

ITEM NO:

Application No.
19/00847/OUT
Site Address:

Ward:
Ascot

Date Registered:
3 October 2019

Target Decision Date:
2 January 2020

Palm Hills Estate London Road Bracknell Berkshire

Proposal:

Outline application 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).

Applicant:

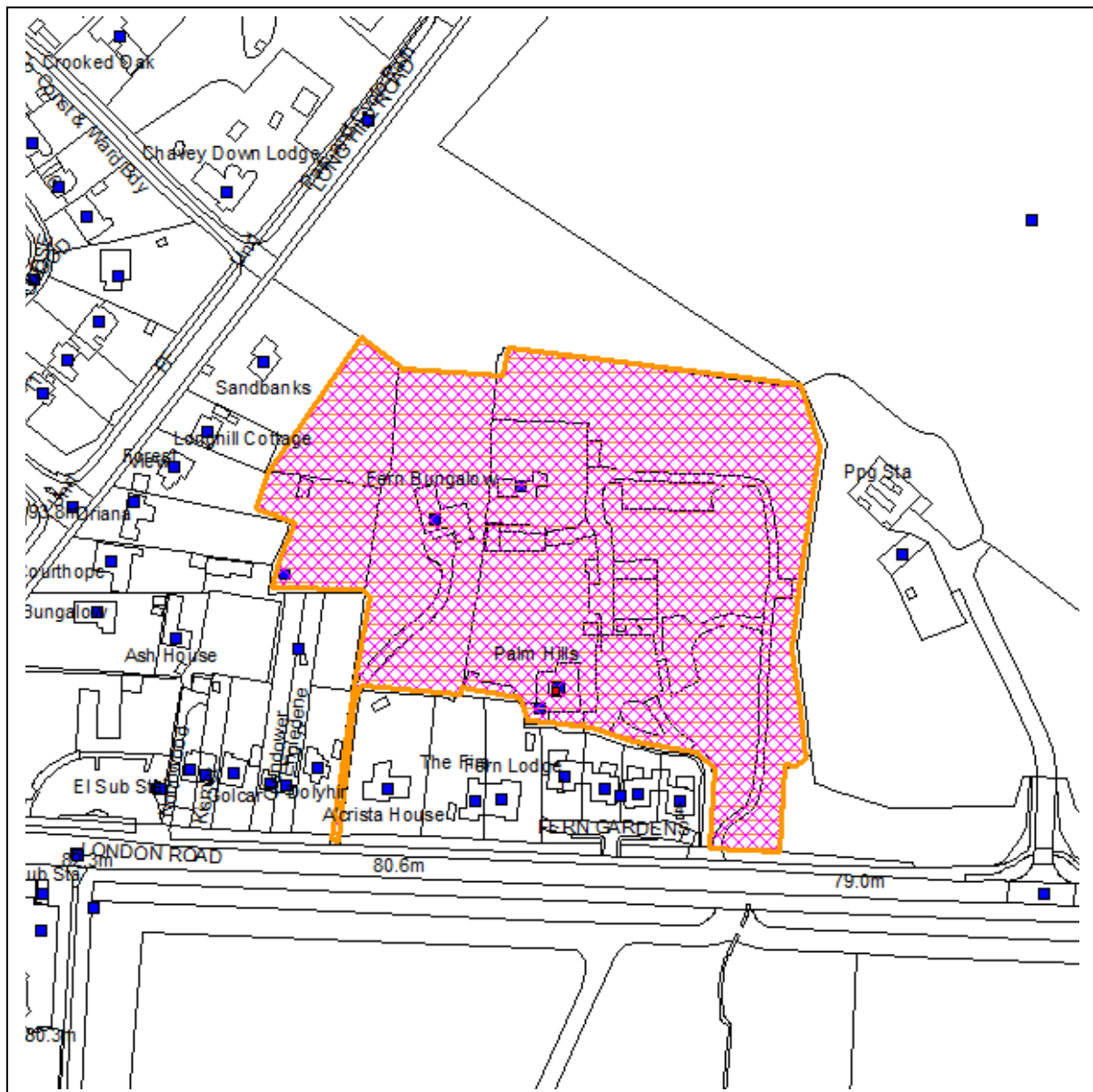
Shanly Homes

Agent:

Mrs Rosalind Gall

Case Officer:

Simon Roskilly, 01344 352000

development.control@bracknell-forest.gov.uk**Site Location Plan** (for identification purposes only, not to scale)

1. SUMMARY

1.1 This application relates to a site allocated for residential development under Policy SA3- Edge of Settlement Sites of the Council's adopted Site Allocation Local Plan (SALP). The application is for 81 dwellings, consisting 15no. one bedroom, 8no. two bedroom, 49no. three bedroom and 9no. four bedroom, following the demolition of 2no. dwellings and a guesthouse. The proposal is considered to respect the character and appearance of the area, be appropriate in design and appearance, and not adversely affect the amenities of either existing or future residents.

1.2 The proposal also provides policy compliant parking as well as a safe functional vehicular access off London Road.

RECOMMENDATION

Planning permission be granted subject to the completion of a S106 Legal Agreement and conditions in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has received more than 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Settlement Boundary.

Within SALP allocation Policy SA3- Edge of Settlement Sites

Within 5km SPA

3.1 The site, as outlined in red, has an approximate area of 2.55 hectares. It contains 2no. residential properties and 1no. guest house. The majority of the site is currently accessed from London Road via a narrow driveway. Most of the site is allocated for housing development through the Site Allocations Local Plan (SALP July 2013). It includes an area on its western edge which was not included within the allocation which also lies within the settlement boundary, and a strip of land to the north that lies outside of the settlement within the Countryside, where no development is proposed. Therefore, residential development within the settlement on this site is acceptable in principle. The SALP identifies that the capacity of the allocated site as a whole, is 49 dwellings.

3.2 North of the site lies the Council's historic landfill site known locally as the Old London Road Tip. Although the development site is not located on top of the historic landfill it is affected by gas leachate from the site. Given this, the Environment Agency, Bracknell Forest Council and the landowners have made sure that the site known as the Palm Hills Estate is monitored for landfill gas. There are a number of boreholes on the site, in locations that provide the ability to monitor gas levels in the soil, predominantly within the north eastern corner of the site.

3.3 Within the site there are significant level changes with land to the north being significantly higher than land to the south. There are various species of trees on site, however, none are currently protected. The site has been allocated for housing as it forms an extension to the edge of settlement that currently exists to the south along London Road and west along Long Hill Road. North and east of the site is a heavily treed area providing a natural buffer to the site. Land north and east of the site lies outside of settlement; in such countryside areas there are restrictions on new development.

4. RELEVANT SITE HISTORY

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

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

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. THE PROPOSAL

5.1 The applicant seeks planning permission for 81no. dwellings. These are predominantly shown to be located within the allocated site, however the extent of the application site excludes parts of the allocation, such as the curtilage of Sandbanks. However, it includes an area beyond the allocation but within the settlement, and a narrow strip of countryside to the north of the application site.

5.2 The housing mix comprises the following: -

- 15no. one bedroom,
- 8no. two bedroom,
- 49no. three bedroom, and
- 9no. four bedroom dwellings.

5.3 61 of the 81 dwellings consist of a mix of 2, 2.5 and 3 storey houses, with the remaining 20no. dwellings taking the form of apartments within a single 4 storey building located within the north-east corner of the site.

5.4 The applicant states in their submission that no affordable housing provision will be provided on site due to financial viability.

5.5 The proposal also includes, an access road off London Road using the existing access and a right turn lane, internal road layout, parking courts and carports. It also contains areas for waste and cycle storage provision, residential curtilages, surface water drainage measures and areas of open space of which the largest area is to the east of the site running north to south.

5.6 The layout plan, a number of elevations and sections, street scenes and tree surveys submitted with the application have evolved to take into consideration concerns raised during

the course of its consideration. The comments below take into consideration the most up to date plans and documentation.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Recommended Refusal for the following reasons: -

1. The application does not include any Highways assessment. WPC has grave concerns regarding the access and egress onto London Road and cannot consider the application without such information. *[Officer Comment: The applicant has provided a comprehensive Transport Assessment and as such the Local Highway Authority has no objection to the proposal and its access arrangements onto London Road.]*

2. The proposal would result in the erosion of the green corridor on the London Road, which WPC does not consider to be appropriate or acceptable. *[Officer Comment: The development site is an allocated site for residential development representing an extension to the existing settlement. The proposal would see the development of majority of the site however a green landscape buffer would still remain to the east of the site as required by SALP Policy SA3.]*

3. The proposed development would unacceptably increase pressure on local infrastructure. *[Officer Comment: New development would need to mitigate pressure it may place on existing infrastructure as long as no viability issues arise. However, in this case a Viability Report was submitted with this application along with this application that was subsequently independently appraised by the District Valuers Service (DVS). DVS concluded that the development would not be viable if affordable housing were to be delivered on site and that also if other contributions are then sought this would only make the scheme even more unviable. Given the findings of the report it has been concluded that the required SPA mitigation contributions would be the only S106 contributions sought on top of the potential to require a CIL payment of approximately 2 million pounds.]*

4. The proposals would have a detrimental impact on the character of the local area. *[Officer Comment: This point is addressed in section 9(ii) Impact on character and appearance of the area.]*

5. There is no plan provided to prevent leaching from the former tip site. *[Officer Comment: Environmental Health has assessed the applicant's response to land contamination and has recommended conditional approval.]*

6. The provision of quality green spaces within the proposal are inadequate. *[Officer Comment: Suitable amenity space and landscaping will be provided on site and this will be assessed in more detail at the reserved matters stage as landscaping is an outstanding consideration.]*

Other representations

6.2 6no. representations have been received from different addresses, raising the following objections: -

- Proximity of the development to existing neighbouring properties and loss of privacy. *[Officer Comment: This has been assessed in section 9(iii) Residential Amenity]*
- There are more appropriate locations to have a pedestrian/cycle link onto Long Hill Road than at Sandbanks. *[Officer Comment: It is important that the developer*

provides the opportunity within the north western corner of the site for a future cycle/pedestrian access onto Long Hill Road taking advantage of the site's close proximity to Long Hill Park. Sandbanks, although outside this red line, is allocated under the same SALP SA3 policy and as such a connection in this location would make more sense and can be secured if and when the site comes forward for development]

- Concerns regarding safe London Road access to and from the development site and traffic. *[Officer Comment: The Local Highway Authority do not object to this proposal and this is covered in Section 9(iv) Transportation Implications.]*
- The development site is close to the old London Road tip where contamination affects this site. *[Officer Comment: Environmental Health have assessed the applicant's response to land contamination and have recommended conditional approval.]*
- Loss of Trees. *[Officer Comment: Trees are covered in section 9(ii) Impact on character and appearance of the area.]*
- Development is out of character with the immediate area and represents an overdevelopment of the site. *[Officer Comment: Issues regarding character and appearance are assessed in section 9(ii) Impact on character and appearance of the area.]*

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 The scheme would provide policy compliant parking provision and a safe vehicular, pedestrian and cycle access into and out of the site. Recommend conditional approval.

Environmental Health

7.2 Recommend conditional approval to mitigate against known issues related to the adjoining historic London Road Tip. [For more information regarding the Old London Road Tip site please see section 9 (vii.) Site Proximity to Historic Landfill site.]

Tree Officer

7.3 No objection. There are no issues with any specific trees, although a condition requiring a Tree Protection Plan is required.

Bio-diversity Officer

7.4 The Biodiversity Enhancement Plan is considered acceptable although further details of the bat box mitigation measures can be secured by way of a suitably worded condition. Recommend conditional approval.

Waste & Recycling Officer

7.5 No objection to the scheme.

Drainage

7.6 No objection to the scheme subject to conditions and the management and maintenance of the drainage being secured by way of a S106 obligation.

Archaeology

7.7 Recommend conditional approval of the application.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

	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 SA3 of SALP	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 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. PLANNING CONSIDERATIONS

- 9.1 The key issues for consideration are:
- i Principle of development
 - ii Impact on character and appearance of the area
 - iii Residential Amenity
 - iv Transportation Implications
 - v Bio-diversity
 - vi Drainage
 - vii Site proximity to historic landfill site
 - viii Affordable Housing and Viability
 - ix Sustainability and Energy
 - x Thames Basin Heaths
 - xi Community Infrastructure Levy/ CIL

i. Principle of Development

Development Plan

- 9.2 The Development Plan for the Borough includes the following:

Site Allocations Local Plan 2013 (SALP)
 'Retained' Policies of the South East Plan 2009 (SEP)
 Core Strategy Development Plan Document 2008 (CSDPD)
 'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)
 Bracknell Forest Borough Policies Map 2013

Policy Context

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration.

Site Allocations Local Plan (SALP)

9.4 Policy CP1 sets out the presumption in favour of sustainable development. This requires that development proposals should be approved that accord with the development

plan. Where this is absent, silent or relevant policies are out of date, development proposals should be approved unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or where specific policies in the NPPF indicate development should be restricted.

9.5 The adopted SALP is an integral part of delivering the Council's housing requirement of 11,139 dwellings (as contained in Core Strategy Policy CS15) for the plan period until 2026. It amends the boundaries of settlements where this is required as a result of the allocation of edge of settlement sites, such as the Palm Hills site, and relevant changes are incorporated into the adopted Policies Map.

9.6 SALP Policy SA3 allocates 8 'Edge of Settlement Sites' of which this site is one. Each of the 8 sites are allocated for housing and should be developed in accordance with the requirements identified in respect of each site as set out in Appendix 5 as well as all relevant general policy considerations.

9.7 The SALP does not include an illustrative concept plan for the site. However proposed development of this site should be assessed against the site profile found on page 126 of the SALP.

9.8 The SALP site was allocated for 49 net additional dwellings taking account of the need to provide an open space buffer.

9.9 The following requirements have been set out under this site's profile: -

- Appropriate tree surveys and protection of trees;
- Retention of important trees and additional planting along existing boundaries, to preserve the landscape setting and provide visual mitigation;
- Investigation and remediation of any land contamination;
- Provision of affordable housing;
- Transport Assessment to assess the impact of the proposals upon the local road network and roundabout junctions;
- Provision of open space;
- Appropriate ecological surveys and mitigation;
- Any necessary mitigation measures identified as a result of a noise survey (in relation to proximity of site to London Road);
- Mitigation of impacts in accordance with Limiting the Impact of Development SPD, and/or other relevant legislation/policy/guidance;
- Make financial contributions towards existing Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring and take any other measures that are required to satisfy Habitats Regulations, the Council's Thames Basin Heaths SPA Avoidance and Mitigation Strategy and relevant guidance in agreement with Natural England;

9.10 An assessment of the proposal in relation to the site profile requirements can be found within the 'Assessment of Other Issues' section.

Other development plan policies relevant to the principle of development

9.11 Core Strategy Policy CS2 sets out a number of locational principles for new development within Bracknell Forest, including a sequence of allocation, directing development to the Town Centre first, followed by previously developed and other land within defined settlements, and lastly extensions to sustainable settlements which is how this site came to be allocated. Following adoption of the SALP, the site is allocated for development.

The site now falls within a defined settlement. Policy CS2 states that development will be permitted within defined settlements and on allocated sites. The proposed development is therefore in accordance with Policy CS2.

Conclusion on the principle of development

9.12 The relevant Development Plan policies outlined above relating to the principle of the proposed development are considered to be up to date, and consistent with the NPPF. For the reasons set out above it is concluded that the proposed development is in accordance with Policy SA3 of the SALP (insofar as it establishes the principle of residential development), Policy CS2 (insofar as it relates to locational principles) and CS15 of the Core Strategy and the NPPF.

9.13 Residential development of this site is considered acceptable in principle subject to other planning considerations as discussed below.

ii. Impact upon the character or appearance of the area.

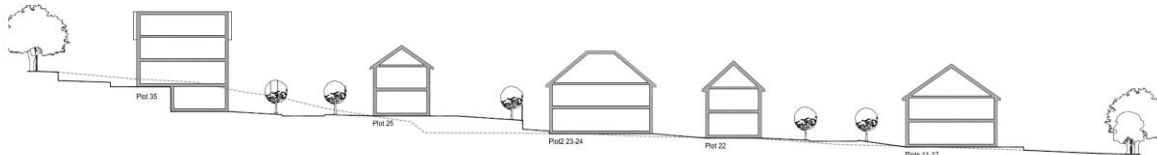
9.14 CSDPD Policy CS7 requires high quality design which in this case should build on the local character, respect local patterns of development, enhance landscape and aid movement and accessibility. Policy EN20 of the Local Plan supports Policy CS7 and sets out how development should be in sympathy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

9.15 The requirements of SALP Policy SA3 (Edge of Settlement Sites) recognise that it is important to preserve the existing treed buffers on the north and east boundaries of the site. This is especially important as the trees outside of the site provide a buffer to the new edge of settlement.

Levels

9.16 The development site is heavily influenced by levels, sloping from the north/northeast to the south, and it is therefore crucial that development responds to the site’s topography given that it is considered to be one of the main site constraints.

9.17 The levels are quite steep in places, particularly within the northern areas and it is important that pavement gradients and access for all is properly considered. The proposal, given that it needs to deliver housing on this edge of settlement site, is considered to provide an acceptable response to the challenging level constraints.



9.18 In-order to deliver housing on site, house types have had to be adapted so that they respond to the levels and at the same time do not appear unduly overbearing and/or create any privacy issues. The above section shows a street scene within the eastern part of the site running north to south. This section shows how the applicant has had to introduce split-level housing to the north where the site is at its steepest.

9.19 A good example of the proposed split-level housing can be seen below which would be incorporated on plots 32 – 34. These dwellings would have a lower ground floor, ground floor and first floor therefore representing town houses from the front however they would appear as two storey dwellings when viewed from the rear.



9.20 Plots 32 through to 42 along the northern boundary of the site will, due to the levels, have rear gardens at a higher level than the street they sit on. However, rear gardens and patio areas will be accessible from the rear of the dwellings and from the front of the site via steps. Rear gardens on these plots will involve some terracing as shown in the sections, with the precise form of this to be submitted as reserved matters, and designed to take account of the trees. This approach will avoid the need for retaining structures along the boundary.



Housing Layout

9.21 The proposed layout, as shown below, consists of 6no. 3 storey (split level) dwellings to the north and north-east of the site provided as a way of addressing the levels changes as described above. The middle section of the site provides a mix of 2.5 and 2 storey dwellings, the southern section of the site contains two storey dwellings all but two of which back onto existing properties fronting London Road. The two storey dwellings that do not back onto existing London Road dwellings are located side-on to the rear boundaries of adjacent properties.

9.22 The housing layout is considered organic in form which provides an informal character while responding well to the challenging level changes.



Siting of Apartments (Plots 43 – 63)

9.23 Within the north-east corner of the site a 4-storey apartment building housing 20no. apartments is proposed. The building will consist of a lower ground floor containing parking, cycle storage and bin storage located within an open undercroft, with the main front pedestrian entrance located within the middle of the lower ground floor facing south. There will be no residential accommodation at ground floor level due to the requirement for ventilation to mitigate possible landfill gas that may be present. However, with the building being cut into the land sloping north to south, residential accommodation will be located on the ground floor flush with land to the rear of the building. Further residential accommodation will be provided on the first and second floors with the second-floor accommodation being located within the roof space.

9.24 The apartments are considered to be well located to benefit from areas of landscaping to the north and east of the building which can be utilised as amenity space. The building also benefits from undercroft parking that therefore places parking out of sight from the proposed street scene.

9.25 The internal layout of the apartments allows for a level of natural surveillance around the building making the amenity areas feel safe and useable.

Landscaping and Formal Routes

9.26 Although landscaping remains the only outstanding reserved matter the applicant has shown within the proposed layout an area to north of the apartment block, and east of the housing layout, which will remain undeveloped. This will form part of the on-site amenity space with soft landscaping. A strip of land to the north of the site which will contain the rear gardens of plots 38 – 42, and an area of open amenity space at the rear of the apartment block, does fall outside of the settlement. This strip of land outside of the settlement which has historically formed part of the Palm Hills Estate will remain undeveloped and this can be maintained via the removal of Permitted Development rights. Along with a large drainage swale to the south, it will also form part of the on-site surface water drainage mitigation. This area of soft, open landscaping would assist in providing relief from built form and a transition from the new edge of settlement eastwards into adjoining land that is designated as land outside of the defined settlement (Countryside). Maintaining a green edge to the site at this point is a requirement of SALP Policy SA3

9.27 The layout has evolved to show the possible future provision of a pedestrian/cycleway from the housing development west through Sandbanks (part of the SA3 allocated site) onto Long Hill Road in order to connect the allocated site with Long Hill Park to the north west of the site. The layout also provides a footway south from the site to London Road between existing properties Dolyhir and A'crista House as well as providing pedestrian, cycle and vehicular access into the site from London Road within the south-eastern corner of the site. The inclusion of the proposed access routes and the ability to provide further future access routes out of the site, mean this development is considered to be well connected. This development will integrate well with the rest of the existing settlement and is therefore considered sustainable.

Trees

9.28 Given the size of the site there are very few trees that exist within the red line boundary. However, there are trees outside of the site including heavily treed areas to the north and east of the site on Council owned land which make a valuable contribution to the character of the site and the surrounding area. The retention and protection of these trees is required by SALP Policy SA3 and will help to create a green edge outside that of the extension to the previous settlement boundary.

9.29 The Council's Tree service was consulted on the both the original scheme and subsequent revisions. A number of trees within the site are proposed to be removed however they are not protected, and the Tree Officer has expressed no concerns regarding their removal.

9.30 The Tree Officer did originally raise concerns that the trees, outside of the site, along the northern boundary may be affected by any proposed terracing of rear gardens abutting the boundary. However, the scheme has evolved to now show minor terraces thus avoiding any retaining walls on the northern boundary. This approach, subject to the inclusion of tree protection plans, is considered not to harm the long-term health of the valuable trees.

9.31 Given the revised plans the Tree Officer has recommended that the application be approved subject to a condition securing a suitable Tree Protection Plan.

Building Design

9.32 It is intended that development on this site establishes its own character whilst at the same time relating well to the existing residential settlement to the west and south. The applicant proposes dwellings that are subtly different from each other, either by way of their size and height but also through their style and choice of finish. These differences in design have contributed to the proposed street scenes (see below) that can be described as characterful, organic in form and at the same time sympathetic to the new settlement edge.

Street scene elevations



Conclusion on Design, Character and Appearance

9.33 Given the above assessment of the proposal's siting and design it is considered that the development responds well to the difficult site constraints such as level changes, accessibility, trees and the old London Road tip site to the north. At the same time it has its own identity and the design is sympathetic to its edge of settlement location.

9.34 As such the proposed development is considered to comply with BFBLP policies EN1, EN20, CSDPD Policy CS7, SALP Policy SA3 and the NPPF.

iii. Impact upon Residential Amenity

9.35 Policy EN20 criterion (g) of the BFBLP stipulates that in considering proposals, the amenity of surrounding properties should not be adversely affected. The amenities of existing residents and future occupiers is therefore a material consideration in considering an application.

Existing residents

9.36 Existing residential properties are located to the south, fronting London Road and to the west, fronting Long Hill Road. The proposal will provide new dwellings, on plots 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 31, 32, 33 and 34, closer to the southern and western boundaries with these existing properties where before none were present.

9.37 However, when assessed all the proposed dwellings listed above, that could potentially impact upon existing residents, comply with the back to back, and back to side distances as set out in the Council's Design SPD.

9.38 Given this assessment the layout and design of the development would not result in any adverse overlooking nor would the properties appear overbearing on any existing adjoining properties.

Future Occupiers

9.39 The proposed siting, alongside the internal arrangements for the dwellings, are also not considered to result in any adverse impacts upon any of the future occupants. The majority of proposed dwellings have been located so as to respect the back to back and side to back distances set out in the Design SPD, thus avoiding any significant overlooking, overshadowing and overbearing impacts. There are a number of plots with a 2nd floor that do not quite comply with the distance of 30 metres for example plots 28 and 29. However, the applicant has agreed to accept conditions regarding such plots restricting the sill height of any rear facing second floor velux window to a height no lower than 1.7m above floor level. This, due to the height and angle of opening, will prevent any significant overlooking taking place between any proposed plots that fall short of the 30m standard for 2nd floor rear facing windows.

9.40 As well as a number of substandard back to back distances there are a couple of side to rear relationships whereby first floor side facing bathroom windows could potentially overlook gardens as shown for example on plot 81 facing east towards plot 64. Here this potential for overlooking is to be avoided as the applicant has agreed to a condition restricting the side facing bathroom window so that it is obscure glazed and fixed shut apart from a top opening fanlight.

9.41 Given the above assessment the siting, orientation, and internal function of the dwellings, subject to conditions, would not result in any adverse impacts upon the amenity of any future occupants.

Conclusion on the impact upon residential amenity

9.42 Accordingly, the proposal as a whole is considered to preserve the amenities of both existing and future occupiers and comply with Policy EN20 (g) of the BFBLP.

iv. Highway Safety

Access

(i) Access onto London Road

9.43 A ghost-island priority junction is proposed onto London Road, as shown on drawing 19-T067_06 rev B. Through-lane widths of 3.25m have been provided, consistent with the existing ghost-island junction to the east. The applicant's transport consultant has undertaken traffic modelling of the site access and adjacent junctions. This indicates that, even on the most saturated movements, the impact of the proposed development is likely to be minimal and vehicles can arrive and depart the development onto London Road within gaps in traffic between the adjacent junctions with Long Hill Road and Priory Road. At the Long Hill Road / London Road signalised junction the traffic modelling indicates an increase in queue length of 1 vehicle during the AM peak hour (London Road westbound) and an increase in queue length of 4 vehicles during the PM peak hour (London Road eastbound).

(ii) Internal Layout

9.44 The internal road layout has been designed to work with the levels within the site to allow roads to be constructed to adoptable standards. At the site access onto London Road a footway is proposed to the east of the carriageway and a separate footway/cycleway to the west, with cyclists re-joining the internal roads within the development area circa 40m from London Road. A separate pedestrian / cycle connection to London Road would also be provided to the east of the property named Dolyhir. The section of land between the internal road and this link would be offered for adoption, allowing any future redevelopment of Dolyhir (which forms part of the allocated area in the 2013 Site Allocations Local Plan) to be accessed from within the development. Footways are provided to the main road through the development, with shared surfaces forming spurs to the north-west and south-west. The eastern side of the development is served by a shared surface, but there is a separate informal footpath through the open space to the east, should pedestrians not wish to use the shared surface along this section. To the north-west a section of land is also proposed to be offered for adoption to the boundary of the property named Sandbanks (which forms part of the allocated area in the 2013 Site Allocations Local Plan), should this property come forward for adoption in future. However, it is noted that there is a considerable level change at this point and therefore any future access via this route might be challenging.

9.45 Visibility splays to Manual for Streets 20mph have been shown on drawing T19-T067_11.1 rev B. Strips of traffic calming are shown in a number of locations to ensure that speeds are maintained at 20mph or lower.

9.46 All dwellings have a separate pedestrian connection, compliant with Building Regulations Part M. The Information Plan, drawing reference 1295/Pln/147 revision C indicates refuse and cycle storage locations for each property and EV Charging Points are provided for 20% of parking spaces in accordance with the Parking Standards SPD, March 2016. Whilst it was envisaged that a pedestrian/cycle connection to Long Hill Road would be provided as part of the application, the exclusion of Sandbanks along with the response from Bracknell Forest Council's ecology team in relation to the land to the north has meant that this cannot be achieved at this time.

Parking

9.47 Car and cycle parking is proposed to the levels required by the Parking Standards SPD, March 2016, including provision of visitor parking spaces and EV charging provision to 20% of spaces. Parking for the apartments in the north-east corner of the site is provided in an undercroft car park, taking advantage of the levels on this part of the site.

Travel Plan

9.48 A comprehensive Travel Plan has been put forward to promote travel by sustainable modes and help to reduce car use. The Travel Plan includes, inter alia, the provision of:

- Residents' travel packs providing details and advice on local sustainable travel modes;
- Personalised travel planning for residents;
- Vouchers for residents using public transport;
- Establishment of a Bicycle Users' Group (BUG); and
- Cycle maintenance clinics.

Conclusion on Highway Safety

9.49 Following extensive communication with the applicant, from initial advice in mid-2019 through to July 2020, the Highway Authority has no objection to the proposed development, subject to the inclusion of suitably worded conditions and informatives being appended to planning permission, if granted. The proposal is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS3, CS23 and CS24 and the NPPF.

v. Biodiversity

9.50 The applicant has submitted a Biodiversity enhancement plan which is considered acceptable by the Councils' Biodiversity Officer, although a condition is also required in order to secure the submission, and subsequent approval, of full details of bat features, their specification and how they will be integrated within new buildings.

9.51 Subject to a condition, the Council's Biodiversity Officer considers that the proposal would not harm any protected species and the adequate biodiversity gains can be secured on-site. As such the application is considered to comply with policy CS1 of the CSDPD.

vi. Drainage

9.52 Following on-going discussion between the Lead Local Flood Authority (LLFA), during which the application was live, it has been agreed that the applicant has provided a suitable drainage strategy. However further details of the drainage scheme will need to be sought through suitably worded conditions and its implementation and future maintenance will need to be secured through a S106 Legal Agreement obligation.

vii. Site Proximity to Historic Landfill Site (Old London Road Tip)

Site Background

9.53 The adjacent former landfill site was originally referred to as the 'Chavey Down Sand Quarry', which commenced commercial mineral extractions in 1950. Mineral working continued at the site up to some point in the early 1980s, running concurrently with the initial infilling of waste. Permission was granted for waste to be accepted at the site, designed as a 'dilute and disperse' landfill, from 1979; the tipping of wastes commenced in January 1981 and ceased in March 1998, with initial restoration works being completed in 2001.

9.54 The site was initially regulated in accordance with Section 11 of the Control of Pollution Act (CoPA) 1974; regulation moved to the Waste Management Licensing (WML) Regulations in 1994 and was subsequently brought under the Environmental Permitting Regulations 2010.

9.55 The site Waste Management Licence (now referred to as an 'Environmental Permit') has been subject to a number of modifications dated December 1982, March 1983, April 1996, February 1998, March 2001 and 19 May 2006.

9.56 From 1981 to 1983 the site received approximately 40,300 tonnes of treated (pulverised) waste from household and commercial sources, inert industrial waste and limited quantities of agricultural waste. From 1983 until the close of tipping operations in 1998, the site received approximately 567,000 tonnes of untreated household and industrial waste. There was a requirement to cover the waste with at least 0.1m of sand at the end of each working day.

9.57 The site accepted a total of approximately 607,300 tonnes of waste. There are no detailed records of the types of waste accepted at the site, although estimates of overall waste content at the site are 10/20% of commercial wastes and 80/90% of household wastes. Commercial wastes were stated to be inert, although street sweepings and occasional veterinary wastes were accepted. Treated (pulverised) waste was only accepted for the first two years of tipping and this was placed in the south west section of the site. Untreated household and industrial waste was accepted from 1983 onwards.

9.58 The depth of deposited waste varies across the site, from around 10m in the south to an estimated 25m in the north. At the close of the tipping operations, the planned waste levels were not reached in all areas. In order to comply with the planning requirements, inert material was imported to make up the difference. This resulted in variations in the thickness of the final capping material, ranging between 1.5m and 6.0m.

9.59 Monitoring at boreholes located on the Palm Hill site is routinely undertaken in order to comply with the Chavey Down Environmental Permit. The boreholes are monitored for landfill gas and groundwater. There are five boreholes located within the fenced boundary of the Palm Hills development. One borehole falls within the title of the development, however it is accessible from Freehold land via Longhill Road.

9.60 The retention / removal of these boreholes can only be agreed by the Environment Agency and is therefore considered to be adequately controlled outside of the Planning process.

Development and Contamination Risk Management

9.61 The contamination risks associated with the development of this site arise from potential leaching of landfill gas and any other contaminants from the nearby former landfill site. These can create a number of risks including to health, ecology, surface and groundwater, property and services. It has been concluded that the risks are fully capable of being mitigated and Environmental Health has set out appropriate measures for this to be achieved which are described below.

9.62 Firstly, in addition to any assessment provided with the application, the Council would secure an investigation and risk assessment carried out by competent persons to include the nature and extent of any contamination on the site, whether or not it originates on the site. The Council will require a written report of the findings to be produced and approved by the Local Planning Authority. The report of the findings must include a survey of the extent, scale and nature of contamination, an assessment of all the agreed potential risks, and an appraisal of remedial options, and propose preferred options.

9.63 The scheme of remediation will be required to be implemented before other works on the site commence. It will set out measures to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property

and the natural and historical environment, and need to be approved in writing by the Local Planning Authority. The scheme must include all the works to be undertaken, the remediation objectives and criteria and a timetable of works. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

9.64 Measures are also proposed to deal with any unexpected contamination identified following commencement of the development. Any previously unidentified contamination would be required to be reported in writing immediately to the LPA. The proposed measures will require development to be halted on any part of the site found to be affected to an extent to be agreed by the LPA. An investigation and risk assessment would need to be undertaken in accordance with set requirements, and where remediation is necessary a remediation scheme would have to be prepared in accordance with the relevant planning condition and would be subject to the approval in writing of the LPA. Completion of the identified measures would also be subject to LPA approval.

9.65 To ensure the longer-term effectiveness of the remediation measures, a monitoring and maintenance scheme must be provided, covering a period to be agreed with LPA. This will require reports to be prepared and approved by the Local Planning Authority. This procedure must be conducted in accordance with DEFRA and the Environment Agency's model procedures.

9.66 The Council will also require a landfill gas investigation and risk assessment to be submitted to and approved in writing by the Local Planning Authority before the development commences. Where a risk from gas is identified, the LPA will require the submission of a scheme to mitigate the effects of gas for its written approval. The approved scheme shall be implemented, and a validation report submitted and approved before any buildings are occupied.

9.67 In-order to secure the above suggested mitigation measures Environmental Health have recommended that any approval includes suitably worded conditions. These conditions are set out in Section 11 of this report.

vii. Affordable Housing and Viability

9.68 CSDPD Policy CS17 and BFBLP Policy H8 seek the provision of 25% on-site affordable housing provision, taking account of the economics of provision. These policies are considered consistent with the NPPF.

9.69 However, the applicant submitted a Viability Report which has been the subject of an independent appraisal by the District Valuers Service. The independent appraisal concluded that the scheme is not viable if affordable housing is delivered on-site.

9.70 As stated earlier in the report this development site has to deal with some major site constraints including remediation/mitigation of landfill gas from the Old London Road Tip as well as having to overcome significant level changes north to south. This has provided the current landowner/developer with considerable additional costs and these costs have been taken into account when looking at whether the development of the site can include provisions such as affordable housing without becoming unviable.

9.71 The wording of the Council's policy, and the NPPF allow scheme viability to be considered. Therefore, in light of the independent District Valuer's findings, the proposal would not be in conflict with CSDPD Policy CS17, BFBLP Policy H8 and the NPPF.

viii. Sustainability and Energy

9.72 The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 153 of the Framework states that in determining planning applications, LPAs should expect new development to:

- a) comply with adopted Local Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

9.73 This application has been considered against the objectives of the NPPF and in the context of the Borough's energy and sustainability policies (set out below) which are considered to be consistent with the NPPF.

9.74 Policy CS10 of the Core Strategy requires the submission of a sustainability statement demonstrating how the proposals meet current best practice standards.

9.75 Policy CS12 of the Core Strategy requires the submission of an energy demand assessment demonstrating how the development's potential CO₂ emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewables.

9.76 Whilst no specific details have been submitted, this could be overcome via condition if the application was recommended for approval.

ix. Thames Basin Heaths Special Protection Area

9.77 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. An Appropriate Assessment has been carried out including mitigation requirements.

9.78 This site is located approximately 2.7 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.79 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.80 In this instance, the development would result in a net increase of 79 dwellings (15 X 1-bedroom dwellings, 8 X 2-bedroom dwellings, 49 X 3-bedroom dwellings and 9 X 4-bedroom dwellings) replacing 2 X 4-bedroom dwellings. Given this mix the total SANG contribution required will be £476,033.

9.81 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £50,681.

9.82 The total SPA related financial contribution for this proposal is £526,714. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Site Allocation Local Plan, the Amen Corner SPD, Thames Basin Heaths Special Protection Area SPD and the NPPF.

x. Community Infrastructure Levy (CIL) and S106 Contributions

9.83 Bracknell Forest Council has an adopted Community Infrastructure Levy (CIL). CIL is applied as a charge on each square meter of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.84 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. This application involves a net increase in dwellings and floorspace and would therefore be liable for CIL. This development, within the Northern Parishes charging zone, is likely to be liable for a CIL bill of approximately £2.2m

9.85 In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development at the reserved matters stage.

9.86 According to policy the applicant needs to also provide contributions towards off-site open space provision and community facilities. However, given that when looking at the viability of the scheme the independently appraised viability report concluded that the scheme would not be viable if affordable housing were to be provided, the report also confirms that further contributions would also worsen the viability of the development.

9.87 As the scheme, with contributions, would be unviable due to abnormally high costs from dealing with both landfill gas remediation/mitigation and having to develop a site with significant level constraints this needs to be taken into consideration when carrying out the planning balance.

9.88 The site has been allocated for some time and one developer has gone as far as to show an interest in the land and have a planning application determined, albeit refused, and then abandon the site. Delivering 81 units on a site where it was estimated that 49 net could be achieved would help to deliver much needed housing when it is clear that delivering a viable development on this site is extremely challenging. The site may not be able to provide affordable housing and other required contributions however the development would secure a CIL payment of approximately £2.2m as well as provide the required SPA mitigation costs.

9.89 Given this assessment it is considered that on balance the need to deliver housing, along with the significant CIL payment, outweighs the lack of off-site open space and community facility contributions. The NPPF allows the decision maker to come to such a conclusion.

10. CONCLUSIONS

10.1 The application seeks planning permission for the erection of 81no. dwellings within an allocated site for residential development on the edge of an existing settlement, following demolition of 2no. dwellings and a guesthouse.

10.2 The part of the application site on which development would occur is within the settlement boundary defined by the Local Plan Policies Map, including SALP Policy SA3, and the proposal is therefore acceptable in principle.

10.3 The proposal is considered acceptable in terms of its design, appearance, siting and scale and there are considered to be no adverse impacts on the character and appearance of the area.

10.4 The proposal, subject to conditions, would not result in any unacceptable detrimental impacts upon the amenities of existing and/or future occupiers.

10.5 The development provides an adequate landscape buffer to the east of the site, as well as amenity space and a large swale that forms part of the accepted surface water drainage strategy.

10.6 The proposal is considered acceptable by the Local Highway Authority in terms of off-street parking, safe access to and from London Road as well as suitable pedestrian/cycle linkages. These include one area that could facilitate a future link onto Long Hill Road should the allocated Sandbanks site come forward for development in the future.

10.7 Adequate ecological enhancement measures have been put forward to offset any harm and provide a net gain in Biodiversity, with further details of bat boxes to be secured by way of a condition.

10.8 In conclusion it is considered that the outline application would deliver a well-designed residential scheme for 81 units on a site allocated under the SALP for residential development. The reserved matters will deal with proposed landscaping measures.

11. RECOMMENDATION

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

- Contribution towards mitigation against the impact upon the SPA.
- Travel Plan implementation and monitoring.
- SuDs Drainage.
- Monitoring of SuDs Management Plan.
- Delivery of on-site OSPV and its management and maintenance.
- Commitment to the adoption of the site roads, ped/cycle links and links to the boundaries with Dolyhir and Sandbanks
- Monitoring Costs.

That 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. Application for approval of the reserved matters shall be made to the Local Planning

Authority before the expiration of three years from the date of this permission.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990

02. Approval of the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the 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

03. 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.

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

1295/Pln/100 Site Location Plan
1295/Pln/101C Site Layout
1295/Pln/101-1C Site Layout (Coloured)
1295/Pln/102 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/106 Plots 5-6 Plans and Elevations
1295/Pln/107 Plots 7-8 Plans and Elevations
1295/Pln/108 Plots 9-10 Plans and Elevations
1295/Pln/109 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/112 Plots 18-19 Plans and Elevations
1295/Pln/113 Plots 20-21 Plans and Elevations
1295/Pln/114 Plot 22 Plans and Elevations
1295/Pln/115 Plots 23-24 Plans and Elevations
1295/Pln/116 Plot 25 Plans and Elevations
1295/Pln/117 Plots 26-27 Plans and Elevations
1295/Pln/118 Plots 28-29 Plans and Elevations
1295/Pln/119 Plots 30-31 Plans and Elevations
1295/Pln/120A Plot 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/125 Plot 42 Plans and Elevations
1295/Pln/126B Plots 44-63 Floor Plans (Sheet 1)
1295/Pln/127A Plots 44-63 Floor Plans (Sheet 2)
1295/Pln/128A Plots 44-63 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/133 Plots 68-69 Plans and Elevations
1295/Pln/134 Plots 70-71 Plans and Elevations
1295/Pln/135 Plots 72-73 Plans and Elevations

1295/Pln/136	Plot 74 Plans and Elevations
1295/Pln/137	Plots 75-76 Plans and Elevations
1295/Pln/138	Plot 77 Plans and Elevations
1295/Pln/139	Plots 78-79 Plans and Elevations
1295/Pln/140	Plots 80-81 Plans and Elevations
1295/Pln/141B	Indicative Street Scenes
1295/Pln/142C	Site Sections
1295/Pln/143C	Indicative Levels Plan
1295/Pln/144C	Road Levels and Sections
1295/Pln/145C	Block Plan
1295/Pln/146C	Building Heights Plan
1295/Pln/147C	Information Plan
1295/Pln/148	Existing Site Survey
19-T067_06B	Potential right turn lane and junction visibility

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

05. The development shall not commence until a Phasing Plan is submitted to and approved in writing by the Local Planning Authority, clearly identifying the different phases of the development to which reserved matters applications and details required by condition submissions shall subsequently be made. No phase of the development shall commence until all relevant reserved matters, and 'prior to commencement' conditions, are approved in respect of that phase.
REASON: To ensure that full details of the relevant phase of the development are submitted for approval.
06. Prior to commencement of superstructure works in any individual phase, samples of the external materials to be used in that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
07. Prior to commencement of superstructure works in each phase, details showing the finished floor levels of the buildings in each phase hereby approved in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
08. 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 1.7m above the floor level.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
09. The first-floor bathroom windows in the side elevations of both 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 1.7m from floor level. The windows shall at all times be fixed to a height of 1.7m from floor level.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
10. No development shall be commenced until an estate street phasing and completion

plan has been submitted to and approved in writing by the Local Planning Authority. The estate street phasing and completion plan shall set out the development phases and the estate streets that serve each phase of the development. It will also set out standards to which each estate street will be completed. The development thereafter will be implemented in accordance with the approved estate street phasing and completion plan.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety

11. No dwelling shall be occupied until the ghost island site access junction onto London Road along with the pedestrian and cycle link to the west of the site access has been constructed in accordance with approved drawing reference 19-T067_06 rev B.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23, NPPF paragraphs 108 and 110 c)]
12. 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, has been constructed in accordance with details to be agreed in writing with the Local Planning Authority.
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23, NPPF paragraph 108 a) and b), and NPPF paragraph 110 a) and c)]
13. No dwelling shall be occupied until the visibility splays shown on the Forward Visibility Assessment (drawing 19-T067_rev B) have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
14. No dwelling shall be occupied until that part of the access road which provides access to the dwelling and its parking, along with adjacent footways and margins and street lighting, has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
15. No dwelling shall be occupied until its associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
16. No dwelling shall be occupied until:
 - (a) details of the location and proposed construction of 16 visitor car parking spaces, and
 - (b) details of the signing for the visitor car parking spaces have been submitted to, approved in writing by the Local Planning Authority and implemented in full.The visitor car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

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

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

17. Within the garage accommodation hereby approved for plots 1, 2, 3, 4, 13,64, 65, 66 and 67 on the approved plans, an area of at least 6.0m back from the garage door by 3.5m in width shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
18. No dwelling shall be occupied until the associated secure and covered cycle parking spaces for that dwelling with one cycle space per bedroom have been provided in the location identified for cycle parking on the approved Information Plan (drawing reference 1295/Pln/147 revision C). The cycle parking spaces and facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
19. 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 approved Information Plan (drawing reference 1295/Pln/147 revision C) have been submitted to, approved in writing by the Local Planning Authority and implemented in full. Thereafter the electric vehicle charging infrastructure shall maintained in working order.
REASON: In the interests of sustainable transport.
[Relevant Policy: NPPF paragraph 110 e); Parking Standards SPD paragraph 3.8 part 1 (established through NPPF paragraph 105 e)].
20. 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]
21. The access road coloured blue and yellow along with links to the boundaries of the properties named Sandbanks and Dolyhir coloured red on the approved Information Plan (drawing reference 1295/Pln/147 revision C) along with all footways, margins and street lighting adjacent to the areas coloured blue, yellow and red shall be constructed to adoptable standards.
REASON: In order to accommodate refuse collection using Bracknell Forest Council's refuse vehicle and in the interests of comprehensive development, to allow the potential for connectivity with development of neighbouring parcels of land identified in the Site Allocations Local Plan, 2013.
22. No development (including demolition and site clearance) shall take place, until a Construction (and Demolition) Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority.
The CEMP shall include as a minimum;
 - (i) Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
 - (ii) Details of the parking of vehicles of site operatives and visitors;
 - (iii) Areas for loading and unloading of plant and materials;
 - (iv) Areas for the storage of plant and materials used in constructing the development;
 - (v) Location of any temporary portacabins and welfare buildings for site operatives;
 - (vi) Details of any security hoarding;

- (vii) Details of any external lighting of the site;
- (viii) Details of the method of piling for foundations;
- (ix) Measures to control the emission of dust, dirt, noise and odour during demolition and construction;
- (x) Measures to control surface water run-off during demolition and construction;
- (xi) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xii) Details of wheel-washing facilities during both demolition and construction phases; and
- (xiii) Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

The approved CEMP shall be adhered to throughout the demolition and construction period.

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

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

23. No dwelling shall be occupied until a full Travel Plan in general accordance with the approved Framework Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the approved Travel Plan shall be implemented in full and monitored for at least 5 years after the last occupation.

REASON: To promote Travel Planning in the interests of encouraging sustainable alternative modes of travel.

[Relevant Policies: Core Strategy DPD CS23, CS24.]

24. No development shall take place (other than archaeology, demolition, site clearance, site set up and contamination remediation) until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority with supporting calculations including Urban Creep and Climate Change Allowances demonstrating that the greenfield runoff rates have been met for all storm events. Details shall include all components of the proposed drainage system including the reinforced concrete tank, dimensions, locations, gradients, invert and cover levels, any soakaway details including test results, headwall details, planting, liner design to pond, health and safety risk assessment for pond design, and drawings as appropriate taking into account the groundwater table as set out in the WE Limited FRA dated April 2020 and accompanying letter dated July 2020.

Confirmation of the gully spacing calculations to demonstrate they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy and exceedance routing design.

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

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

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

26. No dwelling hereby permitted in any individual phase shall be occupied until the

sustainable urban drainage scheme for that phase of development has been completed in accordance with the approved details as requested under conditions 24 and 25. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.

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

27. Prior to occupation of any dwelling in any individual phase a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Local Planning Authority. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes and cover systems.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
28. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 28 to 31 (below) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 27 has been complied with in relation to that contamination.
29. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with Land Contamination: Risk Management, as published by the Environment Agency on 8 October 2020.

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

30. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval

in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

31. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.
Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and, is subject to the approval in writing of the Local Planning Authority.
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
32. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 28, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 29, which is subject to the approval in writing of the Local Planning Authority.
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 30.
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
33. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with Local Planning Authority, and the reports on the same must be prepared and approved in writing by the Local Planning Authority.
Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.
This must be conducted in accordance with Land Contamination: Risk Management, as published by the Environment Agency on 8 October 2020.
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
34. No development approved by this permission shall commence until a landfill gas investigation and risk assessment has been submitted to and approved in writing by

the Local Planning Authority. Where a risk from gas is identified, a scheme to mitigate the effects of gas shall be submitted to the Local Planning Authority for written approval. Before any dwellings are occupied the approved scheme shall be implemented and a validation report shall be submitted to the Local Planning Authority for approval.

REASON: To protect future occupiers of the site and structures from the risks associated with the migration of toxic and flammable gasses

35. No superstructure works shall take place until full details of bat mitigation features, their specification and how they will be integrated within new buildings has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

37. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%) or other measures as agreed with the LPA .

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]

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

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

plan at a minimum scale of 1:200, showing the following: -

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

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

REASON: In order to safeguard trees and other vegetation.

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

40. The protective fencing and other protection measures specified by condition 39 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 (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
- In addition to the protection measures specified above,
- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
 - b) No signs, cables, fixtures or fittings of any other description shall be attached to any

part of any retained tree.

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

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

41. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no outbuildings and hard standing permitted by Classes E and G of Part 1 of the Second Schedule of the 2015 Order shall be carried out in the rear gardens at plots 38, 39, 40, 41 and 42.

REASON: Part of the plots listed fall within land outside of the settlement where restrictions over the form, scale and nature of development apply.

[Relevant Policies: BFBLP CSDPD CS9]

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

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

[Relevant Plans and Policies: BFBLP M9]

In the event of the S106 planning obligations not being completed by 12.01.2021, the Head of Planning be authorised to extend this period or **REFUSE** the application on the grounds of: -

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 Supplementary Planning Document (2018).
2. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off and it has not been shown that use of SuDS would be inappropriate for the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.
3. A suitable Travel Plan has not been secured. As such the proposal would not comply with CSDPD Policy CS23 and the NPPF.

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 ANY development: 5, 6, 7, 10, 22, 24, 25, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39 and 40.

03. The following conditions require discharge prior to the occupation of the dwellings hereby approved: 11, 12, 13, 14, 15, 16, 18, 19, 23, 26, 27 and 42.

04. No details are required to be submitted in relation to the following conditions; however, they are required to be complied with: 8, 9, 17, 20, 21, 32, 33 and 41.

05. Please note that the Palm Hills site is the subject of a number of boreholes in place to aid in the monitoring of landfill gas levels from the historic landfill site to the north. The boreholes are in place at the request of the Environment Agency and as such permission from the Environment Agency should be sought if access to the boreholes, and any associated monitoring, is likely to be interrupted.

06. The Street Care Team Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.