

BRACKNELL FOREST BOROUGH COUNCIL

DELEGATED REPORT

APPLICATION NO: 18/00650/FUL
OFFICER: Matthew Miller

DESCRIPTION: Erection of 34 dwellings (including 8 affordable dwellings), with car parking, landscaping, open space and access from Herschel Grange, following the demolition of No.6 Herschel Grange.

LOCATION: Land To The North Of Herschel Grange Warfield Street Warfield

Week No 27/2018	Registered 27.06.2018	Expiry 26.09.2018
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SITE VISIT NOTES (separate sheet attached? Y / N)	DATE UNDERTAKEN
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See case officer summary

CONSULTATIONS & REPRESENTATIONS RECEIVED

<u>Consultee(s)</u>	<u>Reply Date</u>	<u>Consultee Comments</u>
Thames Water	24.07.2018	<p>Waste Comments Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided</p> <p>Water Comments With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444-448200</p> <p>Supplementary Comments Surface Water drainage will go to a watercourse and thus Thames Water have no concerns.</p>
Transport Development	23.08.2018	Refer to officer report.
Transport Development	22.10.2018	Refer to officer report.
Berkshire Archaeology	30.07.2018	Refer to officer report.
Transport Development	08.03.2019	Refer to officer report.
Lead Local Flood Authority	21.03.2019	Refer to officer report.
Parish-Town Council	13.07.2018	<p>Recommend refusal:</p> <ul style="list-style-type: none"> - Outside of the existing settlement area - Overdevelopment of the site and out of keeping with the area (3 storey buildings) - Concerns regarding additional traffic in the area following the approval of the land north of Newhurst Gardens application

Environmental Policy Officer (SPA)	30.07.2018	Refer to officer report.
Implementation	09.10.2018	Refer to officer report.
Tree Officer	09.10.2018	Refer to officer report.
Landscape Officer	22.08.2018	Refer to officer report.
Biodiversity Officer	30.07.2018	Refer to officer report.
Environmental Health and Safety	17.08.2018	Refer to officer report.
Education - Children, Young People and Learning		(See Implementation Comments)
Ellie Eghtedar - Interim Head Of Housing		(See Implementation Comments)
Jon Mullis	01.08.2018	Refer to officer report.
Renewable Energy Officer	09.10.2018	Refer to officer report.
Environmental Policy		(None received)
Lead Local Flood Authority	28.08.2018	Refer to officer report.
Planning Policy Section	10.07.2018	Refer to officer report.
Urban Design Officer	13.08.2018	Refer to officer report.
Waste and Recycling Manager	30.07.2018	Refer to officer report.

POLICIES:

CASE OFFICER'S SUMMARY:

PROPOSAL

The proposed development consists of the erection of 34no. dwellings (33no. net) on primarily undeveloped land to the northeast of the current housing development present within Herschel Grange, and north of the housing within Toogood Place. It would adjoin the existing mobile home site known as The Hermitage Caravan Park to the west. The proposal would involve the demolition of the existing dwelling of 6 Herschel Grange, to enable vehicular access to the site to be taken from this plot.

The proposed dwelling mix would consist of 4no. one bedroom, 8 no. two bedroom, 13no. three bedroom, 6no. four bedroom (5 net in view of the demolition of 6 Herschel Grange), and 3no. five bedroom units. Of these,

4no. one bedroom, 3no. two bedroom, and 1no. one bedroom units are proposed to be affordable housing units, which represents 24.2% of the net total.

The dwellings would be a mix of detached, semi-detached and terraced units, and with a 2.5 storey apartment complex on the northwestern corner of the site.

During the course of the application amendments have been made to the site layout, including in respect of highway safety and access matters, and clarifications as to the exact extent of ownership of the land (with slight reduction of the red line).

SITE DESCRIPTION

The application site consists of a predominately undeveloped grass field bounded by a combination of wooden fencing and planting, including tall hedging to the eastern boundary. Two dilapidated stable buildings are sited towards the southern boundary of the site. The site itself appears to have had historic equestrian use, in combination with the current use of the land which is as horse grazing, and was historically known as The Hermitage. Current access to the site is taken from a single gated track immediately north of 6 Herschel Grange.

The site is bordered by the housing development of Herschel Grange and Toogood Place to the south, the Hermitage Caravan Park to the east, and (currently) undeveloped land to the north and west.

The majority of the site is located outside a defined settlement, but adjoining the settlement boundary of Warfield (which links continuously to Bracknell proper) to the south, as identified in the Bracknell Forest Borough Policies Map (2013).

RELEVANT PLANNING HISTORY

- The application site:

5491

Application for extension to existing caravan site
Refused (1959)

612413

Erection of stable block, tack room and feed room and hay store.
Approved (1987)

- The land to the immediate east (land north of Newhurst Gardens) of the application site has planning permission for the following:

16/01004/OUT

Outline planning application for the erection of up to 50 residential dwellings (including up to 25% affordable housing), parking, open space and landscaping with access from Newhurst Gardens. All matters reserved apart from access details.
Appeal Allowed (2018)

- The existing housing development consisting of Herschel Grange and Toogood Place was permitted under multiple applications determined between 1995 and 2001.

REPRESENTATIONS RECEIVED

Warfield Parish Council object to the proposal on the following grounds:

- the site is located outside the defined settlement boundary;
- the proposal would constitute overdevelopment of the site and be out of keeping with the area, with particular attention drawn to the proposed apartment building, and
- concerns are raised as to increasing traffic levels across the local area resulting from the proposal combined with the extant permission for housing north of Newhurst Gardens, and the impact this would have on highway safety.

A total of 26 objections have been received from neighbouring residents within Herschel Grange, Toogood Place, Gibbins Lane and Warfield Street. They are summarised as follows:

- the site is located outside the defined settlement boundary, and would not relate well to the existing settlement form or the wider rural setting;
- the proposal is contrary to the Bracknell Forest Council Development Plan;
- Bracknell Forest Council now has a Five Year Land Supply and so this cannot be used to justify the proposal;
- the proposal would result in an adverse impact both on the countryside setting and on the existing character of development to the immediate south. It would result in a negative urbanisation of the area. Warfield Street is a designated Character Area and the proposal would have a negative impact on this;
- the proposal constitutes overdevelopment of the site;
- the proposal, in combination with the Newhurst Gardens development, and other development taking place further to the south of Warfield Street, would result in an unfavourable erosion of the countryside and a harmful net increase in traffic movement. Concerns have been raised with regards to existing levels of traffic;
- the benefits of providing needed additional housing does not outweigh the harm of the proposal;
- the proposed apartment building is excessive in height and inappropriate in location;
- the location of the proposal is not sustainable in relation to access to local amenities, and occupants would be reliant on personal vehicles;
- the proposal would result in an adverse impact on surrounding heritage assets (Listed Buildings);
- the proposed access to the site from Herschel Grange is not acceptable and would result in an adverse impact on highway safety;
- the proposal would result in unacceptable levels of pollution generation;
- the proposal would result in additional on-street parking occurring within the existing highway of Herschel Grange;
- the proposal does not include a Construction Management Plan;
- the proposal does not make provision for sustainable energy features, e.g. solar panels;
- there are discrepancies in the submitted layout plan and extent of ownership [Officer Comment: this has been resolved through the submission of amended plans];
- the proposal would result in an adverse impact on the residential amenities of occupants living within Toogood Place, through the loss of existing planting screening and the resulting overlooking and loss of privacy, and
- the proposal would result in adverse environmental impacts.

The above matters are considered in the full report below.

SUMMARY OF CONSULTATION RESPONSES

The Conservation Officer, Environmental Health Officer, Tree Officer and Berkshire Archaeology raise no objection, subject to the imposition of conditions.

Following the receipt of amended information, the Highway Officer raises no objection.

The lead Local Flood Authority (LLFA) and the Biodiversity Officer object to the proposal for the reasons stated in the full report below.

The Waste & Recycling Officer raised concerns over the initially submitted information. However it is considered that through amended information these concerns have been overcome.

DEVELOPMENT PLAN

The development plan for this 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)
- Bracknell Forest Borough Local Plan (2002) (BFBLP)
- Bracknell Forest Borough Policies Map (2013)

PLANNING CONSIDERATIONS

a) Principle of Development

(i) Policy context

The majority of the site is located on land outside of a defined settlement (but not within the Green Belt), as shown on the Bracknell Forest Borough Policies Map (2013). The exception to this is the proposed access point, which is sited within a defined settlement (due to it being sited on the plot of 6 Herschel Grange, which is to be demolished as part of the proposal).

CSDPD Policy CS1 states that development will be permitted which makes efficient use of land, is located so as to reduce the need to travel, promotes a mix of uses, and protects and enhances the character and quality of local landscapes and the wider countryside. CSDPD Policy CS2 states that land will be allocated for development on a sequential basis, which includes previously developed land and development as extensions to defined settlements with good public transport links to the rest of the urban area.

The above policies are considered to be fully consistent with the NPPF.

CSDPD Policy CS9 states that land outside settlement will be protected for its own sake, particularly from development that would adversely affect the character, appearance or function of the land.

BFBLP 'Saved' Policy EN8 again states that the countryside will be protected for its own sake, and that outside the defined settlement boundaries development will only be permitted where it would not adversely affect the character, appearance or function of the land, or would not damage its landscape quality. 'Saved' Policy EN8 contains a (non-exhaustive) list of development types which may be permitted in the countryside, which does not include new housing development except where required in connection with agriculture and forestry

BFBLP 'Saved' Policy H5 states that outside the defined settlement boundaries the erection of new dwellings will not be permitted unless it would cause no harm to the character of the area, or to the relationship between the settlement and the surrounding landscape.

The above policies are considered to be partly consistent with the NPPF insofar as they seek to protect and enhance the character of the countryside setting. Notably, Para. 170(b) of the NPPF states that Planning policies should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Para. 170(a) also states that policies should seek to protect and enhance valued landscapes.

However, it must be acknowledged that elements of BFBLP 'Saved' Policies EN8 and H5 are not fully consistent with the NPPF, as the NPPF does not strictly prohibit the erection of new dwellings (or buildings in general) to the same extent as the aforementioned policies. This is not however to say that these policies are totally out-of-date.

The NPPF, does not apply the same blanket protection to the countryside but rather requires planning policies and decisions to contribute to and enhance the natural and local environment by (inter alia) 'recognising the intrinsic character and beauty of the countryside' (para. 170). Policies CS9 and EN8 are therefore not fully consistent with the NPPF and therefore the weight that should be accorded them is reduced in this respect.

The site contains a limited area of 'previously developed land' (PDL), as per the definition provided within Annex 2 of the NPPF. Para. 117 of the NPPF states that Planning policies and decisions should promote an effective use of land in meeting the need for homes. Para. 118(c) goes on to state that substantial weight should be given to the value of using suitable brownfield land for homes and other identified needs, although it is recognised that it gives explicit reference to this being brownfield land within settlements.

The application site is designated in the Draft Bracknell Forest Local Plan to be allocated as a housing development for 33no. dwellings, including 12 affordable dwellings (site designation 'War9'). However, the publication stage of the Plan is currently delayed with a revised timetable currently being considered given recent revisions to national policy and guidance, including housing land supply. As this forms a Draft Policy document, minimal weight is attributed to this document in view of its current status of progress for adoption. Furthermore its draft allocations were based on housing land supply figures which have since changed.

The Council is able to demonstrate (as of 20 February 2019) a Five Year Housing Land Supply, with a figure of 6.04 years relating to the monitoring period 2018/19. As a result of this and the above policies an 'orthodox' planning balance is applied, as per the provisions of paras.11 and 12 of the NPPF.

The site also lies in an area that is subject to the Draft Warfield Neighbourhood Plan. However, this Neighbourhood Plan is at an early stage and as such is given minimal weight.

(iii) Assessment

The site is located within the C1: Binfield Warfield Clay Farmland Landscape Area, as defined in the LUC Bracknell Forest Borough Landscape Character Assessment (2015). This document details that the southern part of the study area (which includes the application site) provides an important green space function between the urban edge of Bracknell to the south and the more fully rural area to the north. It further states that the study area as a whole, of which the site contributes towards, is characterised by gently undulating farmed fields with a lack of woodland cover overall, providing an open feel.

The two stable buildings within the south of the application site are classified as PDL, because whilst they are somewhat dilapidated, they are still of reasonable substantial construction, and contribute to the overall equestrian use of the site. In addition the existing dwelling of 6 Herschel Grange represents both PDL and land in defined settlement. That said, it is without argument that the proposed development would be of substantially greater footprint, floor area and volume than these buildings. As a result it is not considered that the presence of these buildings form any material justification to support the proposal as a redevelopment of brownfield land.

Even when including these buildings, and the section of the site in a defined settlement, the site is a predominately undeveloped greenfield site both in nature and appearance. It is considered that the site as a whole makes a significant contribution to the character of the countryside by providing an open, unmanaged area of greenery, which also forms a visual connection to the wider countryside to the north, through its absence of dense planting on its northern boundary, which provide across-site views.

Furthermore the equestrian use appears to be limited to horse grazing, and as such results in non-intensive activity along with a use that is both typical and accepted in the countryside.

The site is bordered by defined settlement to the south. However, The Hermitage Caravan Park to the west does not fall in defined settlement. This is also emphasized visually by the nature of a caravan park in comparison to a 'bricks and mortar' housing development, in terms of the intensity and impact of this site on the countryside setting.

The land to the east (Land North of Newhurst Gardens) is also designated as countryside, but has an extant outline planning permission for up to 50 dwellings. That said, the proposal would be physically and visually separated from this extant permission by a tall, dense strip of planting on the shared boundary, much of which lies outside the application site. Furthermore, the nearest siting of housing (based on the outline scheme) would have a separation distance of c.40 metres to the closest dwelling within the proposal.

In view of the above it is not considered that the proposal would form an infill of the existing settlement pattern, but rather a distinct northwards extension of it.

Furthermore, while the housing within Herschel Grange and Toogood Place, and to a lesser extent Newhurst Gardens to the southwest, have a suburban feel, this character quickly gives way to a rural character, development pattern, and setting to the immediate north of these roads, and this is also apparent within the more sparsely developed and heavily planted highway of Gibbins Lane to the west.

While expanded upon in section (b) of the report below, the layout and density of the proposal lends itself to an urban character, and does not make attempts to achieve a more semi-rural feel. This is considered to negatively detract from the intrinsic character and beauty of the countryside.

While ultimately every site is considered on its own merits, the extant outline planning permission for dwellings at Newhurst Gardens was approved under a 'tilted' planning balance exercise as at the time the Local Authority did not have a 5 year housing land supply. Therefore this is a key difference in the approach to this proposal, as it is to be considered under an 'orthodox' planning balance. Furthermore, there are clear differences in layouts between the Newhurst Gardens scheme and this proposal, notable by the lower overall housing density and the provision of large areas of soft landscaping and amenity space, which assists the Newhurst Gardens development to provide more of a semi-rural character, at least in comparison to the proposal.

As per section (a)(i) of the report above, it is acknowledged that the site is allocated for a housing development of 33 dwellings under the Draft Bracknell Forest Local Plan. However again it is emphasized that this draft policy, at time of writing, carries minimal weight and is subject to change. In any case, the draft plan also proposes 12 affordable dwellings which this proposal would fail to achieve.

The proposal therefore conflicts with elements of CSDPD Policy CS1 as it would not protect or enhance the (intrinsic) character and quality the wider countryside, in view of the amount of development proposed.

The proposal conflicts with elements of CSDPD CS2 in that when applying a sequential test, residential development would be more appropriate within current allocated sites and defined settlements, especially when the Council has a Five Year Supply of Housing.

In terms of conflict with CSDPD Policy CS9, the proposal would not protect the countryside from development that would adversely affect the (intrinsic) character and appearance of the land.

The creation of new dwellings in countryside also conflicts with elements of 'Saved' Policies EN8 and H5, however as mentioned in section (a)(i), these policies are not considered to be fully consistent with the NPPF in terms of advising a blanket restriction on dwellings in the countryside. That said, elements of these policies are still consistent with the NPPF (and thus remain 'Saved' policies) in terms of seeking to protect the intrinsic character and beauty of the countryside.

The principle of the development is therefore clearly contrary to the policies of the development plan. The remainder of the report therefore seeks to assess the appropriateness of the proposed development in relation to other policies of the development plan, the NPPF, and any material considerations, and then applies the planning balance in conclusion.

b) Impact on the Character and Appearance of the Area

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity.

CSDPD Policy CS9 and BFBLP 'Saved' Policy EN8 both state that the countryside shall be protected from development which would adversely affect the character and appearance of the land, and this is consistent with the NPPF in respect of design principles.

BFBLP 'Saved' Policy EN1 states that planning permission should not be granted for development that would result in the destruction of trees and hedgerows which are considered to be important to the character and appearance of the landscape. BFBLP 'Saved' Policy EN20 states that development should retain beneficial landscape and ecological features, and where reasonable, enhance these features, and avoid the loss of important features such as trees and hedges which are desirable to retain.

The Design SPD (2017) supplements the above policies.

The site lies north of the 'Warfield Street' (area B1) study area of the Character Area Assessments SPD (2010), which begins on the southern side of Toogood Place. In view of the close vicinity, the principles and analysis of this study area do have influence on this site, and would in turn be affected by it to an extent.

These policies are considered to be consistent with the objectives set out within the NPPF, and as such can be afforded full weight. Para. 124 the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 127 of the NPPF states that planning policies should ensure that developments are sympathetic to the local character and add to the overall quality of the area. The NPPF further states that the planning system should contribute to and enhance the natural and local environment by protecting valued landscapes.

The consideration of the proposal's impact on the intrinsic character and beauty of the countryside has been reviewed as a matter of principle in section (a). This section therefore seeks to review the impact on the general character of the area, both in terms of the quality of design and layout of the development, and its impacts on the more immediate surroundings.

(i) Settlement pattern and context

In view of the geographic particulars of the proposal, it can be considered to form a substantial backland development. Drawing from the guidance of both the Design SPD (2017) and Character Area Assessments SPD (2010) this backland site on the settlement edge should be designed to minimise impacts on the existing street scene, to retain a close relationship with the settlement edge, and be reinforced with tree and hedgerow planting to integrate the housing into the rural setting.

The existing residential area to the south and along Warfield Street consists mainly of one and two storey dwellings. Whilst the character of the cul-de-sac, and particularly of Toogood Place, is suburban, the Character Assessment SPD notes that the wider context is of a semi-rural character. As a result further development should have a village feel with substantial green elements and a variety of dwelling types. It further advises that this should be arranged informally, with long gardens and generous set-backs.

The proposed development, particularly when considered with the extant outline planning permission to the east, represents a significant increase in the built footprint of the settlement along Warfield Street, within a semi-rural setting. The proposed development does not achieve a semi-rural character due to the formal layout, and the relative lack of variety in building form and layout.

While the proposal would have limited visibility from public vantage points to the south and east, it would be distinctly visible both from the west and to the north. The proposed dwellings would likely be notably bulkier and visually urbanising than the existing form present in the caravan park, and would also have visibility from Gibbins Lane to the north. A parcel of undeveloped land immediately north of the caravan park, accessed from Gibbins Lane, would give further clear views. There are limited publicly accessible vantage points from the north, but nonetheless from those that are present the proposal would appear as a clear enlargement of settlement and a significant increase in built form. Furthermore it is not considered that the character of an area is defined only by its public visibility.

(ii) Layout and design

Whilst there is some degree of variety in the building types, the design does not feature sufficient variety to create a semi-rural character. There is no clear hierarchy between the different buildings, their footprint is standardised, and whilst there is mixture of some houses addressing the street side-on and some front-on in order to provide active frontages, the formality of the relationship between frontages, boundary treatments, and hardstanding prevents the design achieving the organic character expected of semi-rural developments.

It is acknowledged that there are positives in the layout, including in terms of providing generous front gardens to some dwellings, with indicative planting. However, the open space has been limited into a corner of the development. The open space also has inactive frontages along the rear boundaries of the gardens on Toogood Place. The visitor car parking spaces to the west of the open space would also be quite dominant in the street scene.

The setting of the apartment building, with the prominent hardsurfaced car park, and limited provision of softening planting or other landscaping, does not positively contribute to a semi-rural character. While a balance has to be achieved between visual amenity and providing satisfactory parking provision, it is considered in this situation that the lack of additional open space or sufficient soft landscaping in this area proportionate to the hard landscaping and built form adversely detracts from the character of the area.

Furthermore, there is concern about the design and the visibility of the apartment building from Gibbins Lane, and this is particularly highlighted by the flank elevation with the protruding lift shaft. This lift shaft feature creates a very bulky and awkward appearance in relationship to the main building, especially when viewed from the side. It is noted that the submitted Landscape and Visual Impact Assessment (LVIA) did not consider the view from Gibbins Lane. It is considered that the apartment block would be very prominent in the landscape and present a notably bulky mass in this view.

Fundamentally, the development is considered to be excessively inwards-looking, and there has not been enough attempt to allow for views along the site and to the countryside beyond.

It is acknowledged that during the timeframe of the application some changes have been made to the layout and design of the proposal in an attempt to address some of the above concerns. This includes an increase in

distinct dwelling types. It is however ultimately considered that these changes do not go far enough to overcome the above matters, including in the overall planning balance.

It is acknowledged that, arguably in considering the above concerns singularly that they do not necessarily individually constitute reasons for refusal of an application. However in considering all these matters as a whole in terms of their cumulative impact on the character of the area, it is clear that they result in detrimental harm.

iii) Landscaping and trees

No trees within the site or on its immediate boundary are subject to Tree Preservation Orders (TPOs). The Tree Officer has no comment to make in view of this. It is acknowledged that a large unprotected tree on the northern border of the site was removed at the point of submitting the application.

A significant degree of planting is present to the southern and eastern borders of the site, and while this has a somewhat unmaintained appearance it is nonetheless contributes to the transition to a more rural setting. The site itself is mainly open pasture, and limited planting is present to the western and northern boundaries. That said, the planting that is present on these boundaries is of high quality, and includes significant trees.

It is proposed to retain the majority of the existing trees that are present on the northern and southern boundaries, and the applicant has provided evidence that this can be achieved in respect of the proposed building layout. There would however be some potential conflict between the proposed drainage works and the willow tree within the proposed open space section. This is discussed in section g) of the report below.

However, given the site's context on the settlement edge, with open countryside beyond, it is considered that the inclusion of built form in this location would require the introduction of additional planting across the development, and particularly along the northern boundary of the site so as to improve the containment of the development. The indicative planting shown on drawing 17-J2176-02 Rev.C 'Proposed Site Plan' does show a reasonable level of planting, including trees, and an increase to existing levels both on the boundaries and within the site. However, as mentioned above, this contribution becomes limited by the absence of dedicated open space beyond the play area in the south, and the formal layout of planting especially on building frontages within the site does not fully allow for a genuine semi-rural character.

(iv) Conclusions

It is considered that that the proposal would result in a detrimental impact on the character of the area, in view of the overly urban character of the proposal, various matters of layout and design which have been identified above, and concerns over the lack of acceptable soft landscaping proposed. In view of these facts, it is considered that the proposal would be contrary to CSDPD Policies CS7, CS9, BFBLP 'Saved' Policies EN8, EN20, the Design SPD, the Character Area Assessments SPD, and the NPPF.

c) Impact on Heritage Assets

CSDPD Policy CS1 states that development shall protect and enhance historic and cultural features of importance. CS7 states that development shall respect the historic environment. These policies are considered consistent with the NPPF for the reasons below.

Para. 189 of the NPPF states that in determining applications, applicants are required to describe the significance of any heritage assets affected, including any contribution made by their setting. The information provided should be proportionate to the assets' importance.

Para. 192 states that in determining application, Local Planning Authorities should take into account the desirability of sustaining and enhancing heritage assets, the positive contribution that heritage assets can make to sustainable communities, and the desirability of any new development in making a positive contribution to local character and distinctiveness.

Para. 193 states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to its conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.

Para. 195 states that where a development would lead to substantial harm (or total loss of significance of) a designated heritage asset, then consent should be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Furthermore, Para 197 states that the effects of development on the significance of non-designated heritage assets should be taken into account.

The above tests are also supported by the supplementary guidance provided in the NPPG.

The following Grade II Listed buildings lie within the general vicinity of the application site:

- Warfield Hall, Forest Road - located 0.7 kilometres to the west of the application site;
- Horseshoe House, Warfield Street - located at the junction of Warfield Street with Herschel Grange;
- Pear Tree Cottage, Warfield Street - to the east of the application site, and
- Newell Hall, Warfield Street - to the west of the application site. This Listing includes the stable block and yard, walls and gate piers to Newell Hall.

The Conservation Officer has been consulted on the proposal.

The proposal would not be easily visible from the wider vantage points available from the entrance of Herschel Grange or from Warfield Street. There is not considered therefore to be any inter-visibility with the above-mentioned buildings.

The proposed design consists of a two storey mix of detached, semi-detached and terraced houses. Some of the larger houses would incorporate rooms in the roof space, with an apartment containing 5 apartments of two-storeys with an apartment in the roof space.

The houses and apartments would be predominantly clad in brick clad with two brick colours with a feature brick. A small number of gables will also include horizontal timber weatherboarding with roofs finished in dark grey roof tiles and windows and door frames in dark grey. Features of the houses and apartments would include gable features, French doors, tall windows, bay windows and Juliette balconies.

In view of the lack of inter-visibility with designated heritage assets and the lack of any functional relationship, there is not considered to be harm to the significance of the closest Listed Buildings in terms of impacts on their settings or significance. The proposal is therefore considered not to result in an adverse impact to the setting of the nearest heritage assets, in accordance with CSDPD Policies CS1, CS7, and the NPPF.

d) Impact on Residential Amenity

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas, through ensuring that development would not result in an adverse impact on neighbouring properties through loss of light, loss of privacy or overbearing impacts. BFBLP 'Saved' Policy EN25 states that development will not be permitted where it would generate unacceptable levels of noise and pollution. The Design SPD supplements the above policies, including in respect of loss of light assessment tests.

The above policies are considered to be consistent the NPPF. Para. 127 of the NPPF states that planning policies should ensure that developments promote a high standard of amenity for existing and future users. Para. 180 of the NPPF states that planning policies should ensure that development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution (including light and noise pollution) on living conditions.

(i) Amenities of occupants of neighbouring properties

It is considered that due to the siting and layout of the proposed development, along with the separation distances it would not result in an adverse impact on the amenities of the nearest neighbouring properties in Herschel Grange, Toogood Place, The Hermitage Caravan Park, or potentially to the extant outline permission at land north of Newhurst Gardens, in terms of factors such as loss of light or loss of privacy. In terms of increased light, noise and air pollution that may be generated by the proposal, these would again not be considered to give rise to adverse harm, especially in the overall planning balance.

It is noted that the Design SPD provides guidance on back-to-back distances for dwellinghouses, stating that the distance between buildings at the rear should be 22 metres. This is not achieved between the dwellings on the west side of the proposal and the mobile homes of the caravan park. However, it must be acknowledged that this 22 metres test is based on having back-to-back rear gardens and being between two storey houses. The presence of mobile homes creates a different scenario, including due to the fact that the mobile homes do not have clear or large rear gardens. It is ultimately considered that the distances proposed, being between 13 and 17 metres, are acceptable in terms of overlooking and loss of privacy between the affected windows of these properties, and given the fact that boundary treatments would restrict views somewhat to the windows of the mobile home, which are all ground floor level.

The required construction works would inevitably give rise to some disruption to neighbouring occupants, especially in terms of noise. However, these works would be temporary, and would not constitute a reason for refusal of the application, especially where conditions can be imposed relating to construction management and hours of activity.

(ii) Amenities of prospective occupants of the development

The proposed layout and design would provide acceptable separation distances and orientations of dwellings in order to avoid any potential adverse loss of light or loss of privacy impacts between prospective occupants. Side-facing windows at first floor level or above, where necessary, could be obscure-glazed and non-opening, and secured by condition were permission to be granted. Most of these potentially affected side windows would be non-habitable, with the exception of the east-facing apartment building window on the first and second floors, which would be secondary windows serving a combined living, dining and kitchen room, and would be sited in the kitchen areas.

It is also noted that many side windows proposed would not need to be obscure-glazed etc. due to separation distances and orientations, where they also serve habitable rooms.

Each dwelling, including the apartment building, would have private amenity space provided both by enclosed rear gardens of reasonable size, and in some cases, generous front gardens as well to dwellings.

(iii) Conclusion

Were permission to be granted conditions would be recommended relating to providing a construction management plan as well as restricting hours of works, in the interests of avoiding any adverse noise or pollution impacts.

In view of the above it is therefore not considered that the proposal would give rise to adverse impacts on the amenities of neighbouring properties, or prospective occupants, subject to conditions, in accordance with BFBLP 'Saved' Policies EN20 and EN25, the Design SPD, and the NPPF.

e) Transport and Highways Considerations

CSDPD CS23 states that the Local Planning Authority will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 states that development will not be permitted unless satisfactory parking provision is made for vehicles. To supplement the above policies the adopted Parking Standards SPD (2016) sets out the advised levels and size of parking spaces for various types of development.

These policies are considered to be consistent with the NPPF. Chapter 9 of the NPPF states that planning policies should promote sustainable transport, and that local parking standards should take into account the accessibility, type, mix and use of development, and local car ownership levels.

The Highway Officer objected to the initially submitted proposal. Various amendments have been provided in response during the application process, and as such the report below relates to the final set of amended plans and information.

(i) Access

Herschel Grange is a cul-de-sac which provides access to 8 dwellings, 12 mobile homes together with 11 dwellings along Toogood Place.

The Herschel Grange carriageway is 5.5 metres wide and provided with two 1.8 metre footways for the initial 50 metres to the junction with Toogood Place, where it becomes a 5.5 metre wide shared street with 1.8-metre-wide verges to the entrance to the mobile park. It is proposed that this length of shared street will remain and a new 5.5-metre-wide estate road with footways will commence at the end of the existing cul-de-sac. The original design, however, showed no footway along the existing shared street, between the footway on Herschel Grange and the new site access road. This has been addressed and a new 1.8 metre wide footway is proposed on the grass verge adjacent to the shared surface as shown on Drawing 67062-TA-003. Therefore, this issue has been overcome.

To enter the site, the extension of Herschel Grange will go through a 180 degree bend, and while this will curtail vehicle speeds, it is considered that adequate forward visibility would be provided. Forward visibility splays of 17 metres for vehicle speeds of 15 mph have now been shown on Drawing 67062-TA-002 Rev.C and these splays are in accordance with Manual for Streets and Manual for Streets 2. The road has been designed to a maximum speed of 20 miles per hour, however it is noted that the design of the bend should ensure vehicle speeds will likely be below this limit.

Within the site, forward visibility splays have been shown on all bends as detailed on Drawing 67062-TA-004 and this concern has also been overcome.

Swept path analyses have been provided for the full length of Herschel Grange and the new internal roads as shown on drawings 67062-TRK-007 Rev. A and 67062-TRK-008. While a refuse vehicle will cross over the centre line of the road on the two bends this is not uncommon on estate cul-de-sacs and given the requisite forward visibility splays are provided, this is not considered to be detrimental to road safety. Furthermore the likelihood of two large vehicles being on the road at the same time is low.

A turning head has been shown on drawing 67062-TRK-007 Rev. A for a refuse vehicle but the amended site plan drawing 17-J216-02 Rev. C does not clearly show one. It is considered acceptable however that such details could be provided by planning condition, were permission to be granted.

(ii) Parking

Parking to the residential units is proposed in a mixture of car barns and driveways and the size and numbers of, and access to these spaces, comply with the Parking Standards SPD requirements.

Various visitor parking spaces are provided throughout the site. Visitor parking along the private drives have been extended and Drawing 67062-TRK-009 details how these vehicles will be able to enter and leave in a forward gear and are therefore acceptable.

Cycle storage is proposed in cycle stores within the gardens of the houses and the apartment block. Each garden is provided with a gate accessing either the driveway or street.

The parking arrangements could be secured by planning condition were permission to be granted.

(iii) Trips

Trip generation using TRICS and a 'first principle' approach from traffic surveys has been undertaken. The TRICs data and first principle approach has been assessed by the Highway Officer and found to be acceptable and robust. The anticipated increase is circa 24 movements in the AM peak, 13 movements in the PM peak and 151 movements between 7am and 7pm. These, in NPPF terms, are not considered to result in adverse highway safety harm.

(iv) Sustainability of Location

It is acknowledged by the applicant that the site is only served by a bus with a two-hour frequency and that most local services are over 1km away, however in the decision notice on the site to the east at Newhurst Gardens (16/01004/OUT), the Inspector considered the implications of the sustainability of the area. They concluded that the site is sustainably located, and while every site is to be considered on its own merits, in considering the material and geographic implication for this site, a refusal on such grounds would be unreasonable.

Were the planning application to be granted it would be expected that greater linkage to the permitted land North of Herschel Grange (16/01004/OUT) be provided, through, for example, a pedestrian link.

(v) Conclusion

The Highway Officer raises no objection to the amended information, subject to the imposition of conditions relating to access, visibility splays, vehicle and cycle parking, footways, and construction management.

In view of the above, it is not considered that the proposal would result in an adverse impact on highway safety, subject to conditions. It is therefore considered that the proposal complies with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF.

f) Waste and Recycling

Bin storage would be available to the proposed dwellings via external access to rear gardens. Each garden is provided with a gate accessing either the driveway or street. The apartment building would also contain a dedicated cycle store which would not be prominent in the street scene. Such provision could be secured by planning condition.

The Waste & Recycling Officer raised concerns regarding the provision for such details within the initial submission. However, it is considered that through amendments to the proposal that these concerns have been overcome.

It is therefore considered that the revised proposal makes adequate accommodation for waste and recycling storage.

g) Drainage Implications

CSDPD Policy CS1 states that development shall protect and enhance the quality of natural resources including water. This is consistent with the NPPF, where para. 163 and 165 state that where appropriate, applications should be supported by flood risk assessments and incorporate sustainable drainage systems (SuDS).

The site is not located in Flood Zones 2 or 3, but does involve a major-scale development on what is predominately undeveloped land. Furthermore, Environment Agency data does indicate that the area where the access point to the site is proposed is at risk of surface water flooding.

The Lead Local Flood Authority (LLFA) has been consulted on the proposal, including in respect of amendments made.

Following initial comments from the LLFA querying the location and suitability of the watercourse the Applicant changed the drainage design to include a surface water pumping station discharging to a surface water sewer some distance away. There is no clear reason for this approach other than the statement that they were 'unable to locate the head wall of the ditch'. Thames Water's acceptance of the flows to the surface water sewer is conditional on it being demonstrated that there is no alternative means of draining the site. Without further evidence of the extent of investigation into the ditch line such as trial pits, clearance works and dye testing the LLFA will not support the proposal to pump surface water. The reasoning for this is set out below.

Pumping surface water is an unsustainable operation due to the volumes it is required to deal with during 1 in 100-year events.

It is unclear whether Thames have agreed to receive all the restricted runoff from the development up to the 1 in 100-year storm as opposed to the restricted runoff rates up to the 1 in 30 year event.

The Applicant is proposing to discharge at a rate which is approximately double the existing QBar rate, therefore the Applicant has not demonstrated that the impact of the increased volume of runoff from the site has been mitigated.

The LLFA believe this represents a significant change in natural drainage catchment as the existing site would drain in a westerly direction away from the proposed discharge point.

Notwithstanding the concerns above the proposed SuDS scheme does not provide any treatment to the runoff from the road network. The Thames Water sewer that the development is proposing to utilise discharges directly into the River Cut and as such it is imperative that treatment to the roads is provided.

The provision of a detention basin/pond within the site would not only provide a treatment stage but would also provide interception, and may provide an area for flow to be diverted in the event of a pump failure, should this remain the preferred approach. It is of note that the FRA has not assessed the risk of failure of the pumping station.

The drainage design must be run for the FEH Rainfall events and should include a 10% increase in impermeable area for urban creep. The calculations have only been tested for 30% climate change not 40%. This has not been demonstrated.

Levels and references between the drawings and calculations have not been shown: for instance Porous Paving area 17 which appears to relate to Porous Car Park Manhole 2 would appear to be over 1m deep in construction which is excessive, and likely to impact on the foundation design of the properties abutting the tanks. This may also cause issues with foul sewer connections and utilities crossings. The membrane depth has been set at zero which means no loss of storage has been accounted for in the construction layer. It is considered that the current design overestimates the amount of permeable paving that could be delivered by the scheme when services, falls and recommended construction depths are considered.

There would also be conflict with the proposed drainage strategy and the retention of a willow tree on the play area of the development. A 3m deep underground attenuation tank is shown directly adjacent to this tree, which would require significant excavation undermining the tree's retention, and is not practical in respect of the applicant's proposed landscape strategy.

In view of the above it has not been demonstrated that the proposal would not result in an adverse impact on drainage, and an adequate SuDS scheme has not been demonstrated. The proposal would therefore be contrary to CSDPD Policy CS1 and the NPPF.

h) Biodiversity Implications

CSDPD Policy CS1 states that development will be permitted which protects and enhances the quality of natural resources including biodiversity. CSDPD Policy CS7 states that development proposals will be permitted which promote biodiversity.

These policies are considered to be consistent with the NPPF which states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity.

The Biodiversity Officer has been consulted on the proposed development.

The submitted ecology report provides the findings of a Preliminary Ecological Appraisal and includes the findings of a Phase 1 habitat survey extended to consider the potential for protected/notable fauna. The report included the findings of a preliminary bat roost assessment of the buildings and trees on site also.

The Phase 1 habitat survey shows that the site is predominantly semi-improved neutral grassland with areas of dense scrub on the western, eastern and southern boundaries, a dry ditch on the northern boundary and scattered trees, including mature oak trees on the northern boundary also. Three of the four buildings on site were considered to be of negligible potential for bats; the stable (building 3) showed evidence of use by bats and was considered to be of moderate potential for roosting bats. Two oak trees on the northern boundary (Trees 1 & 2) were considered to be of moderate and low bat roost potential respectively. A Habitat Suitability Index (HSI) assessment of the pond (Pond 1) situated immediately to the north of the site showed that this was of 'average' suitability for great crested newt. Some rank areas of grassland were considered to provide habitats suitable for reptiles such as grass snake.

The report includes recommendations for further survey work, specifically: bat emergence and re-entry survey of Building 3; detailed above ground inspections of trees 1 & 2 prior to felling; great crested newt presence/absence surveys of ponds 1 & 2; and a reptile presence/absence survey.

Measures to protect habitats during construction, and incorporate biodiversity enhancements within the development are outlined and these include: retaining boundary scrub and mature trees, planting and

managing non-garden areas to maximise their biodiversity value, and incorporating features such as bat and bird boxes into new buildings. Additionally, the report outlines measures to mitigate ecological impacts during site clearance including avoiding clearance during the bird nesting season (March to August inclusive), maintaining a watching brief during clearance to check for badgers, and avoiding habitats suitable for stag beetles.

The Ecology Report includes recommendations for further surveys: to determine the status of bat activity within Building 3 and establish if bats roost within Trees 1 & 2; establish if great crested newts occupy ponds 1 & 2; and determine if reptiles are present or absent - the findings of these surveys have not been submitted to support the application.

In accordance with Government Circular 06/05, it is essential that the presence or absence of protected and/or notable species, and the extent to which they will be affected by development is established before planning proposals are determined, and without the findings of the surveys recommended with the Ecology Report, there is insufficient information to determine the impact of the proposals on protected and notable species. The findings of further survey carried out in accordance with good practice guidance, and any appropriate mitigation/compensation and enhancement proposals should be submitted to support the application.

The Phase 1 habitat survey has shown that the site is predominantly neutral semi-improved grassland, which could be classified as Lowland Meadow UK BAP Priority Habitat. The report concludes that the grassland habitat was of low ecological and nature conservation value; however, the survey was undertaken during the winter when botanical survey is restricted. Therefore, it is possible that plant species indicative of Lowland Meadow not visible during the winter may have been missed and therefore a botanical survey undertaken during the peak survey season (May to August; optimally during June/July) needs to be carried out and the findings, and any mitigation/compensation measures necessary, submitted to support a planning application.

As the required further information detailed above has not been provided, it is has not been demonstrated that the proposal would not result in an adverse impact on biodiversity. The proposal would therefore be contrary to CSDPD Policies CS1, CS7 and the NPPF.

i) Sustainability Implications

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

As highlighted in the Council's Sustainable Resource Management SPD (2008), an energy demand assessment should include the following:

- A prediction of the energy demand (in kWh) and carbon emissions (in kg/CO₂) for the site;
- List of assumptions used i.e. whether these have come from Building Regulations or benchmarks;
- Details of energy efficiency measures;
- A prediction of the energy demand and carbon emissions for the site taking into account energy efficiency measures;
- A feasibility study for all relevant renewable energy technologies;
- The choice of renewable energy systems proposed and the associated energy and carbon savings.

No details of the above have been submitted for consideration, and therefore it is recommended that these be provided by way of condition, were planning permission to be granted.

j) Archaeology Implications

Para. 189 of the NPPF states that where development has the potential to impact archaeological interests, developers should demonstrate that any impacts would not negatively impact these features.

As per the above requirements the Applicant has provided a desk-based archaeological assessment. Berkshire Archaeology have been consulted and advise that they are in broad agreement with the assessment and its conclusions. The assessment of the site's archaeological potential is fair and it acknowledges that current knowledge may under-represent the reality. It should be noted that the proposal covers a reasonable area (1.2ha) of largely undeveloped agricultural land.

Berkshire Archaeology therefore agrees that an initial programme of exploratory archaeological investigation would be appropriate and the results of this exercise would inform the need for and scope of any strategy to mitigate the impacts of development, which may include further archaeological investigation prior to or during construction.

This programme of work can be secured by an appropriately worded condition. This is in accordance with Paragraph 187 of the NPPF which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.

Therefore, were permission to be granted, a condition would be imposed to this effect. The proposal would therefore not be considered to result in an adverse impact on archaeological interests on the site, in accordance with the NPPF, subject to this condition.

k) Contaminated Land Implications

CSDPD CS1 states that development shall protect and enhance the health and safety of the local population. BFBLP 'Saved' Policy EN25 states that development will not be permitted if it would generate unacceptable levels of pollution. The above policies are consistent with the NPPF. Paras. 118 and 170 state that planning authorities should support appropriate opportunities to remediate contaminated land.

The Environmental Health Officer has been consulted on the proposal. It is not clear from available information regarding the site whether it may be contaminated. As a major-scale housing development is proposed, a precautionary approach is therefore recommended.

Were planning permission to be granted it is therefore recommended that conditions be imposed to undertake exploratory investigatory works, and if contamination is found, further appropriate measures to remediate this.

l) Thames Basin Heaths Special Protection Area (SPA)

Retained South East Plan Policy NRM6 and Core Strategy DPD Policy CS14 seek to avoid an adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area. These policies are considered to be consistent with the NPPF, which states that the planning system should seek to protect and enhance the natural environment.

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.

This site is located approximately 4.9 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.

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 Avoidance and Mitigation 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.

In this instance, the development would result in a net increase of 4 x one bedroom, 8 x two bedroom, 13 x three bedroom, 5 x four bedroom and 3 x five bedroom dwellings replacing the existing four bedroom dwelling which results in a total SANG contribution of £172,537.

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 £22,238.

The total SPA related financial contribution for this proposal is £194,775. 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.

As the application is recommended for refusal and a Section 106 Agreement has not been completed related to this proposal, the development would have an adverse effect on the integrity of the SPA and would comply with SEP 'Retained' Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

m) Securing Necessary Infrastructure

CSDPD Policy CS6 states that development is expected to contribute to the delivery of infrastructure needed to support growth and infrastructure needed to mitigate impacts upon communities, transport and the environment.

The Planning Obligations SPD (2015) is also applicable.

If planning permission were to be granted, the following would be sought:

(i) Affordable Housing

CSDPD Policy CS16 states that development will be permitted which contributes to meeting the identified housing needs of all sectors of the community. The Planning Obligations SPD seeks sites of over 15 dwellings to provide up to 25% of dwellings as affordable, with 70% of these as affordable rents and 30% intermediate housing.

The applicant seeks to provide eight dwellings as affordable, which equates to 24.2%. The affordable houses would consist mainly of 1 and 2 bedrooms with a single 3 bedroom dwelling. While ideally a wider variety of dwelling sizes should be provided to reflect demand and the development as a whole, ultimately this does not constitute a reason for refusal under the planning balance.

The affordable housing contribution would be secured by Section 106 Agreement.

(ii) OSPV (Open Space of Public Value)

CSDPD Policy CS8 states that development will be improved which retains, improves or retains existing recreational facilities (including both passive and active spaces), and/or provides and maintains new facilities. BFBLP 'Saved' Policy R4 states that new residential developments will be expected to provide new areas of publicly usable open space.

Sites between 1ha and 2ha or over 30 dwellings should provide in-kind on site OSPV at a standard of 30sq m per dwelling = 990sq m plus a financial contribution towards improvements to capacity of off-site OSPV which would serve the development.

As the proposed site plan only appears to provide 0.05ha (500sqm) of OSPV the Council would seek a financial contribution towards the provision or increase in capacity to off-site active and passive open space. If the development were to be approved the Council would seek a contribution of c.£2600 per dwelling (index linked) towards Active and Passive Open Space Improvements to Warfield Memorial Ground or other suitable alternative site capable of serving the development would be made.

(iii) Community Facilities

The Council has identified the need for a new community hub located at the strategic Warfield development to serve new residential development in this area. The planned facility would also serve this development. However, due to the CIL Reg 123 pooling restriction, on a pro rata basis, this development would represent only a very small percentage (circa 1.7%) of the overall cost (circa £5m) of the facility. Therefore because this development would represent one of only five planning obligations permitted towards this project; so as not to

fetter the ability for the Council to deliver this project, the council is unable to seek a contribution from this development. Therefore the development is in effect unable to mitigate its impact on community facility infrastructure, and is therefore contrary to Policy CS6, and the Planning Obligations SPD.

(iv) SuDS

Were an acceptable Drainage Strategy to be provided, a planning obligation would be required to ensure approval of the SuDS specification and a long term Management and Maintenance Plan prior to commencing development on site. A planning obligation would also be required to secure a SuDS monitoring contribution to monitor SuDS for their lifespan.

(v) CIL

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

CIL applies to any new build that involves the creation of additional dwellings. The site falls within the 'Northern Parishes' charging area, for which the charge is £269.08 per square metre for 15+ dwellings (2019 figures).

THE PLANNING BALANCE AND CONCLUSIONS

The Local Planning Authority is able to demonstrate a five year housing supply (6.04 years) and therefore an 'orthodox' planning balance has been applied.

The proposed development would consist of residential development on undeveloped land within the countryside, which would detract from the intrinsic character and beauty of the countryside. Therefore the proposal gives rise to conflict with CSDPD Policies CS1, CS2, CS9 and BFBLP 'Saved' Policies EN8 and H5.

Furthermore, the proposal would be out of character with the surrounding area by failing to achieve a semi-rural character that is appropriate to the context. Instead the proposal is suburban in layout and does not integrate well into its undeveloped countryside setting. It has not been demonstrated that the proposal would not result in an adverse impact on surface water drainage, and has not provided an adequate SuDS scheme. Furthermore, it has not been demonstrated that the proposal would not result in an adverse impact on various elements of biodiversity. As such there is conflict with CSDPD Policies CS1, CS7, CS9, BFBLP 'Saved' Policies EN8 and EN20, the Design SPD, the Character Area Assessments SPD, and the NPPF.

It is acknowledged that matters of highway safety have been overcome during the application process, and that the proposal would provide to-standard affordable housing, which is in demand in the Borough. The provision of additional housing in general does also offer economic and social benefit, including in terms of job creation and contributions towards the local economy. However these benefits do not override the clear and distinct harm which has arisen.

It is noted that, further to section e)(iv) of the report, as it is currently presented the proposal does not provide a connection to the granted residential site of 16/01004/OUT (Land North of Herschel Grange).

Due to the absence of a completed Section 106 Agreement, the proposal is also to be refused on the grounds of failing to provide satisfactory mitigation against the Thames Basin Heaths SPA or an acceptable contribution towards OSPV, and therefore conflicts with SEP 'Retained' Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS6 & CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF

It is also the case that due to pooling restrictions the development cannot make a contribution towards community facilities, which forms a reason for refusal in view of conflict with CSDPD Policy CS6, the Planning Obligations SPD (2015), and the NPPF.

The proposal is therefore recommended for refusal on the above grounds.

CASE OFFICER'S CONCLUSION:

RECOMMENDATION:

Recommendation: **REFUSE for the following reason(s)**: Date of Recommendation: 29.04.2019

This report should be read in conjunction with the Draft Decision Notice

Note: Under the BFBC's scheme of delegation this application has been considered in accordance with the Human Rights Act 1998.						
Decision Notice to?	Parish Council	Compliance	LAO	Other	Specify	
Notes for WP Administrator:-				Date Legal Agreement Signed		
PI App Monitoring Check List	Yes / No	Temporary Register	Yes / No	Telecom Register	Yes / No	
CHECKED – Case Officer	DATE 29/04/19	Team Leader/ Section Head <i>M.C. Bay</i>	DECISION DATE 29/04/19			