces and turning space shall thereafter be kept available for parking and turning 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]

30. The car ports hereby approved for plots 9, 10, 11 and 12 shown on the approved site plan shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which could be a danger to other road users.

31. No development shall take place on the eastern (Class C3 dwellings) part of the development until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities with one secure, covered cycle parking space provided per bedroom for each dwelling. No dwelling shall be occupied until the approved cycle parking scheme for that dwelling has been implemented. The cycle parking facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.

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

32. The development shall not be occupied until (a) details of the location of 9 visitor car parking spaces, and (b) details of the signing for the visitor spaces have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

33. The care home shall not be occupied until the site access onto Turnpike Road has been constructed and provided with visibility splays of at least 2.4m x 43m in each direction along Turnpike Road in accordance with the approved drawings and in accordance with construction, street lighting, and visibility splay details which have been submitted to and approved in writing by the Local Planning Authority. The visibility splay areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway of Turnpike Road.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23 and CS24]

34. The care home shall not be occupied until:

(a) a scheme for at least 20% (1 in 5) of the care home car parking spaces within the development to be provided with electric vehicle charging infrastructure with a minimum output of 7kW per charge point has been submitted to and approved in writing by the Local Planning Authority;

(b) the associated vehicle parking and turning space for the care home has been surfaced and marked out in accordance with the approved drawing with spaces enabled with electric vehicle charging infrastructure in accordance with the approved scheme; and

(c) a Travel Plan for the care home to promote travel by sustainable alternative modes of transport has been submitted to and approved in writing by the Local Planning Authority.

Thereafter:

(i) the vehicle parking spaces and turning space shall be kept available for parking and turning at all times;

(ii) all electric vehicle charging infrastructure shall be maintained in working order; and

(iii) the Travel Plan and associated parking demand for the care home shall be monitored and reviewed within three months after first occupation and then annually for a period of at least 5 years with an annual monitoring and review report submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development is provided with adequate car parking, in the interests of sustainable development, to encourage sustainable alternative modes of travel, and 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 CS1, CS23 and CS24]

35. No development on the western (Class C2 care home) part of the development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities and shower, changing and locker facilities for staff. The care home building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall thereafter be retained.

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

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

36. No development (including any demolition or site clearance) shall take place, until a Construction (and Demolition) Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include as a minimum:

- (i) Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
- (ii) Details of the parking of vehicles of site operatives and visitors;
- (iii) Areas for loading and unloading of plant and materials;
- (iv) Areas for the storage of plant and materials used in constructing the development;
- (v) Location of any temporary portacabins and welfare buildings for site operatives;
- (vi) Details of any security hoarding;
- (vii) Details of any external lighting of the site;
- (viii) Details of the method of piling for foundations;
- (ix) Measures to control the emission of dust, dirt, noise and odour during demolition and construction;
- (x) Measures to control surface water run-off during demolition and construction;
- (xi) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xii) Details of wheel-washing facilities during both demolition and construction phases; and
- (xiii) Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

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

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

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

37. No gates shall be provided at the vehicular accesses to the site unless otherwise agreed in writing with the Local Planning Authority .

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

38. No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of works) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

REASON: The site lies within an area of high archaeological potential. The condition will ensure that any archaeological remains within the site are adequately investigated and recorded in order to advance our understanding of the significance of any buried remains to be lost and in the interest of protecting the archaeological heritage of the Borough.

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

The landscaping scheme shall include:-

- a) comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other

operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations; and

b) details of semi mature tree planting; and

c) comprehensive 5 year post planting maintenance schedule including any ecological management requirements; and

d) underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes; and

e) means of enclosure (walls and fences etc); and

f) paving including open spaces, paths, steps and ramps, patios, cycle routes, driveways, parking courts, play areas etc. with details of proposed materials and construction methods; and

g) recycling/refuse or other storage units; and

h) play equipment; and

i) other landscape features (water features, seating, trellis and pergolas etc).

Where a development is to be phased a landscaping scheme for each phase shall be submitted which, in addition to those items listed above, shall include details of the landscaping to be provided within that phase, including structural landscaping and landscaping for communal areas. No dwelling shall be occupied within a Phase until all the structural and communal landscaping for that Phase has been completed in addition to the landscaping associated with that dwelling

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision."

Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the next planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

40. The development hereby permitted shall not be begun until a scheme for the phasing of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

(a) A list of the land use components (including floorspace/number of dwellings) of each phase of the development

(b) The precise location of each phase of the development

The development shall only be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority retains control over the development in the interests of the proper planning of the area.

[Relevant Policies: SEP CC6, BFBLP EN20, Core Strategy DPD CS7]

In the event of the S106 agreement not being completed by 14th January 2022, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reason: -

- 01 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 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 and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).