

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 11 November 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	5 - 24
	To approve as a correct record the minutes of the meeting of the Committee held on 14 October 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 Berkshire	29 - 52
	Construction of 7no. dwellings (1no. three-bedroom and 6no. four-bedroom detached houses) with associated garages, parking, access and landscaping.	
6.	PS 21/00755/PAC Lily Hill House Lily Hill Road Bracknell Berkshire RG12 2SJ	53 - 66
	Prior approval for change of use from B1 (offices) to C3 (residential) to form 33 No. flats.	
7.	PS 21/00141/FUL Land North Of Tilehurst Lane Binfield Bracknell Berkshire	67 - 94
	Erection of 9 no. dwellings, including 2no. affordable dwellings, with associated landscaping and access to Tilehurst Lane (access as approved under APP/R0335/W/19/3231875 LPA Ref: 18/00758/FUL)	
8.	21/00104/REM Beaufort Park South Road Wokingham Berkshire RG40 3GD	95 - 110
	Reserved Matters application relating to scale, layout, appearance and landscaping in respect of 68 dwellings in accordance with Condition 1 of planning permission granted on appeal (Ref: APP/R0355/W/18/3206527, LPA ref: 17/01123/OUT) for the demolition of existing vacant office building ("Beaufort Park") and redevelopment of site for up to 68 dwellings, plus associated parking, landscaping, highway improvements and ancillary works.	
9.	21/00550/FUL School Playing Fields Ranelagh School Ranelagh Drive Bracknell Berkshire	111 - 116
	Installation of ball stop fencing.	
10.	21/00743/FUL 7 York Way Sandhurst Berkshire GU47 9DE	117 - 124
	Proposed erection of a single storey side and rear extension to expand the existing Dental Practice (Class E)	
11.	Planning Performance Report - Quarter Two, 2021-22	125 - 132

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EMERGENCY EVACUATION INSTRUCTIONS

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**PLANNING COMMITTEE – ADVISORY
MEETING
14 OCTOBER 2021
6.30 - 7.30 PM**



Present:

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

Apologies for absence were received from:

Councillors Gbadebo, Mossom and Virgo

68. Minutes

The minutes of the meeting held on 29 September 2021 were approved as a correct record.

69. Declarations of Interest

There were no declarations of interest.

70. Urgent Items of Business

There were no urgent items of business.

71. 20/00571/FUL Land R/O 89 Locks Ride, Ascot

This item was deferred from the agenda.

**72. 21/00217/FUL Land At Formerly The Mango Tree, 63 Church Street, Crowthorne
Construction of a replacement building to provide 8 No. residential flats with
ancillary car parking and landscaping.**

The Committee noted:

- The supplementary report tabled at the meeting.
- The comments of Crowthorne Parish Council recommending approval to the proposal as detailed in the agenda.
- The 12 letters of objection received as summarised in the agenda.
- The 1 letter which neither supported nor objected to the proposal, as detailed in the agenda.

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.

RECOMMENDED that the Assistant Director: Planning **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. 49 Planning Committee 14th October 2021

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 south-eastern (side) elevation
- Flat 5 - 2 x first floor bedroom windows south-eastern (side) elevation
- Flats 7 and 8 - dormer windows south-eastern (side) elevation
- Flat 1 - ground floor living room window south-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]

23. The rooflight in Flat 7 on the south-eastern (side) elevation or any replacement rooflight shall be set more than 1.7 metres above the floor of the room in which the roof light is installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

24. No part of the development shall be occupied until details of on-site refuse storage for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste storage facilities in the interests of amenity.

[Relevant Policy: Relevant Policy: Core Strategy DPD CS13]

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).

73. **20/00947/FUL Land North Of Cain Road, Cain Road, Bracknell**

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.

The Committee noted:

- The supplementary report tabled at the meeting.
- The comments of Binfield Parish Council objecting to the proposal as detailed in the agenda.
- The 8 letters of objection received as summarised in the agenda.
- The 2 additional letters of representation as detailed in the supplementary report.

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 including a monitoring contribution

RECOMMENDED that the Assistant Director: Planning **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: -

- Plan - Site Layout 2851-C-1005-PL T.1 22/09/2021
- Plan - Parking Plan 2851-A-1700-PL J 22/09/2021
- Plan - Refuse Plan 2851-A-1701-PL J 22/09/2021
- Plan - Street Elevations AA & FF 2851-C-1010-PL K 17/09/2021
- Plan - Street Elevations BB & EE 2851-C-1011-PL H 18/08/2021
- Plan - Street Elevations CC & DD 2851-C-1012-PL L 28/09/2021
- Plan - Plots 1-2 2851-C-3000-PL B 28/04/2021

Plan - Plots 3-4 2851-C-3001-PL H 27/08/2021
 Plan - Plots 5-6 2851-C-3005-PL B 28/04/2021
 Plan - Plots 13-14 2851-C-3006-PL B 28/04/2021
 Plan - Plots 7-8 2851-C-3010-PL B 28/04/2021
 Plan - Plots 15-16 2851-C-3011-PL B 28/04/2021
 Plan - Plots 9-12 (Floor Plans) 2851-A-3015-PL C 21/07/2021
 Plan - Plots 9-12 (Elevation & Section) 2851-C-3016-PL C 21/07/2021
 Plan - Plots 17-29 (Floor Plans) 2851-A-3040-PL B 28/04/2021
 Plan - Plots 17-29 (Elevation & Section) 2851-C-3041-PL C 21/07/2021
 Plan - Plots 30-32 2851-C-3045-PL B 28/04/2021
 Plan - Plots 37-39 2851-C-3050-PL B 28/04/2021
 Plan - Plots 33-36 2851-C-3055-PL B 30/04/2021
 Plan - Plots 40-41 2851-C-3060-PL C 21/07/2021
 Plan - Plots 42-47 (Floor Plans) 2851-A-3070-PL C 21/07/2021
 Plan - Plots 42-47 (Elevation & Section) 2851-C-3071-PL B 21/07/2021
 Plan - Plots 48-50 2851-C-3080-PL D 17/09/2021
 Plan - Plot 50 2851-C-3085-PL C 23/07/2021
 Plan - Plots 42-43 2851-C-3090-PL A 21/07/2021
 Plan - Elevation 3007 HAI ZZ XX DR A 0301 [Sheet 1 of 3] P6 10/05/2021
 Plan - Elevation 3007 HAI ZZ XX DR A 0302 [Sheet 2 of 3] P6 10/05/2021
 Plan - Elevation 3007 HAI ZZ XX DR A 0303 [Sheet 3 of 3] P6 10/05/2021
 Plan - Ground Floor Plan 3007 HAI ZZ XX DR A 0201 P5 01/04/2021
 Plan - First Floor Plan 3007 HAI ZZ XX DR A 0211 P5 01/04/2021
 Plan - Second Floor Plan 3007 HAI ZZ XX DR A 0221 P5 01/04/2021
 Plan - Roof Plan 3007 HAI ZZ XX DR A 0231 P3 10/05/2021

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, 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, 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.

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 each individual Phase. 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 within each individual Phase 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 in respect of the relevant Phase. 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 (which may be within/around individual Phases), 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 or relevant Phase. 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 for an individual Phase other than that required to be carried out as part of an approved scheme of remediation shall commence until conditions 14 to 16 have been complied with in respect of the relevant Phase. If unexpected contamination is found after development has begun, development must be halted on that part of the site/Phase affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 17 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 for each individual Phase, 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 Phase, whether or not it originates on the Phase. 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,
 - archaeological 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 each Phase 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 in respect of each Phase, 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 for each Phase must be carried out in accordance with its terms prior to the commencement of development on the relevant Phase 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 on a Phase 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 14 in respect of the relevant Phase, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, 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 16.

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 in respect of each Phase, 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 in respect of each individual Phase until a landfill gas investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority in respect of the relevant Phase. 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 within each individual Phase 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 in respect of the relevant Phase. 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 within each individual Phase until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority in respect of the relevant Phase. 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 within each individual Phase 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 in respect of the relevant Phase. 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.

Bracknell Forest Council Planning Committee 14th October 2021 Page 9 of 12

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 order.

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 Class C3 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] [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 be 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 ports, and no gate or door shall be erected to the front of the car ports.

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.

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

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 shall be retained as such.

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

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

32. The Class C3 dwelling part of 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 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) within each individual Phase 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 in respect of the relevant Phase.

The CEMP shall include as a minimum:

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- (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.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

38. No development shall take place within each individual Phase 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 in respect of the relevant Phase. The development on the relevant Phase 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 within each individual Phase 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 in respect of the relevant Phase.

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 (including site clearance and demolition) shall not be begun until:-

- (i) the site has been 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. The scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

41.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 with vertical calculation planes 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 without prior consent from the Local Planning Authority.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

42.No development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. An ecological site inspection report shall be submitted within three months of the first occupation.

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

REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

43.No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 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 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)

CHAIRMAN

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

**PLANNING COMMITTEE
11th November 2021**

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

		Case Officer	Reporting Officer
5	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).	Paul Corbett	Basia Polnik
6	21/00755/PAC Lily Hill House Lily Hill Road Bracknell (Bullbrook Ward) Prior approval for change of use from B1 (offices) to C3 (residential) to form 33 No. flats. Recommendation:	Jo Male	Jo Male
7	21/00141/FUL Land North Of Tilehurst Lane Binfield (Binfield With Warfield Ward) Erection of 9no. dwellings, including 2no. affordable dwellings, with associated landscaping and access to Tilehurst Lane (access as approved under APP/R0335/W/19/3231875 LPA Ref: 18/00758/FUL) Recommendation: Approve.	Jo Male	Jo Male
8	21/00104/REM Beaufort Park South Road Wokingham (Great Hollands South Ward) Reserved Matters application relating to scale, layout, appearance and landscaping in respect of 68 dwellings in accordance with Condition 1 of planning permission granted on appeal (Ref: APP/R0355/W/18/3206527, LPA ref: 17/01123/OUT) for the demolition of existing vacant office building ("Beaufort Park") and	Margaret McEvit	Jo Male

redevelopment of site for up to 68 dwellings, plus associated parking, landscaping, highway improvements and ancillary works.
Recommendation: Approve.

- | | | | |
|----|--|--------------|--------------|
| 9 | 21/00550/FUL
School Playing Fields Ranelagh School
Ranelagh Drive
(Wildridings And Central Ward)
Installation of ball stop fencing.
Recommendation: Approve. | Olivia Jones | Basia Polnik |
| 10 | 21/00743/FUL
7 York Way Sandhurst Berkshire
(Central Sandhurst Ward)
Proposed erection of a single storey side and rear extension to expand the existing Dental Practice (D1)
Recommendation: Approve. | Olivia Jones | Basia Polnik |

Background Papers

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

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

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

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

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

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

SITE LOCATION PLAN

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

THE HUMAN RIGHTS ACT 1998

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

Those rights include:-

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

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

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

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

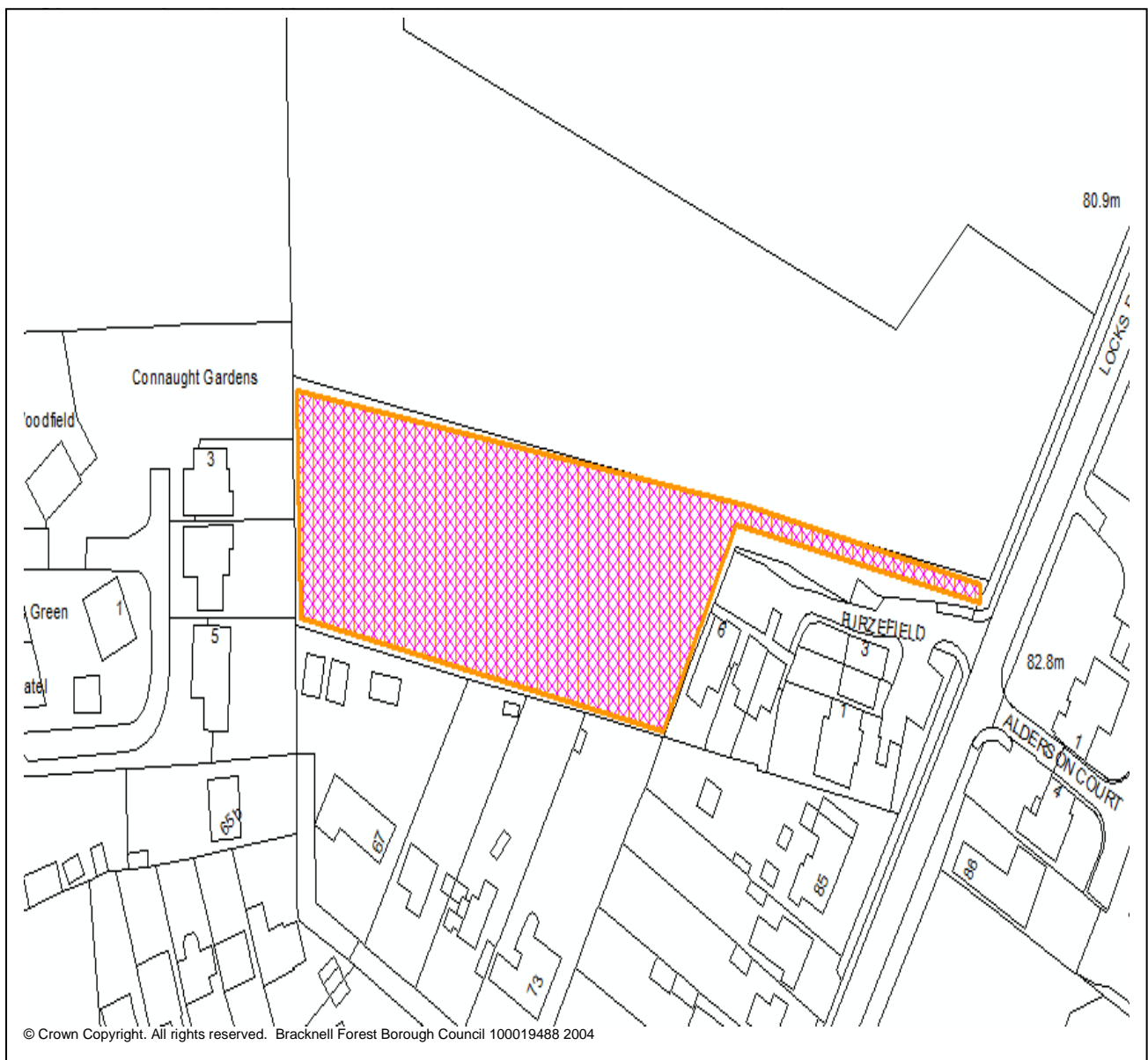
Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

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

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

detailed consideration of any Convention Rights affected.

Unrestricted Report			
ITEM NO: 05			
Application No. 20/00571/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.



3.2 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.

Proposed site layout



6. REPRESENTATIONS RECEIVED

6.1 Winkfield Parish Council

Recommend refusal of the application for the following reasons:

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.

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

Other Representations

6.2 A total of 93 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
- the plans also show a 1.8m fence being erected at the south on the side of private properties rather than within the site without the permission of the property owners which is contrary to law. [Officer comment – The applicant confirms that proposed development is on the land within the title they have an option to develop on. Private boundaries such as that described are likely to be controlled through restricted covenants which are not a planning consideration]

- Concerns raised that by the same applicant submitting two separate applications is avoiding providing affordable/social housing. [Officer comment – the combined developments would yield (5+7) 12no. net additional dwellings)- the trigger is 15no. net additional homes as defined in the Planning Obligations SPD [Planning Obligations Supplementary Planning Document \(bracknell-forest.gov.uk\)](http://bracknell-forest.gov.uk)]

Matters not specifically addressed above are addressed within subsequent sections of this report.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highways

Recommends conditional approval to secure the parking as proposed.

7.2 Tree Service

Recommends conditional approval to safeguard the protected trees and other landscaping including proposed planting.

7.3 Landscape

Recommends conditional approval to safeguard the protected trees and other landscaping including proposed planting.

7.4 Biodiversity

Recommends conditional approval to secure further surveys for the presence of badgers before any works commence and to control any external lighting and ensure the biodiversity enhancements are implemented in accordance with the applicants Ecological Assessment

7.5 Environmental Health

No objection to the proposal.

7.6 Waste & Recycling

No objection to the design which has demonstrated it can accommodate servicing by the Council's Refuse Vehicle.

7.7 Renewable Energy Officer

Recommends conditional approval that secures water efficiency and energy demand assessment.

7.8 Environmental Policy Officer (SPA)

Recommends approval subject to securing SPA Mitigation via a Section 106 Agreement to secure the measures.

7.9 Berkshire Archaeology

Council's Archaeological Advisor recommends a condition requiring programme of archaeological field evaluation prior to the commencement of development and submission of a mitigation strategy (if required).

7.10 Lead Local Flood Authority (LLFA)

Following the receipt of additional information, no objection subject to details which can be secured by planning condition.

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 adjoined by development 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 built form beyond the existing settlement.
- 9.17 The proposal seeks to retain much of the existing boundary screening and where this cannot be retained such as where a number of large trees have died it will be supplemented with new tree and understorey planting.

9.18 The applicant's 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.”

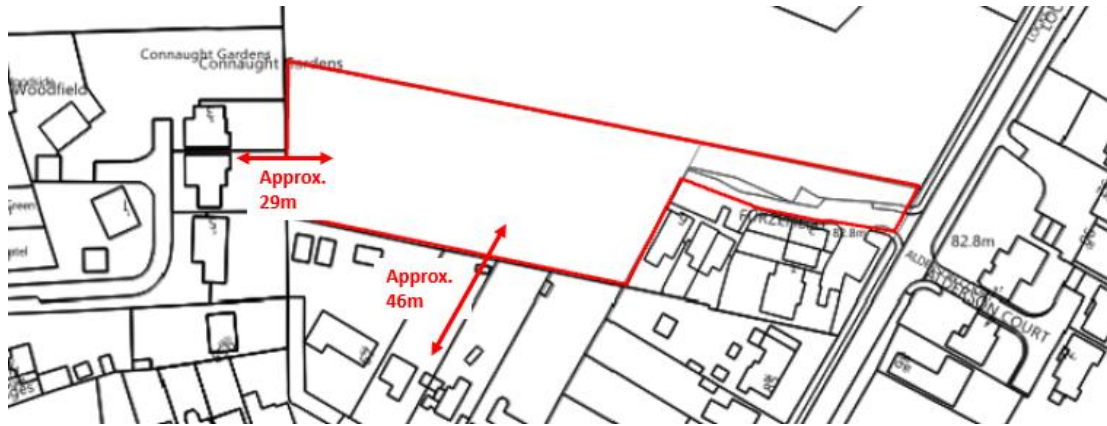
9.19 The Council's Landscape Officer has reviewed the applicant's LVIA and raises no objection and recommends approval subject to the submission of a scheme of full hard and soft landscaping and boundary treatment. Such details can be secured by condition and will help preserve a balance of hard/soft 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 applicant's 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. However this will require some realignment relative to the houses already built to incorporate a footway which is now proposed along the entire southern edge of the access.

Parking

9.26 The development proposes 4no. visitor car parking spaces equally spaced out along the northern side of the vehicular access road in addition to the existing visitor space already constructed serving the 6 dwellings already built front Locks Ride. The Council's Car Parking Standards require 1 space per 5 units, therefore this scheme provides an over provision of 2 visitor spaces for this development.

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 Council's 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 Council's 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 applicant's 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. As such 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 been 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, G1 are 2 Cypress) are applicant's trees 31, 32, 34 & 35; 36 & 37; 38, 40, 41 & 46 respectively.
- 9.39 The applicant's 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, 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:

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. This is because, as set out in preceding paragraphs, the site has development on three sides and is visually relatively well contained, particularly with the additional screening proposed to the northern boundary where it abuts more open countryside. This is especially the case in the context of the reduced weight carried by the Council's countryside policies. By contrast, the proposal offers a significant benefit in the form of additional housing when the Council has a shortfall in its 5 year housing land supply.

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. The proposal would also result in economic benefits arising from the construction of the new homes and the contribution to the economy made by their future occupants. However, given the scale of the proposal and the relative buoyancy of the local economy, only moderate weight is afforded to the economic benefits. A legal agreement will secure the SPA mitigation and status of the road, and the scheme is CIL liable.

- 10.6 Given the above, it is concluded that any adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole. The application is therefore recommended for approval subject to conditions and the completion of a s106 agreement to secure the necessary SPA mitigation and status of the access road.

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. No structure hereby permitted shall be built above ground level until 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 carried out in accordance with the approved details.

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

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

04. 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).

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. No dwelling shall be occupied until details of the location of 4 visitor car parking spaces, and their associated signage have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the occupation of the dwellings 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. The garages hereby permitted shall contain a separately accessed storage room which shall be thereafter retained as such. The remainder of the garage accommodation, which shall have minimum dimensions of 6m (length) by 3.5m (width) by 2.4m (height), shall be retained for the use of the parking of motor vehicles at all times.
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 Construction 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) Adaption of the access for demolition and construction vehicles;
 - (ii) Routing of construction traffic (including directional signage and appropriate traffic management measures);
 - (iii) Details of the parking of vehicles of site operatives and visitors;
 - (iv) Areas for loading and unloading of plant and materials;
 - (v) Areas for the storage of plant and materials used in constructing the development;
 - (vi) Location of any temporary portacabins and welfare buildings for site operatives;
 - (vii) Details of any security hoarding;
 - (viii) Details of any external lighting of the site;
 - (ix) Details of the method of piling for foundations;
 - (x) Measures to control surface water run-off during construction;
 - (xi) Measures to prevent ground and water pollution from contaminants on-site;
 - (xii) construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site
 - (xiii) Details of wheel-washing facilities;
 - (xiv) details of measures to mitigate the impact of demolition and construction activities on ecology;
 - (xv) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority

The approved Construction Environmental 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

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

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 disposal

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.

The SWDS shall be implemented and operated as approved, and retained for the lifetime of the development

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]

25. 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 Local 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.

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 and 25.

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

03. 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.

04. Trees on and adjacent to this site are protected by a Tree Preservation Order. In simple terms, detailed written consent must therefore be 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.

05. 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.

06. The applicant should be aware of the need to satisfy condition 16, which requires the approval of Construction Environmental Management Plan (CEMP), before any works can commence on the site. This condition, amongst other matters, specifically refers to the adaption of the existing access road for construction vehicles (point (i)). In that respect, any submission made pursuant to this condition should detail how the access alterations to the site will be undertaken to ensure safe and unfettered access to the existing dwellings during the adaption of the road to ensure there is no detrimental impact on highway safety. The access road is not adopted and remains private and therefore not the responsibility of the Highway Authority.

In the event of the S106 agreement not being completed by 14th January 2022, the Assistant Director: Planning be recommended 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).

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Unrestricted Report

ITEM NO: 06

Application No.
21/00755/PAC
Site Address:

Ward:
Bullbrook

Date Registered:
23 July 2021

Target Decision Date:
17 September 2021

**Lily Hill House Lily Hill Road Bracknell Berkshire
RG12 2SJ**

Proposal: **Prior approval for change of use from B1 (offices) to C3 (residential) to form 33 No. flats.**

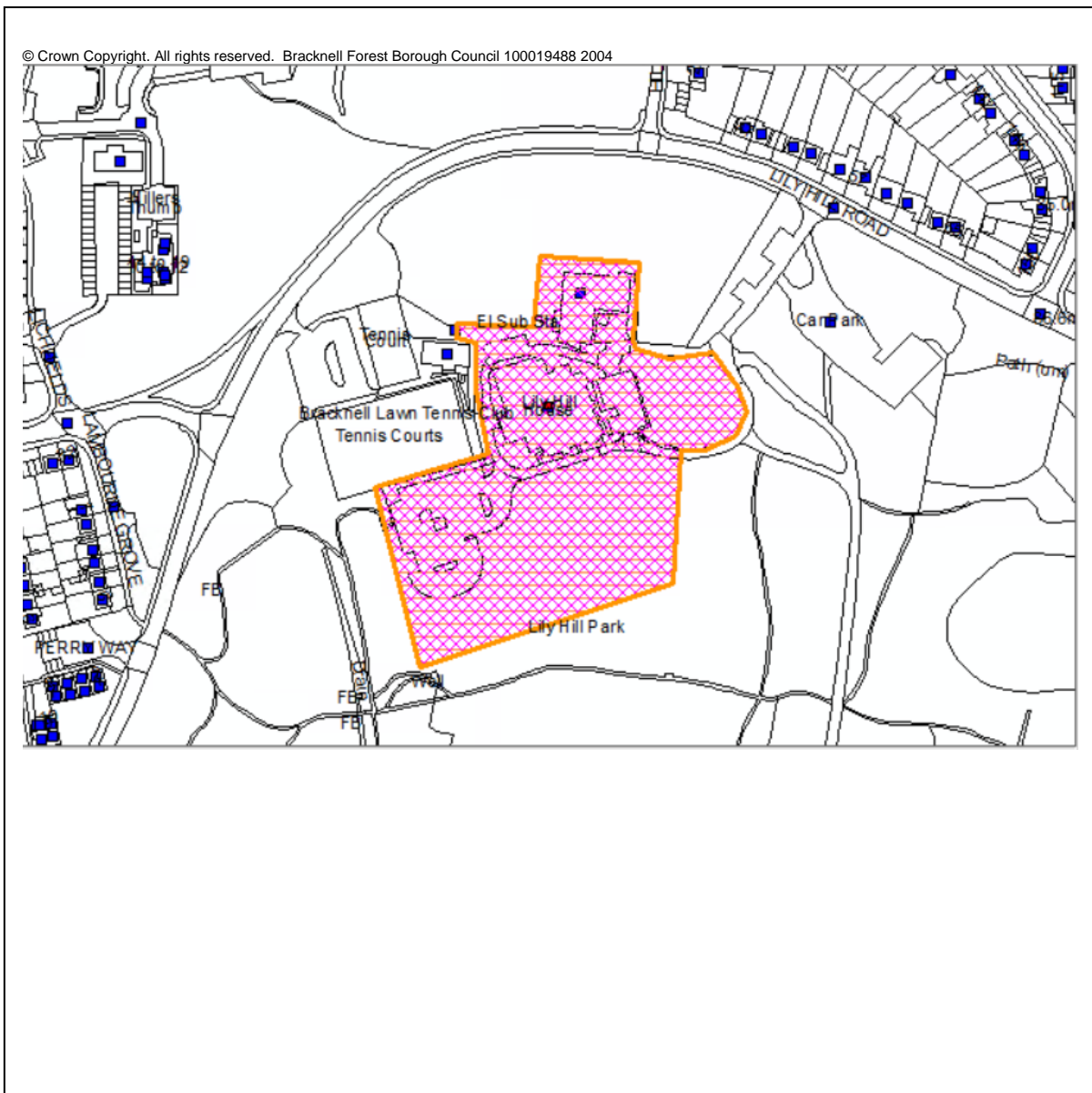
Applicant: RJ2 Investment Inc Ltd

Agent: Mr Paul Dickinson

Case Officer: Jo Male, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 Prior Approval is sought for the change of use of 2no. detached buildings (Lily Hill House and Lily Hill Court) from offices (Class B1 (a)) to 33no. flats (Class C3).
- 1.2 The proposal complies with the criteria set out in Paragraph O.1 of Class O, Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior approval can therefore be granted subject to appropriate conditions relating to noise and highway impact.
- 1.3 For the purposes of the Town and Country Planning (Use Classes) (Amendment) (England) Regulation 2020 which came into force on 1st September 2020 the buildings are now classified under Class E. However, section 3(3) of these regulations applies to applications made prior to 31st July 2021 and specifies that, in relation to applications subject to prior approval under Schedule 2 of the GPDO, reference to uses or use classes should be made to the Schedule to the Use Classes Order on 31st August 2020. This application was submitted on 23rd July 2021 and as such the buildings will be referred to as being in Class B1(a) use.

2. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Within 5km of the SPA
Local Wildlife Site

- 2.1 Lily Hill House is a 3 storey building of historic interest which appears on the Local List. It has been extended on its northern side by way of a modern addition forming a two storey atrium. It is set within an area of extensive restored heritage parkland and gardens which is accessible as public open space known as Lily Hill Park. However, Lily Hill House is not statutorily listed and its parkland setting is not a Registered Park and Garden.
- 2.2 To the north of Lily Hill House lies Lily Hill Court, a two storey modern building. The lawful use of both buildings is for Class B1(a) office purposes.
- 2.3 A central access road encircles Lily Hill House with car parking for the offices provided to their east, north and south-west. Access to the wider site is provided from Lily Hill Road, with the surrounding area predominantly undeveloped other than that associated with Bracknell Tennis Club which is set immediately to the west of Lily Hill House.
- 2.4 The site lies within the defined settlement and is designated as a Local Wildlife Site on the Policies Map. It also lies within the SPA 5km buffer zone.

3. REASON FOR BEING PRESENTED TO COMMITTEE

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

4. RELEVANT SITE HISTORY

4.1 The relevant site history can be summarised as follows:

07/00017/FUL - Relocation of entrance and external alterations to existing office extension at Lily Hill House and external alterations to Lily Hill Court. Approved.

624384 - Erection of 2 storey office extension to rear of house (892sq.m including internal courtyard) following demolition of former caretakers accommodation and bridge link to modern annex building. Refurbishment of exterior of building including reinstatement of balustrading and finials to bay windows, porch and gable ends. Formation of new car park to south-west of house with associated lighting and landscaping. Change to boundary treatments including construction of "ha-ha" to south of house and removal of close-boarded fencing. Approved Subject to s106 legal agreement.

5. THE PROPOSAL

5.1 Prior approval is sought for the change of use of the existing buildings from Class B1(a) (office) to Class C3 (dwellinghouse) in accordance with Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Pursuant to paragraph W of the same legislation, the applicant is applying for prior approval for this change of use.

5.2 It is proposed that Lily Hill House be converted to provide a total of 20 apartments, comprising 12no. one bed or studio apartments, 6no. 2 bed apartments and 2no. 3 bed apartments.

5.3 In Lily Hill Court, a total of 13 units would be provided comprising 3no. 1 bedroom flats, and 10no. 2 bedroom units.

5.4 No external changes to the buildings are proposed.

5.5 The site currently provides 102 parking spaces. Of these, a total of 59 would be allocated for use by residential occupiers in accordance with the Council's adopted parking standards. These are shown located in front of Lily Hill House and Lily Hill Court, on the northern side of the access road that encircles Lily Hill House and within the car park to the south-west of this building.

5.6 Refuse and recycling facilities are shown to serve both buildings within existing fenced enclosures. Covered cycle parking is also currently provided for 15 bicycles. In addition, further cycle storage for 23 bicycles will be provided at ground floor level within each of the buildings.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 The Town Council is aware of the application however no comments have been made given the nature of the Prior Approval application.

Representations

6.2 40 letters of objection have been received including one on behalf of Bracknell Tennis Club members and another from Bracknell Rugby Club raising the following concerns:

- Loss of employment facilities
- Imbalance between jobs and homes
- Adverse impact on Lily Hill Park
- Building has existing relationship with Bracknell Tennis Club; concern re windows overlooking tennis club and if future residents complain about noise and disturbance from this existing use
- Potential future complaints from residents in relation to existing use of Lily Hill Park by Bracknell Rugby Club
- Need to respect planning conditions imposed on previous permissions aimed at protecting the heritage setting of Lily Hill House
- Need for future covenants
- Insufficient health services locally to support new residential development
- Questions if proposal will lead to tree loss or reduce access to public open space
- Queries future use and maintenance of remaining car parking area not allocated for use to future residents and requests landscaping condition be imposed
- More car parking should be provided to serve future use
- Inadequate sewerage and drainage capacity serving the existing building
- Future pressure for means of enclosure to ensure security
- Impact of domestic pets on Lily Hill Park as SANG
- 33 flats is too intensive a development and the local park and infrastructure will be adversely affected
- Site should be protected as heritage asset and reserved for sport and open space purposes
- Vacant office space elsewhere in the Borough is better suited to provide residential accommodation

6.3 In addition, a representation has been received from the Bracknell Forest Society, which does not object to the principle of the residential conversion, and is pleased to note that the proposals do not indicate significant alterations to the external appearance of the House as seen from the Park, however raises the following concerns:

- Historic character of the house and grounds in relation to Park must be maintained in the long term.
- Planning conditions imposed on previous permissions when house was renovated in 2007 must continue to be complied with.
- Queries what plan is being made for the remainder of the car parking
- Future occupants should be made aware of the proximity of the tennis club and that floodlights are used during the evenings
- Developer should be made aware of various covenants and restrictions that apply to the land
- Agree with the comments supplied by the Environmental Policy Officer in respect of the impact on the Thames Basin Heaths SPA.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

Access

7.1 The application boundary needs to be extended to include the access and egress routes up to the adopted highway of Lily Hill Road. The site shares part of its access to

the adopted highway with Lily Hill Park. South of this, there are separate IN (access) and OUT (egress) routes from the site; these do not meet adoptable highway standards and therefore it is unlikely that the site would be served by Bracknell Forest Council's refuse vehicles.

Parking

7.2 59 car parking spaces are stated on the planning statement paragraph 3.6, these are annotated in areas of 6, 18 and 28 car parking spaces on the External Site Layout, along with a coloured area of 7 further car parking spaces which are not annotated to the north-west of the building. This meets the requirements of the Parking Standards SPD (March 2016).

7.3 61 cycle parking spaces are proposed, with a mixture of external and ground floor cycle parking areas. The ground floor cycle parking areas appear very tight on space and it is unclear if the anticipated number of cycles can be accommodated. It is recommended that details of cycle parking are required by condition before commencement of development.

Trip Generation

7.4 A TRICS-based trip comparison between the extant B1 office and proposed flats indicates that there would be a reduction in trips during both peak hours and daily from the 33 flats, compared with the existing use.

Conclusion on Highway Issues

7.5 Amendments to the red-line boundary were requested, incorporating the access and egress to the site up to the boundary with the adopted highway. An amended site location plan has been received and the Highway Authority therefore raises no objection to the proposed development subject to conditions, as follows:

- Securing car parking in accordance with the approved layout;
- Requiring details of visitor parking (including signage for this) to be provided;
- Requiring details of cycle parking to be provided before commencement of development; and
- Restricting the site to private refuse collection only (subject to input from the waste team). [Planning Officer note: this issue can be dealt with by means of an informative rather than a condition].

Environmental Health

7.6 No objection but recommends conditions relating to hours of working for demolition/construction and a Construction Environmental Management Plan. Makes a recommendation that only "like" rooms (i.e. bedroom to bedroom) should be situated next to each other, in order to avoid potential noise concerns. This comment has been passed onto the applicant and is recommended as an informative on the decision notice.

Thames Water

7.7 No Objections

Waste

7.8 The Waste and Recycling Manager comments that although the existing bin stores will fit the bins required, the space will be very tight and the layout of bins is not easy to use, as they will be accessed side-on rather than from the front. It is recommended that an informative to this effect be included.

SPA Officer

- 7.9 An Appropriate Assessment which satisfies the consultation requirements of Regulation 63(3) of the Conservation of Habitats and Species Regulations (2017) as amended has been undertaken and an informative is recommended.

8. PRINCIPLE OF DEVELOPMENT

- 8.1 In assessing this type of prior approval application, the Council can only assess whether the proposal is likely to result in transport and highway implications, contamination issues, flooding issues, any impacts of noise from commercial premises on the intended occupiers of the development and the adequacy of natural light provided to all habitable rooms.
- 8.2 If there are no implications associated with these matters, the development is considered to be permitted development.
- 8.3 The concerns of local residents including the Bracknell Forest Society are noted and where these do not relate to the aforementioned matters they are addressed in Section 9 below.

RELEVANT LEGISLATION

- 8.4 Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) to a use falling within Class C3 (dwellinghouses) of that schedule.

Paragraph O.1 states that development is not permitted by Class O if:

(b) The building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Class Order-

On 29th May 2013, or

In the case of a building which was in use before that date but was not in use on that date, when it was last in use;

(d) The site is, or forms part of, a safety hazard area;

(e) This site is, or forms part of, a military explosives storage area;

(f) The building is a listed building or is within the curtilage of a listed building; or

(g) The site is, or contains, a scheduled monument.

- 8.5 Paragraph O.2(1) states that development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-

- transport and highways impacts of the development,
- contamination risks on the site,
- flooding risks on the site,
- impacts of noise from commercial premises on the intended occupiers of the development, and
- the provision of adequate natural light in all habitable rooms of the dwellinghouses.

and the provisions of paragraph W (prior approval) apply in relation to that application.

- 8.6 Paragraph O.2(2) states that development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.
- 8.7 Paragraph W sets out the procedure to be followed where a developer is required to apply for prior approval to the Local Planning Authority under any class falling within Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This paragraph states that the Local Planning Authority may refuse an application where, in the opinion of the authority, the proposed development does not comply with, or the applicant has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

ASSESSMENT

- 8.8 With regard to the criteria set out in paragraph O.1:

- (b) The buildings are currently in use as offices falling within Class B1(a).
- (c) The site does not form part of a safety hazard area.
- (d) The site does not form part of a military explosives storage area.
- (e) The building is not Listed or within the curtilage of a Listed Building. Whilst the building is locally listed, Section 2 Interpretation of the GPDO is specific that “listed building” for the purposes of the Order has the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990 and this specifies that it means a building which is included in the list compiled or approved by the Secretary of State.
- (f) The site is not, and does not contain, a scheduled monument.

- 8.9 With regard to the conditions listed in paragraph O.2:

Transport and Highways Impact of the Development

- 8.10 The applicants have submitted a revised plan which extends the red line up to the adopted highway as requested by the Highway Authority. The access roads within the site are not constructed to adoptable standards such that they are unlikely to be accessible to Council operated refuse vehicles. An informative to this effect is recommended. However, the existing office development is served by waste disposal and delivery vehicles and private operators would be able to serve the residential development.
- 8.11 The proposed residential use of the site will result in a reduction in trips when compared with the existing use and sufficient parking is indicated to serve the proposed use. As a result, it is not considered that any transport or highways implications of the development would be sufficient to warrant refusal of this prior approval application.

Contamination Risks on the Site

- 8.12 The site is not on land that is known to be contaminated and the Environmental Health Officer has raised no concerns in this respect.

Flooding Risks on the Site

- 8.13 The Application site is within Flood Zone 1 and is generally at low risk of flooding. The

Council's records do not indicate that the site is at risk from surface water flooding.
Impacts of Noise from Commercial Premises on the Intended Occupiers of the Development

- 8.14 The proposed use for residential is more sensitive to noise than the existing office use. However, the buildings are set centrally within Lily Hill Park and there are no potential sources of noise from commercial premises within the immediate vicinity of the development.

Provision of adequate natural light in all habitable rooms

- 8.15 Para (2A) of Class W which sets out the prior approval process for such developments, indicates 'Where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellings'. In this instance, the majority of the habitable rooms have ample access to adequate natural light given the large scale of the existing windows within both Lily Hill House and Lily Hill Court.
- 8.16 However, as originally submitted, there was concern that the amount of natural light available within 4no. studio flats was inadequate. There is no absolute standard either within planning or the Building Regulations as to the amount of natural light that a habitable room should receive. However, the BRE Report 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' provides advice on the impact of development in terms of daylight and sunlight and has been developed in conjunction with daylight and sunlight recommendations in BS8206 Part2 Lighting for Buildings – Code of Practice for Daylighting.
- 8.17 The applicant has submitted a Daylight and Sunlight Assessment that refers to modelling undertaken to ensure that the level of natural light within habitable rooms meets the guidance values in BS8206-2 and the BRE report. This Assessment is based on plans which show an amendment to the layout of the 4no. studio flats in question. It concludes that each of the units modelled (Flats J, T, U and V) would meet guidance levels for daylight. The findings of this report are accepted and the application is considered acceptable on this ground.

9. ISSUES RAISED BY RESIDENTS

- 9.1 As set out in this report, permitted development regulations only allow the Local Planning Authority to consider a limited range of issues in determining whether Prior Approval for the development is required and should be granted. The concerns of residents, particularly in relation to the development's impact on the historic interest of Lily Hill House and park are noted and the following comments are made:
- 9.2 The prior approval relates only to the change of use of the existing building and does not grant permission for any external changes to the building. An informative drawing the applicant's attention to this is recommended. Furthermore, the resultant flats will not benefit from any permitted development rights which would allow the installation of domestic paraphernalia on or around the building for example external lighting, sheds, hardstanding or satellite dishes (although fencing could be erected see below). It is recommended that an informative is imposed, drawing the applicant's attention to the desirability of maintaining the existing setting to the house and the fact that the LPA is unlikely to grant planning permission for any form of development that would impact on its open character.

- 9.3 Concerns have also been raised in relation to the ongoing maintenance of the Park and the ability to enforce previous planning conditions. Unfortunately, once this deemed consent is granted and implemented, it supercedes earlier permissions and the LPA is unable to legally enforce any conditions previously imposed.
- 9.4 Those conditions identified as still having a planning purpose relate to the retention of landscaped areas and restrictions on means of enclosure.
- 9.5 Para. 13 of Class W which sets out the procedure for applications for prior approval under Part 3 of the GDPO, indicates that 'the local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval'. In this instance, since the prior approval relates to the conversion of the existing building to Class C3 use, it is considered that a condition removing permitted development rights for the erection of gates, fences etc. is reasonably related to the subject matter of the prior approval and so may be imposed as any such means of enclosure would have an impact on the setting of this locally listed building and the associated parkland. An appropriately worded condition is included in Section 11 of this report.
- 9.6 The Council owns Lily Hill Park and therefore the maintenance of the Park falls under its jurisdiction. The Parks and Countryside Development Manager is aware of the application and has raised concern about the impact of any future development at Lily Hill House on the surrounding historic parkland. The recommended removal of permitted development rights as they relate to means of enclosure is intended to help alleviate this concern. The Legal Services Department has advised that the freehold owners of Lily Hill House own land providing direct access to Lily Hill Road (included within the application site), over which the Council has leasehold rights.

10. CONCLUSION

- 10.1 An assessment has been made of the proposal and it is considered that prior approval is required for the change of use of the building from an office use (B1(a)) to residential flats (C3).
- 10.2 The proposal complies with the criteria set out within Paragraph O.1 of Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior approval can therefore be granted subject to appropriate conditions relating to noise and highway impact and removing permitted development rights as they relate to means of enclosure.

11. RECOMMENDATION

The Assistant Director: Planning be recommended to **GRANT Prior Approval** subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary:

01. Development under Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), must be completed within a period of 3 years starting from the prior approval date.
02. This development must be carried out in accordance with the following plans received by the Local Planning Authority, received 23.07.2021, 28.09.2021 and 15.10.2021:
Lily Hill House Proposed Ground Floor Plan Dwg: 210B
Lily Hill House Proposed First Floor Plan Dwg: 211B

Lily Hill House Proposed Second Floor Plan Dwg: 212B
Lily Hill House Proposed Roof Plan Dwg: 213
Lily Hill House Proposed North and South Elevations Dwg: 214
Lily Hill House Proposed East and West Elevations Dwg: 215
Lily Hill Court Proposed Ground Floor Plan Dwg: 230
Lily Hill Court Proposed First Floor Plan Dwg: 231
Lily Hill Court Proposed Roof Plan Dwg: 232
Lily Hill Court Proposed North and South Elevations Dwg: 233
Lily Hill House Proposed East and West Elevations Dwg: 234
Site Location Plan Dwg: 240A
External Site Layout Dwg: 241

03. 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

04. 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 aspect of the construction 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

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

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

05. No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for at least 59 cars to be parked, and for vehicles to turn and leave the site in a forward gear. The spaces shall not thereafter be used for any purpose other than parking to serve the flats.

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]

06. No dwelling shall be occupied until at least 61 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]

7. No dwelling shall be occupied until a scheme of signage and markings for the visitor parking has been submitted to and approved in writing by the Local Planning Authority and the approved visitor parking and signage has been provided. The approved visitor parking and signage shall thereafter be retained and maintained in accordance with the approved details.

REASON In the interests of highway safety and personal safety within the car and cycle parking areas.

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

8. Notwithstanding the provisions of Part 2 Class A of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls, or other means of enclosure, shall be erected.

REASON: To retain the open character of the setting of this locally listed building in the interests of its historic significance and the visual amenity of the area.

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

Informative(s):

01. It is a condition of the consent given by the General Permitted Development Order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority (the Council) has given written approval under the Habitats Regulations 2010. This Prior Approval Notice does NOT constitute approval under the Habitats Regulations. The Council and Natural England are of the view that any residential development between 400 metres and 5 kilometres of the boundary of the Thames Basin Heaths Special Protection Area or residential development of 50 or more dwellings between 5 kilometres and 7 kilometres of such boundary cannot be approved under the Habitats Regulations unless a planning obligation is entered into under Section 106 of the Town & Country Planning Act 1990 to ensure that the development has no adverse impact upon the Special Protection Area. Your development comprises such a form of development.
02. Any external alterations proposed would require the submission of a full planning application.
03. The applicant is advised that the Local Planning Authority is unlikely to grant planning permission for any future development which impacts upon the open and undeveloped setting of Lily Hill House.
04. The layout and size of the dwellings created must be sufficient for the safe use of the amenities and must not result in over occupation, otherwise a Hazard under part 1 of the Housing Act 2004 may be created and as such could be subject to formal action under that legislation.
05. The applicant's attention is drawn to the advice received from the Environmental Health Officer which identifies the necessity of being aware of sound transmission between rooms and dwellings. The developer should have regard to the relevant guidance on house design and sound e.g. BS8233:2014. It is recommended that only "like" rooms are situated next to each other, for example a noise sensitive bedroom, should not adjoin a lounge/living area/kitchen or bathroom. Bedrooms should also ideally not be located next to front doors or lifts, where noise can be emanated regularly.

06. The applicant is advised that the internal access roads within Lily Hill Park are not built to adoptable standards and therefore it is unlikely that the future residential use of the site can be served by Bracknell Forest Council's refuse vehicles.
07. The applicant's attention is drawn to Thames Water's advice as follows:
Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdevelopers.thameswater.co.uk%2FDeveloping-a-large-site%2FApply-and-pay-for-services%2FWastewater-services&data=04%7C01%7Cdevelopment.control%40bracknell-forest.gov.uk%7C7940f814cbe74bec89c008d9580609c9%7Cf54c93b70883478fbf3d56e09b7ca0b7%7C0%7C0%7C637637605240392577%7CUnknown%7CTWFpGZsb3d8eyJWIjojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=OdEcQO%2Bo%2FmygRJpdc7KdMdbz%2Fe2%2BTLQfrz4aVo4Vdo0%3D&reserved=0>.

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444-448200

08. It is recommended that the following guidance is taken into consideration in the provision of recycling and refuse storage: www.bracknell-forest.gov.uk/council-and-democracy/strategies-plans-and-policies/strategy-and-policy-documents/bins-and-recycling-strategies-and-policies.
09. Under CIL regulation 64 where general consents are granted for development via the Town and Country Planning (General Permitted Development) (England) Order 2015, the developer or landowner should submit a Notice of Chargeable Development to the Bracknell Forest Council before commencement. Failure to submit a Notice of Chargeable Development may result in the charging authority being unable to establish lawful use of existing floor space, leading to the issue of a Notice of Chargeable Development by the charging authority, a surcharge and full payment of the CIL liability immediately on commencement.

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 07

Application No. 21/00141/FUL	Ward: Binfield With Warfield	Date Registered: 10 March 2021	Target Decision Date: 5 May 2021
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Site Address: **Land North Of Tilehurst Lane Binfield Bracknell
Berkshire**

Proposal: **Erection of 9 no. dwellings, including 2no. affordable dwellings, with associated landscaping and access to Tilehurst Lane (access as approved under APP/R0335/W/19/3231875 LPA Ref: 18/00758/FUL)**

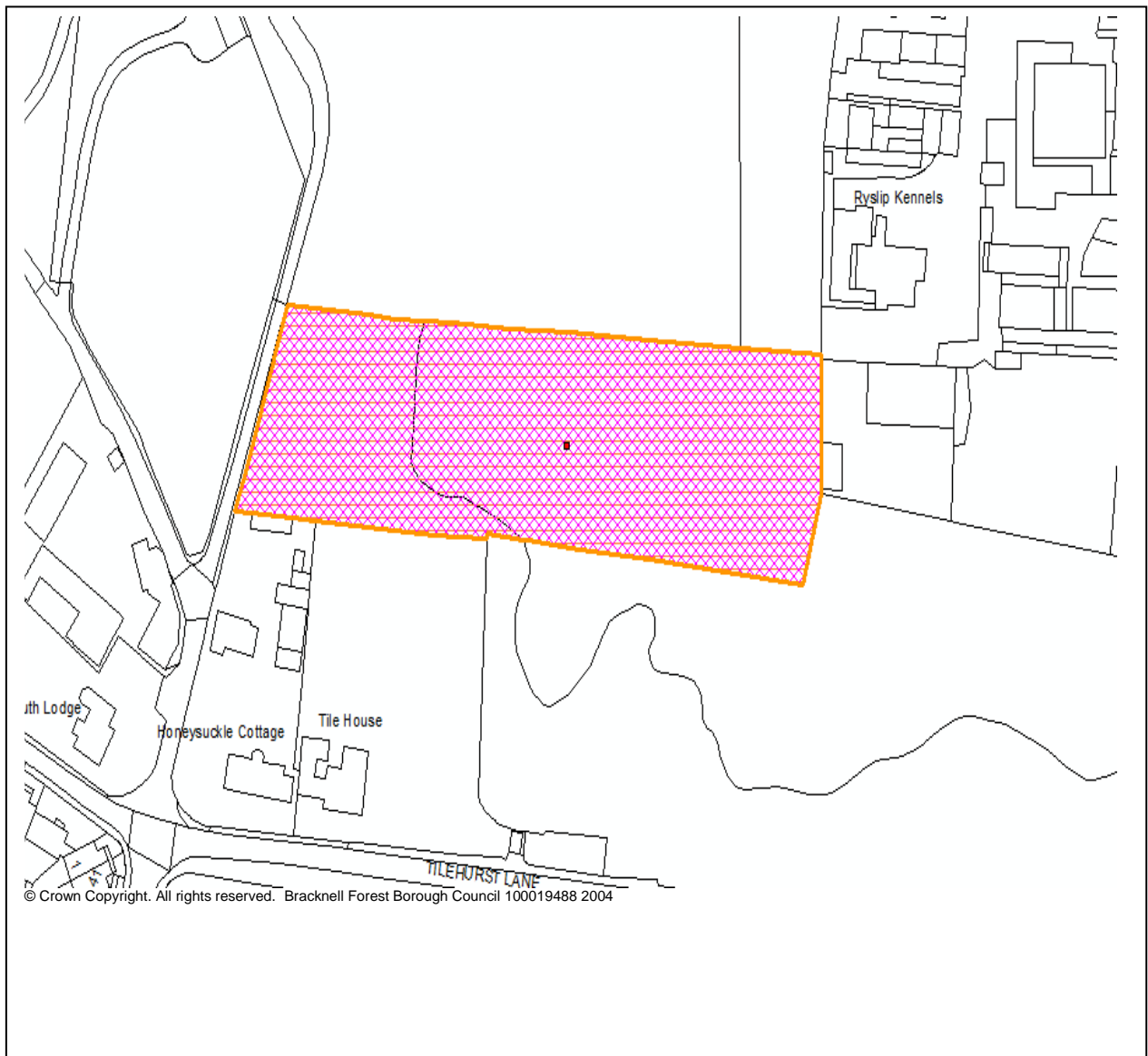
Applicant: JPP Land Limited

Agent: Mr Douglas Bond

Case Officer: Jo Male, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The application represents a re-submission of a previous scheme for 9 units which was refused and dismissed on appeal. The application is accompanied by revised drainage information and includes minor changes in dwelling sizes and layout.
- 1.2 The comments of the previous Inspector are material considerations in the determination of the current application. He concluded that the development would have only a slight adverse effect on the character and appearance of the countryside and that the less than substantial harm to the significance of the Grade II listed Honeysuckle Cottage would be outweighed by the public benefits of the scheme. However, he dismissed the appeal on the basis that there were no material considerations sufficient to outweigh the harm resulting from the scheme's failure to show that the site could be adequately drained and flood risk avoided.
- 1.3 The information accompanying the current application demonstrates, to the satisfaction of the LLFA, that the site can be adequately drained and will not result in an increased risk of flooding elsewhere. The 'tilted balance' set out in para. 11d of the NPPF is applied as the Authority is currently unable to demonstrate a 5 year Housing Land Supply.
- 1.4 In this instance, it is not considered that the adverse impacts of approving the development would significantly and demonstrably outweigh its benefits in terms of delivering 9 units of residential accommodation including 2no. affordable dwellings, and approval is recommended.

RECOMMENDATION
Planning permission be granted subject to a s106 Agreement and the conditions set out in Section 12 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
The site lies outside the settlement boundary
Sited within the 5km – 7km buffer zone of the Thames Basin Heaths SPA

- 3.1 The developable area of the site extends to 0.65ha and comprises undeveloped grazing land with scattered shrubs and small trees. The application site includes the route of the access road approved by virtue of application 18/00758/FUL, which was allowed on appeal, which links the site to Tilehurst Lane, resulting in a total application site area of 0.9ha. The application proposes a further extension to the approved development of 53 houses which is currently under construction along part of the site's southern and eastern boundaries.

- 3.2 To the west of the site lies a private access driveway serving Binfield Park Farm, beyond which lies an area of undeveloped land and then the site of the development known as 'land to the north of Tilehurst Lane and west of South Lodge', where outline permission has been granted, also on appeal, for the construction of 40 dwellings.
- 3.3 Beyond the site's northern boundary lies further, undeveloped land, with Binfield Park Farm to the north and the Grade II* Listed Binfield Park to the north-west. Ryslip Kennels, Church Lane, is located to the immediate northeast. Residential properties known as Tile House and Honeysuckle Cottage, border the site to the south, with the aforementioned residential development permitted by virtue of application 18/00758/FUL currently under construction along the remainder of the site's southern and eastern boundaries.
- 3.4 A number of listed buildings are located within the vicinity of the site; Honeysuckle Cottage and Tile House which border the site on its southern edge are both Grade II Listed. To the west of Honeysuckle Cottage lie the Gate Piers at the South Entrance to Binfield Park and South Lodge which are also Grade II Listed. The site also lies within what would have originally been the parkland to Binfield Park, a Grade II* Listed Building.
- 3.5 The site undulates gently, with the land generally falling to the north. None of the trees on site are protected, with a single tree subject to a tree preservation order (TPO 1172) being sited beyond the site's eastern boundary.
- 3.6 The site is located beyond the settlement boundary of Binfield which is shown on the Policies Map as running along the southern edge of Tilehurst Lane.

4. RELEVANT SITE HISTORY

- 4.1 The following application is relevant to the consideration of the current application:

18/00765/FUL - Erection of 9no. dwellings with associated landscaping and access from Tilehurst Lane. Refused (2019), Appeal Dismissed (2021).

- 4.2 The reasons for refusal can be summarised as impact on character and appearance of countryside; impact on significance of heritage assets; failure to provide an acceptable surface water drainage strategy; failure to demonstrate that the proposed development would not have an adverse impact on biodiversity; failure to provide an acceptable management scheme for surface water run-off; failure to mitigate the impacts of the proposed development on open space and community facilities.
- 4.3 During the course of the appeal, additional information was submitted which led to the withdrawal of the reason for refusal relating to biodiversity. Furthermore, it was agreed that an appropriately worded legal agreement could be completed to address reasons relating to a scheme for the management of surface water run-off and to secure contributions towards open space and community facilities. The appeal was dismissed predominantly on drainage grounds and reference to the Inspector's decision will be made later within this report.

- 4.4 To the south and south-east of the current application site, lies a site which is currently under construction to provide 53 dwellings. This permission was granted on appeal (LPA ref: 18/00758/FUL, PINS ref: APP/R0335/W/19/3231875) and takes access from Tilehurst Lane. The current application is presented as an extension to this development.

5. THE PROPOSAL

- 5.1 The application is submitted following the refusal of a similar application which also proposed the erection of 9no. dwellings on this site with access through the adjacent development onto Tilehurst Lane. This previous application (18/00765/FUL) was refused in 2019 under delegated powers and the subsequent appeal dismissed following its consideration at an informal hearing.
- 5.2 The proposed development is the erection of nine residential units, with associated landscaping and access, on greenfield land north of Tilehurst Lane. The dwelling mix would consist of 3no. three bedroom dwellings, and 6no. four bedroom dwellings. Of these, 1no. three bedroom and 1no. 4 bedroom dwelling would be affordable housing, representing 22.2% of the total dwellings.
- 5.3 The proposed dwellings would consist of two storey detached and semi-detached dwellings, each with rear gardens. Parking to the dwellings would be provided mainly by parking bays, although detached and attached garages are proposed to serve the detached dwellings.
- 5.4 The proposed drainage scheme shows a swale to cope with existing surface water that drains across the site being provided along part of the site's southern boundary under the access road and returning northwards towards the undeveloped land to the north. A drainage attenuation pond is shown in the north-eastern corner of the site and run-off from the roofs and roads of the development would connect into an existing sewer that traverses the site.
- 5.5 Access to the site from Tilehurst Lane is achieved by means of a link through to the access road serving the 53 unit scheme granted on appeal (ref:18/00758/FUL).
- 5.6 The scheme differs from that previously considered for the site primarily in that it changes the dwelling mix from 4No. 3 bedroom and 5no. 4 bedroom units to provide 3no. 3 bedroom and 6no. 4 bedroom units; it replaces the 2no. detached units on Plots 3 and 4 with 'link-detached' dwellings; and it provides details of a revised drainage strategy which results in minor changes to the layout.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council

- 6.1 Binfield Parish Council recommends refusal of the application, stating:

Binfield Parish Council wishes to RECOMMEND REFUSAL on the basis that there is no plan for surface water run off. The application shows this as being onto land

which is privately owned and permission has not been given by the owner. Therefore it is a concern of whether this development has a suitable and sufficient drainage plan. This is a major concern. The Parish Council would also wish to reiterate the original objections to this proposal, copied below:

Binfield Parish Council strongly objects to this application (18/00758/FUL) for the following reasons:

1. The land north of Tilehurst Lane is outside of the settlement boundary for Binfield and forms an important link to Binfield's historic and agricultural past.
2. This development - both 00765 and 00758 - would have a detrimental impact on the setting of a number of listed buildings, including Binfield Park (Grade II*), Gate Piers South entrance Binfield Park (Grade II), Honeysuckle Cottage (Grade II), Tile House (Grade II)
3. Tilehurst Lane is a rural route, a designated bridlepath and not capable of taking the traffic from an additional 69 properties as well as additional pedestrian movement when there is only pavement along part of the lane. This development would be detrimental to road safety.
4. The density of the proposed development is completely out of keeping with the character of the area. The Binfield Landscape Character Assessment states that "Tilehurst Lane retains remnants of its rural character, partially bounded by hedgerows and roadside ditch/stream. These dense hedgerows and tree belts limit views providing strong containment to the built edge of Binfield". Should this planning application be granted this is an absolute urbanisation of a rural area.
5. In the recent appeal which allowed for 28 properties, the Inspector stated that "if outline permission were granted for 28 dwellings, any reserved matters application could not exceed that number". This is a speculative attempt to turn the Inspectors decision into a high density development totally unsuited to the location and with little regard for the character, heritage, or rurality of the area or the wishes of local residents.
6. The cumulative effect of the nearby development which has been granted permission but has not yet been completed (including Blue Mountain and nearby Cabbage Hill/Harvest Rise) is not yet clear but will certainly be significant. Adding further pressure on the roads and infrastructure before the cumulative effect is known will exacerbate any problems.

Representations from Members of the Public

6.2 16no. objections have been received. The concerns expressed are summarised below:

- Site lies outside of any settlement and is not allocated within the new Local Plan
- Urbanising impact due to spread of development away from road frontage
- Binfield already taking more than fair share of development with consequent impacts in terms of noise and dirt
- Binfield losing its identity as a village
- Refers to Council's adopted and emerging policies in support of objection
- Tilehurst Lane has huge amount of houses planned which impacts on its character as a lane and causes highway safety issues to road users and pedestrians/horses
- Impact on wildlife
- Damage to hedgerow that screens site from Tilehurst Lane
- Queries consideration given to tree protection order on the site [Officer Note: the trees on site are immature/self-seeded and are not considered worthy of a TPO]
- Access point is in dangerous location with inadequate visibility
- Last remaining undeveloped, green land in Binfield so should be retained as such

- Further development will exacerbate existing flooding issues
- New traffic controls would require infill of ditches along Tilehurst Lane
- Re-submission of previous application but serious issues with surface water flooding remain
- Endorses concerns of Parish Council
- Impact on Ryslip Kennels from new residents complaining about noise
- Acoustic fencing proposed must be fully specified and secured
- Impact on listed buildings; Binfield Park, Tile House and Honeysuckle Cottage
- Cumulative impact of traffic on Tilehurst Lane due to development within vicinity
- Developer keeps applying and appealing and eventually wins so locals feel worn down and the level of objections received won't reflect true feelings
- Proposed swale runoff onto land to the north
- Objection to retention of gate onto private driveway to Binfield Park Farm
- Loss of privacy and overlooking to Binfield Park Farm
- Light pollution and noise
- Lack of details of means of enclosure
- Concern that drainage officer's comments do not provide any detailed analysis to support conclusions which should be provided so interested parties have the opportunity to critique the analysis and conclusion

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

No objection subject to conditions.

Biodiversity Officer

No objection based on additional information received, recommends conditions.

Tree Officer

Comments provided in respect of previous application which raise no objection on arboricultural grounds, stating that the submissions clearly show the protected tree's RPA to be outside the application site and even then some distance away from proposed structures & features. It is also noted that the submissions clearly show the limited number of trees within this site (and adjoining) and that all RPAs are not impinged by any part of this proposal.

Landscape Officer

Accepts that impact on character and countryside were considered acceptable by appeal Inspector and recommends imposition of a landscape condition.

Lead Local Flood Authority (LLFA)

Following the receipt of amended and additional information, no objection subject to details which can be secured by planning condition.

Principal Conservation Advisor

Inspector's previous finding of harm is a material consideration and should be considered in the planning balance against any perceived public benefits as required by para. 202 of the NPPF, taking into account para. 199 of the NPPF which requires great weight to be given to an asset's conservation irrespective of whether any potential harm is substantial or less than substantial.

Archaeology

Council's Archaeological Advisor recommends condition requiring programme of archaeological field evaluation prior to the commencement of development and submission of a mitigation strategy (if required).

Environmental Health Officer

Findings of previous noise report accepted. No objection subject to conditions relating to the control of environmental effects during construction, working hours and unforeseen contamination.

Waste

No issues with storage of bins for individual properties as there is back gate access for all, so bins can be stored in the gardens. All bins must be presented to the nearest adopted road on collection day and stored within the property boundary at all other times. As plots 8 & 9 are on private drives, they will need to present their bins to the kerbside of the main road.

Implementation Officer

Full details of the contributions required to mitigate the impact of the development are set out in Section 12 below.

Thames Water

No objections recommend informative.

8. DEVELOPMENT PLAN

8.1 The Development Plan for the Borough includes the following:

Site Allocations Local Plan (2013) (SALP)
Core Strategy Development Plan Document (2008) (CSDPD)
'Saved' Policies of the Bracknell Forest Borough Local Plan (2202) (BFBLP)
'Retained' Policies of the South East Plan (2009) (SEP)
Bracknell Forest Policies Map (2013)

The application site also lies within the designated Binfield Neighbourhood Plan area such that the Binfield Neighbourhood Plan (2016) also applies.

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance
- iii. Impact on Heritage Assets
- iv. Design
- v. Impact on Residential Amenity
- vi. Transport and Highways Considerations
- vii. Drainage Implications
- viii. Biodiversity Implications
- ix. Sustainability Implications
- x. Thames Basin Heaths Special Protection Area (SPA)
- xi. Securing Necessary Infrastructure

i. Principle of Development

- 9.2 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.
- 9.3 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.
- 9.4 Footnote 7 confirms that policies in the Framework that protect areas or assets of particular importance include those relating to habitat sites, designated heritage assets and flooding. As set out later within this report, it is not considered that the relevant policies in the NPPF provide a clear reason to refuse the development on grounds of any harm caused to the significance of heritage assets, habitat sites or flood risk. As a result, Officers do not consider that the 'tilted balance' set out in para. 11(d) is precluded from applying by virtue of footnote 7.
- 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.
- 9.6 The Council is not currently able to demonstrate a five year supply of deliverable housing sites (4.2 years as at April 2021) and as a result, it is accepted that the 'tilted balance' applies and that planning permission should be granted for the proposed development unless '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'.
- 9.7 Whilst the application site lies beyond any settlement boundary in land designated as countryside, the NPPF (2021) does not seek to protect the countryside for its own sake and instead requires its intrinsic character and beauty to be recognised. Therefore there can be no 'in principle' objection to the proposed development due to its countryside status and instead an assessment of the development's impact upon the character and beauty of the area has to be undertaken and weighed in the planning

balance, taking into account the 'tilted' weighting applied in this instance for the reasons set out above.

- 9.8 The remainder of the report considers the impact of the development on the character and appearance of the area, and in relation to other material considerations and concludes matters in the planning balance.

ii) Impact on Character and Appearance

- 9.9 The application site is located beyond the settlement boundary of Binfield as shown on the Policies Map 2013. It lies north of the Binfield Study Area within the Character Area Assessments SPD 2010. This SPD identifies that the landscape setting of Binfield is heavily influenced by the surrounding open rural landscape including that to its north which includes the appeal site. It refers to the strong contrast between the urban form of Tilehurst Lane and the open landscape around it. In its recommendations for this area, the assessment states: *'The open landscape either side of Binfield, together with the open character of Popeswood North, should be retained to maintain a rural setting and the distinctive character of Binfield'*.
- 9.10 The appeal site is included within the Landscape Character Area C1 Binfield and Warfield Clay Farmland within the Landscape Character Assessment. Valued features for this area include the parkland landscapes associated with old country manor houses including Binfield Park, and the open and rural character of the landscape which provides a rural buffer to the settlements of Binfield and north Bracknell, and provides a sense of separation between Binfield and the allocation at Blue Mountain.
- 9.11 The Landscape Sensitivity Appraisals Additional Sites Addendum (September 2018) which forms part of the evidence base to the emerging Local Plan specifically assesses the landscape value of this site (BIN17) and makes reference to its relationship with the adjacent site which is currently being developed to provide 53 units which is referred to as BIN3. It describes its landscape character as:
- "A flat site, comprising a small unmanaged field of grassland and scrub with many young trees (mainly oaks). Although not distinctive in landscape terms, the trees and openness contribute positively to rural landscape character and increase sensitivity to development.*
- The site is located between Binfield Park (a Grade II* listed house with outbuildings and extensive parkland) and barns and other buildings at Ryslip Kennels but is separated from both by mature trees on the western and eastern boundary. It is bound by post and wire fences, separating it from a rectilinear field immediately to the north, with more undulating arable farmland extending further north. Planned residential development north of Tilehurst Lane (BIN3 Tilehurst Lane) will lie immediately south of the site".*
- 9.12 The overall assessment of landscape sensitivity concludes that the site is of medium landscape sensitivity and that:
- "The site is rural in character and the trees and openness contribute positively to rural landscape character and play some part in the rural setting of Binfield. However, the proposed extension of the settlement edge north of Tilehurst Lane (BIN3) reduces sensitivity in terms of settlement form".*

- 9.13 The study assesses the cumulative issues as follows:

“BIN17 lies adjacent to BIN3, and in close proximity to BIN1 and BIN2. Both BIN3 and BIN1 lie adjacent to the settlement edge but separated from it by Tilehurst Lane, a rural wooded roadway, which provides a strong settlement boundary. The planned development of BIN3 will extend the built edge of Binfield north of Tilehurst Lane, weakening this boundary edge.

The more elevated position of BIN1 and BIN2 make them more sensitive to development however, the development of all 3 sites would have a greater cumulative impact on the landscape and setting to the north of Binfield”.

- 9.14 In determining the previous application for 9no. units on this site (ref: 18/00765/FUL), Officers considered that the site’s open and undeveloped nature contributed to the rural setting of Binfield and the provision of a rural buffer around the settlement. It also has some landscape value in forming part of the parkland landscape to Binfield Park although it was acknowledged that it does not contain any distinguishing parkland features.

- 9.15 The proposed development was considered to have a harmful impact upon the character and appearance of the site and the application was refused for the following reason:

‘The proposed development would have a harmful urbanising impact on the character and appearance of the countryside. The proposal is therefore contrary to ‘Saved’ Policies EMN8, EN20 and H5 of the Bracknell Forest Borough Local Plan, Policies CS1, CS2, CS7 and CS9 of the Core Strategy Development Plan Document, and the NPPF’.

- 9.16 At the subsequent appeal against the refusal of this application, the Inspector assessed the development’s effect on the countryside in the following terms:

13. The site makes some positive contribution to an appreciation of Binfield by being an open, undeveloped piece of land that, even in its unkempt state, adds to some degree to the settlement’s countryside setting.

14. Balanced against this, the site is relatively small and contains little appreciable landscaping, much of which could be retained in the development. It also lies in a partially constrained context with a block of woodland to the north and an extensive complex of buildings to the east, so its contribution to the expansive openness of the wider character area is limited. Moreover, it would be set against the scheme subject of the adjacent appeal (with a condition suggested to say what is before me could not be developed in isolation), would be of a relatively low density, and would maintain a ‘softer’ edge to the neighbouring field than the scheme subject of the adjacent appeal with there being no intention or need for lengthy solid fencing or hard development close to its northern boundary. Having regard to the wording of Local Plan Policy EN20, it has not been shown this is part of a *‘beneficial landscape’*. Therefore, taking these points together, the site at present makes little contribution to the character and appearance of the countryside or its function. As such, while the scheme would cause some harm to the countryside as a consequence of its loss, in the light of the above factors I consider this would be limited in its extent and nature.

15. In coming to this view, I accept that many countryside sites are against housing development. I also appreciate that given their broad nature there will be pockets and corners of any LCA that do not fully accord with their overall character, whilst its current state is an issue of maintenance rather than arising because of any specific agricultural inadequacies. Therefore, these aspects have not been decisive of themselves, but they have nonetheless added weight to my findings above.

16. I also accept that from the public domain views of the scheme would be limited, being restricted primarily to the cul-de-sac to be formed in connection with the adjacent appeal. Honeysuckle Cottage, Tile House with its boundary fence and the development associated with the adjacent appeal, would together significantly restrict and impeded views of the scheme from Tilehurst Lane itself and from the houses on the south side of that road. However, I consider the countryside should not be protected from the public domain only, and the development would be apparent to varying degrees in private views from Honeysuckle Cottage and Tile House, as well as from the field to the north and from the new houses built as part of the adjacent appeal.

17. Accordingly, I conclude there would be some slight adverse effect on the character and appearance of the countryside and so the scheme would conflict with Local Plan Policies H5, EN8 and EN20, Policies CS1 and CS7 in the Core Strategy and the Framework'.

9.17 There has been no change in circumstance since the Inspector came to this conclusion. The Landscape Officer has been consulted in respect of the current application, however in light of the Inspector's conclusions she does not make any further comments on the landscape impact of the development.

9.18 Accordingly, it is accepted that the proposed development would cause only limited harm to the character and appearance of the countryside resulting in conflict with the relevant countryside policies. This level of harm and policy conflict is required to be weighed in the planning balance against any benefits arising from the scheme, a process which is undertaken in Section 11 of this report.

iii. Impact on Heritage Assets

9.19 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the decision maker when considering whether to grant planning permission for development which affects a listed building and its setting to "have special regard to the desirability of preserving the building or its setting or any other features of special or architectural interest which it possess".

9.20 Para. 199 of the NPPF states: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

9.21 Para. 200 indicates that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification....'.

9.22 Para. 202 states that: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed

against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

- 9.23 There are a number of designated heritage assets within the vicinity of the application site as detailed in para. 3.4 above. At the informal hearing held in respect of the appeal against the refusal of the previous application, the Council presented evidence to support its view that the development, in combination with the consented development, would result in harm to the setting of neighbouring Grade II listed Buildings (Honeysuckle Cottage and Tile House) including in terms of their historic visual and functional relationship to the surrounding open countryside.
- 9.24 In considering this issue, the Inspector concluded that the development 'would have a very minor adverse effect on the slight contribution this open area of countryside makes to the setting of [Honeysuckle] cottage. As such, it would cause harm, albeit less than substantial, to its significance'. In terms of its impact upon Tile House he concluded 'the scheme would not harm the significance of the property as a designated heritage asset or compromise its setting'. He did not find harm to the significance of any other heritage assets.
- 9.25 In undertaking the 'heritage balance' set out in the NPPF, which is accepted as being consistent with the application of the s66 duty, the Inspector stated:
- '27. I have found less than substantial harm to the significance of Honeysuckle Cottage only, due to the effect on its setting, and I have given this considerable importance and weight. However, assuming the development was acceptable in other respects, the scheme would be boosting the supply of housing in line with Government guidance, and would be delivering additional affordable accommodation. I appreciate these contributions would be numerically small. Despite that, I consider them to be public benefits sufficient to represent a clear and convincing justification for the harm to the significance of Honeysuckle Cottage, given the nature and extent of that harm.
28. Accordingly, having regard to both the 1990 Act and the Framework, I conclude that although there is less than substantial harm to the significance of Honeysuckle Cottage that harm is outweighed by the public benefits. Moreover, I also conclude that the proposal would not fail to preserve the settings of other listed buildings or cause harm to their significance. As such, the proposal would not be in conflict with Policy BF2 in the Neighbourhood Plan, which seeks to resist schemes that would have a harmful effect on the setting of a listed building that is not justified by public benefits, or the Framework'.
- 9.26 The Council's Conservation Advisor has raised concern that the Inspector's report did not identify or discuss any cumulative impact on heritage assets arising from the proposed development in conjunction with the consented scheme for 53 units, despite the fact that this issue was raised at the appeal hearing and that cumulative impacts are part of the assessment that should be made in *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* (Historic England, 2015b). However, this issue was considered at the time that the Inspector's decision was received and was not considered sufficient grounds on which to seek a Judicial Review of the decision. The Inspector's assessment of harm in relation to the designated heritage assets is accepted and it is recommended that this harm should be considered in the planning balance against any perceived public benefits, as required by paragraph 202 of the NPPF.

Heritage Balance

- 9.27 The Inspector's view that the proposed development of 9 units would cause less than substantial harm to the significance of Honeysuckle Cottage is accepted and that no harm to the significance of other heritage assets would result. Whilst considerable importance and weight is given to this identified harm, Officers also accept the Inspector's view that the public benefits of providing 9 additional units of housing, two of which would be affordable, is sufficient to outweigh the harm identified given the extent and nature of this harm. Accordingly, it is concluded that the proposed development does not conflict with Policy BF2 of the Binfield Neighbourhood Plan or Policies CS1 and CS7 of the CSDPD and that its approval would be consistent with the statutory requirement set out in s66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* (the 1990 Act) for the decision-maker to have regard to the desirability of preserving the setting of any listed buildings.

iv. Design

- 9.28 The application proposes the erection of a mix of detached and semi-detached two storey dwellings. The individual units have pitched roofs and employ a traditional palette of materials including brick and stained timber weatherboarding with plain clay tiled roofs. Their design is similar to that employed on the adjacent scheme, currently under construction and would not appear out of keeping with the prevailing character of the area.

v. Impact on Residential Amenity

Impact on occupants of neighbouring properties

- 9.29 It is considered that due to the siting and layout proposed, along with the relevant separation distances, the development would not result in a material adverse impact on the amenities of the nearest neighbouring properties, Honeysuckle Cottage or Tile House. Both of these properties have back gardens in excess of 44 metres which contain planting that will assist in screening the development from view.
- 9.30 Although a letter of objection raises concern about a loss of privacy/ overlooking caused to Binfield Park Farm, this property is set in excess of 70 metres to the north of the application site and any overlooking would only occur over an area of grass beyond the dwelling's immediate curtilage.

Impacts on prospective residents of the development

- 9.31 The proposed layout and design would provide acceptable separation distances and orientations of dwellings in order to avoid any potential adverse loss of light or loss of privacy impacts between future occupiers.

Conclusion on impact to residential amenity

- 9.32 It is not considered that the proposal would give rise to any materially adverse impacts on the amenities of neighbouring properties, or prospective occupants, and as such accords with 'saved' BFBLP policy EN20 and the NPPF.

vi. Transport and Highways considerations

- 9.33 The Highway Authority has been consulted throughout the development of the application scheme. Its response notes that the layout appears to be very similar to that previously submitted and taken to appeal and in that respect previous commentary made on the suitability of the access and parking has already been

made with suitable conditions suggested. In light of amendments made to the site layout as a result of the revised drainage scheme, additional information on tracking has been requested. This has been received and is being considered by the Highway Authority. Their final comments will be provided within the Supplementary Report to Committee.

vii. Drainage Implications

- 9.34 The previous scheme was refused on grounds that it had not been demonstrated that the development could be adequately drained and would not increase flood risk elsewhere. The Inspector upheld this reason for refusal and dismissed the appeal on this basis, stating:

“it has not been demonstrated that this would not be an inappropriate development in an area of flood risk, and so it would conflict with Policy CS1 in the Council’s Core Strategy Development Plan Document and the National Planning Policy Framework”.

- 9.35 The application is accompanied by modelling work demonstrating the risk of surface water flooding in and around the site. The conclusions of this modelling work have resulted in minor changes to the site layout and levels across the site. Some concern was initially raised about the future maintenance of the SuDS features and the applicant has provided additional information on this point. This has been reviewed by the Council’s Drainage Consultant who states:

‘In principle, we consider that the proposals are acceptable subject to conditions requiring the submission of additional information.

In terms of the proposed box culvert, we do consider this would be challenging to maintain. However, with the addition of access chambers, this could be managed. This could be considered as part of the detailed design. We would want to see the culvert length minimised as far as possible too which would assist with maintenance.

We would want to see a robust maintenance and management plan covering the entire drainage and features design to mitigate flood risk (i.e. the swales, culvert and French drain). This would need to consider access to carry out maintenance activities’.

- 9.36 These issues could be addressed through the imposition of appropriately worded conditions as set out at section 12 below.
- 9.37 It is noted that a local resident raises concern that the swale run-off will outflow onto land to the north. The Drainage Consultant has advised that the swale directs existing flows which cross the site, in a controlled way. The submitted hydraulic modelling demonstrates that there will be no increase in these flows and all drainage from roofs and roads within the development will be discharged into an existing sewer that crosses the site. Since the proposed swale deals only with existing surface water run-off and the development will not impact on this flow, no additional permissions are understood to be required.

viii Biodiversity Implications

- 9.38 The application is accompanied by an Ecological Appraisal which reconfirms the previous conclusions of survey work originally undertaken in 2017, albeit recognising

that over time the site is developing areas of scrub and young trees which could change the habitat type over a longer period of time.

- 9.39 The report makes tentative recommendations which suggest that the site design has not involved the ecologist. However, the Council's Biodiversity Officer has confirmed that, owing to the requirement for SuDS, the proposed layout provides some areas of habitat not within private gardens that could be of value in the future. In addition, various measures can be secured to protect mammals, birds, reptiles, amphibians.
- 9.40 It is recommended that any permission granted is subject to conditions seeking to protect and enhance biodiversity including those relating to the impact of site clearance works, a Landscape and Ecological Management Plan, external lighting, control over invasive species and securing an ecological enhancement scheme.

ix. Sustainability Implications

- 9.41 In respect of the proposed additional dwellings, 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. Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.
- 9.42 The application is accompanied by a Sustainability and Energy Statement prepared by Blue Sky Unlimited. This provides evidence of how the development could achieve the required level of water efficiency. It also proposes the use of either photovoltaic panels or air source heat pumps to meet the required level of on-site renewable energy generation.
- 9.43 The Council's Renewable Energy Officer has confirmed that either of these options would be appropriate and if the photovoltaic panels are chosen, a plan indicating their proposed location should be provided. This can be covered by an appropriately worded condition.

x. Thames Basin Heaths Special Protection Area (SPA)

- 9.44 The Council, in consultation with Natural England, has formed the view that any larger development comprising over 50 net new dwellings within 5km – 7km straight-line distance from the Thames Basin Heath Special Protection Area (TBHSPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out including mitigation requirements.
- 9.45 This site is located within the 5km – 7km TBHSPA buffer zone, and represents an extension to the 53 unit development currently under construction through which this scheme will be accessed. Therefore it is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.
- 9.46 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD). The strategy is for relevant

developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

- 9.47 The SANG contribution payable for affordable units is lower than that for market units and since the development is located within the 5km – 7km TBHSPA buffer zone, the SANG costs are 1/4 of what they would be in the 400m – 5km zone.
- 9.48 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis, with the SAMM contribution being 1/3 of that applied to development within the 400m – 5km zone due to its relative distance from the SPA.
- 9.49 The applicant has agreed to enter into a S106 agreement to secure these contributions and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

xi. Securing Necessary Infrastructure

Affordable Housing

- 9.50 The site is considered to be an extension of the adjacent development and as such meets the affordable housing threshold. The Housing Enabling Officer has confirmed that the 2 affordable dwellings (plots 1 and 2, 1x3 bed 5 person and 1x4 bed 6 person) are acceptable for affordable housing provision. These are to be provided at social rent to ensure the housing need is met. Subject to this provision being secured by s106 Agreement, the development is considered to comply with Policy H8 of the BFBLP, Policy CS17 of the CSDPD, the decision of the Council Executive dated 29th March 2011 and the Planning Obligations SPD.

Community Facilities

- 9.51 Due to the added pressure on community facilities from additional residential use on site, the Council will seek through a planning obligation to secure funds towards community facility improvements. The Council is currently in the design and planning phase of the Community and Healthcare Hub at Blue Mountain. The total cost of the project is estimated at £2.4m, the funding gap for the proposal is currently between £1.35 and £1.5m. The Council has predicted that a further c. 400-450 dwellings in the Binfield and north Bracknell area are likely to come forward that can contribute to the proposal. This gives a contribution range between £3000 and £3750 per dwelling. In this instance, the Council are seeking £3000 per dwelling index linked from 4Q 2020 to date of payment (BICS all-in TPI). However, this may change slightly going forward with indexation and project costs becoming more detailed.

Open Space of Public Value (OSPV) and Biodiversity

- 9.52 As the proposed development only provides a limited amount of OSPV the Council will seek a financial contribution towards the provision of, or an increase in capacity of off-site active and passive open space. The Council has a number of Active OSPV projects at Farley Wood Centre which is well located to serve the development. On the basis of up to date costings for the project and the predicted number of dwellings likely to be served by the works and which would be able to contribute to the project, it is considered that a contribution of £2750 per dwelling would be appropriate.
- 9.53 The NPPF (Para 175d, 2018) states that: “opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”. If the Biodiversity enhancements do not amount to a net gain over the site (guidance can be taken from our Biodiversity Officer) the Council may consider offering a mitigation option off-site, however the mitigation hierarchy should be followed in the first instance.

Transport

- 9.54 As previously agreed in relation to the last proposal on this site, a contribution towards the off-site highway works to improve the Church Lane/Forest Road Junction in Binfield will be required. The costs were first considered in 2018 and as such indexation will be applied.
- 9.55 A planning obligation will be required to secure, prior to commencement, submission of a plan to show which accesses/footways etc are to be privately maintained and which are to be adopted. PAF obligations will apply to privately maintained roads/foot/cycleways. The obligation will also secure entry into Highways agreements for any accesses/off site works in kind and/or highways to be adopted where these are not already entered into in relation to previous permissions.

SuDS

- 9.56 A planning obligation will be required to ensure approval of the SuDS specification and a long term Management and Maintenance Plan prior to commencing development on site. An obligation will also be required to secure a SuDS monitoring contribution to monitor SuDS for their lifespan. As the proposals include SuDS infrastructure, prior to Commencement the Council will require submission and approval of a final SuDS Specification and Management and Maintenance plan to secure management of the SuDS for the lifetime of the development. A monitoring sum of £8000 will be sought through a planning obligation to enable the Council to monitor/inspect SuDS for their lifetime.

Community Infrastructure Levy (CIL)

- 9.57 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL applies to any new build that involves the creation of additional dwellings. The site falls within the 'Northern Parishes' charging area, for which the charge is £448.27 per square metre for schemes of fewer than 15 dwellings (2021 figures).

10. DIFFERENCES FROM APPLICATION 18/00765/FUL

- 10.1 The application proposes a development which is nearly identical to a previous scheme which was refused and dismissed on appeal and it is clearly necessary to set out the reasons for a different recommendation being made in this instance.
- 10.2 The Inspector's decision is a material consideration in the determination of the

current application and this alternative recommendation has been made in light of his findings of harm in relation to heritage and landscape issues, the submission of a revised drainage strategy and a change in circumstance in relation to the Council's ability to demonstrate a 5 year HLS which results in the application of the tilted balance.

- 10.3 In determining the previous application under delegated powers, Officers had considered that the proposed development would have a harmful urbanising impact on the character and appearance of the countryside contrary to development plan policy. It would also, in combination with the consented scheme on the adjacent site, result in significant harm to the setting of neighbouring listed buildings. Furthermore, it had not been demonstrated that an acceptable surface water run-off mitigation strategy could be provided to avoid an adverse increase in surface water run-off. An additional reason for refusal on biodiversity grounds was overcome prior to the appeal through the submission of additional information. It was acknowledged that other reasons for refusal relating to SuDS maintenance and pressure on open space and community facilities could be overcome by means of an appropriately worded legal agreement which the applicant offered.
- 10.4 In applying the 'straight' planning balance as was appropriate at that time, the Local Planning Authority did not consider that any material considerations justified the approval of the scheme which was considered to conflict with development plan policies and cause material harm as identified in the reasons for refusal
- 10.5 However, and as set out previously in this report, the Inspector did not support the Council's finding of harm in countryside or heritage terms and considered that the advantages of the scheme were sufficient to override the identified level of harm/policy conflict. He concluded that the development's 'slight adverse effect on the character and appearance of the countryside' and consequential conflict with the development plan, together with the less than substantial harm to the significance of Honeysuckle Cottage, would be outweighed by the benefits of the scheme in boosting the supply of housing. However, he did not consider that any of the identified benefits constituted 'material considerations sufficient to outweigh the harm resulting from the failure to show the site could be adequately drained and flood risk avoided'. For this reason he concluded that the appeal should be dismissed.
- 10.6 In light of the advice of the Drainage Officer in respect of a revised scheme, Officers are satisfied that the current application does not raise the same concerns in drainage terms and consider that an appropriate drainage strategy can be secured by condition.
- 10.7 In all other respects, the application is very similar to the previous scheme and Officers accept the Inspector's conclusions that the provision of 9 housing units, 2 of which would be affordable, together with other economic benefits identified, are sufficient to outweigh:
- the harm to the significance of heritage assets as part of the heritage balance conducted under para. 202 of the NPPF; and,
 - the conflict with the development plan resulting from the development's impact on the character and appearance of the countryside.
- 10.8 The recommendation made in Section 12 below is made in light of the change in circumstances since the determination of 18/00758/FUL resulting from the

submission of an acceptable drainage scheme, the Inspector's findings in relation to a nearly identical scheme and the application of the tilted balance as is now required.

11. THE PLANNING BALANCE

- 11.1 Given the Authority's current inability to demonstrate a 5 year Housing Land Supply, the application falls to be determined against the 'tilted balance' set out in para. 11d of the NPPF. This means the development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
- 11.2 In light of the Inspector's findings, it is accepted that the development will cause only minor harm to the character and appearance of the countryside and less than substantial harm to the significance of Honeysuckle Cottage, due to the effect on its setting. No other adverse impacts have been identified. These impacts are not considered to significantly and demonstrably outweigh the significant benefits of the scheme due to its contribution to boosting the supply of housing, including the provision of 2no. affordable dwellings, and its moderate economic benefits.
- 11.3 The application is therefore recommended for conditional approval, subject to the completion of a section 106 obligation.

12. RECOMMENDATION

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

- avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);
- provision of the 2 units of affordable housing;
- provision of, and contribution towards, areas of OSPV;
- contributions towards the provision and maintenance of community facilities;
- securing off-site biodiversity enhancement as necessary
- securing a contribution towards the off-site highway works to improve the Church Lane/Forest Road Junction
- entering into appropriate agreements with the Highway Authority in respect of the future maintenance of the highways within the site
- securing an appropriate SuDS Specification and Management and Maintenance plan to secure management of the SuDS for the lifetime of the development including appropriate monitoring.

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 3 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 in accordance with the plans hereby approved which were received and validated by the Local Planning Authority

Proposed Site Layout Dwg. 01J
Plots 1 and 2 (Affordable) Plans and Elevations Dwg.02A
Plots 3 and 4 Plans and Elevations Dwg. 03A
Plots 5 and 6 Plans and Elevations and Cycle Store Details Dwg. 04A
Plot 7 Plans and Elevations Dwg. 05
Plot 8 Plans and Elevations Dwg. 06
Plot 9 Plans and Elevations Dwg. 07
Location Plan Dwg. 09B
Tree Protection Plan JPP21401-03C
General Arrangement EVY0919-01 P5
Proposed Drainage Schematic Dwg: 2020/219/01/H

03. No structure hereby permitted shall be built above ground level until 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 development shall be carried out in accordance with the approved details.

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

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the side-facing elevations of the following dwellings hereby approved, with the exception of those shown on the approved plans: i) Both side-facing elevations: Plots 3 and 8, ii) South-facing side elevations: Plots 4 and 9, iii) East-facing side elevations: Plots 5 and 7 iv) West-facing side elevations: Plot 6
REASON: In the interests of the amenity of future occupiers.

05. The following window on the first-floor side elevation of the dwelling hereby permitted, shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed: i) East-facing side elevation: Plot 7.

REASON: In the interests of the amenity of future occupiers.

06. If more than 2 years elapse between the previous ecological appraisal survey and the commencement of development, an updated ecological appraisal survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.

REASON: In the interests of minimising the impacts of the development on biodiversity.

07. No development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. An ecological site inspection report shall be submitted prior to occupation of any dwelling hereby approved confirming the installation of the biodiversity enhancements thereby approved.

REASON: In the interests of providing net gains for biodiversity.

08. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the practical completion of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - g) Details of the body or organization responsible for implementation of the plan
 - h) On-going monitoring and remedial measures

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

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

REASON: In the interests of protecting biodiversity.

09. No retained tree, hedgerow or group of shrubs specified as to be retained on the approved drawings shall be cut down, uprooted or destroyed. Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans which die, are removed or irreparably damaged during the course of the development, or within a period of 5 years of the completion of the development, shall be replaced with another tree, hedgerow or group of shrubs of the same species and size as that originally planted.

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

10. 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 on the site.

REASON: In the interests of minimising the impacts of the development on biodiversity.

11. No development (including demolition and site clearance) shall take place, until a Construction 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) Location of the access for demolition and construction vehicles;
 - (ii) Routing of construction traffic (including directional signage and appropriate traffic management measures);
 - (iii) Details of the parking of vehicles of site operatives and visitors;
 - (iv) Areas for loading and unloading of plant and materials;
 - (v) Areas for the storage of plant and materials used in constructing the development;
 - (vi) Location of any temporary portacabins and welfare buildings for site operatives;
 - (vii) Details of any security hoarding;
 - (viii) Details of any external lighting of the site;
 - (ix) Details of the method of piling for foundations;
 - (x) Measures to control the emission of dust, dirt, noise and odour during construction;
 - (xi) Measures to control rats and other vermin;
 - (xii) Measures to control surface water run-off during construction;
 - (xiii) Measures to prevent ground and water pollution from contaminants on-site;
 - (xiv) construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
 - (xv) Details of wheel-washing facilities;
 - (xvi) Measures to minimise, re-use and re-cycle materials and waste arising from demolition;
 - (xvii) Measures to minimise the pollution potential of unavoidable waste;
 - (xviii) Measures to dispose of unavoidable waste in an environmentally acceptable manner;
 - (xix) details of measures to mitigate the impact of demolition and construction activities on ecology; and
 - (xx) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.
- The approved Construction Environmental 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.
12. The development hereby permitted shall not be begun 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 grass and plant establishment, full schedules of plants, noting species and detailed plant sizes/root stock specifications, planting layout, proposed numbers/ densities, location.
 - (b) Details of semi-mature tree planting.
 - (c) Comprehensive 5 year post planting maintenance schedule
 - (d) Underground service and external lighting layout (drainage, power communications cables, pipelines etc. indicating lines, manholes etc.)
 - (e) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, parking courts etc.
 - (f) Means of enclosure (walls and fences etc.)
 - (g) Other landscape features

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

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

13. The protective fencing indicated on the Tree Protection Plan JPP21401-03C, shall be erected in the locations indicated prior to the commencement of the development, including any initial site clearance, and shall be maintained fully intact and upright. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. The fencing shall be retained in its agreed location during the course of construction works. The development shall be carried out in accordance with the submitted Method Statement.
REASON: In order to safeguard trees and other vegetation in the interest of the character and amenity of the area.
14. No development (other than the construction of the vehicular access) shall take place until the vehicular access from Tilehurst Lane has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
15. No dwelling shall be occupied until the primary west-to-east pedestrian footpath as identified on drawing 2409 01 Rev.D submitted to the LPA on 21st March 2019 in connection with planning application 18/00758/FUL, allowed on appeal (ref: APP/R0335/W/19/3231875), has been implemented in full.
REASON: In the interests of pedestrian safety.
16. No dwelling shall be occupied until the off-site pedestrian and highway improvements as identified on drawings ITB13632-GA-002 Rev C and ITB13632-GA-017 submitted to the LPA on 21st March 2019 in connection with planning application 18/00758/FUL, allowed on appeal (ref: APP/R0335/W/19/3231875), has been implemented in full.
REASON: In the interests of highway and pedestrian safety.
17. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning. Visibility splays to the parking spaces shall thereafter be kept free of all obstructions to

visibility between a height of 0.2 metres and 0.6 metres measured from the surface of the carriageway.

The relevant dwellings hereby permitted shall not be occupied until their corresponding garages have been completed and made available for parking, in accordance with the approved drawing. The garages, and their accesses, shall thereafter be kept available for vehicular 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.

18. Notwithstanding the approved plans, no dwellings hereby permitted shall be occupied until their associated cycle store and access has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority in respect of all of the dwellings. The stores and accesses shall thereafter be kept available for cycle parking at all times.

REASON: To ensure that appropriate cycle storage is provided.

19. No development above ground level shall take place until details showing 20% of all vehicle parking spaces designed and constructed to be readily adaptable to provide electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

REASON: To ensure that appropriate provision is made for the charging of electric vehicles.

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

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) 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.

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.

21. Prior to the commencement of development, including any site preparation works, the applicant will implement a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy shall be implemented in accordance with the approved details.

REASON: A programme of archaeological field evaluation is required to identify any required mitigation of the impact of development on buried heritage assets and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 199 of the NPPF and local plan policy.

22. No dwelling shall be occupied until the measures for water efficiency and renewable energy generation set out in the Sustainability and Energy Statement dated 1st

February 2021 have been implemented in full accordance with the approved scheme. In the event that it is intended to use photovoltaic panels (Option 1) to meet the renewable energy generation target, prior to their installation a plan shall be submitted to, and approved in writing by, the Local Planning Authority indicating the location of the panels. The water efficiency and renewable energy generation measures thereby installed shall thereafter be retained and maintained.

REASON: In the interests of sustainability.

23. No dwelling shall be occupied until the noise mitigation measures set out in the WSP report No 70038722-001 dated February 2021, have been implemented. The noise mitigation measures shall thereafter be retained and maintained.

REASON: To ensure that the amenities of the future residents are not adversely affected by noise.

24. No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

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

25. Prior to the commencement of development, a scheme for the specific control and removal of bamboo from the site (an invasive non-native species) shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of timings of all initial and follow-up works. The scheme thereby approved shall thereafter be implemented in full.

REASON: To control the spread of this invasive non-native species in the interests of biodiversity.

26. No development shall take place until full details of the Drainage System 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 and drawings as appropriate; and

Further details of the proposals for the proposed mitigation measures for managing surface water flood risk within the site.

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.

27. No development shall commence until details of how the Drainage System (inclusive of flood mitigation measures) 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.

28. No dwelling hereby permitted shall be occupied until the Drainage System for this site has been completed in accordance with the approved details. No dwelling shall be occupied until written confirmation of agreements for the management and maintenance of the Drainage System have been submitted to and approved by the Local Planning Authority. The Drainage System shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with policy CS1 of the Core Strategy.
29. No dwelling hereby permitted shall be occupied until a verification report, appended with substantiating evidence demonstrating that the approved construction details and specifications of the Drainage System have been implemented, has been submitted and approved (in writing) by the Local Planning Authority. This shall include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes or control mechanisms and 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.
31. When carrying out the approved development if any contamination that was not previously identified is found it must be reported immediately in writing to the Local Planning Authority (LPA) and development work must cease. Site work can only commence once LPA authorisation is given. This will be subject to satisfying all requirements as stipulated by the LPA being completed and signed off in writing. These requirements will be specific to the nature of the contamination in question.
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.
[Relevant Policies: BFBLP EN25]
32. No dwelling shall be occupied until details have been submitted to the Local Planning Authority confirming that provision has been made for the installation of superfast broadband (fibre optic) internet connections for the entire development.
REASON: In the interests of the amenities of future occupiers.

In the event of the S106 agreement not being completed by 11th February 2022, the Assistant Director: Planning be recommended 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).

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: 7, 11, 12, 13, 14, 20, 21, 25, 26, 27.
The following conditions require discharge prior to the occupation of the dwellings hereby approved: 15, 16, 17, 18, 22, 23, 28 and 32.
The following conditions require discharge prior to any above ground works being commenced: 3 and 19.
The following conditions require discharge prior to the practical completion of the development: 8 and 29.
No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 4, 5, 6, 9, 10, 24 and 31.
03. The details submitted pursuant to Condition 12 of this permission should include details of hedgehog access points as recommended in the Ecological Appraisal March 2021.
04. The details of the Ecological Enhancements submitted pursuant to Condition 07 of this permission should consider the relocation of the collapsed willow tree (T10) in the northwest corner of the site (as identified within the Ecological Appraisal) which could provide value as deadwood.

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ITEM NO: 08

Application No.
21/00104/REM
Site Address:

Ward:
Great Hollands South

Date Registered:
3 February 2021

Target Decision Date:
5 May 2021

**Beaufort Park South Road Wokingham Berkshire
RG40 3GD**

Proposal:

Reserved Matters application relating to scale, layout, appearance and landscaping in respect of 68 dwellings in accordance with Condition 1 of planning permission granted on appeal (Ref: APP/R0355/W/18/3206527, LPA ref: 17/01123/OUT) for the demolition of existing vacant office building ("Beaufort Park") and redevelopment of site for up to 68 dwellings, plus associated parking, landscaping, highway improvements and ancillary works.

Applicant:

Taylor Wimpey West London PLC

Agent:

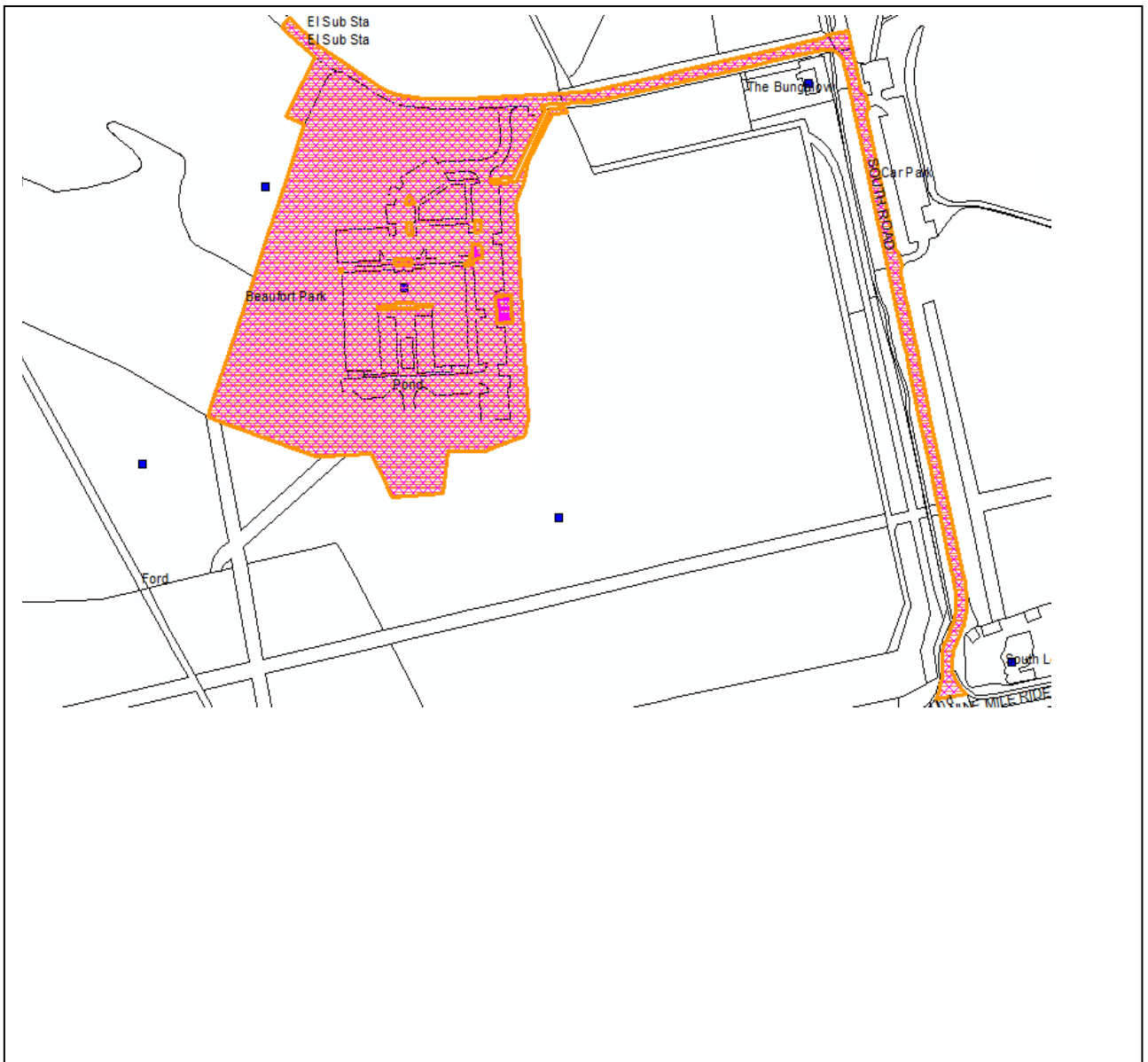
Mr Joseph Hickling

Case Officer:

Margaret McEvit, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 This is a reserved matters application pursuant to outline planning permission 17/01123/OUT. This was allowed on appeal and considered means of access for the demolition of an existing office building ('Beaufort Park') and redevelopment of the site for up to 68 dwellings, with associated parking, landscaping, highway improvements and ancillary works, accessed from South Road. This reserved matters application considers scale, layout, appearance and landscaping in respect of 68 dwellings.
- 1.2 The proposed layout is considered to be acceptable in terms of the development's impact on the character of the area. Parking has been provided to meet adopted parking standards.
- 1.3 A Landscape Masterplan has been submitted that provides for the landscaping of the site and the retention of mature trees on site boundaries.

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been reported to the Planning Advisory Committee because it has received more than 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Countryside
Previously Developed Land

3.1 The application site covers 3.36ha and is generally level. It is occupied by a vacant office building which, according to the information submitted, both by the applicants and local residents, has never been occupied since being constructed.

3.2 The site has access from South Road, an unadopted highway. The site is located to the west of Great Hollands, Bracknell and the Great Hollands Recreational Park, and north of the B3430 separated from it by a tree belt. Downshire Golf Club and Easthampstead Park Cemetery and Crematorium lie to the north of the site.

3.3 The site is already developed and consists of a modern two storey office building, parking and associated structures housing bin storage and cycle parking. The office building was constructed around 2009. The site is therefore considered to be previously developed land (PDL).

3.4 The site is landscaped with close cut turf with the built form located within the central part of the site. A mature group of trees is located to the north of the site, with a drainage

ditch separating them from the parking area. An area adjacent to the western boundary has been left less managed in the interests of biodiversity.

4. RELEVANT SITE HISTORY

4.1 02/00790/LDC Application for a Lawful Development Certificate for continued use of existing buildings as (B1) Business Approved 17.07.2003

4.2 06/01095/OUT Outline application, including details of access, for the erection of replacement B1 (business use) building (4,724 sq.m.) with associated car parking and landscaping and removal of all existing buildings, structures, hard standing and plant from the site (Withdrawn).

4.3 07/00234/OUT Outline application including details of access, for the erection of replacement B1 (business use) building (4,724 sq.m.) with associated car parking and landscaping and removal of all existing buildings, structures, hard standing and plant from the site. Approved 06.06.2007.

4.4 08/00093/REM Submission of details of layout, scale, appearance and landscaping for the erection of a replacement B1 (business use) building (4,724 sq.m.) with associated car parking pursuant to outline planning permission 07/00234/OUT. Approved 15.05.2008.

4.5 17/01123/OUT Outline application (including details of access) for demolition of existing office building ('Beaufort Park') and redevelopment of site for up to 68 dwellings, with associated parking, landscaping, highway improvements and ancillary works, accessed from South Road. Allowed on appeal 2018.

4.6 18/00655/OUT Outline application (including details of access) for demolition of existing office building ('Beaufort Park') and redevelopment of site for up to 68 dwellings, with associated parking, landscaping, highway improvements and ancillary works, accessed from South Road. (Resubmission of planning application 17/01123/OUT with additional information) Refused 22.08.2018.

5. THE PROPOSAL

5.1 The proposal is for a reserved matters application relating to scale, layout, appearance and landscaping for 68 dwellings following the granting of planning permission 17/01123/OUT. This was for the demolition of the existing vacant office building and redevelopment of site for up to 68 dwellings, plus associated parking, landscaping, highway improvements and ancillary works.

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

5.3 An area for play and open space has also been provided within the existing woodland in the north of the site and an area of heathland adjacent to the western boundary retained with footpath links to be provided.

5.4 Access to the site would utilise the existing access from South Road as approved under the outline planning permission 17/01123/OUT. Mature trees within the site are shown as being retained.

5.5 A total of 128 car parking spaces to include 9 garages, 6 car ports and 11 visitor parking spaces will be provided throughout the site.

5.6 The proposed layout shows a north south spine road with cul de sacs running east and west from this main road.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Recommend refusal on the following grounds:

- The affordable housing provision is minimal and has not been suitably addressed. Bracknell is in need of affordable housing.
- The extra traffic flow caused by this development would put pressure on access in and out of a road that already suffers busy traffic flow from parks, football pitches and a cemetery.
- Concerns about strain on the local infrastructure and feel the plans that were approved on appeal should be retained.

Crowthorne Parish Council

6.2 Would like clarification about the drainage and if any changes made to drainage - would impact the number of residential units planned and the layout of the area.

Representations

6.3 Nine letters of representation have been received raising the following material considerations:

- Concerns over sustainable waste management during the demolition phase
- No justification is given on why the existing building cannot be retained and converted to residential use
- Biodiversity protection during the construction phase to be taken into account
- Proposal is contrary to countryside policies in the Development Plan
- Vehicular access is not adequate for the likely number of vehicles from the development.
- Concerns over impacts on the junction of South Road and Nine Ride Ride.
- The site is listed in Thames Valley Environmental Records Centre "living list" as a potential Local Wildlife Site and is therefore afforded some protection from development.
- Concerns over development of a woodland site
- Three storey buildings will overlook single storey park homes on Badgerwood Park.
- Noise from the development affecting nearby residents.

7. SUMMARY OF CONSULTATION RESPONSES

Highways

7.1. Supports the application subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF	Weight to be attributed, with reference to para. 213 of NPPF
Sustainable development principles	SALP Policy CP1	Para. 11(d) refers to 'policies which <u>are most important for determining the application</u> are out-of-date'. CP1 wording differs to this. Furthermore, the PPG states that there is no need for a policy to directly replicate para. 11.	Limited (policy not used in planning application decision-making)
	CSDPD Policy CS1	Consistent (Paras. 7, 8, 11, 12, & 117 - 119)	Full

Land Outside Settlement	Policies H5, EN8 of the BFBLP, CS9 of CSDPD	Land Outside Settlement	Not fully consistent.
Design & Character	CSDPD Policy CS7 BFBLP 'Saved' Policy EN20	Consistent (Chapter 12) “	Full Full
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170) “	Full Full
Residential Amenity	'Saved' Policies EN20 & EN25 of BFBLP	Consistent (paras. 127, 170 & 180)	Full
Transport	CSDPD Policies C23 BFBLP 'Saved' Policies M8 & M9	Consistent (Chapter 9) “	Full Full
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)	Full
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175) “	Full Full
Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 118, 170, 178 & 180) “	Full Full
Sustainability of build (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)	Full

Supplementary Planning Documents (SPD):	
Parking Standards SPD (2016)	
Other publications:	
National Planning Policy Framework (NPPF) (2021) National Planning Policy Guidance (NPPG)	

8.2 The Bracknell Town Neighbourhood plan forms part of the Development Plan for Bracknell Town parish. Policy HO9 requires the design of new development to have regard to local character.

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Impact on the character and appearance of the area.
- ii Impact on Highway safety
- iii Landscaping and Trees
- iv CIL

i. Impact on the character and appearance of the area.

9.2 Policy CS7 of the CSDPD seeks a high quality of design for all development in Bracknell Forest. This should be achieved by building upon the local character, respecting local patterns of development and enhancing the landscape. The application is for reserved matters with layout, scale, siting and appearance to be considered. Means of access was determined at outline planning permission stage (17/01123/OUT).

9.3The LUC Landscape Character Appraisal 2015 defines the site as being located within the Forested Sands Character Area. Whilst some of the key characteristics identified within the report are evident around the periphery of the site, these have largely been lost within the site as a result of its developed nature. Redevelopment of this site would therefore not harm the landscape character of the application site or surrounding area.

9.4The site is well screened from the surrounding area by the existing vegetation and views to the site are limited. Development would therefore not result in material landscape or visual harm to the surrounding area.

9.5The proposal would result in a residential development, not directly abutting the settlement boundary. However the principle of development of the site for residential use has been established in the outline permission 17/01123/OUT.

9.6Although the layout of the proposed development was not considered at outline permission stage, it was considered that the site could accommodate up to 3 ½ storey properties without detrimentally affecting the wider character or appearance of the area. A height parameter plan was approved at outline stage setting out a range of

building height parameters from 2 to 3.5 storeys in height. This was subsequently amended under the non material amendment 21/00967/NMA.

9.7 The submitted plans show a variety of building heights to accord with the approved height parameter plans with the 3.5 storey apartments at the entrance of the site, and the lowest height buildings predominantly sited along the western, southern and eastern boundaries. The western site boundary is considered to be particularly sensitive as it contains areas of heathland that will be provided with footpath links through as part of the open space provisions for the development and extends across the site boundary to heathland and woodland on adjacent land. Providing a softer boundary to the site in this area will help to integrate the site into the wider area.

9.8 The apartments create an entrance feature into the site and are set out in linear fashion along the access road and facing retained woodland in the north of the site. A private road runs parallel to the northern woodland to serve two detached properties. The main spine road runs north to south with properties addressing the road. An S-shaped bend in the spine road helps to conclude views down the road and to minimise the visual impact of a long spine road through the development. Three cul de sacs are provided running east to west from the spine road which allow for views of the woodland east and west of the site. Along the southern boundary, private roads serve a total of eight properties.



View of Apartments from North

9.9 The layout is considered to be acceptable in terms of ensuring that the development does not visually encroach on sensitive land to the west of the site and in maintaining the mature tree boundaries on the northern, southern and eastern boundaries.

9.10 Apartments provide surveillance over the woodland and play area in the northern part of the site and a designated amenity space is provided for the residents of these apartments. The variety of height within the apartment building, differing materials along the building and the use of gables and balconies all help to reduce the bulk of the building and add visual interest.

9.11 Along the north-south spine road, 2.5 storey houses indicate the key route through the development. The existing office building on the site is positioned within the central part of the site and the location of the residential units reflects the footprint of existing

development, with 2 storey housing positioned around this central part of the site. This protects the more sensitive edges of the site. The lower heights of buildings along the private roads and cul de sacs located away from the spine road reflects the road hierarchy which also assists the legibility of the layout.

9.12 Materials are proposed to be a variety of red bricks with slate or brown roof tiles to add uniformity throughout the development. Roofs are predominantly gabled, with some gable ends fronting the roads. Dormers are set within the roofs of the apartment building and on some 2.5 storey houses. The differences in the height of buildings and use of porches and gables provides interest and variety, particularly along the spine road.

9.13 The heathland along the western boundary will be accessed through parking courts and will be overlooked from houses along this boundary. Houses are oriented facing or with side elevations with windows overlooking the heathland which will provide natural surveillance of the open space.

9.14 Amendments to the layout have reduced the impact of parking in front of houses, with the introduction of the bend in the spine road helping to provide an interruption in the view from north to south down this road. Tree planting has been provided within car parking within the streetscene to help to soften the layout. Parking is also provided within parking courts and garages and on plot. The variety of parking is considered to be acceptable in minimising the impact of parking on the street scene.



View South Down Spine Road

9.15 The proposed layout is considered to be acceptable and would not have a demonstrable detrimental impact upon the immediate or wider area. Within the site, the layout reflects the height parameter plan approved under reference 17/01123/OUT and as amended in 21/00967/NMA and the existing footprint of development on the site. The heights of buildings reduce along the west, south and east boundaries.

9.16 Mature trees along site boundaries and in the northern section of the site are to be retained. Open space is provided on the site, to include a play area in the northern open space. The proposal is considered to comply with Policy CS7 of the CSDPD and EN20 of the BFBLP.

ii Impact on Highway Safety

9.17 Means of access was determined at outline stage at which time consideration was also given to the impact of trips on the wider network. Parking has been provided to meet adopted car parking standards and is provided in a variety of forms throughout the development.

Internal Access Arrangements

9.18 A sinuous internal spine road is proposed, and the Highway Authority has worked with the applicant and Urban Design officer to reduce the dominance of parking within the street scene and to ensure that planting within visibility splays will be kept below 0.6m in height. The layout will not be offered for highway adoption, but is designed to adoptable standards, particularly where the layout is to be served by Bracknell Forest Council's refuse collection.

9.19 East and west from the main spine road there are a number of shared surface roads and shared driveways. Where carriageway width is not required for parking and turning, narrowings have been introduced so that additional planting and landscaping can be provided in the street scene. The shared surfaces and shared driveways are to be surfaced in different coloured block paving to the spine road.

9.20 There is a narrowing under the apartment building to parking at the rear, the start of this narrowing has been set-back in the latest revision of the layout to ensure that a vehicle can wait off the highway if a vehicle were to exit from under the narrowing at the same time.

9.21 The Highway Authority is satisfied that the layout provides safe and suitable access for all road users and that refuse collection, emergency vehicle access, and residential deliveries can be undertaken successfully with turning heads provided in appropriate places within the development.

Parking

9.22 The proposed parking arrangements for residents fully meet the requirements of the Parking Standards SPD (March 2016). Conditions are requested to provide parking and turning in accordance with the approved plans and to retain car ports and the first 6.0m of garages for car parking.

9.23 Visitor parking space numbers have been reduced slightly against full standards to reduce the impact of parking on the street scene. 10 visitor car parking spaces are proposed, representing a ratio of 1 space per 6.8 dwellings, which is slightly below the 1 space per 5 dwellings in the Parking Standards SPD (March 2016); a position which has been reached with the agreement of the Highway Authority. The visitor spaces are dispersed through the development, providing convenient locations for visitors to all dwellings to park. Of particular note are four visitor spaces opposite the apartment building.

9.24 Cycle parking is provided for all dwellings, either within a store to the rear of a garage or in a separate store on the plot. Each plot has rear access for cycles and bins.

iii Landscaping and Trees

9.25 Policy EN1 of the BFBLP, seeks to retain trees and hedges which are important in either:

- The character and appearance of the landscape, or
- Habitats for local wildlife

9.26 A conifer plantation surrounds the southern and eastern boundaries. Within the site to the north there is a small deciduous plantation, consisting of semi-mature oaks. There are few other trees within the site and none of particular importance.

9.27 A Landscape Masterplan has been submitted which sets out the principles of landscaping the site. Landscape plans have also been submitted which show the retention of heathland/grassland areas and the use of native species throughout the landscaped areas. Landscaping has also been introduced along the spine road to break up parking areas and soften the appearance of the street.

9.28 Condition 13 of the outline planning permission 17/01123/OUT required details of native and wildlife-friendly landscaping to be submitted for approval. The submitted landscaping plans and landscape masterplan are considered to indicate the areas of the site where landscaping can be provided and the principles of trees, hedging and shrub planting to ensure that native species are provided throughout the site.

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

9.30 The proposal is considered to comply with Policy EN1 of the BFBLP.

iv Community Infrastructure Levy (CIL)

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

9.32 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

9.33 CSDPD Policy CS6 states that development is expected to contribute to the delivery of: -

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

9.34 Guidance in the Planning Obligations SPD is relevant. Bracknell Forest Council Community Infrastructure Levy (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. It applies to any new build but in the case of outline applications is calculated when reserved matters are submitted. In the case of this application, CIL is calculated at the reserved matters stage.

9.35 CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These comprise:-

- Provision and enhancement of land to Suitable Alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
- specified Local Road Network capacity improvements
- strategic road network improvement outside the borough
- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

10. CONCLUSIONS

10.1 This is a reserved matters application following the granting of outline planning permission on appeal. The application considers scale, layout, appearance and landscaping. The building heights are in accordance with the parameter height plans as approved in outline permission 17/01023/OUT, as amended in 21/00297/NMA and the scale of development is considered to be acceptable in terms of the impact of the development on the character of the area.

10.2 The layout includes apartments at the entrance to the site, with the 3.5 storey element creating an entrance feature. Houses are positioned fronting onto the spine road and private roads to create a generally linear layout. The layout allows for views east-west of the woodland on the site boundaries and also provides for footpath links from the site to heathland, which is retained as open space along the western boundary.

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

10.4 It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policy EN20 and M9, and the NPPF.

11. RECOMMENDATION

That the Assistant Director: Planning be recommended to **APPROVE the application** subject to the following conditions: -

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

19269-C101 REV S
 TWWL23039-03I
 TWWL23039 10C
 Undercroft Access Model

- 19269/P110c
- 19269/P111c
- 19269/P112f
- 19269/P113b

19269/P114d
19269/P115d
19269/P116e
19269/P117c
19269/P119c
19269/P120c
19269/P121c
19269/P122b
19269/P123c
19269/P124d
19269/P125c
19269/P126b
19269/P127c
19269/P128c
19269/P129c
19269/P130c
19269/P131a
19269/P132c
19269/P133c
19269/P134b
19269 / P135/B
19269/P137c
19269/P138c
19269/P140b
19269/P141b
19269/P142b
19269/P143b
19269/P144
19269/P145

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

02. No development shall take place until samples of the materials to include bricks, tiles, balcony screening materials and surface materials, to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

03. No development above slab level shall take place 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, proposed numbers/densities locations.

- b) Comprehensive 5 year post planting maintenance schedule.
 - c) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
 - d) Means of enclosure (walls and fences etc)
 - e) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts
 - f) Recycling/refuse or other storage units
- REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

04. Full details of the play equipment for the LEAP shall be submitted and approved in writing by the Local Planning Authority prior to its installation. Details shall include all equipment specification and method of fixing.
The equipment shall be installed in accordance with the approved details and retained as such thereafter.
REASON: In the interests of the visual amenity and in the interests of the provision of recreational, leisure and educational play.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS1, CS7 and CS8]

05. No dwelling shall be occupied until a plan showing visibility splays at each internal junction of 2.4m x 25m in each direction and forward visibility around each bend of 22m has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

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: 2.
The following conditions require discharge prior to the occupation of the dwellings hereby approved: 1, 5.
The following conditions require discharge prior to any above slab level being commenced: 3.
No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1
_____ The following conditions require discharge prior to installation of play equipment: 4.

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ITEM NO: 09

Application No.
21/00550/FUL
Site Address:

Ward:
Wildridings And Central

Date Registered:
6 July 2021

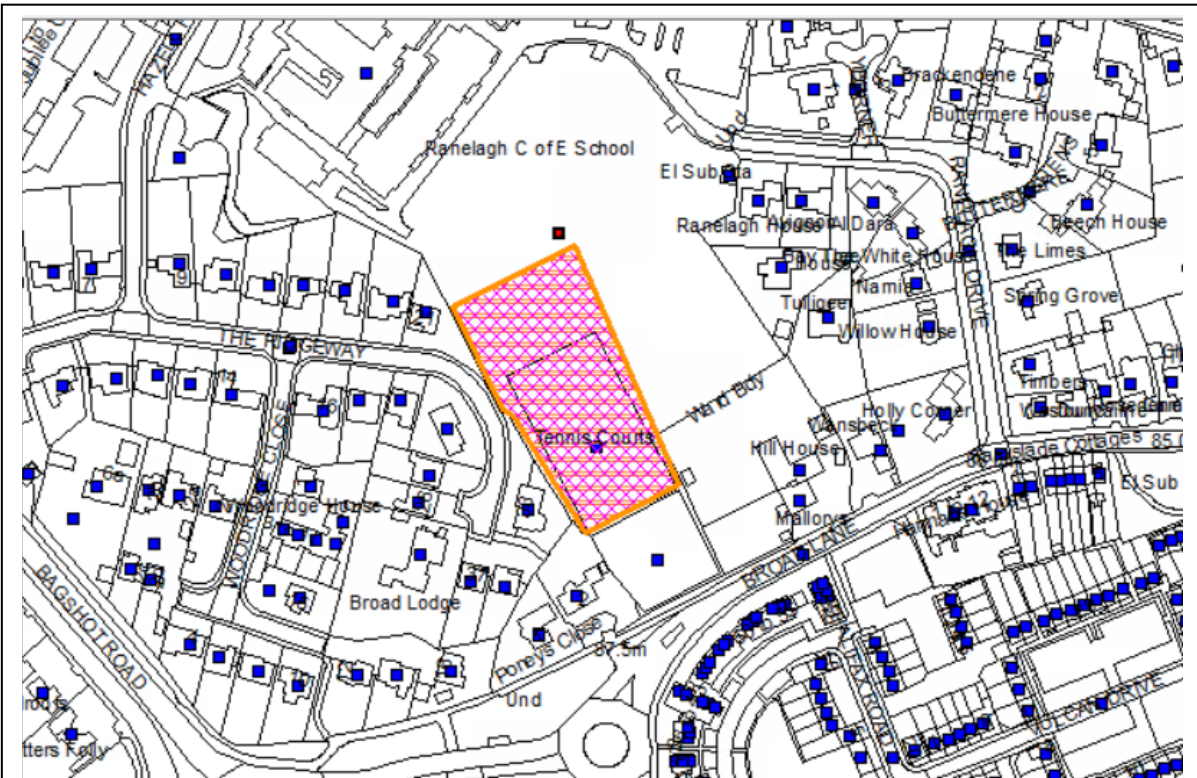
Target Decision Date:
31 August 2021

**School Playing Fields Ranelagh School Ranelagh
Drive Bracknell Berkshire
Installation of ball stop fencing.**

Proposal:
Applicant:
Agent:
Case Officer:

Mr Kayne Steinborn-Busse
Mr Matthew Miller
Olivia Jones, 01344 352000
development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 Full planning permission is sought for the erection of ball-stop netting along the boundary of Ranelagh School MUGA (Multi-Use Games Area).
- 1.2 The application is retrospective.
- 1.3 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area, residential amenity, biodiversity or trees.

RECOMMENDATION
Planning permission be granted unconditionally

2. REASONS FOR REPORTING THE APPLICATION TO ADVISORY PLANNING COMMITTEE

- 2.1 The application has been reported to the Advisory Planning Committee as more than five letters of objection have been received for this scheme.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Defined Settlement
Area B of the Bracknell Study Area within the Character Area Assessments SPD
TPO 1073 & TPO 1074 run along western boundary

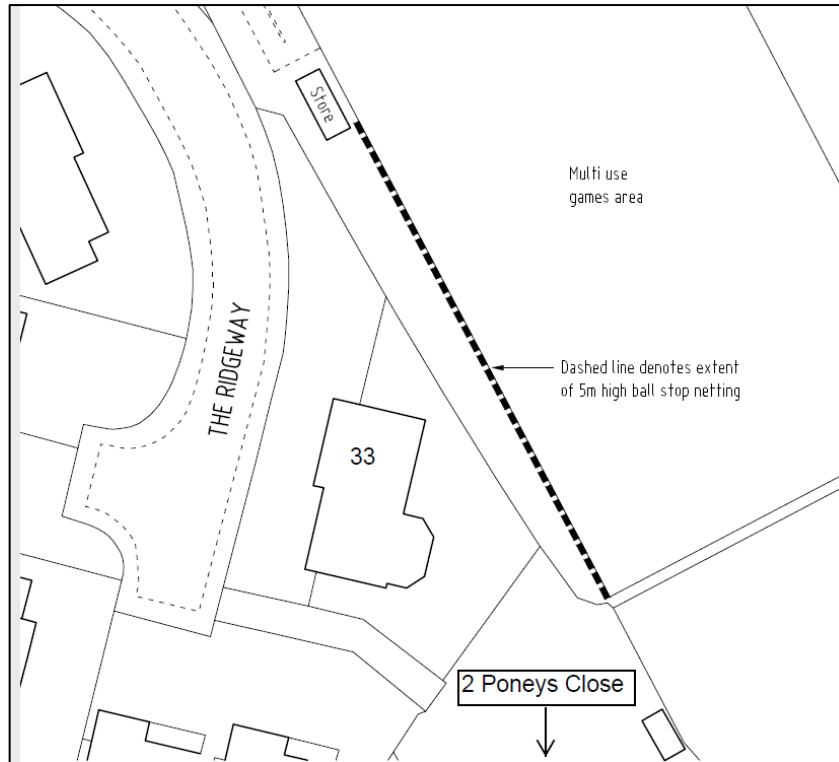
- 3.1 The netting runs along the westernmost boundary of the playing fields of Ranelagh School. The netting is separated from the side boundary of 33 The Ridgeway (the nearest residential property) by a minimum of 3.5 metres.

4. RELEVANT PLANNING HISTORY

- 4.1 There is no planning history relevant to the proposed development.

5. THE PROPOSAL

- 5.1 The netting is 5 metres high and runs along the boundary of the Ranelagh School MUGA for 49 metres. The netting runs along the eastern boundary of 33 The Ridgeway, and the north-east corner of 2 Poneys Close.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 No objection

Other Representations

6.2 Seven letters of objection have been received raising the following concerns:

- (i) Development out of keeping with character of area
- (ii) Reflection of lights onto netting causing light pollution
- (iii) Overbearing impacts
- (iv) The use of the MUGA has a detrimental impact on the amenities of the residents
- (v) Impact on future sales the neighbouring properties

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection

Environmental Health Officer

7.2 No objection

Biodiversity Officer

7.3 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent

Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP, Policy HO8 of the Bracknell Town Neighbourhood Plan	Consistent
Residential Amenity	Saved policies EN1, EN2, EN20 and EN25 of BFBLP	Consistent
Trees	Saved policy EN1 of BFBLP Policy EV4 of the Bracknell Town Neighbourhood Plan	Consistent
Biodiversity	'Saved' Policy EN15 of BFBLP	Consistent
Supplementary Planning Documents (SPDs)		
Design (2017)		
Parking Standards (2016)		
Other publications		
National Planning Policy Framework 2021 (NPPF)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development
- (ii) Impact on the character and appearance of the area
- (iii) Impact on residential amenity
- (iv) Impact on trees
- (v) Impact on biodiversity

i. Principle of Development

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

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

ii. Impact on Character and Appearance of Surrounding Area

9.4 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted

which build on the urban local character, respecting local patterns of development. Section 12 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.5 Policy HO8 of the Draft Bracknell Town Neighbourhood Plan states that the design of new development should have regard to local character including the use of locally appropriate building materials.

9.6 The netting is 5 metres high and runs the length of 49 metres. It is visible from The Ridgeway, a residential road, and at its closest point would be approximately 3.4 metres from the pavement.

9.7 However, the structure would not appear overly dominant, as views through the netting are retained. While the netting and frame is visible within the streetscene, it is not considered to have a sufficient adverse impact on the character of the area to warrant a refusal.

iii. Residential Amenity

9.8 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 130 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future users.

9.9 Due to the position and nature of the netting it is not considered to have an adverse impact on the residential amenities of the neighbouring occupiers. The installation of the netting reduces the instances of balls and other play equipment from falling into The Ridgeway, and therefore improves the enjoyment of the properties. The Environmental Health Officer has reviewed the scheme and does not consider that any reflection of lighting onto the netting would have a significant effect on light pollution, to the detriment of surrounding residential amenity.

iv. Trees

9.10 'Saved' policy EN1 of the BFBLP states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows. Trees and hedgerows are important to the retention of the character and appearance of the landscape or townscape of the area. Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments. It goes on to state that planning decisions should ensure that existing trees are retained wherever possible.

9.11 Policy EV4 of the Bracknell Town Neighbourhood Plan states that development proposals are expected to retain all trees in good condition, and which possess amenity value.

9.12 Protected trees (TPO 1073 & TPO 1074) run along the western boundary of the application site.

9.13 Photographic evidence has been submitted which demonstrates that the netting and structure does not intersect the canopies of the surrounding trees. As such, the netting is not considered to result in a pressure to prune the protected trees.

v. Biodiversity Implications

9.14 Policy CS1 of the CSDPD states that development will be permitted which protects and enhances the quality of natural resources including biodiversity. Policy CS7 of the CSDPD

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

9.15 The netting is located outside any significant habitat areas, and the Biodiversity Officer has reviewed the scheme and has raised no concern that the netting would have an adverse impact on the surrounding biodiversity.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and does not result in an adverse impact on the character and appearance of the surrounding area, trees, biodiversity or the residential amenities of the occupiers of the neighbouring properties. It is therefore considered that the development complies with 'Saved' policies of the BFBLP, Policies of the CSDPD, BFBC SPDs, Policies of the Bracknell Town Neighbourhood Plan and the NPPF.

11. RECOMMENDATION

11.1 That the Assistant Director: Planning be recommended to **APPROVE UNCONDITIONALLY** application 21/00550/FUL.

Informative(s):

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

02. This permission is granted in accordance with the following approved plans, received 8th July 2021 by the Local Planning Authority:

Site and Location Plans
Photos 1-4

ITEM NO: 10

Application No.
21/00743/FUL
Site Address:

Ward:
Central Sandhurst

Date Registered:
11 August 2021

Target Decision Date:
6 October 2021

7 York Way Sandhurst Berkshire GU47 9DE

Proposal: **Proposed erection of a single storey side and rear extension to expand the existing Dental Practice (Class E)**

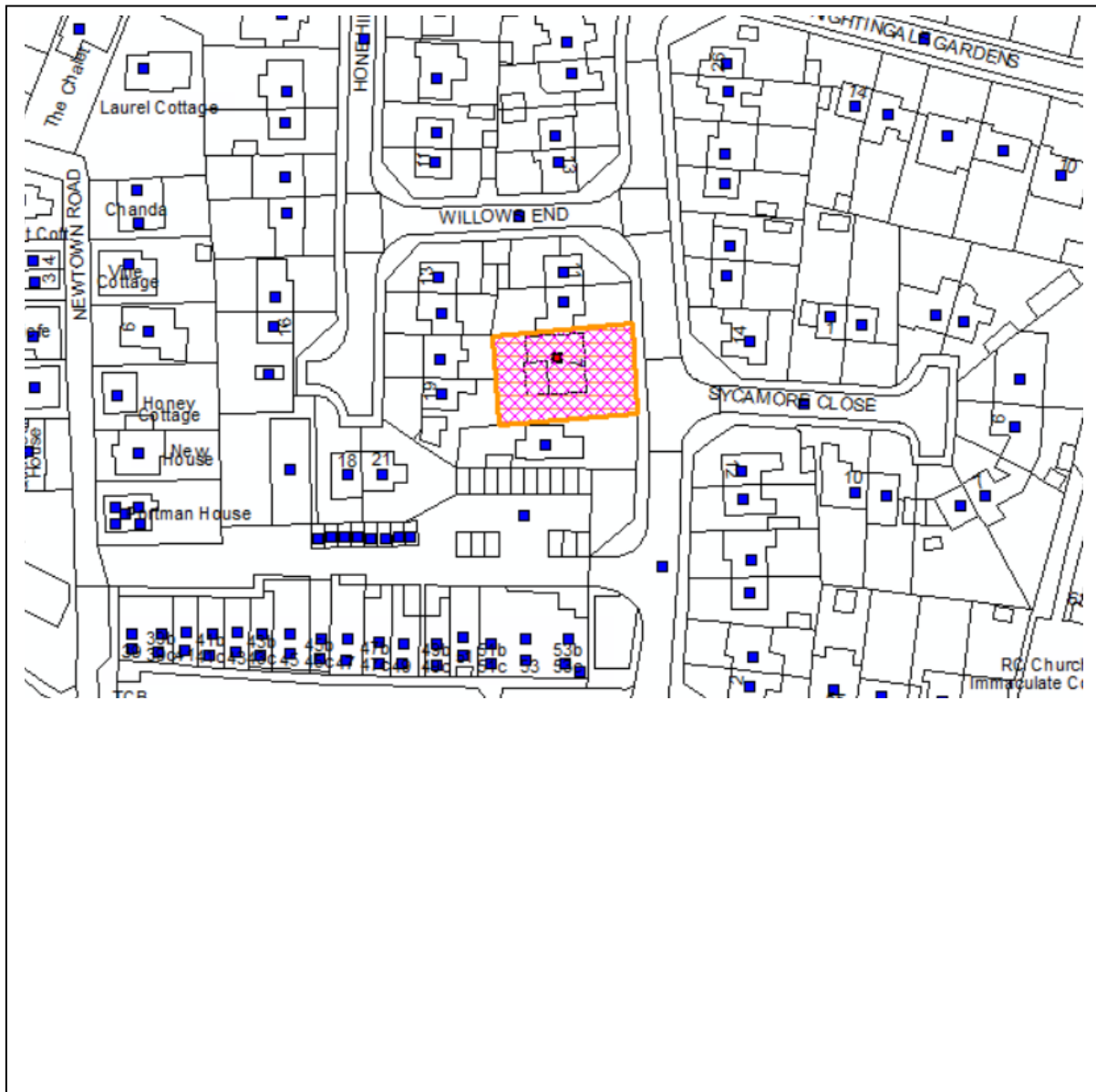
Applicant: Mr D Godvindasami

Agent: Mr Sam Peacock

Case Officer: Olivia Jones, 01344 352000

development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 Full planning permission is sought for the erection of a single storey side extension to the existing dental practice. The proposed extension would provide two additional treatment rooms and an office.
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area, residential amenity or highway safety.

RECOMMENDATION

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

2. REASONS FOR REPORTING THE APPLICATION TO ADVISORY PLANNING COMMITTEE

- 2.1 The application is being considered by the Advisory Planning Committee at the request of Councillor Dudley over parking provision and highway safety concerns.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Defined Settlement

- 3.1 7 York Way is a detached building with the ground floor in use as a dental practice (class E), and the first floor in use as a 3 bedroom apartment.

4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history is summarised as follows:

Application 01/00852/FUL - Application for change of use of part of ground floor from residential to dental practice - APPROVED 2001

Application 02/01252/FUL - Provision of additional accommodation for existing dental surgery through change of use of ground floor room from residential and erection of single storey side extension - REFUSED 2003

Application 03/00460/FUL - Provision of additional accommodation for existing dental surgery through change of use of ground floor room from residential - APPROVED 2003

Application 04/00018/FUL - Retention of shed in rear garden - APPROVED 2004

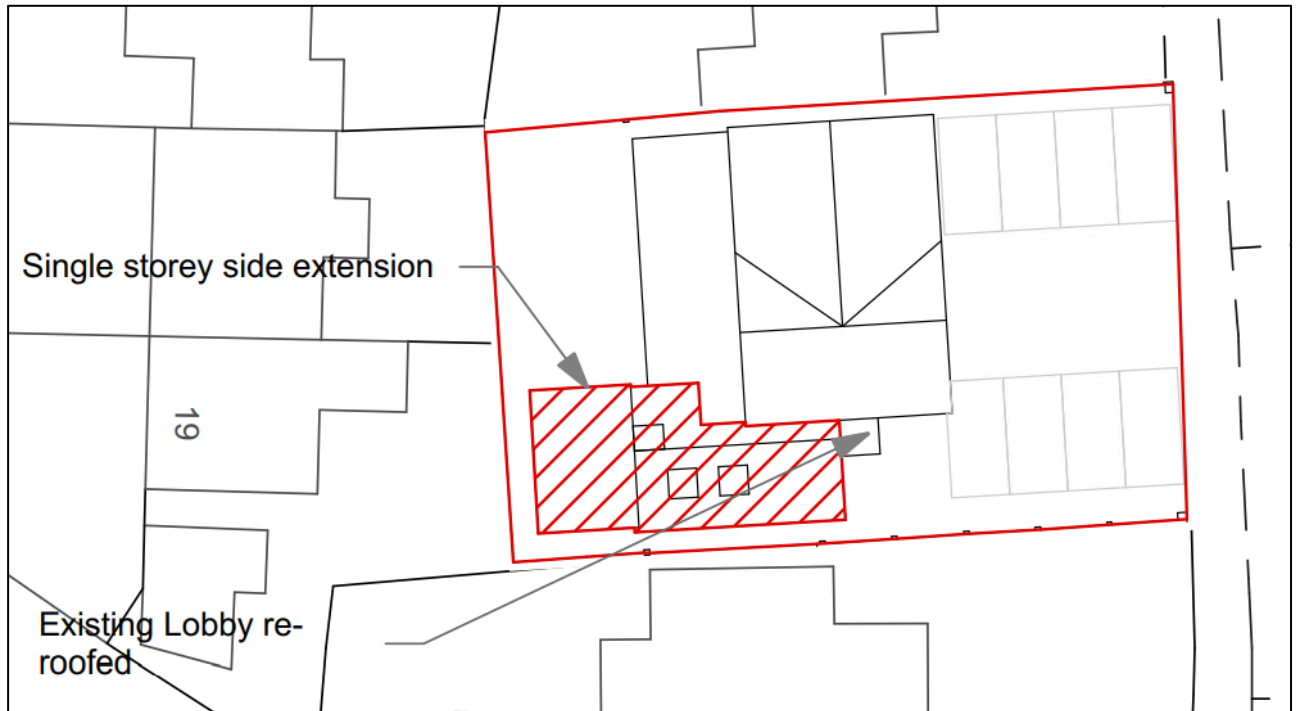
Application 07/00315/FUL - Change of use from combined use, of D1(Surgery) use class and residential to increase the D1 use class level from residential by 41sqm at first floor level - REFUSED 2007

Application 18/00617/FUL - Section 73 application to vary Condition 2 (Plans), Condition 4 (Parking), Condition 6 (Retention of Garage for Parking) and Condition 9 (Number of Consulting Room) of Planning Permission 03/00460/FUL. (For clarification: This application is to allow for two additional consulting rooms, vary the parking and use of garage). - APPROVED 2018

Application 21/00205/FUL - The erection of a single storey side and rear extension to expand the existing Dental Practice (D1). – REFUSED 2021

5. THE PROPOSAL

- 5.1 The proposal is for the erection of a single storey side and rear extension to provide 2no. additional treatment rooms and an office. This would bring the number of treatment rooms to 6.
- 5.2 The proposed extension would extend past the rear elevation by approximately 5.5 metres, have a width of approximately 5.7 metres and a maximum height of approximately 3.85 metres.



6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Objection on the following grounds:

- (i) The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking and turning space. (27/15).
- (ii) The members consider that the parking provision already falls below the required standards.

Other Representations

6.2 Three letters of objection have been received raising the following concerns:

- (i) An increase in anti-social behaviour should the practice expand
- (ii) Insufficient parking and turning, with traffic survey undertaken during lockdown, which impacts the results

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 The Highway Authority does not support the application as the parking standards cannot be met, but has not made a recommendation that the application be refused.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Residential Amenity	Saved policies EN1, EN2, EN20 and EN25 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent
Supplementary Planning Documents (SPDs)		
Design (2017) Parking Standards (2016) Streetscene (2010)		
Other publications		
National Planning Policy Framework 2021 (NPPF) Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (BRE SLPDS)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. Principle of Development

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

9.3 The proposed development would increase the floor area provision for the dental practice by approximately 50 square metres (GIA). The proposed development would not result in the loss of a commercial unit, the change of use of a unit, or the creation of a new unit. The site is located within a defined settlement on the Bracknell Forest Borough Policies Map (2013).

9.4 As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area, highway safety etc.

ii. Impact on Character and Appearance of Surrounding Area

9.5 The proposed extension would be single storey. It would be set back from the front elevation of the building by 4.87 metres. The proposed materials would be similar to those found on the existing building. As such, the proposed extension is considered to appear subservient to the main building and constructed of similar materials with a sympathetic design.

9.6 The existing premises is currently in lawful use as a dental practice with a residential use above. The hours of operation are not proposed to be extended. No increase in patients or members of staff are proposed. Noise nuisances and other anti-social behaviour should be dealt with under separate legislation (e.g. Environmental Health).

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

iii. Residential Amenity

9.8 Given the single storey nature of the proposed extension it is not considered to result in unacceptable levels of overlooking or overbearing impacts.

9.9 The proposed development would be sited approximately 1.6 metres from the side elevation of the property to the south, 5 York Way. There are no side windows on this property that form the primary source of light to habitable rooms.

9.10 The proposed extension extends past the front elevation of 5 York Way by approximately 0.6 metres, and the rear elevation by approximately 4.6 metres. Given the modest projection to the front it was determined there would be no significant loss of light to front facing windows on 5 York Way.

9.11 The BRE SLPDS is used as a guideline for assessing potential loss of light and the acceptable levels of loss to light to the primary source of light of a habitable room.

9.12 For a window parallel to a new development a 45 degree line is drawn on the vertical plane from the highest nearest point of the roof towards this window. Then a 45 degree line is drawn on the horizontal plane from the end of the extension towards the window wall. If the centre of the window lies on the extension side of both of these 45 degree lines, it would be considered that the development would result in an adverse impact on the property with regards to loss of light.

9.13 This loss of light assessment was undertaken and it was determined the proposed development would not have a significant impact on the rear facing windows of 5 York Way.

9.14 As such, the proposal would not be considered to affect the residential amenities of residents of neighbouring properties or future occupiers of the property and would be in accordance with 'Saved' policies EN20 & EN25 of the BFBLP, the Design SPD and the NPPF.

iv. Transport and Highways Considerations

9.15 The Parking Survey submitted with this application confirms that within the surrounding area at the survey times, there were between 19 and 41 spaces available. This does not include timed/restricted parking, which staff would not be able to rely on being able to use.

9.16 The Local Planning Authority's current Parking Standards (2016) require 3 patient car parking spaces per consulting room for consulting surgeries and 1 space per consulting staff (at busiest time) and 1 space per 3 other staff.

9.17 The application seeks to provide two additional consulting rooms (increasing the total to 6). Based on consulting rooms and including the information from paragraphs 3.8/3.9 of the Planning Statement the site will attract a demand for 21 car parking spaces (18 spaces for consulting rooms and 3 spaces for staff based on the travel survey).

- 9.18 Given only 8 spaces will be provided on site, the site will have a parking shortfall of 13 spaces which will likely be displaced out onto the local highway network.
- 9.19 The Parking Survey results confirm that the surrounding area can accommodate the sites potential parking shortfall of 13 spaces.
- 9.20 As such, while the parking shortfall cannot be accommodated on site, given the availability in the wider area it is not considered that the proposed development would have an adverse impact on highway safety sufficient to warrant a refusal.
- 9.21 The parking survey was undertaken on Tuesday 22nd and Wednesday 23rd June. At this time shops were open for business and were operating at normal business hours. As such, it is considered that the parking survey provides an accurate assessment of the parking availability in the area.
- 9.22 The application states that the increase in consulting rooms is to allow for more time to clean these rooms between patients. The applicant is not proposing to increase staff members or patients. Conditions are recommended ensuring that the numbers of staff members and patients does not increase.

10. CONCLUSIONS

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

11. RECOMMENDATION

- 11.1 That the Assistant Director: Planning be recommended to **APPROVE** application 21/00743/FUL 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.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans:

PROPOSED SITE LOCATION PLAN (90/A) – Received 18.08.21
PROPOSED BLOCK PLAN (91/A) – Received 18.08.21
PROPOSED GROUND FLOOR PLAN (102/B) – Received 14.09.21
PROPOSED FIRST FLOOR PLAN (103/A) – Received 18.08.21
PROPOSED NORTH & EAST ELEVATIONS (121/A) – Received 18.08.21
PROPOSED SOUTH & WEST ELEVATIONS (122/A) – Received 18.08.21

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance to those on the existing building.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]

04. The staff present at 7 York Way connected to the dental practice shall not in total exceed 15 at any time.
REASON: To reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
05. The number of patients being treated at 7 York Way connected to the dental practice shall not in total exceed 4 at any time.
REASON: To reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
06. No part of the development hereby approved shall be occupied until the vehicle parking spaces have been provided in accordance with the approved drawing (91/A). The spaces approved shall be retained at all times for parking in association with the development.
REASON: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
07. No part of the development hereby approved shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
REASON: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
08. No part of the development hereby approved shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing (91/A). These facilities shall be kept available for use in association with the development at all times.
REASON: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development.

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. Although they must be complied with, no details are required to be submitted in relation to the following conditions:
- (1) Commencement
 - (2) Approved plans
 - (3) Materials
 - (4) Limit to staff
 - (5) Limit to patients
 - (6) Vehicle parking

(8) Bin storage

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

(7) Cycle parking

03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
05. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, The Highways and Transport Section, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk, to agree the construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

INFORMATION ITEM FOR COUNCILLORS, NOVEMBER 2021

PLANNING PERFORMANCE REPORT – QUARTER TWO, 2021-22

Executive Director: Place, Planning and Regeneration

1. PURPOSE OF REPORT

1.1 The purpose of this report is to update members on planning performance. It is an information item setting out a range of planning performance data for the second quarter of 2021/22, it includes figures for the previous quarter for comparison.

2. IMPACT OF THE CORONAVIRUS

2.1 The level of service maintained during the pandemic is indicated in the table below which shows the numbers of applications determined during 2020/21 along with the figures for 2019/20.

Quarter / Year	Q2 2019/20	Q2 2021/22	Change
Application Type	Applications Determined		
Majors	14	6	-8
Minors	37	51	+14
Others	160	134	-26
Total	221	191	-30
	Applications on Hand		
Total on hand	257	435	+178

2.3 The table shows that during the second quarter of 2021/22, some 30 fewer applications were determined than for the same quarter of 2019/20.

2.4 The high level of applications over recent months has resulted in the currently high number of cases in hand (435) which is an increase of 178 on the number on hand at the end of the same quarter of 2019/20. This is taking take some time to clear but the number is now some 40 lower than it was at the start of the second quarter of the current year. Additional resources have been secured which is to helping to deal with the backlog. Further recruitment is also being pursued within planning and other contributing services to help deal more quickly with applications on an ongoing basis.

2.5 The high numbers of applications combined with resourcing issues in planning and other contributing services has resulted in some applications taking longer to process than usual as can be seen in the performance figures in the next section of this report. This is the experience of most planning authorities at present and a warning about timescales has been placed on the Council website and on the acknowledgement letters sent to applicants.

- 2.6 Despite the current pressures, officers endeavour to provide a high quality of service and this was recently acknowledged by an applicant who took the trouble to write to the Council in the following terms:

Email to customer services from applicant for proposed conversion of Methodist Church, Winkfield Row

Hi,

I would just like to pay compliment to the planning department and in particular the case officer Olivia Jones.

We recently had an application and there were some issues with the original design. Olivia worked with us and requested changes and reports as needed so that she could be in a position to approve the application.

In the end we did not get the scheme we originally wanted but a compromised version which the client was happy with in the end. It was down to Olivia looking for solutions and working with us rather than simply refusing the application. The result was a scheme which was praised by last nights' committee.

I also watch a lot of planning committees and I thought her presentation of the committee was first class. She was polite and courteous throughout and an absolute pleasure to deal with. I deal with several Councils in my role as an agent and I assure you that such high-quality service is sadly very rare these days.

Thanks very much.

3. PLANNING APPLICATIONS

- 3.1 Table 1 below shows the planning performance figures for the previous two quarters. The targets for 2021/22 are unchanged from the previous year and are to deal with 90% of Minors and Others and 85% of Majors within the relevant statutory 8 or 13-week period, or within an agreed extension of time.

Table 1 Planning Applications Determined

	% determined including with extension of time	Target	No. determined with extension of time	Total no. determined
Q2 2021/22				
Majors	84%	85%	3	6
Minors	89%	90%	43	51
Others	77%	90%	76	134

Total			122	191
Q1 2021/22				
Majors	86%	85%	5	7
Minors	76%	90%	21	38
Others	94%	90%	95	154
Total			121	199

- 3.2 Table 2 below shows how many applications were on hand at the beginning and end of each of the last two quarters.

Table 2 Applications on Hand

Quarter	On hand at beginning of period	On hand at end of period	Change
Q2 2021/22	475	435 est.	-40
Q1 2021/22	435	475	+40

- 3.3 The data show that performance on major applications has declined very slightly in the second quarter from the previous one, and at 84% is just 1% below the 85% target. Performance on minor applications has significantly improved from 76% for the previous quarter to 89% for the first quarter of the year which is just 1% below the 90% target. Performance on other applications has reduced significantly from 94% in the previous quarter down to 77% for the second quarter – some 13% below the 90% target. This is largely due to the very high workloads being experienced.
- 3.4 The number of cases on hand has decreased by 40 following 6 consecutive quarters when it had increased. It still remains at a historically high level at around 435 cases on hand given that in pre-covid times it was normally well below 300.

4. PLANNING ENFORCEMENT

- 4.1 Table 3 shows the number of enforcement cases opened, closed and on hand in the latest quarter along with the same figures for the previous quarter.

Table 3 Enforcement Caseload

Quarter	Opened in Period	Closed in Period	On hand at end of period
Q2 2021/22	54	75	97
Q1 2021/22	62	56	118

- 4.2 The table above shows that 21 more cases were closed than opened during the quarter. The target for 2021/22 remains to keep the number of cases on hand below 100 and this quarter's figures show that, following a period when it has been well above 100, it is again being achieved. 8 fewer cases were opened in the latest

Quarter than in the previous and the number of cases closed increased by 19 over the previous period.

- 4.3 Table 4 shows the numbers of current enforcement cases that are over 6, 12 and 18 months old.

Table 4 Older Enforcement Cases

	Q2 2021/22	Q1 2021/22	Change	Change %
Current cases over 6 months old	56	47	+9	+19%
Current cases over 12 months old	32	31	+1	+3%
Current cases over 18 months old	24	23	+1	+4%

- 4.4 Table 4 above shows that, over the previous quarter there has been a notable increase in the number of cases over 6 months old. For the numbers of cases over 12 and 18 months old there have only been slight increases of one case which represents 3% and 4% increases respectively. Now that the coverall caseload has reduced to below 100 cases on hand it is hoped that further progress can be made on the more complex older cases.
- 4.5 The cases are regularly monitored and action is prioritised in accordance with the updated Local Enforcement Plan. Despite the increase in workload there have been some notable successes during the quarter. A particularly notable example has been the removal of the concrete batching plant at Buckhurst Moors following the successful outcome of an enforcement appeal which was reported in the previous report.

ENFORCEMENT CASE STUDIES

- 4.6 The photographs below illustrate one of the enforcement cases successfully resolved during the quarter with before and after pictures.

Case 1: compliance with the enforcement notice at Buckhurst Moors concrete following successful outcome of enforcement appeal

Before:



After:



Case 2: Clearance of unauthorised material at Palm Hills, London Road, Bracknell

Before:

After:



5. PLANNING APPEALS

5.1 The table below summarises the numbers of appeals determined during the quarter, the numbers allowed and dismissed and the percentage dismissed with the same figures for the previous quarter and for the full year for comparison.

Table 5 Planning Appeal Decisions

	Decisions	Allowed	Dismissed	% Dismissed	Target
Q2 2021/22	8	2	6	75%	66%
Q1 2021/22	8	3	5	62.5%	66%

5.2 Planning appeals performance has improved since the previous quarter and exceeded the target of 66% with 75% of appeals dismissed.

5.3 The dismissed appeals included land adjacent to Silver Trees, Birch Lane, Ascot. This was an application for the erection of a two-storey dwelling. In dismissing the appeal, the Inspector concluded that it would unacceptably harm the character and appearance of the area. Costs awards claims were made by both parties to the appeal but neither was upheld by the Inspector.

5.4 Another dismissed appeal was for a proposed extension and basement at The White House, Crouch Lane, Winkfield which is located in the Green Belt. Here the Inspector found that the extent of the proposed extensions meant that it comprised inappropriate development in the Green Belt. They also concluded that an extant permission for alternative extensions did not provide very special circumstances to justify approval of the proposed extension which had a greater overall volume.

6. COMMUNITY INFRASTRUCTURE LEVY (CIL) AND S106 PAYMENTS

6.1 Table 6 below shows the total value of the CIL liability notices issued (normally issued with, or just after, a planning permission). It also shows the value of CIL demand notices issued (normally issued just prior to commencement of a development). The final column shows the amount of CIL actually received by the Council. The CIL received is the gross amount before the Parish and Town Council proportions and the administrative allowance are deducted.

Table 6 Community Infrastructure Levy

	CIL Liabilities Issued		CIL Demand Notices Issued		CIL Received
	No.	Net Amount	No.	Net Amount	Gross Amount
Q2 2021/22	6	£642,121	7	£233,583	£448,249
Q1 2021/22	6	£1,226,423	4	£1,337,985	£1,015,121

6.2 Table 6 shows that there has been a decrease in CIL income from the previous quarter, but that the Council still secured over £448K. Similarly, over £642K was achieved during the quarter for CIL Liabilities issued but this is a significant drop from the over £1.2 million achieved in the previous quarter. Of concern for the future pipeline of CIL income, it is notable that CIL Demand Notices issued amounted to just over £233K in the second quarter which is a large drop from the over £1.3 million achieved in the preceding quarter. While the second quarter does include the main holiday period, this is a concern and probably reflects to some extent sentiment within the construction industry where shortages of skilled workers and materials are causing problems.

Table 7 Amounts Secured and Received via S106 Agreements

S106 2020/21	Amount secured in s106 Agreements	Amount received from s106 Agreements
Q2 2021/22	£724,275	£1,508,999
Q1 2021/22	£1,665,662.94	£2,702,543.00

6.3 Table 7 shows that, similarly to CIL income, amounts secured and received from S106 contributions are both significantly lower than the previous quarter.

7. RECOMMENDATION

7.1 **It is recommended that Members note the information contained in this report.**

Contact for further information
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