

## Notice of Meeting

### Planning Committee – Advisory Meeting

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

**Thursday 24 March 2022, 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.	<b>Apologies for Absence</b>	
	To receive apologies for absence.	
2.	<b>Minutes</b>	3 - 4
	To approve as a correct record the minutes of the meeting of the Committee held on 9 March 2022.	
3.	<b>Declarations of Interest</b>	
	<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.	<b>Urgent Items of Business</b>	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	

### Planning Applications

(Assistant Director - Planning)

### **EMERGENCY EVACUATION INSTRUCTIONS**

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

**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.	<b>PS 21/00361/PARC - Lavenir, Opladen Way, Bracknell, Berkshire</b>	9 - 24
	Prior Notification requirement under Class AA of Part 20 of the GPDO for a two storey roof extension to form 42 apartments.	
6.	<b>PS 21-00250-OUT Bracknell Town Football Club, Larges Lane, Bracknell, Berkshire, RG12 9AN</b>	25 - 56
	Outline application including access, appearance, layout and scale for demolition of existing dwelling and sports buildings and erection of 126 apartments with associated parking.	
7.	<b>19/00076/FUL Land Rear Of Grange Cottages, (Long Copse) Binfield Road, Binfield, Bracknell, Berkshire</b>	57 - 84
	Change of use from woodland to public open space with associated landscaping to form an extension to the Woodhurst Park Suitable Alternative Natural Greenspace (SANG).	
8.	<b>21/00440/REM North Lodge Farm, Forest Road, Hayley Green, Warfield, Bracknell, Berkshire RG42 6DD</b>	85 - 100
	Reserved matters application for the residential development of 19 no. dwellings (including affordable housing) including associated open space and landscaping following demolition of existing buildings, structures and hardstanding (following approval of 17/00656/OUT and subsequent s73 application 21/00427/FUL).  The outline application was not EIA development.	

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

Published: 14 March 2022

#### **EMERGENCY EVACUATION INSTRUCTIONS**

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**PLANNING COMMITTEE  
9 MARCH 2022  
6.30 - 7.00 PM**



**Present:**

Councillors Dudley (Chair), Brossard (Vice-Chairman), Dr Barnard, Bhandari and Bidwell

**Apologies for absence were received from:**

Councillors Angell, D Birch, Brown, Gbadebo, Green, Mrs Hayes MBE, Heydon, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Mossom, Skinner and Virgo

**115. Minutes**

The minutes of the meeting held on 24 February 2022 were approved as a correct record.

**116. Declarations of Interest**

There were no declarations of interest.

**117. Urgent Items of Business**

There were no urgent items of business.

**118. PS 21/00141/FUL - Land North Of Tilehurst Lane Binfield**

**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)**

The Committee noted:

- The comments of Binfield Parish Council recommending refusal as detailed in the agenda.
- The 19 letters of objection received as summarised in the agenda.
- The submissions from the two public speakers that joined the meeting.

A motion to endorse the recommendation in the officer report was proposed but fell at the vote.

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

**RESOLVED** that application 21/00141/FUL be **REFUSED** for the following reasons:

- 1 It had not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off which would be maintained for the lifetime of the development. This is contrary to Policies CS1 and CS6 of the Core Strategy Development Plan Document, the House of Commons: Written Statement

(HCWS161) Sustainable Drainage Systems 18/12/2014, the Flood Risk and Coastal Change PPG updated 15/04/2015, and the NPPF.

- 2 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).
- 3 In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to 'Saved' Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD, the resolution on affordable housing made by BFC Executive on 29 March 2011, and the NPPF.
- 4 The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, community facilities and public open space. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure a contribution towards off-site highway improvements; contributions towards the provision and maintenance of community facilities; and the provision of, and contributions towards, Open Space of Public Value, the proposal is contrary to Policies R4 and M4 and M8 of the Bracknell Forest Borough Local Plan, Policies CS6, CS8, CS23 and CS24 of the Core Strategy Development Plan Document and the Planning Obligations SPD.
- 5 In the absence of a planning obligation in terms satisfactory to the Local Planning Authority which would secure an appropriate SuDS Specification and Management and Maintenance Plan to secure management of the SuDS for the lifetime of the development including appropriate monitoring, the development is contrary to Policies CS1 and CS6 of the Core Strategy Development Plan Document, the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, the Flood Risk and Coastal Change PPG updated 15/04/2015, and the NPPF.

## Informative:

The applicant is advised that Reasons for Refusal Nos. 2 – 5 can be overcome by means of appropriately worded planning obligations being secured.

**CHAIRMAN**

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS  
AGENDA CAN BE FOUND ON OUR WEBSITE  
[www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)**

**PLANNING COMMITTEE  
24th March 2022**

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

		<b>Case Officer</b>	<b>Reporting Officer</b>
5	<p>21/00361/PARC Lavenir Opladen Way Bracknell (Harmans Water Ward) Prior Notification requirement under Class AA of Part 20 of the GPDO for a two storey roof extension to form 42 apartments. Recommendation:</p>	Sarah Fryer	Basia Polnik
6	<p>21/00250/OUT Bracknell Town Football Club Larges Lane Bracknell (Wildridings And Central Ward) Outline application including access, appearance, layout and scale for demolition of existing dwelling and sports buildings and erection of 126 apartments with associated parking. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Trevor Yerworth	Jo Male
7	<p>19/00076/FUL Land Rear Of Grange Cottages (Long Copse) Binfield Road Binfield (Binfield With Warfield Ward) Change of use from woodland to public open space with associated landscaping to form an extension to the Woodhurst Park Suitable Alternative Natural Greenspace (SANG). Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Matt Lunn	Jo Male
8	<p>21/00440/REM North Lodge Farm Forest Road Hayley Green Warfield (Winkfield And Cranbourne Ward) Reserved matters application for the residential development of 19 no. dwellings (including affordable housing) including associated open</p>	Katie Andrews	Jo Male

space and landscaping following demolition of existing buildings, structures and hardstanding (following approval of 17/00656/OUT).

The outline application was not EIA development.

Recommendation:

### 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:

Application No.  
**21/00361/PAR**

Ward:  
Harmans Water

Date Registered:  
7 April 2021

Target Decision Date:  
2 June 2021

### C

Site Address:

**Lavenir Opladen Way Bracknell Berkshire**

Proposal:

**Prior Notification requirement under Class AA of Part 20 of the GPDO for a two storey roof extension to form 42 apartments.**

Applicant:

Mr H Schneck

Agent:

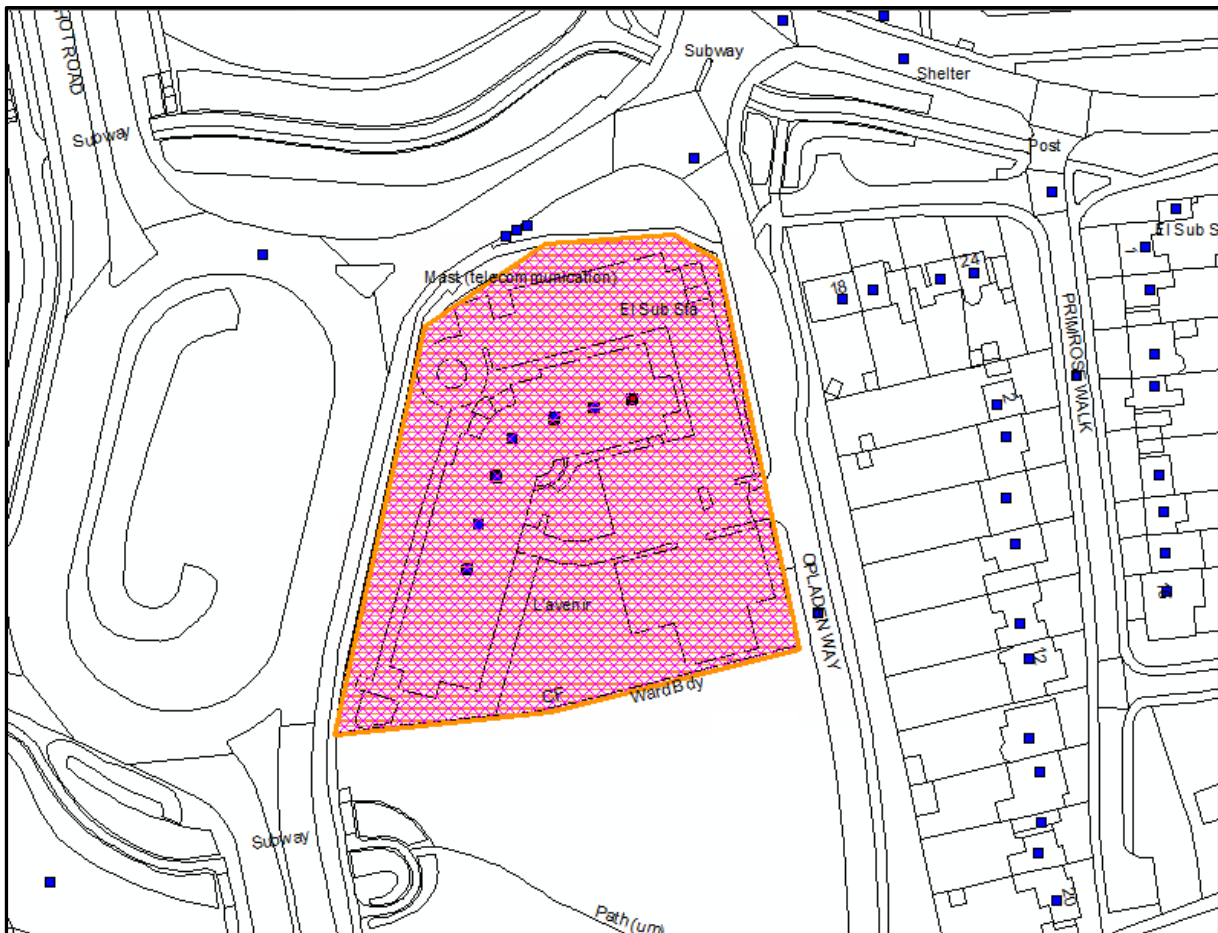
Mr A Allen

Case Officer:

Sarah Fryer, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto:Development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 This is an application for prior approval under Schedule 2, Part 20 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Under Class AA, of Part 20, permitted development consists of works for the construction of up to two additional storeys of new dwelling houses immediately above the topmost storey on a detached building subject to certain criteria being met and an application for prior approval being granted by the Local Planning Authority.

1.2 This application constitutes the application for prior approval and having had regard to the criteria and conditions of Class AA, part 20 and it is recommended that prior approval be granted.

1.3 Members will recall this application was deferred from the August 2021 Advisory Planning Committee to allow for a Construction Management Plan to be submitted and considered prior to the determination of the application. This has been submitted and found acceptable by officers.

<b>RECOMMENDATION</b>
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Prior approval be granted subject to the conditions in Section 11 of this report
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### **2. REASON FOR REPORTING APPLICATION TO ADVISORY PLANNING COMMITTEE**

2.1 The application is reported to the Advisory Planning Committee as it has received more than 5 objections.

### **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
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Within settlement boundary
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With 5km of the SPA
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3.1 This application relates to a site which borders the A322 Bagshot Road to the west, Nightingale Crescent to the north and Opladen Way to the east. To the south the site adjoins a wooded area and access to the site is from Opladen Way.

3.2 The site consists of a three storey former office building which was granted planning permission in 1988. In 2017 consent was granted for the conversion of the existing building from B1 offices to C3 residential use under Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (reference: 17/00457/PAC).

3.3 The existing building is constructed from red brick with buff stone horizontal cornice detailing and strong vertical columns breaking up the glazing elements. The building has a footprint similar to a boomerang in shape sitting within a lawned space with parking located to the north and east. Additional parking is contained within a basement.

3.4 To the west of the site, and across a large traffic intersection is the Bracknell Leisure Centre with two storey residential properties within Harmans Water located to the east.

#### 4. RELEVANT SITE HISTORY

4.1 The relevant planning history can be summarised as follows:

20/00683/PARC

Prior Notification requirement under Class AA of Part 20 of the GPDO for a part single and part two storey roof extension to form 35 apartments.

Refused

Was refused for being an incongruous form of development

17/00805/FUL

Construction of a new third floor together with a fourth floor mansard roof extension over the existing building to create new residential accommodation comprising 45no. One and two bedroom flats. (In addition to the flats granted under prior approval

17/00457/PAC).

Refused 16.08.2019 (Dismissed at appeal)

The Inspector dismissed the appeal on the harm to the character and appearance of the area, particularly on views from the east.

19/00019/FUL

External alterations to existing building. Approved 15.03.2019

17/00457/PAC

Application for Prior Approval for the change of use of offices (Class B1a) to residential Class C3) to form 69 no. apartments Consent Granted 22.06.2017

614112

Erection of a three-storey building                      Approved                      12.01.1989

612562

Outline application for Demolition of Westwick House and erection of a building for business use (Class B1) comprising up to 45,000 sq ft gross floor area. Approved 20.06.1998

[Various application for minor works, including advertisements not considered relevant to this application]

#### 5. THE PROPOSAL

5.1 It is proposed to erect 2 additional storeys to the top of L'Avenir, to contain 42 one and two bedroom flats. The two storeys would be directly above the main building and have been designed to replicate the building below.

#### 6. REPRESENTATIONS RECEIVED

6.1 Bracknell Town Council

Bracknell Town Council recommends refusal for the following reasons:

- 1) This development will cause significant impact upon road safety with a considerable increase in road traffic accessing and leaving close to a busy junction.
- 2) Insufficient parking causing off site obstructive parking for other local roads and residents contrary to core strategy and local plan policies supported by the NPPF.
- 3) Adding a 2 storey roof extension to this already large building will have an overbearing impact on other local properties.
- 4) Councillors can see no significant changes to the previous application bringing them to the same conclusion to recommend refusal again.

## 6.2 Other Representations

44 letters have been received from different addresses objecting to the proposal on the following grounds:

- Scale and mass
- Out of character with the local area due to the height. There are no other 5 storey blocks in the area and this would tower over the existing area.
- Proposal includes multiple balconies which would overlook the properties on Primrose Walk and Wilberforce Way. [Officer Note: the balconies have been removed by an amendment].
- No affordable housing [Officer Note: There is no requirement to consider affordable housing under the prior approval procedure].
- The noise and disruption of living beneath a building site would be completely unacceptable to the existing residents of L'Avenir, especially those that work from home or work shifts and therefore sleep during the day.
- Possibility of damage to cars and flats from the construction work
- Inadequate onsite parking will result in increased parking on Primrose Walk and Wilberforce Way.
- Increased congestion on the road network from the increase in vehicles.
- Adversely affect the character of the area of semi-detached and detached dwellings.
- Increase shading of the surrounding properties.
- Existing problems with water pressure within the building which will only increase as more flats are constructed.
- Increase in the use of local services such as GPs, schools, dentists etc.
- Noise and light pollution.
- When L'Avenir was originally built, there was an undertaking that the new building would not exceed the height of the original Westwick building.
- Gates to the site do not work and block Opladen Way if more than one car is waiting to be let into the site.
- Bin store is consistently full and other functional problems with the site will be made worse by the proposal
- The communal gardens enjoyed now by residents will be disturbed and unusable during the construction process.
- Common law states that residents have a right to 'quiet enjoyment' of the property. This would be breached during the construction work. [Officer comment: this is a civil matter and not covered in planning legislation].
- The effect of the proposed development on the integrity of the Thames Basin Heath Special Protection Area (the SPA).
- Devalues our property.

6.3 The following additional comments have been received since the application last went to committee.

- Developer stating that on ‘crane days some residents would not be able to use their car is ridiculous’ [Officer Comment: The CEMP has been amended so that the crane is located within the area designated to the building works]
- This work should have been undertaken before renting out properties to people. Where will the building materials be put? This will restrict people parking within their spaces.
- Concerns that the gates will be left open during construction work reducing security.
- Car parking space allocated to me is shown as being allocated for building supplies during the build.
- Delays and dangers entering and exiting the site during building work.
- Dust during construction work.

In total representations have now been received from 56 properties.

## 7. SUMMARY OF CONSULTATION RESPONSES

### 7.1 Highway Authority

No objections subject to conditions.

### 7.2 Environmental Health

No objections.

### 7.3 Waste and Recycling

No objections.

## 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:

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP HO 8 and HO 9 of the BTNP	Consistent Consistent
Residential Amenity	Saved Policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LAs setting their own parking standards for residential development, this policy is considered to be consistent.

Transport	CS23 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Design SPD		
Parking Standards SPD		
Thames Basin Heath Special Protection Area (SPD)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

8.2 Development Plan Policies, including the Bracknell Town Neighbourhood Plan and the NPPF are considered relevant in prior approval cases, but only insofar as they relate to the development and prior approval matters.

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Transport and Highway Implications
- iii. Air traffic and defence assets impacts of development
- iv. Contamination risks in relation to the development
- v. Flooding risks in relation to the development
- vi. The external appearance of the building
- vii. Impact of any works permitted by sub paragraph (1) or (d) of Class AA
- viii. Provision of adequate natural light in all habitable rooms of the new dwelling houses
- ix. Impact upon the amenity of existing building and neighbouring premises including overlooking, privacy, and the loss of light
- x. Impacts of noise from any commercial premises on the intended occupiers of the new dwelling houses.
- xi. Impacts of the introduction of or an increase in, a residential use of premises in the area on the carrying out if any trade, business or other use of land in the area.
- xii. Whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15<sup>th</sup> March 2012 issued by the Secretary of State.
- xiii. Other issues

### i. Principle of Development

9.2 This application seeks consent under Class AA, Part 20, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

9.3 Under Class AA permitted development consists of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building to which sub paragraph (2) applies, together with any or all-

- (a) engineering operations reasonably necessary to construct the additional storeys and new dwelling houses;
- (b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwelling houses;
- (c) works for the construction of appropriate and safe access to and egress from the new dwelling houses and existing premises in the building
- (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwelling houses.

9.4 Sub paragraph (2) states that this class only applies to a building which is—

- (a) used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Use Classes Order, or as a betting office, pay day loan shop or launderette;
- (b) in a mixed use combining –
  - (i) two or more uses within paragraph (a); or
  - (ii) a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order, together with one or more uses within paragraph (a).

9.5 L’Avenir was constructed as a purpose built office block which was its lawful use until the 2017 prior approval was implemented. The first apartments were occupied during the summer of 2020 and therefore at the key date of the 5 March 2018 it was considered that the lawful use was as B1(a) Offices and the use is considered to fall within a use specified by sub paragraph (2).

9.6 If there are no implications associated with these matters, the development is considered to be permitted development.

9.7 The table below analyses the proposal against the requirements of Class AA

	<b>Development is not permitted by Class A if:</b>	<b>Complies?</b>
a	Above ground level, the building is less than 3 storeys in height	Yes
b	The building was constructed before 1st July 1948, or after 5th March 2018	Yes
c	On 5 <sup>th</sup> March 2018 the building was in a use other than- i) a use or mixed use ii) a use falling within class C3 of the Schedule of the UCO.	Yes
d	The additional storeys are constructed other than on the principal part of the building	Yes
e	The floor to ceiling height of any additional storey is i) More than 3 metres in height, or ii) More than the floor to ceiling height of any of the existing storeys	Yes

	Whichever is lesser where such heights are measured internally	
f	The new dwelling houses are not flats	Yes
g	The overall height of the roof of the extended building would be greater than 7 metres higher than the highest part of the existing roof (not including existing plant).	Yes
h	The extended building (not including plant) would be greater than 30 metres in height	Yes
i	Development under Class AA(1)(a) would include the provision of visible support structure on or attached to the exterior of the building upon completion of the development	Yes
j	Development under Class AA(1)(a) would include engineering operations other than works to: i) strengthen existing walls; ii) strengthen existing foundations: or iii) install or replace water, drainage, electricity, gas or other services.	Yes
k	In the case of Class AA(1)(b) development there is no existing plant on the building	Yes
l	In the case of Class AA(1)(b) development (works replacing or for new plant) the height of any replaced or additional plant is no higher than any existing plant.	Yes (no plant proposed)
m	In the case of Class AA(1)(c) development (works to the access, doors etc.) would extend beyond the curtilage of the existing building	Yes
n	In the case of Class AA(1)(d) development would; i) Extend beyond the curtilage of the existing building. ii) be situated on land forward of a wall forming a principal elevation of the existing building: or iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building; or	Yes
o	The land or site on which the building is located, is or forms part of: i) article 2(3) land (conservation areas, AONBs etc.): ii) site of special scientific interest iii) a listed building or land within its curtilage iv) a scheduled monument or land within its curtilage v) a safety hazard zone vi) a military explosives storage area: or vii) land within 3 km of the perimeter of an aerodrome.	Yes



9.8 From the analysis above, the application is considered to meet the requirements of AA.1 and is therefore considered to be permitted development.

9.9 However, under paragraph AA.2, before beginning the development the developer must apply to the local planning authority for prior approval for:

- a) transport and highway implications,
- b) air traffic and defence asset impacts of the development
- c) contamination risks in relation to the development
- d) flooding risks in relation to the development
- e) the external appearance of the building, including-
  - i. the principal elevation; and
  - ii. any side elevation that fronts a highway; and
- f) the impact of any works permitted by sub paragraph (1) or (d) of Class AA.
- g) provision of adequate natural light in all habitable rooms of the new dwelling houses
- h) impact upon the amenity of the existing building and neighbouring premises including overlooking, privacy, and the loss of light
- i) impacts of noise from any commercial premises on the intended occupiers of the new dwelling houses
- j) impacts of the introduction of or an increase in, a residential use of premises in the area on the carrying out of any trade, business or other use of land in the area;
- k) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15<sup>th</sup> March 2012 issued by the Secretary of State.

9.10 These are assessed in turn below.

## **ii. Transport and Highway Implications**

9.11 A parking plan has been submitted, this shows 86 car parking spaces in the basement and 81 spaces at ground floor level, giving a total of 167 spaces.

9.12 The permitted and proposed developments require a total of 150 car parking spaces, comprising 98 spaces required for the development approved under 17/00457/PAC and 52 spaces (including visitor spaces at 1 per 5 units) required for this application, to accord with the Parking Standards SPD (March 2016) and therefore the amount of car parking available is sufficient.

9.13 Details of additional cycle parking and provision of electric vehicle charging infrastructure for 1 in 5 of the spaces for the development (10 spaces) have not been provided and are therefore requested by condition.

## **iii. Air traffic and defence assets impacts of development**

9.14 There are no defence bases which would be affected and the building is too low to affect air traffic.

## **iv. Contamination risks in relation to the development**

9.15 As the proposal is for additional storeys to an existing building, there is no contaminated land concern.

**v. Flooding risks in relation to the development**

9.16 The site is within Flood Zone 1 and there are no records of flooding being reported to the Council.

9.17 Reports relating to flooding from the Thames Water Sewage system have been noted. The applicant will have to ensure they have any required consents.

**vi. The external appearance of the building**

9.18 Policies CS7 of the CSDPD and EN20 of the BFBLP support proposals which are appropriate in scale, mass design and materials.

9.19 Amended plans have been received and the design features and details have been replicated on the two floors above. The glazing elements and vertical pillars continue up providing a greater consistency and therefore cohesive appearance to the built form as a whole. It is therefore considered that the proposal now relates well to the building below, presenting a cohesive and appearance to the building.



9.20 Additional floors are permitted development and the proposal does not exceed the height of the limits specified within the GPDO, providing they are appropriately designed, the additional mass and bulk is acceptable. This is being reflected in appeal decisions such as appeal ref: APP/T1410/W/20/3263486 concerning Seaforth Court, 91 Victoria Drive Eastbourne which stated:

*13. For the purposes of assessing whether prior approval should be granted, I consider the assessment of the matter in dispute is limited to the external appearance of the building rather than its effect on the wider area. The Framework is only relevant so far as it relates to the subject matter of the prior approval, in this case the external appearance of the building.*

*14. Even if a wider interpretation of the matter to be considered under prior approval is taken, the principle of upward extension of up to 2 storeys is established by the permitted development right in Part 20, Class A of the 2015 Order, and the matters requiring prior approval need to be interpreted in the context of that principle.*

9.21 Objections have also questioned how can this application be considered when a previous scheme for 2 floors was refused and dismissed at appeal. This historical application was a full planning application in which the decision maker (whether that was the LPA or the Planning

Inspectorate) could consider the application in terms of the impact upon the character and appearance of the surrounding area. Following the dismissal of the application at appeal, SI 2020 no. 755 came into force on 31<sup>st</sup> August 2020. This application is therefore not a full application and can only be determined on a more limited basis as set out within the GPDO.

9.22 Accordingly the mass and bulk as a result of the proposed two additional storeys are permitted development and cannot be a reason for refusal neither can the impact upon the character and appearance of the area.

9.23 The design is considered to be consistent with and relate well to the host building. Therefore, there are no objections to the design and appearance of the proposal.

**vii. Impact of any works permitted by sub paragraph (1)(c) or (d) of Class AA**

9.24 Sub paragraph (1) (c) relates to works for the construction of appropriate safe access to and egress from the new dwelling houses including external doors or staircases.

9.25 Sub paragraph (1) (d) relate to ancillary structures considered to be reasonably necessary to service the new dwelling houses. Such as bin or cycle stores.

9.26 No new structures are required in relation to sub paragraph (1) (c). The current bin store would be utilised and is considered large enough to provide for sufficient bin storage.

**viii. Provision of adequate natural light in all habitable rooms of the new dwelling houses**

9.27 All of the habitable rooms to the proposed new residential units have external windows of a suitable size providing adequate natural light into each habitable room. There are no objections on these grounds.

**ix. Impact upon the amenity of existing building and neighbouring premises including overlooking, privacy, and the loss of light**

9.28 The nearest residential properties, not within the building, to the proposal are located to the east of the proposal and comprise the properties on Primrose Walk and Harmans Water Road.

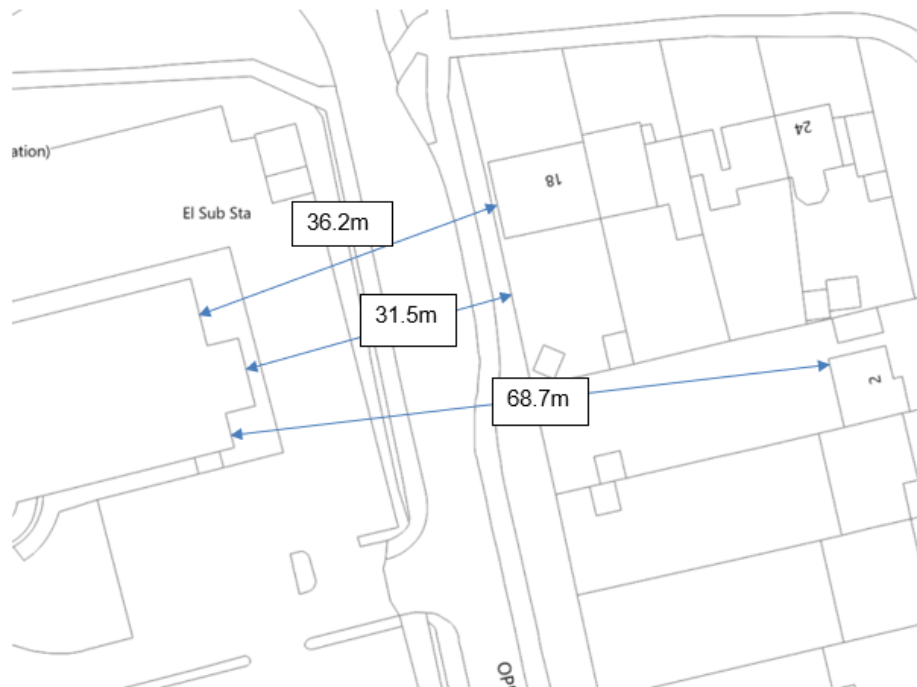
9.29 No. 18 Harmans Water Road is located 31.3 m from the projecting stairwell on the east elevation (35.9m from the elevation). No windows are proposed to be inserted into this elevation. The walls will be clad in the opaque material used in the rest of the building. The extract of the floor plan below shows that no windows are proposed facing towards the properties of Harmans Water Road or Primrose Walk.



9.30 The properties to Primrose Walk are located further away at a distance of 68m to the rear elevation of no. 2 Primrose Walk, and 34m to the garden boundary.

9.31 The distances mentioned within the Design SPD relate to window to window distances. As there are no proposed windows in the east elevation facing the flank elevation of 18 Harmans Water or Primrose Walk there is not an adverse impact from overlooking.

9.32 Given the distances involved, orientation of the properties and neighbouring dwellings, it is not considered that the proposal would result in an overbearing relationship.



9.33 Accordingly it is not considered that the proposal would result in additional loss of privacy harmful to the occupiers of nearby properties, or that there would be any significant harm to the amenity of the exiting occupants of the building that would render the scheme unacceptable.

**x. Impacts of noise from any commercial premises on the intended occupiers of the new dwelling houses**

9.34 The Environmental Health Officer has looked at the surrounding land uses and noted that the leisure centre on the opposite side of the roundabout, has some noise generating plant. There is housing significantly closer than this proposal and noise from road traffic would be expected to be the dominant noise source at this location with noise from the leisure centre far below background noise, therefore there are no commercial noise objections.

**xi. Impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area.**

9.35 As above, there is no commercial land uses in proximity to the site which would be affected by additional units.

**xii. Whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15<sup>th</sup> March 2012 issued by the Secretary of State.**

9.36 There are no protected views that the proposal would impact upon.

**xiv. Other issues**

Thames Basin Heaths SPA

9.37 The application site is within 5km of the SPA.

9.38 The GPDO is an order which grants permission for development subject to the conditions set out within the document and any the decision taker may impose. Under Article 3(1) of the General Permitted Development Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2017, a development must not be begun or continued before the developer has received written notice of the approval of the local planning authority.

9.39 The requirement for written approval of the Council prior to the commencement of development is therefore embedded in legislation that seeks to protect the integrity and features of the protected species. Accordingly, this aspect of the process falls outside of the prior approval regime but to comply with relevant legislation the scheme would not be able to progress without the necessary mitigation being provided.

Disruption during building works

9.40 Objections have been raised regarding the noise disturbance, dust and use of the parking spaces during building works of the current residents in L'Avenir. The application was deferred from a previous committee meeting to enable a CEMP to be submitted and considered by officers prior to determination of the application.

9.41 The CEMP contains information about how the disruption during building will be minimised and the site will be organised in a safe way. This can be conditioned to ensure it is complied with. It is unfortunately the case that all disruption, noise and inconvenience cannot be eliminated.

9.42 The CEMP contains information on

- Parking of vehicles for site personal an, operatives and visitors
- Loading and unloading
- Storage of plant and materials
- Treatment of relevant pedestrian routes and highways
- Measures to be used in the suppression of dust and dirt
- Details of how noise emitting from the site during construction will be mitigated including hours of working.

9.43 The CEMP is accompanied by a plan which shows that part of the car parking currently available to residents will be required for the parking of construction vehicles, storage of material and equipment whilst building operations are underway. Objections have been received that this occupies some of the currently designated parking spaces. The CEMP states that '98 parking spaces will be available for uninterrupted access throughout the construction' and the Highways Officer has confirmed that this is sufficient space to accommodate parking for the existing flats. The applicant has confirmed that any resident affected will have their parking space(s) reallocated.

9.43 Both Environmental Health and the Highway Authority have confirmed that they are satisfied with the contents of the CEMP.

## **10. CONCLUSIONS**

10.1 This is an application for prior approval under Schedule 2, Part 20, Class AA of the General Permitted Development Order. Under the application, the Local Planning Authority can only consider a limited number of considerations, as set out above.

10.2 The design has been amended to replicate the style and design of the host building. According the proposal is considered acceptable on design grounds. In addition, the building is considered to be sited a sufficient distance from neighbouring properties, and no windows are proposed directly facing the nearest dwellings. There is sufficient onsite parking and the bin store is large enough to accommodate the number of bins required.

10.5 It is therefore considered that the proposed development complies with 'Saved' policies M9, and EN20 of the BFBLP, Policies CS7 and CS23 of the CSDPD and the NPPF. Accordingly, the application is considered to comply with Part 20, Class AA of the GPDO, subject to the conditions within AA.2. of Part 20 Class AA and therefore the recommendation is to grant prior approval.

## **11. RECOMMENDATION**

11.1 The Assistant Director: Planning be recommended to grant prior approval subject to the following conditions:-

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

JW879-160 (Existing Site and Block Plan)  
JW879-151 Rev A (Existing plans Basement and Ground floor)  
JW879-152 (Existing plans First and Second Floors)  
JW879-162 (Existing elevations)  
JW879-163 Rev C (Proposed Plans Third and Fourth Floor)  
JW879-164 Rev C. (Proposed elevations, proposed strip section)

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

02. The associated vehicle parking and turning space as shown on drawing JW879-160 shall 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]

03. No 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 for 45 cycles. No dwelling hereby approved shall 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]

04. No dwelling hereby approved shall be occupied until the details of infrastructure to support electric vehicle charging points with an output of at least 7kw per charging point for at least 10 car parking spaces within the development have been submitted to and approved in writing by the Local Planning Authority.

No dwelling hereby approved shall be occupied until the approved electric vehicle charging infrastructure has been provided. Thereafter the electric vehicle charging infrastructure shall be retained.

REASON: To ensure adequate provision of spaces for charging plug-in low emission vehicles.

[Relevant Policies: BFBLP M9, NPPF paragraphs 105 e) and 110 e)]

05. The scheme shall be implemented in accordance with the Construction Environmental Management Plan rev. G and the Construction Management Site Plan (jw879-290 rev. D).

REASON: To protect the amenities of neighbouring residents and highway safety

[Relevant Policies: BFBLP EN20, M9, Core Strategy DPD CS23]

### 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. Your attention is drawn to the conditions under Schedule 2, Part 20, Class AA, of the GPDO, which must be complied with.
03. Under Article 3(1) of the General Permitted Development Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2017, a development must not be begun or continued before the developer has received written notice of the approval of the local planning authority. This will require the LPA to undertake an appropriate assessment and the applicant will be required to enter into a legal agreement to secure the relevant mitigation. Further information can be obtained from: [Thames Basin Heaths SPA Supplementary Planning Document | Bracknell Forest Council \(bracknell-forest.gov.uk\)](https://www.bracknell-forest.gov.uk/thames-basin-heaths-spa-supplementary-planning-document)



**Unrestricted Report**

**ITEM NO:**

Application No.  
**21/00250/OUT**

Ward:  
Wildridings And Central

Date Registered:  
5 March 2021

Target Decision Date:  
4 June 2021

Site Address:

**Bracknell Town Football Club Larges Lane Bracknell  
Berkshire RG12 9AN**

Proposal:

**Outline application including access, appearance, layout and scale for demolition of existing dwelling and sports buildings and erection of 126 apartments with associated parking.**

Applicant:

Bracknell Town Football Club

Agent:

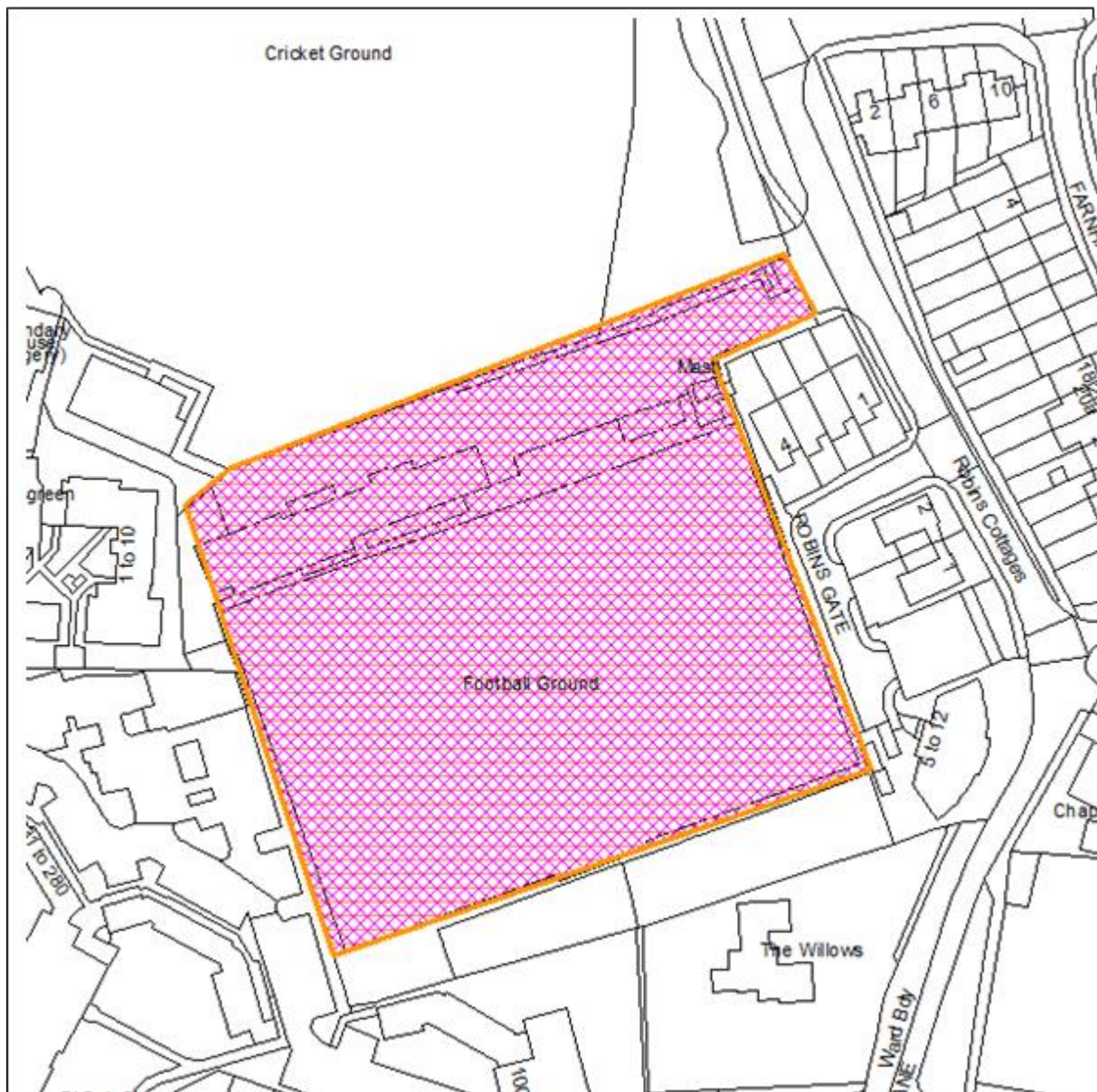
Mr Matthew Miller

Case Officer:

Trevor Yerworth, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto:Development.control@bracknell-forest.gov.uk)

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



## 1. SUMMARY

- 1.1 Outline planning permission is sought for the erection of 126 residential apartments in three detached blocks following the demolition of the existing buildings accessed off Larges Lane.
- 1.2 The application proposes the development of land allocated for housing under Policy SA2 of the Site Allocation Local Plan SALP for approximately 102 dwellings.
- 1.3 The site lies within the defined settlement boundary of Bracknell. It is in a sustainable location close to the town centre and public transport and as such is considered a suitable location for new residential development. Notwithstanding the above, the applicant is required to demonstrate that appropriate replacement playing field provision has been secured to the satisfaction of the Council and Sport England, prior to the grant of any planning permission for the development of the Larges Lane site. On balance, and taking into consideration the views of Sport England, it is considered that the package of mitigation measures already approved and largely implemented by the applicant is sufficient to demonstrate this subject to the completion of the permitted enhancement measures at Sandhurst Memorial Park and conditions securing this mitigation for the long term.
- 1.4 Previous concerns in respect of the scale, massing, design, appearance, impact on the amenities of neighbouring properties and transport are now considered to have been satisfactorily addressed. It is considered that an attractive and well-designed development with a high-quality landscaping scheme could be achieved.
- 1.5 The proposal provides adequate parking to serve the proposed uses and would not result in any significant highway safety implications.
- 1.6 It is therefore considered that the proposed development would have an acceptable impact on the character and appearance of the area, on the amenity of neighbouring properties and on transport, subject to appropriate conditions and a completed S106 agreement. Approval is therefore recommended.

<b>RECOMMENDATION</b>
That the Assistant Director: Planning be authorised to grant permission subject to the completion of a s106 agreement and conditions as set out in Section 11 of this report.

## 2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

## 3. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
Within defined settlement and allocated for housing under SALP Policy SA2 Located within 5km of Thames Basin Heaths SPA

- 3.1 The 1.16ha application site is a roughly rectangular parcel of land comprising a football pitch with associated spectator and club facilities – including spectator stands, a car park, and a clubhouse. In addition the site contains a single dwelling.

- 3.2 The site takes access from Larges Lane to the east. It is bounded to the north by Bracknell Cricket Club, and to the west, south and east by residential properties. These include flatted developments up to four stories in height to the west and south west; a two-storey detached house adjoining the southern boundary and a recent development of three storey town houses and a small apartment block on the eastern boundary.
- 3.3 The site is located in a mixed-use area, including various sports facilities, religious, education and health uses in addition to residential properties.
- 3.4 Although the sports pitch itself is level, this is raised above surrounding ground levels at the north and east of the site where the ground slopes steeply down to adjacent properties on Robins Gate and Larges Lane and retaining walls are required to step down from the level of the pitch. There is a 6.3m level difference between the west of the site and Larges Lane on the east.

#### **4. RELEVANT SITE HISTORY**

- 4.1 The application site contains an extensive planning history, dating back to 1962. The most relevant recent planning applications are listed below.

20/00350/OUT - Demolition of existing dwelling and sports buildings. Erection of 164 apartments (80 x 1 Bedroom, 80 x 2 Bedroom and 4 x 3 Bedroom) and associated access and parking. Withdrawn 11.09.2020

19/00400/FUL – Section 73 application for variation to planning permission 16/00116/FUL for the "Refurbishment of existing football ground including relocating and installation of new artificial football pitch (3G pitch) and rebuilding/upgrading of existing stands and associated facilities". Approved 28.05.2020.

17/00384/FUL - Erection of single storey extension to existing clubhouse and change of use to mixed use for club office and residential flat. Approval 05.03.2019

16/00738/FUL – Section 73 application for variation to planning permission 16/00116/FUL for the refurbishment of existing football ground including relocating and installation of new artificial football pitch (3G pitch) and rebuilding/upgrading of existing stands and associated facilities. Approved 31.10.2016.

16/00116/FUL - Refurbishment of existing football ground including relocating and installation of new artificial football pitch (3G pitch) and rebuilding/upgrading of existing stands and associated facilities. Approval 16.05.2016

#### **5. THE PROPOSAL**

- 5.1 Planning permission is sought for the erection of 126 residential apartments (17 x 1 bed, 94 x 2 bed, 15 x 3 bed) in three detached blocks following the demolition of the existing buildings. This is an outline application but all matters other than landscaping are to be considered at the outline stage.
- 5.2 The three blocks would be grouped around a central communal amenity space at the heart of the development. They would vary in height from two to five stories with setback top floors. The proposed materials include a buff brick to the main façade with a dark grey brick plinth which would also be used for the recessed cores, and some vertical elements in the facades. Light cladding materials are

proposed on the upper floors where the footprint steps back from the main facade. Full details of the materials can be secured through an appropriate condition.

- 5.3 The proposal also includes associated access and parking. Vehicular and pedestrian access would be from the existing single access on Larges Lane. This access would be improved and would incorporate a new access for the cricket club off the new access road into the site. A total of 167 car parking spaces would be provided, via a mix of exterior parking courts and an undercroft car park on the western part of the site.
- 5.4 The development would comprise 25% affordable housing.
- 5.5 The proposal would also require considerable changes to the existing levels with ground levels being generally lowered where there are retaining walls supporting the existing artificially raised playing field, and more gradual slopes across the site would be re-introduced. These level changes would also be utilised to create the undercroft car park under block B and a podium level amenity area. While full details of landscaping are reserved, outdoor soft landscaping areas would be provided through various amenity areas on the boundaries of the site as well as the centrally located podium level amenity area above the undercroft car park.
- 5.6 In response to feedback received from the previous application submission, pre-application feedback and community engagement the proposal in the previously withdrawn application 20/00350/OUT has been revised with a 23% reduction in the number of units proposed from 164 to 126 (a reduction of 38 residential units), as well as various changes to building design, layout, bulk and massing. Detailed changes to parking & access arrangements, as well as proposed indicative landscaping features, have also been undertaken.
- 5.7 Following neighbour comments, the scheme was amended in April 2021 by the removal of balcony sections from the east-facing elevation of Building A to ensure that no harmful loss of privacy or overlooking impacts would occur to the neighbouring residents of Robins Gate to the east. Further amendments were made in January 2022 in response to comments from the Highway Officer.

## **6. REPRESENTATIONS RECEIVED**

### Bracknell Town Council

At this point in the planning process with a reduced amount of dwellings and more parking facilities Bracknell Town Councillors have no objection.

### Other representations received

A petition has been received containing 16 signatures. It raises the following objections:

- Site is already over-developed and the scale of the application is not in keeping with the character and size of the development site and surrounding buildings.
- Risk to highway safety and traffic generation will create pollution, parking pressures and noise detrimental to all local residents in Larges Lane, the roads leading off it and surrounding neighbours.
- The layout and density of the proposed buildings will block natural light to existing buildings, overlook other properties and diminish privacy.

44 objections have been received from neighbouring properties. In addition, 22 representations in support of the application have been received.

The issues raised can be summarised as follows:

#### Loss of Open space

- The area is rapidly becoming a concrete jungle and the proposed development would destroy one of the few remaining green spaces in the area.
- There are not enough facilities for children to play football throughout the winter months. This is such a waste of a fantastic opportunity to encourage children's fitness and social interactions.
- If we continue to replace all open spaces and leisure places with yet more housing, where are future generations going to play and social sports and recreation programs going to run from?

#### Impact on residential amenity

- views and sunlight will be lost to properties in Robins Gate.
- Building A east elevation's redesign has not removed the overlooking and loss of privacy for the 4 houses in Robins Gate, as the 4 balconies on the north eastern apartments have a direct line of vision into the gardens and the bedrooms of the 4 houses. There will still be associated shading and loss of daylight, during late afternoon and early evening when the sun would be blocked by Building A.
- Noise and disturbance from traffic using the new access road behind properties on Robins Gate
- This proposal will cause extreme stress on the residents of Huntsgreen Court. The height of the flats will overlook our properties, with balconies overlooking our gardens, and blocking light, also causing our flats to lose value
- Noise, dust and vibration during construction

#### Highway issues

- Revised application does not make any significant change to the access arrangements and car parking volume requirements. Reducing parking below the full standard will only result in an overspill onto Larges Lane which is already at capacity and has width restrictions and needs to allow access for school traffic at the same time as the peak traffic is expected. What is the point of having a "standard" if it is not met? As a minimum they would need 180.5 spaces. With only 28 visitor bays for 126 flats, there is no way of guaranteeing only a quarter of the flats will have a visitor at any one time.
- Concern about increase in vehicular traffic and parking problems on Larges Lane. The safety of egress from Larges Lane at the junction with London Road must be reviewed using accurate vehicle movement data for the entire Larges Lane area including all residential housing, St Joseph's Primary School and Football Academy traffic, as the vehicle movement data used for the Transport Assessment is incorrect and incomplete.

- Parking is already a nightmare for dropping/collecting from school and we are currently allowed to make use of the football car park for parking

#### Environment issues

- Detrimental to the town's air quality targets, as is so close to highly polluted areas, Downshire way and Bagshot Road which were recent areas of significant nitrogen dioxide pollution concern and this is in the immediate nearby area impacting health.

#### Character and Design issues

- development is totally out of keeping with the present properties and should not be permitted so close to a 'living' graveyard, a calm peaceful oasis.  
- Due to its scale and size, this proposed development would tower above the nearby Goodways Drive area, causing a huge overbearing blot on the landscape. It is out of character with the immediate surrounding properties, which are not more than 3 floors in height. It would be an over development for Larges Lane

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highways

7.1 No objection subject to conditions. Detailed comments included in report below.

### Lead Local Flood Authority/Drainage Officer

7.2 Has raised the following concerns with the drainage proposals.

(1) The surface water drainage strategy relies on a third-party land crossing outside of the site boundary. If this was not achievable then the strategy would not be deliverable.

(2) The proposed discharge rate to the public sewer has not been agreed with Thames Water so we can be sure that there is sufficient capacity within the drainage network.

(3) We have some concerns about the greenfield runoff calculations which allow for a part of the site as urbanised. This is not reflective of the 'greenfield' rates at the site and it would be necessary to understand the existing drainage regime before determining that the existing flows can be used.

### Environmental Health

7.3 Noise

Whilst the proposed development is located relatively close to the railway, there are a number of buildings between which would be expected to provide a barrier effect to protect the proposed dwellings from noise. The railway is in a cutting which will further reduce transmission of sound from the railway. The majority of neighbouring uses are residential, so residential in this location should be equally acceptable. The proposed development will have a positive impact on local residents as much lower noise levels are expected of a residential development than would be associated with a football club, particularly on match days. There are therefore no noise objections.

### Air quality

There are no air quality concerns.

### External Lighting

There are no lighting concerns, and the proposed development would be expected to have a positive impact for existing local residents and wildlife with the removal of the intense floodlighting associated with a football ground.

#### Contaminated Land

A contaminated land assessment has been submitted which recommends remediation for soil contaminants. A condition requiring implementation of the Approved Remediation Scheme is therefore recommended.

#### Construction and demolition impacts.

A CEMP condition is recommended due to the scale of the development and the proximity to existing residential dwellings.

#### SPA

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

#### Biodiversity

- 7.5 The proposals are unlikely to affect protected or priority species, priority habitats or sites of importance for nature conservation. The Biodiversity Net Gain Assessment Report uses a precautionary approach to the value of habitats in the proposed development and calculates that it would increase from 0.29 to 1.71 biodiversity units (equivalent to a 483.11% increase). This demonstrates a clear biodiversity net gain which should be secured by condition.

Conditions are also recommended to secure biodiversity enhancement such as swift boxes and other wildlife features around the site.

#### Archaeology

- 7.6 The applicant has submitted an archaeological desk-based assessment in support of its application. Considering the known archaeology in the vicinity and the previously undisturbed nature of large areas of the site, the assessment notes that the site has some archaeological potential and the proposed development will impact on below ground deposits. The report concludes that a programme of archaeological work is therefore likely to be required and can be secured by an appropriately worded condition.

Berkshire Archaeology is in agreement with the conclusions of the assessment and recommends that a condition requiring a programme of archaeological work.

#### Waste and Recycling Officer

- 7.7 There is one separate bin area for each of the three buildings with enough space for a total of 36 x 1100 litre and 22 x 360 litre bins. This is sufficient for fortnightly refuse and recycling collections.

The bin stores for buildings A and C have adequate room and distance for bins to be taken to the collection vehicle and returned by the collection crews, providing there is a dropped kerb for the bins to be brought to the collection vehicle.

The bin store for building B is in an undercroft, however this is within 25 metres of the collection point from the vehicle, so providing there are no slopes or access issues, will not need to be presented on collection day to an agreed collection point for kerbside collection.

#### Renewable Energy Officer

- 7.8 The two renewable technologies most often used are air source heat pumps and Solar PV. If Solar is to be used a plan of the array will need to be submitted. Recommends condition that the development shall not begun until an Energy Demand Statement has been submitted to and approved in writing by the Local Planning Authority.

#### Sport England

- 7.9 No objection subject to conditions.

### **8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION**

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 & CS2 of the CSDPD SA2 of the SALP	Consistent
Open Space and Sport	CS8 of the CSDPD	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP and CS23 of the CSDPD	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Design SPD (2017)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Bracknell Town Neighbourhood Plan ("Made" October 2021)		

### **9. PLANNING CONSIDERATIONS**

- 9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Biodiversity and Landscaping
- vi Drainage
- vii Affordable Housing
- viii Sustainability and Energy
- ix Thames Basin Heaths SPA
- x S106 Obligations
- xi Community Infrastructure Levey/ CIL

#### **i. Principle of development**

- 9.2 The site is located within the defined settlement boundary of Bracknell. It is in a sustainable location, approximately 0.5km from Bracknell Town Centre and within



walking distance of Bracknell Railway Station and several bus routes. In accordance with the provisions of CSDPD Policy CS2 (relating to locational principles) new residential development consistent with the character, accessibility and provision of infrastructure and services within Bracknell would be acceptable in this location. The site also forms part of a site allocated under SALP Policy SA2 for residential development, with an indicative capacity of 102 units (of which 18 have been built/ have full planning permission on part of the site (Robins Nest).

- 9.3 However, the development proposed would result in the loss of football playing field and stadium site. Paragraph 96 of the NPPF states that “access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.” As part of its evidence base for the Submitted Local Plan the Council has carried out the assessment required by paragraph 96 (the playing pitch strategy [PPS]). This states that the Larges Lane “site should be protected as playing fields as part of the Local Plan. This is one of the major football sites in the area and is privately owned by the club. The club is currently building a full-sized FIFA 1\* Artificial Grass Pitch (AGP) to be used for matches by the senior club at all levels. The club is looking to develop the nearby pitches at Ranelagh school to provide a large, high-quality supply of grass pitches”.
- 9.4 It is acknowledged that at present there is a conflict between the allocation of this site in SALP and the above recommendation of the PPS.
- 9.5 Of particular relevance to this application Paragraph 97 of the NPPF states that “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”

Ground b) is relevant to this application.

- 9.6 The above national policy is reflected in local policies which are consistent with this. Core Strategy (2008) Policy CS8 states that development will be permitted which; i. retains, improves and maintains existing Recreational Facilities; and/or ii. provides and maintains new Recreational Facilities. Appendix 4 of the SALP sets out a number of requirements to be met in the development of the allocated sites. Of particular relevance to the current application is the requirement to provide an alternative location for the Football Ground.
- 9.7 Bracknell Town Neighbourhood Plan was “made” in October 2021. Policy EV 1 states:  
“Open Space of Public Value

Development proposals are expected to retain all Open Space of Public Value provision as shown on the Policy EV1 Open Space of Public Value Map. [This site is explicitly listed under Policy EV1] ....

Proposals that would result in the loss of Open Space of Public Value will only be supported when alternative public open space is provided to address both the existing area of open space lost and any additional open space needs created by the development

Alternative public open space provision proposed as part of such development proposals will be required to meet the following criteria:

- the scale of alternative provision must be of at least an equivalent scale to the existing public open space provision and
- any alternative site must be of at least an equivalent standard, or better, in terms of layout to the existing public open space provision and
- ancillary uses which are required to complement the provision of the open space must not significantly reduce the overall area of open space and
- the location of the alternative provision must be generally accessible by foot and within or adjacent to the existing settlement boundary of Bracknell Town

It is noted that Bracknell Town Council has not objected to this application.

- 9.8 In response to the policy framework set out above, the applicant has put forward a package of mitigation measures which it considers satisfies the policy requirement. The proposed mitigation package would replace the loss resulting from the proposed development with an equivalent or better provision in terms of quantity and quality in a suitable location.
- 9.9 The applicant has explained that the football club wishes to relocate in order to improve its facilities and to enhance opportunities for grassroots and community football in the Borough. The FA has updated its Ground Grading Requirements which means that the current ground is not compliant with the new safety standards required. It is understood that the ground would require a standing capacity of 1,950 for supporters as stipulated for this league and in order to allow the opportunity of achieving the maximum future potential of 3,000. A greater investment is therefore required in order to progress beyond the current league status. A crucial limitation of the current facility is its design and its lack of opportunity to provide equality with regards access for female and disabled spectators. In order to realise its future ambitions, the club has stated that it needs to move to a larger stadium outside of Bracknell town centre.
- 9.10 In response to these constraints and pressures the football club has implemented a package of replacement facilities including shared use of facilities at Ranelagh School and a shared facility with Sandhurst FC at Bottom Meadow, Sandhurst.
- 9.11 The Ranelagh School Larges Lane Playing Fields Site (now known as the SB Campus Larges Lane) obtained planning permission (application 20/00162/FUL Approved 10.11.2020) for the erection of a sports pavilion with associated access and car parking. This application did not make a clear link to the redevelopment of the current stadium site at Larges Lane. The only link made was a passing reference in paragraph 4.3 of the design and access statement: *"the site will be used by Bracknell Town Football Club during the week for youth training, and junior/youth non-competitive games at the weekend"*. Separately from this planning permission a number of pitch improvements have been carried out which did not require planning permission.

- 9.12 Also in partnership with Ranelagh School, Bracknell Town Football Club (BTFC) has an agreement to use the Multiuse Games Area within the main school site which has been upgraded from a tarmac surface to a 3G surface. Whilst it is the view of BTFC that planning permission was not required for this development, there was no linkage made to the stadium site the subject of this application. This was completed in 2020.
- 9.13 The third part of the mitigation package relates to the Sandhurst Town FC site at Bottom Meadow, part of the Sandhurst Memorial Park owned by Sandhurst Parish Council. This site has recently been upgraded under planning application 19/01085/FUL. This granted permission for the replacement of the natural grass football pitch with a 3rd generation artificial surface with associated 2.4m enclosure fence and hardstanding; the erection of new 1.2m pitch enclosure to replace existing pitch barrier fence, the installation of a new spectator stand and relocation of the existing spectator stand, the installation of a new turnstile entrance, team shelters and maintenance storage container, and the replacement of existing floodlight system with new 18m high columns and LED luminaries. This was granted planning permission on 27th November 2020. Neither Bracknell Town Football Club or the stadium site at Larges Lane was mentioned in the design and access statement which focused on Sandhurst Town. Notwithstanding this the applicant has made clear that this application was to be the replacement for the Larges Lane stadium site, yet there was no clear linkage.
- 9.14 The current application attempts to link the aforementioned sites as mitigation for the loss of the Larges Lane stadia site. There is always an element of doubt when a post rationalism narrative is provided for justification in planning for the loss of a site. Furthermore, when the above sites are considered as mitigation toward the loss of the stadium site, there are two issues which need to be considered:
1. There remains a loss of a natural grass pitch.
  2. The existing stadium is a freehold, whereas the new stadium site at Sandhurst Memorial Park, has a 15-year lease which is renewable.

Dealing with the first point, Sport England considers that the improvements of the pitches and MUGA at Ranelagh School can be considered to enhance the carrying capacity of the pitches and coupled with the new 3G AGP at Sandhurst will provide more hours of football overall. However, it acknowledges that the mitigation proposed does not strictly meet any of the planning policy exceptions.

- 9.15 Addressing point 2, the Sandhurst site has been, as a matter of fact, enhanced for football and Sport England, in line with the NPPF, is concerned about overall provision and not individual clubs. Bracknell Town FC has voluntarily given up its freehold and accepted a 15 year (renegotiable) lease, which is their choice. However, the key is that the facilities on this site have been enhanced to meet the loss of the stadium site, which will allow another club to use them in the future should Bracknell Town FC move on.
- 9.16 In conclusion on this issue, it is accepted that the proposal does not meet any of the planning policy exceptions set out in NPPF paragraph 97 or strictly comply with Policies CS8 or EV1. However, Sport England, the county Football Association and the Football Foundation are all supportive of the application due the benefits which have been brought to grass roots football. Whilst the 3G Artificial Grass Pitch has not been installed at Sandhurst yet, there is a public commitment from BTFC for this work to be completed. However, as the applicant has control over both sites, it is considered that a Grampian style condition could reasonably be imposed. This would prevent the development of the Larges Lane site until all the

works permitted under application 19/01085/FUL have been legally and fully completed in accordance with the approved plans. In view of the importance placed on the benefits to grassroots and community football in reaching this balanced recommendation it is also considered necessary to require the completion of Community Use Agreements (CUAs) in relation to the three mitigation sites. The applicant has advised that it is currently updating existing Community Use Agreements and, once finalised, these CUAs can be secured by way of a Grampian style condition requiring their implementation and retention so that appropriate long term mitigation may be provided.

9.17 In summary this application proposes residential development on a site which is allocated for housing within the SALP. The loss of the existing football ground has been replaced with a package of replacement facilities that, on balance, in total are considered to represent an equivalent provision subject to conditions relating to the full implementation of the upgrade at Sandhurst and the completion of Community Use Agreements in relation to the mitigation sites. The proposed development is therefore considered to be acceptable in principle and in accordance with CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles), CS8 and the NPPF subject to it having no adverse impacts upon the character and appearance of the surrounding area, residential amenities of neighbouring properties, transport or other issues of acknowledged importance. These matters are assessed below.

**ii. Impact on character and appearance of the area**

9.18 Core Strategy Policy CS7 and BFBLP 'Saved' Policy EN20 relate to design considerations in new development and seek to ensure that developments are sympathetic to the character of the area. More detailed guidance is provided in the Design SPD (2017).

9.19 The proposed development is the erection of three apartment blocks to provide 126 apartments on the site, together with associated access and parking provision. As reported above the site forms part of a larger site allocated for 102 units in the SALP. It is important, therefore, to assess the bulk and massing of the proposal and the balance between built form, parking and usable amenity for future residents when looking at dwelling numbers that considerably exceed those set out in the SALP. In assessing appropriate development on this site, some analysis of the site and context is also needed.

9.20 Policy CS7 of the Core Strategy requires high quality design that “build[s] on the urban, suburban and rural local character, respecting local patterns of development”, “enhance[s] the landscape and promote[s] biodiversity”, aids movement through “accessibility, connectivity, permeability and legibility”, provides “high quality usable open spaces and public realm” and looks to “innovative architecture” which would be appropriate within the context of Bracknell’s new town heritage.

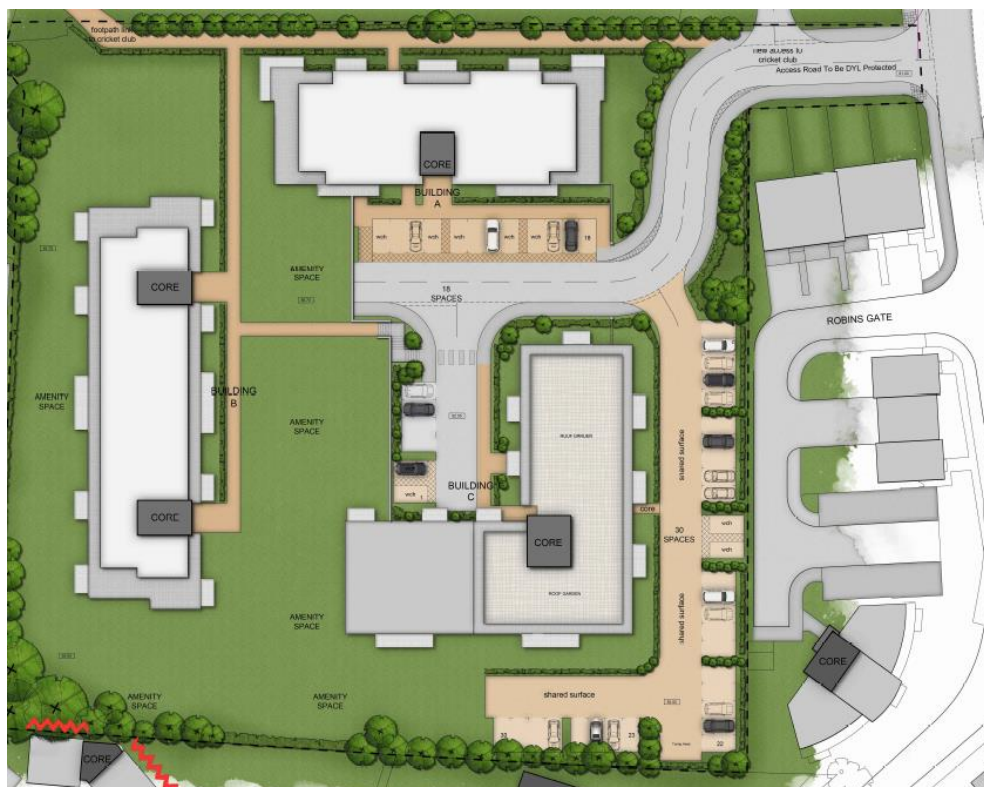
9.21 Saved Policy EN20 states that the Council will consider whether a proposal is “appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views”; whether it “retains” and where appropriate “enhances” beneficial landscape; promotes “or where necessary creates, local character” and provides “adequate space for private use and amenity”.

9.22 Issues discussed within the Design SPD include placemaking, integrating development into the existing context, making connections to surrounding facilities such as schools and town centres, contributing to the environmental sustainability of the development itself and SuDS and surface water drainage management. It states at paragraph 3.3.3 that “plots should be large enough to accommodate the proposed built development and the requirements associated within (such as amenity space, parking, servicing, waste and recycling collection) in an arrangement that is practical and attractive. They [plots] should be configured to make sure that new development relates well to its neighbours.” This is reinforced at 3.9.1. Paragraph 3.9.8 states that there should be “a balance between building footprint, its position on the plot in response to local character, parking provision and usable amenity space for residents.”

9.23 In addition to the above policies and design guidance, the site falls within Area A of the Bracknell Study area of the Character Area Assessments SPD. Key issues of character in this area including the “Central open space enables views across the character area to the surrounding landmarks such as Holy Trinity Church” relate to conserving and enhancing hedge and tree planting in this area. The area is also described as a transitional area between the lower density Victorian elements and the higher densities in the town centre. New development proposals are seen as being apartment blocks. Cohesion is stated as being important for new development coming forward and so enhancing links to the existing network and approaches to the town centre would be a key objective for development within this character area. Landscape and townscape are also detailed as reflecting the transitional character of the area and contributing to creating a stronger sense of place.

### Layout

9.24 The layout below has evolved from the previous (withdrawn) planning application 20/00350/OUT, pre-application discussions and public consultation responses.



It is considered that the required high quality of design for this site has now been achieved. This has been achieved through a significant reduction in the number of units from 164 to 126 which has resulted in a reduction in the scale of the buildings; reduced parking and increased landscaping and amenity space. Block A has been reduced in length and re-sited 2.5m north closer to the boundary with the cricket pitch. This, together with the omission of the previous access road and parking area along the northern boundary would create a softer setting for this block. The revised layout in this area would form a green edge to the development along this northern boundary, providing a transition area between the buildings and the cricket club site.

9.25 The revised layout also enables a much stronger frontage to Larges Lane to be provided than under the previous proposal, creating a positive view into the site, concluding the view from the east. In addition, this provides some legibility, giving visual clues as to what is within the site. It is considered that the changes that have been made would result in an attractive street scene and create a positive view on entering the site, providing a more positive arrival vista than previous layouts. Other changes include moving the parking area to the eastern boundary 1.5m off the boundary allowing a wider 2.0m planting buffer to be introduced between the proposed developments and the Robin's Gate development which would soften this boundary. Overall, it is considered that the amended scheme would create a much better arrival into the site and sense of place from the Larges Lane streetscene.

9.26 The lower number of units has enabled a reduction in the number of parking spaces creating more space within the courtyard for landscaping. This has addressed previous concerns that on entering the site, parking would dominate the internal courtyard which would appear as a sea of parked cars enclosed by a vertical wall forming the entrance to the basement car park. The illustrative plans (landscaping is a Reserved Matter) show how a good quality enhanced landscape scheme, including vertical landscaping and arched brick openings/ colonnades to the podium wall could be used to create an attractive and less car dominated pedestrian environment within the courtyard.

#### Design and External Appearance

9.27 The bulk and massing and appearance of the proposed blocks is illustrated by the following drawings and illustrative views.



**BUILDING A - NORTH ELEVATION**





BUILDING B - WEST ELEVATION



BUILDING C - EAST ELEVATION



BUILDING C - SOUTH ELEVATION







9.28 The design and external appearance of the three blocks is considered acceptable in this location. The height, bulk and mass of the blocks have all been reduced from the previous scheme and are now considered to be appropriate within the context of the site and the surrounding area. Overall, it is considered the development would create an interesting, attractive and varied appearance that picks up on a similar materials palette to other recent apartment blocks on Larges lane, which is welcomed.

9.29 In conclusion on this issue, it is considered that the revised layout and the relationship with existing development in the immediate vicinity is greatly improved from the previous scheme and the development would be at an appropriate scale for this site. It would provide a high-quality design solution with sufficient legibility to navigate the site easily, particularly for pedestrians. The proposal is considered to strike an appropriate balance between creating a distinctive and attractive sense of place while delivering a significant amount of sustainable housing and making efficient use of urban land. As such it is considered that the proposed development, while creating its own distinctive character would respect the existing character and appearance of the Larges Lane street scene and surrounding area and as such would be in accordance with those issues relating to character set out in Policies CS7 and EN20 and the adopted Design SPD guidance.

### **iii. Impact on Residential Amenity**

9.30 'Saved' Policy EN20 of the BFBLP states that development should not adversely affect the amenity of surrounding properties. The NPPF at paragraph 127(f) states that developments should ensure a high standard of amenity both for existing and future users. Privacy is discussed at paragraphs 3.9.11 – 3.9.19 of the Design SPD. Paragraph 3.9.13 states that “As storeys rise additional separation distances may be necessary to mitigate against overlooking, overshadowing and overbearing impacts.”

- 9.31 The proposed blocks on the southern and western edges of the site on the previous scheme were considered to be too close to neighbouring residential properties. In particular, the development was considered to have an overbearing relationship with The Willows to the south with potential overlooking of its private amenity space from apartments on the upper floors of the block C. In addition, the separation between existing blocks of flats and the proposed new apartments along the western and southern edges was also considered unacceptable.
- 9.32 The amended scheme reflects considerable efforts made to address these issues. In particular block C has been moved approximately three metres further from the southern boundary with The Willows providing a separation distance to the boundary of a minimum of 17.5m. Furthermore, the western side of block C has been reduced from four to two stories where it is adjacent to the rear garden of The Willows. This substantially reduces the bulk and mass of this building, addressing concerns about being overbearing and overlooking the private garden area of The Willows. There are no habitable rooms in The Willows that face directly towards the proposed apartments, and it is therefore considered that the amended proposals would now have an acceptable relationship with that property.
- 9.33 The other main area of concern with the previous scheme was the relationship of block B with existing apartment blocks at Mount Pleasant and Hunts Green Court. Block B has now been reduced in length providing substantially greater separation with the Mount Pleasant flats to the south. The minimum separation distance has increased from 15.5m to 19.5m. In addition, there are no habitable windows in the closest elevations of these flats facing towards this site. It is therefore considered that the amended scheme provides an acceptable relationship with the Mount Pleasant flats.
- 9.34 The reduction in the length of block B has also ensured that there is no building immediately behind the east facing flats at Hunts Green Court. A minimum separation distance of 23.5m is now provided with the buildings set at an angle to each other so any window-to-window views would be oblique. It is therefore considered that the amended scheme provides an acceptable relationship with the Hunts Green Court flats.
- 9.35 Building A would have a separation distance of 22.5 metres to the side elevation of 4 Robins Gate which is considered to provide acceptable separation to prevent any adverse loss of light and privacy, especially as the west-facing side windows to 4 Robins Gate do not serve habitable rooms. Building C would have a separation distance of 25 metres to the edge of the rear gardens of the properties of Robins Cottages, and a 35 metre building-to-building separation. This would exceed the minimum back-to-back distance requirements set out in the Design SPD. There would also be a separation space of 25 metres between Building C and the apartments of 5-12 Robins Gate which is considered acceptable.
- 9.36 In conclusion on this issue it is considered that the amended scheme has satisfactorily addressed the previous concerns in respect on the impact on the residential amenity of neighbouring properties and would provide adequate separation distances. It would not be unduly overbearing or give rise to unacceptable levels of overlooking or loss of light to any existing residential properties. The proposed development, as amended, is therefore not considered to materially harm the amenity of surrounding properties and would therefore be in accordance with 'Saved' Policy EN20 of the BFBLP.

#### iv. Transport implications

##### Access

- 9.37 The site is located on Larges Lane, which is subject to a 30mph speed limit. As well as providing access to this site, Larges Lane also serves a local school, a cemetery and existing housing. The road has controlled on street parking along its length to control vehicle speeds along it. In relation to wider access to the site the pedestrian routes from the site towards the town centre and wider pedestrian routes are good.
- 9.38 The current site has a wide shared access which it shares with the adjacent cricket club. It is proposed to create a new access in approximately the same location as the existing. The existing access to the cricket club onto Larges Lane would also be closed and a new access to the cricket club created off the new access road to this site. Such an arrangement is considered to represent an improvement in highway terms over the existing situation and would improve access for vehicles and pedestrians.
- 9.39 The internal road has been designed to be appropriate for the scale of the development and will be sought for adoption to ensure refuse collection and access to the cricket club can be achieved without ransom. The road would be 6m wide and has footways on both sides. This is considered adequate for the scale of the development. Due to its design, internal speeds are expected to be controlled to 20mph. Adequate visibility is provided within the development and at the junction with Larges Lane.
- 9.40 The original plans indicated that a refuse vehicle would overrun the centre line of the internal road by a noticeable amount. The applicant has addressed this concern by altering the radii of the bends within the site access. The amended layout is now considered acceptable as it will allow larger vehicles to pass through the site safely reducing the potential for conflict with other vehicles or the kerb edges of the road.
- 9.41 The internal road is likely to require double yellow lines to control parking along it to ensure any potential overspill parking from the surrounding area does not occur. Legal Agreements will be required to secure these. Lighting within the site and the pedestrian routes will be required. This can be conditioned and will also be covered by the adoption agreement. As part of the access works, off-site highway works will also be required, including alterations to the current on street parking bays on Larges lane. This involves creating a section of layby parking opposite the site entrance which will improve the safety of the access arrangements, particularly as there will be an intensification of use over the course of the day.
- 9.42 There will also need to be a minor modification to the current on street parking restrictions to ensure the on-street parking provision that currently exists will be maintained in the future. Although the on-street parking has capacity for many parts of the day, it is heavily used during school pick up and drop off and therefore maintaining this capacity is important. The minor change involves reducing the extent of double yellow line near to Gypsy Lane by around 5-6m. This would not have a significant impact on the visibility of the junction.
- 9.43 In respect of pedestrian access, the Highway Officer has stated that as well as the internal road and turning head, the proposed footway in front of block A that runs to the Cricket Club would be sought for adoption for public access and any future development opportunities. This footpath is steeply inclined in front of Block A and

the Highway Officer has raised concerns about the gradient as it provides pedestrian access to and from block B. However, the applicant has explained that the primary accessible route to this building is through the courtyard and the under-croft car park. The footpath running parallel to the cricket club is an additional route to Building B and is therefore technically not required to achieve the 1:20 gradient.

- 9.44 Whilst detailed design will be provided at a later stage via Reserved Matters, the site plan has been amended to show indicative levels and ambulant disabled steps proposed for the northern footpath. Relevant drawings to Building A have also been amended to reflect the levels which resulted in some changes to the northern elevation and ground floor plans. The applicant considers that this goes well above the minimum requirements given its status as a secondary route and is in full compliance with Approved Document M of the Building Regulations for wheelchair users. Further comments on this issue have been requested from the Highway Officer and these will be reported in the Supplementary Report.

#### Parking

- 9.45 167 car parking spaces are proposed, 119 of which would be in an undercroft car park underneath Block B and the podium amenity space. The parking is reasonably distributed across the site and the changes advised previously appear to have improved the layout from a parking perspective with disabled parking located relatively close to the entrances. Circulation within the underground car park has been improved to ensure that all the parking is easily and safely accessed as well as helping to promote pedestrian and cycle safety.
- 9.46 Further justification for the proposed parking amount has been provided in the form of a parking survey. The Highway Officer has confirmed that he is content that the report now reflects the likely parking demand that may arise for similar developments in the area. The results indicate that, for the scale of development proposed, the level of parking available on site would appear to be sufficient. It is advised that parking should be conditioned as communal to provide the greatest flexibility and it is clear from the surveys that on at least two sites parking demand spills out of them into the adjacent street whilst parking capacity on site is not fully saturated. This is most likely to be due to allocation of parking leading to unused spaces from those occupiers who did not own vehicles at the time of the surveys. This can obviously change over time and so having the greatest parking flexibility should cater for most situations.
- 9.47 The submitted plans provide an indication of the distribution of the electric vehicle parking for the site and the number of both active and passive spaces and is in accordance with the parking standards. However, since the application was submitted there have been developments in relation to central government policy relating to the provision of charging facilities for electric vehicle charging, which in future will be covered by the building Regulations. These are likely to require provision, either active or passive to be provided for all parking spaces within a development.
- 9.48 The applicant has provided details of the proposed cycle parking for the blocks. The plans indicate the ability to provide parking within the cycle stores using the Council's preferred Sheffield type stands which is acceptable. Provision of 250 spaces for residents and 28 spaces for visitors have been indicated. It is expected that Block B will require access to the store on the western end of Block C to ensure sufficient provision is made for Block B. Conditions are advised for final details to be submitted.

## Traffic Impact

- 9.49 Further work has been carried out in relation to the proposal using the BFC traffic model as well as using traffic count information. A sensitivity test has also been carried out which takes account of current traffic that may be generated by the current club during the peak hours. In that respect the analysis has taken some account of the activities related to football at Ranelagh School playing fields near to the site.
- 9.50 The impact on the local road network, especially the MET Office roundabout and Eastern roundabout, where development traffic will have the most impact, are not considered to be negatively impacted by the proposal. Construction traffic to the site will need to be coordinated and some of the offsite works may well be required prior to development to ensure that safety and on-street parking are not compromised by construction traffic. Conditions are advised to control such matters.
- 9.51 Given the above, the application is not considered to result in any adverse highway safety implications and as such complies with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

## v. Biodiversity and Landscaping

- 9.52 The Council's Biodiversity Officer has commented that the submitted Biodiversity Net Gain Assessment Report uses a precautionary approach to the value of habitats in the proposed development and calculates that it would increase from 0.29 to 1.71 biodiversity units (equivalent to a 483.11% increase). This demonstrates a clear biodiversity net gain. Conditions are advised to secure biodiversity net gain in line with, or better than, the submitted Biodiversity Net Gain Assessment Report and to secure biodiversity enhancement such as swift boxes and other wildlife features around the site. A Section 106 obligation to secure biodiversity net gain monitoring is also recommended.
- 9.53 Whilst landscaping is a Reserved Matter an indicative layout has been provided showing general configurations of hardsurfaced areas, amenity spaces and other landscaping. It is considered that the development could provide adequate space for soft landscaping and amenity spaces that would enhance the character of this urban location. The overall amount of landscaping proposed has been significantly increased from the previous submission.
- 9.54 Existing trees on the boundaries of the site are proposed to be retained. While none of these trees are subject to Tree Preservation Orders (TPOs), they are beneficial to the character to the area and would provide amenities for prospective occupants. A full Arboricultural Survey has therefore been provided, outlining protection measures to these trees in respect of the construction process.

## vi. Drainage

- 9.55 The entire site is located within Flood Zone 1 however, as it exceeds 1ha in size, a Flood Risk Assessment (FRA) accompanied the application. Following consideration of this information, the Council's Drainage Consultant has raised a number of concerns with the drainage proposals. The applicant has been asked to comment on these concerns and its response is set out below to each of the concerns raised.

(1) The surface water drainage strategy relies on a third-party land crossing outside of the site boundary. If this was not achievable then the strategy would not be deliverable. Applicant's response: "The applicant has agreement from the third-party landowner, and this can be secured by Section 106 if necessary to ensure it is achievable."

(2) The proposed discharge rate to the public sewer has not been agreed with Thames Water so we can be sure that there is sufficient capacity within the drainage network. Applicant's response: "This is of course subject to an application made to Thames Water which can be made at any time. We are agreeable for this to be subject to condition/Reserved Matters as has been done in various other instances."

(3) We have some concerns about the greenfield runoff calculations which allow for a part of the site as urbanised. This is not reflective of the 'greenfield' rates at the site, and it would be necessary to understand the existing drainage regime before determining that the existing flows can be used. Applicant's response: "The pre-development runoff rates for various scenarios is significantly higher than the urbanised rate that we have proposed restricting the flow rate to, therefore offering a clear improvement in drainage provision. If however the calculations remain an issue to the Drainage Officer, then there is scope to make alterations to the approach which would not have much impact on overall storage or overall feasibility. Such details would be expanded upon in terms of Reserved Matters detail in any case, as the current submitted information is reflective of the status of the application as Outline."

9.56 Details of the Consultant's final comments in response to these points and any recommended conditions or additional s106 obligations will be provided to the Committee within the Supplementary Report.

#### **vii Affordable Housing**

9.57 The development will deliver 25% on-site affordable housing provision, in accordance with the current policy requirement and is therefore acceptable. This affordable housing will be secured through a S106 agreement.

#### **viii. Sustainability and Energy**

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

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

9.60 Compliance with Policies CS10 and CS12 can be secured by means of appropriately worded conditions.

## **ix Thames Basin Heaths Special Protection Area (SPA)**

- 9.61 An Appropriate Assessment has been carried out for this proposed development in accordance with Conservation of Habitats and Species 2017 (as amended). Without any appropriate avoidance and mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the TBH SPA with the result that BFC would be required to refuse a planning application. In this instance, the development would result in a net increase of 125 dwellings within the 400m – 5km TBH SPA buffer zone and is required to make a financial contribution towards SANG and SAMM (including SAMM monitoring) which will be calculated on a per bedroom basis once the mix of the development is determined taking account of any affordable housing delivered.
- 9.62 As this development leads to a net increase of more than 109 dwellings, the development normally would require a bespoke SANG solution. However, on review of the SANG capacity the developer instead may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest). Sufficient SANG capacity has therefore been safeguarded for this proposal. The Council will carry out SANG enhancement works as part of its on-going SANG enhancement programme and the remaining SANG contributions (for example, to fund in-perpetuity maintenance) will also be taken through Section 106 Agreement contributions. Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

## **x. S106 obligations**

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

- Affordable Housing – a minimum of 25% (31 dwellings) with a mix that generally reflects the type and size of market housing. The tenure breakdown required should be 22 dwellings Affordable rent capped at LHA and 9 shared ownership.
- Community Facilities - a contribution towards new community facilities under construction at Time Square.
- Open Space of Public Value (OSPV) - This site should provide 3780m<sup>2</sup> (0.95 acre) of on-site OSPV. The proposed on-site provision of amenity space plus the rooftop garden meet that quantity requirement. In addition, a contribution of £2500- £3500 per dwelling towards off-site provision would be sought. There are currently a number of OSPV projects seeking funding that are capable of serving the development.
- Biodiversity - The Council will look for a contribution towards monitoring the implementation and management of Biodiversity enhancements which are delivered on site.
- Highways - A planning obligation will be required to secure completion of a s38 agreement for highway/foot/cycleway maintainable at public expense. A planning obligation will also be required to secure a S278 agreement for any off-site works proposed to the public highway.
- SuDS - A planning obligation will be required to ensure approval of a Drainage Strategy which should include a Design Specification and Implementation Strategy and a long-term Management and Maintenance Plan prior to commencing on site. A planning obligation will also be

required to secure a SuDS monitoring contribution to monitor SuDS for the lifetime of the development.

**xi Community Infrastructure Levy/ CIL**

- 9.64 Bracknell Forest Council has an adopted Community Infrastructure Levy (CIL). CIL is applied as a charge on each square meter of new development. The amount payable varies depending on the location of the development within the borough and the type of development.
- 9.65 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. This application involves a net increase in dwellings and floorspace and would therefore be liable for CIL. However, the application site is within the Central Bracknell charging zone which has a nil charging rate.

**10. CONCLUSIONS**

- 10.1 Planning permission is sought for the erection of 126 residential apartments (17 x 1 bed, 94 x 2 bed, 15 x 3 bed) in three detached blocks following the demolition of the existing buildings. This is an outline application, but all matters other than landscaping are to be considered at this outline stage. The site is located with the defined settlement boundary of Bracknell. It is within a sustainable location, approximately 0.5km from Bracknell Town Centre and within walking distance of Bracknell Railway Station and several bus routes.
- 10.2 Policy SA2 of the Site Allocation Local Plan allocates this site for housing with an estimated capacity of 102no. dwellings. The loss of the existing football ground has been replaced with a package of replacement facilities that, on balance, in total are considered to represent an equivalent provision subject to conditions. The development proposed is therefore considered to be acceptable in principle.
- 10.3 The development would be at an appropriate scale for this site and would provide a high-quality design solution with sufficient legibility to navigate the site easily. The proposal is considered to strike an appropriate balance between creating a distinctive and attractive sense of place while delivering a significant amount of sustainable housing and making an efficient use of urban land. As such it is considered that the proposed development, while creating its own distinctive character would respect the existing character and appearance of the Larges Lane street scene and surrounding area.
- 10.4 The proposal is considered to provide adequate parking and would not result in any significant highway safety implications.
- 10.5 The layout and design ensure that the development will not adversely impact on existing occupiers and provides an appropriate standard of amenity for future residents. Subject to conditions and a completed S106 agreement, the development will provide policy compliant biodiversity mitigation and enhancement, the provision and maintenance of surface water drainage, landscaping, affordable housing provision, SPA mitigation and adequate infrastructure mitigation.



10.6 It is therefore considered that the proposed development complies with 'Saved' policies EN1 and EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS8 of the CSDPD, Policy SA2 of the SALP, Policy EV1 of the Bracknell Town Neighbourhood Plan, relevant SPDs and the NPPF.

## 11. RECOMMENDATION

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

- Entering into s278 and s38 Agreements with the Highway Authority relating to works to Larges Lane to form the site access, lighting improvements and parking layby as well as the adoption of the internal access road and footway link to the Cricket Club.
- Affordable Housing
- Community Facility Contribution
- Contribution towards off-site OSPV
- SuDS specification/implementation/Management and Maintenance Strategy including monitoring contribution
- SPA Mitigation
- Funding for Traffic Regulation Order (TRO) alterations on Larges Lane and any new TRO within the site to control indiscriminate parking and maintain safe access
- Biodiversity Net Gain 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:**

1. Approval of the details of landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
3. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
4. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents: -

20-J3128-001 Proposed Site Plan Rev03 received 04.03.2022

20-J3128-001.1	Proposed Site Plan (coloured) Rev03 received 04.03.2022
20-J3128-002	Parking Layout Rev03 received 04.03.2022
20-J3128-003	Building A Floor Plans Rev02 received 04.03.2022
20-J3128-004	Building A Elevations Rev02 received 04.03.2022
20-J3128-005	Building B Floor Plans received 05.03.2021
20-J3128-006	Building B Elevations received 05.03.2021
20-J3128-007	Building C Floor Plans received 05.03.2021
20-J3128-008	Building C Elevations received 05.03.2021
20-J3128-009	Street Elevation and Courtyard Sections Rev01 received 29.04.2021
20-J3128-010	Massing Comparison Site Plan and Elevations Rev01 received 29.04.2021
20-J3128-011	Massing Comparison Site Sections Sheet 1 received 05.03.2021
20-J3128-012	Massing Comparison Site Sections Sheet 2 received 05.03.2021
20-J3128-013	Section through South Boundary received 05.03.2021
20-J3128-014	Detailed Extract from Proposed Site Plan received 05.03.2021
20-J3128-016	Proposed Amenity Rev01 received 23.04.2021
20-J3128-015	Cycle Parking Rev03 received 04.03.2022

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

5. Prior to commencement of any development above slab level, samples of the external materials to be used in the buildings hereby approved 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]
6. Prior to commencement of any development above slab level, details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the character of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
7. No above slab level works, 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. Prior to commencement of above slab level works 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]

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

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) All proposed tree, hedge or shrub removal shown clearly with a broken line.
- c) Proposed location/s of 2.1m high protective barriers, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- d) Illustration/s of the proposed protective barriers to be erected.
- e) Proposed location/s and illustration/s of ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- f) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- g) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- h) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

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

REASON: In order to safeguard trees and other vegetation.

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

- 10. The protective fencing and other protection measures specified by condition 9 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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

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

11. No development (other than that required to carry out remediation) shall commence until the approved remediation scheme has been carried out in full accordance with its terms. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, and before any occupation of the development hereby permitted, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by 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.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified all on-site works shall cease, and the Local Planning Authority shall be informed immediately. Any further investigation/remedial/protective works required by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing before development recommences.

Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority before the re-commencement of on-site works.

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.

13. 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

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

14. No building hereby permitted shall be occupied until a means of vehicular access to the site has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. No building hereby permitted shall be occupied until a means of access to it for pedestrians and cyclists has been constructed in accordance with the approved plans.

REASON: In the interests of accessibility and to facilitate access by pedestrians and cyclists.

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

16. No building hereby permitted shall be occupied until visibility splays of 2.4m x 43m in each direction at the junction of the access road and Larges Lane have been provided. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway and 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]

17. No building hereby permitted shall be occupied until 167 car parking spaces have been laid out within the site in accordance with plan reference 20-J3128-002 Rev 03 PARKING LAYOUT. 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]

18. No dwelling shall be occupied until the associated electric vehicle charging infrastructure with a minimum output of 7kW per charge point has been provided in accordance with plan reference 20-J3128-002 Rev 03 PARKING LAYOUT and thereafter the electric vehicle charging infrastructure shall be retained and 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]

19. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, the building hereby permitted (other than those parking bays marked as disabled or as EV charging bays which may be restricted for use by people with disabilities or electric vehicle owners respectively).

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]

20. The development shall not be occupied until 250 secure and covered cycle parking spaces for residents and 28 cycle parking spaces for visitors have been provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority, and in the locations identified for cycle parking on the approved plans within the development. The cycle parking facilities shall thereafter be retained.

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

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

21. 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]

22. No building hereby permitted shall be occupied until the following off-site highway works have been completed:

The formation of the access to the site and the closure of the access to the cricket club.

Alterations to Larges Lane to form a layby to relocate on street parking opposite the site entrance.

Improved street lighting along the footway adjacent to the site on Larges Lane from the site to its junction with A329 London Road

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP M4, Core Strategy CS24]

23. 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 programme of archaeological work shall provide for:
- a) a programme of exploratory archaeological evaluation prior to the commencement of development
  - b) further archaeological investigation prior to the commencement of development of any areas of archaeological interest identified by the exploratory archaeological evaluation
  - c) post-investigation analysis reporting and publication commensurate with the significance of the archaeological results.

This part of the condition may not be discharged until the full programme of archaeological work has been satisfactorily completed. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

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

24. No development shall take place until Community Use Agreements prepared in consultation with Sport England have been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreements have been provided to the Local Planning Authority. The agreements shall apply to the enhanced facilities for football detailed in the submitted document Bracknell Town FC & Sandhurst Town FC – an overview of our position by the SB Group and shall include details of pricing policy, hours of use, access by community users, management responsibilities and a mechanism for review. The Community Use Agreements shall be retained, and access provided to the facilities in strict compliance with the approved agreements.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

25. No development shall take place until evidence has been submitted and agreed in writing by the Local Planning Authority that all the works permitted at the Sandhurst Town FC site at Sandhurst Memorial Park, Yorktown Road, Sandhurst under application 19/01085/FUL have been legally and fully completed in accordance with the approved plans.

Reason: To ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

26. The development hereby permitted shall secure Biodiversity Net Gain in line with, or better than, the submitted Biodiversity Net Gain Assessment Report prepared by Applied Ecology (AEL1756\_v1.0\_20210705).  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]
27. The development hereby permitted shall not be occupied until biodiversity enhancements including swift boxes and other features for wildlife around the site have been provided in accordance with a Biodiversity Enhancement Plan that has been submitted to and approved by the Local Planning Authority.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]

**In the event of the S106 agreement not being completed by 24<sup>th</sup> June 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).



**Unrestricted Report**

**ITEM NO:**

Application No.  
**19/00076/FUL**  
Site Address:

Ward:  
Binfield With Warfield

Date Registered:  
24 January 2019

Target Decision Date:  
21 March 2019

**Land Rear Of Grange Cottages (Long Copse) Binfield Road Binfield Bracknell Berkshire**

Proposal: **Change of use from woodland to public open space with associated landscaping to form an extension to the Woodhurst Park Suitable Alternative Natural Greenspace (SANG).**

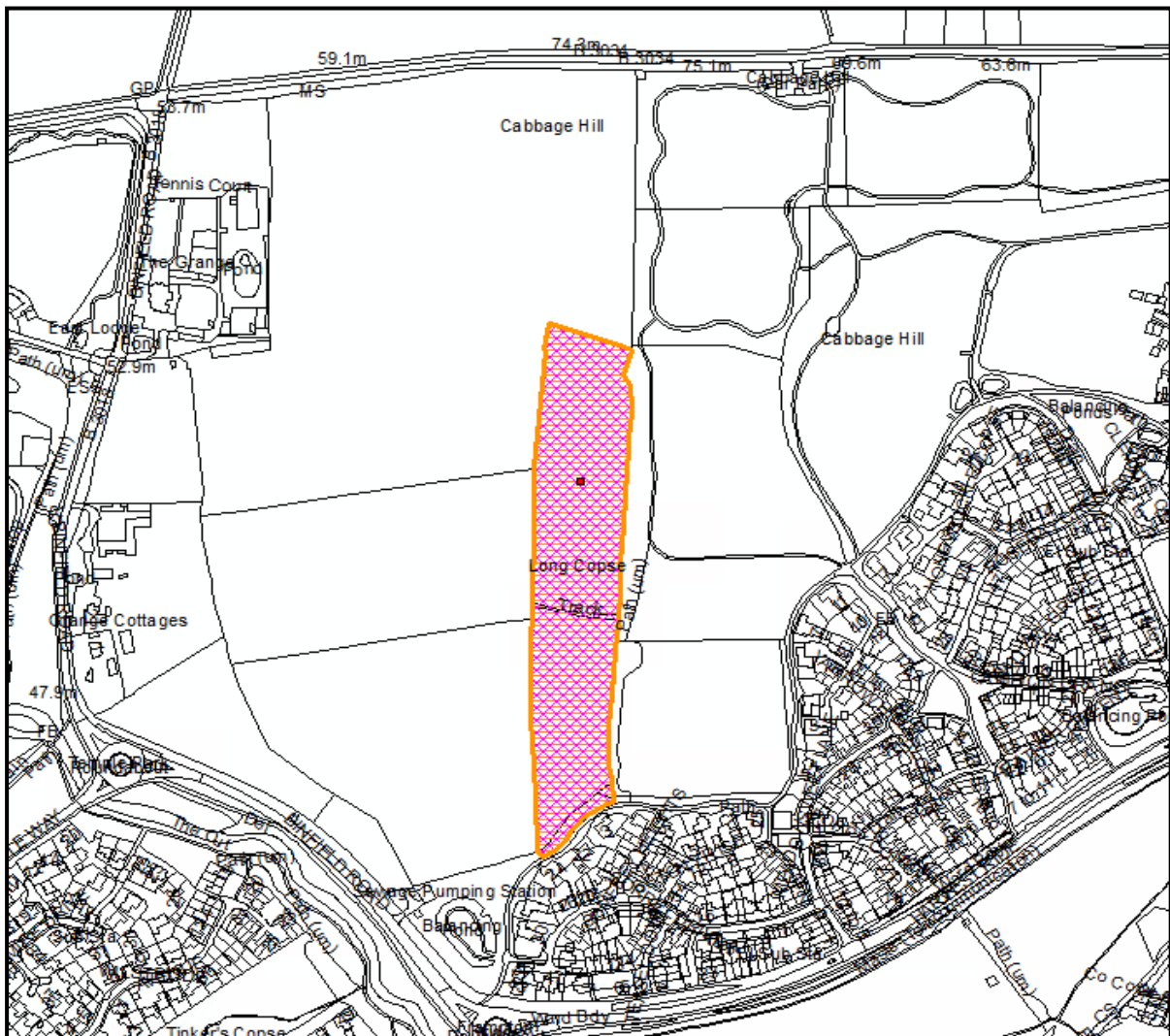
Applicant: Home Farm Land Ltd

Agent: Kevin Scott Consultancy Ltd

Case Officer: Matt Lunn, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto:Development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

- 1.1 The proposal relates to the change the use of an Ancient Woodland measuring 2.75 hectares into a Suitable Alternative Natural Greenspace (SANG). Public access would be provided by an informal footpath that will pass through a limited part of the woodland. Access would be gained from the east, linking to the existing footpath network on the neighbouring Cabbage Hill SANG.
- 1.2 The SANG would provide an area of recreational space to mitigate any potential impact which could arise from new residential developments in the local area on the Thames Basin Health Special Protection Area (SPA). Upon delivery, the Council would be likely to take ownership of the woodland along with a management and maintenance financial sum, and the SANG would be safeguarded in perpetuity.
- 1.3 The proposal is considered to sufficiently mitigate any potential adverse impacts on the woodland from allowing public access, and the woodland would benefit from being brought under resourced management. The local community would benefit by being able to visit this woodland, and the resultant health, wellbeing and educational benefits that this would bring.
- 1.4 Subject to appropriate conditions, and future management and maintenance secured by planning obligation, this proposal is recommended for approval.

<b>RECOMMENDATION</b>
The Head of Planning be authorised to grant planning permission subject to the conditions in Section 10 of this report following the completion of a Section 106 legal agreement.

### **2 REASON FOR REPORTING THE APPLICATION TO THE ADVISORY PLANNING COMMITTEE**

- 2.1 The application is being reported to the Advisory Planning Committee as more than five objections have been received.

### **3 PROPOSAL**

- 3.1 The site comprises privately-owned ancient semi-natural woodland, designated as Ancient Woodland, known as Long Copse. This application seeks full planning permission for the change of use of land to publicly accessible Suitable Alternative Natural Greenspace (SANG). This site is adjacent to and would extend the recently created SANG at Cabbage Hill, Warfield, which was delivered as part of the Woodhurst Park development (ref. 'Relevant planning history' below). The proposal would link to the wider Cut Countryside Corridor SANG (currently over 20ha in size).
- 3.2 The site forms part of the Warfield strategic development site, which is allocated for the comprehensive mixed use development for 2,200 dwellings, and supporting infrastructure, in Policy SA9 of the Bracknell Forest Site Allocations Local Plan (SALP) (adopted July 2013). This strategic policy is supported by the site-specific guidance set out within the Warfield

Supplementary Planning Document (SPD) and development within this particular area is further guided by the Warfield Area 2 Masterplan.

- 3.3 The purpose of SANG is to provide alternative open space to avoid any potential impacts from recreation, which could arise from residential development in the local area, on the Thames Basins Heaths Special Protection Area (SPA), which is situated approximately 4.5km to the south of the site.
- 3.4 The proposed SANG could provide SPA mitigation for at least 149 dwellings located between 400m and 7km of the SPA and within 5km of this site. The SANG could provide mitigation for residential development within the Policy SA9 site allocation, however the submitted Design and Access Statement (DAS) states that this SANG will provide mitigation for a proposed development at Home Farm (ref. 'Relevant Site History'), which is located approximately 0.4km to the north of this proposal, immediately north of Forest Road.
- 3.5 Given that this SANG is not limited to providing the proposed development at Home Farm with SANG, this application is to be determined on the basis of it being a standalone SANG. In the event that the Home Farm development would use this SANG as SPA mitigation, it would be for that development application to propose suitable access.
- 3.6 The planning application comprises the following elements, to meet the standards of SANG required by Natural England:
  - i. Access into the woodland from the eastern boundary, connecting to the Cabbage Hill SANG;
  - ii. The formation Installation of a 1.5m wide informal meandering footpath, comprising woodchip and timber edge restraints – informed by an ecological assessment and tree survey, that connects to the existing SANG path network;
  - iii. Access gates within existing fence line, and timber bridges over a ditch line, providing access from Cabbage Hill SANG;
  - iv. Retention of the existing perimeter fencing, to encourage use of the dedicated route and discourage free-roaming over other areas of the woodland;
  - v. Installation of information boards and signage;
  - vi. Removal of non-native invasive vegetation;
  - vii. Removal of human-derived rubbish and scaffold structure;
  - viii. Installation of bird and bat boxes;
  - ix. Minimal removal of deadwood and tree management;
  - x. The SANG Management Plan to incorporate a woodland management plan for appropriate management for the Ancient Woodland;
  - xi. Measures to discourage deviation off the defined woodland path; and
  - xii. Use of the land for the purpose of SANG and the management and maintenance, in perpetuity, to be secured by Section 106 legal agreement.
- 3.7 No car parking, in addition to that currently provided as part of the adjoining Cabbage Hill SANG, is proposed within this application. A financial contribution equivalent to 3 spaces would be sought towards the planned expansion of the Cabbage Hill car park and secured through a s106 agreement.
- 3.8 During the course of the assessment of this application a number of amendments to drawings and supporting documents have been made to address matters raised by internal consultees, in particular related to arboricultural and biodiversity issues. With reference to

figures 1 and 2, the extent of the path has been reduced significantly, in order to minimise any potential adverse impact on the woodland, whilst meeting Natural England's standards for SANG.

3.9 In the event of approval, the development would be subject to the completion of a Section 106 agreement which would secure the provision of the SANG and management and maintenance in perpetuity. For the Council to take on the in perpetuity management of the SANG, the developer would need to pay a financial contribution to the Council (usually on transfer of the land to the Council).



Figure 1: Indicative path, subject of recommendation

3.10 Figure 2 below shows the site in the context of other SANG near to the site; the majority of which are open for public use.

3.11 The proposal would link to the wider Cut Countryside Corridor SANG (currently over 20ha in size). According to the Thames Basin Heaths SPA Delivery Framework (2009), SANGs of over 20 ha have a catchment of 5km. This means that any development allocated



to this SANG must lie within 5km of it; however, developments with a net increase of less than 10 dwellings do not need to be within a specified distance of a SANG.

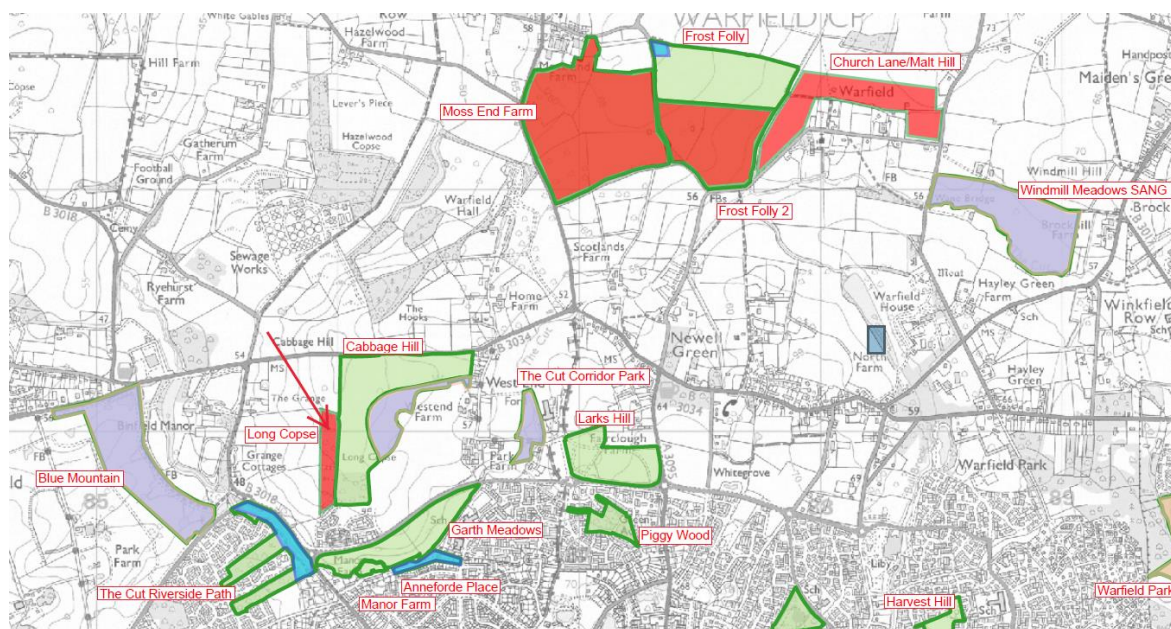


Figure 2: Other SANG near to the site (proposed and implemented)

#### 4 SITE AND THE SURROUNDING AREA

- 4.1 The application site is located on the northern edge of Bracknell, approximately 1.5km from the edge of Bracknell town centre, in the parish of Warfield.
- 4.2 The site is a long, narrow strip of woodland (approximately 80m x 415m), covering an area of 2.75ha, and is adjacent to the existing Cabbage Hill SANG. The site is designated as Ancient Woodland and is protected by Tree Preservation Order (TPO) ref: TPO/99/W1. The site contains numerous mature English Oak, Cherry and Wild Service trees, in addition to an understorey of Hazel coppice with old tree stumps, making for a site of distinct character. The site is perched at a high point in the local landscape, and the land slopes gently southwards.
- 4.3 The site is bounded by areas of SANG grassland and woodland to the east, modern residential housing to the south and pastoral land to the north and west.
- 4.4 The site is on land outside of settlement that is designated a Local Wildlife Site. The land is identified as Grade 3 Agricultural land and is located within Flood Zone 1 (low flood risk).
- 4.5 As shown in figure 3 below, the application site forms a part of the 'Land at Warfield' urban extension allocated under Policy SA9 of the Site Allocations Local Plan (SALP) for 2,200 dwellings.

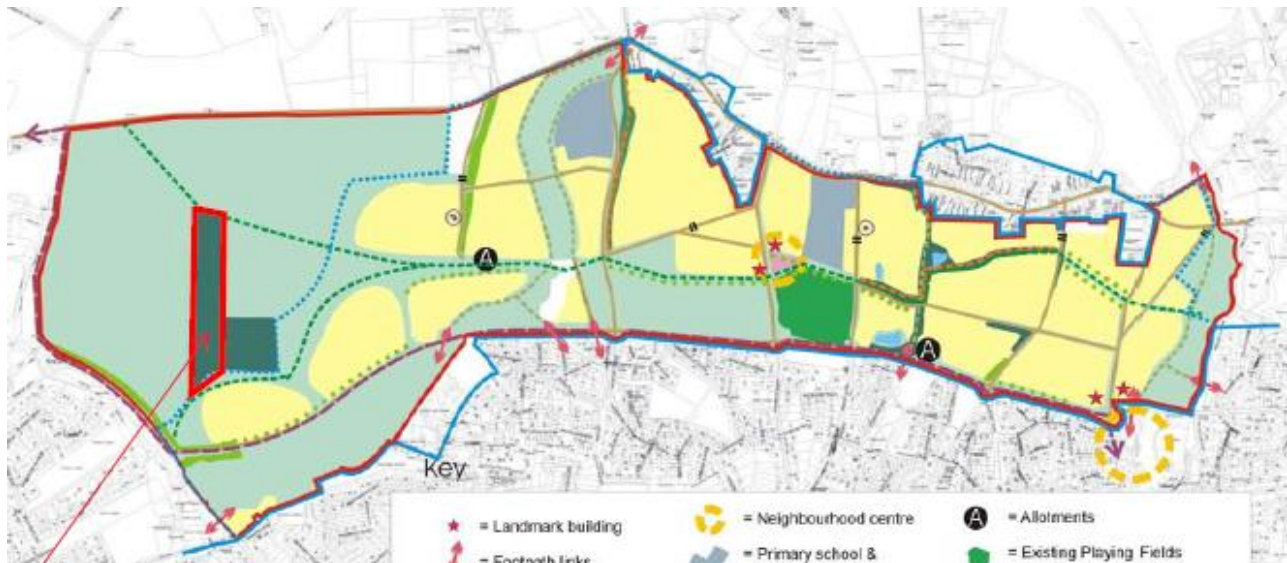


Figure 3: The site is outlined in red, shown on the SALP Policy SA9 illustrative concept plan (p38) (the key identifies the site area (dark green) as 'Key existing trees / planting to be retained')

## 5. RELEVANT SITE HISTORY

5.1 There is no relevant planning history to this site, however beyond the application site, the following applications are relevant:

### 5.2 Within wider SALP Policy SA9 boundary

- i. 13/01007/OUT – Land North of Harvest Ride and South of Forest Road and East of West End Lane: Outline planning application for up to 750 residential dwellings (with a minimum of 675 dwellings) including 60-bed senior living scheme; new two form-entry primary school; formal and informal open space; associated landscaping; works to river cut and provision of new north-south link road. (All matters reserved except for means of access to the development); and Full planning application for the development of Phase 1 at the southwestern corner of the site for the erection of 87 residential dwellings (87 of the 750 dwellings described above) with associated open space, parking and landscaping; creation of two new access points off Harvest Ride and provision of north-south link road between Harvest Ride and Forest Road – Approved 2014. This development provided the Cabbage Hill SANG which this site adjoins and would extend.

### 5.3 Beyond SA9 boundary

- i. 20/00802/OUT – Home Farm, Forest Road, West End, Warfield, Bracknell, Berkshire RG42 5RS: Outline application for up to 197 dwellings and convenience store (Class E) with new roundabout and associated access from Forest Road – Refused November 2021. The applicant has submitted a notification of intention to appeal the decision.

5.4 It is this proposal that the submitted Design and Access Statement (DAS) states would be served by this SANG should this application be approved. This site is located immediately to

the north of Forest Road, across the road from the northern entrance to Cabbage Hill SANG. The application provides for pedestrian connectivity to this SANG.

## 6 REPRESENTATIONS RECEIVED

6.1 10 representations were received, comprising 9 objections (from 8 properties and includes a representation from 'Keep West End Green Campaign'). and 1 in support. A summary of matters raised in respect of the proposal is set out below.

### 6.2 Comments Supporting:

- i. This will greatly improve the management of this copse. The woodland on the Cabbage Hill SANG has been used to educate young and old about our natural woodlands and how to help protect them whilst introducing children and parents to the wonders of the natural habitat on their doorstep.

### 6.3 Comments Objecting:

- i. The SANG is unnecessary.
- ii. Opening up this woodland for public access, with people and their dogs, will damage the woodland.
- iii. The proposal will have an adverse impact on biodiversity.
- iv. This area is already over-developed, which has led to a loss of identity.
- v. The proposed Home Farm development, this SANG is proposed to serve, will have a further adverse impact on biodiversity.
- vi. The SANG at Cabbage Hill is now little more than a grassland area for dog walking, with many wild plant species having been removed, resulting in a loss of bird and insect life.
- vii. Development in the area has already led to a significant loss of countryside and habitat for flora and fauna.
- viii. This SANG is a 'sweetener' to allow development at Home Farm.
- ix. Long Copse provides a refuge for wild animals and birds and is a bluebell wood. This land should be protected, not opened up for public use. There are already woodland walks incorporated in the Cabbage Hill SANG adjoining Long Copse.
- x. Unclear why more areas are needed for dog walking. The behaviour of dog walkers shows no respect for existing properties in the locality.
- xi. Further development will lead to increased anti-social behaviour, such as littering and suspicious activity in the SANG car park.
- xii. This will lead to more speeding traffic and car parking on West End Lane.
- xiii. Development will lead to increased traffic congestion and safety issues, particularly on Forest Road.
- xiv. Existing areas of open space are already abused and mismanaged, so more shouldn't be added.
- xv. Horse riders would have nowhere to go.

### 6.4 Summary of consultation responses

#### Warfield Parish Council

Recommend Refusal for the following reason:

- i. Concern regarding the potential impact on the biodiversity and natural habitat of the woodland.

Biodiversity Officer: No objections subject to conditions and s106 agreement. Comments addressed in report.

Tree Officer: No objection, subject to conditions. Comments addressed in report.

Highways Officer: No objection in principle. Comments addressed in report.

SPA Officer: No objection, subject to s106 agreement. Comments addressed in report.

Natural England: No objection, subject to the SANG being secured by conditions or planning obligations.

## 7 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

7.1 The primary strategic planning considerations applying to the site, associated policies and guidance are:

<b>Development Plan</b>		<b>National Planning Policy Framework (NPPF)</b>
General policies	CP1, SA9 – SALP, CS1 – CSDPD	Consistent
Design	Saved policy EN20 – BFBLP; CS7 – Core Strategy,	Consistent
Amenity	EN20 – BFBLP; CS7 – Core Strategy	Consistent
Highways	M4; M6 – BFBLP; CS24 – Core Strategy	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2, EN3 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
- Warfield SPD (2012)		
- Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD (March 2012)		
- Planning Obligations SPD (February 2015)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF)		

## 8 PLANNING CONSIDERATIONS

8.1 The key issues for consideration are:

- i. Principle of development
- ii. Design and impact on trees
- iii. Design and impact on biodiversity
- iv. Impact on landscape character
- v. Impact on residential amenity



- vi. Transport implications
- vii. Planning obligations (Section 106 legal agreement)

8.2 These issues are addressed in the following sections of this report.

### **i. PRINCIPLE OF DEVELOPMENT**

8.3 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. This is reinforced by the NPPF which explains that 'at the heart of the Framework is a presumption in favour of sustainable development' (Paragraph 10 refers) which should be applied when making planning decisions. In terms of decision making, Paragraph 11 explains that this means that developments which accord with the development plan 'should be approved without delay', and that 'where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date' that permission should be granted unless 'the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise'. The policy advice of the NPPF is supported by the National Planning Practice Guidance (NPPG). The presumption in favour of sustainable development is reflected in the Bracknell Forest Borough Council Site Allocations Local Plan (SALP), Policy CP1 refers. This states that planning applications which accord with the Development Plan should be approved without delay unless material considerations indicate otherwise.

8.4 The purpose of SANG is to mitigate the impact of residential development within 5km of the site on the Thames Basin Heaths Special Protection Area (TBHSPA). The importance of the Thames Basin Heaths is recognised within the retained Policy NRM6 of the South East Plan (Thames Basin Heaths Special Protection Area); the Core Strategy - policies CS5 and CS14 refer; the SALP - policy SA9 refers; the Warfield SPD and the Bracknell Forest Thames Basin Heaths SPA Avoidance and Mitigation SPD April 2018 (TBH SPD).

8.5 This application would provide a 2.75 ha extension to the Cabbage Hill SANG. The SANG would link to the wider Cut Countryside Corridor SANG (currently over 20ha in size). According to the Thames Basin Heaths SPA Delivery Framework (2009), SANGs of over 20 ha have a catchment of 5km. This means that any development allocated to this SANG must lie within 5km of it. This proposal does not lead to a change in the catchment of the existing area of The Cut Countryside Corridor SANG. The location of the proposed SANG in relation to others within the vicinity is illustrated in figure 2 above.

8.6 The site is located within the Warfield strategic development site (SALP Policy SA9), allocated for the delivery of up to 2,200 dwellings. Policy SA9 states that development requires:

"Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA) in agreement with the Council and Natural England. This will include provision in perpetuity of on-site bespoke SANG of at least 8ha per 1,000 new population. The preferred solution is for a SANG at Cabbage Hill. Part of the solution could be off-site subject to agreement with the Council and Natural England, and passing an Appropriate Assessment. Further in perpetuity requirements include a financial contribution towards Strategic Access Management and Monitoring and any other measures

that are required to satisfy Habitats Regulations, the Councils Thames Basin Heaths SPA Avoidance and Mitigation Strategy and relevant guidance."

- 8.7 Whilst the submitted DAS states that this SANG will provide mitigation for a proposed development at Home Farm (ref. 'Relevant Site History'); given that this development would only require approximately 50 dwellings worth of SANG, this SANG could provide mitigation for other residential development besides the Home Farm scheme, which could include development within the Policy SA9 allocation.
- 8.8 Use of the land as SANG and funding for its management and maintenance would be secured in perpetuity (for a period of 125 years), by Section 106 legal agreement. As a result, this proposal will safeguard the woodland in perpetuity.
- 8.9 In terms of development impacting Ancient Woodlands, NPPF, Para 180 states that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. In terms of what constitutes 'exceptional reasons', it provides infrastructure projects as an example, "where the public benefit would clearly outweigh the loss or deterioration of habitat".
- 8.10 The NPPF in para 92(c) recognises the role of safe and accessible green infrastructure in enabling and supporting healthy lifestyles; and states that planning decision-making should aim to achieve this.

### **Other material considerations**

- 8.11 The Forestry Commission and Natural England's 'standing advice' for planning authorities in considering planning applications affecting ancient woodland, ancient trees and veteran trees, provides supplementary guidance to NPPF requirements.
- 8.12 The Warfield SPD provides guidance for planning applications submitted within the SA9 allocation. Long Copse is shown on the WSPD Concept Plan (figure 3) as 'key existing trees/planting to be retained'. WSPD Development Principle W6 states that, in terms of mitigating the impact of development on the Thames Basin Heaths Special Protection Area

"A bespoke solution to avoid and mitigate any impacts arising from residential development at Warfield will be delivered in accordance with an Appropriate Assessment in agreement with Natural England. The solution will deliver bespoke Suitable Alternative Natural Greenspaces (SANG) provision to include the following on-site provision unless an alternative scheme is agreed with the Council and Natural England including:

- A minimum area of 8 hectares per 1000 persons to be provided on site at Cabbage Hill (including Long Copse) ...as shown on the Concept Plan."

- 8.13 This Council-endorsed guidance provides in principle support for Long Copse being used as SANG, whether it is used to mitigate SA9 development, or development elsewhere, subject to the avoidance and mitigation measures passing an Appropriate Assessment and is agreed with the Council and Natural England.
- 8.14 The site is included within the Warfield Area 2 Masterplan (A2M) area (figure 4 shows), which shows Long Copse as being 'existing woodland outside settlement boundary'. The

A2M develops into further detail and accords with Policy SA9 and WSPD objectives; and therefore, the proposal is considered to be in accordance with the A2M.

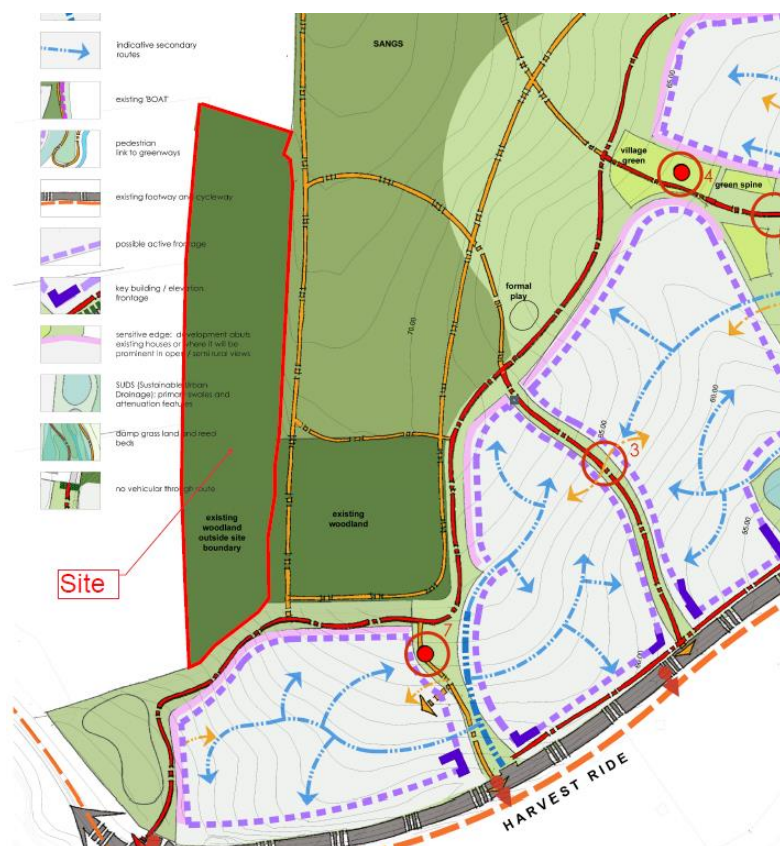


Figure 4: The site shown in an extract from Warfield Area 2 Masterplan

8.15 In light of the assessment above, there is no objection to the principle of the development, which could provide SPA mitigation for and help facilitate a significant number of residential dwellings in the borough, which is consistent with the NPPF's presumption in favour of sustainable development.

8.16 Change of use of the land to SANG, with resourced management and maintenance secured, would safeguard the Ancient Woodland, and provide a valuable addition to the Borough's accessible green infrastructure, in perpetuity.

8.17 The impact of the development on the ancient woodland, the benefits of health and wellbeing derived from enabling public access, and other material considerations are set out below.

## ii. DESIGN AND IMPACT ON TREES

8.18 NPPF, Para 180 states that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. In terms of what constitutes 'exceptional reasons', it provides infrastructure projects as an example, "where the public benefit would clearly outweigh the loss or deterioration of habitat".

- 8.19 Local Policy EN1 provides for the protection of trees, stating that “planning permission will not be granted for development which would result in the destruction of trees... which are important to the retention... of: (ii) the character and appearance of the landscape...; or (iii) green links between open spaces and wildlife heritage sites;...or (v) habitats for local wildlife; or (vi) areas of historic significance.
- 8.20 The application site is classified by Natural England as an Ancient Woodland and is protected by a confirmed woodland Tree Preservation Order. The woodland contains a rich diversity of tree species including but not limited to Oak, Ash, Cherry, Holly, Field Maple, Hazel and the rarer Wild Service. Species vary significantly in age, form and condition. They are complemented by many valuable ground habitats such as fallen stems, old tree stumps and roots plates, as well as extensive understorey flora (particularly Bluebells which cover most of the woodland floor). All serve to underpin its natural character and importance. These are all essential to retain, safeguard and enhance.
- 8.21 The woodland also contains blocks of invasive, non-native Rhododendron and Cherry Laurel and human-derived structures and rubbish, which are all proposed to be removed as part of the proposal, which would benefit the Ancient Woodland environment.
- 8.22 The potential disbenefits that could arise from allowing access into an Ancient Woodland have been carefully considered. The proposal strikes a balance between enabling a degree of public access, so that the site can function as SANG whilst avoiding and mitigating any adverse impacts that this could have on this sensitive woodland environment.
- 8.23 The Council's Tree Officer has been engaged throughout this application; and advice received has been integral in shaping the proposal. The primary consideration beyond implementation of any path is the appropriate level of access to encourage through this woodland. Much of the woodland's character has developed and been preserved because of its historic isolation and low accessibility by the public. Whilst allowing a degree of public access is a necessary requirement of a SANG, the concern is that too much access could fundamentally erode and adversely affect its long-term character and invaluable natural qualities. The site contains many ageing, mature and veteran trees including a number of very impressively sized mature Wild Cherries. Some are partially collapsed, some decaying at their bases and some contain many large dead branches. All are fundamentally important to its character and acknowledged ecological value. Accordingly, ongoing management needs to very sympathetic to this. The challenge is that routeing a path through particularly sensitive areas, including near trees in such condition could potentially create issues of public health and safety, requiring a management approach that could radically change the woodland. Some areas, particularly in the northern most sector contain undisturbed uprooted stumps and old stems. This is valuable habitat and character which could be detrimentally affected by pressures from public access.
- 8.24 The original application scheme showed an extensive path network that provided direct access to a significant proportion of the woodland, and the path did not appear to be informed by any tree or ecological survey. This raised significant concerns regarding potential arboricultural and ecological impact on the woodland. After raising these concerns, the applicant has conducted tree and ecological surveys and has worked extensively with Council officers to keep any adverse impact on the woodland to a minimum, whilst facilitating a limited degree of public access to fulfil its role as a SANG. This has resulted in a path route that is significantly shorter in length, and follows a 'line of least impact' that is

informed by tree and ecological surveys and a site visit with the applicant's team to plot the route on foot to ensure that no detail was missed. The resultant route, subject of this recommendation, is shown indicatively in figure 1 above, and plotted on the submitted Woodland Management / Enhancement Plan, that is also appended to the submitted SANG Management and Maintenance Plan.

- 8.25 In addition to the route of the path, the design and construction of the path and bridges, to span the ditches, providing access need careful consideration. The path construction is required be sympathetic to the character of the woodland; formed using wood chip surfacing with timber edge restraints to contain the surface material. Path and bridge design and installation, and how materials will be stored / transported to the site, will require careful consideration, and will be conditioned for discharge, in agreement with the Council, prior to the commencement of works. The Tree Officer would be consulted in their discharge.
- 8.26 To minimise impacts on the woodland, seating, dog and litter bins will not be required. Responsible dog ownership would be encouraged in this sensitive habitat. Information boards, provided at each of the access bridges, would include a Code of Conduct to support responsible and considerate public usage of the SANG, and encourage the public not to allow their dogs off leads within the woodland.
- 8.27 The offering of this woodland as SANG presents a valuable opportunity to help safeguard its future. Whilst the principle is supported, it is critical that careful consideration is given to key issues highlighted above to ensure this.
- 8.28 In terms of impact on the ancient woodland; it is considered that potential adverse impact caused by public access could be mitigated by the appropriate design of paths and information boards and signage. The signage would help inform the public of the responsible and considerate use of the woodland. Any potential for harm also needs to be weighed against the benefits of bringing the woodland under an appropriate management and maintenance regime in perpetuity. On balance, it is considered that the benefits that would result from this development outweigh potential harm that could arise. Funding to manage and maintain this SANG would be secured on grant of any planning permission.
- 8.29 The Council's Tree Officer is satisfied that the application can be approved subject to the imposition of conditions. The proposal would ensure that the land as ancient woodland would be safeguarded in perpetuity, and availability for public access would enable and support healthy lifestyles through the provision of safe and accessible green infrastructure. The proposal is therefore considered to accord with the NPPF, Bracknell Forest Borough Local Plan (BFBLP) Policy EN1 and SALP Policy SA9.

### **iii. DESIGN AND IMPACT ON BIODIVERSITY**

- 8.30 Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity, and CS7 requires development to enhance the landscape and promote biodiversity. This is supported by the NPPF – Section 10 that seeks to conserve and enhance the natural environment and for development to minimise impacts and provide net gains for biodiversity.
- 8.31 The Council's Biodiversity Officer has been engaged and has advised throughout the evolution of this scheme.

- 8.32 Long Copse is designated a Local Wildlife Site, and the application would be required to consider how the proposed works might impact on the features for which it is designated. Further to this, Long Copse is an ancient woodland remnant which is likely to suffer from the effects of being a small habitat fragment. Therefore, it is essential that any proposed works do not further fragment the habitat.
- 8.33 The initially submitted scheme proposed a complete full path loop within Long Copse, which would likely have fragmented the woodland and markedly increased the human disturbance of the woodland. In addition, remedial tree works would have been required to remove trees with defects within falling distance of a path, which could mean the loss of valuable biodiversity features throughout the woodland. It was then proposed that, because the site adjoins an existing SANG, a simple link from the north Cabbage Hill field to the east through the woodland to link with existing paths in the south, should be used to limit the impact of public access on the woodland. In addition, interpretation should be used to inform visitors of the sensitive nature of the site.
- 8.34 As explained in the previous section, upon BFC's advice following initial submission, the applicant conducted an Ecological Impact Assessment (EclA) of the site, to adequately assess the ecological value of Long Copse and guide the design of the SANG. It included a desk study, habitat survey, preliminary bat roost assessment and badger survey.
- 8.35 It concluded that any potential impacts on the site's biodiversity from use as a SANG would be outweighed by the proposed ecological enhancement / management, resulting in a net gain and a long-term positive increase in biodiversity in line with local and national planning policy guidance.
- 8.36 This EclA, alongside the tree survey and site visit, has informed the proposed new path route through Long Copse.
- 8.37 Further to path provision, biodiversity enhancement works are proposed. These include the provision of nesting boxes for a variety of bird species within trees, installation of bat boxes, log and brash piles and the removal of areas of Rhododendron and Laurel. In addition to this, interpretation boards will be required, to be located sensitive to root protection areas, to provide important information on the ecological sensitivity of the woodland.
- 8.38 The Biodiversity Officer is satisfied that the potential impacts of the proposed footpath and long-term change to a SANG can be addressed through the design of the path and long-term management. This can be secured through conditions.
- 8.39 Following amendments to the original scheme, the application is now considered to adequately demonstrate that it protects and enhances biodiversity in accordance with EN1, CS1, CS7, NPPF, Circular 06/05, NERC Act 2006 and Conservation of Habitats and Species Regulations 2010.

#### **iv. IMPACT ON LANDSCAPE CHARACTER**

- 8.40 Chapter 8 of the NPPF and specifically Paragraph 96 relates to the importance of the delivery of high-quality open spaces for health and well-being and the need for planning decisions to seek opportunities for new provision.

8.41 Policy EN1 of the BFBLP relates to protecting existing tree and hedgerow cover, and refers to the importance of tree and hedgerow cover in providing green links between open spaces and wildlife sites, and their value as habitats for wildlife. At a strategic level, Core Strategy Policy CS1 refers to sustainable development. Criterion viii) includes the need to 'protect and enhance the quality of local landscapes and the wider countryside'. These policies are consistent with the NPPF.

8.42 In terms of impact on the landscape character, despite the prominence of Long Copse in the local landscape, because of the limited nature of the works proposed, there would be negligible impact on the landscape character as a result of the works. Given that implementation of the proposal would likely lead to the woodland being transferred to the Council, and it being managed and maintained in perpetuity, the proposal would in fact safeguard this important landscape feature, which would be less certain if it were to remain in private ownership.

8.43 It is considered therefore that the proposal would accord with the requirements of the NPPF and local policies EN1 and CS1.

#### **v. IMPACT ON RESIDENTIAL AMENITY**

8.44 BFBLP Policy EN20 states that development should not adversely affect the amenity of surrounding properties and adjoining area; and Policy CS1 recognises the importance of sustainable development and the need to protect and enhance the health of the local population.

8.45 No structures are proposed, apart from limited infrastructure necessary to provide limited access to the woodland, and apparatus such as information boards and signage necessary for the enjoyment, understanding and respect for the woodland. Design of this infrastructure would be sympathetic to the character of the landscape, and access into Long Copse would only be achieved from the eastern boundary, from within the existing SANG, that links to existing path network. The design itself would therefore have negligible impact on residential amenity.

8.46 Objections received have raised several related issues concerning the behaviour of existing SANG users, activity in the car park and users parking on residential roads to access the SANG. Consideration has been given to the impact on residential amenity from this development. Given the nature of this development, as a small addition of woodland to an existing well-used SANG, there is not anticipated to be a material change to the circumstances relating to the site. The use in itself would not be a cause for anti-social behaviour, and if any arises, this is a matter for relevant agencies. Overall, this development is considered to be a positive addition to local amenity.

8.47 Therefore, having regard to the nature of the proposal, the impact on residential amenity within the vicinity of the site is considered to be negligible; and therefore the scheme is considered to be in accordance with BFBLP Policy EN20 and is therefore acceptable.

#### **vi. TRANSPORT IMPLICATIONS**

8.48 The NPPF promotes the use of sustainable transport modes and that development proposals should provide "safe and suitable access to the site can be achieved for all users"

(para 110(b)). Para 111 goes onto states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety”.

- 8.49 The Council’s Environmental Policy Officer was consulted and has advised that Long Copse SANG would form a part of The Cut Countryside Corridor (TCCC) Super SANG, which has a total area of 44.21ha. According to NE’s requirements, a minimum of 45 car park spaces would therefore be required for TCCC SANG. The total number of car parking spaces available to SANG visitors at Cabbage Hill, Larks Hill and Jock’s Lane is a maximum of 107 car park spaces; which is significantly more parking than NE’s requirements. Therefore, from a SANG standards perspective, there is considered to be sufficient existing car parking to serve Long Copse SANG.
- 8.50 Further to this, Long Copse SANG would benefit from good pedestrian links, particularly given its location adjacent to the strategic east-west greenway that is planned to run the length of the SA9 development area. As a key requirement of the SA9 strategy, to promote the use of sustainable modes of transport, which is in alignment with the NPPF, the greenway is designed to create an attractive, efficient, pedestrian-friendly route connecting key facilities and services; reducing the need to use the private car, that would otherwise contribute to local road congestion and associated noise and air pollution. This would serve the Long Copse SANG well.
- 8.51 Natural England has been consulted specifically with regard to this matter and has confirmed its support for this approach to car parking.
- 8.52 The Council’s Transport Officer was also consulted and has advised that, given that the application is to extend an existing SANG at Cabbage Hill, many of the users currently visiting the site are expected to use the additional area as part of their already established pattern of visiting the existing SANG. However, with any increase in the extent of a facility there is the potential for additional demand on it to arise, particularly as this proposal offers an increase in woodland area which could increase the variety and attractiveness of the overall site. Consideration should also be given to the evidence of current usage of the Cabbage Hill car park. The car park is well used, and in the past, parking has been noted on the verges outside the site which restricted visibility, but this has now been prevented by the installation of wooden posts on the verge. In that respect any additional demand is likely to either try and park in the car park in areas that may restrict access or more likely users will seek to park within the housing estate itself and access the SANG from that side. Alternatively users may choose another SANG to visit. The level of increased demand is difficult to predict but it is unlikely to be significant.
- 8.53 The Council’s Parks and Countryside Service, which manages the SANG, is currently investigating expanding the current car park to cater for demand. In order to mitigate any potential impacts in the longer term raised by the Transport Officer, it is proposed that a contribution from this development would be secured, by s106 planning obligation, towards the project to expand the car park at Cabbage Hill SANG. This is likely to be a pro rata contribution. With reference to Natural England’s SANG guidance, that requires one space per hectare of SANG, this would equate to three additional car parking spaces.
- 8.54 Subject to the securing of a financial contribution towards a proposed car park extension at Cabbage Hill SANG, this proposal is considered to accord with CS policies CS23 and CS24, and would therefore be acceptable.



## **vii. PLANNING OBLIGATIONS (SECTION 106 LEGAL AGREEMENT)**

- 8.55 This application for a SANG requires a SANG Management Plan (MP) that is to be agreed with the Council and Natural England (NE). This will be appended to a s106 agreement with the Council. Because of the nature of the site, as an Ancient Woodland and Local Wildlife Site, the SANG MP would be required to be informed by recommendations for site enhancements and management provided in the submitted EclA and to include a Woodland Management Plan. A draft SANG MP has been submitted by the applicant. Following review by the Council's Senior Environmental Policy, Biodiversity and Tree Officers, necessary amendments have been made, and it is now considered acceptable.
- 8.56 Cabbage Hill SANG is owned and is managed by Bracknell Forest Council. If Long Copse woodland becomes an extension to Cabbage Hill SANG, the Council would prefer to own and manage the whole SANG and this should be secured through a s106 agreement. This is usually also the preference of Natural England. This would give more certainty that the site will be managed to SANG standard and available for public use in perpetuity. If the site is not going to be managed by the Council in perpetuity, there will need to be step in rights agreed with Bracknell Forest Council (BFC), should the proposed SANG fall below the required standard and a mechanism in place agreed with BFC to ensure the long-term financial security of the SANGs (i.e. the long-term maintenance funding).
- 8.57 For the Council to take on the in-perpetuity management of the SANG, the developer will need to pay a financial contribution to the Council (usually on transfer of the land to the Council). These sums are based on 2017/18 costs of a base line maintenance rate of £1,605 per hectare per annum and an additional SANGs enhancement maintenance cost (extra cost of managing the sites to SANGs standard) of £994 per hectare per annum. This works out at £180,051 based on a total area of 2.75ha SANG, which allows for estimated interest rates and inflation to be applied over the period.
- 8.58 According to the Thames Basin Heaths SPA Delivery Framework (2009), SANGs of over 20 ha have a catchment of 5km. This means that any development allocated to this SANG must lie within 5km of it. This proposal does not lead to a change in the catchment of the existing area of The Cut Countryside Corridor SANG.
- 8.59 The site would provide SPA mitigation for a minimum of 149 dwellings.
- 8.60 The Design and Access Statement states that this SANG will provide mitigation for the Home Farm development (ref. 'Relevant site history'). It does not however show how much SANG capacity will be required for this development or whether there will be excess SANG capacity which could be used as mitigation for other developments. A process for the allocation of SANG capacity will be agreed with the Council and set out in the s106 agreement. The SANG must be fully enhanced in accordance with the SANG Management Plan in agreement with BFC and available for public recreation before any dwellings allocated to it can be occupied. The Council has a similar agreement relating to the Frost Folly SANG (planning ref. 15/01161/FUL).
- 8.61 To conclude, provided that SANG measures set out above, in addition to the proposed car park contribution, are secured by section 106 agreement with a legal mechanism to secure delivery of the SANG along with a SANG Management Plan, the proposed SANG is considered acceptable.

## 9 CONCLUSIONS

- 9.1 This proposed development would not lead to any material change in the landscape character of the area, meets planning policy objectives and, in providing SANG capacity, will play an important role in facilitating residential development in the borough which is consistent with the NPPF's presumption in favour of sustainable development.
- 9.2 Following amendments to the scheme, informed by ecologists and arboriculturalists, potential impacts on the Ancient Woodland and local wildlife site features have been assessed. It is considered that appropriate measures and mitigation have been secured to minimise any adverse impact, whilst fulfilling Natural England's requirements for a functional SANG.
- 9.3 There is not considered to be any material harm to residential amenity to result from this proposal.
- 9.4 Planning obligations would secure measures to operate and maintain the site as a SANG in perpetuity and a financial contribution towards the potential extension of the Cabbage Hill SANG car park. Conditions would secure details concerning path and bridge construction, and for work method statements to ensure that appropriate consideration is given to operating in this sensitive environment.
- 9.5 Use of the site as a SANG would safeguard the future of the ancient woodland, and in providing limited public access on to what is currently private land, the proposal would add to the borough's green infrastructure and recreational facilities, thereby contributing towards health and well-being objectives. Such benefits are considered to outweigh any potential harm to the woodland.
- 9.6 BFC and the applicant have worked positively together to develop a scheme that is now considered acceptable.
- 9.7 The application is therefore recommended for approval, subject to appropriate conditions and the completion of a Section 106 legal agreement securing the management and maintenance arrangements of the SANG in perpetuity and a financial contribution towards the expansion of the Cabbage Hill SANG car park.

## **RECOMMENDATION**

**Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990, incorporating the following planning obligations amended, added to or deleted as the Head of Planning considers necessary in compliance with local and national planning policy and relevant legislation:-

- i. the legal mechanism for the delivery of the SANG that will meet the Quality Standards set by Natural England;
- ii. securing in perpetuity management and maintenance; and
- iii. a financial contribution towards expansion of the Cabbage Hill SANG car park.

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: -

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 other submitted details:

- Site Location Plan – SK-21732-01 (Received 24.1.19)
- SANG Management and Maintenance Plan – LLD2459-LAN-REP-001 Rev 05 (Received: 01.03.22)
- Woodland Management / Enhancement Plan – LLD1582-ECO-FIG-A (Received 01.03.22)
- Ecological Impact Assessment (dated 3<sup>rd</sup> March 2020) – LLD1582 Rev 02 (Received: 23.03.20)
- Tree Retention and Protection Plan – LLD1582-ARB-DWG-001 Rev 01 (Sheets 01 - 03) (Received: 22.02.21)
- Existing Tree Schedule (dated 23<sup>rd</sup> January 2020) – LLD1582 Rev 01 (Received: 22.02.21)

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

3. No development shall commence until details of the path, gated pedestrian access, foot bridges and site signage, including details of their location, specification (e.g. size, design and materials) and construction, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to public access being permitted onto the SANG and retained thereafter.

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

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

4. No development shall commence until a scheme for the provision of interpretation boards, including a plan or drawing showing their location, specification, construction and content, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to public access being allowed onto the SANG and retained thereafter.

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

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

5. No development shall commence until full details of boundary treatment fencing or any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before any public access to the woodland. All boundary treatments should provide for the free movement of wildlife to and from the site.

REASON: - In the interests of the visual amenities of the area, nature conservation and

to safeguard Ancient Woodland

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

6. No development shall commence 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 (if required)

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

7. The development (including site clearance) 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: CSDPD CS1]

8. The development (including site clearance) shall not begin until a scheme to mitigate the impact of the development on bats has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

- i. methods to avoid killing, injury or disturbance to bats during development
- ii. the provision of temporary roosts during construction
- iii. the provision of replacement roosts
- iv. habitat management and enhancement, e.g. suitable lighting and planting appropriate post construction monitoring

The mitigation scheme shall be implemented in accordance with the approved details.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1]

9. If more than 2 years elapse between the previous badger survey and the due commencement date of works, an updated badger survey shall be carried out by a suitably qualified ecologist, unless otherwise agreed in writing by the Local Planning Authority. 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: To ensure the status of badgers on site has not changed since the last survey.

[Relevant Plans and Policies: CSDPD CS1, CS7]

10. No development shall commence until a scheme for the provision of bird and bat boxes including a plan or drawing showing the location of these enhancements, has been

submitted to and approved in writing by the local planning authority. The scheme thereby approved shall be implemented in accordance with the approved details.

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

11. No development shall commence until a detailed scheme for the protection of the woodland beyond the approved access and path works footprint in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during all works. Details shall include the tree survey drawings showing the approved layout and the following:

- a) Proposed location of protection barriers.
- b) Illustration of the proposed protective barrier structure to be erected.
- c) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- d) All fenced off areas clearly annotated as Tree Protection Areas/Construction/Works Exclusion Zones.
- e) Notes regarding restrictions which apply to Tree Protection Areas/Construction/Works Exclusion Zones.
- f) Note confirming that all protection measures are to be routinely monitored by site visits undertaken by a project arboriculturalist (appointed by the landowner), for the duration of all works on site (frequency to be specified), to ensure full compliance with the approved tree protection and monitoring scheme. A copy of the signed report to be forwarded to the Local Authority following each site visit.

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

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]

12. The protective fencing and other protection measures specified by condition 11 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers 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) Raising/lowering of existing levels, excavation or alterations to the existing surfaces/ground conditions of any other description.
- e) Installation/siting of any structures, temporary or otherwise.

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 the woodland or within 20 metres of the trunks of any trees.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any 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 shall commence until a schedule of supervision/monitoring of all works, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) Induction and personnel awareness of arboricultural matters.
- b) Identification of individual responsibilities and key personnel.
- c) Statement of delegated powers.
- d) Timing and methods of site visiting and record keeping.
- e) Procedures for dealing with variations and incidents.

The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority. A copy of the signed inspection report shall be sent to the local Authority following each visit.

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]

14. No development shall commence until a detailed site-specific Construction Method Statement for the entrance /exit gate and bridge structures into the woodland have been submitted to and approved in writing by the Local Planning Authority. Details shall be based on bridging existing ditches/ banks and avoiding any unnecessary ground works / excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying the precise locations of the proposed constructions and dimensioned proximity to existing trees.
- b) 1:200 scale layout drawing of the structures based on accurate topographical survey information for each location with clear details of the structure footprints with scaled dimensions.
- c) 1:200 scale construction profile drawings showing their relationship to the existing ditch and level contours and any proposed level changes/ grading.
- d) Detailed site-specific design and material specification for both the bridge and gates structures.
- e) Design specific implementation method statement, to include confirmation that no tracked or wheeled plant machinery is to be used.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to any public access to the woodland.

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

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

15. No development shall commence until a detailed site-specific Construction Method Statement for the approved path route through the woodland has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on the using a non-dig methodology and natural un-contaminated materials that are conducive to the woodland environment in all areas concerned, and shall include: -
- a) An illustration on the proposed path route plans showing material specification including edging detail of the path.
  - b) Location, design and material specification of vertical marker posts at regular intervals along the approved path route.
  - c) Comprehensive implementation method statement to include:
    - Pegging out of entire route on site prior to installation to confirm agreed location with BFC prior to installing.
    - Timing of works.
    - Details of how any imported materials are to be brought onto the site and stored prior to use.
    - Proposed treatment (removal/ disposal/ relocation), of any surface vegetation/ fallen stems etc prior to the laying of the approved path.

All works must be implemented using hand-held tools only (includes light mechanical wheelbarrows). No vehicles, tracked or wheeled plant machinery of any description (including mini diggers), must be used within the woodland.

No area of the woodland beyond the footprint of the approved footpath route must be used for the storage of materials or working space for the purposes of any construction.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under Arboricultural/ Ecological supervision, prior to any public access to the woodland.

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

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

16. No development shall commence until a detailed schedule of all proposed tree works and Rhododendron / Laurel clearance works have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- a) A complete set of tree survey drawings showing the approved path layout and clearly identifying the accurate locations of all trees and groups of Rhododendron/ Laurel requiring works with clear survey reference numbers.
  - b) A complete schedule of proposed tree works which provide detailed specifications for each referenced tree in full accordance with BS 3998:2010 Tree works specifications (or any subsequent revision).
  - c) A Tree Works Implementation method statement, including timing and any phasing of works, proposed works access route clearly marked on the submitted plans, demonstrating how the working area will be contained and consequently woodland safeguarded.

- d) A method statement for the proposed removal of all Rhododendron and Laurel, including timing of works, proposed debris extraction routes from site, as well as proposed treatment of stumps to prevent regrowth.

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

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

17. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority.

REASON: In the interests safeguarding visual amenity.

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

18. All approved tree works and clearance of Rhododendron/Laurel shall be implemented in full accordance with the approved scheme by an appropriately qualified and fully insured Arboricultural contractor.

All approved works may be undertaken once only, for no other purpose than in relation to the full implementation of this planning consent and must not deviate from the approved specifications. Once carried out, no other works or repeat of the works originally approved may be undertaken without first obtaining the necessary separate, prior written consent under the Tree Preservation Order legislation from the Council.

No fires must be lit within 20 metres of the site and no chemicals used or stored on site at any time.

Where feasible, all dead trees specified for felling as part of the approved schedule of tree works shall leave standing stems approximately 3 metres in height above ground level as standing habitat unless otherwise specified in the approved schedule of works.

No tree logs, felled or fallen stems, tree stumps or deadwood shall be removed from the woodland as a part of these works. All such debris shall be cut as necessary and stacked in small, neat habitat piles on site clear of the approved footpath route - does not apply to Rhododendron or Laurel removal.

All works must be undertaken using hand tools only. Under no circumstances must tracked/wheeled machinery or vehicles of any other description be brought onto or parked on the site at any time. The only exception to this may be the use of a small self-propelled wood-chipper not exceeding 1.5 tonnes, to be approved as part of the tree works implementation, with appropriate ground protection underneath whilst within the woodland.

The standard of all works must as minimum, be in full accordance with British Standard 3998 -2010 Tree works specifications (or any subsequent revision).

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

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



19. No development shall commence until details of the proposed clearance of all rubbish and artificial structures within the woodland has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a) A complete set of site drawings showing the location of all areas where artificial structures are to be removed and proposed extraction route to remove debris from site
- b) Method statement for the proposed removal of artificial structures and debris.
- c) Timing of works

Use of /access of this woodland by vehicles, plant machinery etc to remove debris is strictly not permitted without the prior written consent of the Local Planning Authority.

All works shall be implemented in full accordance with the approved scheme.

REASON: In order to alleviate any adverse impact on the woodland ecology, the root systems and the long-term health of retained trees, in the interests of the visual amenity of the area. [Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

#### Informative(s)

1. 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.
2. The Council's Tree Service must be given a minimum of 7 days advance written notice of commencement of any tree works approved under Condition 16. Sent to [trees@bracknell-forest.gov.uk](mailto:trees@bracknell-forest.gov.uk)
3. In terms of the content of the interpretation boards required by Condition 4; in some instances the Council has taken on the design and promotion of the site leaflet using a payment secured from the developer. In the discharge of this condition, the applicant is requested to contact the Council to discuss the potential for such arrangements.
4. 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.

5. Works methodology agreed as part of this planning permission should be clearly set out on the plans used by works contractors on site; to ensure that, for the avoidance of doubt, they are fully aware of approved works methods.
6. This woodland is protected by a confirmed Woodland Tree Preservation Order and is also a designated Ancient Woodland. The woodland Designation under the Preservation Order legislation protects all trees of all age, species and form including saplings as well as all future trees in this woodland whether occurring naturally or planted. Under the legislation, detailed written consent must be obtained from the Council's Tree Service before undertaking any form of work to trees within this woodland (including any work affecting their root systems), unless detailed works to trees have been specifically approved in writing in full compliance with the conditions of this consent. 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.
7. Regulations protecting wildlife species and habitats when carrying out any approved tree works /managing woodland must be complied with at all times. These include the European protected species (EPS) listed in the [Conservation of Habitats and Species Regulations 2017](#) and the [Wildlife and Countryside Act 1981](#).

It's an offence to:

- deliberately capture, injure, kill or cause significant disturbance to a protected species
- deliberately destroy the eggs of a protected species
- damage or destroy protected species' breeding sites or resting places (such as a bat roost in a tree or a dormouse nest on the woodland floor)

Without prejudice to the conditions of this consent, all works must be carried out carefully, making the necessary checks before proceeding, and you may need a wildlife license in certain circumstances.

8. Should the applicant need access on to the neighbouring Cabbage Hill site, which is owned by Bracknell Forest Council, to implement this planning permission; a licence to carry out works on Bracknell Forest Council's land would be required. For information, contact Property Services at Bracknell Forest Council.
9. The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.

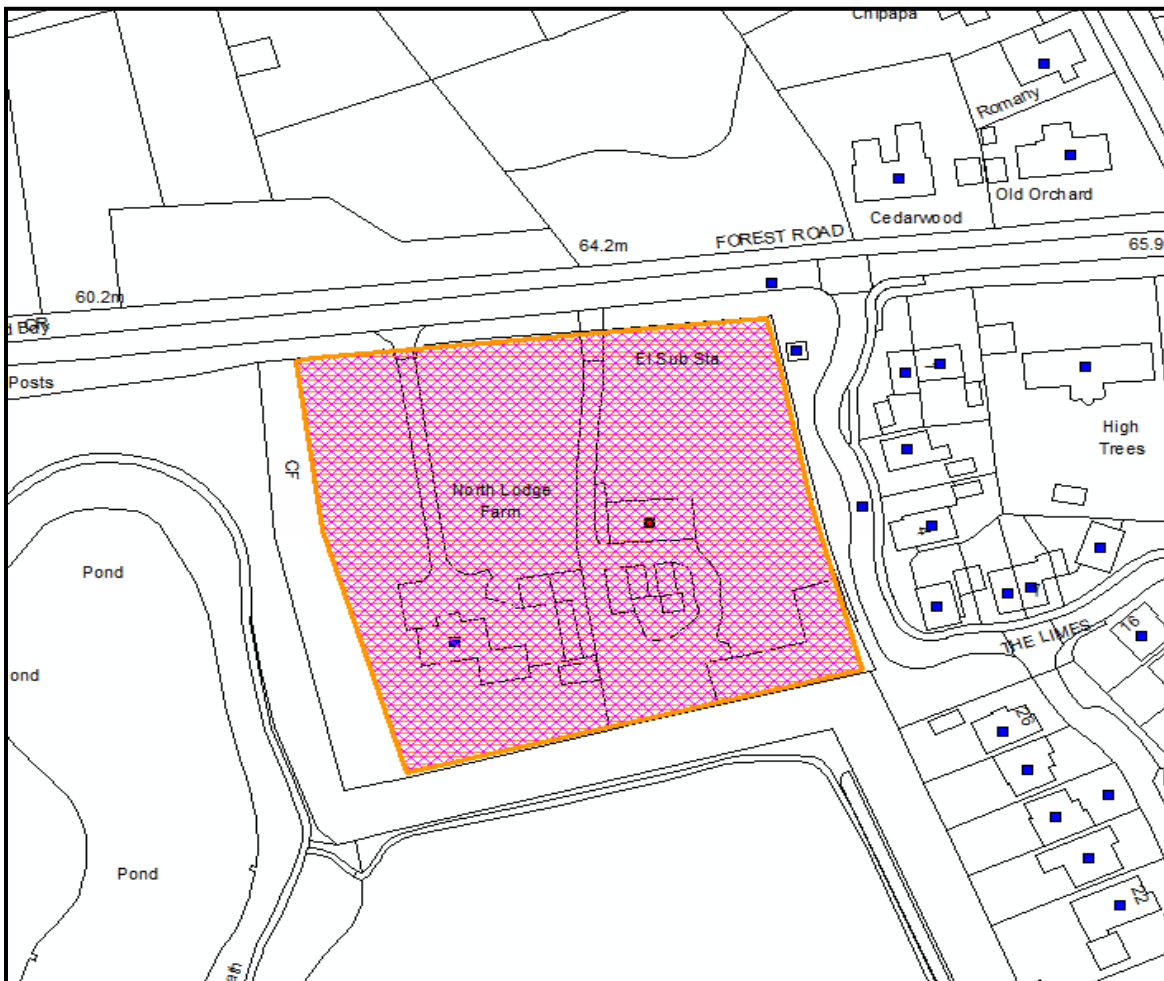
In the event of the s106 planning obligations not being completed by 01.09.2022 the Assistant Director: Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:

1. The absence of an agreement to secure the in perpetuity management and maintenance of the site would result in the land not satisfying the minimum requirements to qualify as SANG as required in Bracknell Forest Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD (March 2012) and as such would impact on the character of the use of land within this green location. As such the development would be contrary to policies C1 of the Core Strategy and GB2 of the Bracknell Forest Borough Local Plan.

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<b>Unrestricted Report</b>			
<b>ITEM NO:</b>			
Application No. <b>21/00440/REM</b>	Ward: Winkfield And Cranbourne	Date Registered: 27 April 2021	Target Decision Date: 27 July 2021
Site Address:	<b>North Lodge Farm Forest Road Hayley Green Warfield Bracknell Berkshire RG42 6DD</b>		
Proposal:	<b>Reserved matters application for the residential development of 19 no. dwellings (including affordable housing) including associated open space and landscaping following demolition of existing buildings, structures and hardstanding (following approval of 17/00656/OUT and subsequent s73 application 21/00427/FUL). The outline application was not EIA development.</b>		
Applicant:	Mr Nathan Craker		
Agent:	(There is no agent for this application)		
Case Officer:	Katie Andrews, 01344 352000 <a href="mailto:Development.control@bracknell-forest.gov.uk">Development.control@bracknell-forest.gov.uk</a>		

**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 17/00656/OUT. This approved the residential development of 19 no. dwellings (including affordable housing) including associated access, open space and landscaping following demolition of existing buildings, structures and hardstanding. A subsequent s73 permission 21/00427/FUL has recently been granted which amended a drainage condition on the original outline. This reserved matters application considers scale, layout, appearance and landscaping in respect of 19 dwellings.

1.2 The proposed layout is considered to be acceptable in terms of the development's impact on the character of the area and providing residential amenity. Parking has been provided to meet adopted parking standards.

1.3 A landscape plan has been provided for the site and most of the mature trees are retained to the boundaries of the site.

<b>RECOMMENDATION</b>
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That the Assistant Director: Planning be recommended to approve the application subject to conditions in Section 11 of this report and a deed of variation to the existing s106 to secure additional Thames Basin Heaths SPA mitigation and a change to the extent of the access required to be built to adoptable standards.
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### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

2.1 The application is being reported to the Advisory Planning Committee at the request of Councillor Barnard and Councillor Mrs Ingham.

### **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
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Land outside a defined settlement
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Trees on site covered by TPO 1236
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Within 5km of SPA
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3.1 The application site is located outside but adjacent to the settlement boundary as defined on the Policies Map (2013). It is therefore considered a countryside site but lies outside the Green Belt. Immediately to the south and wrapping around to the west of the site is Westmorland Park and immediately to the south of this is the urban area of Bracknell. To the east is The Limes, a cul-de-sac development at the western end of the linear settlement of Hayley Green and to the north is an equestrian centre. Access would be from Forest Road, a classified road to the north.

3.2 The site is occupied by a residential dwelling and a previous landscaping business with trees located to all of the boundaries of the site. The existing dwelling forms one of a number of buildings on the site which were used in connection with the residential and landscaping business uses. There are 2 x accesses from Forest Road, with long drives

leading to the residence. Tree Preservation Order (TPO) 1236 covers trees on the site to the northern and eastern boundaries.

#### **4. RELEVANT SITE HISTORY**

4.1 The relevant planning history can be summarised as follows:

17/00656/OUT Outline application for the residential development of 19 no. dwellings (including affordable housing) including associated access, open space and landscaping following demolition of existing buildings, structures and hardstanding. (All matters reserved except access). Approved 11.04.2019

21/00427/FUL Section 73 application to vary Condition 25 (Drainage) of Planning Permission 17/00656/OUT (Residential Development of 19 no. dwellings). Approved 03.03.2022.

#### **5. THE PROPOSAL**

5.1 The proposal is for a reserved matters application relating to scale, layout, appearance and landscaping for 19 dwellings following the granting of outline planning permission 17/00656/OUT and a subsequent s73 permission 21/00427/FUL. This was for the residential development of 19 no. dwellings (including affordable housing) including associated access, open space and landscaping following demolition of existing buildings, structures and hardstanding.

5.2 The submitted layout shows 4 detached two storey houses fronting Forest Road with a two storey house siding on to Forest Road. A further 14, 2 storey houses in a mix of detached and semi detached back on to the eastern boundary with The Limes, and southern and western boundary with Westmorland Park. The proposals include 15 market dwellings and 4 affordable dwellings. The affordable dwellings comprise plots 4 (3 bed), 3 (3 bed), 2 (2 bed) and 14 (3 bed) with plot 14 to be wheelchair accessible. The number of affordable housing units to be provided was established under the outline planning permission.

5.3 A mix of 3 x 2 bed houses, 9 x 3 bed houses and 7 x 4 bed houses is proposed which has been amended from the outline consent which approved a mix of 6 x 2 bed houses, 11 x 3 bed houses, 2 x 4 bed houses.

5.4 An area of open space is provided within the layout and this formed part of the approved access arrangements under 17/00656/OUT.

5.5 Access to the site would be from Forest Road as approved under the outline planning permission 17/00656/OUT. Most of the mature trees to the boundaries of the site are shown as being retained apart from those agreed for removal under the outline for the formation of the access.

5.6 A total of 52 car parking spaces to include 5 garages and 4 car barns and 4 visitor parking spaces will be provided around the centre of the site.

5.7 The proposed layout shows an access road in a half loop with the dwellings to the boundaries facing the road and one within the centre of the road.



## Proposed Site Layout

### 6. REPRESENTATIONS RECEIVED

#### Warfield Parish Council

6.1 Warfield Parish Council has made the following observations:

- 1) Plots 9 and 10 – the upstairs study could be classed as a bedroom therefore not providing enough parking spaces.
- 2) All fences to have holes for hedgehogs.
- 3) Low level street lighting should be removed as this could cause light pollution in a rural area, this should be in line with the Emerging Neighbourhood Plan Policy no. WNP13.
- 4) Plots 3,4 & 5 - the orientation of these homes is of concern as the gardens back onto open space, which is against BFC policy. There are concerns on plots 6,7,8,9,10 & 11 as the gardens are in close proximity to the tall trees and the boundary of Westmorland Park.
- 5) The use of Flint bricks is out of keeping with Warfield.
- 6) Concerns with the planting of Box Plants (Buxus) as these are not native to a rural area and are prone to disease.
- 7) The Swale needs further investigation. Concerns with Westmorland Pond regularly overflowing

#### Winkfield Parish Council

6.2 Winkfield Parish Council has made no response



### Other Representations

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

- Number of dwellings disproportionate to size of site without enough green space preserved for trees.
- Negative impact on local countryside and area of natural beauty.
- Local road infrastructure is overburdened, and public services and schools are oversubscribed. Density too high for local infrastructure.
- Loss of trees and wildlife
- Road safety concerns.
- Entrance/exit opposite the proposal for Brookfields Farm development with a further 90 homes all emerging onto Forest Road [*Officer note: the application referred to was withdrawn*].
- Housing should be in keeping with style and size of properties in local area.
- Flats and tall buildings should not be allowed [*Officer note: the application proposes 2 storey houses*].
- Sufficient flood protection needs to be investigated being next to Westmorland Park and the lake/Bull Brook [*Officer note: the approved outline application and s73 application, which amended the drainage, considered and approved the drainage*].
- The houses proposed along Forest Road are too imposing. Suggest more planting proposed between the houses and main road.
- Discrepancy on plans with The Limes.
- Grass verge on The Limes side is in private ownership.
- No proposals to reduce the height of the large evergreens on the boundary with The Limes.

## **7. SUMMARY OF CONSULTATION RESPONSES**

### Highways

7.1 Raises no objection subject to conditions and amendment to the s106 for the adoption of the road.

### Landscape Officer

7.2 No objection to amended landscape plans.

### Thames Basin Heaths SPA

7.3 Amended mitigation required due to change in mix of dwellings from the outline consent.

### Arboricultural Officer

7.4 No objection subject to replacement planting and consideration of drainage ditch.

### Waste

7.5 No objections.

### Environmental Health

7.6 No objections.

## 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:

	<b>Development Plan</b>	<b>NPPF</b>
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
Affordable Housing	CS16 and CS17 of the CSDPD	Consistent
Character	CS1 and 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
Open Space Provision	CS8 of CSDPD, Saved Policy R4 of the 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	
<b>Supplementary Planning Documents (SPD)</b>		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Character Area Assessments SPD (Chapter 4- Northern Villages)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
Bracknell Forest Borough Landscape Character Assessment (LUC) 2015		

## 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 Residential Amenity
- v CIL
- vi Thames Basin Heaths Special Protection Area

**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).

9.3 9 The LUC Landscape Character Appraisal 2015 defines the site as being located within the Landscape Character Area (LCA) F1: Chavey Down Wooded Sands. The area is characterised as a semi-rural suburban landscape. The woodlands provide a sense of enclosure and rurality, but development is scattered throughout.

9.4 The LUC report states that the landscape strategy for this LCA should be to protect the valued features and characteristics of the area. Examples given are:

- The mosaic of woodland contributes to the sense of naturalness and scenic quality of the area is protected through a large number of individual and group TPO trees

- The rural character of the area, and the role it plays providing a physical and visual separation between Bracknell and North Ascot. It provides enjoyment of the landscape through public access and recreational facilities.

9.5 The proposal would result in a residential development which is bounded to the south and west by the playing fields and balancing pond which form part of the recreational area of Westmorland Park. There is a maturing band of trees located against these boundaries but outside the application site, providing a continuous green linkage between the woodland in the east and that along the Bull Brook. It is considered that these provide substantial and defensible boundaries to the settlement, and effective separation between the built form of Hayley Green and Bracknell. The proposal would change the character of the site, elongating the built form of the village in a westerly direction, and would erode some of the open green space surrounding Hayley Green. A cul-de-sac development is not strictly in keeping with the built character of Hayley Green. However, the Inspector in considering the Limes appeal (which resulted in its extension), whilst agreeing with this assessment, noted that The Limes had assimilated well into the character of the area and therefore the added depth of development created by the cul-de-sac was not considered detrimental. Given these conclusions and the proximity of the proposal to The Limes it is not considered that a reason for refusal on cul-de-sac development being out of character would be sustainable.

9.6 The outline application considered that an indicative layout demonstrated that 19 dwellings could be accommodated within the site, whilst maintaining the majority of mature trees which are an important characteristic of the wider landscape. Following the plans being amended the layout now proposed reflects the character of the indicative

layout and the principle of development of the site for residential use has been established in the outline permission 17/01123/OUT

9.7 The submitted plans shows a mix of different sized properties with a mix of 3 x 2 bed houses, 9 x 3 bed houses and 7 x 4 beds houses. They are in the form of semi detached and detached dwellings and are 2 storeys in height with some properties having 1.5 storey side elements or single storey garages/car barns.



### Street Scene Forest Road

9.8 The street scene fronting Forest Road has been designed with four detached 2 storey dwellings of different masses and scales fronting the footpath and open space approved under outline permission 17/01123/OUT. The access road as approved under 17/01123/OUT separates these dwellings with the side of plot 15 and its associated garage facing Forest Road. This dwelling has been amended to include fenestration and brickwork detailing on its side elevation facing the road to ensure a suitable appearance in the street scene. Given that the dwellings are set back from the road behind the existing tree belt, with the only trees required to be removed being those to facilitate the provision of the access as approved under 17/01123/OUT, it is considered that the development would respond sympathetically to Forest Road.



### Street Scene facing into the site from Westmorland Park



## **Street Scene facing Westmorland Park**

9.9 The layout is considered acceptable in terms of the development to the rear boundary of the site and its relationship with Westmorland Park. The two storey elements have been set between 10 – 12m from the shared boundary with the dwellings' height and scale designed to reflect the changes in land providing suitable separation distances between them. This has ensured that the view from Westmorland Park would not be dominated by a continuous form of development which is further softened by the trees within the park.

9.10 The dwellings to the western boundary, plots 3, 4 and 5, back onto the balancing pond at Westmorland Park and have been set 8.9m-11m from the application site boundary, with an area of land between the park and this boundary, which acts as a buffer between these sites. The side of plot 1 would be set between 2-3m from this boundary and in view of the design and the scale being limited to 2 storeys, with the piece of land between the site and a tree buffer provided, it is considered the development would not harm the appearance of this area of Westmorland Park.

9.11 The dwellings to the eastern boundary with The Limes would be set between 10 – 16m from the shared boundary which would allow a suitable visual separation from the Limes given that the dwellings are 2 storey in height with a dense tree belt softening development between the two sites.

9.12 Internally within the layout, plot 19 is within the centre of the site, which is a 2 storey dwelling with a 1.5 storey garage and has been amended to provide additional fenestration to the elevation with the street scene. The visitor parking is located around this plot and careful consideration will need to be given to surfacing material in this area.

9.13 Furthermore, careful consideration will need to be given to the boundary treatments for the plots which have side boundaries which face the street and a condition is proposed to secure these details.

9.14 The outline application acknowledged that the proposal for 19 houses would have some impact upon the character and appearance of the site; however account has to be taken of the impact of the existing built development on the site. It is considered that the features that contribute positively to the character and appearance of the area, principally the mature trees on the site's boundaries, are largely retained through the proposed layout. Open space was secured at the front of the site through the outline consent. The proposal is considered to comply with Policy CS7 of the CSDPD and EN20 of the BFBLP.

## **ii Impact on Highway Safety**

9.15 Means of access was determined at outline stage from Forest Road. A s106 agreement secured the adoption of the pedestrian footpath parallel to Forest Road through the northern portion of the site, together with the access bell-mouth (and its margins/footways) and the footpath crossing points (shown with a line of granite setts on the submitted Reserved Matters plans). At the outline stage, 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.

9.16 The S106 agreement pursuant to the outline planning permission also requires the access road within the site, beyond the areas to be adopted described above, to be constructed to adoptable standards. Based upon the site layout now submitted, the limit of the areas of access road needed to be constructed to adoptable standard are up to and including the turning head annotated east of plots 04 and 05, to allow it to be traversed by Bracknell Forest Councils waste collection vehicles. Beyond this point, the area serving plots 01, 02, 03 and 18 could be a private drive with Private Access and Footpath provision over the footpath connection to the north. This would require an amendment to the plan on the final page of the S106 agreement, which currently shows the full length of the access road and footpath connection to be constructed to adoptable standards.

9.17 The turning depths to the rear of spaces for plot 02 do not fully accord with the 6.0m set out in Manual for Streets (MfS) paragraph 8.3.51 and Figure 8.18. However, there is additional width adjacent to the western space for the vehicle to swing into and allow a tighter turn, effectively creating a 3.1m wide space compliant with MfS paragraph 8.3.52. Therefore, in this instance, the layout presented is considered acceptable. The provision of electric vehicle charging infrastructure is welcomed and should be secured by a condition. Car and cycle parking is already partially secured by conditions 20 and 21 of permission 17/00656/OUT.

9.18 However, the treatment of double-garages, car ports and cycle parking in stores in rear gardens is not covered by existing conditions and these are recommended in order to retain car barns, single garages and at least half of each double garage for parking of vehicles at all times and requiring additional details to be submitted for the cycle stores in rear gardens, as the size of these on the submitted reserved matters plan do not appear sufficient for the number of cycles anticipated for all dwellings.

### **iii Landscaping and Trees**

9.20 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

9.21 The application has been supported by a tree survey. There are mature trees which mark the boundaries of the site with several protected by a Tree Preservation Order (TPO).

9.22 The access which was considered under the outline consent necessitated the removal of some trees, which included a TPO tree (a sweet chestnut) and replacement tree planting is indicated on the proposed landscaping plan. The Arboricultural Officer is happy with the replacement planting for the TPO tree. A footpath was considered under the outline consent at the front of the site and conditions on the outline consent secured a method statement for special construction and a tree protection condition.

9.23 Some trees from within the site are required to be removed however these are not considered to be significant specimens.

9.24 The remainder of the mature trees to the boundaries of the site will be retained and any instances where the development falls within their root protection area, requires the

submission of a method statement to ensure that no harm comes to the trees by virtue of condition 11 on the outline consent.

9.25 A detailed landscape plan has been provided which has been considered by the Landscape Officer and following amendment is deemed to be acceptable by providing suitable landscaping in addition to the retention of the mature trees.

9.26 In view of the above, the majority of the trees on the site will be retained and maintain the character and appearance of the landscape. The impact on the trees is considered to be acceptable subject to conditions. The proposal is considered to comply with Policy EN1 of the BFBLP.

#### **iv Residential Amenity**

9.27 Saved Policy EN20 of the BFBLP seeks to protect the amenity of surrounding properties. This policy requires the Council to have regard to ensuring that new development does not adversely affect the amenity of surrounding properties and adjoining areas.

##### Existing Residents

9.28 Residential properties are situated to the east within The Limes development. The layout has demonstrated that a separation distance of between 24 – 35m is achieved to the properties in The Limes which have their front or side elevations facing the application site. These distances and the dense vegetated boundary ensure that the site will be developed without affecting the amenities of existing residents in terms of a loss of light, loss of privacy or an overbearing impact.

##### Future Occupiers

9.29 Overall the proposed layout provides the dwellings with an acceptable level of amenity in terms of separation distances.

9.30 At the outline stage careful consideration was given to how the houses that back onto Westmorland Park would be affected by the existing significant trees in Westmorland Park and along the boundary with The Limes. A daylight/sunlight assessment was provided under the outline application 17/00656/OUT and the relationships along these boundaries was considered to be acceptable.

9.31 The layout now proposed has been amended to have a very similar relationship to these boundaries as that previously indicated, it is therefore considered that the relationship with these properties/gardens would be acceptable.

9.32 To conclude, the proposal has been designed to provide an acceptable relationship between the new and existing homes to ensure that there are no unacceptable impacts in terms of overlooking, overshadowing or overbearing effect. It will provide acceptable residential amenity for existing occupiers and future occupiers of the proposed development. Accordingly, the proposal is considered to preserve the amenities of both existing and future occupiers and comply with Policy EN20 (g) of the BFBLP.

#### **v Community Infrastructure Levy (CIL)**

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

9.34 CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough.

#### **vi Thames Basin Heaths Special Protection Area**

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

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

- Loss of functionally linked land (TBH SPA)
- Air pollution from an increase in traffic (TBH SPA, Windsor Forest and Great Park)
- Special Area of Conservation (SAC), Thursley, Ash, Pirbright and Chobham SAC and Chilterns Beechwoods SAC)

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

9.38 BFC, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (TBH SPA) along with any larger developments comprising over 50 net new dwellings within the 5 - 7km zone is likely to have a significant effect on the integrity of the TBH SPA, either alone or in-combination with other plans or projects.

9.39 This site is located within the 400m – 5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

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

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



9.42 In this instance, the development would result in a net increase of 3 X 2-bedroom, 9 X 3-bedroom and 7 X 4-bedroom dwellings replacing an existing 4-bedroom dwelling within the 400m – 5km TBH SPA buffer zone which results in a total SANG contribution of £98,490.

9.43 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) of £16,212 which is also calculated on a per bedroom basis.

9.44 The total SPA related financial contribution for this proposal is £114,702 payable on completion of the s106 Agreement. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until BFC has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with South East Plan saved Policy NRM6, saved policy EN3 of the Bracknell Forest Borough Local Plan (2002), Policy CS14 of the Core Strategy Development Plan Document (2008), the Thames Basin Heaths Special Protection Area Supplementary Planning Document and the National Planning Policy Framework.

9.45 The SPA mitigation was previously secured under the outline permission 17/00656/OUT, however this related to a different dwelling mix so a variation to the original agreement is required.

## **10. CONCLUSIONS**

9.46 This is a reserved matters application following the granting of outline planning permission. The application considers scale, layout, appearance and landscaping. The layout is in accordance with the indicative layout that was submitted at the outline stage with work carried out to ensure that 19 dwellings could be achieved on the site. The scale of development is considered to be acceptable in terms of the impact of the development on the character of the area.

9.47 The layout includes detached dwellings fronting Forest Road which are set back behind a footpath secured under the outline application with mature trees generally retained and to be protected. Separation distances to the Limes and Westmorland Park are considered to be acceptable with the mature tree screening retained and protected.

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

## **11. RECOMMENDATION**

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

- Thames Basin Heaths Special Protection Area mitigation.
- Amendment to the adoptable area of roads.

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 carried out only in accordance with the following approved plans received by the Local Planning Authority :

20041 – C102 Rev S Site layout comparison  
20041 – P101 Rev H (Proposed site plan, ground level)  
20041 – P102 Rev S (Proposed site plan, roof level)  
20041 – P110A (Plot 1 Plans and Elevations)  
20041 – P111 Rev A (Plot 2 Plans and Elevations)  
20041 – P112 Rev A (Plots 3 and 4 Plans and Elevations)  
20041 – P113 (Plot 5 Plans and Elevations)  
20041 – P114 Rev B (Plots 6, 11 and 19 Plans and Elevations)  
20041 – P115 (Plots 7 and 8 Plans and Elevations)  
20041 – P116 (Plots 9 and 10 Plans and Elevations)  
20041 – P117 (Plots 12 and 13 Plans and Elevations)  
20041 – P118 (Plot 14 Plans and Elevations)  
20041 – P119 Rev A (Plots 15 and 16 Plans and Elevations)  
20041 – P120 (Plots 17 and 18 Plans and Elevations)  
20041 – P130 (Garages and Car Barns  
20041 - Rev B Plot 7(Floor Plan and Elevations)  
20041 – P125 Rev B Plot 1 (Floor Plans and Elevations)  
20041 - P126 Plot 19 (Floor Plan and Elevations)  
20041-SK105 Rev F Street Scene

7524.PP.1.1 Rev D Landscape Planting Plan  
Landscape Management Plan April 2021 7524.LMP.001

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

02. No development above slab level shall take place until samples of the materials to include bricks, tiles, 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 part of the development shall be occupied until details of a scheme of walls, fences, gates and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full for each dwelling approved in this permission before its occupation.

REASON: In the interests of the privacy of future occupants.

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

04. Notwithstanding Conditions 20 and 21 of permission 17/00656/OUT (as amended by any subsequent S73 permissions):
- (a) Within the double garages hereby approved an area of at least 6.0m in length (from the vehicular door) by 3.5m in width shall be retained for the parking of a car at all times and an area of at least 1.5m by 3.5m shall be retained for the secure, covered storage of cycles.
  - (b) The car ports and car barns hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port.
  - (c) For dwellings with a cycle store in the rear garden, no such dwelling shall be occupied until details of the cycle store, providing at least one secure, covered cycle parking space per bedroom within the associated dwelling has been submitted to and approved in writing by the Local Planning Authority. Thereafter the dwelling shall not be occupied until the cycle parking has been provided in accordance with the approved details;
  - (d) No dwelling shall be occupied until details of electric vehicle charging infrastructure with a minimum output of 7kW per space which will be provided for the parking spaces marked with a purple, green and red circle on the approved plans comprising at least 20% (1 in 5) of the parking spaces within the development as a whole have been submitted to and have been approved in writing by the Local Planning Authority. The approved electric vehicle charging infrastructure shall be provided in accordance with the approved details and shall be maintained in working order and be retained thereafter.

REASON: To ensure that the development is provided with adequate car and cycle parking, to prevent the likelihood of on-street parking which could be a danger to other road users, and to encourage travel by sustainable alternative modes of transport.

[Relevant Policy: BFBLP M9, 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:  
The following conditions require discharge prior to the occupation of the dwellings hereby approved: 03, 04,  
The following conditions require discharge prior to any above slab level being commenced: 02.  
No details are required to be submitted in relation to the following conditions; however they are required to be complied with 01.

