

**PLANNING COMMITTEE
16 DECEMBER 2019
7.30 - 10.00 PM**



Present:

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

Apologies for absence were received from:

Councillors Angell, Gbadebo, Mossom, Skinner and Virgo

Also Present:

Councillors Atkinson, Ms Gaw and Harrison.

54. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 14 November 2019 be approved as a correct record and signed by the Chairman.

55. Declarations of Interest

There were no declarations of interest.

56. Urgent Items of Business

There were no items of urgent business.

57. PS Application No 19/00497/FUL - Land North Of Herschel Grange, Warfield Street, Warfield

Erection of 33 dwellings (including 10 affordable dwellings), with car parking, landscaping, open space and access from Herschel Grange, following demolition of 6 Herschel Grange.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Warfield Parish Council objecting to the proposal.
- A total of 26 objections received, as summarised in the Agenda papers.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by Maggie Stock, objecting to the application.

Arising from discussion of the application, the Committee proposed that an additional condition be imposed to prevent the installation of gates at the entrance to the development.

RESOLVED that following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to the following measures:

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

- provision on site of 10 affordable dwellings;
- provision of, and contribution towards, areas of OSPV;
- contributions towards the provision and maintenance of community facilities;
- contribution towards the provision of educational facilities;
- securing the adoption of the highways within the site by the Council (excluding areas of shared surfacing); and
- securing an appropriate site drainage strategy.

the Head of Planning be authorised to **APPROVE** the application subject to the following conditions, amended, added to or deleted as the Head of Planning considers necessary:-

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

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

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

17-J2176-02 Rev K 'Proposed Site Plan'

17-J2176-03 Rev F 'Proposed Housing Allocation Plan'

17-J2176-13 Rev.A 'Car Barn Allocation / Plans And Elevations'

17-J2176-101 Rev.A 'PLOTS 1, 2 and 3 Floor Plans & Elevations'

17-J2176-102 Rev.A 'PLOT 4, 5, 9 & 10 Floor Plans & Elevations'

17-J2176-103 'PLOTS 6, 7 and 8 Floor Plans & Elevations'

17-J2176-104 Rev.B 'Apartments Plans & Elevations'

17-J2176-105 Rev.A 'PLOTS 11, 12, 24, 25 Floor Plans & Elevations'

17-J2176-106 Rev.A 'PLOTS 13, 14, 15, 16 Floor Plans & Elevations'

17-J2176-107 Rev.A 'PLOT 17 Floor Plans & Elevations'

17-J2176-108 Rev.B 'PLOT 18 Floor Plans & Elevations'

17-J2176-109 Rev.B 'PLOT 27 Floor Plans & Elevations'

17-J2176-110 Rev.A 'PLOT 19 & 20 Floor Plans & Elevations'

17-J2176-111 Rev.A 'PLOTS 21 & 22 Floor Plans & Elevations'

17-J2176-112 Rev.A 'PLOT 23 Floor Plans & Elevations'

17-J2176-113 Rev.A 'PLOT 26 Floor Plans & Elevations'

17-J2176-114 Rev.B 'PLOT 33 Floor Plans & Elevations'

17-J2176-115 'Individual Cycle Store Plans And Elevations'

WYG A108468 Rev.C 'Flood Risk & Drainage Assessment'

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

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

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

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

04. No above-ground construction works shall take place until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area, residential amenity, and surface water drainage

[Relevant Policies: BFBLP 'Saved' Policy EN20, Core Strategy DPD CS1, CS7]

05. No part of the development shall be occupied until details of a scheme of walls, fences, gates and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full for each building approved in this permission before its occupation.

REASON: In the interests of the visual amenity of the area, and biodiversity
[Relevant Plans and Policies: CSDPD CS1, CS7; BFBLP 'Saved' Policy EN20]

06. Notwithstanding the information shown on the approved plans, the development shall not be begun until a scheme depicting full details of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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

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

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

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the stated elevations of the following dwellings hereby approved, with the exception of those shown on the approved plans:

- Both side-facing elevations: Plots 26, 28-32
- North-facing side elevations: Plots 5
- South-facing side elevations: Plots 6, 18
- East-facing side elevations: Plots 2, 10, 12, 19, 21, 23, 25
- West-facing side elevations: Plots 1, 11, 13, 20, 22, 24, 27, 33
- Rear-facing elevation: Plot 3

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

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

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

- Both side-facing elevations: Plots 26, 28-32
- North-facing side elevations: Plots 5

- South-facing side elevations: Plots 6, 18
- East-facing side elevations: Plots 2, 10, 12, 19, 21, 23, 25
- West-facing side elevations: Plots 1, 11, 13*, 20, 22, 24, 27, 33
- Rear-facing elevation: Plot 3

*Excluding the second floor roof windows.

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

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

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

09. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise;
- (ii) control of dust, smell and other effluvia;
- (iii) control of surface water run off;
- (iv) site security arrangements including hoardings;
- (v) proposed method of piling for foundations;
- (vi) construction and demolition working hours, and
- (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.

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

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

[Relevant Policies: BFBLP 'Saved' Policies EN20, EN25].

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

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

[Relevant Policies: BFBLP 'Saved' Policies EN20, EN25].

11. No further development (beyond the creation of the site access) hereby permitted shall commence until the means of vehicular and pedestrian access to the site has been provided in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

12. No dwelling on plots 13 to 18 (inclusive) shall be occupied until a footpath/cycleway link has been provided to the site boundary as shown on the approved site plan ('Possible future access point for footpath-cycleway to Newhurst Gardens') in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The link shall be retained and maintained in accordance with the approved details until such time that the land is required to provide access to the adjacent land.

REASON: To ensure that the land is made available to provide a link to the neighbouring site in the case of future redevelopment of that land in the interests of ease of movement for cyclists and pedestrians.

[Relevant Policies: BFBLP M6, CSDPD CS23]

13. The relevant dwellings hereby permitted shall not be occupied until visibility splays have been provided both to the access/egress to individual parking spaces and to the main site access in accordance with the approved plans. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23; BFBLP 'Saved' Policy M9]

14. The relevant dwelling hereby permitted shall not be occupied until that part of the access road which provides access to and egress from it, including the provision of turning heads within the development, has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. The relevant dwellings hereby permitted shall not be occupied until their corresponding vehicle parking spaces (including parking courts), along with associated turning and access, have been surfaced and marked out in accordance with approved drawing 17-J2176-02 Rev.H 'Proposed Site Plan', received by the Local Planning Authority on 18 October 2019. The spaces shall thereafter be kept available for parking, along with access and turning (where relevant) at all times.

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

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

16. The relevant dwellings hereby permitted shall not be occupied until their corresponding car ports have been completed and made available for parking, in accordance approved drawing 17-J2176-13 Rev.A 'Car Barn Allocation / Plans And Elevations', received by the Local Planning Authority on 4 October 2019. The car ports, and their access, shall thereafter be kept available for vehicular parking at all times.

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

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car ports, and no gate or door shall be erected to the front of the car ports.

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

[Relevant Policy: BFBLP M9]

18. The relevant dwelling hereby permitted shall not be occupied until their associated cycle store and access has been implemented in accordance with the approved details. The store and access shall thereafter be kept available for cycle parking at all times.

REASON: In order to ensure adequate bicycle facilities are provided, in the interests of highway safety.

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

19. The relevant dwelling hereby permitted shall not be occupied until their associated bin storage and access has been implemented in accordance with the approved details. The store and access shall thereafter be kept available for refuse storage at all times.

REASON: In order to ensure adequate bin storage facilities are provided, in the interests of the character of the area and highway safety.

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

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

- (a) Parking of vehicles of site personnel, operatives and visitors,
- (b) Loading and unloading of plant and vehicles,
- (c) Storage of plant and materials used in constructing the development,
- (d) Wheel cleaning facilities, and
- (e) Temporary portacabins and welfare for site operatives.

Each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and highway safety.

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

21. No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the amenity of neighbouring properties & prospective occupants, the character of the area, highway safety, and nature conservation.

[Relevant Policies: BFBLP EN20 and EN25; CSDPD CS1, CS7, CS23]

22. All ecological measures and works shall be carried out in accordance with the details contained in the following documents received by the Local Planning Authority:

- Applied Ecology Ltd 'Ecology Version 4.0 Report August 2019' received on 22 August 2019
- Merewood 'Landscaping proposals and Green Mitigation Plan' received on 22 August 2019
- 'Merewood 'Arboricultural Implications Assessment and Method Statement' received on 2 September 2019

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1, CS7]

23. The development hereby permitted (including any site clearance and demolition) shall not commence until a wildlife protection plan for construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

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

- iii) a timetable to show phasing of construction activities, and
- iv) persons responsible for compliance with legal consents, planning conditions, installation of protective measures, inspection and maintenance.

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1, CS7]

24. The development hereby permitted shall not commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan showing the location of these enhancements, has been submitted to and approved 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]

25. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with the details provided in respect of Condition 21, or in details set out in a Lighting Design strategy for Biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

27. Prior to the occupation of any dwelling, the areas shown for green corridor and bat roost purposes as shown on approved drawing 17-J2176-02 Rev.H 'Proposed Site Plan', received by the Local Planning Authority on 18 October 2019, shall be provided, retained and thereafter not be used for any other purpose.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

28. An ecological site inspection report shall be submitted to the Local Planning Authority within three months of the first occupation of the first dwelling hereby

approved. Any recommendations contained within this report and agreed in writing by the Local Planning Authority shall be performed, observed and complied with.

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

29. No development shall take place until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/ day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

30. No development shall take place until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]

31. No development shall to take place until a contaminated land Phase I report (Desk Top Study) has been submitted to, and approved in writing by, the Local Planning Authority. The study shall be carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. authority.

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

[Relevant Policies: BFBLP EN25]

32. Following approval of the Phase I, if a Phase II report (Site investigation) is required it shall be submitted to, and approved in writing, prior to the commencement of development. It shall be completed by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The method and extent of this site investigation shall then proceed in strict accordance with the measures approved.

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

[Relevant Policies: BFBLP EN25]

33. No development shall commence, including any demolition or site preparation works, until a programme of archaeological field evaluation has been undertaken in accordance with a written scheme of investigation has been submitted to and approved by the Local Planning Authority.

REASON: In the interests of historic archaeological features which may be present on site

[Relevant Policy: NPPF]

34. No development shall commence until any required archaeology mitigation strategy informed by the evaluation undertaken in Condition 32 has been submitted

to and approved by the Local Planning Authority. The mitigation strategy shall be implemented in accordance with the approved details.

REASON: In the interests of historic archaeological features which may be present on site

[Relevant Policy: NPPF]

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

- Detailed design of the pond to flood storage in accordance with document WYG A108468 Rev.C 'Flood Risk & Drainage Assessment', received on 30 September 2019;
- Details of vehicular access to all components of the drainage scheme for maintenance;
- Full details of all components of the proposed drainage system including exceedance areas, tanks, pipes, locations, gradients, invert and cover levels, headwall details, planting if necessary and drawings as appropriate taking into account the groundwater table;
- Supporting calculations demonstrating that the allowable discharge rates set out in the approved FRA are achieved together with confirmation of the gully spacing calculations to demonstrate they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.

The approved details shall be implemented and thereafter retained.

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

[Relevant Policy: CSDPD CS1]

36. No development shall take place until a drainage strategy detailing any on- and off-site drainage works, along with proposed points of connection, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

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

[Relevant Policy: CSDPD CS1]

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

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

[Relevant Policy: CSDPD CS1]

38. The dwellings hereby approved shall be not occupied until the sustainable urban drainage (SuDS) scheme for this site has been completed in accordance with the approved details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. This shall include written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the local planning authority.

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

[Relevant Policy: CSDPD CS1]

39. The dwellings hereby approved shall not be occupied until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, has been submitted to and approved by the Local Planning Authority. This shall include photographs of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquaculdes or aquabrakes, cover systems, and any similar features/works required.

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

[Relevant Policy: CSDPD CS1]

40. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected for the duration of operational works to implement the development in accordance with the Arboricultural Implications Assessment and

Method Statement submitted with the application.

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

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

41. No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for off-site highway works to Herschel Grange and a tactile crossing point on Warfield Street.

The development shall not be occupied until these off-site highway works have been completed in accordance with the approved scheme.

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP M4, CSDPD CS1 and CS23]

42. No gates shall be provided at the vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

Should the applicant fail to complete the required S106 agreement by 16 March 2020 the Head of Planning be authorised to **REFUSE** the application for the following reasons: -

1. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring

arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012), and the NPPF.

2. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to 'Saved' Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD, the resolution on affordable housing made by BFC Executive on 29 March 2011, and the NPPF.

3. The proposed development would unacceptably increase the pressure on open space of public value and community facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secures the on-site provision of open space of public value, the proposal is contrary to Policy R4 of the Bracknell Forest Borough Local Plan, Policies CS6 and CS8 of the Core Strategy Development Plan Document, the Planning Obligations SPD, and the NPPF.

4. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off which would be maintained for the lifetime of the development. This is contrary to Policies CS1 and CS6 of the Core Strategy Development Plan Document, the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, the Flood Risk and Coastal Change PPG updated 15/04/2015, and the NPPF.

58. **PS Application No 19/00318/FUL - ALDI 136 Liscombe, Bracknell**

Installation of new exit plus alterations to entrance of existing foodstore and replacement of existing external plant and associated plant enclosure.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Bracknell Town Council recommending refusal of the application.
- A total of 9 objections received, as summarised in the Agenda papers.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by Jean Hopper, objecting to the application, and James Taverner on behalf of the applicant.

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 date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

Paladin Fence Detail no. 1703-P1 (Amended 25.06.19)

Proposed elevations no. 1704-p2 (Amended 28.08.19)

Proposed site plan no. 1400-P5 (Amended 25.06.19)
Location Plan no, 1100-P4 (Amended 24.04.19)
Store Entrance Changes no. 1701-P5 (Amended 25.06.19)

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 consists of those outlined on the approved plans. The materials shall thereafter be retained as such.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. The development hereby permitted shall be carried out in accordance with the details contained within the 'Assessment of noise from replacement fixed plant equipment' report produced by Sharps Redmore Acoustic Consultants and dated 21st October 2019 and the noise level when measured from the bedroom, with the window partially open, of no. 2 Temple Moore House, shall not exceed 35 dB daytime and 30 dB at night time as demonstrated within the report.
REASON: To protect the occupants of nearby residential properties from noise
[Relevant Policies: BFBLP EN25]
5. Prior to the installation of the approved canopy, which shall be installed within 2 months of the date of this permission, details of a suitable adsorptive lining to line the underside of the canopy, in order to minimise noise reflection, shall be submitted to and approved in writing by the Local Planning Authority. It shall be maintained as such thereafter.
REASON: To protect the occupants of nearby residential properties from noise
[Relevant Policies: BFBLP EN25]

59. **Application No 19/00756/FUL - 15 Windlesham Road, Bracknell**

Erection of 4 No. dwellings with associated landscaping and parking.

A site visit had been held on Saturday, 14 December 2019, which had been attended by Councillors Bhandari, Brossard, Brown, Dudley, Green, Mrs Hayes and Mrs McKenzie-Boyle.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Bracknell Town Council recommending refusal of the application.
- A total of 11 objections received, as summarised in the Agenda papers.

A motion to approve the recommendation in the officer report was proposed but failed to be seconded.

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

RESOLVED that application 19/00756/FUL be **REFUSED** for the following reasons:

1. The proposed development, by means of its siting, bulk and massing, would have an adverse impact on the character of the Queensway Public Right of Way, which is an important feature in the locality. The proposal would therefore be contrary to Saved Policy EN20 of the Bracknell Forest Borough

Local Plan and Policy CS7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

2. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

60. **Application No 19/00817/FUL - Kings Chase, Winkfield Lane, Winkfield
Erection of detached garage and swimming pool.**

The Committee noted:

- The comments of Winkfield Parish Council raising no objection to the application.
- A total of 6 letters of objection received, as summarised in the Agenda papers.

RESOLVED that the application be **APPROVED** subject to the following conditions: -

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details received by the Local Planning Authority.

990-7-LP01 Rev A – Site Location Plan (Residential Curtilage) – LPA
Received 16.10.19

990-7-LP01 Rev A – Proposed Site Layout Plan – LPA Received 28.11.19

990-7-NG01 Rev A – Proposed Garage Plan and Elevations – LPA Received
28.11.19

Great Crested Newt Mitigation Plan dated 6 May 2019

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

03. No structure hereby permitted shall be built above existing ground level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The submitted samples shall include details of brickwork and roof tiles including hard surfaced areas. The development shall be carried out in accordance with the approved details.

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

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order

revoking and re-enacting that order with or without modification), no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the development hereby permitted.

REASON: The site is located within the Metropolitan Green Belt where strict controls over the form, scale and nature of development are required to maintain the openness of the Green Belt.

[Relevant Policies: BFBLP GB1, Core Strategy DPD CS9]

05. No part of the development hereby permitted shall be begun until details showing the finished floor level and ridge heights of the garage building in relation to (i) a fixed datum point in the surrounding area and (ii) the finished floor levels and ridge heights of any adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area

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

06. The development hereby permitted shall not be occupied until the associated vehicle parking spaces and turning area have been provided and surfaced in accordance with the approved drawing. The parking spaces and turning area shall thereafter be kept available for parking and turning at all times.

REASON: To ensure that the development is provided with adequate onsite parking and turning in the interests of highway safety

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

07. No trees, shrubs or hedgerows shall be removed during the main bird-nesting period of 1st March to 31st August inclusive unless in accordance with a scheme to minimise the impact on nesting birds which has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of nature conservation

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

08. The development hereby permitted shall not be begun until the approved scheme of boundary treatment as shown on the approved drawing has been implemented in full.

REASON: To ensure that the residential curtilage that was lawfully defined under Lawful Development Certificates 17/00043/LDC and 15/01057/CLPUD is easily distinguishable on the ground and continues to safeguard the Green Belt setting.

[Relevant Plans and Policies: BFBLP GB1, Core Strategy DPD CS9]

09. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose. If within a 5 year period of the completion of the development any soft landscaping that is removed, uprooted, is destroyed or dies shall be replaced by plants of the same species and size as that originally planted in the same place.

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

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

10. The development hereby permitted shall be carried out in accordance with the mitigation measures specified in the approved Great Crested Newt Mitigation Plan dated 6 May 2019, which shall thereafter be retained in accordance with the approved details. Within three months of occupation of the development an ecological site inspection report shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of nature conservation

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order), no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

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

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

**61. Application No 19/00864/3 - Street Record Brooke Place Binfield
Formation of two parking bays.**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Binfield Parish Council raising no objection to the proposal.
- Two letters of observation/ representation, as summarised in the Agenda papers.

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 date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 11th December 2018 by the Local Planning Authority, received 18th December 2018: General Layout – Drawing Number: 4817/358
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. No parking bay shall be brought into use until hard and soft landscaping, including boundary treatments and other means of enclosure, has been provided in accordance with a scheme to be submitted to and approved

in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision and completed in full accordance with the approved scheme.

All trees and other plants included within the approved details shall be healthy, well- formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision.

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

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

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

62. **Application No 19/00942/3 - Land At Old Bracknell Close Bracknell**

Erection of acoustic fence ranging from 2 metres to 3.04 metres in height.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- There were no objections from Bracknell Town Council.
- There were no objections from neighbouring properties.

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 date of this permission.

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

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

- Location Plan (Received 8th November 2019)
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- Block Plan (Received 8th November 2019)
- Fence Details (Received 28th October 2019)

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 fence hereby permitted shall be similar in appearance to that on the approved 'Fence Details' document.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

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

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

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

5. The excavation works for the proposed position of the posts which are located within the root protection area of existing trees on site shall be undertaken only by hand.

REASON: In order to safeguard tree roots and thereby safeguard trees considered worthy of retention in the interests of visual amenity of the area.

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

CHAIRMAN