

Notice of Meeting

Planning Committee

Councillor Dudley (Chair),
Councillor Brossard (Vice-Chair),
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 15 December 2022, 6.30 pm
Council Chamber - Time Square, Market Street, Bracknell, RG12 1JD

Agenda

All councillors at this meeting have adopted the Mayor's Charter which fosters constructive and respectful debate.

Item	Description	Page
1.	Apologies for Absence	
	To receive apologies for absence.	
2.	Minutes	5 - 18
	To approve as a correct record the minutes of the meeting of the Committee held on 10 November 2022.	
3.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an Affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
4.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	

Planning Applications

(Assistant Director: Planning)

EMERGENCY EVACUATION INSTRUCTIONS

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**The conditions for public speaking have been met in the applications marked 'PS'.
For further information or to register for public speaking, please contact Customer
Services 01344 352000.**

5.	PS 22-00515-FUL Land At Malt Hill Farm, Malt Hill, Warfield, Bracknell RG42 6JQ	23 - 34
	Proposed erection of agricultural livestock barn	
6.	PS 21/00244/REM Land North Of Newhurst Gardens, Newhurst Gardens, Warfield, Bracknell	35 - 54
	Submission of details of Appearance, Landscaping, Layout and Scale pursuant to Outline Permission APP/R0335/W/17/3182713 (erection of up to 50 residential dwellings (including up to 25% affordable housing), parking, open space and landscaping with access from Newhurst Gardens)	
7.	PS 21/00978/FUL Crown Wood Primary School, Opladen Way, Bracknell RG12 0PE	55 - 64
	Change of use from amenity land to educational use, including the erection of 2m high boundary fence.	
8.	PS 21/00657/FUL Windmill Farm, Malt Hill, Warfield, Bracknell	65 - 86
	Erection of 6 no. four-bed dwellings with parking and landscaping and construction of new access track following demolition of existing agricultural buildings and removal of existing access track.	
9.	21/00707/OUT Former Bus Station Site, Market Street, Bracknell	87 - 100
	Hybrid planning application (part detailed / part outline) for the phased redevelopment of the Site to provide 169 residential (Use Class C3) and 850 sqm commercial floorspace (Use Class E(a),(b),(c),(d),(g),(g(i)) and F1(a) & (b)) delivered across three blocks of accommodation [detailed element] and the erection of a single block providing up to 2699 sqm of commercial floorspace (Use Class E (b), (c), (e), (f) and (g) and F2(b)) [outline element, matters reserved - layout, scale and appearance] and all other associated works including landscaping, public realm, car parking and cycle parking. NOTE: Hybrid Application - Full planning permission is sought for the Blocks A/B/C, landscaping, access and car parking.	
10.	22/00694/FUL Acre House, 12 Broom Acres, Sandhurst, Berkshire GU47 8PW	101 - 112
	Proposed erection of part single storey part two storey front, side and rear extensions, increase in roof height to provide additional accommodation with rear dormer, single storey rear extension to include an annexe, following demolition of existing garage and utility room.	
11.	22/00560/FUL 3 Ellenborough Close, Bracknell, Berkshire RG12 2NB	113 - 122

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	Proposed erection of a part two storey part single storey rear and side extension.	
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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: 6 December 2022

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**PLANNING COMMITTEE
10 NOVEMBER 2022
6.30 - 7.56 PM**

Present:

Councillors Dudley (Chair), Brossard (Vice-Chair), Angell, Dr Barnard, Bidwell, D Birch, Brown, Gbadebo, Green, Mrs Hayes MBE, Heydon, Mrs Mattick and Virgo

Present Virtually:

Councillors Mrs McKenzie, Mrs McKenzie-Boyle and Mossom

Apologies for absence were received from:

Councillors Bhandari and Skinner

47. Minutes

RESOLVED that the minutes of the meeting held on 13 October 2022 were approved as a correct record.

48. Declarations of Interest

There were no declarations of interest.

49. Urgent Items of Business

There were no urgent items of business.

50. 22-00425-FUL Land To Rear Of 29 Warfield Road and 7 Sherring Close

Erection of 3no. detached self-build dwellings (Alternative to planning permission ref: 19/00023/FUL).

The Committee noted:

- The supplementary report tabled at the meeting.
- The comments of Bracknell Town Council letters objecting to the proposal as summarised in the agenda.
- The 12 letters of objection as summarised in the agenda.

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

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

RESOLVED that the Assistant Director: Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as necessary:-

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

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

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

08 Nov 2022:

21.021.WD. 203/K Site Plan General Arrangement

02 Sept 2022:

21.021.WD.211/C

24 Aug 2022:

21.021.WD.210/D

21.021.WD.212/A

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in compliance with dwg 21.021.WD.214 and 21.021.WD. 204 Rev J dated April 2022.

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

[Relevant Policies: BFBLP 'Saved' Policy EN20; Core Strategy DPD CS7]

04. The development hereby permitted shall be constructed in accordance with the finished floor levels shown on drawing 21.021.WD. 204 Rev K dated May 2022.

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

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

05. The development shall not be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code of Practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of good landscape design and the visual amenity of the area. [Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

06. No development shall be occupied until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented prior to occupation of the dwellings and retained as such. All boundary treatments shall provide for the free movement of wildlife to and from the site.

REASON: In the interests of the visual amenity of the area, and biodiversity
[Relevant Plans and Policies: CSDPD CS1, CS7]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows or dormer windows at first floor level or above shall be installed on any of the north or south-facing elevations of the dwellings of Plot 1, 2 or 3 hereby approved or in the eastern elevation of Plot 3, with the exception of those shown on the approved plans.

REASON: In the interests of the residential amenity of the neighbouring residential properties

[Relevant Policy: BFBLP 'Saved' Policy EN20].

08. No dwelling hereby permitted shall be occupied until the means of vehicular and pedestrian access to that dwelling has been provided in accordance with drawing 21.021.WD.203 revision K and 21.021.WD.204 revision J with details of construction and materials to be submitted to and approved in writing by the Local Planning Authority. The access road and turning area shall be surfaced in a bound or bonded material to reduce noise and dust and to avoid deposition of loose material onto the highway. Thereafter the means of vehicular and pedestrian access shall remain clear of obstruction. Two further areas shall also remain clear of obstruction above 100mm above the height of the carriageway to allow turning by a fire tender to be undertaken as shown on drawing 21.021.WD.203 revision K (bottom panel):

(a) area beyond the northern end of the turning head; and

(b) are between the porches of plot 1 and plot 2.

REASON: In the interests of highway safety, to ensure access by emergency vehicles, and for the amenity of surrounding properties and the local area.

[Relevant Policies: Core Strategy DPD CS23; BFB Local Plan EN20 (vii)]

09. No dwelling hereby permitted shall be occupied until:

(a) Priority working signs and markings have been provided at the locations annotated on drawing 21.021.WD.203 revision K with clear visibility to the signs of at least 17m as shown on drawing 21.021.WD.203 revision K.

(b) Visibility splays have been provided in the following locations:

(i) at the junction of the site access with Warfield Road in accordance with drawing 2541-PL-07 'Block Plan Showing Vision Splays Site Access Swept Paths', received by the Local Planning Authority on 22 February 2019.

(ii) south-west of plot 3 as shown dashed orange on plan 21.021.WD.203 revision K.

(iii) between a waiting vehicle south-west of plot 3 and an approaching vehicle from the east of at least 19m as annotated on drawing 21.021.WD.203 revision K.

The areas providing visibility to signs and visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. No dwelling shall be occupied until the associated vehicle parking and turning space for 3 cars per dwelling has been surfaced and marked out in accordance with the drawing 21.021.WD.204 revision J with electric vehicle charging points for each dwelling with an output of at least 7kW provided in the locations marked with a blue circle on plan 21.021.WD.204 revision J. The spaces and turning areas shall thereafter be kept available for parking and turning at all times.

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

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23, NPPF 112 e)]

11. No dwelling shall be occupied until 4 secure and covered cycle parking spaces per dwelling have been provided in the locations identified 'Secure cycle store' for cycle parking on plan 21.021.WD.204 revision J and access between these secure cycle stores and the carriageway of the accessway has been provided. The cycle parking spaces and access routes to these shall thereafter be retained.

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

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

12. No dwelling hereby permitted shall be occupied until a bin collection point has been provided south of the access road south of no. 29 Warfield Road in the location annotated BCP on the approved plans (within 25 metres of the adopted highway of Warfield Road). The bin collection point shall be retained thereafter.

REASON: In order to ensure that waste collection can be undertaken, in the interests of highway safety, character of the area and amenity of residents.

[Relevant Policies: BFBLP 'Saved' Policies EN20, Core Strategy DPD CS7 and CS23]

13. Notwithstanding the approved plans, the porches to the front (north east elevation) of plots 1 and 2 shall be open-sided and open-fronted in order that waste receptacles can be moved from their storage location to the access road through the porch. The access routes between waste stores and the access road under the porches for plots 1 and 2 shall thereafter be kept clear for movement of waste receptacles at all times.

REASON: In order to ensure that waste collection can be undertaken, in the interests of highway safety, character of the area and amenity of residents.

[Relevant Policies: BFBLP 'Saved' Policies EN20, Core Strategy DPD CS7 and CS23]

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

- (a) Parking of vehicles of site personnel, operatives and visitors;
 - (b) Loading and unloading of plant and vehicles;
 - (c) Storage of plant and materials used in constructing the development;
 - (d) Wheel cleaning facilities,
 - (e) Temporary portacabins and welfare for site operatives, and
 - (f) Sufficient area for turning such that the largest anticipated construction vehicle can arrive in a forward gear from Warfield Road, turn within the development area, and depart onto Warfield Road in a forward gear.
 - (g) Measures to control the emission of dust, dirt and noise during construction;
- 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 (f) above.

REASON: In the interests of visual amenity, amenity of surrounding properties and road safety

[Relevant Policies: CSDPD Policy CS7 & CS23, BFBLP 'Saved' Policy EN20]

15. The badger run shall be provided in accordance with dwg 21.021.WD.204 revision J and be retained thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order, and with the exception of the lighting shown on dwg

21.021.WD.204 revision J, no further external lighting shall be installed on the site or affixed to any dwellings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent badgers using their territory or having access to their breeding sites and resting places.

All external lighting thereby approved shall be installed in accordance with the specifications and locations set out in the strategy, and shall be maintained thereafter in accordance with the strategy.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

17. The biodiversity enhancements (not mitigation) shown on 21.021.WD.204 revision J shall be performed, observed and complied with prior to occupation of the dwellings and retained in perpetuity.

REASON: In the interests of nature conservation

[Relevant Policies: CSDPD Policies CS1, CS7]

18. An ecological site inspection report shall be submitted to the Local Planning Authority within three months of the first occupation of any dwelling hereby approved and approved in writing by the Local Planning Authority. Any recommendations contained within this report and agreed in writing by the Local Planning Authority shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

19. The development shall be implemented in accordance with the Water Efficiency letter produced by Energy Test 2 February 2022 and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

20. The development shall be implemented in accordance with the Energy Statement dated 16th May 2022 prepared by Energy Test and shall be retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

21. No development shall commence until full details of the Drainage System have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- i) Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting and drawings as appropriate; and
- ii) Further details of the proposals for the proposed mitigation measures for managing surface water flood risk within the site.
- iii) Details that Thames Water have been consulted to obtain their confirmation that the proposals will not have detrimental impact on the existing Thames Water owned culvert running through the site.

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

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

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

23. No dwelling hereby permitted shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

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

24.No occupation of any dwelling shall take place until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented to serve the particular property, has been submitted to and approved in writing by the Local Planning Authority. This shall include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes, cover systems, etc.

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

25. No development shall take place until details of proposed boundary treatments which shall not impact on existing flood flow routes (as set out in the PBA Technical Note dated 9 April 2019) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented and retained as such.

REASON: To ensure that the site is properly drained and that the boundary treatments does not increase the risk of flooding.

[Relevant Policy: Core Strategy DPD CS1]

26. The dwellings hereby permitted shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority regarding information to be provided to prospective residents concerning aspects of any drainage systems that serve multiple properties and the need for residents to maintain the fencing details subject to condition 25.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Policy: Core Strategy DPD CS1]

27. The following windows on the first floor side elevations of the dwellings hereby permitted, shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed with the exception of a top hung openable fanlight set at least 1.7 metres off the finished floor levels:

- South and North facing elevation of Plot 1
- South and North facing elevation of Plot 2

- South facing elevation of Plot 3

Any replacement windows shall be glazed and fixed to this standard, and retained as such.

REASON: In the interests of the residential amenity of the neighbouring properties within the development hereby approved.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

28. The roof lights on the north facing roof of Plot 1, south facing roof of Plot 2 and east facing roof of Plot 3 shall at all times be not less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

29. The development shall not be occupied until evidence has been provided to and agreed in writing by the Local Planning Authority that the development will be served by a superfast broadband (fibre optic) connection. Where it can be demonstrated that this would not be possible, practical or economically viable, through consultation with Next Generation Access (NGA) Network providers, sufficient and suitable ducting shall be provided within the site and to the dwellings to facilitate ease of installation at a future date. The agreed details shall be fully integrated into the proposed development and retained therein.

REASON: To provide high speed broadband

[Relevant Policies: Policy EC6 Broadband of the Bracknell Town Council Neighbourhood Plan 2021]

30. Prior to the erection of any gates on the development details of:

(a) the operation of the gates,

(b) how access through the gates by trades, deliveries, and emergency services will be achieved, and

(c) details of any access and intercom system

shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained as approved thereafter.

Reason: To avoid vehicles reversing onto Warfield Road in the interests of highway safety.

[Relevant policy: Core Strategy CS23; NPPF 110 b), 111 & 112 d)]

In the event of the S106 agreement not being completed by 28th February 2023, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons: -

01. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

51. 22-00361-FUL Land To The Rear Of 29 Warfield Road & 7 Sherring Close

Section 73 application for the variation of Condition 02 (Approved Plans), and the submission/variation of details pursuant to Conditions 03 (Materials), 04 (Finished Floor Levels), 05 (Hard and Soft Landscaping), 06 (Boundary

Treatments), 08 (Access), 10 (Parking), 11 (Car Ports), 12 (Cycle and Bin Storage), 13 (Construction Management), 14 (CEMP), 15 (Badger Run), 16 (External Lighting), 17 (Biodiversity Enhancements), 19 (Water Use), 20 (Energy Demand Assessment), 21 (Drainage System Details), 22 (Boundary Treatments- Drainage), 23 (Drainage Maintenance & Management) and 27 (Bin Collection Point) of planning permission 19/00023/FUL for the erection of 3no. dwellings with associated landscaping, parking and access.

The Committee noted:

- The supplementary report tabled at the meeting.
- That Bracknell Town Council raised no objection.
- The 3 letters of objection as summarised in the agenda.

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

- Additional mitigation measures to avoid and mitigate the impact of residential development upon Thames Basin Heaths Special Protection Area (SPA).

RESOLVED that the Assistant Director: Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as necessary:-

01. The development hereby permitted shall be begun before the expiration date of the 14.04.2025.

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

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

27 Sept 2022:

21.021.WD.110/A

21.021.WD.111/A

21.021.WD.112/A

8 Nov 2022:

21.021.WD.03/K 'Site Plan General Arrangement

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in compliance with dwg 21.021.WD.113 and 21.021.WC.04 Rev J dated April 2022.

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

[Relevant Policies: BFBLP 'Saved' Policy EN20; Core Strategy DPD CS7]

04. The development hereby permitted shall be constructed in accordance with the finished floor levels shown on drawing 21.021.WD.03 J dated April 2022.

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

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

05. The development shall not be occupied until a scheme depicting hard and soft

landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code of Practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

06. No development shall be occupied until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented and retained as such. All boundary treatments shall provide for the free movement of wildlife to and from the site.

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

[Relevant Plans and Policies: CSDPD CS1, CS7]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows or dormer windows at first floor level or above shall be installed on any of the north or south-facing elevations of the dwellings of Plot 1, 2 or 3 hereby approved or the eastern elevation of Plot 3, with the exception of those shown on the approved plans.

REASON: In the interests of the residential amenity of the neighbouring residential properties

[Relevant Policy: BFBLP 'Saved' Policy EN20].

08. No dwelling hereby permitted shall be occupied until the means of vehicular and pedestrian access to that dwelling has been provided in accordance with drawing 21.021.WD.03 revision K and 21.021.WD.04 revision K with details of construction and materials to be submitted to and approved in writing by the Local Planning Authority. The access road and turning area shall be surfaced in a bound or bonded material to reduce noise and dust and to avoid deposition of loose material onto the highway. Thereafter the means of vehicular and pedestrian access shall remain clear of obstruction. The area beyond the northern end of the turning head shall also remain clear of obstruction above 100mm above the height of the carriageway to allow turning by a fire tender to be undertaken as shown on drawing 21.021.WD.03 revision K (bottom panel).

REASON: In the interests of highway safety, to ensure access by emergency vehicles, and for the amenity of surrounding properties and the local area..

[Relevant Policies: Core Strategy DPD CS23, NPPF 112 d) ; BFB Local Plan EN20 (vii)]

09. No dwelling hereby permitted shall be occupied until:

(a) Priority working signs and markings have been provided at the locations annotated on drawing 21.021.WD.03 revision K with clear visibility to the signs of at least 17m as shown on drawing 21.021.WD.03 revision K.

(b) Visibility splays have been provided in the following locations:

(i) at the junction of the site access with Warfield Road in accordance with drawing 2541-PL-07 'Block Plan Showing Vision Splays Site Access Swept Paths', received by the Local Planning Authority on 22 February 2019.

(ii) south-west of plot 3 as shown dashed orange on plan 21.021.WD.03 revision K.

(iii) between a waiting vehicle south-west of plot 3 and an approaching vehicle from the east of at least 19m as annotated on drawing 21.021.WD.03 revision K.

The areas providing visibility to signs and visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. No dwelling shall be occupied until the associated vehicle parking and turning space for 3 cars per dwelling has been surfaced and marked out in accordance with the drawing 21.021.WD.04 revision K with electric vehicle charging points for each dwelling with an output of at least 7kW provided in the locations marked with a blue circle on plan 21.021.WD.04 revision K. The spaces and turning areas shall thereafter be kept available for parking and turning at all times.

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

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23, NPPF 112 e)]

11. No dwelling shall be occupied until 4 secure and covered cycle parking spaces per dwelling have been provided in the locations identified 'Secure cycle store' for cycle parking on the approved plan 21.021.WD.04 revision K and access between these secure cycle stores and the carriageway of the accessway has been provided. The cycle parking spaces and access routes to these shall thereafter be retained.

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

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

12. No dwelling hereby permitted shall be occupied until a bin collection point has been provided south of the access road south of no. 29 Warfield Road in the location annotated BCP on the approved plans (within 25 metres of the adopted highway of Warfield Road). The bin collection point shall be retained thereafter.

REASON: In order to ensure that waste collection can be undertaken, in the interests of highway safety, character of the area and amenity of residents.

[Relevant Policies: BFBLP 'Saved' Policies EN20, Core Strategy DPD CS7 and CS23]

13. Notwithstanding the approved plans, the porches to the front (north east elevation) of plots 1 and 2 shall be open-sided and open-fronted in order that waste receptacles can be moved from their storage location to the access road through the porch. The access routes between waste stores and the access road under the porches for plots 1 and 2 shall thereafter be kept clear for movement of waste receptacles at all times.

REASON: In order to ensure that waste collection can be undertaken, in the interests of highway safety, character of the area and amenity of residents.

[Relevant Policies: BFBLP 'Saved' Policies EN20, Core Strategy DPD CS7 and CS23]

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

- (a) Parking of vehicles of site personnel, operatives and visitors;
- (b) Loading and unloading of plant and vehicles;
- (c) Storage of plant and materials used in constructing the development;
- (d) Wheel cleaning facilities,
- (e) Temporary portacabins and welfare for site operatives, and
- (f) Sufficient area for turning such that the largest anticipated construction vehicle can arrive in a forward gear from Warfield Road, turn within the development area, and depart onto Warfield Road in a forward gear.

(g) Measures to control the emission of dust, dirt and noise during construction; 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 (f) above.

REASON: In the interests of visual amenity, amenity of surrounding properties and road safety

[Relevant Policies: CSDPD Policy CS7 & CS23, BFBLP 'Saved' Policy EN20]

15. The development shall comply with the Construction and Environmental Management Plan (CEMP) produced by St Edwards Ecology dated September 2022 – Version 3 Rev A in full during the construction of the development.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

16. The badger run shall be provided in accordance with dwg 21.021.WD.04 revision K prior to the occupation of the dwellings and be retained thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order, and with the exception of the lighting shown on dwg 21.021.WD.04 revision K, no further external lighting shall be installed on the site or affixed to any dwellings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent badgers using their territory or having access to their breeding sites and resting places.

All external lighting thereby approved shall be installed in accordance with the specifications and locations set out in the strategy, and shall be maintained thereafter in accordance with the strategy.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

18. The biodiversity enhancements (not mitigation) shown on 21.021.WD.204 revision K shall be performed, observed and complied with prior to occupation of the dwellings and retained in perpetuity.

REASON: In the interests of nature conservation

[Relevant Policies: CSDPD Policies CS1, CS7]

19. An ecological site inspection report shall be submitted to the Local Planning Authority within three months of the first occupation of any dwelling hereby approved. Any recommendations contained within this report, which shall include timings, shall be agreed in writing by the Local Planning Authority. Any agreed action/works shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

20. The development shall be implemented in accordance with the Water Efficiency letter produced by Energy Test dated 2 February 2022 and implemented and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

21. The development shall be implemented in accordance with the Energy Statement prepared by Energy Test and received by the Local Planning Authority on 28th July 2022 and shall be retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

22. The drainage shall be implemented during the construction of the dwellings and retained strictly in accordance with the drainage Technical Note revision A dated 08.11.2022 K43043-ATCN-92-XX-TN-C-001.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

23. The drainage shall be implemented in accordance with the Drainage Design Technical Note dated 17.06.2022 and produced by ATCN Consulting and retained thereafter.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: Core Strategy DPD CS1]

24. The boundary treatments within the existing flow routes shall be constructed in accordance with drawing K43043-ATCN-92-ZZ-DR-C-3000 P1 and shall be implemented prior to the occupation of the dwellings and retained thereafter.

REASON: To ensure that the site is properly drained and that the boundary treatments do not increase the risk of flooding.

[Relevant Policy: Core Strategy DPD CS1]

25. The surface water drainage shall be maintained and managed in accordance with the Drainage Design Technical Note dated 17.06.2022 and produced by ATCN Consulting. The approved details shall thereafter be implemented and retained as such.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Policy: Core Strategy DPD CS1]

26. The dwellings hereby permitted shall not be occupied until a verification report has been submitted to and approved in writing by the Local Planning Authority, including evidence demonstrating the agreed construction details and specifications have been implemented. This shall include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquaculdes or aquabrakes, cover systems, etc.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Policy: Core Strategy DPD CS1]

27. The Drainage Design and Maintenance Homeowners Guide dated July 2022 shall be provided to each property on occupation.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Policy: Core Strategy DPD CS1]

28. The following windows on the first floor side elevations of the dwellings hereby permitted, shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed with the exception of a top hung openable fanlight set at least 1.7 metres off the finished floor levels:

- South and North facing elevation of Plot 1
- South and North facing elevation of Plot 2

Any replacement windows shall be glazed and fixed to this standard, and retained as such.

REASON: In the interests of the residential amenity of the neighbouring properties within the

development hereby approved.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

29. The development shall not be occupied until evidence has been provided to and agreed in writing by the Local Planning Authority that the development will be served by a superfast broadband (fibre optic) connection. Where it can be demonstrated that this would not be possible, practical or economically viable, through consultation with Next Generation Access (NGA) Network providers, sufficient and suitable ducting shall be provided within the site and to the dwellings to facilitate ease of installation at a future date. The agreed details shall be fully integrated into the proposed development and retained therein.

REASON: To provide high speed broadband

[Relevant Policies: Policy EC6 Broadband of the Bracknell Town Council Neighbourhood Plan 2021]

30. Prior to the erection of any gates on the development details of:

- (a) the operation of the gates,
- (b) how access through the gates by trades, deliveries, and emergency services will be achieved, and
- (c) details of any access and intercom system

shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full.

REASON: To avoid vehicles reversing onto Warfield Road in the interests of highway safety.

[Relevant policy: Core Strategy CS23; NPPF 110 b), 111 & 112 d)]

In the event of the deed of variation to the existing S106 agreement not being completed by 28th February 2023, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons: -

01. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest

Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

52. **Quarter 2 2022-23 Planning Performance Report**

The Quarter 2 2022-23 Planning Performance Report was noted.

CHAIRMAN

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

**PLANNING COMMITTEE
15th December 2022**

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

		Case Officer	Reporting Officer
5	22/00515/FUL Land At Malt Hill Farm Malt Hill Warfield (Winkfield And Cranbourne Ward) Proposed erection of agricultural livestock barn Recommendation: Approve.	Sarah Horwood	Basia Polnik
6	21/00244/REM Land North Of Newhurst Gardens Newhurst Gardens Warfield (Binfield With Warfield Ward) Submission of details of Appearance, Landscaping, Layout and Scale pursuant to Outline Permission APP/R0335/W/17/3182713 (erection of up to 50 residential dwellings (including up to 25% affordable housing), parking, open space and landscaping with access from Newhurst Gardens) Recommendation: Approve.	Sarah Fryer	Jo Male
7	21/00978/FUL Crown Wood Primary School Opladen Way Bracknell (Crown Wood Ward) Change of use from amenity land to educational use, including the erection of 2m high boundary fence. Recommendation: Approve.	Katie Andrews	Jo Male
8	21/00657/FUL Windmill Farm Malt Hill Warfield (Winkfield And Cranbourne Ward) Erection of 6 no. four-bed dwellings with parking and landscaping and construction of new access track following demolition of existing agricultural buildings and removal of existing access track. Recommendation: Approve.	Sarah Fryer	

9	<p>21/00707/OUT</p> <p>Former Bus Station Site Market Street Bracknell (Wildridings And Central Ward)</p> <p>Hybrid planning application (part detailed / part outline) for the phased redevelopment of the Site to provide 169 residential (Use Class C3) and 850 sqm commercial floorspace (Use Class E(a),(b),(c),(d),(g),(g(i)) and F1(a) & (b)) delivered across three blocks of accommodation [detailed element] and the erection of a single block providing up to 2699 sqm of commercial floorspace (Use Class E (b), (c), (e), (f) and (g) and F2(b)) [outline element, matters reserved - layout, scale and appearance] and all other associated works including landscaping, public realm, car parking and cycle parking.</p> <p>NOTE: Hybrid Application - Full planning permission is sought for the Blocks A/B/C, landscaping, access and car parking. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Margaret McEvit	Jo Male
10	<p>22/00694/FUL</p> <p>Acre House 12 Broom Acres Sandhurst (Central Sandhurst Ward)</p> <p>Proposed erection of part single storey part two storey front, side and rear extensions, increase in roof height to provide additional accommodation with rear dormer, single storey rear extension to include an annexe, following demolition of existing garage and utility room. Recommendation: Approve.</p>	Shelley Clark	Basia Polnik
11	<p>22/00560/FUL</p> <p>3 Ellenborough Close Bracknell Berkshire (Bullbrook Ward)</p> <p>Proposed erection of a part two storey part single storey rear and side extension. Recommendation: Approve.</p>	Benjamin Marshall	Basia Polnik

Background Papers

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

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

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

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

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

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

SITE LOCATION PLAN

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

THE HUMAN RIGHTS ACT 1998

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

Those rights include:-

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

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

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

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

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

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

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

detailed consideration of any Convention Rights affected.

Unrestricted Report

ITEM NO: 5

Application No.
22/00515/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
13 July 2022

Target Decision Date:
7 September 2022

Site Address:

**Land At Malt Hill Farm Malt Hill Warfield Bracknell
Berkshire RG42 6JQ**

Proposal:

Proposed erection of agricultural livestock barn

Applicant:

Byrne

Agent:

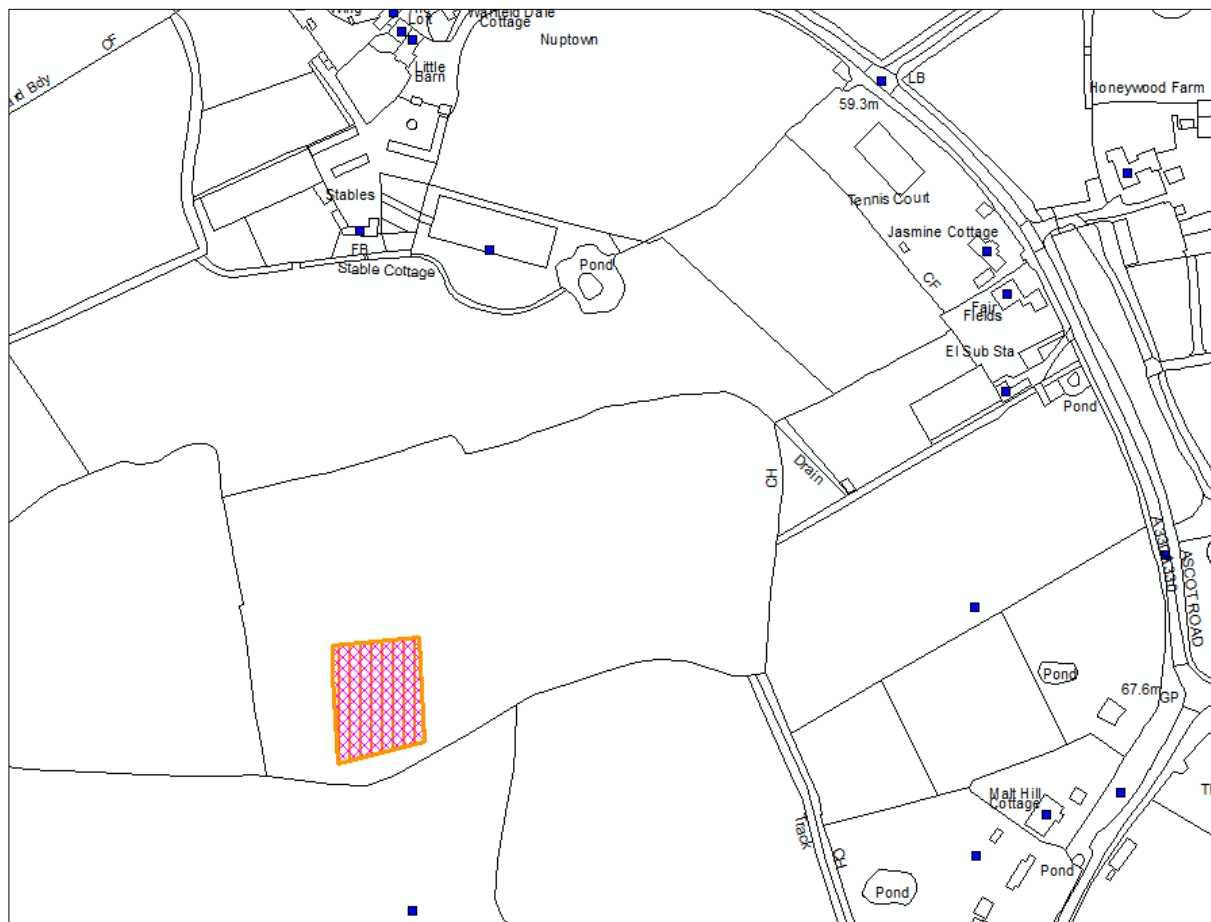
Mr Tom McArdle

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The erection of a new agricultural livestock building in the Green Belt is appropriate development in principle, in accordance with paragraph 149 a) of the NPPF and Saved Policy GB1 of the BFBLP. A planning condition is recommended which will require the barn to be used only for agriculture and in the event that such use ceases within 10 years from the date of substantial completion of the building, the building shall be demolished. There is no proviso under paragraph 149 a) of the NPPF to assess the associated impact on openness and the purposes of including land in the Green Belt. As the proposal is considered appropriate development in the Green Belt, there is no requirement to demonstrate very special circumstances in order to justify the development.

1.2 The proposal would not adversely impact upon the residential amenities of neighbouring dwellings or adversely impact upon the character and visual amenities of the surrounding area. No unacceptable highway safety implications would result from the proposal.

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

2. REASON FOR REPORTING APPLICATION TO THE PLANNING COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Green Belt
Outside 5km of the Thames Basin Heath SPA

3.1 The site lies to the west of Malt Hill which is an unclassified highway, from which the site is accessed. The site is enclosed by a mix of hedgerow, trees and vegetation.

3.2 The landholding is 73.9 acres (29.90 Ha.), of which 70.72 acres (28.62 Ha.) is commercially managed pastureland grazed by livestock and the remaining 3.18 acres (1.28 Ha.) comprising of managed woodland.

4. RELEVANT SITE HISTORY

4.1 The most recent planning history is as follows:

22/00043/PAD – Application for prior approval for agricultural hay and machinery storage barn. Not required. February 2022.

22/00215/PAD - Application for prior approval to determine if prior approval is required for a proposed: Formation, Alteration or Maintenance of Private Ways for Agricultural or Forestry use. Not required. April 2022.

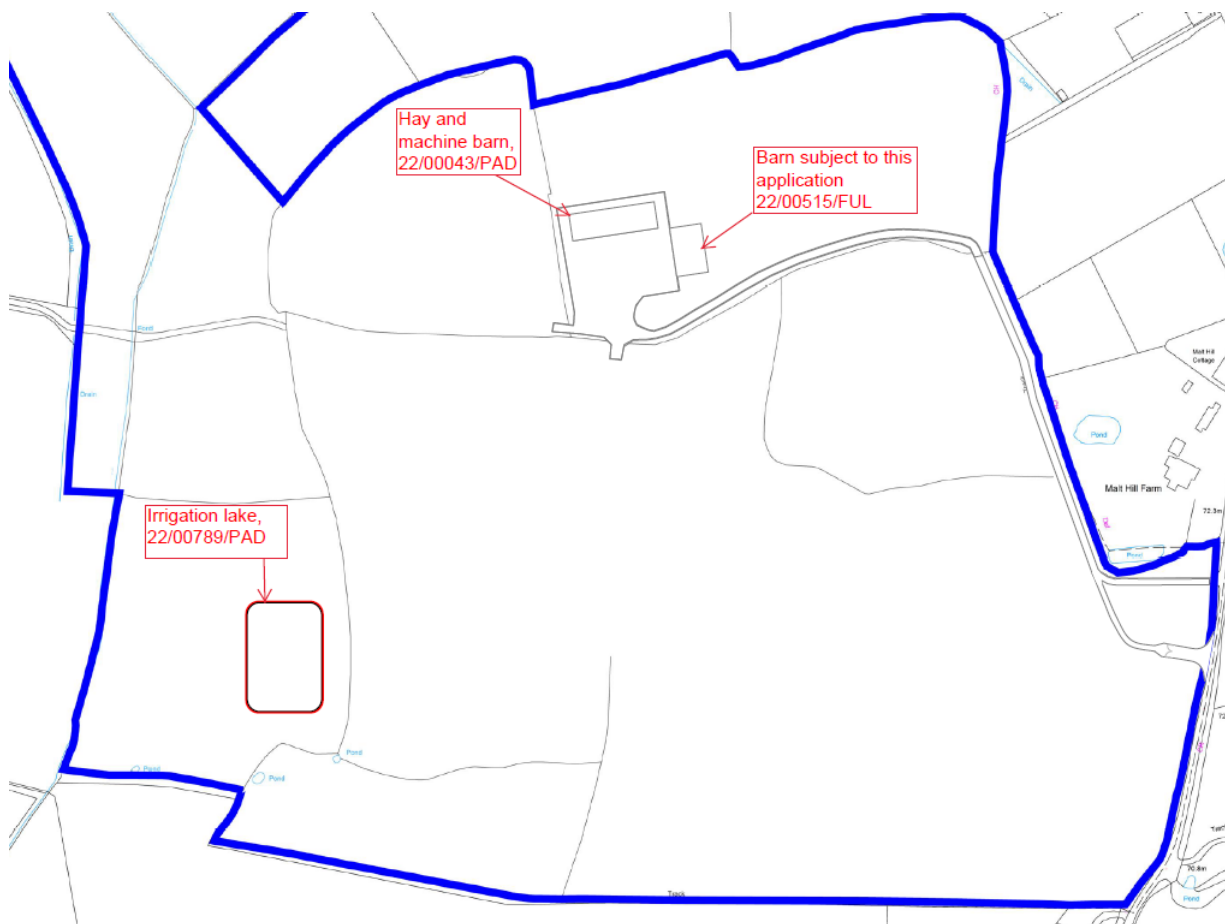
22/00789/PAD - Application for prior approval for the proposed excavation of an irrigation lake. Not required. October 2022.

5. THE PROPOSAL

5.1 Planning permission is sought for the erection of an agricultural livestock barn for the housing of sheep.

5.2 The proposed barn would be 28.4m x 18.4m, with an eaves height of 3m and ridge height of 5m. It would comprise a steel portal frame with vertical Yorkshire board cladding above concrete block panels, insulated box profile roof cladding, translucent roof lights, livestock gates and sliding double doors.

Plan below shows the position of the barn subject to this application and 2 further applications considered under the prior approval process



5.3 The planning statement submitted with the application states:

- The land extends in total to 73.9 acres (29.90 Ha.) of which 70.72 acres (28.62 Ha.) is commercially managed pastureland grazed by livestock with the remaining 3.18 acres (1.28 Ha.) comprising of managed woodland.
- The agricultural operations comprise high quality lowland early lamb production.
- The land is registered with the Rural Payments Agency as a registered agricultural holding.

- In order to justify the size of the barn, calculations have been considered using standard figures taken from the Agricultural Budgeting and Costing Book (ABC). 252 ewes with lamb at foot require 1.9 sq.m of floor space per head thereby equating to a total floor space requirement of 478.80 sq.m. Plus 10% for internal feed passages equates to 526.68 sq.m. The proposal is for 522.56 sq.m of livestock housing.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council

6.1 Considered no objection.

Other representations

6.2 Objections received from 43 separate postal addresses which raise the following points (summarised):

- Object to the proposed barn unless a restrictive covenant is put in place to restrict future changes from agricultural use.
- If the applicant wishes to pursue an agricultural enterprise, there should be no issues with accepting an agricultural use only covenant.
- The site is in the Green Belt. The Green Belt should be protected.
- Concern that sheep farming will be uneconomical, the barns will no longer be required for agriculture and permission will be sought to change to housing. This approach has been successful at other sites (Moat Farm and Windmill Farm) where existing barns have been replaced with housing and new barns constructed for agriculture.
- Potential for misuse of the planning system needs to be foreseen by the Council and action taken to prevent it.
- The Council should impose a covenant on the hay barn subject to prior approval.
- Proposal appears to be a ploy to get permission to build a barn and in the future get change of use to light industrial and then get permission to build houses.
- Oppose the Syngenta plans and this barn proposal on the neighbour plot to that of Syngenta.
- Development in Bracknell and Warfield has impacted upon surrounding villages.
- Concerns about developments in the wider area and impact on traffic.

7. SUMMARY OF CONSULTATIONS RESPONSES

Environmental Health

7.1 No objection.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Green Belt	CS9 of CSDPD, Saved Policy GB1 of the BFBLP	Consistent
Residential amenity	EN20 and EN25 of BFBLP.	Consistent

Transport	CS23 and CS24 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
Warfield Neighbourhood Plan		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of surrounding area
- iv. Impact on highway safety
- v. Drainage/SuDs
- vi. Community Infrastructure Levy (CIL)

i. Principle of Development

9.2 The site is located in the Green Belt as designated by the Bracknell Forest Policies Maps (2013). The following policies are therefore of relevance:

Section 13 of the NPPF refers to protecting Green Belt land.

9.3 Paragraph 137 states the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

9.4 Paragraph 147 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

9.5 Paragraph 148 states when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.6 Paragraph 149 states a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;

- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.7 Paragraph 150 states certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Core Strategy Policy CS9: Development on Land Outside Settlements:

9.8 The Council will protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land; and

- i. Protect the defined gaps within or adjoining the Borough from development that would harm the physical and visual separation of settlements either within or adjoining the Borough. or
- ii. Maintain the Green Belt boundaries within Bracknell Forest and protect the Green Belt from inappropriate development.

Bracknell Forest Borough Local Plan - Policy GB1: Building in the Green Belt

9.9 Policy GB1 states approval will not be given, except in very special circumstances, for any new building in the Green Belt unless it is acceptable in scale, form, effect, character and siting, would not cause road safety or traffic generation problems and is for one of the following purposes:

- (i) construction of buildings for agriculture or forestry; or
- (ii) construction of buildings essential for outdoor sport and recreation or other uses of land which preserve the openness of the Green Belt; or
- (iii) construction of buildings essential for cemeteries; or
- (iv) replacement, alteration or limited extension of existing dwellings; or
- (v) construction of domestic outbuildings incidental to the enjoyment of an existing dwelling.

Warfield Neighbourhood Plan

9.10 The Warfield Neighbourhood Plan came into legal force as part of the Development Plan for Warfield Parish after approval at referendum (November 2022).

9.11 Paragraph 2.36 of the Plan states that the northern third of the neighbourhood plan area is designated through planning policy as Metropolitan Green Belt.

9.12 Paragraph 2.37 goes on to state that the Warfield Green Belt contains mainly agricultural small-holdings, land for equestrian use and dispersed properties and the hamlets of

Nuptown, Jealott's Hill, Hawthorn Hill, Malt Hill, Moss End, Tickleback Row and Warfield (around the church).

9.13 There are no specific policies within the Warfield Neighbourhood Plan that relate to development in the Green Belt.

Whether the proposal constitutes inappropriate development within the Green Belt

9.14 The application is for the erection of an agricultural livestock building.

9.15 Both Saved Policy GB1 of the BFBLP and paragraph 149 a) of the NPPF allow for the construction of buildings for agriculture and forestry in the Green Belt.

9.16 The definition of agriculture is set out at Section 336 of the Town and Country Planning Act 1990 (as amended) and includes: "horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly".

9.17 The keeping of sheep and early lamb production is considered an agricultural use as defined by S336 of the Town and Country Planning Act 1990 (as amended). As the proposed building would be used for agricultural purposes, it is considered appropriate development in the Green Belt, in accordance with Saved Policy GB1 of the BFBLP and paragraph 149 a) of the NPPF.

9.18 Under paragraph 149 a) of the NPPF where it cites the erection of buildings for agriculture and forestry as an exception to inappropriate development in the Green Belt, there is no requirement to assess the impact of the development on the openness of the Green Belt. As the development is considered appropriate in the Green Belt and there is no requirement for an openness assessment, it is considered to not harm the openness of the Green Belt or conflict with the purposes of including land within it. This was considered in the Lee Valley Court of appeal judgement.

Other material considerations

9.19 The Lee Valley Regional Park Authority v Epping Forest District Council & Anor [2016] judgement ruled that all buildings for agriculture and forestry are in principle appropriate development in the Green Belt, regardless of their effect on openness and the purposes of including land in the Green Belt, and regardless of size and location.

9.20 Under the category of exceptions to inappropriate development in paragraph 149 a) of the NPPF - buildings for agriculture and forestry; is unqualified. Other exceptions set out in paragraph 149 of the NPPF are subject to provisos such as paragraph 149 b) - provision of appropriate facilities for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; **as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;** or paragraph 149 c) - the extension or alteration of a building **provided that it does not result in disproportionate additions over and above the size of the original building (officer emphasis in bold).**

9.21 Paragraph 26 of the Lee Valley judgement state "that is not to say, of course that proposals for the erection of agricultural buildings in the Green Belt will escape other policies in the NPPF, and in the development plan, including policies directed to the visual effects of development and the protection of the countryside or the character of the landscape".

Objection letters and concern about future use

9.22 Objection letters raise concern about the site's location in the Green Belt and that in the event of the barn subject to this application no longer being required for agricultural use(s) in the future that the site could be redeveloped for housing or other uses. The LPA must assess this application on its planning merits as submitted – for the erection of a livestock barn. The erection of agricultural buildings in the Green Belt is appropriate development in accordance with the relevant development plan policies and the Framework. A planning condition is recommended that will require the building subject to this application to be demolished in the event that it ceases to be required/used for agricultural purposes within 10 years from the date of substantial completion of the building. The objection letters comment that the LPA should also retrospectively control the development considered under agricultural permitted development rights. The LPA can only consider the development subject to this application. It is however a condition of agricultural permitted development rights under Class A, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) that where works relate to the erection of a new building, a significant extension or alteration (such as the barn considered under 22/00043/PAD) and that building/extension permanently ceases to be used for agriculture within 10 years from the date on which the development was substantially completed; and planning permission/prior approval has not been granted for any alternative use other than agriculture, the building/extension must be removed from the land within 3 years from the date on which the agricultural use permanently ceased (paragraph (5) of A.2, Class A, Part 6 of the 2015 Order).

9.23 In summary, the erection of a new agricultural building in the Green Belt is appropriate development in principle, in accordance with paragraph 149 a) of the NPPF and Saved Policy GB1 of the BFBLP. There is no proviso under paragraph 149 a) of the NPPF to assess the associated impact on openness and the purposes of including land in the Green Belt as set out in the Lee Valley Court of appeal judgement. As the proposal is considered appropriate development in the Green Belt, there is no requirement to demonstrate very special circumstances in order to justify the development.

9.24 The proposal is therefore acceptable in principle subject to other material planning considerations, including an assessment on the impact of the development on the character and appearance of surrounding area, impact to surrounding residential dwellings and whether there would be any highway safety implications, etc. These matters are considered below.

ii. Residential amenity

9.25 The proposed barn would be located some 200m from the closest residential dwelling to the north and in excess of 280m from the closest residential dwelling to the east on Malt Hill. In view of the separation distances to the closest adjoining dwellings, the proposed barn would not be considered to appear visually intrusive or overbearing to the detriment of occupiers of dwellings within the locality of the site.

9.26 The Council's Environmental Heath Team raise no objection to the proposed livestock barn. As such, the proposal would not adversely impact upon the residential amenities of adjoining dwellings through virtue of noise, disturbance or odour.

9.27 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring occupiers and would be in accordance with Saved Policies EN20 and EN25 of the BFBLP and the NPPF.

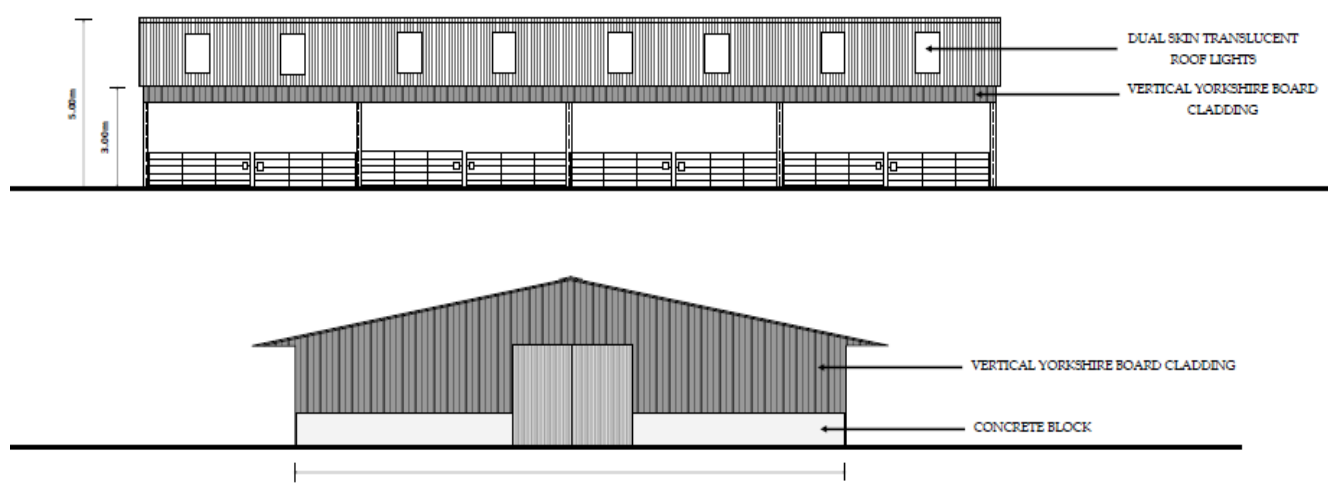
iii. Impact on character and appearance of surrounding area

9.28 The proposed building would be sited some 320m from the highway on Malt Hill, 340m from Ascot Road and 640m from Wellers Lane. Due to the setback from adjoining public highways, the proposed barn would not appear unduly prominent or out of keeping in a rural location. No public rights of way run through or directly adjoin the landholding from which the proposed barn would be visible from.

9.29 The landholding is 29.90 hectares. A barn and irrigation lake were considered under agricultural permitted development rights (LPA refs: 22/00043/PAD and 22/00789/PAD) at this site which have yet to be implemented. In the event that the barn and irrigation lake are implemented under agricultural permitted development rights, along with the barn subject to this application, the development cumulatively would not result in an over-proliferation of buildings that would detract from the rural setting of the site. The proposed barn would be sited in close proximity to the barn subject to the prior approval application 22/00043/PAD so that the buildings would be consolidated in one part of the landholding.

9.30. The proposed barn would comprise a steel portal frame, with vertical Yorkshire board cladding (softwood with a sawn finish), concrete block, insulated box profile roof cladding (juniper green in colour), livestock gates on the side elevations and sliding double doors on the front and rear elevations. The design and external finish of the proposed livestock barn would be typical of an agricultural building for its intended purpose and would be appropriate to the rural setting of the site.

Elevation drawing showing the side and front elevations of the proposed barn



9.31 As such, the proposed barn would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iv. Transport implication

9.32 Agricultural uses can occur on the land without the need for planning permission and without any consideration to highway safety.

9.33 Notwithstanding this, there is an existing access to the site from Malt Hill. Under agricultural permitted development rights, the applicant is proposing to create a new internal access track to provide access to the proposed barn, along with a new vehicular access onto Malt Hill which would constitute permitted development by virtue of Part 2, Class B (means of access to a highway) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as Malt Hill is an unclassified road (this is separate to any consent that would/maybe required from the Highway Authority).

9.34 As such, no adverse highway safety implications would result from the proposal and it would be in accordance with Policy CS23 of the CSDPD and the NPPF.

v. Drainage/flooding

9.35 The proposed barn would be sited on land outside of Flood Zones 2 and 3 and would also not be sited on land that is at risk of surface water flooding.

vi. Community Infrastructure Levy (CIL)

9.36 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.37 The building is not considered development that falls within the Council's Charging Schedule for CIL. As such, the development is not CIL liable.

10. CONCLUSION

10.1 The erection of a new agricultural livestock building in the Green Belt is appropriate development in principle, in accordance with paragraph 149 a) of the NPPF and Saved Policy GB1 of the BFBLP. A planning condition is recommended which will require the barn to be used only for agriculture and in the event that such use ceases within 10 years from the date of substantial completion of that building, the building shall be demolished. There is no proviso under paragraph 149 a) of the NPPF to assess the associated impact on openness and the purposes of including land in the Green Belt. As the proposal is considered appropriate development in the Green Belt, there is no requirement to demonstrate very special circumstances in order to justify the development.

10.2 In relation to other material planning considerations, the proposal would not adversely impact upon the residential amenities of neighbouring dwellings or adversely impact upon the character and visual amenities of the surrounding area.

10.3 No unacceptable highway safety implications would result from the proposal given agricultural uses can take place on the land without the need for planning permission and without consideration to highway safety.

10.4 The application is therefore recommended for conditional approval.

11. RECOMMENDATION

11.1 That the application be approved subject to the following conditions:

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

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

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

Location/site plan at scale of 1:2500

Site plan at scale of 1:500

Drawing – proposed elevations

Drawing – proposed floor plan

Drawing – proposed roof plan

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those outlined in the Materials Schedule report received 28 November 2022 by the Local Planning Authority.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

4. The building hereby permitted shall be used only for the purposes of agriculture. Where the building hereby permitted ceases to be used for purposes necessary for agriculture within 10 years from the date of substantial completion of that building, the building shall be demolished and removed from the land within 12 months of the cessation of the agricultural use and the land restored with topsoil made to be level with adjacent land and seeded with grass.

REASON: To protect the character and appearance of the Green Belt and avoid the proliferation of buildings in a countryside area for which there is not a continuing need.

[Relevant Plans and Policies: BFBLP Saved Policy GB1, CSDPD Policy CS9]

Informatives

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

2. No details are required to be submitted in relation to the following conditions:

1. Time limit

2. Approved plans

3. Materials

4. Agriculture use only and demolition if use ceases within 10 years of substantial completion

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Unrestricted Report

ITEM NO: 6

Application No.
21/00244/REM

Site Address:

Ward:
Binfield With Warfield

Date Registered:
4 March 2021

Target Decision Date:
3 June 2021

Land North Of Newhurst Gardens Newhurst Gardens Warfield Bracknell Berkshire

Proposal:

Submission of details of Appearance, Landscaping, Layout and Scale pursuant to Outline Permission APP/R0335/W/17/3182713 (erection of up to 50 residential dwellings (including up to 25% affordable housing), parking, open space and landscaping with access from Newhurst Gardens)

Applicant:

Croudace Homes Ltd

Agent:

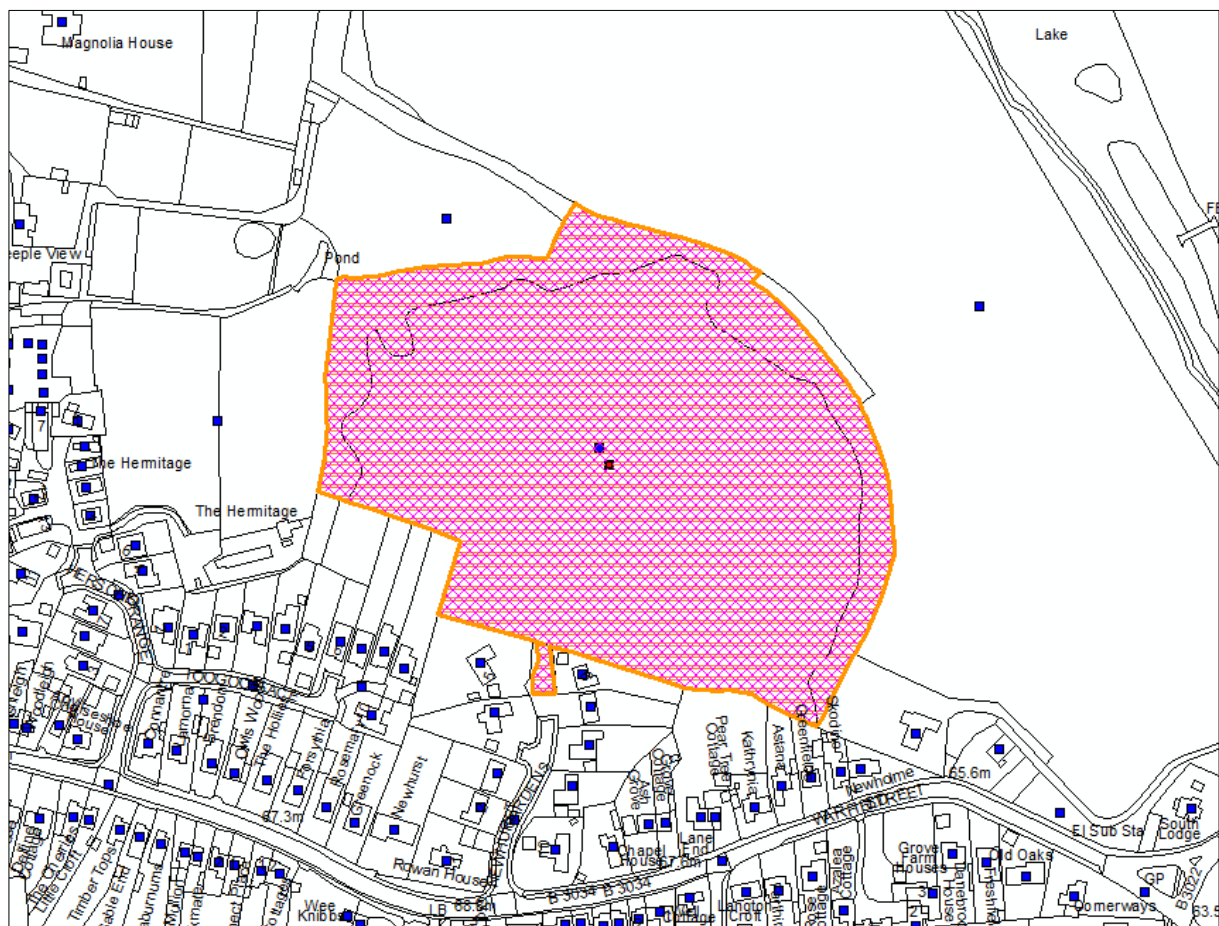
Ms Zoe Wainwright

Case Officer:

Sarah Fryer, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 This is a reserved matters application submitted pursuant to outline planning permission 16/01004/OUT. This outline permission, granted at appeal, permitted the erection of up to 50 residential dwellings (including up to 25% affordable housing), parking, open space and landscaping with access from Newhurst Gardens. All matters were reserved apart from access details.

1.2 The proposed layout, siting, landscaping and appearance are considered to be acceptable in terms of the proposal's impact upon the character and appearance of the area. Revisions have been made to ensure that the site has a character of its own, and visitor parking is incorporated. The proposal will not detrimentally affect the amenities of adjoining residents, is considered acceptable from drainage and highways perspectives. The proposals include an acceptable landscape scheme with biodiversity benefits.

RECOMMENDATION

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Outside settlement

7km SPA

4. RELEVANT SITE HISTORY

4.1 The relevant planning history can be summarised as follows:

16/01004/OUT

Outline planning application for the erection of up to 50 residential dwellings (including up to 25% affordable housing), parking, open space and landscaping with access from Newhurst Gardens. All matters reserved apart from access details.

Allowed at appeal.

5. THE PROPOSAL

5.1 This reserved matters application seeks to agree those matters reserved for later approval at the time of the outline application (reference: 16/01004/OUT), those being:

- Appearance,
the aspects of a building or place within the development which determine the visual impression of the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- Landscaping,
The treatment of the land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes:
(a) screening by fences, walls or other means; (b) the planting of trees, hedges,

shrubs, or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out of provision gardens, courts, squares, water features, sculpture or public art: and (e) the provision of other amenity features;

- Layout,
The way in which the buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside development.
- Scale.
The height, width and length of each building proposed within the development in relation to its surroundings.

5.2 The application seeks consent for these matters in connection with the erection of 50 dwellings, drainage, landscaping roads and associated features.

5.3 The outline permission established the principle of the site's residential use and details of the access from Newhurst Gardens. The red line is the same as the outline permission and changes to the access, initially proposed, have been removed from this application. These points, therefore, are not to be determined as part of this application.

6. REPRESENTATIONS RECEIVED

6.1 Warfield Parish Council

Have objected due to no visitor parking being shown as required by the Parking SPD. [Officer comment: visitor parking is now proposed].

6.2 Other Representations

Representation have been received from 26 properties, with the following comments:

- Proposal would have a negative impact upon the privacy of residents on Toogood Place.
- The access allowed at appeal was 5.5m wide two lanes with a 2m footpath, now a single lane of 3.7m wide with a 2m footpath is proposed. Access was one of the details approved at outline stage and should not be changed now.
- Proximity of the proposed dwellings to the trees which are protected by TPO orders
- TPOs have been missed off the planning application
- Proximity of proposed dwellings to protected oak tree.
- Site layout plan is inaccurate as boundaries are inaccurately drawn
- No more housing is required
- Fields should be protected for wildlife
- Concern about a single lane entry serving a development of this size
- The developer clearly does not own sufficient space to provide a safe access.
- Objects to the use of Newhurst Gardens as access for the development.
- Original application was approved for 2 storey dwellings not 2.5 storeys which will affect the inter visibility of the nearby listed properties.
- No visitor parking spaces are included.
- Proposal would harm an oak tree located adjacent to the access, and not within the developers control.
- Don't see the need to build on green land within Warfield.
- Insufficient residential and visitor parking proposed resulting in overspill parking in Newhurst Gardens.

6.3 Warfield Village Action Group.

- Reduced width of the access from Newhurst Gardens. Should the applicant wish to change this a new planning application would be required.
- Tree protection;- Plots are located unacceptably close to trees protected by TPOs and the Oak within the garden of 6 Newhurst would be harmed by the access.
- Invasion of privacy of existing residents:- proposed dwellings along the southern boundary of the site have been positioned unacceptably close to the boundary resulting in loss of privacy for existing residents.
- Site perimeter and screening buffer: The green planning screening buffer along the site perimeter proposed in the original outline is non existent in places.
- Archaeology Findings :- Given the archaeological finds it leads to question whether the site should be developed at all. [Officer note- this is subject to a conditions application which was required as part of the outline permission].
- Visitor parking spaces:- no visitor parking spaces are proposed.
- Unclear incorrect site layout plan: - the site layout plan is unclear and fails to show important details.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 Following the inclusion of visitor parking and changes to the layout the Highway Authority has no objection, subject to conditions.

Tree Service

7.2 Following amendments to the location of plots 2 and 3, the Tree Service has no objection.

Landscape Officer

7.3 The proposal has incorporated a cohesive approach to landscaping and there are no objections.

Lead Local Flood Authority

7.4 Applicant has demonstrated that the proposed drainage strategy will work and the run off rate is less than the green field run off rate.

Affordable Housing Officer

7.5 The mix and tenure of the proposed affordable housing now meets policy and therefore no objection.

Conservation Consultant

7.6 There is no objection in principle to a residential development on this site, subject to conditions being imposed requiring details of materials.[Officer note: details of materials have been submitted and found to be acceptable].

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
Principle of Development	CSDPD Policies CS1 and CS2	Consistent
Design & Character	CSDPD Policy CS7 and BFBLP 'Saved' Policy EN20	Consistent

Heritage	CSDPD Policy CS1 WNP12 of the Warfield Neighbourhood Plan	Consistent
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent
Residential Amenity & Pollution	'Saved' Policies EN20 & EN25 of BFBLP	Consistent
Transport	CSDPD Policy CS23 and BFBLP 'Saved' Policy M9	Consistent
Drainage	CS1 of CSDPD	Consistent
Biodiversity	CSDPD Policies CS1 & CS7 WNP12 (of the Warfield Neighbourhood Plan)	Consistent
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent
SPA	CS14 of CSDPD BFBLP 'Saved' Policy EN3 SEP 'Retained' Policy NRM6	Consistent
Dark Sky's	WNP13 (of the Warfield Neighbourhood Plan)	Consistent
Supplementary Planning Documents (SPD)		
Design SPD (2017) Parking Standards SPD (2016) Sustainable Resource Management SPD (2008) Thames Basin Heaths SPA SPD (2018)		
Other publications		
National Planning Policy Framework (NPPF 2021) National Planning Policy Guidance (NPPG) BFC CIL Charging Schedule Warfield Neighbourhood Plan (now in effect following referendum result)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Heritage
- iv. Impact on Residential Amenities

- v. Transport and Highways Considerations
- vi. Landscape and trees
- vii. Drainage
- viii. Waste
- ix. Affordable Housing
- x. Community Infrastructure Levy

i. Principle of Development

9.2 The principle of development which include the access was established under application reference 16/01004/OUT.

9.3 Application 16/01004/OUT established the acceptability of developing the site for up to 50 dwellings with access coming from Newhurst Gardens. The principle or details of the access is therefore not a matter for determination under this application.

ii. Impact on Character and Appearance of Surrounding Area

Scale

9.4 The proposal consists of a range of detached and semi-detached properties. The focus of the development has evolved around the central tree lined avenue of properties with a more formal central avenue, with a mixture of less formal courts and cul-de-sacs coming off it.

9.5 The proposal consists of brick built two storey dwellings with the exception of four plots which utilise the roof space to provide accommodation at second floor level and these have flat roofed dormers to the front. Most properties are two storeys around 9m in height. The 2.5 storeys have a height of 9.70m. These dwellings are, therefore, not materially higher than the two storey dwellings either side and therefore would not be detrimental to the character or appearance of the scheme.

9.6 The scale of the proposal is considered acceptable.

Layout

9.7 The proposal has gone through a number of renditions which has evolved the layout, resulting in three different character areas.

9.8 The central main street runs north to south through the site. Within this area, properties face on to the highway with parking to the side of the properties or to the rear. This element contains the 2.5 storey dwellings.

9.9 Off this, courtyards are proposed consisting of small groups of properties set around courtyards which have street trees and parking areas within them. Different materials help define the different areas and break up these areas.

9.10 Around the site is a swathe of public open space and the properties which face onto this are larger, more spaced out and have a looser grain.

9.11 The amended layout incorporates the existing semi-mature trees into the layout, providing instant established landscaping character. The plans have also been amended allow sufficient space for a protected tree within a neighbouring garden (discussed in further details within the tree and landscape section).

Proposed layout plan



9.12 The layout has been refined and now is considered to result in a cohesive development with distinct character areas which responds to the rural setting of the area.

9.13 Appearance

The dwellings are proposed to be red brick, with tile hanging details and incorporate features such as chimneys, bay windows and various porch details. Thought has been put into the appearance of the main street which incorporates a swale with street trees interspersed along its length. Footpaths are proposed on both sides of the highway. The green verges, swales and trees, helps soften the building form, maintain a visual link through to the countryside beyond and create a verdant focus of the site.



Typical Streetscenes through the development



9.14 Overall, it is considered that the scale, layout and appearance of the proposal create a cohesive and well laid out development.

iii Heritage

9.15 Policy CS1 of the Core Strategy DPD seeks to support development which would protect and enhance historic and cultural features of acknowledged importance. Policy WNP12 of the Warfield Neighbourhood Plan states that development proposals must seek to avoid having any significant adverse effects on designated environmental, landscape and heritage assets.

9.16 The application proposals shows a development with access from a residential cul-de-sac to the north of Newhurst Gardens which is accessed from Warfield Street. The proposed development site is currently pasture land and is bordered by modern residential development along its southern boundary with the grounds of the Listed Warfield House to the east.

9.17 The existing mature trees on the site would be preserved and the existing boundary vegetation would be enhanced with native hedge and tree species. Public open space would be provided to the east of the proposed housing to preserve the open character of the setting of the listed buildings of Warfield and Pear Tree Cottage.

9.18 The proposed site would be 4.4 ha in extent and the development would be located centrally with a landscape buffer to north, east and west boundaries. The indicative house design visualisation consists of two and two-and-a-half storey detached and semi-detached properties with dormer windows, concrete roof tiles and a light red bricks.

9.19 No southern buffer is provided and three proposed houses are located directly along the southern edge of the site, adjoining the rear garden of Pear Tree and Lane End Cottage, and are orientated away from the cottage, so that their rear elevations face toward the Listed Building.

9.20 The proposed development would be approximately 60m to the north of Pear Tree and Lane End Cottage, a Grade II Listed Building, which originally formed a single house dating from the mid-16th century, which was altered and extended in the 19th and 20th centuries.

9.21 The setting to the front of the Pear Tree and Lane End Cottage is now largely suburban with a row of bungalows to the right and larger, two storey properties to the left hand side. The rear of the property, which includes the development site, remains primarily semi-rural in

character but is partly screened from the proposed site by existing vegetation and a number of mature trees.

9.22 Approximately 380m to the east is Warfield House, within its own landscaped grounds forming its primary setting. Warfield House, which is a Georgian country house, dates from the early 18th century and was extended in the 19th with further alterations in the mid-20th century. There are intermittent views through to the Grade II Listed Building from the proposed site although this is largely screened by perimeter landscape planting.

9.23 Warfield Conservation Area is located approximately 640m to the north of the proposed site and contains the Grade II* Listed church of St Michael and all the Angels as well as the Grade II Rectory, Parish Rooms and St Michael's Cottage. Given the distance to the Conservation Area there is limited potential for visual impacts on the setting if adequate landscape planting is provided as a screen.

9.24 In principle there is no objection to the proposed development in this location. However, the proposed houses immediately adjacent to the boundary with Lane End and Pear Tree Cottage, have the greatest potential to harm the setting of the Listed Building. These houses though are partly screened by mature trees and located to the west in order to increase their separation from the Listed Building and to preserve its setting.

9.25 The houses in the area adjacent to Pear Tree Cottage and Land End are proposed as one-and-a-half to two-storeys high which would not out of character with the prevalent house forms in the area. The proposed indicative materials are as red brick, with occasional Flemish bond brickwork, tile hanging, plain tiles and slate effect roofing tiles.

9.26 There is no objection in principle from the Conservation Consultant, to a residential development on this site. The proposal is considered to comply with the heritage aspects of Policies CS1 of the CSDPD and WNP12 of the Warfield Neighbourhood Plan.

vi Impact on Residential Amenity

9.27 Several objections have been received stating that the proposal would detrimentally affect the living conditions of neighbouring occupiers. Policy EN20 criterion vii, ensures that new development will not affect the amenity of surrounding properties and adjoining areas. The Design SPD provides further guidance on what distances are expected to be secured between rear facing windows to ensure that sufficient privacy is maintained.

Existing occupiers.

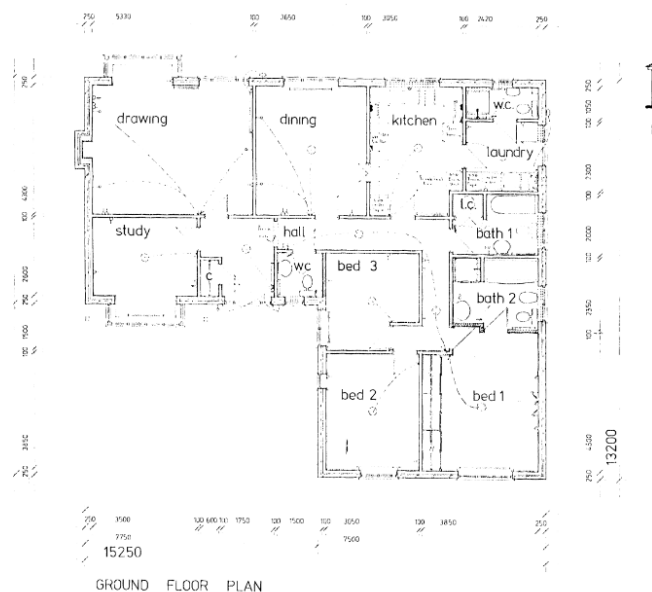
9.28 The nearest occupiers to the application site are in properties located in Newhurst Gardens, specifically nos. 5 and 6, and properties in Toogood Place, nos. 5-9 inclusive.

9.29 The Design SPD states 'For two storey houses a minimal back to back distance of 22m between facing windows is acceptable as providing a reasonable degree of privacy for occupants of both dwellings'.

Newhurst Gardens

9.30 Due to the orientation of the proposed dwellings, there are no back to back relationships proposed with the occupiers of current properties.

9.31 No. 5 Newhurst Gardens is a detached bungalow with a flank elevation that is not parallel to the boundary. This property is located 21m from the rear elevation of plot 2, located to the north. The planning history indicates that there are non-habitable rooms along this elevation as shown by the extracted plan below. The proposal would not result in any unacceptable levels of overlooking to occupiers of this property.



9.32 No. 6 Newhurst Gardens is a detached two storey dwelling with the side elevation facing plot 50 located to the north. This dwelling was granted planning permission in 2021 for a single storey rear extension which included side windows, serving the dining room, which would face the proposal. The windows to plot 50 would be located at an approximate distance of 21m from the consented windows. However, due to the intervening boundary treatments of an established hedgerow interspersed with trees, it is considered that the proposal would not result in significant overlooking to the detriment of the occupiers of number 6 Newhurst Gardens.

Toogood Place

9.33 The properties in Toogood Place which adjoin the development have gardens in the region of 50m in length. Plot 14 to the north of 7 and 8 Toogood Place, is sited side-on so even without the garden lengths there would be no impact upon the amenities of the occupiers of these properties.

Future Occupiers

9.34 The layout has been considered to take account of the distances as recommended within the design SPD. Where the dwellings are closer, windows have been orientated so there are no windows directly facing each other. For example, plots 23 and 26 have a separation distance between the projecting gable element of 17m. However, no windows are proposed on the rear elevation of the projecting gable, so between nearest facing windows there would be a distance of 22m.



9.35 Each property has access to private amenity space and generally the gardens are proportionate to the size of the dwelling. Across the development a variety of garden sizes are proposed providing future occupiers with choice. All the properties have rear access to the gardens, enabling bins and bike stores within the gardens if needed.

9.36 In conclusion the proposal is considered to preserve the amenities of existing local residents and provide a reasonable level of amenity for the new residents and is therefore considered to comply with Policy EN20 (vii) of the BFBLP.

v Transport and Highways Considerations

Access

9.37 The matter of access to the site from Newhurst Gardens was approved under Outline planning permission 16/01004/OUT (Appeal Ref: APP/R0335/W/17/3182713) and therefore the access to Newhurst Gardens does not form part of the considerations for this Reserved Matters application.

9.38 The Section 106 agreement for Outline permission 16/01004/OUT at clause 1.1.18 commits the applicant to "construct the proposed residential development street layout to adoptable standards on land over which the Owner has control" and within the site the proposed streets, footways, shared surfaces and shared drives and courtyards are compliant with the Council's Highways Guide for Development (Streetscene SPD Annex 1) meeting the requirement of the S106 agreement.

9.39 Where there is a transition between roads with footways and shared surfaces, materials have been selected which ensure that there is no uneven surface, for the benefit of pedestrians with pushchairs or those with wheelchairs.

Parking

9.40 Residents' parking is provided as a mixture of surface parking, car ports and garages. The amount of parking for residents complies with the Council's Parking Standards SPD (March 2016). Conditions retaining garages and car ports for parking are requested. Two dwellings (plots 5 and 6) have triple-tandem (three in line) parking; whilst this is generally

discouraged there is currently no policy position to refuse such arrangements and a small number of such arrangements is common in new developments within Bracknell Forest. The location of the dwellings with triple-tandem parking has been discussed with the applicant and an additional condition requiring details of means to deter on-street parking (such as signs or road markings) in the vicinity of the dwellings with triple-tandem parking has been requested.

9.41 Eight visitor spaces are proposed, this is a shortfall of one visitor space against the Council's adopted Parking Standards but this shortfall has been agreed with the Highway Authority in order to preserve the Streetscene of the main north-south avenue and to prevent visitor parking on both sides of a shared-surface. The shortfall of one visitor space is considered acceptable as all dwellings have fully SPD compliant residents' parking and visitor parking spaces are reasonably well distributed within the development. A condition requiring details of signage for visitor parking spaces to be submitted is requested.

Trip Generation

9.42 The quantum of development (number of dwellings) was approved under Outline planning permission 16/01004/OUT (Appeal Ref: APP/R0335/W/17/3182713) and therefore does not form part of the considerations for this Reserved Matters application. Nevertheless, the number of vehicle movements from the development were confirmed in the Transport Statement provided at Outline stage as being around 234 two-way vehicle movements per day, including 25 movements in the morning peak hour and 23 movements in the evening peak hour.

9.43 Accordingly the Highway Authority has no objection to the proposal.

vi Landscape and trees

9.44 Policy EN1 seeks to protect trees and hedgerows which are important for:

- i) A clear distinction between built up area and the countryside;
- ii) the character and appearance of the landscape or townscape;
- iii) green links between open spaces and wildlife heritage sites,
- iv) Internationally, nationally or locally rare or threatened species
- v) habitats for local wildlife
- vi) areas of historical significance.

9.45 Whilst there are no protected trees within the site, there are several trees protected by Tree Preservation Order (TPO) 625 on land adjoining the site. The nearest tree to the site, and the one which has the potential to be affected, is a semi-mature oak tree which is located within the garden of no. 9 Toogood Place. The oak has the potential to grow further as it reaches maturity. Typically, a mature oak can have a crown diameter spread up to 20m.

9.46 The locations of plots 2 and 3 have been amended and moved to over 9m from the boundary, and over 14m from the centre of the tree. Additionally, the dwellings have been designed so that there are no windows facing the tree. The dwellings are located outside the root protection area (RPA) of the tree and are located sufficient distance from the protected tree to enable it to reach full maturity without detrimentally affecting the amenities of future residents which would result in a pressure to prune.

9.47 There are other semi-mature oaks within the application site which are not subject to a TPO, however these are proposed to be retained and have been incorporated into the layout and within the public spaces. This retention of trees is welcomed and will be of benefit to biodiversity, and the appearance of the scheme.



9.48 From a landscape point of view the main concern was the central access road and its character. The Thames Water easement which runs north to south through the site, has been shown on the planting plans and street trees have been located outside the easement along the access road. Although trees are only proposed along one side of the road in any one part, when viewed from the access they will frame and soften the view on both sides and provide a connection to the surrounding countryside.



Central access road showing position of street trees.

9.49 The planting to the verges and swales within the central avenue is a consistent mix of plants that can tolerate varying growing conditions, including periods of inundation and drought. Although the plants are not selected from the approved verge planting list, they are suitable for the proposed scheme, and it is understood that if the roads were to be adopted the Highway Authority is content to adopt the roads and footpaths but leave the verges under the maintenance of the management company.

9.50 Low hedges and ornamental planting to the front boundaries soften the impact of the built development. Tree planting within the central courtyards provides links to the wider landscape and softens the hard surface courtyards.

9.51 Native species trees, hedges, shrubs, herbaceous planting and wildflower meadows are proposed within the open space areas. They will enhance biodiversity and will help integrate the scheme to the surrounding landscape.

9.52 As earlier concerns have been addressed the proposed landscape scheme is now acceptable and the scheme is considered to comply with policies EN1 and EN20 of BFBLP.

vii Drainage

9.53 The site is within flood zone one and within an area at low risk from surface water flooding. However, the soil type is Host 18, slowly permeable seasonally wet soils which have poor drainage constituents. This has been confirmed by the soakage tests undertaken by the applicant which shows poor infiltration. Therefore, the applicant is proposing a positive drainage system which will drain to a pair of attenuation basins (swales), with a combined volume of 785m³. These swales will then connect, via a flow control device restricting outflow to 5 l/s, to a Thames Water surface water sewer which crosses the site.

9.54 The proposed outflow of 5 l/s is below the 1 in 30 years (7.48 l/s) and 1 in 100 years (10.37 l/s) greenfield run off rates and is acceptable. Thames Water has also accepted a connection with a flow of 5 l/s as long as it can be shown that that infiltration straight to the ground cannot be achieved, as this has been shown by the soakage tests.

9.55 Subsequently submitted information has demonstrated that the attenuation basins have sufficient capacity including an allowance for 10% urban creep (a 10% allowance is included within the calculations to allow for development undertaken by individual households which will require consent).

9.56 The drainage information and strategy is therefore considered acceptable and complies with Policy CS1 of the CSDPD.

viii Waste

9.57 All the proposed dwellings are provided with private gardens which have rear access for storage of refuse bins and recycling containers. Bin collection points are provided at the entrance to shared driveways or courts. The roadways have to be constructed to adoptable standards to comply with the S106 secured at the time of the outline permission, ensuring bin crews can access the development.

ix Affordable Housing

9.58 The proposal will supply 13 affordable houses resulting in a 26% provision of affordable housing. This complies with the Policy CS17 of the Core Strategy DPD, the Planning obligations SPD and the requirements of the S106 secured at the time of the outline application.

9.59 The Affordable Housing Enabling Officer has agreed the mix (contained in the table below) and location of the units, within the scheme. The mix of social rented and shared ownership meets the Councils Housing need as informed by the Housing waiting list. The benefits of larger units and social rent tenure will meet a specific need and requirement within the borough councils housing waiting lists. This is considered to be a significant benefit of the proposals, helping with affordability for local residents.

Bedrooms	Social Rent	Shared Ownership	Total AH
2 Bedroom	3	2	5
3 Bedroom	4	2	6
4 Bedroom	2	0	2
Total	9	4	13

x Community Infrastructure Levy (CIL)

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

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

9.62 The proposal would be CIL liable. This will be secured in accordance with relevant legislation and would go towards infrastructure projects.

10. CONCLUSIONS

10.1 This is a reserved matters application following the granting of outline planning permission on appeal. The application considers scale, layout, appearance and landscaping.

10.2 The development proposed is mainly two storey, with the exception of four 2.5 storey dwellings and is considered acceptable in terms of scale. The proposal would provide a mix of detached and semi-detached units. This accords with the form of development shown on indicative plans considered at the time of the outline application and the scale of development is considered to be acceptable as it respects local patterns of development consistent with Policy EN20 of BFBLP and Policy CS7 of the CSDPD.

10.3 The layout achieves an appropriate relationship with a landscape buffer around the site which is greater to the west and is considered to be sensitive to the surrounding countryside. This reduces the impact of the proposal on the heritage assets located on this side of the site.

10.4 The submitted detailed landscaping scheme has been designed to create a cohesive appearance and link the site with the surrounding countryside. The design of the dwellings is traditional, with a high level of detailing and is considered to be consistent with the local vernacular. The proposed materials are considered appropriate, and parking for each dwelling is provided to standard although the scheme is short of one visitor space compared to the SPD standard. However this is not considered to be such a significant shortfall, to warrant refusal on highway safety grounds.

10.5 The proposed layout incorporates appropriate drainage features, and it is therefore considered that the proposed development complies with Development Plan Policies CS1 CS7, BFBLP 'Saved' Policies EN1, EN20 and M9, WNP12 of the Warfield Neighbourhood Plan and the NPPF.

11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

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

Location Plan P20-2467_05 D
Site Layout DES-186-101 Rev. 6
Parking Plan DES-186-102 Rev. 5
Materials Plan DES-186-103 Rev. 6
Refuse Plan DES-186-104 Rev. 5
Affordable Housing Plan DES-186-105 Rev. 5
Enclosures Plan DES-186-106 Rev. 5
Surface Materials Plan DES-186-107 Rev. 5
Storey Height Plan DES-186-108 Rev. 5
Courtyard Detail DES-186-109 Rev. 4
Highways Plan DES-186-110 Rev. 3

Landscape Strategy CH023-001 Rev. L
Landscape Masterplan CH023-002 Rev. I
Tree Removal Plan CH023-003 Rev. G
Detailed Planting Plan 1 CH023-004 Rev. E
Detailed Planting Plan 2 CH023-005 Rev. E
Detailed Planting Plan 3 CH023-006 Rev. E
Detailed Planting Plan 4 CH023-007 Rev. E
Maintenance Plan CH023-008 Rev. C
Furniture Schedule CH023-009

G4032M Plot 1 As, Plots 4, 50 Handed DES-186-200 Rev. 1
G4032M Plot 24 As, Plots 15, 43 Handed DES-186-201 Rev. 2
G4032M Plot 17 As, Plots 13, 48 Handed DES-186-202 Rev. 2
G4033M Plot 2 As, Plot 3 Handed DES-186-203 Rev. 2
A4715M Plots 5-6 DES-186-204 Rev. 3
A3711M Plots 31 As, Plot 7 Handed DES-186-205 Rev. 2
A2708M Plot 8 DES-186-206 Rev. 2
A2708M Plot 9-12 DES-186-207 Rev. 2
G5037M Plots 14, 16, 33 and 49 DES-186-208 Rev. 4
Garages DES-186-209 Rev. 2
G5037M Plot 42 As, Plot 35 Handed DES-186-210 Rev. 4
S4041M Plot 36, 44 As, Plot 19 Handed DES-186-211 Rev. 4
S4041M Plot 41 DES-186-212 Rev. 3
S3022 Plot 20 DES-186-213 Rev. 2
S3022 Plot 21 DES-186-213 Rev. 2
S3022 Plot 37 As, Plot 40 Handed DES-186-215 Rev. 1
S3019 Plot 22 DES-186-216 Rev. 1
S3019 Plot 23 DES-186-217 Rev. 1
S4027M Plt 25 and 45 As, Plot 32 Handed DES-186-218 Rev. 1
B3017M Plot 26 DES-186-219 Rev. 1
A3710M Plots 27-28 DES-186-220 Rev. 1
S4026 Plot 34 As Plot 18 Handed DES-186-221 Rev. 3
B3017M and B2039M Plots 38, 39 As, Plots 46,47 Handed DES-186-222 Rev. 1
Garages DES-186-223 Rev. 5
Garages DES-186-224 Rev. 5
Garages DES-186-225 Rev. 4

Drainage Strategy Rev B
Drainage Statement Rev B

REASON: To define the permission.

02. The clear stem height of trees adjacent to roads and within and adjacent to parking and turning areas must be a minimum of 2.0m.
Reason: In order to maintain sufficient visibility in the interests of highway safety.
Relevant Policy: CSDPD CS23.
03. No gates shall be provided on any vehicular route within the site.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
04. No dwelling shall be occupied until the access roads and footways within the development which provide access between the dwelling and Newhurst Gardens have been constructed. The construction of roads and footways within the development shall be in accordance with Council's adoptable standards and shall be surfaced in accordance with the materials shown on approved plan DES/186/107 Rev:5. Where there is a transition between roads with footways alongside and shared surfaces the surface shall be flush and level for the movement of pedestrians (including those with pushchairs or wheelchairs) between the footway and the shared surface.
REASON: In the interests of highway safety and for the amenity of pedestrians and those with disabilities.
[Relevant Policies: Core Strategy DPD CS23; BFBLP M6 and M7]
05. No dwelling shall be occupied until all the visibility splays and areas required for a fire tender swept path to oversail (frontage of plot 16) shown on the approved drawing DES/186/110 Rev:3 have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
06. The dwellings on plots 5 and 6 shall not be occupied until means to deter on-street parking (such as signs or road markings) in the following locations have been submitted to and approved in writing by the Local Planning Authority:
 - (a) the bend in the access road located south-east of plot 4 ensuring that the visibility splays for the accessways serving plots 43 to 50 and plots 1 to 4 shown on drawing DES/186/110 Rev:3 can be maintained clear of on-street parking; and
 - (b) the area of carriageway around the narrowing east of plots 5 & 6 ensuring that the visibility splays for the junction between plots 7 and 31 shown on drawing DES/186/110 Rev:3 can be maintained clear of on-street parking.Thereafter the approved means to deter on-street parking in locations (a) and (b) shall be retained and maintained.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. No dwelling shall be occupied until:
 - (a) details of the signage and/or road markings for the eight visitor parking spaces shown on drawing DES/186/102 Rev:5; and

(b) details of directional signage to be provided on the north-south avenue in the vicinity of plots 5 & 6 indicating the location of visitor parking north of plot 7; have been submitted to and approved in writing by the Local Planning Authority. The visitor parking spaces shall be provided in the locations shown on drawing DES/186/102 Rev:5 and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

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

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

08. Within the allocated garage parking spaces shown on drawing DES/186/102 Rev:5 an area of at least 6.0m long by 3.5m wide per garage shall be retained for the use of the parking of a vehicle at all times.

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

[Relevant Policy: BFBLP M9]

09. Within the allocated car port parking spaces shown on drawing DES/186/102 Rev:5 an area of at least 5.5m long by 3.0m wide per car port shall be retained for the use of the parking of a vehicle at all times.

Notwithstanding the provisions of the Town and Country (General Permitted Development)(England) Order 2015 (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.

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

[Relevant Policy: BFBLP M9]

10. No part of the development shall be occupied until details of on-site refuse storage and collection points (including any open-air storage or collection point facilities) for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Collection points shall be sufficiently sized for three bins per household to be placed in the collection point on the day of collection without obstructing vehicular or pedestrian routes or visibility splays. Refuse storage and collection facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste storage facilities, in the interests of amenity and in the interests of highway safety.

[Relevant Policy: Core Strategy DPD CS13, CS23]

11. The garages with studios above hereby permitted on plots 1, 3, 13, 15, 17, 24, 43, 48 and 50 shall be used only for purposes ancillary to the use of the dwelling house and not sold or let as a separate dwelling.

REASON: To prevent studio garages being used as separate dwellings which would have an additional impact upon the Thames Basin Heaths SPA.

[Relevant Policies: CS14 CSDPD].

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or

enlargement thereof shall be constructed in the rear elevations of plots 15, 20, 21, 22, 23, 24, and 25 hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. Formation of access from Newhurst Gardens (in accordance with Outline permission) will require entering into a Highways Act Section 278 (and potentially S38) agreement with the Highway Authority. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk, to agree the access construction details and to grant appropriate licences and/or agreements before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.
03. Notwithstanding the wording of Bracknell Forest Council's Parking Standards SPD and the electric vehicle charging infrastructure set out on drawing DES/186/102 Rev:5, the Building Regulations part S "Infrastructure for the charging of electric vehicles" 2021 edition took effect on 15 June 2022 for use in England. It does not apply to work subject to a building notice, full plans applications or initial notices submitted before that date, provided the work is started on site before 15 June 2023. In addition, the British Standards Institute published the document "The Electric Vehicles - Accessible Charging Specification" (PAS 1899:2022) in October 2022. The applicant should familiarise themselves with and comply with the requirements of these Building Regulations and British Standards Institute documents with regard to provision of electric vehicle charging infrastructure.

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Unrestricted Report

ITEM NO: 7

Application No.
21/00978/FUL

Ward:
Crown Wood

Date Registered:
17 September
2021

Target Decision Date:
17 December 2021

Site Address:

**Crown Wood Primary School Opladen Way Bracknell
Berkshire RG12 0PE**

Proposal:

**Change of use from amenity land to educational use, including the
erection of 2m high boundary fence.**

Applicant:

Strudley

Agent:

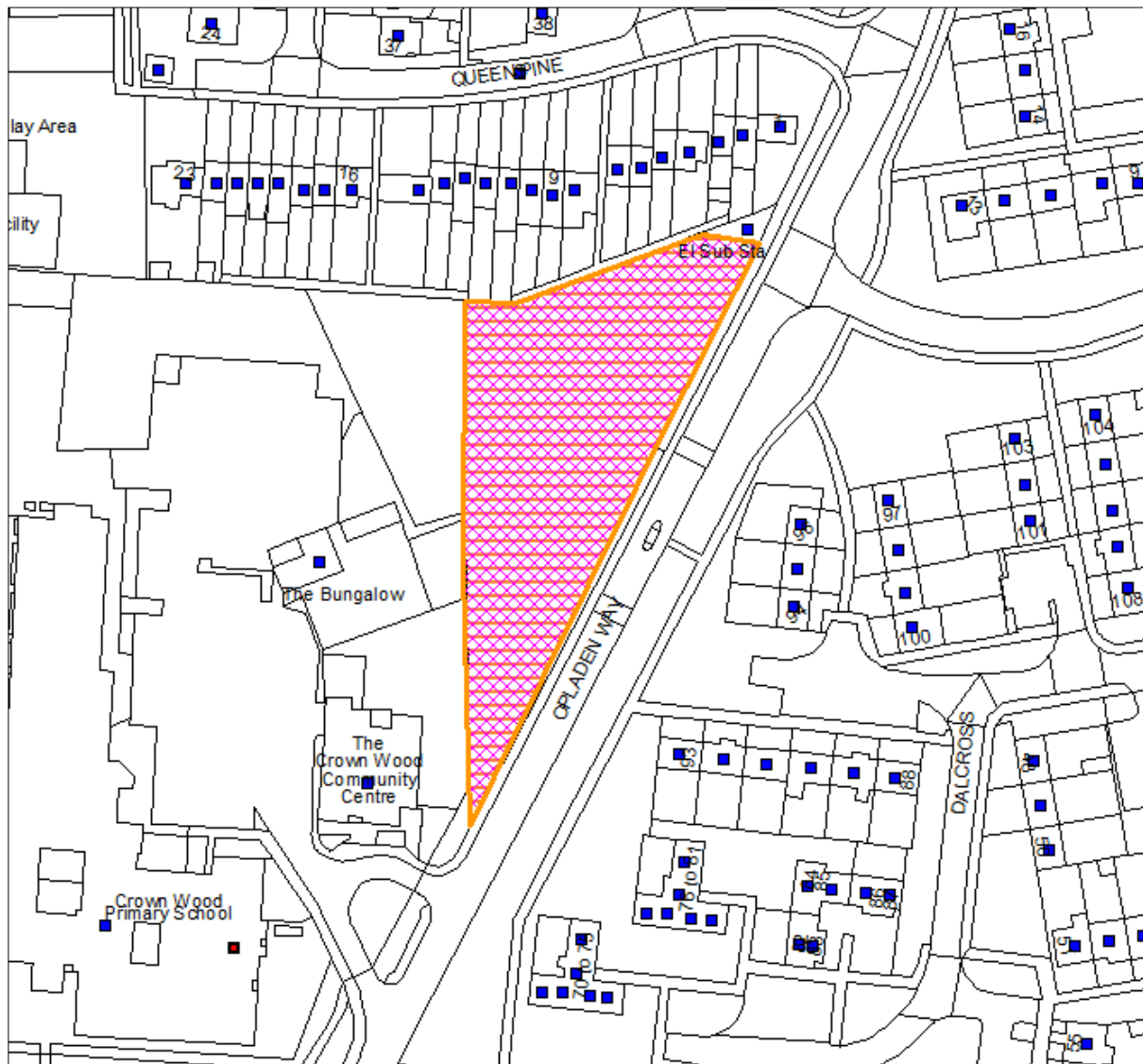
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Case Officer:

Katie Andrews, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 This application is for the change of use from amenity land to educational use, including the erection of 2m high boundary fence.
- 1.2 The development relates to a site within the settlement boundary. It is not considered the development would result in the loss of open space or have an adverse impact on the character of the area or the street scene of Opladen Way. The relationship with adjoining properties is acceptable and it would not increase flood risk elsewhere. The proposal has satisfactorily addressed biodiversity issues and a condition is proposed requiring the submission of a management plan for the woodland.

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is before the committee due to the number of objections received and at the request of Cllr Dudley regarding the visual impact of the fence on Opladen Way.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within defined settlement
Surface water flood risk
Active open space of public value designation covers part of the woodland

- 3.1 The application site relates to an existing area of amenity land (woodland). It is located to the north east of the main school buildings of Crown Wood Primary School and located next to an existing area of land within the school grounds used as a Forest School. To the west of the application site is the school carpark and grounds. To the north are terraced houses in Queens Pine. The eastern edge of the site is bounded by Opladen Way.

4. RELEVANT SITE HISTORY

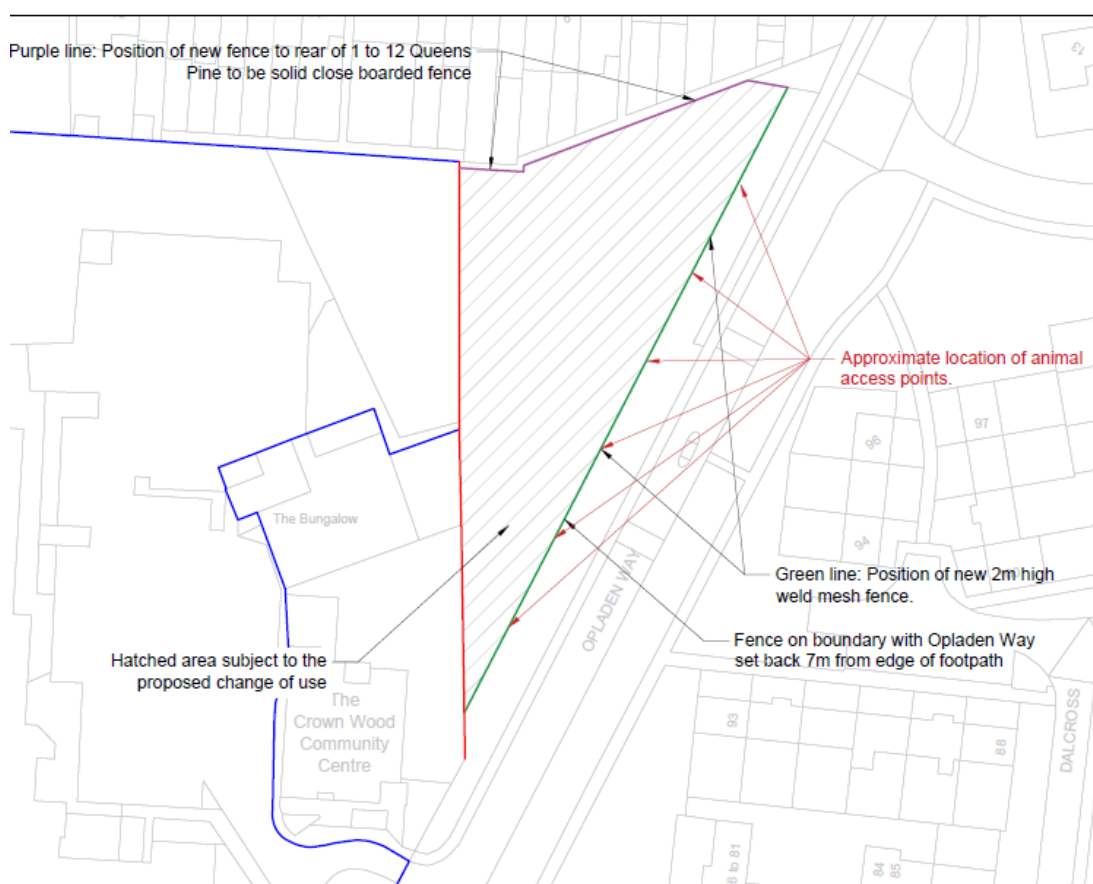
None directly relevant to this proposal.

5. THE PROPOSAL

- 5.1 This is a change of use application from amenity land to educational use, including the erection of a 2m high boundary fence.
- 5.2 The land is proposed to be used for a Forest School and to link up with the existing land used within Crown Wood Primary School as a Forest School.
- 5.3 The proposed fence is shown to be 2m in height and constructed of weld mesh with a powder green finish, fronting Opladen Way. The plans have been amended since

they were first submitted to provide a 2m high close boarded fence to the boundary with the properties in Queens Pine.

- 5.4 The application has also been amended to set the fence fronting Opladen Way back from the footpath by approximately 7 metres such that it will maintain approximately 9 metres from the road. Holes are also required under the fences, for wildlife movement across the site, and these have been shown in approximate locations on the plans.
- 5.5 The applicants have advised that they do not intend to install any permanent structures or play equipment on the site and the idea of a Forest School is that a natural environment for the children to explore is created. There may be temporary structures such as a shelter/seating area created from a parachute and logs. Only scrub will be cleared, where required, and the extent of the required clearance has been advised as being minimal.
- 5.6 During Forest School lessons, children are taught safety rules and skills for using equipment (e.g handsaws, loppers, vegetable peelers and bill hooks) and doing activities such as tree climbing and making a fire.
- 5.7 The children learn about, and respect for, the natural world and get the chance to do activities such as whittling greenwood, cooking over fire, den building, mud kitchen, natural arts and crafts, planting/gardening, bug hunting and role play. The forest is used in all weathers except lightning and high winds. There is an indoor classroom available on site when it gets too cold as well as a chemical toilet.



Proposed site plan

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Objects to the change of use of amenity land to residential enclosed by 1.8 m high fence as per BTC Amenity Land policy. They have advised that common reasons for enclosure include an increase of garden area for example to allow for the construction of an extension or to bring the land under control for maintenance, especially to prevent littering, dog fouling or other nuisances. Such areas, particularly if part of the highway, may be important for traffic safety reasons. Other areas may be an integral part of the overall design and layout of an estate, contributing to the appearance and character of that estate. Enclosure, in these cases, particularly by high screen walls and fences, could seriously alter the symmetry and attractiveness of an area and destroy the singular character of an estate or locality. In addition, some verges or amenity areas support trees that contribute to the amenity of the area. *[Officer note: the application is not for a residential use]*

Other Representations

6.2 Twenty letters of objection have been received on the original plans:

- Fence would be out of character and an eyesore.
- Invasion of privacy from woodland to houses in Queens Pine.
- Increased noise from the school as buffer zone removed, 7 days a week.
- Will destroy trees and wildlife.
- Negative impact on wildlife.
- Smells, fumes and smoke from fires.
- Impact on property values *[Officer note: this is not a material planning consideration]*

6.3 Six letters of objection, raising additional comments to the above, have been received on amended plans:

- Proposed Forest School situated too close to Queens Pine houses and would be detrimental to residents who live there.
- Forest School should not be extended.
- Boundary fence adjacent to Opladen Way set back 7 metres but not the same for residential properties.
- Safeguarding issues for the school and residents.
- Woodland should stay as amenity land as not owned or purchased by the Forest School.
- The proposed fence cannot be built as shown on the new location plan, as residents of Queens Pine numbers 3,4,5,6,7,8,9,10,11 and 12 own the fence and maintain it jointly. Require access from both sides. *[Officer note: the plan has been amended to show access to the rear of these properties]*
- Works required to add fences and clear areas on land will have a high human presence in the woodland and force wildlife out.
- Against Forest School ethos.

7. SUMMARY OF CONSULTATION RESPONSES

Lead Local Flood Authority

7.1 No objection.

Highways

7.2 No objection

Environmental Health

7.3 No objection: Recommend a close boarded fence to the boundary with residential properties [Officer Note: The plans have been amended to show this]

Trees

7.4 The application is not controversial or damaging to the trees.

Biodiversity Officer

7.5 No objection subject to a condition requiring the submission and approval of a woodland management plan and holes secured under the fencing.

Thames Water

7.6 No comments to make

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Residential Amenity	Saved policy EN20 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Open Spaces	CS8 of the CSDPD	Consistent
Supplementary Planning Documents (SPDs)		
Design (2016)		
Other publications		
National Planning Policy Framework (NPPF)		

Bracknell Town Neighbourhood Plan

Policy EV1 Open Space of Public Value

Policy EV4 Protection of Trees

Policy HO8 Buildings: Good Quality Design

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of the development
- ii. Impact on the character of the area and trees
- iii. Impact on residential amenity
- iv. Biodiversity
- v. Flooding

i Principle of the development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. CSDPD CS8 Recreation and Culture advises that development will be permitted which (i) retains, improves and maintains existing Recreational Facilities; and/or (ii) provides and maintains new Recreational Facilities. Part of the site is identified as active open space, in connection with the school, on the BFBLP Policies Map and part of the site is identified as open space of public value

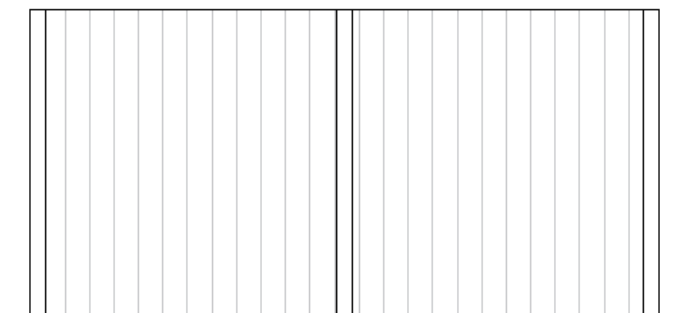
under Bracknell Neighbourhood Plan Policy EV1. Crown Wood School is included on the map as site 218 and this includes part of the woodland under this application under the school's reference. The proposal will therefore not be in conflict with CSDPD Policy CS8 or Policy EV1 of the Neighbourhood Plan as the open space will remain and be used by the school. The remainder of the site is not shown on the open space map and there would be no objection to the school using the woodland for open space associated with Crownwood Primary School.

9.3 Overall, due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles), CS8 (Recreation and Culture), Bracknell Town Council Policy EV1 (Open Space of Public Value) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area and trees, residential amenities of neighbouring properties, biodiversity or flooding. These matters are assessed below.

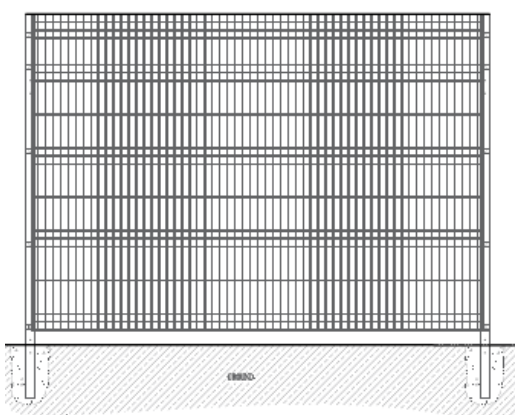
ii. Impact on character and appearance of the area and trees

9.4 Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Section 12 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, the NPPF states that the design of development should help improve the character and quality of an area and the way it functions. Policy HO8 Buildings: Good Quality Design of the Bracknell Town Neighbourhood Plan advises that new development proposals will be expected to demonstrate that they use high quality boundary treatments that are in keeping with the local area.

9.5 The land in question relates to an area of approximately 0.28 hectares. The land connects with an existing area of woodland at the school used as a Forest School and fronts Opladen Way. No trees, apart from scrub, are proposed to be removed and no permanent structures are proposed within the woodland. The only material operation which requires planning permission is the erection of 2 metre high fencing and the use of the land as part of the Forest School. The application has been amended to set the fencing approximately 9 metres back from the road where it fronts Opladen Way it would be a green mesh fence. This would ensure that there would be no significant impact to the character of the area with the existing vegetation obscuring the fence, which would itself allow views through due to its mesh construction. Along the boundary with the properties at 1 to 12 Queens Pine, the fence has been amended to be close boarded. This is not considered to raise any design concerns. An arboricultural method of construction statement has been submitted to ensure the construction of the fence will not harm any trees and this can be secured by a planning condition. The fencing is not considered to harm the character of the local area and would be obscured by the existing vegetation.



Close boarded fence to boundary with 1 to 12 Queens Pine



2 metre high weld mesh fence to boundary with Opladen Way

9.6 The Forest School would be contained within the fencing and would be used during school hours and for some extra school activities. As such, the change of use is not considered to have a significant detrimental impact in the character of the area.

9.7 The proposal is not considered to adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, Policy HO8 of the Bracknell Town Neighbourhood Plan and the NPPF.

iii. Impact on residential amenity

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

9.9 The proposed Forest School would be located to the south of the properties in 1- 12 Queens Pine. The school is currently operating a Forest School in the existing area of woodland to the south of properties at 13-17 Queens Pine and Environmental Health have been consulted on the application. They have recommended that the fence is made solid along the boundary with the properties in Queens Pine, which offers a better acoustic barrier and would prevent any smoke travelling from fires on the school side . Whilst it is noted that the school activities would occur closer to the boundary with the residents at 1-12 Queens Pine, than currently, and there may be a slight increase in noise in the immediate vicinity during the Forest School sessions, the site is a small extension from that already in educational use and is unlikely to result in a significant adverse impact on local residents of the site.

9.10 The proposed close boarded fence to the boundary with the properties in Queens Pine and their existing rear boundary treatments, would prevent any overlooking occurring from the Forest School to the residents properties. Views from the rear of the properties in Queens Pine to the Forest School would be obscured by the existing vegetation in the woodland and would be set back at least 10 metres from the boundary not resulting in a significant privacy concern.

9.11 As such, the proposal would not be considered to affect the residential amenities of residents of neighbouring properties to a significant level and would be in accordance with 'Saved' policy EN20 of the BFBLP.

iv. Biodiversity

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

9.14 The application is accompanied by an Ecological Mitigation and Enhancement Plan. The report has considered protected species on the site and advises that the development will not result in a loss of habitat for bat foraging, or for invertebrates or reptiles. Nesting birds could be on site from 1 March to 31 August and compliance with the report is recommended to secure that work only takes place at this time under close inspection of an ecologist. The site provides a suitable habitat for hedgehogs and gaps should be created in the new boundary fences to provide community routes through the site. Badgers have been known to have previously been on the site and a badger survey has been provided. The badger survey advises that there has been no recent badger activity on the site and that a licence from Natural England would not be required. Mitigation however should be carried out and a pre commencement badger walkover survey should be undertaken before the change of use commences to confirm that there is no badger activity.

9.15 Following advice from the Council's Biodiversity consultant the plans have been amended so that the fence is set back from the woodland edge and mammal holes will be provided in the fence. This will ensure that any adverse impacts on wildlife is minimal. A condition is recommended to secure a woodland management plan before any works commence.

9.16 The proposal is therefore considered to be in compliance with Policies CS1 and CS7 of the CSDPD

v. Flooding

9.17 It has been identified that an area of surface water flooding runs across the site. Following consultation with the Lead Local Flood Authority they have advised that whilst the development is relatively minor, constituting a fence around an area of woodland, a surface water flow path exists through the centre of the site. However, it is noted that the passage of water would be allowed through the current fence design and it is recommended that any future designs of the fence consider the onward conveyance of surface water.

9.18 Furthermore, they have advised that, given the scale and nature of the development and the direction of flow (from an analysis of the Environment Agency's Risk of Flooding

from surface water mapping), should the fencing cause any blockages of water, flooding would be contained within the woodland area and would not increase flood risk elsewhere.

9.19 It is also noted that the fence would have holes underneath for the passage of wildlife which would help with the passage of water.

10. CONCLUSIONS

9.20 This is a change of use application from amenity land to educational use, including the erection of 2m high boundary fence. The principle is acceptable as it will not result in the loss of existing open space. The plans have been amended since they were originally submitted to set the fence back approximately 7m from the footway, to have a close boarded fence to the northern boundary, and to provide holes under the fencing to Opladen Way. The proposal is considered to have an acceptable impact on the amenity of the surrounding area, with the fence set back from the main road with screening in front. The use of the woodland for a Forest School is not considered to significantly harm the amenity of neighbouring properties due to the nature of the proposal and the existing school use at the site. The proposal has addressed biodiversity and drainage considerations.

9.21 It is therefore considered that the proposed development complies with 'Saved' Policies of the BFBPLP and Policies of the CSDPD, the Bracknell Town Neighbourhood Plan and the NPPF (2021).

11. RECOMMENDATION

The application is recommended to be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plan received by the Local Planning Authority 23 November 2022:

-PL-01-E Site Location Plan.

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

03. The Arboricultural Method Statement produced by M S (Tree) W Consultancy Ltd shall be complied with in respect to page 9 and the fencing method of construction statement, when the approved fencing is constructed in accordance with approved drawing PL-01-E Site Location Plan.

REASON: To ensure the trees on site are protected.

[Relevant Policies: BFBPLP EN1, CSDPD CS7]

04. The recommendations contained within the arbtech Badger Survey dated March 2022 on page 11, shall be complied with in full, with a pre-commencement badger walkover survey to be undertaken. The results of this survey shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development work on site.

REASON: To ensure the protection of a protected species.

[Relevant Plans and Policies: CSDPD CS1, CS7]

05. The method statements contained in the Ecological Mitigation and Enhancement Plan produced by arbtech dated 22 February 2022 regarding pre-commencement nesting bird checks on page 13 and precautionary methods of vegetation removal to prevent injury to reptiles on page 15 shall be complied with in full prior to the commencement of any development works on the site.

REASON: To ensure the protection of a protected species.

[Relevant Plans and Policies: CSDPD CS1, CS7]

06. The development hereby permitted shall not come into use until a woodland/biodiversity management plan has been submitted to and approved in writing by the Local Planning Authority. This shall include the proposed enhancements in the Ecological Mitigation and Enhancement Plan dated 22 February 2022. The plan is to run for a period of five years and is to comprise as a minimum the following:

1. Detailed description and maps of habitats on the site
2. Clear long and short term aims and objectives for the site, to include measures to restore and enhance the woodland and habitats,
3. Prescriptions to achieve the aims and objectives of the plan
4. Details of how the aims, objectives and prescriptions will be monitored, and what processes will be put in place to ensure that the plan is iterative (ensuring its aims and objectives are met and that management is adjusted to ensure that this is the case). The plan is thereafter to be implemented as approved.

REASON: To ensure that the development does not lead to deterioration in the ecological value of the site, and that the development leads to an enhancement of the site's ecological value

[Relevant Policies: CSDPD CS1, CS7]

07. Prior to the erection of the fencing, a plan shall be submitted to and agreed in writing by the Local Planning Authority, based on the approved plan PL-01-E, to show where the gaps and sizes of the holes are proposed under the fencing to allow for the free movements of wildlife. The agreed details shall be implemented under the fencing at its time of construction with the holes being retained as open whilst the fencing is in place.

REASON: To ensure that wildlife has freedom of movement.

[Relevant Policies: CSDPD CS1, CS7]

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: 6, 7

No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 3, 4, 5

Unrestricted Report

ITEM NO: 8

Application No.
21/00657/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
28 July 2021

Target Decision Date:
22 September 2021

Site Address:

Windmill Farm Malt Hill Warfield Bracknell Berkshire

Proposal:

Erection of 6 no. four-bed dwellings with parking and landscaping and construction of new access track following demolition of existing agricultural buildings and removal of existing access track.

Applicant:

Mr Paul Knights

Agent:

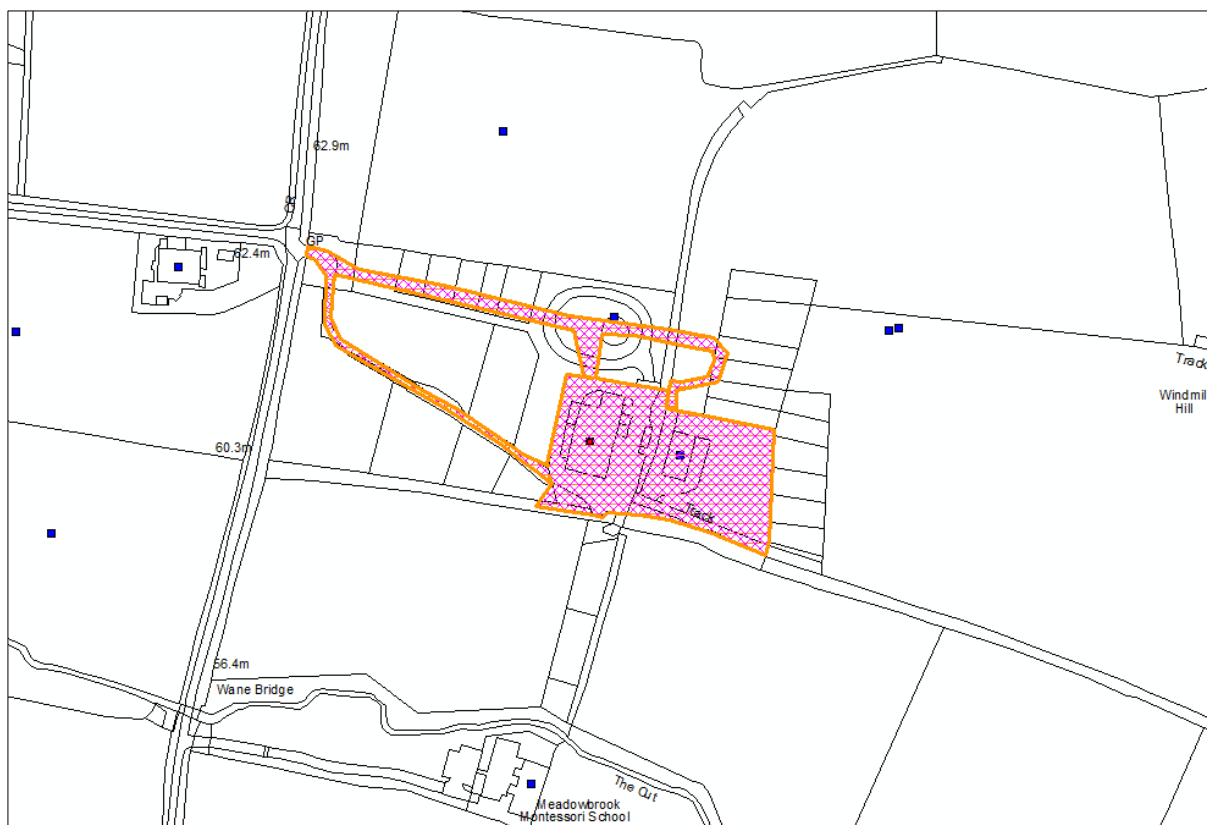
Mr Matthew Miller

Case Officer:

Sarah Fryer, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 This application is for the removal of agricultural buildings and their replacement with 6 dwellings. The application site is within the green belt and so Green Belt policy applies. The site has prior approval consent to convert the existing barns into 4 residential dwellings which is a valid fall-back position. This establishes that the principle of residential development would be acceptable upon the site.
- 1.2 The proposal is considered to comply with both national and local green belt policy and there are no objections from highways or biodiversity officers. The application is therefore recommended for approval.

RECOMMENDATION

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Green Belt

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning history can be summarised as follows:

00/00329/FUL

Extension to barn

Approved 18.05.00

01/00122/FUL Erection of barn

Approved 18.04.2001

16/01078/FUL Creation of improved access to existing farm plus new boundary fencing.

Approved

29.12.2016

16/00803/FUL Extension to existing cattle shed to provide shelter to existing feeding area.

Approved

22.09.2016

PRE/18/00083/GEN Notification of change of use under Class R for less than 150 sq.m. of agricultural building and less than 150 sq.m. of curtilage from agriculture to a flexible commercial use falling within use class D2 (Assembly and Leisure), specifically for equestrian stabling.

19/00717/PAA Application for prior approval change of use of existing agricultural building to use as 4 no. residential dwellings (C3)

Approved 11.09.2019

19/00718/PAA

Application for prior approval change of use of existing agricultural buildings to use as 1 no. residential dwelling.

22/00748/PAD

Prior approval determination application for the creation of an agricultural access road.

Approved 02/011/22

5. THE PROPOSAL

5.1 Planning permission is sought for the demolition of the existing buildings upon the site. The lawful use of the buildings is agriculture, with the exception of part of one building having a lawful use of equestrian. As part of the proposal the existing access road would be removed and a new one created, further north into the site. The route of the new access has recently been approved as under prior approval application (Ref: 22/00748/PAD).

5.2 The buildings would be replaced with a run of five two storey dwellings consisting of a terrace of three flanked by two detached units at either end, and a single storey detached bungalow.

5.3 The group of five dwellings have a shallow pitched roof and modern minimalist design with vertical fenestration extending floor to ceiling, with car ports recessed beneath part of the first floor. These would be constructed out of metal roofing with integrated PV panels, timber weatherboarding, and metal framed windows.



5.4 The single storey detached dwelling would have two parallel pitched roofs in a staggered arrangement and linked by a flat roofed section. The design would also be minimalist with the same palette of materials as the other dwellings.



6. REPRESENTATIONS RECEIVED

Warfield Parish Council

6.1 Warfield Parish Council objects to the proposal for the following reasons:

- excessive development of the Green Belt
- Councillors expressed concerns over the increase of traffic onto a rural lane.

6.2 Other Representations

10 letters objecting to the proposal have been received for the application.

- This is highly inappropriate and excessive development within the Green Belt which is contrary to policy
- Contrary to Warfield Neighbourhood Plan
- Not required to deliver additional housing within the Borough.
- Malt Hill is a rat run and the proposal will only add to dangerous traffic levels in the area.
- Housing proposed is not in keeping with the area.
- Trees should be planted to off-set the carbon footprint
- Would result in a massive increase in traffic on the lane to the danger of other road users.
- Would result in excessive wear and tear on the existing road surface
- There are no special circumstances which enable the contravention of the protection of the open countryside.
- Inappropriate location for such a development given the lack of public transport.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highway Authority

No objection subject to conditions.

7.2 Environmental Health

No objection but recommends conditions to ensure any pollutants remaining upon the site are removed before the dwellings are occupied.

7.3 Biodiversity

Following submission of additional information, no objection subject to conditions.

7.4 Renewable Energy

Requires an Energy Demand Assessment demonstrate compliance with CSDPD Policy CS12

Based on current standards this will require 20% on-site renewable energy. In the current climate we seek to ensure this policy is adhered to.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
Principle of Development	CSDPD Policies CS1 and CS2	Consistent
Design & Character	CSDPD Policy CS7 and BFBLP 'Saved' Policy EN20	Consistent
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent
Residential Amenity & Pollution	'Saved' Policies EN20 & EN25 of BFBLP	Consistent
Transport	CSDPD Policy CS23 and BFBLP 'Saved' Policy M9	Consistent
Drainage	CS1 of CSDPD	Consistent
Green Belt	BFBLP GB1	Not fully consistent
Biodiversity	CSDPD Policies CS1 & CS7 WNP13	Consistent
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent
SPA	CS14 of CSDPD BFBLP 'Saved' Policy EN3 SEP 'Retained' Policy NRM6	Consistent
Dark Sky's	WNP13	Consistent
Supplementary Planning Documents (SPD)		
Design SPD (2017)		
Parking Standards SPD (2016)		
Sustainable Resource Management SPD (2008)		
Thames Basin Heaths SPA SPD (2018)		
Warfield Neighbourhood Plan (now in effect following referendum result)		
Other publications		
National Planning Policy Framework (NPPF) 2021)		
National Planning Policy Guidance (NPPG)		
BFC CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity

- iv. Transport and Highways Considerations
- v. Biodiversity
- vi. Land contamination
- vii. Sustainable Energy
- viii. Community Infrastructure Levy

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (para. 2). Section 13 of the NPPF contains specific policies relating to development within the Green Belt. Paras.147-149 set out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). The Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt.

9.3 Policy CS1 of the CSDPD sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes. This is consistent with the NPPF and as such can be afforded full weight.

9.4 Policy CS2 of the CSDPD states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

9.5 The site is located outside of a defined settlement on the Bracknell Forest Borough Policies Map (2013) and within the Green Belt. Therefore, Policy CS9 of the CSDPD and 'Saved' Policies GB1 and EN8 of the BFBLP are relevant. These policies seek to protect the Green Belt from inappropriate development.

9.6 Whilst relevant, 'Saved' policy GB1 is not wholly consistent with the NPPF as it does not address previous developed land (PDL) which was introduced by the NPPF in 2012.

9.7 Policy CS9 of the CSDPD states that the Council will protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land, and will protect the Green Belt from inappropriate development. In addition to this, it is stated in 'Saved' Policy EN8 of the BFBLP that development would only be permitted outside of the defined settlement boundaries where it would not damage its landscape quality and would not injure the visual amenities for the Green Belt.

Green Belt

9.8 Paragraph 147 of the NPPF states that inappropriate development within the Green Belt is by definition harmful.

9.9 Paragraph 148 of the NPPF states that: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm in the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

9.10 Paragraph 149 states that the 'local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agricultural or forestry;

- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in a disproportionate additions over and above the size of the original building;
- d) the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt,

9.11 In accordance with Part R of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the Council was notified of the change of use of part of building 1 to D2 (assembly and leisure) to enable part of the building to be used for equestrian. This means that this part of the building and site can be considered as previously developed land (PDL).

9.12 Class R allows for 'Development consisting of a change of use of a building and any land falling within its curtilage from a use as an agricultural building to a flexible use falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class B1 (business), Class B8 (storage and distribution), Class C1 (hotels) or Class D2 (assembly and leisure) of the Schedule to the Use Class Order.'

9.13 Part of the site would therefore comply with criterion g) of Paragraph 149 of the NPPF.

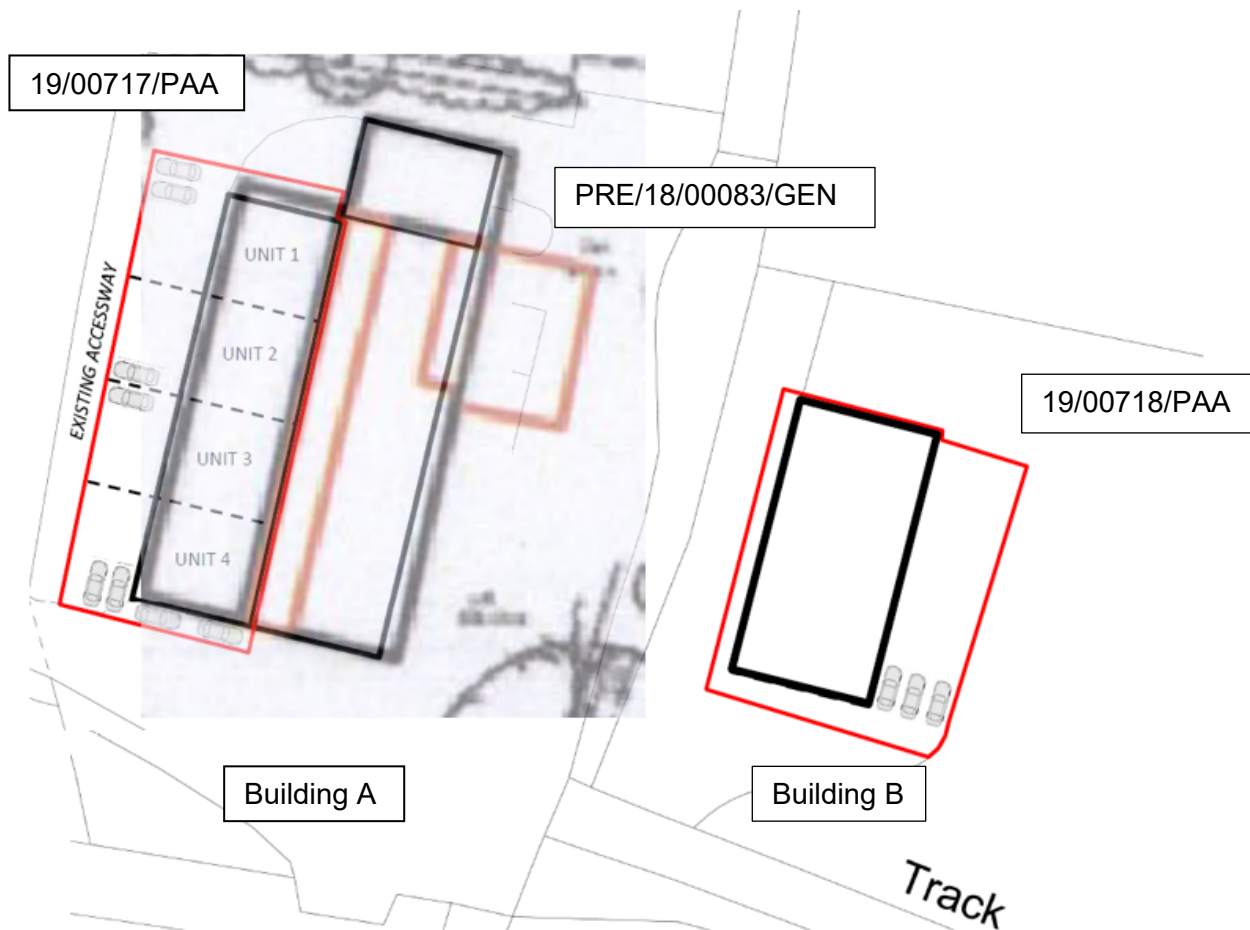
9.14 The remainder of the proposal would not meet any of the above criteria as agricultural use is excluded from the definition of PDL. Therefore, the majority of the development is deemed to be inappropriate development. The next step is to consider whether there are any very special circumstances which apply.

9.15 The site benefits from two applications for prior approval which approved the change of use of the agricultural buildings to residential use.

9.16 19/00717/PAA granted prior approval consent for the change of use of part of building A to 4no. dwellings.

9.17 19/00718/PAA Granted prior approval consent for the change of use of building B to a single dwelling.

9.18 The plan below shows the location and extent of these three permissions.



9.19 The areas outlined in red can be lawfully converted to residential use, or in the case of the D2 element can be considered as PDL. In determining applications within the Green Belt case law has established that a legitimate fallback of residential development is a material consideration and can be considered as a very special circumstance.

9.20 The table below provides details of the scale of the proposal against that of the existing built form and hardsurfacing. The table shows there would be marginal increases in footprint, and volume. There is a significant reduction in hard surfacing resulting in the greening up of the site. Proposed building A would be slightly higher, but lower than existing building B, and proposed building B would be significantly lower than existing building B and slightly lower than existing building A. There would be an overall reduction in the highest building of the site by over 1 m. Accordingly, the size and mass of the overall proposal is similar to that of the existing buildings and would not have a detrimental impact upon the openness of the Greenbelt.

	Existing			Proposed			Difference
	Building A	Building B	Total	Building A	Building B	Total	
Volumes	4789m ³	2080m ³	6869m ³	4705m ³	2755m ³	7460m ³	591m ³ (9%) increase in volume
Footprint	948m ²	298m ²	1246m ²	737m ²	505m ²	1242m ²	-4m ² (0.3%) decrease
Hardstanding			3523m ²	554	196	730m ²	-2793m ² (79%) reduction
Height (to the ridge)	5.8m	8.4m		7.18	5m		

9.21 The proposal would subdivide the site into the residential plots, with the possibility of residential paraphernalia being installed such as fences, sheds and play equipment. To minimise the impact, the residential gardens have been kept to a minimum and in some cases substantially reduced from that initially proposed. The gardens are proposed on areas of existing hardstanding used for external storage, thus minimising the impact of the private amenity and associated paraphernalia areas on the openness of the Green Belt.

9.22 The proposed buildings would be roughly on the footprints of the existing built form resulting in no difference in the location of built form from that which is existing and resulting in no additional spread in the form of development within the Green Belt.

9.23 Accordingly, it is concluded that due to the planning history, and extant permissions very special circumstances apply with the result that the principle of the proposal is acceptable. Having had regard to the dimensions and volume of the proposal there would be no greater impact of the proposal than the existing buildings. It is therefore considered that the proposal complies with Paragraph 149 (g) of the NPPF.



Arial photo of the site- showing building A, to the left and building B to the right.

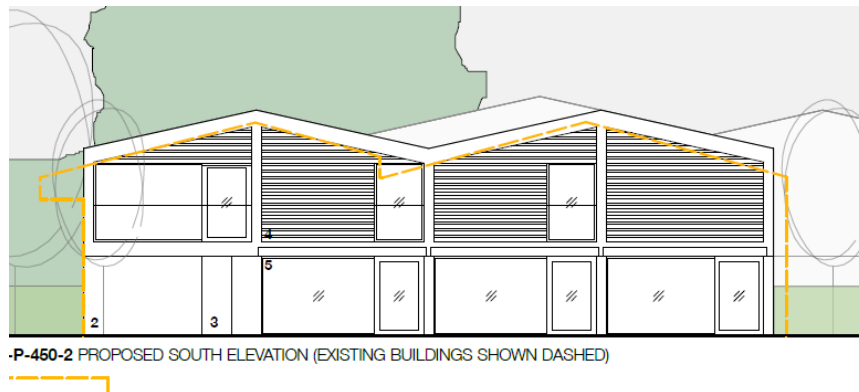
ii. Impact on Character and Appearance of Surrounding Area

9.24 Policy EN20 of the BFBLP considers the design of new development including ensuring that the proposal is in sympathy with the appearance and character of the local area and appropriate in terms of scale, mass, design, materials, layout and siting.

9.25 The proposal is located within the countryside, and on an isolated site away from any built up area. However, whilst set back from the highway by over 150m, there is a public footpath which runs along the southern boundary of the site and separates the proposal from the Windmill SANG site. Views of the proposal would be obtainable from both the SANG and the footpath.

9.26 The development utilises materials which are found within agricultural buildings including metal roof and timber weatherboarding. The low profiles and simple elevations of the buildings reflect the simple functional design often found in agricultural buildings. In this respect the proposal seeks to replicate the existing buildings on the site.

9.27 As demonstrated below, the profile of the proposal replicates that of the existing building as viewed from the public footpath. Given the simple design, use of materials found in agricultural buildings and low profiles, it is considered that the proposal would have no detrimental impact upon the character of the area.



iii. Impact on Residential Amenity

9.28 Policy EN20 of the BFBLP considers the design of new development including that the proposal would not detrimentally affect the amenity of surrounding properties and the adjoining area.

9.29 There are no existing properties close to the proposal which would be affected by overlooking or overshadowing of the proposal.

9.30 Each new property benefits from an area of private outdoor amenity space with space to hang out washing and store bins and bikes. This is in accordance with the design SPD.

9.31 Due to the orientation of the proposal, it is not considered that future occupiers would be overlooked or detrimentally affected by overlooking or overshadowing. The proposal is considered to comply with Policy EN20 (vii).

iv. Transport and Highways Considerations

Parking

9.32 Each 4-bedroom property requires 3 car parking spaces and 4 secure, covered, cycle parking spaces to accord with the Parking Standards SPD (March 2016). The spaces which are not within the curtilage of the property (predominantly those side-on to the access road) should be numbered to indicate which property they relate to. This can be secured with a suitably worded condition.

9.33 The garage of house 6 will need to be secured by condition for parking of at least one vehicle.

9.34 Secure, covered, cycle parking is also required at a rate of 1 cycle parking space per bedroom. Details of cycle storage have been submitted, however it is not demonstrated that this would meet the policy requirement. It is considered that this can be secured by condition.

9.35 The site is not located so as to reduce the need to travel nor to promote alternative modes of travel. This is because the routes from the development for pedestrians and cyclists to local facilities and services involve unlit, national speed limit roads without footways. The nearest bus stops are circa 1.2km away via the same routes. Therefore, the proposal could be considered contrary to CSDPD policies CS1 and CS23. Nevertheless, the fall-back position for 5 dwellings needs to be taken into account in this regard.

Access

9.36 The access road is too narrow to accommodate two-way traffic over much of its length. One passing place is proposed, plus widening at the access onto Malt Hill. Appendix F of

the Highways Guide for Development (Streetscene SPD Annex 1) states that a shared driveway should be a minimum of 4.1m wide with 0.6m margins to each side, to allow two cars to pass at slow speed in accordance with Figure 7.1 of Manual for Streets. The width has been increased to 5.6m, providing sufficient space for a width of 4.1m with 0.6m margins to the side.

9.37 Due to the distance from the highway, a swept path for a fire tender has been submitted showing how a large emergency vehicle would access the site in the event of an emergency. This is considered acceptable.

Refuse Collection

9.38 Bracknell Forest Council's refuse vehicle will not enter private roads which are not built to adoptable standards. Accordingly, waste collection would be from Malt Hill and a bin collection point has been provided within 25m of Malt Hill where residents are to put bins for collection day. This will still require residents to walk a longer distance with their bins than is set out in the Building Regulations part H6. However, this would be the same if the prior approvals were implemented.

9.39 Despite the relative remoteness of the site, which must be balanced by the Local Planning Authority as set out above, the Highway Authority has no objection subject to the imposition of conditions and informatives being appended to any planning permission.

v. Biodiversity

9.40 The application is for the erection of six dwellings following demolition of existing agricultural buildings. A new access road into the site will be created. The site is located adjacent to Windmill Meadows SANG. The ecology report (Derek Finnie Associates Ltd, May 2021, ref: DFA21030V2) concludes that proposals are very unlikely to affect any priority habitats or protected species.

Habitats and biodiversity net gain

9.41 The site primarily consisted of hardstanding, buildings, tall ruderal, hedgerow and scattered trees. These are not priority habitats as per the NPPF but nonetheless do have some ecological value. The report states that 'Biodiversity improvements will be incorporated into the landscaping for the scheme to ensure an overall biodiversity net gain is achieved as a result of the proposal.' Whilst no details of this biodiversity net gain are provided, the Council interim guidance on biodiversity net gain does not require biodiversity net gain to be demonstrated on minor applications. However, biodiversity enhancements, which are not mitigation, should be secured via condition.

9.42 Subject to appropriate conditions, the application is not considered to detrimentally affect biodiversity and complies with CSDPD Policy CS1, BFBLP Policy EN1, and WNP12 of the WNP.

vi Land Contamination

9.43 A Preliminary Ground Contamination Risk Assessment Report, ref:R14802, was submitted with the application and concludes that due to the agricultural uses of the site, fuel tanks, agricultural equipment and fuel, and made ground are all present. It recommends that, as complete pollutant linkages are considered to be present, an intrusive ground investigation should be undertaken to allow a quantitative assessment to be made of the risks posed to the end users and controlled waters. These further surveys including any remedial works which will be required can be conditioned.

9.44 Subject to the imposition of conditions required the further surveys recommended by the Preliminary Ground Contamination Risk Assessment Report, the proposal would not result in unacceptable levels of environmental pollution and would comply with Policy EN25 of the BFBLP.

vii Sustainability Implications

9.45 In respect of the proposed additional dwellings, Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.

9.46 A sustainability statement and energy demand assessment can be conditioned and so a suitably worded condition requesting these assessments will be imposed.

viii. Community Infrastructure Levy (CIL)

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

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

9.49 The proposal would be CIL liable. This will be secured in accordance with relevant legislation and would go towards infrastructure projects.

10. CONCLUSIONS

10.1 This application seeks to demolish agricultural buildings in the green belt which have the benefit of extant prior approval consents to permit residential use. Planning appeals have established that this constitutes a very special circumstance for the purpose of Green Belt policy. The replacement residential units have been assessed and would not be materially larger and the impact of residential use and paraphernalia has also been considered.

10.2 The siting of the dwellings would be on a similar footprint and orientation to the existing built form, with the curtilages of the dwellings on the existing hardstanding or significantly restricted to prevent urban sprawl into the Green Belt.

10.3 The proposal would not result in a negative impact on biodiversity, overlooking, or highway safety.

10.4 It is therefore considered that the proposed development complies with 'Saved' policies M9, and EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF, and policy WNP12 of the Warfield Neighbourhood Plan.

11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

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

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

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

Location Plan- 2010-P-100 R01

Proposed Access Plan 2010-P-200 R03

Proposed Site Plan (roof level) 2010-P-250 R04

Proposed Site Plan (Ground Level) 2010-P-251 R04

Proposed Site Plan (First Floor) 2010-P-252 R03

Existing and Proposed Side Elevations 1 2010-P-400 R01

Existing and Proposed Side Elevations 2 2010-P-401 R02

Existing and Proposed Side Elevations 3 2010-P-402 R01

Proposed Elevations 1 2010-P-450 R01

Proposed Elevations 2 2010-P-451 R01

Forwards Visibility drawing number 2103045-03 revision A dated 08/09/2022;

Swept Path Analysis Fire Tender drawing numbers: 2103045-TK04 revision B, 2103045-TK06 and 2103045-TK07 all dated 11/10/2022.

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

03. No development, other than demolition, shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. The development shall not be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during

the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

[Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]

05. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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]

06. The dwellings hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall enable the movement of mammals and other wildlife through the site. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.

REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.

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

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

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

REASON: to achieve net gains for biodiversity in line with paragraph 174 of the NPPF

08. No development hereby permitted (including site clearance and demolition) shall take place until a wildlife protection scheme for construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i) an appropriate scale plan showing where construction activities are restricted;
- ii) details of protective measures to avoid impacts during construction;

iii) a timetable to show phasing of construction activities; and

iv) details of persons responsible for compliance with legal consents, planning conditions, installation of protective measures, inspection and maintenance.

The wildlife protection scheme shall be implemented and maintained in accordance with approved details during the duration of operational work.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order

revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

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

REASON: In the interests of biodiversity and dark skies.

[Relevant Plans and Policies: CSDPD CS1CS7 and WNP 13.]

10. Prior to the commencement of development, a Phase II report (Site investigation) shall be submitted to and approved in writing by the Local Planning Authority. The Phase II report shall be completed by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

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

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

[Relevant Policies: Policy EN25 BFBLP]

11. Following completion of the desk top study (Phase I) and site investigation (Phase II) required by the above condition, a remediation scheme to deal with any contaminants identified (including gas protection measures if necessary) must be submitted to and approved in writing by the local planning authority prior to the commencement of development. The scheme shall include an implementation timetable, monitoring proposals and a remediation verification methodology. The remediation scheme must be carried out in accordance with the implementation timetable.

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

[Relevant Policies: Policy EN25 BFBLP]

12. A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority upon completion of the remediation/mitigation work in accordance with the agreed implementation timetables. The report shall include confirmation that all remediation measures have been carried out fully in

accordance with the approved remediation scheme and detail the action taken and verification methodology used (including details of the sampling and analysis programme) at each stage of the remediation/mitigation works to confirm the adequacy of decontamination. The Site Completion Report must also include details of future monitoring and reporting if this is deemed necessary, or a statement to the effect that no future monitoring is required, with an explanation as to why future monitoring is not necessary

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

[Relevant Policies: Policy EN25 BFBLP]

13. No dwelling shall be occupied until the new (northern) vehicular access route within the site has been constructed and the existing (southern) vehicular access route has been removed in accordance with the approved plans and in accordance with surfacing and construction details which have been submitted to and approved in writing by the Local Planning Authority. The new access way shall be retained thereafter.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
14. No development shall take place until details of the junction between the northern vehicular access route within the site and the adopted highway of Malt Hill has been approved in writing by the Local Planning Authority including provision of a bound or bonded surface material across the entire width of the access for a distance of at least 6.0m measured from the back edge of the carriageway of Malt Hill. No dwelling shall be occupied until that junction has been constructed in accordance with the approved details.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
15. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
16. No dwelling shall be occupied until the associated vehicle parking and turning space for that dwelling has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
17. The car ports hereby approved shall be retained for the use of the parking of cars at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (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.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of parking in on-approach and obstructive locations which would be a danger to other road users and prevent emergency services access to dwellings.

[Relevant Policy: BFBLP M9]

18. 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 with the provision compliant with the Council's Parking Standards SPD (March 2016). No dwelling shall be occupied until the approved scheme has been implemented. The facilities shall thereafter be retained and not used for any other purpose than cycle parking.

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

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

19. No dwelling shall be occupied until a Bin Collection Point has been provided in the location shown on the approved plans (within 25m of the carriageway of Malt Hill) and sized to accommodate 18 bins (3 per dwelling on peak collection days). The Bin Collection Point shall be retained thereafter and new residents shall be informed of the need to place their bins at the Bin Collection Point ready for collection day.

REASON: In order to ensure that waste collection can be undertaken by Bracknell Forest Council and in the interests of highway safety, character of the area and amenity of residents.

[Relevant Policies: BFBLP 'Saved' Policies EN20, Core Strategy DPD CS7 and CS23]

20. No gates shall be provided at the vehicular access to the site from Malt Hill or across any vehicular access route within the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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

The CEMP shall include as a minimum:

- (i) Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
- (ii) Details of the parking of vehicles of site operatives and visitors;
- (iii) Areas for loading and unloading of plant and materials;
- (iv) Areas for the storage of plant and materials used in constructing the development;
- (v) Location of any temporary portacabins and welfare buildings for site operatives;
- (vi) Details of any security hoarding;
- (vii) Details of any external lighting of the site;
- (viii) Swept paths of the largest anticipated construction vehicle, indicating that it can arrive in a forward gear, turn around within the site, and depart in a forward gear back onto the adopted highway network;
- (ix) Measures to control the emission of dust, dirt, noise and odour during demolition and construction;
- (x) Measures to control surface water run-off during demolition and construction;
- (xi) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site; and

(xii) Details of wheel-washing facilities during both demolition and construction phases. The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.

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

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

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

[Relevant Policy: Core Strategy DPD CS10]

23. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:
- (a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
 - (b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 20%).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
- 1. Time limit
 - 2. Approved plans
 - 5. Tree Protection
 - 9. Remove PD rights for external lighting

- 15. Visibility splays
- 16. Parking marked out
- 17. Car ports retained
- 19. Bin collection points
- 20. No gates

The applicant is advised that the following conditions require discharging prior to commencement of development:

- 7. Biodiversity enhancements
- 8. CEMP wildlife
- 10. Phase II report
- 11. Remediation
- 14. Details of junction
- 18. Cycle parking
- 22. Sustainability
- 23. Energy Demand

The applicant is advised that the following conditions require discharging prior to occupation of the development:

- 4. Soft Landscaping
- 6. Boundary details
- 13. Blocking up of access

The applicant is advised that the following conditions require discharging prior to other phases of the development:

- 3. Materials
- 12. Remediation

- 03. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations, the Party Wall Act or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
- 04. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknellforest.gov.uk , to agree the access construction details and to grant a licence before any work is carried out within the adopted highway (including verge and crossover). A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.
- 05. Notwithstanding the wording of Bracknell Forest Council's Parking Standards SPD, the Building Regulations part S "Infrastructure for the charging of electric vehicles" 2021 edition took effect on 15 June 2022 for use in England. It does not apply to work subject to a building notice, full plans applications or initial notices submitted before that date, provided the work is started on site before 15 June 2023. In addition, the British Standards Institute published the document "The Electric Vehicles - Accessible Charging Specification" (PAS 1899:2022) in October 2022. The applicant should familiarise themselves with and comply with the requirements of these Building Regulations and British Standards Institute documents with regard to provision of electric vehicle

charging infrastructure.

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 8

Application No.
21/00707/OUT

Site Address:

Ward:

Wildridings And Central

Date Registered:

14 July 2021

Target Decision Date:

13 October 2021

Former Bus Station Site Market Street Bracknell Berkshire

Proposal:

Hybrid planning application (part detailed / part outline) for the phased redevelopment of the Site to provide 169 residential (Use Class C3) and 850 sqm commercial floorspace (Use Class E(a),(b),(c),(d),(g),(g(i)) and F1(a) & (b)) delivered across three blocks of accommodation [detailed element] and the erection of a single block providing up to 2699 sqm of commercial floorspace (Use Class E (b), (c), (e), (f) and (g) and F2(b)) [outline element, matters reserved - layout, scale and appearance] and all other associated works including landscaping, public realm, car parking and cycle parking.

NOTE: Hybrid Application - Full planning permission is sought for the Blocks A/B/C, landscaping, access and car parking.

Applicant:

Bracknell Forest Cambium Partnership

Agent:

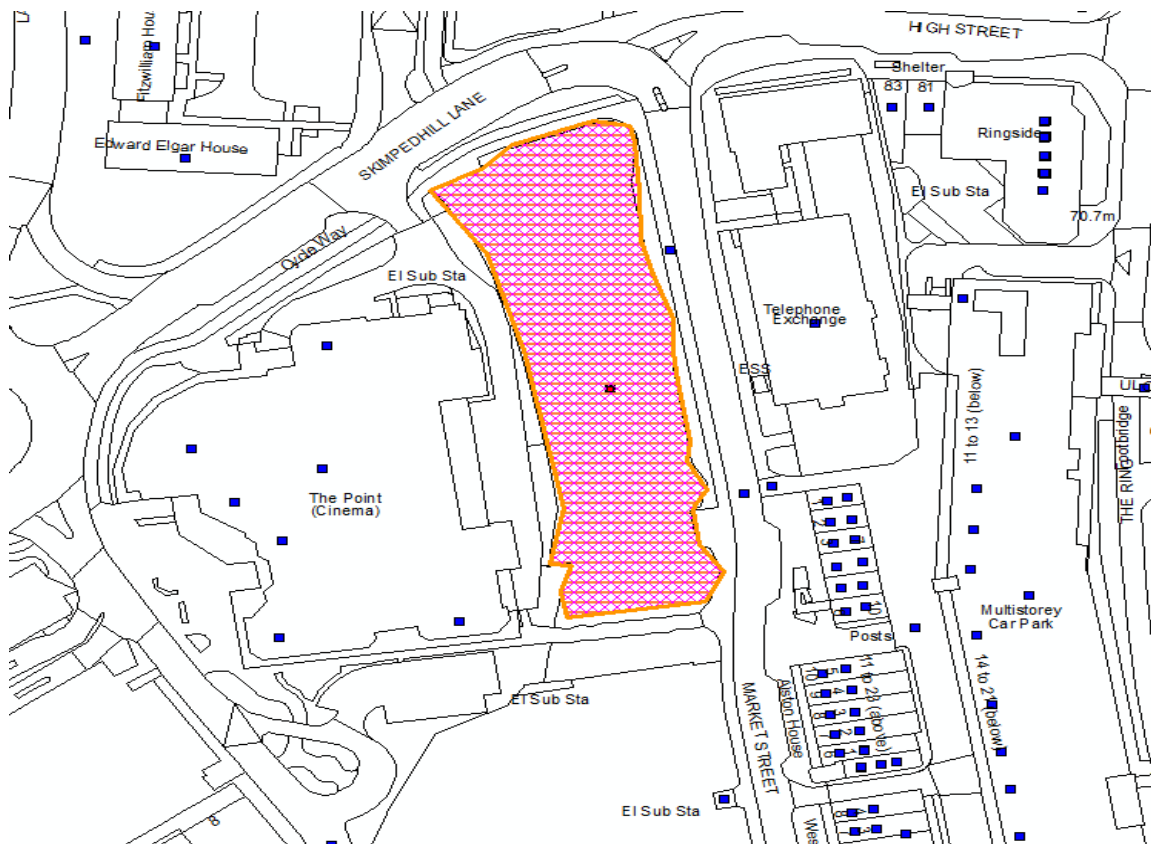
Miss Nadine James

Case Officer:

Margaret McEvit, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 This is a hybrid application previously considered by the Advisory Planning Committee in February 2022. The Committee recommended that the Assistant Director: Planning approve the application subject to the prior completion of a s106 obligation which secured (inter alia) an agreed standard of affordable housing. The application had been considered on the basis that it would deliver a total of 42 affordable units (25%) with a tenure split of 29 affordable rented units and 13 shared ownership units in line with the requirements of the Planning Obligations SPD.
- 1.2 A Financial Viability Assessment has been prepared since the application was considered which concludes that the scheme shows a negative residual value and therefore can provide only intermediate type units (shared ownership) rather than a policy compliant tenure split of affordable housing. Permission is therefore sought for the scheme on the basis of this revised affordable housing offer. The application seeks to deliver a policy compliant quantum of affordable housing (25%) and will deliver 42 new affordable units. Since the original submission, the tenure mix of these affordable units has been amended to reflect the schemes viability. The Scheme now seeks to deliver the policy compliant quantum of units as Shared Ownership units, an amendment from the previously proposed scheme which sought to deliver a policy compliant tenure split of 70% affordable rented units and 30% intermediate housing.
- 1.3 The development would continue to provide 25% affordable housing and in all other respects would remain unchanged from the scheme previously considered by the Committee. The amended tenure of the affordable housing is considered acceptable in light of the viability information submitted in support of the application.

RECOMMENDATION
The Assistant Director: Planning be recommended to approve the application subject to the completion of a S106 Agreement and the conditions set out in Section 11 of this report.

2. REASON FOR REPORTING THE APPLICATION TO THE PLANNING COMMITTEE

- 2.1 The application has been reported to the Planning Committee because it relates to a scheme which falls within the regeneration of Bracknell Town Centre which the Executive Director: Place Planning and Regeneration is responsible for promoting.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary.

- 3.1 The site measures approximately 0.53ha and is located on the west side of Market St. at the junction of Market St and Skimped Hill. The site has been vacant for several years and is currently screened by hoardings. The western boundary of the site

is shared with the Peel Centre. North of the site, across Skimped Hill is Winchester House, with the current construction site of the former Amber House immediately to the south.

4. RELEVANT SITE HISTORY

4.1 This application was considered by the Advisory Planning Committee on 24th February 2022 which recommended that, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990, the Assistant Director: Planning approve the application subject to conditions as set out in the report and supplementary report.

5. THE PROPOSAL

5.1 Following the consideration of the application by the Advisory Planning Committee, a Financial Viability Assessment (FVA) was submitted to determine if the affordable housing and other planning obligations are reasonable taking account of viability considerations. The application previously considered by the Advisory Planning Committee proposed 42 units of affordable housing, 29 affordable rented units and 13 shared ownership units. 28 of the affordable units would be two bedroom units and 14 one bedroom units. The FVA sets out a revised offer of affordable housing of 42 units of intermediate housing with 27 units being two bedroom units and 15 one bedroom units. Intermediate Housing means homes for sale and rent provided at a cost above social rent, but below market levels. These can include shared equity, other low cost homes for sale and intermediate rent, but not affordable rented housing.

6. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

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

Design Character &	CSDPD Policy CS7 BFBLP 'Saved' Policy EN20	Consistent (Chapter 12) “	Full Full
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170) “	Full Full
Residential Amenity	'Saved' Policies EN20 & EN25 of BFBLP	Consistent (paras. 127, 170 & 180)	Full
Transport	CSDPD Policies C23 BFBLP 'Saved' Policies M8 & M9	Consistent (Chapter 9) “	Full Full
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)	Full
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175) “	Full Full
Sustainability of build (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)	Full
Supplementary Planning Documents (SPD):			
Parking Standards SPD (2016)			
Other publications:			
National Planning Policy Framework (NPPF) (2021) National Planning Policy Guidance (NPPG)			

6.2 The Bracknell Town Neighbourhood Plan forms part of the Development Plan. The Plan was 'made' by Bracknell Forest Council on 27 October 2021. Policies H04

“Managing the Streetscape”, H07 “Buildings: Local Character”, H08 “Good Quality Design” and EC2 “Micro and Small Businesses” are relevant when considering this application.

7. PLANNING CONSIDERATIONS

7. 1 The key issue for consideration is:

i Provision of Affordable Housing

7.2 Saved Local Plan Policy H8 states that the Council will require an appropriate proportion of affordable housing on identified major housing allocations and other sites where development would result in a net increase of 25 or more dwellings, or on a site which is over one hectare in size irrespective of the number of dwellings.

7.3 The Planning Obligations SPD makes reference to Policy CS17 (Affordable Housing) of the Core Strategy along with the subsequent decision of the Council Executive (March 2011). This sets out that proposals providing 15 net additional homes or more will be required to meet a provision of up to 25% of net new homes to be affordable, subject to viability. With regard to tenure split, the Council will seek 70% to be affordable rent and 30% to be intermediate housing.

7.4 The Application as originally submitted sought to deliver a policy compliant level (25%) of affordable housing with a total of 42 units, 29 Affordable Rented Units and 13 Shared Ownership. This equated to a policy compliant proposal.

7.5 The revised offer will still provide 25% affordable housing for the site, but does not comply with the decision of the Council Executive in terms of the proposed tenure split. However, the Executive’s decision does refer to affordable housing being secured ‘subject to viability’. The Planning Obligations SPD states that “Any claims that a site cannot be developed viably with an affordable housing contribution must be justified with clear and robust evidence which stands up to scrutiny and independent expert review. Any relaxation in the provision of affordable housing should be the minimum needed to make the scheme viable. (5.8.15) “. A FVA has been submitted to determine if the revised affordable housing proposals and other planning obligations are the maximum reasonable taking into account of viability considerations. The FVA concludes that the provision of 25% affordable housing as intermediate housing together with the required S106 contributions would result in a negative Residual Land Value and exceeds that which could be proposed in accordance with policy due to viability considerations. The applicant accepts this negative Residual Land Value but is taking a long term commercial view on a range of factors including potential for future market growth.

7.6 The FVA has been independently assessed and the conclusion from that assessment is that the offer of intermediate housing and S106 contributions is above the maximum that would ensure Benchmark Land Value which includes a reasonable level of developer profit. No additional affordable housing provision could therefore be secured and the level of intermediate housing proposed would result in a lowered level of developer profit.

7.7 The provision of affordable housing will be secured through a S106 agreement. The FVA represents the current position with regard to viability. As part of the S106 to

secure affordable housing, the requirement for a late stage review of viability should be included in order that the viability can be assessed over the lifetime of the development.

8. CONCLUSIONS

8.1 The submitted FVA establishes that the development with the provision of 25% affordable with a tenure split of 29 affordable rent units and 13 shared ownership units together with the required financial contributions to be secured through a S106 agreement will not be viable using normal land value and developer profit assumptions. This FVA has been independently assessed and the viability conclusions in the FVA are accepted. The revised provision for affordable housing is for 25% of units to be affordable but the 42 affordable units will be secured as intermediate housing. Policy CS17 (Affordable Housing) of the Core Strategy along with the subsequent decision of the Council Executive (March 2011) set out that proposals providing 15 net additional homes or more will be required to meet a provision of up to 25% of net new homes to be affordable, subject to viability. With regard to the tenure split, the Council will seek 70% to be affordable rented and 30% to be intermediate housing. Viability has been assessed and it is considered that the affordable housing provision of 25% provided as intermediate housing is the maximum that can be achieved on site in light of the viability findings. As such the proposal is not considered to be contrary to policy CS17 or policy H5 of the BFBP. As part of the S106, the requirement for a late stage review of viability should be included in order that the viability can be assessed over the lifetime of the development.

9. RECOMMENDATION

Following the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 to secure planning obligations relating to:

- i. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath SPA
- ii. provision of the agreed standard of affordable housing;
- iii. terms to ensure that the outline part of the application maintains the predicted biodiversity net gain in Reserved Matters.
- iv. terms to secure contribution for monitoring biodiversity net gain for 30 years (0.31 ha)
- v. Terms to secure maintenance and replacement of moveable planters for the lifetime of the development
- vi. The requirement to enter into legal agreements pursuant to section 278 and section 38 of the Highways Act 1980 for the highway works along Market Street to create vehicle access and a widened footway as well as providing a new public link to the Peel Centre suitable for pedestrians and cyclists.
- vii. A financial contribution towards transport infrastructure to mitigate the impact of the development.
- viii. Securing off site car parking to serve the development within car parks owned by Bracknell Forest Council.
- ix. A financial contribution towards a new Traffic Regulation Order in relation to a movement restriction at the new egress to the site at the northern end of the site.
- x. A travel plan for the commercial and residential elements of the proposal.
- xi. A financial contribution towards Active and Passive Open Space of Public Value
- xii. A financial contribution towards community facilities

The Assistant Director: Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Assistant: Director: Planning considers necessary:

01.Applications for approval of the first 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.

02.The development approved by Reserved Matters shall begin no later than the expiration of three years from the final approval of the reserved matters for that Phase, or, in the case of approval on different dates for a single Phase, 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.

03.No development (excluding enabling works, demolition and site clearance) shall take place until a plan identifying the extent of each Phase or Sub-phase has been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of the proper planning and comprehensive delivery of the site and associated infrastructure.
[Relevant Policies: BFBLP EN20, CSDPD CS5 and CS7]

04.Phase 1 of 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.

05.The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 17.12.2021
MAR-CGL-ZZ-ZZ-DR-A-000001 R2
MAR-CGL-ZZ-00-DR-A-050001 R6
MAR-CGL-ZZ-01-DR-A-050002 R3
MAR-CGL-ZZ-02-DR-A-050003 R3
MAR-CGL-ZZ-03-DR-A-050004 R4
MAR-CGL-ZZ-03-DR-A-050005 R2
MAR-CGL-ZZ-03-DR-A-050006 R2
MAR-CGL-ZZ-03-DR-A-050007 R2
MAR-CGL-ZZ-03-DR-A-050008 R2
MAR-CGL-ZZ-03-DR-A-050009 R2
MAR-CGL-ZZ-03-DR-A-050010 R3
MAR-CGL-ZZ-03-DR-A-050011 R3
MAR-CGL-ZZ-03-DR-A-050012 R3
MAR-CGL-ZZ-03-DR-A-050013 R3
MAR-CGL-ZZ-03-DR-A-050014 R3
MAR-CGL-ZZ-03-DR-A-050015 R2
MAR-CGL-ZZ-03-DR-A-050016 R2
MAR-CGL-ZZ-03-DR-A-050017 R2
MAR-CGL-ZZ-LG-DR-A-050000 R2
MAR-CGL-ZZ-RF-DR-A-050018 R2
MAR-CGL-ZZ-ZZ-DR-A-000003 R2
MAR-CGL-ZZ-ZZ-DR-A-060001 R4
MAR-CGL-ZZ-ZZ-DR-A-060002 R4
MAR-CGL-ZZ-ZZ-DR-A-060003 R4
MAR-CGL-ZZ-ZZ-DR-A-060004 R4
MAR-CGL-ZZ-ZZ-DR-A-060005 R2

MAR-CGL-Z1-ZZ-DR-A-060100 P2
 MAR-CGL-Z1-ZZ-DR-A-060101 P2
 MAR-CGL-Z1-ZZ-DR-A-060102 P2
 MAR-CGL-Z1-ZZ-DR-A-060103 P2
 MAR-CGL-ZZ-00-DR-A-050200 R5
 MAR-CGL-ZZ-00-DR-A-050201 R5
 MAR-CGL-ZZ-00-DR-A-050204 R5
 MAR-CGL-ZZ-01-DR-A-050202 R3
 MAR-CGL-ZZ-01-DR-A-050203 R2
 MAR-CGL-ZZ-00-DR-A-050100 R6
 MAR-CGL-ZZ-ZZ-DR-A-060100 R4
 MAR-CGL-ZZ-ZZ-DR-A-060101 R4
 LN00625 L-100 P07
 LN00625 L-101 P11

Market Street Flood Risk Assessment And Drainage Strategy (including SuDS Assessment) Former Bus Depot Site, Market Street Energy Statement
 Former Bus Depot Site, Market Street Sustainability Statement
 REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

06.No development above slab level for each phase shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, to include bricks and roof materials, 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]

07.Prior to the commencement of development for each phase, details are to be submitted and approved in writing by the Local Planning Authority, to accommodate the following:

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

REASON: In the interests of amenity and road safety.

08.A landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of each phase of the development. The content of the LEMP shall include the following:

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

The LEMP shall also include details of the legal and funding mechanism(s) by which

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

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: Core Strategy CS1]

09. Prior to the occupation of each phase of development a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, shall be submitted to and approved in writing by the Local Planning Authority. An ecological site inspection report shall be submitted within three months of the first occupation of the first dwelling hereby approved confirming the implementation of the approved enhancement measures.

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: Core Strategy CS1]

10. Prior to the commencement of each phase (including demolition and site clearance) a Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and construction work for that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures for: -

(i) - the control of noise (including noise from any piling and permitted working hours)

(ii) control of dust, smell and other effluvia

(iii) the control of pests and other vermin (particularly during site clearance)

(iii) control of surface water run off

(iv) site security arrangements including hoardings

(v) proposed method of piling for foundations

(vi) construction and demolition working hours

(vii) The control of noise from delivery vehicles, hours during the construction and demolition phase, and times when delivery vehicles or vehicles taking materials are allowed to enter and leave the site.

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

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

11. Prior to the occupation of each phase of the development hereby permitted comprehensive details of both hard and soft landscaping works for that phase shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities and locations.

b) Details of semi mature tree planting.

c) Comprehensive 5 year post planting maintenance schedule.

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

e) Means of enclosure (walls and fences etc)

f) Paving including pedestrian open spaces, paths, patios, proposed materials

and construction methods, cycle routes, parking courts, play areas etc. Prior to the occupation of each phase of the development hereby permitted, all planting associated with that phase shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to occupation of the phase of the development. All hard landscaping works associated with a phase of the development shall be carried out and completed prior to the occupation of that phase of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code of Practice for General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications for Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved by the Local Planning Authority

REASON: In the interests of good landscape design and the visual amenity of the area. [Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

12. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith.

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

[Relevant Policy: Core Strategy DPD CS10]

13. The development hereby permitted shall be implemented in accordance with the submitted Energy Statement and shall be retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

14. No development above slab level shall take place until details of the access to the site have been submitted to and approved in writing by the Local Planning Authority. The buildings shall not be occupied/open for trade until the works have been completed.

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

15. No dwelling or building shall be occupied until a means of pedestrian/cycle access has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

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

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

16. Prior to the occupation of each phase of the development, the associated vehicle parking and turning spaces for that phase shall be surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.

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]

17. Prior to the occupation of each phase of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority for covered and

secure cycle parking facilities. Each phase of the development shall not be occupied until the approved scheme for that phase 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]

18. No commercial unit shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities (including shower facilities and lockers for employees). 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]

19. Prior to commencement (excluding demolition, site clearance enabling works and piling) of each phase details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point are to be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

20. Prior to the occupation of each phase, the dwellings hereby approved shall not be occupied until a noise mitigation scheme for protecting the proposed dwellings from road noise has been submitted to and approved by the Local Planning Authority. The noise mitigation measures shall be installed, retained and maintained thereafter in accordance with the approved scheme

REASON: To protect future residents from external noise. [Relevant Policies: BFBLP EN25]

21. Prior to the occupation of each phase, the dwellings hereby approved shall not be occupied until a scheme for the protection of the occupiers of the proposed dwellings located above the commercial units from noise from the commercial units below has been submitted to and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is occupied and thereafter shall be retained.

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

[Relevant Policies: BFBLP EN25]

22. No commercial unit shall be occupied until details of plant and equipment including air conditioning units or chiller units have been submitted to and approved in writing by the Local Planning Authority. The details should include a noise assessment. The noise generated from the plant and equipment whilst in operation shall not cause the existing background noise level to increase whilst in operation measured in accordance with BS4142:2014. The plant and equipment shall be installed and operated in accordance with the approved scheme.

REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

[Relevant Policies: BFBLP EN25] [Relevant Policies: BFBLP EN25]

23. The development hereby permitted shall not be begun (excluding demolition, site clearance, enabling works and piling) until a plan showing visibility splays has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

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

24. No development above slab level shall commence until a scheme for the internal design of the car park has been submitted to and approved in writing by the Local Planning Authority and shall include details of:

- (a) directional signs and their locations
- (b) surface markings
- (c) pedestrian routes within the car park
- (d) location and design of cycle parking and motorcycle parking (including bollards to control parking areas),
- (e) details of the car park control system and scheme of operation and maintenance.
- (f) car parking for people with disabilities including signage
- (g) gradients of the pedestrian and access routes
- (h) location of ev charging points

The approved scheme shall be implemented prior to the car park being first brought into use and shall thereafter be retained.

REASON: In the interests of the accessibility and safety of the car park users. [Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

25. No gates shall be provided at the vehicular access and egress to the site.

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

26. No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:

- Access and egress to the site from Market Street
- Widening the footway along the site frontage with Market Street

The buildings constructed in the course of the development shall not be occupied/open for trade until the off-site highway works have been completed in accordance with the scheme. REASON: In the interests of highway safety.

27. No development above ground floor slab level shall be commenced until a scheme has been submitted to and approved by the Local Planning Authority setting out how the Car Parking Spaces provided on and off site shall be allocated to occupiers of the development hereby approved and managed in perpetuity. The scheme shall provide details of:

- (a) The allocation of on and off site parking spaces to residents/occupiers of each block, and the allocation of spaces when units are re-sold or re-let;
- (b) The allocation of on and off site parking spaces between the different tenures of residential units on the development;
- (c) on site restrictions to prevent parking on roads and loading bays within the site to include details of enforcement of parking restrictions on site;
- (d) How the number of permits for off site parking will be allocated for residents of the development;
- (e) How off site parking will be secured and administered.

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

[Relevant Policy: BFBLP M9]

28. Development of Block D shall not commence until the results of hydraulic modelling of the overland flow paths have been submitted to and approved by the Local Planning Authority.

REASON: In order to ensure the provision of adequate drainage works to the serve the development.

[Relevant Policy: BWLP WLP6]

29. No development above ground floor slab level shall be begun until details of onsite refuse storage (including any open air storage facilities) for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

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

[Relevant Policies: BWLP WLP6 and WLP9]

30. No more than 318 sqm gross internal floorspace shall be occupied as a food retail unit falling within Class E (a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) on the site at any time.

REASON: The development does not provide on-site parking to serve a retail unit and on-street parking by users of any retail unit could be a danger to other road users.

[Relevant Policy: BFBLP M9]

31. Prior to the occupation of each phase of the development details of the design, operation and ongoing maintenance regime for electric vehicle charging infrastructure with a minimum output of 7kW shall be submitted to and approved in writing by the Local Planning Authority. Electric vehicle charging infrastructure shall be provided in a minimum of 20% of car parking spaces provided on site. The development shall be carried out in accordance with the approved details.

REASON: In the interests of sustainable transport.

[Relevant Policy: Local Plan Policy M9; NPPF paragraph 112 e); and Parking Standards SPD paragraph 3.8 part 1 supported by the NPPF at paragraph 107 e).

32. No delivery vehicles with a length in excess of 10m shall be permitted to enter the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

In the event of the S106 agreement not being completed by 31st March 2023, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons: -

1. 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).

2. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway measures, open space and community facilities, the proposed development would unacceptably increase the pressure on highways and transportation infrastructure and public open space and the proposal would be contrary to Policies R5

and M4 of the Bracknell Forest Borough Local Plan and CS6, CS8, and CS24 of the Core Strategy Development Plan Document and to the Planning Obligations SPD and the NPPF.

3. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to 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

Unrestricted Report

ITEM NO: 10

Application No.
22/00694/FUL

Ward:
Central Sandhurst

Date Registered:
24 August 2022

Target Decision Date:
19 October 2022

Site Address:

**Acre House 12 Broom Acres Sandhurst Berkshire
GU47 8PW**

Proposal:

Proposed erection of part single storey part two storey front, side and rear extensions, increase in roof height to provide additional accommodation with rear dormer, single storey rear extension to include an annexe, following demolition of existing garage and utility room.

Applicant:

Mr Jas Grewal

Agent:

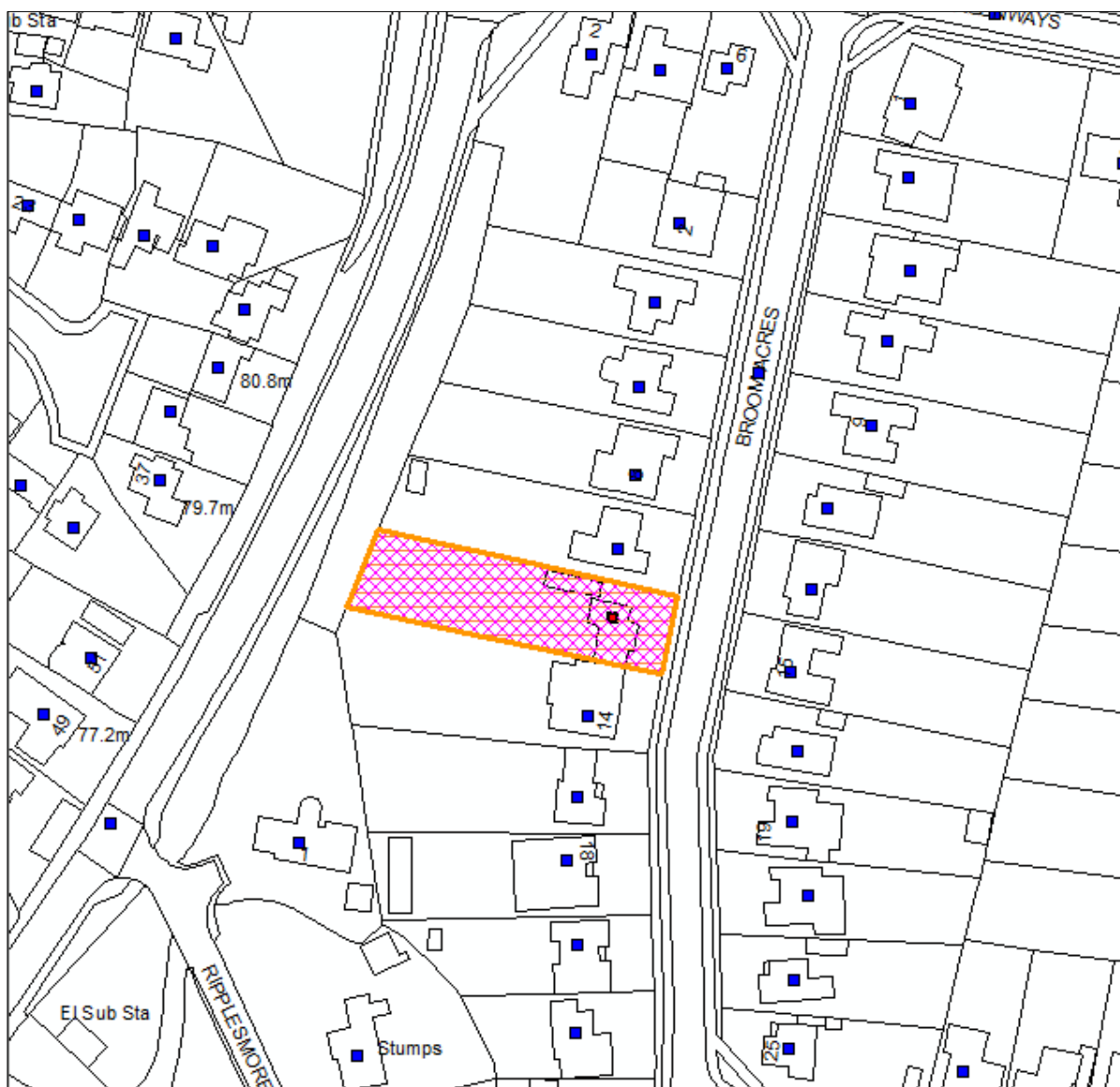
Mr Sukh Bal

Case Officer:

Shelley Clark, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for the erection of single storey and first floor front extensions, addition of front gable and part 2 storey/part single storey rear extensions including loft conversion to create 2 no. additional bedrooms, following demolition of existing conservatory. (The additional bedrooms would comprise one at first floor level and one in the loft space).
- 1.2 The proposed development is within the settlement boundary. The proposal would not be liable for SPA contributions and CIL payments.

RECOMMENDATION

Planning permission be granted subject to the conditions set out in Section 11 of this report.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Sandhurst Area C: Greenways in the Character Area Assessments SPD (2010).

- 3.1 The application site is located on the western side of Broom Acres in the Greenways area of Sandhurst. The site contains a part single storey, part two storey facing brick and tile detached dwelling house and is flanked by detached dwellings in a similar design. The site backs onto a strip of wooded amenity land adjacent to the Crowthorne Road.
- 3.2 The area is residential in character and the site is located within an Area of Special Housing Character as identified in the Bracknell Forest Local Plan, as well as within Sandhurst Area C: Greenways in the BFC Character Area Assessments SPD (2010).
- 3.3 The application site is located within the defined settlement boundary. The dwelling is not a Listed Building nor located within the curtilage of a listed building. The application site is not within Article 2(3) land or land covered by an Article 4 Direction.

4. RELEVANT SITE HISTORY

- 4.1 22/00381/CLPUD: Certificate of lawfulness for the proposed erection of an outbuilding - Issued 27.06.2022.

5. THE PROPOSAL

- 5.1 Full planning permission is sought for the erection of two-storey front, side and rear extensions, an increase in roof height to provide additional accommodation with rear dormer, single storey rear extension to include an annexe, following demolition of existing garage and utility room.

5.2 The proposed development would have a maximum depth at ground floor level of approximately 15 metres (including the single-storey rear extension, but excluding the attached annexe to the rear), a maximum width of approximately 13.58 metres, a maximum height of approximately 7.7 metres and a maximum eaves height of approximately 5.25 metres.

5.3 The proposed rear dormer will have a height of 2m, a depth of 2.4m and a width of 4.4m.

5.4 The single storey attached annexe will have a maximum depth of approximately 10.78 metres, a maximum width of approximately 5 metres and a flat roof with a maximum height (along with the single-storey rear extension) of approximately 2.82 metres.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 The Sandhurst Town Council commented on the application on 29.09.2022 and recommended refusal on grounds that the proposal represents an undesirable overdevelopment of the site providing inadequate garden space, and would result in an unattractive, cramped development detrimental to the amenities of the area.

Other responses received

Representations were received from the occupants of five (5) properties in Broom Acres (nos. 8, 10, 14, 16 and 17), raising the objection on grounds as summarised below:

- a) Parking shortfall.
- b) Increased roof height out of character, overbearing and impact on street view.
- c) Roof pitch will be out of character.
- d) Front gable will be out of character in the streetscene.
- e) Inconsistent window design out of character.
- f) Excessive glazing.
- g) Impact of dormer on privacy of neighbouring properties.
- h) Stepped design out of character.
- i) Window frame colours, brickwork and roof tile colours to match existing.
- j) Excessive bulk and coverage.

In addition, one letter of support was received from the occupant of 18 Broom Acres.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1 The Highway Authority was consulted and in its comment of 22.09.2022 raised no objection subject to clarification of the boundary treatment and access to the back garden. These matters are addressed via appropriate conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

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

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. Principle of development

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

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

9.4 The application site is located in a residential area that is within a defined settlement boundary.

ii. Impact on character and appearance of the area

- 9.5 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 130 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.
- 9.6 The recommendations of the Character Area Assessments SPD relating to Area C: Greenways in Sandhurst promotes proposals using the same architectural approach and a similar materials palette as exists in the area, that boundary treatments should be in keeping with the existing character and promote gables over roof extensions with dormers. In addition, key views out to the wider landscape and tree cover should be protected.
- 9.7 Paragraph 130 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.
- 9.8 The proposal retains the existing street building line of approximately 6 metres from the front boundary of the property.
- 9.9 The application site has an average depth of approximately 60 metres. The proposal will leave a distance from the rear of the single storey rear extension of approximately 39 metres to the rear boundary, and a distance of approximately 28 metres from the back of the annexe. As such, the proposal would not be considered to represent overdevelopment of the site.
- 9.10 The proposed first floor side extension will retain a distance of at least 1 metre from the side boundary of the site in order to avoid a terracing effect and to retain views through to the trees beyond the rear of the property.
- 9.11 The proposal has been amended such that the exterior materials in the principal elevation of the dwelling facing the highway will be facing brick at ground floor level and painted render at first floor level, with clay tile roofing.
- 9.12 The painted render would not be characteristic of the area as originally developed but has been used for other dwellings in the vicinity, including the one directly across the street.
- 9.13 The front facing gable would retain the width of the existing gable and will be subordinate to the main roof. The hipped roof to the gable would be similar to those found at No. 18 nearby.
- 9.14 The proposal has been amended to reduce the extent of glazing and to provide more consistency in the style and framing of the openings.
- 9.15 The proposed window frames have been amended to white framing to be in keeping with the character of the area.
- 9.16 The step between ground and first floor levels has been amended to be more in keeping with the prevailing design in the area.

- 9.17 Following amended plans, the proposed roof pitch has been amended to better reflect the roofs in the area and the eaves level has been dropped to the top of the window level to match the style of the area.
- 9.18 Other dwellings in the street including neighbouring No. 10 (14/00399/FUL) and No. 18 (17/00348/FUL) nearby have been granted permission for an increase in roof height. The current proposal is for an increase in height of 0.75 metre; a streetscape drawing has been provided which indicates that the proposed dwelling will not exceed the height of the dwelling at No. 10 to the north of it.
- 9.19 The proposed single storey rear extension and annex are finished in facing brick and there will be a flat roof with a roof lantern over the rear extension. These would not be visible in the streetscape.
- 9.20 As such, the proposal would not be considered to adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, Character Area Assessments SPD (2010) and the NPPF.

iii. Impact on Residential Amenity

- 9.21 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 130 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future occupants.
- 9.22 The two-storey component will extend back by approximately 4.2 metres and will be similar in depth to that of the dwelling to the south at No 14 and there are no side-facing windows on the rear dormer. The proposal would not result in a loss of light or be overbearing on no. 14 Broom Acres.
- 9.23 At No. 10, the first-floor window in the side elevation facing the application site serves a bathroom and the ground floor windows in the elevation serve a utility room and a kitchen which leads to a breakfast conservatory to the rear. During a site visit to the dwelling at No. 10 it was found that the link between the kitchen and the conservatory consists of a large opening the width of the kitchen and thus the kitchen window is not considered the primary source of light for this space.
- 9.24 The neighbour at No. 10 has objected to the proposed rear dormer unless it is fitted with obscure glazing. There are windows at first floor level in the existing dwelling. The proposed rear dormer will not have a greater impact on neighbouring properties than the existing property. As a rear dormer could be installed in the existing dwelling by permitted development rights, a condition for obscure glazing would not be a reasonable requirement and would not be sustainable were it to go to appeal.
- 9.25 The only proposed window in the first floor side elevation is a bathroom window facing No. 10, that would be conditioned to be obscure-glazed and fixed below 1.7 metres above floor level to avoid overlooking. There are no dwellings to the rear of the property which might be affected by overlooking.
- 9.26 The proposed flat roof single storey rear extension and attached annexe will replace an existing outbuilding with hipped roof closer to the boundary, and as such the proposal would not be considered as overbearing.

9.27 The proposal would not be considered to affect the residential amenities of residents of neighbouring properties and would be in accordance with 'Saved' policy EN20 of the BFBLP and the NPPF.

9.28 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties and would also provide an acceptable level of amenity for future occupiers, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended condition.

iv. Transport implications

9.29 Policy CS23 of the CSDPD states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the BFBLP states that development will not be permitted unless satisfactory parking provision is made for vehicles and cycles. The supporting text to this policy refers to the Parking Standards SPD and that there may be circumstances where a more flexible approach to the parking standards is justified.

9.30 The residential standards in the Parking Standards SPD state that a dwelling containing one or two bedrooms requires two parking spaces and that a dwelling containing four or more bedrooms requires three parking spaces. The standard size of a parking space is 4.8 metres in length and 2.4 metres in width.

9.31 The proposal represents an increase of accommodation on the property from a four-bedroom dwelling with outbuildings to a four-bedroom dwelling with attached annexe containing two bedrooms.

9.32 The Highway Authority has indicated that, should the proposal be conditioned to ensure the annex remains ancillary to the main dwelling, then only three parking spaces will be required. A condition of this nature will be included in the recommendation.

9.33 The Highway Authority has requested clarification regarding the width of the footpath to the rear garden area. This will be approximately 0.97 metres wide, which is considered sufficient for providing access to cycle storage in the back garden.

9.34 The recommendations for Sandhurst Area C: Greenways in Chapter 2 of the BFC Character Area Assessment SPD relating to boundary treatment are that these should be in keeping with the existing character, i.e. enclosed brick wall with shrub planting. The boundary treatment will be conditioned to be re-instated beyond the dropped kerb area.

9.35 As a result it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF.

v. CIL

9.36 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. CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted). In this case, the proposal would not be CIL liable as it does not comprise the creation of new dwellings.

10.0 CONCLUSIONS

- 10.1 The proposed development is within the settlement boundary where the principle of development is acceptable. The proposal is not considered to be detrimental to the character and appearance of the area or neighbouring amenity in terms of loss of privacy or light. The application is therefore recommended for conditional approval as being in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

11.0 RECOMMENDATION

- 11.1 That the application be **APPROVED** subject to the following conditions amended, added to or deleted as necessary:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority:
100 (Existing Plans and Elevations including Location Plan received 24.08.2022);
100 (Proposed Site Plan received 24.08.2022);
210-Rev 4 (Amended Proposed Floor Plans received 19.10.2022);
211-Rev 4 (Amended Proposed Elevations received 19.10.2022).

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

3. The bricks, tiles and window frames to be used in the construction of the external surfaces of the extensions hereby permitted shall be of similar appearance to those of the existing building.

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

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

4. The new first floor window in the north-facing side elevation of the extension hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be fixed with the exception of an openable fanlight that is no less than 1.7m above the internal floor level of the room that the window serves.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level and above in the side elevations of the development hereby permitted (except for any which may be shown on the approved drawing(s)), unless they are glazed with a minimum of Pilkington Level 3 obscure glass (or equivalent) and fixed shut, or the parts of the window, opening or enlargement which are clear glazed and/or openable are more than 1.7 metres above the floor of the room in which it is installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order with or without modification, the annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse, known as Acre House, 12 Broom Acres, and shall at no time form a separate dwelling.

REASON: The creation of a separate unit would not provide sufficient off-road parking to comply with Council parking standards.

[Relevant Policy: BFBLP M9]

07. The extensions hereby permitted shall not be occupied until the access has been constructed in accordance with approved plan with an access on either side of the front wall. The front wall shall not exceed the height of the existing wall and shall be in a similar style as the existing wall. The access points shall thereafter be retained.

Reason: In the interests of highway safety and the free flow of traffic.

[Relevant Policies - Core Strategy DPD CS23]

08. The extensions hereby permitted shall not be occupied until the associated vehicle parking has been surfaced with a bound or bonded material (in accordance with the approved plan (100 Proposed Site Plan) with a dropped-kerb serving each access either side of the wall. The three spaces shall thereafter be kept available for parking at all times.

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

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

09. The hardstanding area of the proposed new parking bays to the front of the dwelling shall be made of porous materials.

REASON: To reduce surface water run-off contributing to flood risk.

[Relevant Policies: CSDPD CS1, CS7]

10. Notwithstanding the approved plans in Condition 02 above, a pedestrian footpath at least 0.97 metres wide shall be retained on the property providing access from the front to the rear garden for access to cycle storage.

Reason: To ensure that the development is provided with adequate parking facilities in Order to encourage the use of alternative modes of transport.

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

11. Surface runoff water from the new development may not be discharged into the highway or the sewer system.

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

[Relevant Policies: CSDPD CS1, BFBLP EN25]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the

National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions. However they are required to be complied with:
1. Time limit
 2. Approved plans
 3. Materials
 4. Side Windows
 5. Future Side Windows
 6. Use of Annexes
 7. Access
 8. Parking
 9. Hardstanding
 10. Provision of Pedestrian Access
 11. Surface Runoff Water
03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
05. This planning permission does not grant consent for a dropped kerb. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out. More information about how to apply for a new dropped-kerb is available at: <https://www.bracknell-forest.gov.uk/roads-parking-and-transport/parking/dropped-kerbs-vehicleaccess/>.
06. Any incidental works affecting the adjoining highway (including any adopted highway verge or footpath) or works requiring contractors to occupy the highway (including any adopted highway verge or footpath) shall be approved and a licence obtained before any work is carried out within the highway, through contacting The Highways and Transport Section at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.
07. No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
08. Before undertaking demolition/roof works, appropriate action must be taken to check

the building or structure for evidence of bats as a European protected species. Bats are protected under The Conservation of Habitats and Species Regulations 2010, which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). It is illegal to obstruct, disturb, damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If bats are discovered during the work, you must stop immediately and contact Natural England (0845 600 3078) for advice before continuing.

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Unrestricted Report

ITEM NO: 11

Application No.
22/00560/FUL

Ward:
Bullbrook

Date Registered:
1 July 2022

Target Decision Date:
26 August 2022

Site Address:

3 Ellenborough Close Bracknell Berkshire RG12 2NB

Proposal:

Proposed erection of a part two storey part single storey rear and side extension.

Applicant:

Mrs Natasha Van Hemelryk

Agent:

Mr Andrew Melvin

Case Officer:

Benjamin Marshall, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1. The proposal is for the construction of a part-single storey, part two-storey rear and side extension.
- 1.2. The proposed development is within the settlement boundary. The proposal would not be liable for SPA contributions and CIL payments

RECOMMENDATION

Planning permission be granted subject to the conditions set out in Section 11 of this report.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1. This application has been referred to the Planning Committee at the request of Councillor Dudley, on the grounds of it being 'overbearing and unneighbourly'

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement

Within 5km of SPA

- 3.1. No. 3 Ellenborough Close is a 3 bedroom, two-storey, semi-detached dwelling and is located within the defined settlement boundary.

4. RELEVANT PLANNING HISTORY

- 4.1. The relevant planning history is set out below:

21/00568/FUL - Proposed erection of a part two storey part single storey rear extension - Refused 2022 on grounds of design

5. THE PROPOSAL

- 5.1. The proposal is for the construction of a part-single storey, part two-storey rear and side extension.
- 5.2. The application has been amended during the course of the application omitting the first-floor overhang and hiping the roof of the 2 storey rear extension.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

- 6.1. Bracknell Town Council raised no objection to the proposed scheme.

Other representations received

- 6.2. Letters of objection have been received from the occupants of two neighbouring properties. The issues raised can be summarised as follows:

- Overdevelopment of the site
- Overbearing concerns
- Overshadowing concerns
- Scheme out of character with surrounding properties
- Insufficient parking

6.3. Further representations were received from these occupants following the submission of amended plans. The additional comments can be summarised as follows:

- Incoherent Design
- A sloping roof would be less prominent

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1. The Highway Authority has raised no objection subject to conditions pertaining to the provision of the parking area and completion of the access prior to occupation.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF 2021
General Policies	<ul style="list-style-type: none"> • CS7 (Design) of the CSDPD 2008 • EN20 (Design) of the BFBLP 2002 • HO 7 (Local Character) and HO 8 (Good Quality Design) of the BTNP (2016-2036) 	Consistent
Residential Amenity	<ul style="list-style-type: none"> • EN20 (Design) of the BFBLP 2002 	Consistent
Parking	<ul style="list-style-type: none"> • CS23 (Transport) of the CSDPD 2008 • M9 (Vehicle & Cycle Parking) of the BFBLP 2002 • HO 4 (Managing the Streetscape) of the BTNP (2016-2036) 	Consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Design SPD		
Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2022 (BRE SLPDS)		
Other publications		
National Planning Policy Framework 2021 (NPPF), National Planning Policy Guidance (NPPG).		

9. PLANNING CONSIDERATIONS

9.1. The development will be considered against the following key issues:

- i. The principle of development
- ii. Impact on Character and Appearance of Existing Dwelling and Surrounding Area
- iii. Impact on Residential Amenity
- iv. Impact on Parking

i. Principle of Development

- 9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.
- 9.3. The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers, upon the character and appearance of the area and highway safety.

ii. Impact on Character and Appearance of Existing Dwelling and Surrounding Area

- 9.4. 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 126 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.
- 9.5. Policy HO 8 of the Bracknell Town Neighbourhood Plan 2016-2036 states that developments will be expected to '*achieve high quality design that respects the established appearance, scale and character of the design of the particular neighbourhood in which they are being proposed.*'
- 9.6. The proposed development consists of a part single storey, part two storey side and rear extension, with the first-floor element restricted to the rear of the dwelling, and the single storey element projecting beyond the side elevation. The proposed single storey projection would be screened from views due to its position behind an existing single storey garage.
- 9.7. The proposed single-storey element protrudes a maximum of 2.81 metres beyond the side wall, a maximum 4.5 metres beyond the rear wall and would be 2.4 metres in height. The extension would have a stepped wall, with the rear wall closest to the northern boundary only extending 2.9 metres. The extension would be a sizeable addition to the rear of the property providing additional floor area equal to approximately 75% of the existing ground floor footprint. However, the scale of the extension would not be considered an unreasonable addition to the property owing to the size of the site. The extension would have a flat roof, in keeping with the

existing single-storey elements on the site and would individually be considered a subservient addition to the property.

- 9.8. Attaching to the proposed single-storey element is the first-floor extension which would be set down from the main ridge of the dwelling, with a dual-pitched roof matching the pitch angle. This element would measure approximately 6 metres in height, sloping down to 4.5 metres at eaves level. It would protrude 4.5 metres from the rear wall of the dwellinghouse in line with the single-storey element. Owing to its set down position and appropriate scale it would not be considered to be out of keeping with the design and scale of the existing property.
- 9.9. The overall proposal would retain a large proportion of the garden space to the rear and would therefore not be considered to result in overdevelopment of the site.
- 9.10. The surrounding area is characterised by two-storey, semi-detached properties linked by single-storey attached garages. There have been substantial amounts of development within Ellenborough Close, with several larger single-storey and two-storey elements. The single-storey elements are typically conservatories or flat roofed rear and side extensions and therefore the proposed rear extension would adhere to this prevailing character. The two-storey elements present within the street scene are contained to the rear of the dwellings and rarely extend beyond the side elevation. The proposed extension would not extend beyond the side elevation and is designed with a dual-pitched roof matching the prevailing character of the street.
- 9.11. The single-storey aspect would not be visible from the street scene and as such is unlikely to have an impact on the surrounding area. It is likely that there would be some visibility of the proposed two-storey element from the street scene however this would be read as part of the host dwelling and would not be of such a scale as to increase the prominence of the dwelling within the surrounding area.
- 9.12. There are minor views of the rear of the dwelling from Park Road to the south, these views are largely blocked by existing screening which is believed to be within the public realm as opposed to private ownership. Whilst the two-storey element would be visible it is not considered that the south to north view is of any significance as it is solely upon private residential gardens where extensions are typical.
- 9.13. The application proposed the inclusion of a rendered finish at ground floor level. Whilst there is no render on the dwellings within the street scene, as this material would solely apply to the rear of the site and there would be limited visibility of this element it would not be considered harmful to the character of the area. It is not considered reasonable to seek further control over the external materials of the dwelling as it would not satisfy the tests under paragraph 56 of the NPPF 2021.
- 9.14. As such, the proposal would not be considered to adversely affect the character and appearance of the surrounding area and would therefore be in accordance with 'Saved' policy EN20 of the Bracknell Forest Borough Local Plan 2002, Policy CS7 of Core Strategy Development Plan Document 2008, Policy HO8 of the Bracknell Town Neighbourhood Plan 2016-2036, the Design SPD 2017 and the NPPF 2021.

iii. Impact on Residential Amenity

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

9.16. The neighbouring dwellings most impacted by the proposed development would be nos. 2 and 4 Ellenborough Close to the south and north respectively.

Overlooking

9.17. The Design SPD recommends that upper storey rear windows are separated from the rear garden boundary by at least 10 metres, with at least 22 metres to the nearest upper storey windows to the rear. The Design SPD recommends that all upper storey side windows are restricted to be obscure-glazed and top-opening only.

9.18. One upper storey side window is proposed, serving the proposed bathroom and facing north. This window would be conditioned in line with the above design recommendations to protect the privacy of no. 4 Ellenborough Close. It is also recommended that future upper storey side windows are restricted by condition to avoid unacceptable overlooking into the adjoining gardens and properties.

9.19. The proposed rear windows would be separated from the rear boundary by approximately 15.8 metres, and from the nearest western property, 5 Park Road, by approximately 20 metres. While this is 2 metres shorter than recommended by the Design SPD, a review of historic plans for 5 Park Road shows that no habitable rooms have windows facing towards the proposed development at first floor level. As such it is not considered the scheme results in unacceptable levels of overlooking.

Impact on Light

9.20. The BRE SLPDS is used as a guideline for assessing potential losses of light and the acceptable levels of loss for a habitable room. The guide specifies that: *The guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens, and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas, and garages need not be analysed.*

9.21. As part of the application a Daylight and Sunlight Assessment has been submitted which outlines impacts on light levels in accordance with the above guidance and the British Standard.

9.22. The ground floor window of no. 2 Ellenborough Close that is closest to the application site appears to serve the garage which lies between the host dwelling and the application site. Page 2 of the applicant's Daylight and Sunlight Assessment outlines the pathway of the vertical 45-degree test on this neighbouring window, clearly demonstrating it to pass in line with the guidance. The single-storey element would fail the horizontal 45-degree test when measured against this window, however, owing to the limited height of the extension and the existing use of the room the window serves, it is not considered that the development would result in an unacceptable loss of light.

- 9.23. The closest neighbouring window to the application site on no. 4 Ellenborough Close serves a kitchen/dining area. The Daylight and Sunlight Assessment demonstrates the proposal to pass the vertical and horizontal 45-degree test. When measured on the floor plans the corner of the single-storey element would fail the test. However, owing to the limited height of the single-storey element, and the orientation of the dwellings, with no. 4 being north of the proposed development, it is unlikely that there will be a significant impact on light received to the neighbouring property.
- 9.24. The Daylight and Sunlight Assessment demonstrates that the light received to either neighbouring property's gardens would pass the test as outlined within the BREEAM standards and as such would not have a significant impact on the receipt of daylight.
- 9.25. Overall, the applicant has provided sufficient evidence within their Daylight and Sunlight Assessment to demonstrate that the proposal would not result in a detrimental loss of light.

Overbearing

- 9.26. The Design SPD specifies that new developments should not result in an overbearing impact on neighbouring properties but does not specify how this should be assessed. Design recommendations include "setting the extension away from the property boundary so as to avoid any dramatic change in scale in relation to the neighbouring garden"
- 9.27. The example provided in the Design SPD shows a two-storey side extension, additionally the Design SPD states that additional separation distances may be necessary "as storeys rise" to mitigate against overbearing. It can be determined therefore that generally a single storey extension is less likely to result in a significant overbearing impact on neighbouring properties compared to an extension of two or more storeys.
- 9.28. The proposed single-storey element is limited in height and is separated from the neighbour by a fence of approximately 1.8 metres. The wall of the extension closest to the boundary is set in measuring approximately 2.9 metres from the rear wall of the neighbouring property. As such, it is not considered that the single storey element would result in an unacceptable overbearing impact.
- 9.29. Excluding the roof overhang, the proposed two storey element would be separated from the boundary with no.4 by approximately 2.32 metres, and project approximately 3.8 metres from the rear elevation of the neighbouring property. The two-storey element includes a dual-pitched roof sloping away from the northern neighbour and a hipped end, which resultingly reduces the visual dominance of the extension.
- 9.30. The overall height of the extension would be similar to the rear gabled elevation of no. 4 Ellenborough Close. The two-storey extension would be viewed solely above the height of the 1.8 metre fence, which is noted to increase in height in line with the increasing gradient of the garden. The most dominant part of the extension would therefore be closest to the dwelling, with a more limited dominance the further it reaches into the site. When considering the position, design and scale of the two-storey element it is

considered that whilst there would be an impact, this impact is limited and would not result in unacceptable harm to the neighbouring amenity.

- 9.31. No. 2 Ellenborough Close to the south-east, is laid out with the attached garage separating the main dwelling from the application site. The proposed extension two-storey element would be separated from the boundary by approximately 3.6 metres and from the main dwelling by 8.5 metres. Owing to this significant separation distance and the retained open views available to the neighbour it is unlikely that the development would be seen as an overbearing feature.
- 9.32. In totality the proposal, by virtue of it's scale, design and position, would not be considered to result in a detrimental impact on the amenity of the neighbouring properties. As such, it would comply with 'Saved' policy EN20 of the Bracknell Forest Borough Local Plan 2002, the Design SPD 2017 and the NPPF 2021.

iv. Impact on Parking

- 9.33. Policy CS23 of the Core Strategy Development Plan Document 2008 states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the Bracknell Forest Borough Local Plan 2002 states that development will not be permitted unless satisfactory parking provision is made for vehicles and cycles. This policy also states that the standards set out in the Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 (SPD) must be adhered to.
- 9.34. Policy HO4 of the Bracknell Town Neighbourhood Plan states that new residential development will be expected to provide car and bicycle parking.
- 9.35. The residential standards in the SPD state that a four bedroomed dwelling requires 3 parking spaces. The standard size of a parking space is 4.8 metres in length and 2.4 metres in width. A garage should have a width of 3.5 metres and a depth of 6.0 metres (excluding storage).
- 9.36. The submitted plans include the provision for 3no. external spaces on an extended forecourt. The parking spaces have been found to comply with the requirements of the SPD.
- 9.37. The Council's Highways Officer has reviewed the proposed development and raised no objection subject to conditions pertaining to the provision of the parking area and completion of the access prior to occupation. The officer notes that there is an existing access for the dwelling and no objection has been raised to this being used to accommodate the proposed development and therefore the inclusion of a condition pertaining to this is not reasonable. As the parking is being altered as part of this development the construction of the hardstanding is sought prior to occupation, through condition.
- 9.38. The proposed driveway would remove a grassed area to the front of the dwelling and has been recommended to be constructed with permeable block paving instead of gravel. It is noted that the application form states the proposed materials to be matching to the existing hardstanding. A condition will be added which requires either the proposed hardstanding to be

constructed using permeable materials or that sufficient drainage is installed within the site to allow for all run-off water to drain into an area that is permeable.

- 9.39. As the dwelling is in existing use and the proposal is only for an extension there is no need to consider the provision of bin and cycle storage.
- 9.40. As such, the proposal would be in accordance with 'Saved' policy M9 of the Bracknell Forest Borough Local Plan 2002, Policy CS23 of the Core Strategy Development Plan Document 2008 and Bracknell Forest Borough Parking Standards SPD 2016

10. CONCLUSION

- 10.1. It is considered that the development is acceptable in principle and would not result in an adverse impact on the character of the area or highway safety, nor would the development result in an adverse impact on the residential amenity of the occupiers of the neighbouring properties. As such, the scheme is considered to accord with the relevant 'Saved' policies of the Bracknell Forest Borough Local Plan 2002, the Core Strategy Development Plan Document 2008, the Bracknell Town Neighbourhood Plan 2016-2036, the Bracknell Forest Borough Parking Standards SPD 2016 the Design SPD and the NPPF 2021.
- 10.2. Therefore, the application is recommended for conditional approval.

11. RECOMMENDATION

11.1 That the application be approved subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans: 2021 275 017C, 2021 275 018C, 2021 275 019, 2021 275 020B and 2021 275 022C received on 22/11/2022 and 2021/275/001, 2021/275/002, 2021/275/003, 2021/275/005, 2021/275/006, 2021/275/013, 2021/275/014, 2021/275/015/D, 2021/275/016/A, 2021/275/017/B received on 01/07/2022.

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details specified in the application.

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

04. The proposed side window hereby approved, serving the first-floor bathroom, shall be constructed with obscure glazing and be non-opening below 1.7 metres of the room in which it is installed, and thereafter, shall be retained as such.

REASON: To protect the residential amenity of neighbouring properties

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the side elevations of the development hereby permitted except for any which may be shown on the approved drawing(s), unless they are glazed with a minimum of Pilkington Level 3 obscure glass (or equivalent) and fixed shut, or the parts of the window, opening or enlargement which are clear glazed and/or openable are more than 1.7 metres above the floor of the room in which it is installed.

REASON: To protect the residential amenities of neighbouring dwellings.

06. The proposed hardstanding hereby approved shall be constructed of permeable materials or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

REASON: To ensure the provision of adequate drainage within the site.

07. Prior to the first occupation of the first-floor extension hereby approved the hardstanding associated with this parking shall be constructed and laid out in accordance with approved drawing: 2021/275/015/F. This parking shall be retained thereafter.

REASON: In the interests of highways safety.

INFORMATIVES:

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
04. This is a planning permission. Before beginning any development, you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.