

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 23 March 2023, 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 - 8
	To approve as a correct record the minutes of the meeting of the Committee held on 19 January 2023.	
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

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

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

5.	22-00537-FUL - Palm Hills Estate, London Road, Bracknell, Berkshire	13 - 34
	Section 73 application to vary condition 04 (approved plans), 02 (Landscaping Reserved matters), 05 (Phasing Plan), 06 (CEMP), 07 (Drainage), 08 (SUDS), 09 (Remediation), 11 (Gas Mitigation), 12 (Leachates), 13 (Bats), 14 (Badgers), 16 (Archaeology) and 17 (Tree Protection) of planning permission 19/00847/OUT allowed under Appeal (Ref: APP/R0335/W/21/3267437) for demolition of existing Palm Hills complex and redevelopment of site to provide 81 dwellings (15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom) with associated car parking, landscaping and amended access onto London Road (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration). [For clarification: this application seeks changes to house types on plot numbers 1, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 21, 23, 24, 25, 26, 7, 28, 29, 30, 31, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 80 and 81].	
6.	22/00571/FUL - 6 Wilberforce Way, Bracknell, Berkshire RG12 9PN	35 - 42
	Creation of a 1 bedroom annex ancillary to 6 Wilberforce Way.	
7.	22-00671-OUT - Qatamon Pollardrow Avenue, Bracknell, Berkshire RG42 1PS	43 - 58
	Outline application (with all matters reserved) for redevelopment of the site for up to three dwellings (Class C3) following demolition of existing dwelling and outbuildings.	
8.	23-00016-3 - SANG At Bucklers Park, Woodcote Green, Crowthorne, Berkshire	59 - 66
	Resurfacing of existing SANG car park with tarmac including installation of additional drainage to discharge surface water into existing SuDS.	

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: 13 March 2023

EMERGENCY EVACUATION INSTRUCTIONS

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**PLANNING COMMITTEE
19 JANUARY 2023
6.30 - 7.50 PM**

Present:

Councillors Dudley (Chair), Brossard (Vice-Chair), Dr Barnard, Bidwell, Brown, Gbadebo, Green, Mrs Hayes MBE and Skinner

Present Virtually:

Councillors Angell, Bhandari, Mrs McKenzie and Mrs McKenzie-Boyle

Apologies for absence were received from:

Councillors Heydon, Mrs Mattick, Mossom and Virgo

63. Minutes

It was noted that it had been agreed at the meeting on the 15 December 2022 a Tree Preservation Order (TPO) would be applied to the tree at 6 Newhurst Gardens (21/00244/REM). This would be amended in the minutes.

RESOLVED that the minutes of the meeting held on 15 December 2022, as amended, be approved as a correct record.

64. Declarations of Interest

There were no declarations of interest.

65. Urgent Items of Business

There were no urgent items of business.

66. 22/00548/FUL 20 Honeyhill Road, Bracknell, Berkshire

Proposed erection of 2no. 3 bedroom semi-detached houses with parking, following demolition of existing double garage.

The Committee noted:

- The supplementary report tabled at the meeting.
- The comments from Bracknell Town Council objecting to the proposal.
- The 26 objections received as summarised in the agenda.
- The additional representation received as detailed in the supplementary report.

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

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

RESOLVED that application 22/00548/FUL be **REFUSED** for the following reasons:-

1. By reason of the layout, the proposed development would result in a cramped form of development out of keeping with the character of the surrounding area. The proposed development would therefore be contrary to Saved Policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy Development Plan Document, the Design Supplementary Planning Document (March 2017), Policies HO1, HO7 and HO8 of the Bracknell Town Neighbourhood Plan (2021) and the National Planning Policy Framework.
2. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

67. **21/00978/FUL Crown Wood Primary School, Opladen Way, Bracknell**

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

A motion to **APPROVE** the recommendation in the officer report was proposed but fell at the vote at the Planning Committee on the 15 December 2022.

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

RESOLVED that application 21/00978/FUL be **REFUSED** for the following reason:-

1. The proposed change of use would, as a result of the associated noise, activity and smoke/fumes from fires, cause an unacceptable loss of amenity to adjacent residential properties, contrary to Policies EN20 and EN25 of the Bracknell Forest Borough Local Plan and the NPPF.

68. **22/00778/FUL 16 Kingswood, Ascot, Berkshire**

Section 73 application for the variation of condition 2 (Approved Plans) of planning permission 21/00668/FUL to allow for the increase the ridge height of the single storey orangery by 0.15m.

The Committee noted:

- The supplementary report tabled at the meeting.
- The observations made by Winkfield Parish Council as detailed in the agenda.
- The objections received from 6 separate postal addresses as summarised in the agenda.
- That a further representation had been received from number 18, however no new issues were raised.

RESOLVED 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 24.01.2021, the date of the original planning permission 21/00668/FUL.

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

2. The development shall be carried out only in accordance with the following approved plans:

Block Plan

Proposed Elevations

Proposed Elevations 2

Proposed Elevations 3

Proposed Elevations 4

Received 16.09.2022 by the Local Planning Authority.

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 on the approved plans, received 10.06.2022 under 22/00492/NMA by the Local Planning Authority.

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

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

CHAIRMAN

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

**PLANNING COMMITTEE
23rd March 2023**

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

		Case Officer	Reporting Officer
5	<p>22/00537/FUL Palm Hills Estate London Road Bracknell (Ascot Ward) Section 73 application to vary condition 04 (approved plans), 02 (Landscaping Reserved matters), 05 (Phasing Plan), 06 (CEMP), 07 (Drainage), 08 (SUDS), 09 (Remediation), 11 (Gas Mitigation), 12 (Leachates), 13 (Bats), 14 (Badgers), 16 (Archaeology) and 17 (Tree Protection) of planning permission 19/00847/OUT allowed under Appeal (Ref: APP/R0335/W/21/3267437) for demolition of existing Palm Hills complex and redevelopment of site to provide 81 dwellings (15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom) with associated car parking, landscaping and amended access onto London Road (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration). [For clarification: this application seeks changes to house types on plot numbers 1, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 21, 23, 24, 25, 26, 7, 28, 29, 30, 31, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 80 and 81]. Recommendation: Approve.</p>	Simon Roskilly	Jo Male
6	<p>22/00571/FUL 6 Wilberforce Way Bracknell Berkshire (Harmans Water Ward) Creation of a 1 bedroom annex ancillary to 6 Wilberforce Way. Recommendation: Approve.</p>	Louise Fuller	Basia Polnik
7	<p>22/00671/OUT Qatamon Pollardrow Avenue Bracknell (Priestwood And Garth Ward)</p>	Shelley Clark	Basia Polnik

Outline application (with all matters reserved) for redevelopment of the site for up to three dwellings (Class C3) following demolition of existing dwelling and outbuildings.

Recommendation: Approve.

8	23/00016/3 SANG At Bucklers Park Woodcote Green Crowthorne (Crowthorne Ward) Resurfacing of existing SANG car park with tarmac including installation of additional drainage to discharge surface water into existing SuDS. Recommendation: Approve.	Jo Male	Basia Polnik
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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.
22/00537/FUL
Site Address:

Ward:
Ascot

Date Registered:
27 June 2022

Target Decision Date:
26 September 2022

Palm Hills Estate London Road Bracknell Berkshire

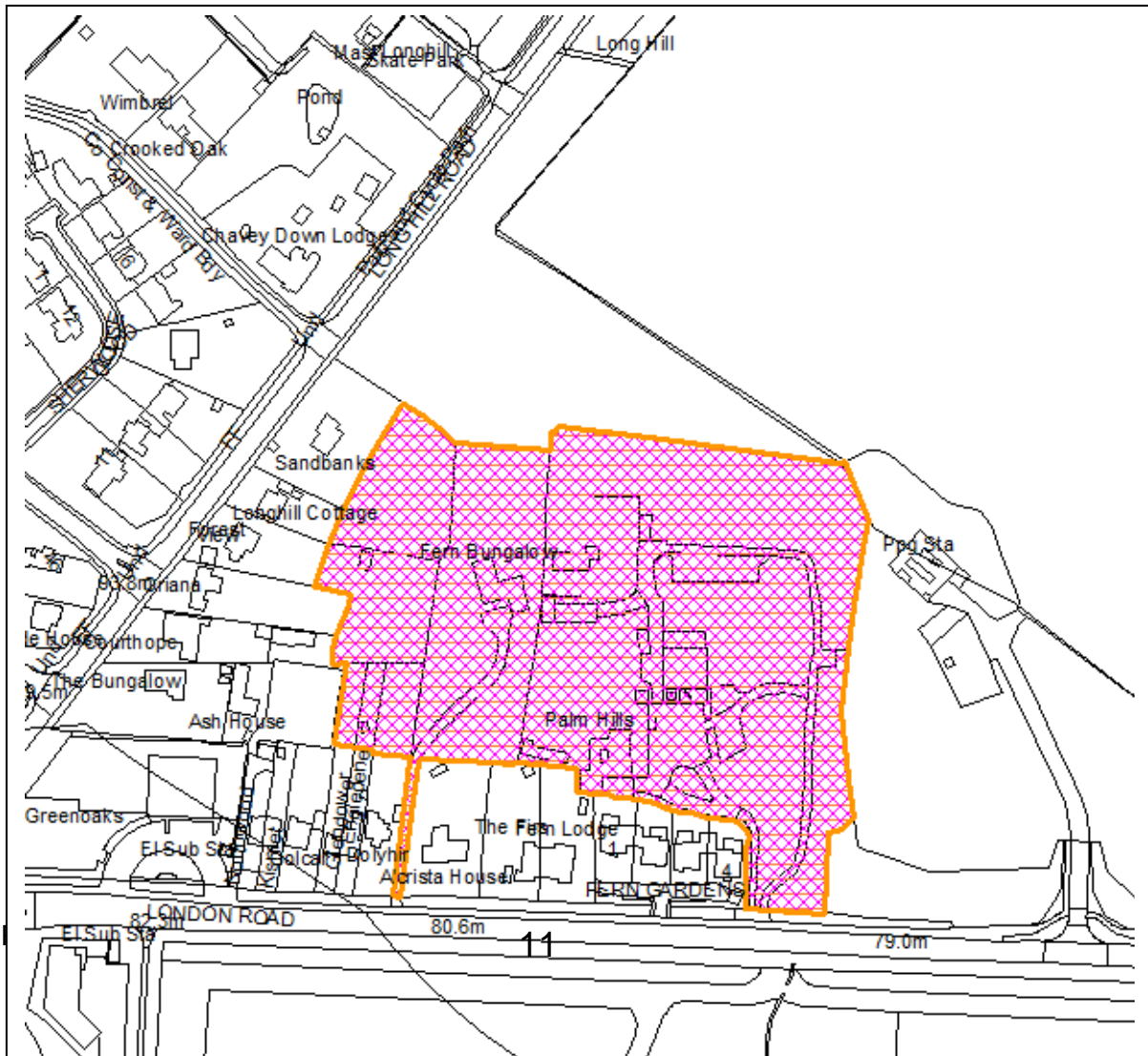
Proposal:

Section 73 application to vary condition 04 (approved plans), 02 (Landscaping Reserved matters), 05 (Phasing Plan), 06 (CEMP), 07 (Drainage), 08 (SUDS), 09 (Remediation), 11 (Gas Mitigation), 12 (Leachates), 13 (Bats), 14 (Badgers), 16 (Archaeology) and 17 (Tree Protection) of planning permission 19/00847/OUT allowed under Appeal (Ref: APP/R0335/W/21/3267437) for demolition of existing Palm Hills complex and redevelopment of site to provide 81 dwellings (15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom) with associated car parking, landscaping and amended access onto London Road (means of access, appearance, layout and scale to be considered, landscaping reserved for future consideration). [For clarification: this application seeks changes to house types on plot numbers 1, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 21, 23, 24, 25, 26, 7, 28, 29, 30, 31, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 80 and 81].

Applicant: Shanly Homes Limited
Agent: Mr Kevin Scott
Case Officer: Simon Roskilly, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1.0 SUMMARY

- 1.1 This is a planning application made under Section 73 of the Town and Country Planning Act 1990. A s73 application is used to seek a minor material amendment to a permission and can be used to vary or remove conditions attached to an extant planning permission.
- 1.2 This application seeks to vary condition 04 (approved plans) of the original permission in order to allow the following changes to be made to the approved development:
- Garage depth increase at plot 1
 - Ground floor projection added to rear, replacement of first floor bedroom with study and provision of bedroom within roofspace with associated dormers and rooflights at plots 5-12 & 78-81.
 - Rear ground floor projection increased in depth at plots 18-21, 26-31 & 68-73.
 - Rear ground floor projection added to plots 23-25 & 74-76.
- 1.3 Permission granted under section 73 takes effect as a new independent permission to carry out the same development as previously permitted subject to amended conditions. It should set out all conditions imposed on the new permission and for clarity should restate conditions imposed on earlier permissions that continue to have effect, amended as required.
- 1.4 Details pursuant to pre-commencement conditions of the original permission have already been approved, together with approval of landscaping details under 21/00772/REM. Accordingly, it is appropriate that any new permission includes reworded versions of these conditions to reflect these approvals and accordingly the application also seeks to amend conditions 2, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16, and 17. of the original approval.
- 1.5 The Local Highway Authority is of the view that the proposed changes, and in particular changes to the depth of the garage on plots 1 and the creation of a bedroom and a study on plots 5-12 and 78-81 inclusive, would not create the need for any further on-plot parking and, as such, would not result in any highway safety implications.
- 1.6 The proposal would result in no adverse impacts upon the amenity of both existing adjoining residents and/or any future occupiers.
- 1.7 The minor changes, as set out in paragraph 1.2 are not considered significant enough to result in the need to alter the approved drainage strategy, although documentation has been updated to reflect the changes to the dwellings.
- 1.8 A deed of variation to the signed S106 agreement, dated 17 June 2021 as varied by a deed of variation dated 25 June 2021 in respect of 19/00847/OUT, would be required if permission for this section 73 application is granted so that the original s106 agreement also applies to this Section 73 approval.

RECOMMENDATION

That the Assistant Director: Planning be authorised to grant planning permission subject to a deed of variation to the original S106 (as varied) and the conditions set out in Section 11 of this report.

2.0 REASON FOR REPORTING APPLICATION TO PLANNING COMMITTEE

- 2.1 The application has been reported to the Planning Committee at the request of Cllr Mrs Hayes as the alterations are not considered minor in nature and there are concerns regarding the parking facilities.

3.0 PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within part of the larger Site Allocations Local Plan (SALP) allocated site for residential development (Policy SA1)
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Within 5km of the SPA

- 3.1 The site, as outlined in red, has an approximate area of 2.55 hectares. The site did previously contain 2no. residential properties and 1no. guest house. However, these have since been demolished following the implementation of the planning permission for 81 dwellings which was originally allowed at appeal (19/00847/OUT).
- 3.2 North of the site lies the Council's historic landfill site known locally as the Old London Road Tip.
- 3.3 Vehicular access to the site is off London Road, based on a previous access that served the Palm Hills Estate.

4.0 RELEVANT SITE HISTORY

4.1 Palm Hills

- 07/00217/FUL Erection of two storey rear extension. APPROVED April 2007
- 08/00539/FUL Widening of vehicular access onto London Road, new 2.5m high gates and boundary treatment.
- 14/00569/FUL Erection of 62 dwellings comprising 5no. 1 bedroom flats, 10no. 2 bedroom flats, 5no. 3 bedroom houses, 28no. 4 bedroom houses and 14 no. 5 bedroom houses, including the demolition of two existing residential dwellings (C3 use) and two building associated with guest house/hotel (C1 use), landscaping. Vehicular access from London Road, parking, open space and pedestrian/cycle link to Long Hill Road. REFUSED Dec 2014.
- 19/00525/DEM Prior Approval application for the demolition of seven buildings Prior APPROVAL REQUIRED June 2019
- 19/00847/OUT 81 dwellings, consisting of 15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom, following the demolition of 2no. dwellings and a guesthouse. ALLOWED AT APPEAL July 2021.

- 21/00772/REM Reserved Matter relating to landscaping. APPROVED March 2022.

4.2 Palm Hills Guest House

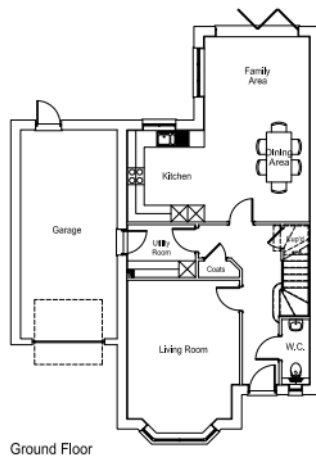
- 16/00396/FUL Temporary change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 childrens indoor recreational use (personal permission) REFUSED October 2016.
- APP/R0335/W/16/3161091 Change of use from Guesthouse (C1) to B1 and D2 use APPEAL DISMISSED May 2017. Planning Statement dismissed on highways grounds due to the suitability of the access and potential for queues on the highway.

5.0 THE PROPOSAL

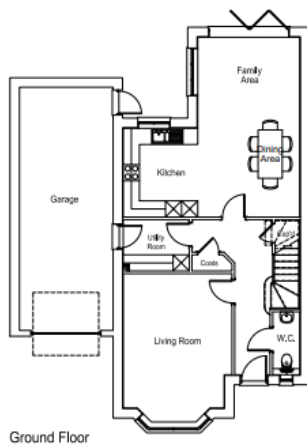
5.1. The application proposes the following changes: -

- (i) Garage depth increase at plot 1

Plot 1- As approved

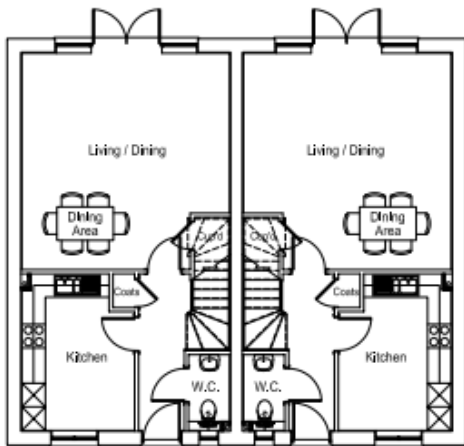


Plot 1- As proposed

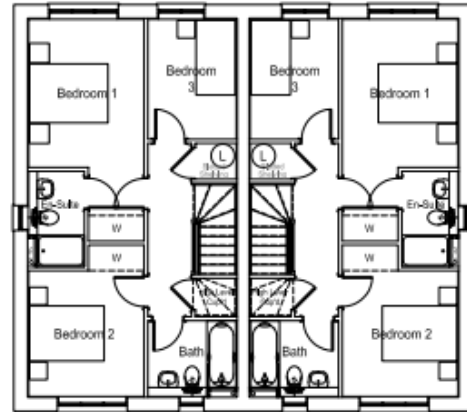


- (ii) Ground floor projection added to rear, replacement of first floor bedroom and addition of bedroom within roofspace with associated dormers and rooflights at plots 5-12 & 78-81.

Plots 5-6- As approved



Ground Floor

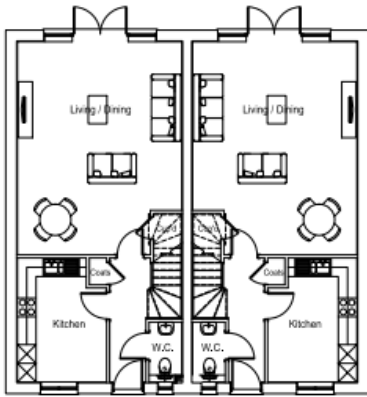


First Floor

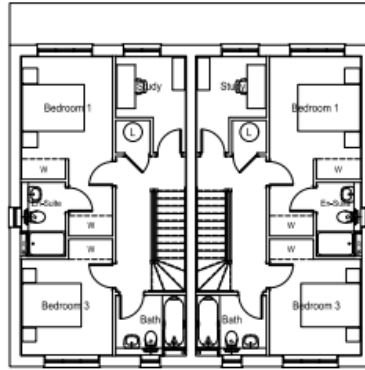


Front Elevation

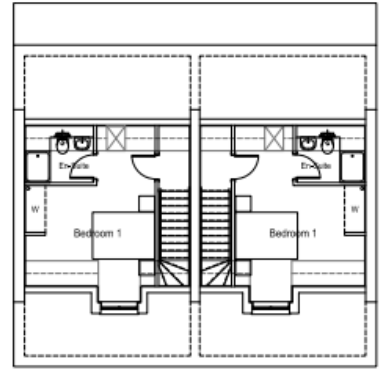
Plots 5-6- As proposed



Ground Floor



First Floor



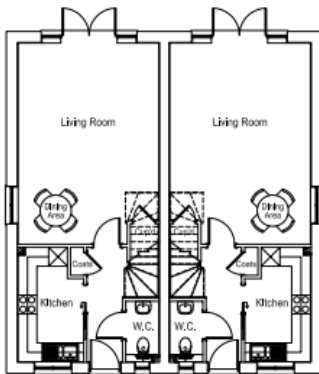
Second Floor



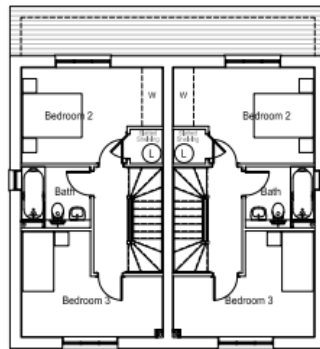
Front Elevation

(iii) Rear ground floor projection increased in depth at plots 18-21, 26-31 & 68-73.

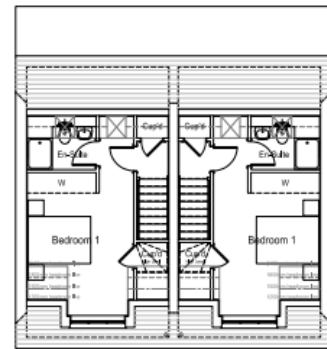
Plots 18-19- As approved



Ground Floor

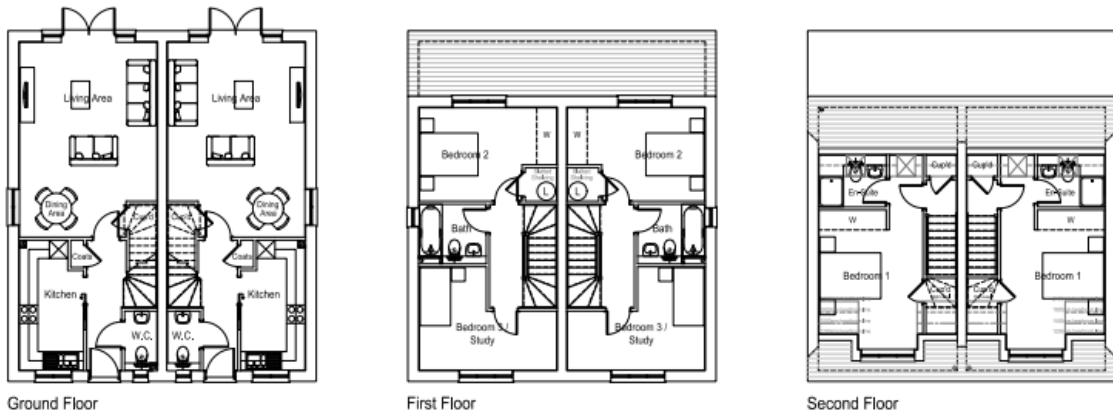


First Floor



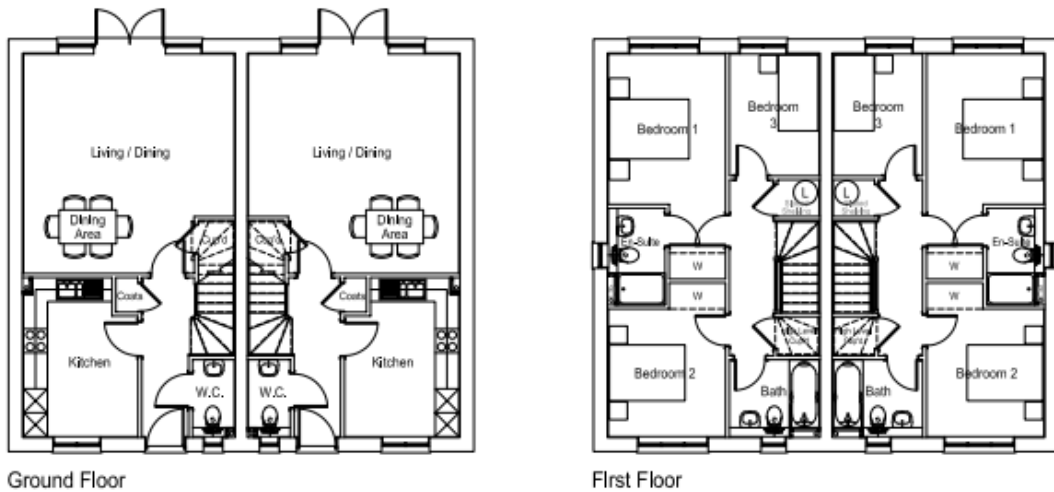
Second Floor

Plots 18-19- As proposed

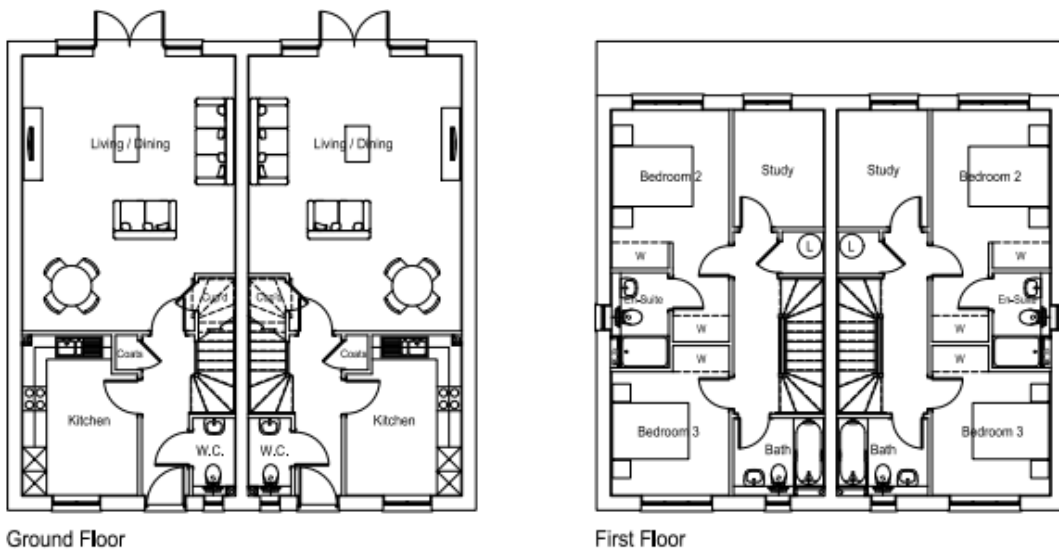


(iv) Rear ground floor projection added to plots 23-25 & 74-76.

Plots 23-24- As approved



Plots 23-24- As proposed



6.0 REPRESENTATIONS RECEIVED

Winkfield Parish Council

- 6.1 The Parish Council is of the view that this application to vary 12 of the conditions relating to 35 plots previously approved should constitute a new outline planning application in full with the new proposals detailed in full to allow consideration; the application in its current form lacks any transparency.
- 6.2 The Parish Council has grave concerns about the development creep shown in this section 73 application, and the impacts on parking which will arise from the increases in bedrooms.
- 6.3 The Parish Council has further concerns relating to the increases in scale and mass arising from the variations and the impacts on the character of the area.
- 6.4 It is noted that no information is given within the documentation for this application relating to variations to conditions 02 (Landscaping Reserved matters), 05 (Phasing Plan), 06 (CEMP), 07 (Drainage), 08 (SUDS), 09 (Remediation), 11 (Gas Mitigation), 12 (Leachates), 13 (Bats), 14 (Badgers), 16 (Archaeology) and 17 (Tree Protection) of planning permission 19/00847/OUT. WPC is therefore unable to make any response to such proposed variations here.

Other representations

- 6.5 2no. Objections were also received expressing the following concerns: -
- (i) Society for the Protection of Ascot and Environs (SPAЕ)
- 6.6 The Society for the Protection of Ascot & Environs wishes to comment on this application. The proposed variations affecting 35 plots are substantial. They involve garage depth increases, ground floor projections increased in depth, and the addition of rear ground floor projections. With the development already permitted and the extent of the alterations being proposed, we are concerned about the adverse impact this may have. We question for example whether the revision for "drainage arrangements" (condition 7) is adequate. This is because the water table may be affected with development depths being increased and where parts of the site are susceptible to surface water flooding.
- (ii) Neighbouring Resident
- 6.7 The proposed changes appear to increase the sizes of some of the houses. In some cases, the increases would be only marginal, in others they would enlarge the accommodation space. 35 of the proposed 81 houses are affected by the changes. Why are these increases being requested? Were the enlarged sizes the intended sizes from the outset? The application to build on this site was rejected by Bracknell Forest due to its undesirability, a decision overridden by an inspectorate that will not suffer the consequences. Now the applicant wishes to have even more of what he/she/it/they/whatever should not have been granted in the first place.

Case officer's response to concerns raised

- 6.8 The changes proposed are not considered significant enough to warrant the submission of a new application. It is not unusual for changes to be sought following permission being granted due to the publication of technical drawings that then require minor changes to the house types. It is, in this case, considered appropriate to assess the proposed changes under a Section 73 application which looks at minor material amendments (MMAs).
- 6.9 To address the proposed changes condition 04 (approved plans condition) would need to be updated. The applicant has also listed several other conditions that they are seeking to vary. However, the variation sought is merely so that the conditions reflect details already approved by the LPA. When looking to approve a section 73 application it is standard practice for the new consent to reflect the up to date position and for completeness these have been included in the description of their submission.
- 6.10 Updated drainage documentation has been submitted to reflect the changes as proposed. However no significant changes to the drainage strategy are required because of this application. The updated drainage documentation can be referred to in the relevant drainage conditions.
- 6.11 When assessing minor material changes, the reason the changes are sought is not a material consideration and the LPA is required to consider what impacts, if any, may result when compared with the previous approval.
- 6.12 Concerns relating to the proposed changes have been addressed in section 9, Planning Considerations.

7.0 SUMMARY OF CONSULTATION RESPONSES

- 7.1 Highways Officer
Recommends conditional approval.

8.0 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Limited (policy not used in planning application decision-making) Consistent
Housing	CSDPD Policy CS9 and BFBLP 'Saved' Policy EN8 H5 of BFBLP	Elements are acknowledged to not be fully consistent (para. 170 a) and b) however the thrust of these policies remains consistent (paras. 78-79, 103, 104a, 117 and 170)

	SA1 of SALP	Partially out of date but weight can be attached where the policy aligns with the tests of policy GB1. Consistent.
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Trees & Landscaping	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Heritage	CSDPD Policies CS1 & CS7	Consistent (paras. 189 to 197)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175)
Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 118, 170, 178 & 180)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)
Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 54 to 56, 92 and 94)
Supplementary Planning Documents (SPD)		
Parking standards SPD Planning Obligations SPD (2015) Thames Basin Heath SPA SPD Character Area Assessments SPD Design SPD		
Other publications		
National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)		

9.0 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 and Highways Considerations
- v. Biodiversity
- vi. Surface Water Drainage/Flood Risk
- vii. Legal Agreement

i. Principle of Development

9.2 The principle of development has already been established given that planning permission (19/00847/OUT) was granted at appeal.

Legislative Background

9.3 Section 73 of the Town and Country Planning Act 1990 enables conditions to be amended or removed. One use of this is to enable plans to be substituted where details within a scheme have changed. The S73 application creates a new planning permission that sits alongside the original which remains unaltered. S73 applications do not have the power to increase the time limit requiring a development to be begun. In respect of conditions, Planning Practice Guidance clarifies that 'notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged'.

ii. Impact on Character and Appearance of the Area

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

9.5 The applicant wishes to increase the depth of the garage on plot 1, increase the depth of already approved single storey rear projections at plots 18-21, 26-31 & 68-73 by a matter of centimetres and include a small single storey extension to the rear of plots of 5-12, 23-25, 74-76 & 78-81 where this previously did not exist. These changes are considered minor in nature and acceptable, as they would result in no adverse impacts upon the character and appearance of the already approved 81no. dwelling development.

9.6 Given the above assessment it is considered that no adverse impacts upon the character and appearance of the site and the immediate area would result. The proposal is therefore in compliance with CSDPD Policy CS7, BFBLP Policy EN20 and the NPPF.

iii. Impact on Residential Amenity

- 9.7 Saved BFBLP Policy EN20 proviso (vii) seeks to prevent development that would adversely affect the amenity of surrounding properties. This is consistent with the NPPF.
- 9.8 None of the proposed changes, as applied for, are considered to adversely impact upon residential amenity both on and adjoining the site.
- 9.9 Accordingly, it is considered that the proposal complies with 'saved' Policy EN20 of BFLP, specifically criterion vii.

iv. Transport and Highways Considerations

- 9.10 The Local Highway Authority (LHA) has assessed the plans, which include amended plans correcting typographic errors regarding bedroom numbering to plots 23, 24, 75 and 76 and amended plans changing the shape and size of the proposed studies on plots 5-12 and 78-81, and have recommended that the Section 73 application be approved subject to conditions.
- 9.11 The increase in garage depth on plot 1 would leave adequate space on the driveway for parking along with sufficient space for occupiers to access the rear garden from the front.
- 9.12 In instances where bedrooms have been included within the roofspace of 12 plots, the applicant has indicated that no increase in the number of bedrooms would result, as small rooms, previously marked as bedrooms on the first floor, are now shown as studies. The originally approved 3rd bedroom on plots 5-12 and 78-81 fell short of the national prescribed standards for a bedroom, having a floor area of less than 7.5 sqm at 6.5sqm. This standard should be read as guidance only; however, it is relevant in considering whether a room could realistically be used as a bedroom.
- 9.13 It is the applicant's view that with more and more employers encouraging their staff to work remotely from home there is a real need to dedicate home working office space within dwellings and the proposed studies, as shown, would provide an ideal space to address this need. The need for home working space is supported by recent data from the Office for National Statistics which says that among working adults who have worked in the last seven days, 16% reported working from home only and 28% reported both working from home and travelling to work over the period September 2022 to January 2023. This means that since lockdowns ended, some 44% of working adults are spending all or part of their working time based at home (source: Characteristics of homeworkers, Great Britain: September 2022 to February 2023, ONS, February 2023).
- 9.14 During the consideration of this application the applicant has submitted further amended plans showing the proposed first floor studies on plots 5-12 and 78-81 incorporating an airing cupboard, such that they have an L-shape layout and a floor area of only 5.6sqm.

Conclusion on Transport and Highways Considerations

- 9.15 Given the justification put forward by the applicant, the comments received from the LHA and the internal dimensions of the studies discouraging use as a bedroom, it is considered that no further on-plot parking would be required as the number of

bedrooms now proposed would be the same as originally approved. However, given the applicant's justification for the studies it is considered reasonable to impose the following condition in-order to maintain the use of the rooms as studies: -

'The internal floor layout of plots 5-12 and 78-81 shall be laid out as approved and thereafter retained as such with each property having a maximum of 3 bedrooms at any time.

REASON: To ensure adequate parking provision is provided.

[Relevant Policies: BFBLP EN3, M9, CSDPD CS14, CS23, SEP NRM6]

- 9.16 Given the above assessment which has taken into consideration the LHA comments, the application is not considered to result in any adverse highway safety implications and as such complies with BFBLP Policies M4, M5, M6, M7, M8 and M9 and CSDPD Policies CS23 and CS24 and the NPPF.

v. Biodiversity

- 9.17 Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity. Policy CS7 also requires the design of new development to enhance and promote biodiversity. These policies are consistent with the NPPF. The development must demonstrate that it provides a net gain in biodiversity in line with the NPPF.

- 9.18 None of the proposed changes, as applied for, are considered to adversely affect the already agreed ecological mitigation.

vi. Surface Water Drainage/Flood risk

- 9.19 The minor changes, as set out above, are not significant enough to require any material changes to the drainage strategy. The applicant has submitted revised drainage documentation that clarifies this point.

vii. Legal Agreement

- 9.20 Planning permission 19/00847/OUT was approved alongside a signed Section 106 Legal Agreement (dated 25.06.2021). The wording in the agreement does not allow for subsequent amended plans (NMA) and/or Section 73 applications to be linked to the original legal agreement. Therefore, any consent would need to be accompanied by a deed of variation.

10.0 CONCLUSION

- 10.1 The application seeks consent to vary conditions 04 (approved plans), 02 (Landscaping Reserved matters), 05 (Phasing Plan), 06 (CEMP), 07 (Drainage), 08 (SUDS), 09 (Remediation), 11 (Gas Mitigation), 12 (Leachates), 13 (Bats), 14 (Badgers), 16 (Archaeology) and 17 (Tree Protection) of planning permission 19/00847/OUT. The changes have been assessed and are not considered to result in any adverse impacts upon the character and appearance of the scheme, would not result in any significant impact upon residential amenity nor would they result in any highway safety or drainage implications. As such the proposal is recommended for conditional approval. The decision will reflect the status of the original conditions.

11.0 RECOMMENDATION

11.1 That the Assistant Director: Planning be authorised to grant planning permission subject to a deed of variation to the original s106 agreement (as varied) and the following conditions, added to or deleted as the Assistant Director: Planning considers necessary:

1. The development shall be carried out in accordance with the landscaping reserved matters details approved under reference 21/00772/REM.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

1295/Pln/100B Site Location Plan
1295/Pln/101F Site Layout
1295/Pln/101-1F Site Layout (Coloured)
1295/Pln/102A Plot 1 Plans and Elevations
1295/Pln/103 Plot 2 Plans and Elevations
1295/Pln/104 Plot 3 Plans and Elevations
1295/Pln/105 Plot 4 Plans and Elevations
1295/Pln/106B Plots 5-6 Plans and Elevations
1295/Pln/107B Plots 7-8 Plans and Elevations
1295/Pln/108B Plots 9- 10 Plans and Elevations
1295/Pln/109B Plots 11-12 Plans and Elevations
1295/Pln/110 Plot 13 Plans and Elevations
1295/Pln/111A Plots 14-17 Plans and Elevations
1295/Pln/112A Plots 18-19 Plans and Elevations
1295/Pln/113A Plots 20-21 Plans and Elevations
1295/Pln/114 Plot 22 Plans and Elevations
1295/Pln/115B Plots 23-24 Plans and Elevations
1295/Pln/116A Plot 25 Plans and Elevations
1295/Pln/117 Plots 26-27 Plans and Elevations
1295/Pln/118A Plots 28-29 Plans and Elevations
1295/Pln/119A Plots 30-31 Plans and Elevations
1295/Pln/120A Plots 32-34 Plans and Elevations
1295/Pln/121 Plot 35 Plans and Elevations
1295/Pln/122 Plots 36-37 Plans and Elevations
1295/Pln/123 Plots 38- 39 Plans and Elevations
1295/Pln/124 Plots 40-41 Plans and Elevations
1295/Pln/125A Plot 42 Plans and Elevations
1295/Pln/126B Plots 43-63 Floor Plans (Sheet 1)
1295/Pln/127A Plots 43-63 Floor Plans (Sheet 2)
1295/Pln/128A Plots 43-63 Elevations
1295/Pln/129 Plot 64 Plans and Elevations
1295/Pln/130 Plot 65 Plans and Elevations
1295/Pln/131 Plot 66 Plans and Elevations
1295/Pln/132 Plot 67 Plans and Elevations
1295/Pln/133A Plots 68-69 Plans and Elevations
1295/Pln/134A Plots 70-71 Plans and Elevations
1295/Pln/135A Plots 72-73 Plans and Elevations
1295/Pln/136A Plot 74 Plans and Elevations
1295/Pln/137B Plots 75-76 Plans and Elevations
1295/Pln/138 Plot 77 Plans and Elevations
1295/Pln/139B Plots 78-79 Plans and Elevations

1295/Pln/140B Plots 80-81 Plans and Elevations
 1295/Pln/141C Indicative Street Scenes
 1295/Pln/142D Site Sections
 1295/Pln/143F Indicative Levels Plan
 1295/Pln/144F Road Levels and Sections
 1295/Pln/145G Block Plan
 1295/Pln/146G Building Heights Plan
 1295/Pln/147F Information Plan
 1295/Pln/148 Existing Site Survey
 19-T067_06B Potential right turn lane and junction visibility
 SH23354 11E-Sheet 1 of 4
 SH23354 11E-Sheet 2 of 4
 SH23354 11E-Sheet 3 of 4
 SH23354 11E-Sheet 4 of 4
 SH23354 12A-Sheet 1 of 4
 SH23354 12A-Sheet 2 of 4
 SH23354 12A-Sheet 3 of 4
 SH23354 12A-Sheet 4 of 4
 SH23354 Soft Landscape Specification
 SH23354 Soft Landscape Management and Maintenance Plan

3. The development shall be carried out in accordance with the Phasing Plan 1295-CON-001 approved by the Local Planning Authority under reference 21/00141/COND. No development shall commence in respect of any phase until all relevant reserved matters and pre-commencement conditions have been approved in respect of that phase.

4. The development shall be carried out in accordance with the Construction Environmental Management Plan Palm Hills SMA Ref:6800/CEMP Issue Status: Issue 08, dated April 2022 approved under reference 21/00139/COND.

5. The development shall be carried out in accordance with the following drainage arrangements approved by the Local Planning Authority under reference 21/00140/COND:

- Cover Letter received 9th September 2021
- Sustainable Drainage Design and Management Strategy Ref: 5753-DR001 Rev 1 dated 31st August 2021
- 1295-101.01 REV P3 received 13th September 2021
- 1295-101.02 REV P3 received 13th September 2021
- 1295-101.03 REV P3 received 13th September 2021
- 1295-101.04 REV P3 received 13th September 2021
- 1295-160 REV P3 received 13th September 2021
- 1295-161 REV P3 received 13th September 2021
- SH23354 11 REV A Soft Landscaping Proposals Sheet 1 of 4 received 13th September 2021

The drainage arrangements shall be implemented in accordance with the approved details and the agreed programme. A verification report shall be submitted to and be approved in writing by the Local Planning Authority prior to the first occupation of any dwelling within each phase of the development demonstrating that full details and specifications of the approved sustainable drainage systems have been implemented for that phase. This shall include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipework, hydrobrakes and cover systems required to demonstrate the full implementation of the approved scheme.

6. The development shall be carried out in accordance with the following arrangements for the Sustainable Urban Drainage System approved by the Local Planning Authority under reference 21/00140/COND:

- Cover Letter received 9th September 2021
- Sustainable Drainage Design and Management Strategy Ref: 5753-DR001 Rev 1 dated 31st August 2021
- 1295-101.01 REV P3 received 13th September 2021
- 1295-101.02 REV P3 received 13th September 2021
- 1295-101.03 REV P3 received 13th September 2021
- 1295-101.04 REV P3 received 13th September 2021
- 1295-160 REV P3 received 13th September 2021
- 1295-161 REV P3 received 13th September 2021
- SH23354 11 REV A Soft Landscaping Proposals Sheet 1 of 4 received 13th September 2021

7. Phase 1 of the development shall be remediated in accordance with the following details approved by the Local Planning Authority under reference 21/00142/COND - Phase 2 Land Contamination Assessment - R06 Site Wide Remediation Strategy.

Phase 2 of the development shall be remediated in accordance with the following details approved by the Local Planning Authority under reference 21/00160/COND: - Phase 2 Land Contamination Assessment 25th May 2022. - Site Wide Remediation Strategy R06 25th May 2022.

No development of Phase 3 shall commence until full details and arrangements for an investigation and risk assessment of the nature and extent of any contamination within the site, and of a subsequent remediation scheme and of a detailed programme for its implementation, have been submitted to and been approved in writing by the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons in accordance with guidance set out in Land Contamination: Risk Management, as published by the Environment Agency on 8 October 2020. A written report of the findings of the assessment shall be submitted to and be approved in writing by the Local Planning Authority. The report of the findings shall include:

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to: 1) human health; 2) property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes; 3) adjoining land; 4) ground and surface waters; 5) ecological systems; 6) archaeological features;
- c) an appraisal of possible remedial options. Arising from the investigation and risk assessment, a fully detailed remediation scheme to bring the site to a condition suitable for the proposed development by removing unacceptable risks shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, remediation objectives and criteria, a programme for implementation of the proposed details and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The scheme shall also set out monitoring and maintenance arrangements to include, where appropriate, observing the long-term effectiveness of all proposed contamination remediation over an agreed period. The remediation scheme shall be carried out in accordance with its approved details and an agreed programme. The Local Planning Authority shall be given two weeks' written notification of the commencement of any proposed remediation works. Following completion of all measures identified in the approved remediation schemes, a verification report

demonstrating that full details and specifications of the approved schemes have been implemented shall be prepared in accordance with an agreed timescale and be approved in writing by the Local Planning Authority.

8. Gas mitigation for Phase 1 of the development shall be carried out in accordance with the following details approved by the Local Planning Authority under reference 21/00142/COND :

- Phase 2 Land Contamination Assessment - R06 Site Wide Remediation Strategy.

Gas mitigation for Phase 2 of the development shall be carried out in accordance with the following details approved by the Local Planning Authority under reference 21/00160/COND :

- R03 (03) External Ground Gas Remediation Options Appraisal and Remediation Strategy
- R04 (04) Gas Barrier Design
- R05 (03) Non-technical summary
- R07 Design for Phase 2.

-No development of Phase 3 shall commence until a landfill gas investigation and risk assessment has been submitted to and been approved in writing by the Local Planning Authority. Where any risk from gas is identified, a scheme to mitigate the effects of gas shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of any development. The approved scheme shall be implemented in accordance with an agreed programme.

Following completion of all measures identified in the approved gas remediation schemes, a verification report demonstrating that full details and specifications of the approved scheme have been implemented shall be prepared in accordance with an agreed timescale and be approved in writing by the Local Planning Authority.

9. Leachate risk in respect of Phase 1 of the development shall be managed in accordance with the following details approved by the Local Planning Authority under reference 21/00142/COND : - Phase 2 Land Contamination Assessment - R06 Site Wide Remediation Strategy Leachate risk in respect of Phase 2 of the development shall be managed in accordance with the following details approved by the Local Planning Authority under reference 21/00160/COND: - Phase 2 Land Contamination Assessment 25th May 2022. - Site Wide Remediation Strategy R06 25th May 2022. No development of Phase 3 shall commence until a leachate investigation and risk assessment have been submitted to and been approved in writing by the Local Planning Authority. Where any risk from leachate is identified, a scheme to mitigate the effects of the leachate shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of any development. The approved scheme shall be implemented in accordance with an agreed programme. Following completion of all measures identified in the approved leachate remediation schemes, a verification report demonstrating that full details and specifications of the approved scheme have been implemented shall be prepared in accordance with an agreed timescale and be approved in writing by the Local Planning Authority.

10. The development shall be carried out in accordance with the following details to mitigate the impact of the development upon bats which were approved by the Local Planning Authority under reference 21/00138/COND: - Ecological Enhancement Plan

(Condition 13 and 14), Palm Hills Complex., dated September 2021 - Email – Confirmation No Lighting In Enhancement Areas 22.04.22

11. The development shall be carried out in accordance with the following details to safeguard and create badger access which were approved by the Local Planning Authority under reference 21/00138/COND: - Ecological Enhancement Plan (Condition 13 and 14), Palm Hills Complex., dated September 2021

12. The results of the archaeological evaluation approved by the Local Planning Authority under reference 21/00136/COND shall inform the preparation of a subsequent mitigation strategy/action plan which shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy/action plan shall be implemented in accordance with the details and a programme as approved.

13. The development shall be carried out in accordance with the following details for the protection of existing trees to be retained as shown on the Tree Removal Plan TSP1 (contained within the Arboricultural Impact Assessment received by the Local Planning Authority on 19 September 2019) which were approved by the Local Planning Authority under reference 21/00137/COND: - Arboricultural Method Statement for the Approved Residential Development at the Palm Hills Complex, London Road, Chavey Down- Ref 1121- 8098 November 2021. - Arboricultural Method Statement for the Proposed Landfill Gas Ventilation Underground Barrier at the Palm Hills Complex, London Road, Chavey Down- Ref: 0321-9010 Rev 1 March 2021 The protective fencing and other measures to be specified shall be implemented as approved and in accordance with a programme to be agreed in writing by the Local Planning Authority. The fencing and measures shall be maintained fully intact and (in the case of the fencing) upright, in the approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other required measures are in place for that phase in full accordance with the approved details. No activity of any description shall occur at any time within these protected areas including, but not restricted to: a) mixing of cement or any other materials; b) storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquid waste residues, or materials/debris of any other description; c) siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hardstanding areas of any other description; d) soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ground conditions of any other description; e) installation/siting of any underground services, temporary or otherwise, including drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting; f) parking/use of tracked or wheeled machinery or vehicles of any description; In addition to the protection measures specified above: 1) no fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained; 2) no signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

14. No dwelling shall be occupied until the site access junction details onto London Road along with the pedestrian and cycle link to the west of the access have been constructed in accordance with approved drawing Ref: 19-T067_06 rev B, and those facilities shall be maintained and retained thereafter.

15. No dwelling shall be occupied until the visibility splays shown on approved drawing Ref: 19-T067_06 rev B have been provided as detailed. These areas

shall be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway and shall be maintained and retained thereafter.

16. No dwelling shall be occupied until that part of the estate road which provides access to that dwelling and its parking, along with the adjacent footways, margins and street lighting, have been constructed in accordance with the approved Site Layout Plan Ref: 1295/Pln/101D.

17. No house shall be occupied until its associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved Site Layout Plan Ref: 1295/Pln/101D. The spaces shall be kept available for parking and turning at all times thereafter.

18. No apartment marked Plots 43-63 on the approved plans shall be occupied until details of the allocation of parking spaces to each of those dwellings has been submitted to and been approved in writing by the Local Planning Authority and has been provided and allocated in accordance with the approved details. The spaces shall be maintained and be kept available for such parking at all times thereafter.

19. No dwelling shall be occupied until a means of access for pedestrians and cyclists to London Road to the east of the property named Dolyhir, along with appropriate lighting for this pedestrian and cyclist route, have been constructed in accordance with details to be agreed in writing by the Local Planning Authority. The approved means of access and associated details shall be implemented as approved and be maintained and retained thereafter.

20. No dwelling shall be occupied until:

a) details of the provision of 16 visitor car parking spaces, and;

b) details of the signage for the visitor car parking spaces;

have been submitted to and been approved in writing by the Local Planning Authority and have been implemented in accordance with the approved details.

The visitor car parking spaces and signage shall be maintained and retained for such parking at all times thereafter.

21. As part of the garage accommodation hereby approved for Plots 1, 2, 3, 4, 13, 64, 65, 66 and 67, an area of at least 6.0 metres back from the garage door (when closed) and 3.5 metres wide shall be provided prior to first occupation of each dwelling and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

22. No dwelling shall be occupied until the associated secure and covered cycle accommodation for that dwelling based upon one cycle space per bedroom has been provided in the locations identified for cycle parking on the Information Plan (approved drawing Ref: 1295/Pln/147D). The cycle parking spaces and facilities shall be maintained and retained at all times thereafter.

23. No dwelling shall be occupied until details of electric vehicle charging infrastructure with a minimum output of 7kW to be provided for the parking spaces marked with a circle for 'EV Charging Point' on the Information Plan (approved drawing Ref: 1295/Pln/147D) have been submitted to and have been approved in writing by the Local Planning Authority. The approved electric vehicle charging infrastructure shall be provided in accordance with an agreed

programme and shall be maintained in working order and be retained thereafter.

24. No dwelling shall be occupied until a full and updated travel plan in general accordance with the submitted framework travel plan, and including details of monitoring arrangements, has been submitted to and been approved in writing by the Local Planning Authority. The approved travel plan shall be implemented as approved and in accordance with an agreed programme and shall include monitoring arrangements for 5 years after the occupation of the last dwelling to be completed.

25. No dwelling shall be occupied until either:

a) confirmation has been provided to the Local Planning Authority from the sewerage undertaker that sufficient capacity within the sewerage infrastructure exists to serve the development; or

b) a scheme for the improvement of the existing sewerage system has been submitted to and been approved in writing by the Local Planning Authority. If so, the scheme shall be implemented as approved and in accordance with an agreed programme and shall be maintained and retained thereafter. No dwelling shall be occupied until the scheme for improvement of the existing sewerage system has been completed in full as approved.

26. No dwelling shall be occupied until a scheme has been submitted to and been approved in writing by the Local Planning Authority setting out details of external lighting, including lighting units and levels of illumination and a programme for implementation. No external lighting shall be provided at the site other than in accordance with the approved details. The development shall be carried out in accordance with the details as approved.

27. Prior to the occupation of the final dwelling within each phase, a verification report demonstrating full implementation of the biodiversity enhancement measures and recommendations set out in the Ethos Environmental Planning Ecological Assessment dated December 2019 relevant to that phase, shall be submitted to and be approved in writing by the Local Planning Authority. The measures shall be maintained and retained thereafter.

28. Prior to commencement of any above ground construction in each phase, a scheme shall be submitted to and be approved in writing by the Local Planning Authority setting out details of all on-site refuse and recycling storage and collection facilities (including details of any enclosures or screening) to serve each dwelling within that phase. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the relevant dwelling and shall be maintained and retained thereafter.

29. Prior to commencement of any above ground construction, an estate road phasing and completion plan shall be submitted to and be approved in writing by the Local Planning Authority. The plan shall set out details of the access road serving each phase of the development and the design standards to which it will be completed.

30. The access road coloured blue and yellow along with links to the boundaries of the adjacent properties named Sandbanks and Dolyhir coloured red on the Information Plan (approved drawing Ref: 1295/Pln/147D), and all footways, margins and street lighting adjacent to the areas coloured blue, yellow and red, shall be constructed in accordance with the agreed estate road phasing and completion plan and shall be maintained and retained thereafter as

private accesses and footpaths.

31. No gates shall be provided at the vehicular access to the site serving London Road.

32. The development shall be constructed in accordance with the details as approved under the following: -

- External Materials Schedule 17.05.22
- 1295 Materials Markup Plan 17.05.22

33. Prior to commencement of any above ground construction in each phase, details showing the finished floor levels of the buildings in that phase relative to a fixed datum point shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

34. Prior to commencement of any above ground construction, a sustainability statement for water efficiency setting out measures to achieve an average water use in new dwellings of 110 litres/person/day shall be submitted to and be approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details and an agreed programme and shall be maintained and retained thereafter.

35. Prior to commencement of any above ground construction, an energy demand assessment shall be submitted to and be 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 (the proportion of which shall be at least 20%), or from such other appropriate measures as may be agreed in writing by the Local Planning Authority.

The buildings shall be constructed in accordance with the approved assessment and the approved measures shall be maintained and retained thereafter.

36. The first-floor bathroom windows in the side elevations of Plots 75 and 81 shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) to a height of 1.7 metres from the corresponding floor level. The windows shall at all times be fixed to a height of 1.7 metres from floor level.

37. All second-floor rear-facing velux windows on Plots 18, 19, 20, 21, 28, 29, 30, 68, 69, 70 and 71 shall have a sill height no lower than 1.7 metres above the corresponding floor level.

38. The internal floor layout of plots 5-12 and 78-81 shall be laid out as approved and thereafter retained as such with each property having a maximum of 3 bedrooms at any time.

REASON: To ensure adequate parking provision is provided.

[Relevant Policies: BFBLP EN3, M9, CSDPD CS14, CS23, SEP NRM6

Informatives

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. The following conditions require discharge prior to the commencement of development: 12, 28, 29, 33, 34 and 35.
03. The following conditions require discharge prior to the occupation of the dwellings hereby approved: 18, 19, 20, 23, 24, 25, 26 and 27.
04. 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, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 30, 32, 36, 37 and 38.

Unrestricted Report

ITEM NO: 6

Application No.
22/00571/FUL
Site Address:

Ward:
Harmans Water

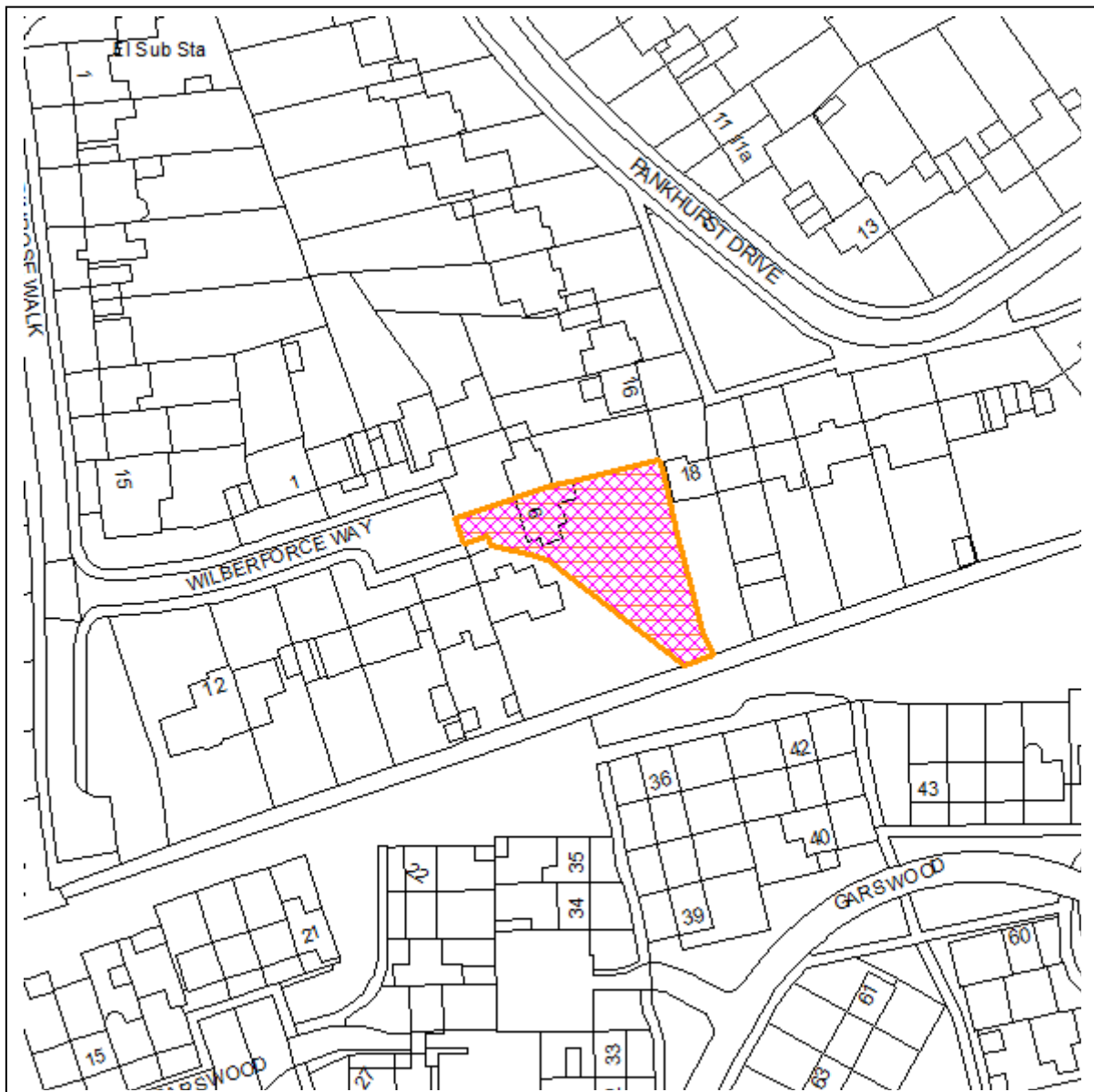
Date Registered:
5 July 2022

Target Decision Date:
24 March 2023

6 Wilberforce Way Bracknell Berkshire RG12 9PN

Proposal: **Creation of a 1 bedroom annex ancillary to 6 Wilberforce Way.**
Applicant: Mr & Mrs R Humphries
Agent: Mr Tony Grover
Case Officer: Louise Fuller, 01344 352000
Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1.0 SUMMARY

1.1 This application seeks to create a 1-bedroom annex ancillary to 6 Wilberforce Way.

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

2.0 REASON FOR REPORTING APPLICATION TO PLANNING COMMITTEE

2.1 The application has been reported to the Planning Committee at the request of Councillor Dudley due to parking concerns.

3.0 PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary

3.1 The application site relates to a 4-bedroom, semi-detached dwelling located within the settlement boundary of Bracknell Town.



Street scene

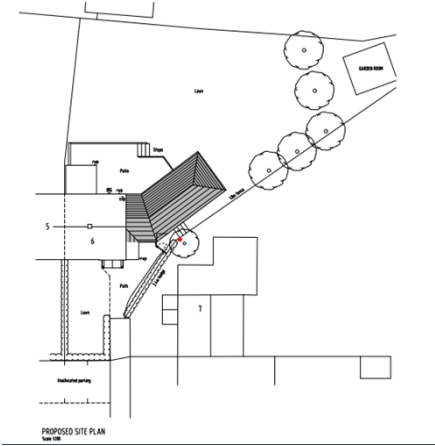
4.0 RELEVANT SITE HISTORY

4.1 The property has been extended in the past. An officer site visit has confirmed that the property has benefited from a single storey side extension. There is no planning history held on file within the LPA for this extension as it is likely to have been permitted development. Even if the extension required planning permission at the time, it was built more than 4 years ago and therefore would be lawful through the passage of time.

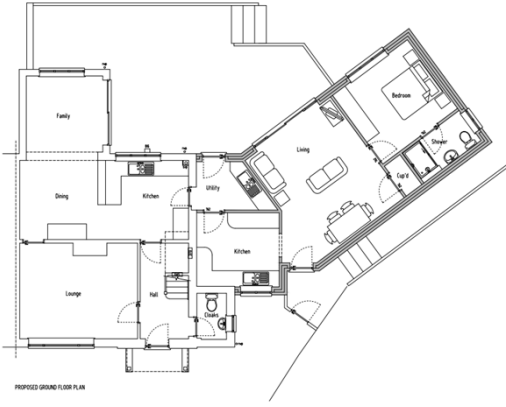
5.0 THE PROPOSAL

5.1 This application seeks to create a 1-bedroom annex ancillary to 6 Wilberforce Way. 6 Wilberforce Way is a 4-bedroom semi-detached dwelling with the fourth bedroom being provided on the ground floor.

5.2 The annex measures at approx.7.4m in depth, 5.5m in width and has an eaves height of approx. 2.3m and an overall height to the ridge of 3.4m.
 (Officer Comment: the height measurements are taken from the lowest point at ground level).



Site Layout Plan



Proposed Ground Floor Plan

6.0 REPRESENTATIONS RECEIVED

Bracknell Town Council

- 6.1 Recommends refusal on the following grounds (summarised):
- Parking standards cannot be met
 - Recommends Highways Consultation
 - Recommends submission of a parking plan

Other representations

- 6.2 A number of letters of representation have been received from (4) neighbouring properties. Three are raising an objection to the proposal on the following ground:
- Lack of parking and impact on highway safety

The fourth is neither objecting nor supporting the proposal but comments on limited parking.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 Previous comments from the Highway Officer raised an objection. Further, comments are being sought from the Highway Officer and will be provided within the supplementary report.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP	Not fully consistent
	CS1, CS2 of CSDPD	Consistent
	HO7, HO8 of BTNP	Consistent

Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Design SPD		
Other publications		
National Planning Policy Framework (NPPF)		
CIL Charging Schedule		
National Planning Policy Guidance (NPPG)		
Bracknell Town Neighbourhood Plan		

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
- v Highway Considerations
- vi Community Infrastructure Levy

i. Principle of development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy 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 in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area etc.

ii. Impact on the character and appearance of the area

9.4 This application seeks to obtain planning permission for the creation of a 1 bedroom annex ancillary to 6 Wilberforce Way.

9.5 The proposed works are in keeping with the scale and design form of the main dwelling. The annex is set back from the highway and does not project forward of the principal elevation

of the host dwelling. It is considered the proposal would have a limited impact on the existing dwelling or the wider character of area.

9.6 Moreover, views of the annex would not be unduly prominent within the street scene and the extension will be in part read against the existing dwelling as a subservient addition to the side elevation of the property. As such, it is not considered the proposed works would appear unduly bulky or out of scale with the existing dwelling.

9.7 6 Wilberforce Way, is situated within a streetscene, that is characterised by semi-detached dwellings set amongst small sized plots. However, it is noted that Number 6 benefits from a reasonably sized garden area which currently contains 3 outbuildings with sufficient level of private garden space being retained following the proposed works. A few of the neighbouring properties have undergone similar extensions over the years. However, it is noted that the dwellings contain similar architectural detailing contributing to an aesthetically pleasing street scene. The proposed annex will not result in a disjointed appearance to the character of the existing dwelling or appear at odds with the wider street scene. As such, the development overall is considered visually acceptable. A condition (No.4) will be added to restrict the use of the annex to ensure it remains ancillary to the main dwelling.

9.8 Therefore it is considered that, the proposed development will not adversely affect the character and appearance of the surrounding area and is in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD and the advice contained within the NPPF.

iii. Impact on Residential Amenity

9.9 The proposed development is set a sufficient distance away from neighbouring dwellings with established boundary treatment running along the shared boundaries. As such, no impact in terms of overlooking, overshadowing, loss of light, loss of privacy, overbearing impact on the occupants of neighbouring properties is considered to arise.

9.10 As such, 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, the advice and guidance contained within the NPPF (2021) and the Design Supplementary Planning Document (2017).

iv. Highway Considerations

9.11 The existing property has no on-site parking and the 4 parking spaces outside the property are not allocated. However, the existing dwelling already has 4 bedrooms and as no additional bedrooms are proposed there is no requirement to provide additional parking.

v. CIL (Community Infrastructure Levy)

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

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

9.14 In this case, the proposal would not be CIL liable as it does not comprise the creation of new dwellings as the annex is ancillary to the main dwelling.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or surrounding area, highway safety given the existing situation nor would the development result in an adverse impact on the residential amenity of the neighbouring properties. It is therefore considered that the proposed development complies with 'Saved' policies M9, and EN20 of the BFBLP, Policies CS2, CS7, and CS23 of the CSDPD and HO7 and HO8 of the Bracknell Town Neighbourhood Plan, the NPPF (2021) and any other relevant policies.

10.2 Therefore, the application is recommended for conditional approval.

RECOMMENDATION

11. RECOMMENDATION

11.1 It is recommended to **APPROVE** the application 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:
Drawing Numbers:6901-22-1 and 6901-22-2

Received on the 5th of July 2022 by the Local Planning Authority.

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 match those outlined on the approved plans, received 5th July 2022 by the Local Planning Authority.

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

04. The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse, known as 6 Wilberforce Way and shall at no time form a separate dwelling.

REASON: The creation of a separate unit would require mitigation measures.
[Relevant Policy: CSDPD CS6]

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. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

- 01. Time Limit
- 02. Approved Plans
- 03. External materials
- 04. Restriction on use

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

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Unrestricted Report

ITEM NO: 7

Application No.
22/00671/OUT
Site Address:

Ward:
Priestwood And Garth

Date Registered:
5 August 2022

Target Decision Date:
30 September 2022

**Qatamon Pollardrow Avenue Bracknell Berkshire
RG42 1PS**

Proposal: **Outline application (with all matters reserved) for redevelopment of the site for up to three dwellings (Class C3) following demolition of existing dwelling and outbuildings.**

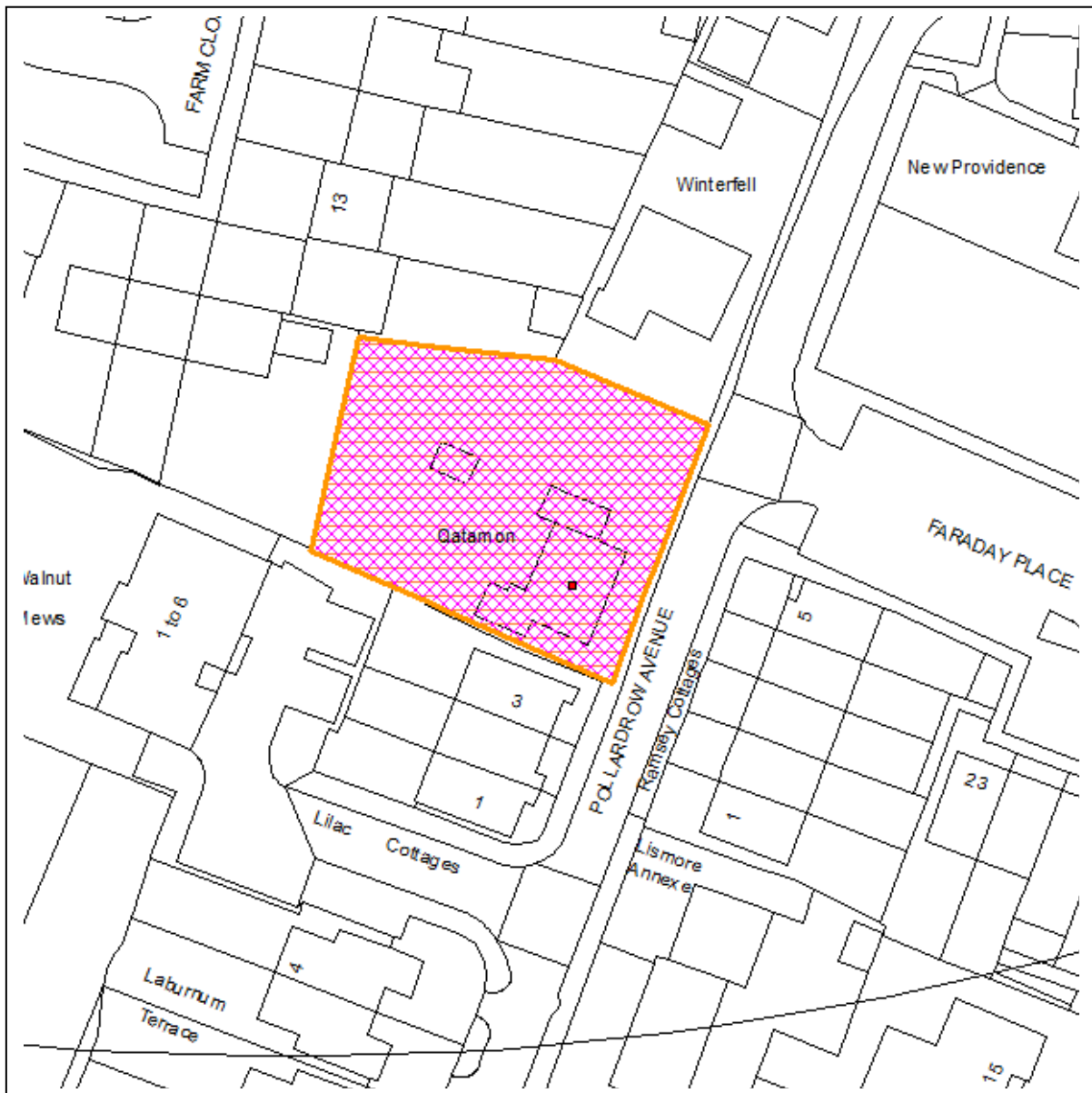
Applicant: Mr Geoff Lewis

Agent: Mr Gary Thomas

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 an outline application (with all matters reserved) for redevelopment of the site for up to three dwellings (Class C3) following demolition of existing dwelling, garage and outbuildings. All matters are reserved, however indicative plans have been submitted regarding the access, layout, and design to demonstrate how the site could accommodate the proposed development.
- 1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It is considered that the proposal would not have a detrimental impact on the character of the area and can be accommodated on site without any loss of neighbouring amenity or screening vegetation.

RECOMMENDATION
That the Assistant Director: Planning be authorised to approve the application subject to the conditions in Section 11 of this report and the completion of a section 106 agreement relating to mitigation measures for the SPA.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been reported to the Planning Committee at the request of Councillor Brown, Councillor Finch and Councillor Green due to concerns about the proposal being out-of-keeping with the streetscene, overbearing and overdevelopment.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within the defined settlement boundary
Within 5km of SPA

- 3.1 The application site consists of a residential plot of land containing a single dwelling, detached garage and outbuildings. Farm Close lies to the rear of the property with another bungalow, Winterfell, to the north and a terrace of houses to the south. The land slopes downwards towards Winterfell, and from east to west, towards Farm Close.

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning history is set out below:

615931 Outline Application for the erection of detached house and garage plus new garage to existing house. Approved 1990

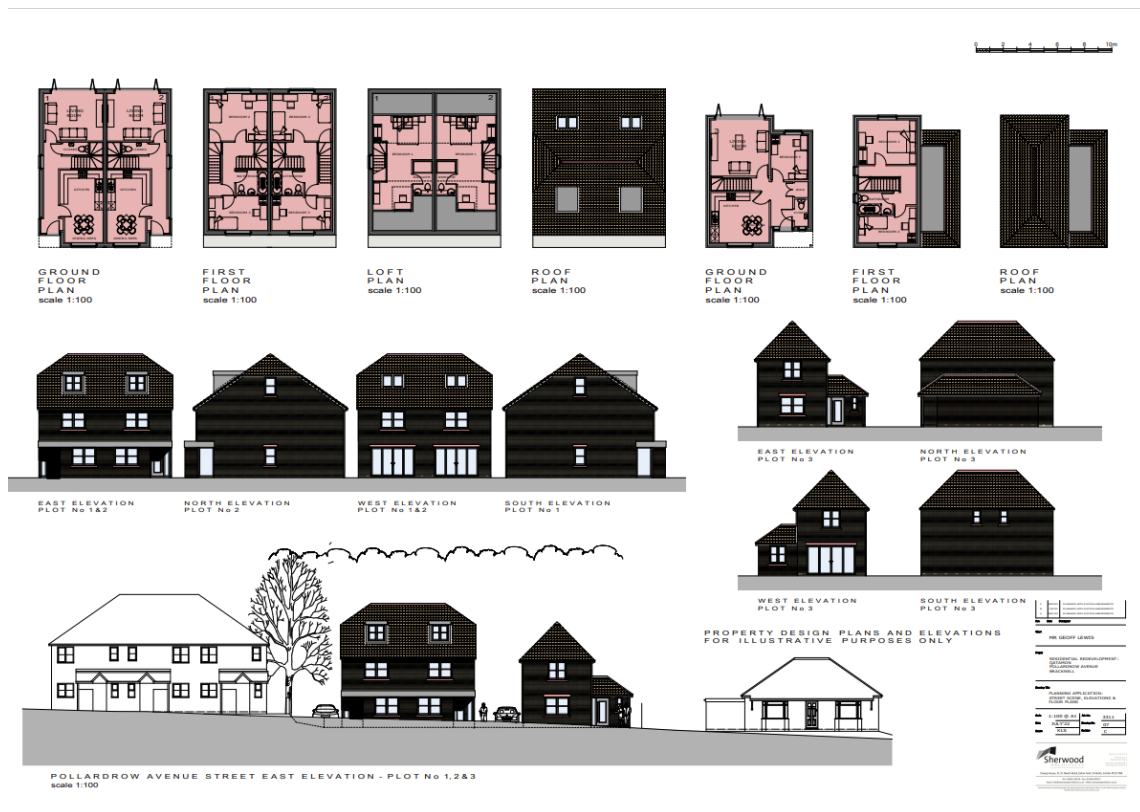
616141 Erection of two chalet bungalows, after demolition of existing dwelling. Approved 1990 Amended by 625192 – Approved 1999)

02/01111/FUL

Land At Qatamon, New Providence, St Chad, Casares, Ossington And No 3 Pollardrow Avenue



Illustrative Design



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Bracknell Town Council objects to the proposal on the grounds of it being overbearing, oppressive and out-of-character with the rest of the properties. The land would be more suited to a single dwelling in keeping with the size and capacity for traffic.

Other responses received

6.2 4 objections have been received. The issues raised can be summarised as follows:

- Overlooking
- Loss of privacy
- Loss of sunlight
- Lack of parking
- Highway safety issues
- Loss of trees
- Already densely populated

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

No objection subject to conditions.

Ecology:

A Preliminary Ecological Assessment has been submitted with the application. The Preliminary Ecological Assessment concludes that the site has broadly low ecological value. No further surveys were required for bats (the buildings and trees on site were assessed to have negligible bat roosting potential), great crested newts or other protected species. A number of recommendations are given in the assessment to minimise the potential impact of the development. These recommendations should be followed. Biodiversity enhancements should be secured by condition, which should be based on a number of the recommendations in the Preliminary Ecological Assessment. Details of landscaping should be provided with boundary features which allow for the movement of wildlife.

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 and HO7 and HO8 of the Bracknell Town Neighbourhood Plan	Consistent
Trees	'Saved' policy EN1 of the BFBLP EV4 of the Bracknell Town Neighbourhood Plan	Consistent
Biodiversity	CS1 and CS7 of the CSDPD	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	M9 of BFBLP, CS23 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Design SPD		
Parking Standards SPD		
Thames Basin Heath Special Protection Area SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Impact on trees
- vi Impact on biodiversity
- vii Sustainability implications
- viii Thames Basin Heaths Special Protection Area
- ix Community Infrastructure Levy

i. Principle of development

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

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

9.4 The site is situated within the settlement boundary; therefore, the sub-division of a plot is not in itself objectionable in principle provided that the proposed development would be in keeping with the character of the area and would not be harmful to the amenities of neighbouring occupiers or any other interests of acknowledge importance.

ii. Impact on character and appearance of the area

- 9.5 There is a variety of dwelling types within the surrounding area, from bungalows (to the north), to terraced properties to the south and east, on the opposite side of the road. There are also apartments of up to 4 storeys and semi-detached properties within the street scene.
- 9.6 Plots for new development should be large enough to accommodate the proposed dwelling/s and the requirements associated with it (such as parking and space for cycles, waste and recycling collection and amenity space). Although layout will be considered at the reserved matters stage, the illustrative layout does demonstrate how parking for three 3-bedroom properties can be provided to meet parking standards and incorporate areas for cycle/refuse storage. The size of the proposed plots is considered to provide sufficient outdoor amenity space, in keeping with that provided for other properties in the locality.
- 9.7 In terms of density of development, according to the illustrative layout, garden sizes for the proposed dwellings would vary, with gardens averaging approximately 129 square metres in size. The density of development would be 1 dwelling per 267 square metres. The terraced properties to the south have gardens approximately 56 square metres in size, and a density of approximately 1 dwelling per 135 square metres. As such, the density of development is felt to be appropriate in terms of the density of development in the area.
- 9.8 In terms of roof design and appearance within the street, terraced properties to the south and east have hipped roofs and other properties have gable ends with half-hips. Although the design of the properties will be considered at the reserved matters stage, the illustrative layout shows design elements which can already been seen in the street.
- 9.9 It is considered that the proposal would not result in an adverse impact on the character and appearance of the area, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

iii. Impact on Residential Amenity

- 9.10 '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.
- 9.11 The impact of the proposal on the amenities of neighbouring occupiers would be dealt with in details via a subsequent reserved matters application should the outline application be approved. However, it is reasonable to have some consideration towards the neighbour impact in the assessment of the acceptability of a proposal. The indicative drawings demonstrate how the proposed dwellings could be accommodated on site and it is considered that an acceptable relationship could be achieved with the development and the neighbouring properties.
- 9.12 The dwellings would face onto Pollardrow Avenue which would create a side to side relationship with the neighbours on either side of the site. The illustrative layout shows the part nearest to the bungalow, Winterfell, to be single storey with a hipped-roof, which demonstrates how the proposal could be accommodated in terms of there being

no loss of light to this neighbouring property. In addition, no side windows are shown. However, such matters as layout would be considered at the reserved matters stage.

- 9.13 The illustrative layout shows a part 2-storey/part single-storey detached dwelling to the north adjacent to Winterfell and two semi-detached properties adjacent to the row of terraced properties to the south. This demonstrates how three dwellings could be accommodated on site without being visually overbearing from neighbouring properties.
- 9.14 The illustrative layout demonstrates how windows at first-floor level and above could be accommodated without any adverse impact on neighbouring amenity. The depth of the site is considered sufficient to ensure an appropriate separation distance with the adjoining dwelling to the rear.
- 9.15 As such, it is considered that the site could accommodate three dwellings without significantly compromising on the amenity of neighbouring occupiers. The proposal would therefore be in accordance with 'Saved' policies EN20 and EN25 of the BFBLP and the NPPF.

iv. Transport implications

- 9.16 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.17 Policy CS23 of the CSDPD states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the BFBLP states that development will not be permitted unless satisfactory parking provision is made for vehicles and cycles. The supporting text to this policy also states that the standards set out in the Bracknell Forest Borough Parking Standards can be applied flexibly in certain circumstances.
- 9.18 With a revised red line submitted to incorporate a sufficient amount of the unadopted section of Pollardrow Avenue to serve the development, the Highway Authority has no objection to the proposals.
- 9.19 The illustrative plans indicate that sufficient parking and cycle parking can be provided to meet the Council's Parking Standards. Details of access and car and cycle parking will need to be submitted as part of a reserved matters application.

v. Impact on Trees

- 9.20 'Saved' policy EN1 of the BFBLP states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows. Trees and hedgerows are important to the retention of the character and appearance of the landscape or townscape of the area. Policy EV4 of the Bracknell Town Neighbourhood Plan states that development proposals will be expected to retain all trees in good condition and which possess amenity value which, either individually or collectively, contribute to the sylvan character of the immediate area and the town in general.

9.21 Trees of public amenity value are located along the southern and western boundary and provide screening between the application site and Lilac Cottages to the south, as well as Walnut Mews to the south-west. As this is an outline application with all matters reserved, it is not possible to fully assess the potential impact on the trees at this stage. This can only be assessed with the layout of the dwellings and the location of services, which would be submitted at the reserved matters stage. However, the illustrative plans provided indicate that the site could accommodate the proposed development without having any unacceptable impact on trees. Measures to protect the retained trees on the site are proposed to be secured by condition.

vi. Impact on Biodiversity

9.22 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.

9.23 A Preliminary Ecological Assessment has been submitted with the application. The Preliminary Ecological Assessment concludes that the site has broadly low ecological value. No further surveys were required for bats (the buildings and trees on site were assessed to have negligible bat roosting potential), great crested newts or other protected species. A number of recommendations are given in the Preliminary Ecological Assessment to minimise the potential impact of the development, which the Council's Biodiversity Officer considers should be secured by condition along with biodiversity enhancements and details of landscaping with boundary features which allow for the movement of wildlife.

vii. Sustainability Implications

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

viii. Thames Basin Heath Special Protection Area

9.25 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located within the **400m – 5km** Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.26 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's

Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPASPD) (2018).

- 9.27 In this instance, the development would result in a net increase of 3 dwellings which will result in the need for a financial contribution towards SANG and SAMM depending on the number of bedrooms. Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the SPASPD and the NPPF.
- 9.28 As this application is an outline application with all matters reserved the proposed number of bedrooms has not been confirmed. Although floorplans have been provided with the application, these are for illustrative purposes only.

ix. CIL

- 9.29 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.
- 9.30 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. The proposal is not therefore CIL liable at this stage as it is an outline application with all matters reserved.

10.0 CONCLUSIONS

- 10.1 It is considered that the proposed subdivision of the plot for up to 3 dwellings would be acceptable in principle. Although this is an outline application with all matters reserved, the illustrative layout provided does show that the proposed development can be accommodated on site without any adverse impact on the character and appearance of the area, on highway safety or on the amenities of neighbouring properties. It is therefore considered that the proposed development complies with 'Saved' policy EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS9 of the CSDPD and the NPPF.
- 10.2 The application is therefore recommended for conditional approval.

11.0 RECOMMENDATION

- 11.1 Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following measures;
- avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);
- the Assistant Director: Planning be authorised to APPROVE the application 22/00671/OUT subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary:

01. Application for approval of the details of the landscaping, layout, scale, access and appearance of the development (hereinafter called "the reserved matters") shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. REASON: To comply with Section 92 of the Town and Country Planning Act 1990
02. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved. REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
03. The development hereby permitted shall be carried out only in accordance with the following approved plan received by the Local Planning Authority on 10th November 2022:
- 10 (Revision B)
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
04. All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Appraisal (Tim Moya Associates, August 2022) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. An ecological site inspection report shall be submitted to the Local Planning Authority prior to practical completion of any dwelling hereby approved.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
05. If more than 18 months elapse between the previous ecological assessment and the due commencement date of works, an updated ecological assessment shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.
REASON: To ensure the status of protected habitats or species on site has not changed since the last survey.
06. 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.
The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
07. No development shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained has been submitted to and approved in writing by the Local Planning Authority, in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'. Protection measures shall be phased as necessary to take into account and provide protection during

demolition/site clearance works/building construction works/hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200 and show the following:

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal; shown clearly with a broken line.
- d) Proposed locations of protective barriers, that are a minimum height of 2.0 metres and supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 2) and which include appropriate weatherproof signage (such as "Keep Out - Construction Exclusion Zone") affixed at regular intervals to the outside of the protective fencing structure.
- e) Illustrations of the proposed protective barriers to be erected.
- f) Proposed location and illustration of ground protection measures within the root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent ground compaction and contamination.
- g) Annotations at regular intervals, of the minimum protective distances between barriers and trunks of retained trees.
- h) All fenced-off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

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

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

08. The protective fencing and other protection measures specified by condition 7 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

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

- f) No parking or use of tracked or wheeled machinery or vehicles of any description;
- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained;
- h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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

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

REASON: In the interests of amenity and road safety.

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

10. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as constructed shall be carried out in accordance with the approved assessment and retained as such thereafter. REASON: In the interests of sustainability and the efficient use of resources. [Relevant Policy: Core Strategy DPD CS12]

11. No development shall commence 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]

12. The development (including parking and driveways) shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter. REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme. [Relevant Policies: CSDPD CS1, BFBLP EN25]

Informatives

01. Should the applicant fail to complete the required S106 agreement within 3 months of the committee meeting, the Assistant Director: Planning be authorised to REFUSE the application for the following reason; -

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).

02. 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.
03. The Highway Authority is considering adopting the adjoining section of Pollardrow Avenue. The adopted highway status should be rechecked at each reserved matters stage, as should the highway become adopted, a relevant licence or agreement will be needed with the Highway Authority to form the access.
04. Any incidental works affecting the adopted highway or requiring contractors, plant or material to occupy the adjoining adopted highway (including verge, footway, or crossover where present) shall be approved by, and a licence obtained from, the Highways and Transport Section, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk to agree the construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.
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. The applicant should familiarise themselves with, and comply with, the requirements of this document with regard to provision of electric vehicle charging infrastructure.
06. 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.
07. 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.

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Unrestricted Report

ITEM NO: 8

Application No.

23/00016/3

Site Address:

Ward:

Crowthorne

Date Registered:

24 January 2023

Target Decision Date:

21 March 2023

**SANG At Bucklers Park Woodcote Green Crowthorne
Berkshire**

Proposal:

Resurfacing of existing SANG car park with tarmac including installation of additional drainage to discharge surface water into existing SuDS.

Applicant:

Mr Chris Swatridge

Agent:

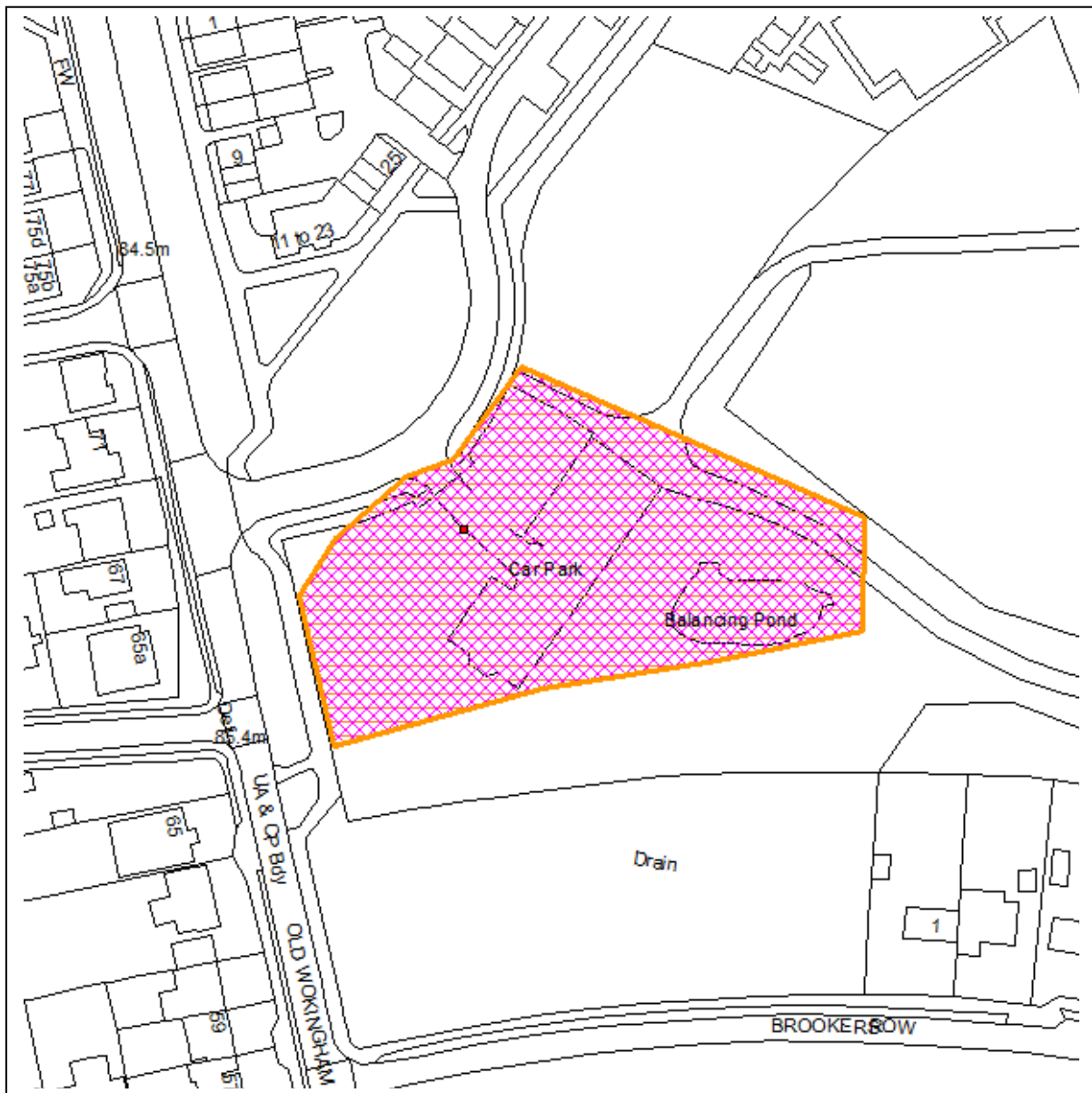
(There is no agent for this application)

Case Officer:

Jo Male, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 Full planning permission is sought for the re-surfacing of the existing SANG car-park at Bucklers Park with tarmac including installation of additional drainage to discharge surface water into the existing SuDS pond.
- 1.2 The proposed re-surfacing of the car park is considered to be consistent with Natural England's Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG). It is not considered that the development would have an adverse impact upon the character and appearance of the countryside or the amenity of adjacent dwellings and appropriate drainage is provided.

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

2. REASONS FOR REPORTING THE APPLICATION TO THE PLANNING COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

Planning Status
Outside Defined Settlement
SANG

- 3.1 The site comprises the existing car park to the Suitable Alternative Natural Green Space (SANG) which serves the Bucklers Park development. The car park is currently surfaced in crushed aggregates with timber markers to individual bays.
- 3.2 The site lies within the strategic allocation SA5 Land at Transport Research Laboratory as identified within the Site Allocations Local Plan (2013). However it is situated beyond the identified settlement boundary for this allocation within land identified as countryside on the Policies Map (2013).

4. RELEVANT PLANNING HISTORY

- 4.1 Planning permission 13/00575/OUT granted outline permission for the comprehensive redevelopment of the former Transport Research Laboratory (TRL), comprising demolition of existing buildings, the erection of up to 1000 dwellings, a neighbourhood centre, retail units, primary school and associated playing fields, community centre, care home, and municipal depot, together with public open space, Suitable Alternative Natural Greenspace (SANG), and associated works.
- 4.2 A reserved matters application (ref: 16/01075/REM) approved the details of the scale, layout, appearance, access and landscaping of the SANG pursuant to this outline permission.

- 4.3 Conditions of this reserved matters approval required the submission and approval of further details relating to the surfacing and drainage of the car park (Condition 02), and the construction of the raised berm to the drainage feature (Condition 03).
- 4.4 These were subsequently submitted and approved under applications 17/00271/COND (Condition 02 SANG Car Park) and 17/00195/COND (Condition 03 Berm Construction).

5. THE PROPOSAL

- 5.1 The proposed development comprises the resurfacing of the existing car park which serves the SANG at Bucklers Park.
- 5.2 The car park is well used and the existing surfacing is unable to withstand the level of usage resulting in the creation of potholes and uneven surfacing.
- 5.3 The proposed works involve excavating the existing ground to a depth of 300mm and laying 150mm of Type 1 sub-base, then 120mm of AC20 binder course asphalt and then 40mm of AC10 surface course black asphalt. The individual spaces would be marked out using paint on the top surface. Two new drainage connections would be provided to discharge surface water into the existing drainage ponds.

6. REPRESENTATIONS RECEIVED

- Crowthorne Parish Council
- 6.1 Recommends approval.
- 6.2 No other representations have been received.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

No objection

SPA Officer

The Council has consulted Natural England about this proposal, and they agree to the use of asphalt in order to improve the durability of the surface of the car park.

LLFA

No objection. Recommends conditions.

Biodiversity

Requests consideration of impact of any polluted run-off on newts.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

- 8.1 Development plan policies relevant to the consideration of the application are contained within the Core Strategy (CSDPD) (2008), the Site Allocations Local Plan (SALP) (2013), the Bracknell Forest Borough Local Plan 'as saved' (BFBLP) (2002)

and the Crowthorne Neighbourhood Plan (2021). The key policies and guidance applying to the site are:

	Development Plan	NPPF
Land at Transport Research Laboratory	SA5 of SALP and CR8 of Crowthorne Neighbourhood Plan	Consistent
Sustainable Development	CS1 of the CSDPD and CP1 of the SALP	Consistent (CS1) and mainly consistent (CP1)
Design	Saved policy EN20 of BFBLP, CS7 of the CSDPD, CR1 and CR8 of Crowthorne Neighbourhood Plan	Consistent
Countryside	Saved policy EN8 of BFBLP and CS9 of the CSDPD	Partially Consistent
Residential amenity	Saved policy EN20 of the BFBLP	Consistent
Recreation	Saved policy R7 of BFBLP, CS8 of the CSDPD	
Nature Conservation	Saved policy EN3 of BFBLP and CS14 of CSDPD	
Highway Safety	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent
Other publications		
National Planning Policy Framework (NPPF) 2021 Community Infrastructure Levy Charging Schedule (CIL) Natural England's Guidelines for the creation of Suitable Accessible Natural Green Space (2021) Thames Basin Heaths Special Protection Area SPD (2018)		

8.2 The Council's emerging Local Plan is progressing towards adoption. The Examination Hearings were concluded in October 2022 and the Inspectors' letter was received in January 2023. This identifies a list of proposed main modifications which are required for the plan to be found sound and indicates that there is no expectation that further hearings will be required. Subject to the identified Main Modifications, the Inspectors support the Council's Spatial Strategy which continues to show the application site being located within the SA5 allocation and the countryside.

8.3 The weight to be afforded policies within this plan in the decision-making process will increase as the plan progresses towards adoption in accordance with para. 48 of the NPPF.

9. PLANNING CONSIDERATIONS

i. Principle of the development

9.1 The proposed development comprises the re-surfacing of the SANG car park with associated drainage works. Given that the proposed development will not change the character or usage of the car park, it is considered to be acceptable in principle, subject to an assessment of its impact upon the character and amenities of the area.

ii. Impact on Character and Appearance of the area

- 9.2 The purpose of SANGs is to provide alternative greenspace to divert visitors away from visiting the Thames Basin Heath Special Protection Area (SPA) and their provision forms part of a strategy devised in conjunction with Natural England to mitigate the impact of new residential development on the SPA.
- 9.3 Natural England has produced Guidelines for the Quality of SANG which indicates that 'SANG must be perceived as semi-natural spaces with little intrusion of artificial structures, except in the immediate vicinity of car parks'.
- 9.4 In permitting the original car park surfacing under the terms of 17/00271/COND, significant efforts were made to ensure that the surface to the car park was as informal as possible using an unbound surface and timber markings. However, due to the level of usage, the surface has not proved sufficiently resilient and has led to the need for it to be replaced by a bonded material.
- 9.5 Natural England was consulted prior to the submission of the current application and confirmed that it has no objection to the proposed re-surfacing works and that it would not wish to be consulted on any future planning application. Its view is that the car park has to be useable to encourage people to visit the SANG in preference to the SPA and therefore works that would improve the visitor experience to the site would be consistent with its guidelines which state:

'The amount and nature of parking provision should reflect the anticipated use of the site by visitors and the catchment size of the SANG. It should provide an attractive alternative to parking by the part of SPA for which it is mitigation. Car parks should be clearly signposted and easily accessed'.

- 9.6 Whilst the use of asphalt is functional rather than aesthetic it has been chosen for durability and will be viewed within the context of the access to the site from Woodcote Green. As a result, it is not considered to be unduly out of character with surrounding development so as to conflict with policies CS7, EN20 or CR1.
- 9.7 Although located within the countryside, the re-surfacing of the car park and associated drainage works would have a limited visual impact beyond the boundaries of the site and would not materially adversely affect the character, appearance or function of the countryside.
- 9.8 By re-surfacing the car park, it will improve its useability and access to the SANG as a recreational facility. The works would not impact upon the essential character of the TRL Character Area identified within the Neighbourhood Plan and accordingly it is considered that the proposed development would be consistent with Policies CS8, CS9, EN8, R7, M10, CR1 and CR8 of the development plan.

iii. Impact on Amenity

- 9.9 The closest neighbouring residential dwellings are located a minimum of 42 metres to the north of the car park on the other side of Woodcote Green. Due to this degree of separation, the re-surfacing works would not cause any loss of amenity to these dwellings consistent with the requirements of EN20 of the BFBLP.

iv. Transport and Highway Considerations

- 9.10 The Council's Highway Officer has raised no objection to the proposal subject to the inclusion of conditions requiring works to be carried out in accordance with the submitted drainage and surfacing details. He also confirms that the signage for the disabled parking spaces is acceptable.

v. Surface Water Drainage

- 9.11 The Council's Drainage Officer has confirmed that new surface water drainage has been proposed, which includes gullies and underground pipes connecting into existing ponds. The proposal does not alter the current drainage arrangement, such that it can be concluded that the flood risk will not be increased as a result of the proposal.
- 9.12 Pollution control measures in the form of gully guards have been incorporated into the drainage network to improve the quality of runoff into the pond. No objection to the proposal is raised subject to the inclusion of a condition requiring the implementation of the proposed drainage works.

vi. Biodiversity

- 9.12 It is not considered that the existing car park provides a suitable habitat for biodiversity. However, the proposed works include the creation of additional connections into existing drainage ponds and it is noted that the site lies within a high risk area for Great Crested Newts.
- 9.13 Comments from NatureSpace suggests the any new drainage connection should include some standard environmental protection to prevent pollution/run-off of chemicals from the car park into the ponds.
- 9.14 The Council's Drainage Officer has confirmed that the proposed scheme shows the use of trapped gully pots which provide protection for car parks that are too small to justify the installation of a separator. Given the sensitivity of the pond with respect to newts, she also recommended that gully guards be installed in the gullies to remove oils and hydrocarbons. Revised plans indicating the use of gully guards have been submitted and their implementation and maintenance will be secured by the recommended drainage condition.
- 9.15 Both NatureSpace and the Biodiversity Officer have confirmed that they have no objection to the proposed development subject to the inclusion of this condition.

10. CONCLUSIONS

- 10.1 The proposed re-surfacing of the car park is considered to be consistent with Natural England's Guidelines for SANG by improving the accessibility of this space as a recreational feature. It is not considered that the development would have an adverse impact upon the character and appearance of the countryside or the amenity of adjacent dwellings and the submitted scheme shows appropriate drainage for the car park including measures which will mitigate any pollution impact on nature conservation interests.

11. RECOMMENDATION

That the application 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 plans and other submitted details:
Site Plan dated 24.01.2023
PAV_XX_Ex_DR_D_500_S3 Rev P04 received 28.02.2023
Gully Guard Specification received 28.02.2023
Specification of Surfacing received 06.02.2023
Confirmation about line marking in email from C.Swatridge dated 06.02.2023
03. The surface water drainage of the site shall be implemented and maintained in full accordance with details contained within Proposed Storm Drainage layout reference PAV_XX_Ex_DR_D_500_S3 Rev P04 received 28.02.2023.
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.
04. Prior to the re-surfaced car park being brought into use, it shall be marked out with line markings and the disabled bays identified by appropriate signage in accordance with the approved plans.
REASON: To ensure that the development is provided with adequate parking in the interests of highway safety.

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 no further details are required to be submitted in relation to the following conditions, however they are required to be complied with:
 1. Commencement
 2. Approved Plans
 3. Drainage
 4. Marking out of spaces

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