



## **OFFICER REPORT**

### **1. SUMMARY**

- 1.1 The proposal relates to the change the use of an Ancient Woodland measuring 2.75 hectares into a Suitable Alternative Natural Greenspace (SANG). Public access would be provided by an informal footpath that will pass through a limited part of the woodland. Access would be gained from the east, linking to the existing footpath network on the neighbouring Cabbage Hill SANG.
- 1.2 The SANG would provide an area of recreational space to mitigate any potential impact which could arise from new residential developments in the local area on the Thames Basin Health Special Protection Area (SPA). Upon delivery, the Council would be likely to take ownership of the woodland along with a management and maintenance financial sum, and the SANG would be safeguarded in perpetuity.
- 1.3 The proposal is considered to sufficiently mitigate any potential adverse impacts on the woodland from allowing public access, and the woodland would benefit from being brought under resourced management. The local community would benefit by being able to visit this woodland, and the resultant health, wellbeing and educational benefits that this would bring.
- 1.4 Subject to appropriate conditions, and future management and maintenance secured by planning obligation, this proposal is recommended for approval.

<b>RECOMMENDATION</b>
The Head of Planning be authorised to grant planning permission subject to the conditions in Section 10 of this report following the completion of a Section 106 legal agreement.

### **2 REASON FOR REPORTING THE APPLICATION TO THE ADVISORY PLANNING COMMITTEE**

- 2.1 The application is being reported to the Advisory Planning Committee as more than five objections have been received.

### **3 PROPOSAL**

- 3.1 The site comprises privately-owned ancient semi-natural woodland, designated as Ancient Woodland, known as Long Copse. This application seeks full planning permission for the change of use of land to publicly accessible Suitable Alternative Natural Greenspace (SANG). This site is adjacent to and would extend the recently created SANG at Cabbage Hill, Warfield, which was delivered as part of the Woodhurst Park development (ref. 'Relevant planning history' below). The proposal would link to the wider Cut Countryside Corridor SANG (currently over 20ha in size).
- 3.2 The site forms part of the Warfield strategic development site, which is allocated for the comprehensive mixed use development for 2,200 dwellings, and supporting infrastructure, in Policy SA9 of the Bracknell Forest Site Allocations Local Plan (SALP) (adopted July 2013). This strategic policy is supported by the site-specific guidance set out within the Warfield

Supplementary Planning Document (SPD) and development within this particular area is further guided by the Warfield Area 2 Masterplan.

- 3.3 The purpose of SANG is to provide alternative open space to avoid any potential impacts from recreation, which could arise from residential development in the local area, on the Thames Basins Heaths Special Protection Area (SPA), which is situated approximately 4.5km to the south of the site.
- 3.4 The proposed SANG could provide SPA mitigation for at least 149 dwellings located between 400m and 7km of the SPA and within 5km of this site. The SANG could provide mitigation for residential development within the Policy SA9 site allocation, however the submitted Design and Access Statement (DAS) states that this SANG will provide mitigation for a proposed development at Home Farm (ref. 'Relevant Site History'), which is located approximately 0.4km to the north of this proposal, immediately north of Forest Road.
- 3.5 Given that this SANG is not limited to providing the proposed development at Home Farm with SANG, this application is to be determined on the basis of it being a standalone SANG. In the event that the Home Farm development would use this SANG as SPA mitigation, it would be for that development application to propose suitable access.
- 3.6 The planning application comprises the following elements, to meet the standards of SANG required by Natural England:
- i. Access into the woodland from the eastern boundary, connecting to the Cabbage Hill SANG;
  - ii. The formation Installation of a 1.5m wide informal meandering footpath, comprising woodchip and timber edge restraints – informed by an ecological assessment and tree survey, that connects to the existing SANG path network;
  - iii. Access gates within existing fence line, and timber bridges over a ditch line, providing access from Cabbage Hill SANG;
  - iv. Retention of the existing perimeter fencing, to encourage use of the dedicated route and discourage free-roaming over other areas of the woodland;
  - v. Installation of information boards and signage;
  - vi. Removal of non-native invasive vegetation;
  - vii. Removal of human-derived rubbish and scaffold structure;
  - viii. Installation of bird and bat boxes;
  - ix. Minimal removal of deadwood and tree management;
  - x. The SANG Management Plan to incorporate a woodland management plan for appropriate management for the Ancient Woodland;
  - xi. Measures to discourage deviation off the defined woodland path; and
  - xii. Use of the land for the purpose of SANG and the management and maintenance, in perpetuity, to be secured by Section 106 legal agreement.
- 3.7 No car parking, in addition to that currently provided as part of the adjoining Cabbage Hill SANG, is proposed within this application. A financial contribution equivalent to 3 spaces would be sought towards the planned expansion of the Cabbage Hill car park and secured through a s106 agreement.
- 3.8 During the course of the assessment of this application a number of amendments to drawings and supporting documents have been made to address matters raised by internal consultees, in particular related to arboricultural and biodiversity issues. With reference to

figures 1 and 2, the extent of the path has been reduced significantly, in order to minimise any potential adverse impact on the woodland, whilst meeting Natural England's standards for SANG.

3.9 In the event of approval, the development would be subject to the completion of a Section 106 agreement which would secure the provision of the SANG and management and maintenance in perpetuity. For the Council to take on the in perpetuity management of the SANG, the developer would need to pay a financial contribution to the Council (usually on transfer of the land to the Council).



Figure 1: Indicative path, subject of recommendation

3.10 Figure 2 below shows the site in the context of other SANG near to the site; the majority of which are open for public use.

3.11 The proposal would link to the wider Cut Countryside Corridor SANG (currently over 20ha in size). According to the Thames Basin Heaths SPA Delivery Framework (2009), SANGs of over 20 ha have a catchment of 5km. This means that any development allocated

to this SANG must lie within 5km of it; however, developments with a net increase of less than 10 dwellings do not need to be within a specified distance of a SANG.

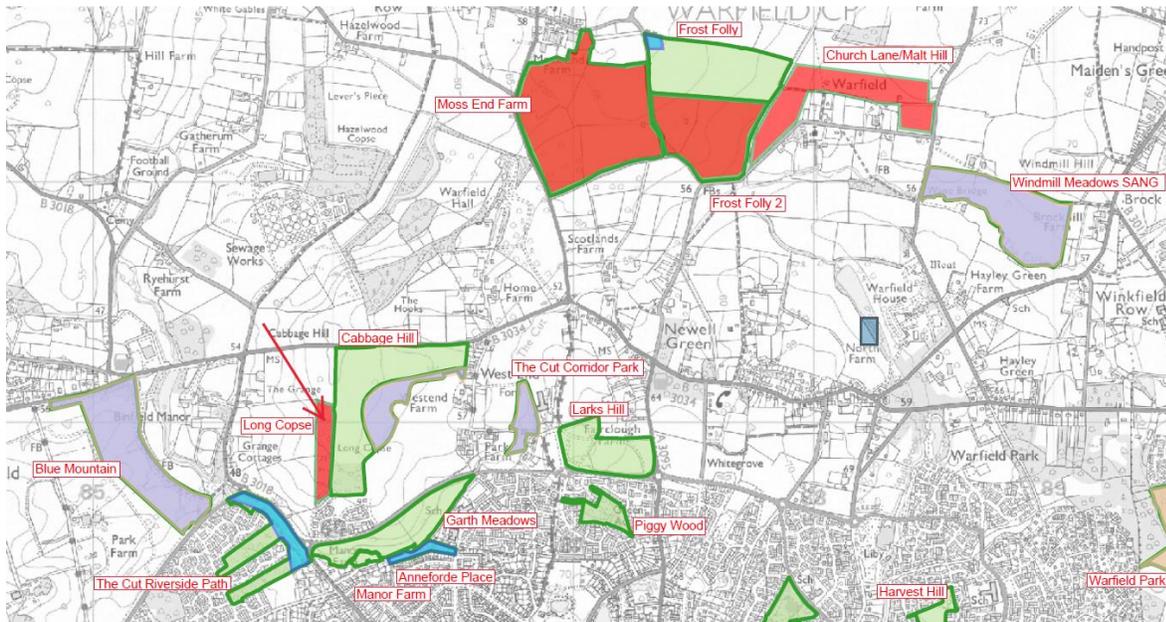


Figure 2: Other SANG near to the site (proposed and implemented)

#### 4 SITE AND THE SURROUNDING AREA

4.1 The application site is located on the northern edge of Bracknell, approximately 1.5km from the edge of Bracknell town centre, in the parish of Warfield.

4.2 The site is a long, narrow strip of woodland (approximately 80m x 415m), covering an area of 2.75ha, and is adjacent to the existing Cabbage Hill SANG. The site is designated as Ancient Woodland and is protected by Tree Preservation Order (TPO) ref: TPO/99/W1. The site contains numerous mature English Oak, Cherry and Wild Service trees, in addition to an understorey of Hazel coppice with old tree stumps, making for a site of distinct character. The site is perched at a high point in the local landscape, and the land slopes gently southwards.

4.3 The site is bounded by areas of SANG grassland and woodland to the east, modern residential housing to the south and pastoral land to the north and west.

4.4 The site is on land outside of settlement that is designated a Local Wildlife Site. The land is identified as Grade 3 Agricultural land and is located within Flood Zone 1 (low flood risk).

4.5 As shown in figure 3 below, the application site forms a part of the 'Land at Warfield' urban extension allocated under Policy SA9 of the Site Allocations Local Plan (SALP) for 2,200 dwellings.



Figure 3: The site is outlined in red, shown on the SALP Policy SA9 illustrative concept plan (p38) (the key identifies the site area (dark green) as 'Key existing trees / planting to be retained')

## 5. RELEVANT SITE HISTORY

5.1 There is no relevant planning history to this site, however beyond the application site, the following applications are relevant:

### 5.2 Within wider SALP Policy SA9 boundary

- i. 13/01007/OUT – Land North of Harvest Ride and South of Forest Road and East of West End Lane: Outline planning application for up to 750 residential dwellings (with a minimum of 675 dwellings) including 60-bed senior living scheme; new two form-entry primary school; formal and informal open space; associated landscaping; works to river cut and provision of new north-south link road. (All matters reserved except for means of access to the development); and Full planning application for the development of Phase 1 at the southwestern corner of the site for the erection of 87 residential dwellings (87 of the 750 dwellings described above) with associated open space, parking and landscaping; creation of two new access points off Harvest Ride and provision of north-south link road between Harvest Ride and Forest Road – Approved 2014. This development provided the Cabbage Hill SANG which this site adjoins and would extend.

### 5.3 Beyond SA9 boundary

- i. 20/00802/OUT – Home Farm, Forest Road, West End, Warfield, Bracknell, Berkshire RG42 5RS: Outline application for up to 197 dwellings and convenience store (Class E) with new roundabout and associated access from Forest Road – Refused November 2021. The applicant has submitted a notification of intention to appeal the decision.

5.4 It is this proposal that the submitted Design and Access Statement (DAS) states would be served by this SANG should this application be approved. This site is located immediately to

the north of Forest Road, across the road from the northern entrance to Cabbage Hill SANG. The application provides for pedestrian connectivity to this SANG.

## 6 REPRESENTATIONS RECEIVED

6.1 10 representations were received, comprising 9 objections (from 8 properties and includes a representation from 'Keep West End Green Campaign'). and 1 in support. A summary of matters raised in respect of the proposal is set out below.

### 6.2 Comments Supporting:

- i. This will greatly improve the management of this copse. The woodland on the Cabbage Hill SANG has been used to educate young and old about our natural woodlands and how to help protect them whilst introducing children and parents to the wonders of the natural habitat on their doorstep.

### 6.3 Comments Objecting:

- i. The SANG is unnecessary.
- ii. Opening up this woodland for public access, with people and their dogs, will damage the woodland.
- iii. The proposal will have an adverse impact on biodiversity.
- iv. This area is already over-developed, which has led to a loss of identity.
- v. The proposed Home Farm development, this SANG is proposed to serve, will have a further adverse impact on biodiversity.
- vi. The SANG at Cabbage Hill is now little more than a grassland area for dog walking, with many wild plant species having been removed, resulting in a loss of bird and insect life.
- vii. Development in the area has already led to a significant loss of countryside and habitat for flora and fauna.
- viii. This SANG is a 'sweetener' to allow development at Home Farm.
- ix. Long Copse provides a refuge for wild animals and birds and is a bluebell wood. This land should be protected, not opened up for public use. There are already woodland walks incorporated in the Cabbage Hill SANG adjoining Long Copse.
- x. Unclear why more areas are needed for dog walking. The behaviour of dog walkers shows no respect for existing properties in the locality.
- xi. Further development will lead to increased anti-social behaviour, such as littering and suspicious activity in the SANG car park.
- xii. This will lead to more speeding traffic and car parking on West End Lane.
- xiii. Development will lead to increased traffic congestion and safety issues, particularly on Forest Road.
- xiv. Existing areas of open space are already abused and mismanaged, so more shouldn't be added.
- xv. Horse riders would have nowhere to go.

### 6.4 Summary of consultation responses

#### Warfield Parish Council

Recommend Refusal for the following reason:

- i. Concern regarding the potential impact on the biodiversity and natural habitat of the woodland.

Biodiversity Officer: No objections subject to conditions and s106 agreement. Comments addressed in report.

Tree Officer: No objection, subject to conditions. Comments addressed in report.

Highways Officer: No objection in principle. Comments addressed in report.

SPA Officer: No objection, subject to s106 agreement. Comments addressed in report.

Natural England: No objection, subject to the SANG being secured by conditions or planning obligations.

## 7 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

7.1 The primary strategic planning considerations applying to the site, associated policies and guidance are:

<b>Development Plan</b>		<b>National Planning Policy Framework (NPPF)</b>
General policies	CP1, SA9 – SALP, CS1 – CSDPD	Consistent
Design	Saved policy EN20 – BFBLP; CS7 – Core Strategy,	Consistent
Amenity	EN20 – BFBLP; CS7 – Core Strategy	Consistent
Highways	M4; M6 – BFBLP; CS24 – Core Strategy	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2, EN3 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
- Warfield SPD (2012) - Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD (March 2012) - Planning Obligations SPD (February 2015)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF)		

## 8 PLANNING CONSIDERATIONS

8.1 The key issues for consideration are:

- i. Principle of development
- ii. Design and impact on trees
- iii. Design and impact on biodiversity
- iv. Impact on landscape character
- v. Impact on residential amenity

- vi. Transport implications
- vii. Planning obligations (Section 106 legal agreement)

8.2 These issues are addressed in the following sections of this report.

### **i. PRINCIPLE OF DEVELOPMENT**

8.3 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. This is reinforced by the NPPF which explains that 'at the heart of the Framework is a presumption in favour of sustainable development' (Paragraph 10 refers) which should be applied when making planning decisions. In terms of decision making, Paragraph 11 explains that this means that developments which accord with the development plan 'should be approved without delay', and that 'where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date' that permission should be granted unless 'the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise'. The policy advice of the NPPF is supported by the National Planning Practice Guidance (NPPG). The presumption in favour of sustainable development is reflected in the Bracknell Forest Borough Council Site Allocations Local Plan (SALP), Policy CP1 refers. This states that planning applications which accord with the Development Plan should be approved without delay unless material considerations indicate otherwise.

8.4 The purpose of SANG is to mitigate the impact of residential development within 5km of the site on the Thames Basin Heaths Special Protection Area (TBHSPA). The importance of the Thames Basin Heaths is recognised within the retained Policy NRM6 of the South East Plan (Thames Basin Heaths Special Protection Area); the Core Strategy - policies CS5 and CS14 refer; the SALP - policy SA9 refers; the Warfield SPD and the Bracknell Forest Thames Basin Heaths SPA Avoidance and Mitigation SPD April 2018 (TBH SPD).

8.5 This application would provide a 2.75 ha extension to the Cabbage Hill SANG. The SANG would link to the wider Cut Countryside Corridor SANG (currently over 20ha in size). According to the Thames Basin Heaths SPA Delivery Framework (2009), SANGs of over 20 ha have a catchment of 5km. This means that any development allocated to this SANG must lie within 5km of it. This proposal does not lead to a change in the catchment of the existing area of The Cut Countryside Corridor SANG. The location of the proposed SANG in relation to others within the vicinity is illustrated in figure 2 above.

8.6 The site is located within the Warfield strategic development site (SALP Policy SA9), allocated for the delivery of up to 2,200 dwellings. Policy SA9 states that development requires:

"Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA) in agreement with the Council and Natural England. This will include provision in perpetuity of on-site bespoke SANG of at least 8ha per 1,000 new population. The preferred solution is for a SANG at Cabbage Hill. Part of the solution could be off-site subject to agreement with the Council and Natural England, and passing an Appropriate Assessment. Further in perpetuity requirements include a financial contribution towards Strategic Access Management and Monitoring and any other measures

that are required to satisfy Habitats Regulations, the Councils Thames Basin Heaths SPA Avoidance and Mitigation Strategy and relevant guidance."

- 8.7 Whilst the submitted DAS states that this SANG will provide mitigation for a proposed development at Home Farm (ref. 'Relevant Site History'); given that this development would only require approximately 50 dwellings worth of SANG, this SANG could provide mitigation for other residential development besides the Home Farm scheme, which could include development within the Policy SA9 allocation.
- 8.8 Use of the land as SANG and funding for its management and maintenance would be secured in perpetuity (for a period of 125 years), by Section 106 legal agreement. As a result, this proposal will safeguard the woodland in perpetuity.
- 8.9 In terms of development impacting Ancient Woodlands, NPPF, Para 180 states that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. In terms of what constitutes 'exceptional reasons', it provides infrastructure projects as an example, "where the public benefit would clearly outweigh the loss or deterioration of habitat".
- 8.10 The NPPF in para 92(c) recognises the role of safe and accessible green infrastructure in enabling and supporting healthy lifestyles; and states that planning decision-making should aim to achieve this.

### **Other material considerations**

- 8.11 The Forestry Commission and Natural England's 'standing advice' for planning authorities in considering planning applications affecting ancient woodland, ancient trees and veteran trees, provides supplementary guidance to NPPF requirements.
- 8.12 The Warfield SPD provides guidance for planning applications submitted within the SA9 allocation. Long Copse is shown on the WSPD Concept Plan (figure 3) as 'key existing trees/planting to be retained'. WSPD Development Principle W6 states that, in terms of mitigating the impact of development on the Thames Basin Heaths Special Protection Area

"A bespoke solution to avoid and mitigate any impacts arising from residential development at Warfield will be delivered in accordance with an Appropriate Assessment in agreement with Natural England. The solution will deliver bespoke Suitable Alternative Natural Greenspaces (SANG) provision to include the following on-site provision unless an alternative scheme is agreed with the Council and Natural England including:

- A minimum area of 8 hectares per 1000 persons to be provided on site at Cabbage Hill (including Long Copse) ...as shown on the Concept Plan."

- 8.13 This Council-endorsed guidance provides in principle support for Long Copse being used as SANG, whether it is used to mitigate SA9 development, or development elsewhere, subject to the avoidance and mitigation measures passing an Appropriate Assessment and is agreed with the Council and Natural England.
- 8.14 The site is included within the Warfield Area 2 Masterplan (A2M) area (figure 4 shows), which shows Long Copse as being 'existing woodland outside settlement boundary'. The

A2M develops into further detail and accords with Policy SA9 and WSPD objectives; and therefore, the proposal is considered to be in accordance with the A2M.



Figure 4: The site shown in an extract from Warfield Area 2 Masterplan

8.15 In light of the assessment above, there is no objection to the principle of the development, which could provide SPA mitigation for and help facilitate a significant number of residential dwellings in the borough, which is consistent with the NPPF's presumption in favour of sustainable development.

8.16 Change of use of the land to SANG, with resourced management and maintenance secured, would safeguard the Ancient Woodland, and provide a valuable addition to the Borough's accessible green infrastructure, in perpetuity.

8.17 The impact of the development on the ancient woodland, the benefits of health and wellbeing derived from enabling public access, and other material considerations are set out below.

## ii. DESIGN AND IMPACT ON TREES

8.18 NPPF, Para 180 states that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. In terms of what constitutes 'exceptional reasons', it provides infrastructure projects as an example, "where the public benefit would clearly outweigh the loss or deterioration of habitat".

- 8.19 Local Policy EN1 provides for the protection of trees, stating that “planning permission will not be granted for development which would result in the destruction of trees... which are important to the retention... of: (ii) the character and appearance of the landscape...; or (iii) green links between open spaces and wildlife heritage sites;...or (v) habitats for local wildlife; or (vi) areas of historic significance.
- 8.20 The application site is classified by Natural England as an Ancient Woodland and is protected by a confirmed woodland Tree Preservation Order. The woodland contains a rich diversity of tree species including but not limited to Oak, Ash, Cherry, Holly, Field Maple, Hazel and the rarer Wild Service. Species vary significantly in age, form and condition. They are complemented by many valuable ground habitats such as fallen stems, old tree stumps and roots plates, as well as extensive understorey flora (particularly Bluebells which cover most of the woodland floor). All serve to underpin its natural character and importance. These are all essential to retain, safeguard and enhance.
- 8.21 The woodland also contains blocks of invasive, non-native Rhododendron and Cherry Laurel and human-derived structures and rubbish, which are all proposed to be removed as part of the proposal, which would benefit the Ancient Woodland environment.
- 8.22 The potential disbenefits that could arise from allowing access into an Ancient Woodland have been carefully considered. The proposal strikes a balance between enabling a degree of public access, so that the site can function as SANG whilst avoiding and mitigating any adverse impacts that this could have on this sensitive woodland environment.
- 8.23 The Council's Tree Officer has been engaged throughout this application; and advice received has been integral in shaping the proposal. The primary consideration beyond implementation of any path is the appropriate level of access to encourage through this woodland. Much of the woodland's character has developed and been preserved because of its historic isolation and low accessibility by the public. Whilst allowing a degree of public access is a necessary requirement of a SANG, the concern is that too much access could fundamentally erode and adversely affect its long-term character and invaluable natural qualities. The site contains many ageing, mature and veteran trees including a number of very impressively sized mature Wild Cherries. Some are partially collapsed, some decaying at their bases and some contain many large dead branches. All are fundamentally important to its character and acknowledged ecological value. Accordingly, ongoing management needs to very sympathetic to this. The challenge is that routeing a path through particularly sensitive areas, including near trees in such condition could potentially create issues of public health and safety, requiring a management approach that could radically change the woodland. Some areas, particularly in the northern most sector contain undisturbed uprooted stumps and old stems. This is valuable habitat and character which could be detrimentally affected by pressures from public access.
- 8.24 The original application scheme showed an extensive path network that provided direct access to a significant proportion of the woodland, and the path did not appear to be informed by any tree or ecological survey. This raised significant concerns regarding potential arboricultural and ecological impact on the woodland. After raising these concerns, the applicant has conducted tree and ecological surveys and has worked extensively with Council officers to keep any adverse impact on the woodland to a minimum, whilst facilitating a limited degree of public access to fulfil its role as a SANG. This has resulted in a path route that is significantly shorter in length, and follows a 'line of least impact' that is

informed by tree and ecological surveys and a site visit with the applicant's team to plot the route on foot to ensure that no detail was missed. The resultant route, subject of this recommendation, is shown indicatively in figure 1 above, and plotted on the submitted Woodland Management / Enhancement Plan, that is also appended to the submitted SANG Management and Maintenance Plan.

- 8.25 In addition to the route of the path, the design and construction of the path and bridges, to span the ditches, providing access need careful consideration. The path construction is required be sympathetic to the character of the woodland; formed using wood chip surfacing with timber edge restraints to contain the surface material. Path and bridge design and installation, and how materials will be stored / transported to the site, will require careful consideration, and will be conditioned for discharge, in agreement with the Council, prior to the commencement of works. The Tree Officer would be consulted in their discharge.
- 8.26 To minimise impacts on the woodland, seating, dog and litter bins will not be required. Responsible dog ownership would be encouraged in this sensitive habitat. Information boards, provided at each of the access bridges, would include a Code of Conduct to support responsible and considerate public usage of the SANG, and encourage the public not to allow their dogs off leads within the woodland.
- 8.27 The offering of this woodland as SANG presents a valuable opportunity to help safeguard its future. Whilst the principle is supported, it is critical that careful consideration is given to key issues highlighted above to ensure this.
- 8.28 In terms of impact on the ancient woodland; it is considered that potential adverse impact caused by public access could be mitigated by the appropriate design of paths and information boards and signage. The signage would help inform the public of the responsible and considerate use of the woodland. Any potential for harm also needs to be weighed against the benefits of bringing the woodland under an appropriate management and maintenance regime in perpetuity. On balance, it is considered that the benefits that would result from this development outweigh potential harm that could arise. Funding to manage and maintain this SANG would be secured on grant of any planning permission.
- 8.29 The Council's Tree Officer is satisfied that the application can be approved subject to the imposition of conditions. The proposal would ensure that the land as ancient woodland would be safeguarded in perpetuity, and availability for public access would enable and support healthy lifestyles through the provision of safe and accessible green infrastructure. The proposal is therefore considered to accord with the NPPF, Bracknell Forest Borough Local Plan (BFBLP) Policy EN1 and SALP Policy SA9.

### **iii. DESIGN AND IMPACT ON BIODIVERSITY**

- 8.30 Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity, and CS7 requires development to enhance the landscape and promote biodiversity. This is supported by the NPPF – Section 10 that seeks to conserve and enhance the natural environment and for development to minimise impacts and provide net gains for biodiversity.
- 8.31 The Council's Biodiversity Officer has been engaged and has advised throughout the evolution of this scheme.

- 8.32 Long Copse is designated a Local Wildlife Site, and the application would be required to consider how the proposed works might impact on the features for which it is designated. Further to this, Long Copse is an ancient woodland remnant which is likely to suffer from the effects of being a small habitat fragment. Therefore, it is essential that any proposed works do not further fragment the habitat.
- 8.33 The initially submitted scheme proposed a complete full path loop within Long Copse, which would likely have fragmented the woodland and markedly increased the human disturbance of the woodland. In addition, remedial tree works would have been required to remove trees with defects within falling distance of a path, which could mean the loss of valuable biodiversity features throughout the woodland. It was then proposed that, because the site adjoins an existing SANG, a simple link from the north Cabbage Hill field to the east through the woodland to link with existing paths in the south, should be used to limit the impact of public access on the woodland. In addition, interpretation should be used to inform visitors of the sensitive nature of the site.
- 8.34 As explained in the previous section, upon BFC's advice following initial submission, the applicant conducted an Ecological Impact Assessment (EclA) of the site, to adequately assess the ecological value of Long Copse and guide the design of the SANG. It included a desk study, habitat survey, preliminary bat roost assessment and badger survey.
- 8.35 It concluded that any potential impacts on the site's biodiversity from use as a SANG would be outweighed by the proposed ecological enhancement / management, resulting in a net gain and a long-term positive increase in biodiversity in line with local and national planning policy guidance.
- 8.36 This EclA, alongside the tree survey and site visit, has informed the proposed new path route through Long Copse.
- 8.37 Further to path provision, biodiversity enhancement works are proposed. These include the provision of nesting boxes for a variety of bird species within trees, installation of bat boxes, log and brash piles and the removal of areas of Rhododendron and Laurel. In addition to this, interpretation boards will be required, to be located sensitive to root protection areas, to provide important information on the ecological sensitivity of the woodland.
- 8.38 The Biodiversity Officer is satisfied that the potential impacts of the proposed footpath and long-term change to a SANG can be addressed through the design of the path and long-term management. This can be secured through conditions.
- 8.39 Following amendments to the original scheme, the application is now considered to adequately demonstrate that it protects and enhances biodiversity in accordance with EN1, CS1, CS7, NPPF, Circular 06/05, NERC Act 2006 and Conservation of Habitats and Species Regulations 2010.

#### **iv. IMPACT ON LANDSCAPE CHARACTER**

- 8.40 Chapter 8 of the NPPF and specifically Paragraph 96 relates to the importance of the delivery of high-quality open spaces for health and well-being and the need for planning decisions to seek opportunities for new provision.

8.41 Policy EN1 of the BFBLP relates to protecting existing tree and hedgerow cover, and refers to the importance of tree and hedgerow cover in providing green links between open spaces and wildlife sites, and their value as habitats for wildlife. At a strategic level, Core Strategy Policy CS1 refers to sustainable development. Criterion viii) includes the need to 'protect and enhance the quality of local landscapes and the wider countryside'. These policies are consistent with the NPPF.

8.42 In terms of impact on the landscape character, despite the prominence of Long Copse in the local landscape, because of the limited nature of the works proposed, there would be negligible impact on the landscape character as a result of the works. Given that implementation of the proposal would likely lead to the woodland being transferred to the Council, and it being managed and maintained in perpetuity, the proposal would in fact safeguard this important landscape feature, which would be less certain if it were to remain in private ownership.

8.43 It is considered therefore that the proposal would accord with the requirements of the NPPF and local policies EN1 and CS1.

#### **v. IMPACT ON RESIDENTIAL AMENITY**

8.44 BFBLP Policy EN20 states that development should not adversely affect the amenity of surrounding properties and adjoining area; and Policy CS1 recognises the importance of sustainable development and the need to protect and enhance the health of the local population.

8.45 No structures are proposed, apart from limited infrastructure necessary to provide limited access to the woodland, and apparatus such as information boards and signage necessary for the enjoyment, understanding and respect for the woodland. Design of this infrastructure would be sympathetic to the character of the landscape, and access into Long Copse would only be achieved from the eastern boundary, from within the existing SANG, that links to existing path network. The design itself would therefore have negligible impact on residential amenity.

8.46 Objections received have raised several related issues concerning the behaviour of existing SANG users, activity in the car park and users parking on residential roads to access the SANG. Consideration has been given to the impact on residential amenity from this development. Given the nature of this development, as a small addition of woodland to an existing well-used SANG, there is not anticipated to be a material change to the circumstances relating to the site. The use in itself would not be a cause for anti-social behaviour, and if any arises, this is a matter for relevant agencies. Overall, this development is considered to be a positive addition to local amenity.

8.47 Therefore, having regard to the nature of the proposal, the impact on residential amenity within the vicinity of the site is considered to be negligible; and therefore the scheme is considered to be in accordance with BFBLP Policy EN20 and is therefore acceptable.

#### **vi. TRANSPORT IMPLICATIONS**

8.48 The NPPF promotes the use of sustainable transport modes and that development proposals should provide "safe and suitable access to the site can be achieved for all users"

(para 110(b)). Para 111 goes onto states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety”.

- 8.49 The Council’s Environmental Policy Officer was consulted and has advised that Long Copse SANG would form a part of The Cut Countryside Corridor (TCCC) Super SANG, which has a total area of 44.21ha. According to NE’s requirements, a minimum of 45 car park spaces would therefore be required for TCCC SANG. The total number of car parking spaces available to SANG visitors at Cabbage Hill, Larks Hill and Jock’s Lane is a maximum of 107 car park spaces; which is significantly more parking than NE’s requirements. Therefore, from a SANG standards perspective, there is considered to be sufficient existing car parking to serve Long Copse SANG.
- 8.50 Further to this, Long Copse SANG would benefit from good pedestrian links, particularly given its location adjacent to the strategic east-west greenway that is planned to run the length of the SA9 development area. As a key requirement of the SA9 strategy, to promote the use of sustainable modes of transport, which is in alignment with the NPPF, the greenway is designed to create an attractive, efficient, pedestrian-friendly route connecting key facilities and services; reducing the need to use the private car, that would otherwise contribute to local road congestion and associated noise and air pollution. This would serve the Long Copse SANG well.
- 8.51 Natural England has been consulted specifically with regard to this matter and has confirmed its support for this approach to car parking.
- 8.52 The Council’s Transport Officer was also consulted and has advised that, given that the application is to extend an existing SANG at Cabbage Hill, many of the users currently visiting the site are expected to use the additional area as part of their already established pattern of visiting the existing SANG. However, with any increase in the extent of a facility there is the potential for additional demand on it to arise, particularly as this proposal offers an increase in woodland area which could increase the variety and attractiveness of the overall site. Consideration should also be given to the evidence of current usage of the Cabbage Hill car park. The car park is well used, and in the past, parking has been noted on the verges outside the site which restricted visibility, but this has now been prevented by the installation of wooden posts on the verge. In that respect any additional demand is likely to either try and park in the car park in areas that may restrict access or more likely users will seek to park within the housing estate itself and access the SANG from that side. Alternatively users may choose another SANG to visit. The level of increased demand is difficult to predict but it is unlikely to be significant.
- 8.53 The Council’s Parks and Countryside Service, which manages the SANG, is currently investigating expanding the current car park to cater for demand. In order to mitigate any potential impacts in the longer term raised by the Transport Officer, it is proposed that a contribution from this development would be secured, by s106 planning obligation, towards the project to expand the car park at Cabbage Hill SANG. This is likely to be a pro rata contribution. With reference to Natural England’s SANG guidance, that requires one space per hectare of SANG, this would equate to three additional car parking spaces.
- 8.54 Subject to the securing of a financial contribution towards a proposed car park extension at Cabbage Hill SANG, this proposal is considered to accord with CS policies CS23 and CS24, and would therefore be acceptable.

**vii. PLANNING OBLIGATIONS (SECTION 106 LEGAL AGREEMENT)**

- 8.55 This application for a SANG requires a SANG Management Plan (MP) that is to be agreed with the Council and Natural England (NE). This will be appended to a s106 agreement with the Council. Because of the nature of the site, as an Ancient Woodland and Local Wildlife Site, the SANG MP would be required to be informed by recommendations for site enhancements and management provided in the submitted EclA and to include a Woodland Management Plan. A draft SANG MP has been submitted by the applicant. Following review by the Council's Senior Environmental Policy, Biodiversity and Tree Officers, necessary amendments have been made, and it is now considered acceptable.
- 8.56 Cabbage Hill SANG is owned and is managed by Bracknell Forest Council. If Long Copse woodland becomes an extension to Cabbage Hill SANG, the Council would prefer to own and manage the whole SANG and this should be secured through a s106 agreement. This is usually also the preference of Natural England. This would give more certainty that the site will be managed to SANG standard and available for public use in perpetuity. If the site is not going to be managed by the Council in perpetuity, there will need to be step in rights agreed with Bracknell Forest Council (BFC), should the proposed SANG fall below the required standard and a mechanism in place agreed with BFC to ensure the long-term financial security of the SANGs (i.e. the long-term maintenance funding).
- 8.57 For the Council to take on the in-perpetuity management of the SANG, the developer will need to pay a financial contribution to the Council (usually on transfer of the land to the Council). These sums are based on 2017/18 costs of a base line maintenance rate of £1,605 per hectare per annum and an additional SANGs enhancement maintenance cost (extra cost of managing the sites to SANGs standard) of £994 per hectare per annum. This works out at £180,051 based on a total area of 2.75ha SANG, which allows for estimated interest rates and inflation to be applied over the period.
- 8.58 According to the Thames Basin Heaths SPA Delivery Framework (2009), SANGs of over 20 ha have a catchment of 5km. This means that any development allocated to this SANG must lie within 5km of it. This proposal does not lead to a change in the catchment of the existing area of The Cut Countryside Corridor SANG.
- 8.59 The site would provide SPA mitigation for a minimum of 149 dwellings.
- 8.60 The Design and Access Statement states that this SANG will provide mitigation for the Home Farm development (ref. 'Relevant site history'). It does not however show how much SANG capacity will be required for this development or whether there will be excess SANG capacity which could be used as mitigation for other developments. A process for the allocation of SANG capacity will be agreed with the Council and set out in the s106 agreement. The SANG must be fully enhanced in accordance with the SANG Management Plan in agreement with BFC and available for public recreation before any dwellings allocated to it can be occupied. The Council has a similar agreement relating to the Frost Folly SANG (planning ref. 15/01161/FUL).
- 8.61 To conclude, provided that SANG measures set out above, in addition to the proposed car park contribution, are secured by section 106 agreement with a legal mechanism to secure delivery of the SANG along with a SANG Management Plan, the proposed SANG is considered acceptable.

## 9 CONCLUSIONS

- 9.1 This proposed development would not lead to any material change in the landscape character of the area, meets planning policy objectives and, in providing SANG capacity, will play an important role in facilitating residential development in the borough which is consistent with the NPPF's presumption in favour of sustainable development.
- 9.2 Following amendments to the scheme, informed by ecologists and arboriculturalists, potential impacts on the Ancient Woodland and local wildlife site features have been assessed. It is considered that appropriate measures and mitigation have been secured to minimise any adverse impact, whilst fulfilling Natural England's requirements for a functional SANG.
- 9.3 There is not considered to be any material harm to residential amenity to result from this proposal.
- 9.4 Planning obligations would secure measures to operate and maintain the site as a SANG in perpetuity and a financial contribution towards the potential extension of the Cabbage Hill SANG car park. Conditions would secure details concerning path and bridge construction, and for work method statements to ensure that appropriate consideration is given to operating in this sensitive environment.
- 9.5 Use of the site as a SANG would safeguard the future of the ancient woodland, and in providing limited public access on to what is currently private land, the proposal would add to the borough's green infrastructure and recreational facilities, thereby contributing towards health and well-being objectives. Such benefits are considered to outweigh any potential harm to the woodland.
- 9.6 BFC and the applicant have worked positively together to develop a scheme that is now considered acceptable.
- 9.7 The application is therefore recommended for approval, subject to appropriate conditions and the completion of a Section 106 legal agreement securing the management and maintenance arrangements of the SANG in perpetuity and a financial contribution towards the expansion of the Cabbage Hill SANG car park.

## **RECOMMENDATION**

**Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990, incorporating the following planning obligations amended, added to or deleted as the Head of Planning considers necessary in compliance with local and national planning policy and relevant legislation:-

- i. the legal mechanism for the delivery of the SANG that will meet the Quality Standards set by Natural England;
- ii. securing in perpetuity management and maintenance; and
- iii. a financial contribution towards expansion of the Cabbage Hill SANG car park.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:

- Site Location Plan – SK-21732-01 (Received 24.1.19)
- SANG Management and Maintenance Plan – LLD2459-LAN-REP-001 Rev 05 (Received: 01.03.22)
- Woodland Management / Enhancement Plan – LLD1582-ECO-FIG-A (Received 01.03.22)
- Ecological Impact Assessment (dated 3<sup>rd</sup> March 2020) – LLD1582 Rev 02 (Received: 23.03.20)
- Tree Retention and Protection Plan – LLD1582-ARB-DWG-001 Rev 01 (Sheets 01 - 03) (Received: 22.02.21)
- Existing Tree Schedule (dated 23<sup>rd</sup> January 2020) – LLD1582 Rev 01 (Received: 22.02.21)

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

3. No development shall commence until details of the path, gated pedestrian access, foot bridges and site signage, including details of their location, specification (e.g. size, design and materials) and construction, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to public access being permitted onto the SANG and retained thereafter.

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

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

4. No development shall commence until a scheme for the provision of interpretation boards, including a plan or drawing showing their location, specification, construction and content, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to public access being allowed onto the SANG and retained thereafter.

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

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

5. No development shall commence until full details of boundary treatment fencing or any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before any public access to the woodland. All boundary treatments should provide for the free movement of wildlife to and from the site.

REASON: - In the interests of the visual amenities of the area, nature conservation and

to safeguard Ancient Woodland

[Relevant Plans and Policies: BFBLP EN1 and EN20, CSDPD CS1 and CS7]

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

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

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

7. The development (including site clearance) shall not be begun until:-

- (i) the site has been surveyed for the presence of badgers;
- (ii) the survey has been submitted to and approved by the Local Planning Authority; and
- (iii) a scheme to minimise disturbance to badgers during the construction of the development, to mitigate the impact of the development upon them, and to improve their habitat

has been submitted to and approved by the Local Planning Authority.

The scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1]

8. The development (including site clearance) shall not begin until a scheme to mitigate the impact of the development on bats has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

- i. methods to avoid killing, injury or disturbance to bats during development
  - ii. the provision of temporary roosts during construction
  - iii. the provision of replacement roosts
  - iv. habitat management and enhancement, e.g. suitable lighting and planting
- appropriate post construction monitoring

The mitigation scheme shall be implemented in accordance with the approved details.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1]

9. If more than 2 years elapse between the previous badger survey and the due commencement date of works, an updated badger survey shall be carried out by a suitably qualified ecologist, unless otherwise agreed in writing by the Local Planning Authority. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.

REASON: To ensure the status of badgers on site has not changed since the last survey.

[Relevant Plans and Policies: CSDPD CS1, CS7]

10. No development shall commence until a scheme for the provision of bird and bat boxes including a plan or drawing showing the location of these enhancements, has been

submitted to and approved in writing by the local planning authority. The scheme thereby approved shall be implemented in accordance with the approved details.

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

11. No development shall commence until a detailed scheme for the protection of the woodland beyond the approved access and path works footprint 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 all works. Details shall include the tree survey drawings showing the approved layout and the following:

- a) Proposed location of protection barriers.
- b) Illustration of the proposed protective barrier structure to be erected.
- c) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- d) All fenced off areas clearly annotated as Tree Protection Areas/Construction/Works Exclusion Zones.
- e) Notes regarding restrictions which apply to Tree Protection Areas/Construction/Works Exclusion Zones.
- f) Note confirming that all protection measures are to be routinely monitored by site visits undertaken by a project arboriculturalist (appointed by the landowner), for the duration of all works on site (frequency to be specified), to ensure full compliance with the approved tree protection and monitoring scheme. A copy of the signed report to be forwarded to the Local Authority following each site visit.

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

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

12. The protective fencing and other protection measures specified by condition 11 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 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 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) Raising/lowering of existing levels, excavation or alterations to the existing surfaces/ground conditions of any other description.
- e) Installation/siting of any structures, temporary or otherwise.

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 the woodland or within 20 metres of the trunks of any trees.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any 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]

13. No development shall commence until a schedule of supervision/monitoring of all works, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) Induction and personnel awareness of arboricultural matters.
- b) Identification of individual responsibilities and key personnel.
- c) Statement of delegated powers.
- d) Timing and methods of site visiting and record keeping.
- e) Procedures for dealing with variations and incidents.

The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority. A copy of the signed inspection report shall be sent to the local Authority following each visit.

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]

14. No development shall commence until a detailed site-specific Construction Method Statement for the entrance /exit gate and bridge structures into the woodland have been submitted to and approved in writing by the Local Planning Authority. Details shall be based on bridging existing ditches/ banks and avoiding any unnecessary ground works / excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying the precise locations of the proposed constructions and dimensioned proximity to existing trees.
- b) 1:200 scale layout drawing of the structures based on accurate topographical survey information for each location with clear details of the structure footprints with scaled dimensions.
- c) 1:200 scale construction profile drawings showing their relationship to the existing ditch and level contours and any proposed level changes/ grading.
- d) Detailed site-specific design and material specification for both the bridge and gates structures.
- e) Design specific implementation method statement, to include confirmation that no tracked or wheeled plant machinery is to be used.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to any public access to the woodland.

REASON: In order to alleviate any adverse impact on woodland ecology the root systems and the long-term health of retained trees, in the interests of the visual amenity of the area.

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

15. No development shall commence until a detailed site-specific Construction Method Statement for the approved path route through the woodland has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on the using a non-dig methodology and natural un-contaminated materials that are conducive to the woodland environment in all areas concerned, and shall include: -
- a) An illustration on the proposed path route plans showing material specification including edging detail of the path.
  - b) Location, design and material specification of vertical marker posts at regular intervals along the approved path route.
  - c) Comprehensive implementation method statement to include:
    - Pegging out of entire route on site prior to installation to confirm agreed location with BFC prior to installing.
    - Timing of works.
    - Details of how any imported materials are to be brought onto the site and stored prior to use.
    - Proposed treatment (removal/ disposal/ relocation), of any surface vegetation/ fallen stems etc prior to the laying of the approved path.

All works must be implemented using hand-held tools only (includes light mechanical wheelbarrows). No vehicles, tracked or wheeled plant machinery of any description (including mini diggers), must be used within the woodland.

No area of the woodland beyond the footprint of the approved footpath route must be used for the storage of materials or working space for the purposes of any construction.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under Arboricultural/ Ecological supervision, prior to any public access to the woodland.

REASON: In order to alleviate any adverse impact on woodland ecology, the root systems and the long-term health of retained trees, in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

16. No development shall commence until a detailed schedule of all proposed tree works and Rhododendron / Laurel clearance works have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- a) A complete set of tree survey drawings showing the approved path layout and clearly identifying the accurate locations of all trees and groups of Rhododendron/ Laurel requiring works with clear survey reference numbers.
  - b) A complete schedule of proposed tree works which provide detailed specifications for each referenced tree in full accordance with BS 3998:2010 Tree works specifications (or any subsequent revision).
  - c) A Tree Works Implementation method statement, including timing and any phasing of works, proposed works access route clearly marked on the submitted plans, demonstrating how the working area will be contained and consequently woodland safeguarded.

- d) A method statement for the proposed removal of all Rhododendron and Laurel, including timing of works, proposed debris extraction routes from site, as well as proposed treatment of stumps to prevent regrowth.

REASON: In order to alleviate any adverse impact on woodland ecology the root systems and the long-term health of retained trees, in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

17. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority.

REASON: In the interests safeguarding visual amenity.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

18. All approved tree works and clearance of Rhododendron/Laurel shall be implemented in full accordance with the approved scheme by an appropriately qualified and fully insured Arboricultural contractor.

All approved works may be undertaken once only, for no other purpose than in relation to the full implementation of this planning consent and must not deviate from the approved specifications. Once carried out, no other works or repeat of the works originally approved may be undertaken without first obtaining the necessary separate, prior written consent under the Tree Preservation Order legislation from the Council.

No fires must be lit within 20 metres of the site and no chemicals used or stored on site at any time.

Where feasible, all dead trees specified for felling as part of the approved schedule of tree works shall leave standing stems approximately 3 metres in height above ground level as standing habitat unless otherwise specified in the approved schedule of works.

No tree logs, felled or fallen stems, tree stumps or deadwood shall be removed from the woodland as a part of these works. All such debris shall be cut as necessary and stacked in small, neat habitat piles on site clear of the approved footpath route - does not apply to Rhododendron or Laurel removal.

All works must be undertaken using hand tools only. Under no circumstances must tracked/wheeled machinery or vehicles of any other description be brought onto or parked on the site at any time. The only exception to this may be the use of a small self-propelled wood-chipper not exceeding 1.5 tonnes, to be approved as part of the tree works implementation, with appropriate ground protection underneath whilst within the woodland.

The standard of all works must as minimum, be in full accordance with British Standard 3998 -2010 Tree works specifications (or any subsequent revision).

REASON: In order to alleviate any adverse impact on the woodland ecology, the root systems and the long-term health of retained trees, in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

19. No development shall commence until details of the proposed clearance of all rubbish and artificial structures within the woodland has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a) A complete set of site drawings showing the location of all areas where artificial structures are to be removed and proposed extraction route to remove debris from site
- b) Method statement for the proposed removal of artificial structures and debris.
- c) Timing of works

Use of /access of this woodland by vehicles, plant machinery etc to remove debris is strictly not permitted without the prior written consent of the Local Planning Authority.

All works shall be implemented in full accordance with the approved scheme.

REASON: In order to alleviate any adverse impact on the woodland ecology, the root systems and the long-term health of retained trees, in the interests of the visual amenity of the area. [Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

#### Informative(s)

1. 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.
2. The Council's Tree Service must be given a minimum of 7 days advance written notice of commencement of any tree works approved under Condition 16. Sent to [trees@bracknell-forest.gov.uk](mailto:trees@bracknell-forest.gov.uk)
3. In terms of the content of the interpretation boards required by Condition 4; in some instances the Council has taken on the design and promotion of the site leaflet using a payment secured from the developer. In the discharge of this condition, the applicant is requested to contact the Council to discuss the potential for such arrangements.
4. This planning permission contains certain conditions that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result, these must be discharged prior to ANY development activity taking place on site (including any initial clearance works). Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission, then the development will remain unauthorised. This may be highlighted in any subsequent search carried out on the property/ properties.

5. Works methodology agreed as part of this planning permission should be clearly set out on the plans used by works contractors on site; to ensure that, for the avoidance of doubt, they are fully aware of approved works methods.
6. This woodland is protected by a confirmed Woodland Tree Preservation Order and is also a designated Ancient Woodland. The woodland Designation under the Preservation Order legislation protects all trees of all age, species and form including saplings as well as all future trees in this woodland whether occurring naturally or planted. Under the legislation, detailed written consent must be obtained from the Council's Tree Service before undertaking any form of work to trees within this woodland (including any work affecting their root systems), unless detailed works to trees have been specifically approved in writing in full compliance with the conditions of this consent. Any pruning or removal of trees without the necessary consent or any damage arising from non-compliance with other conditions of this permission or otherwise may be liable to prosecution by the Council. This may be in addition to any enforcement action deemed appropriate for non-compliance with relevant planning conditions. Property owners, developers and/ or any other relevant persons are therefore advised to take appropriate measures to ensure that all persons responsible for overseeing works approved under this permission are suitably briefed on this matter.
7. Regulations protecting wildlife species and habitats when carrying out any approved tree works /managing woodland must be complied with at all times. These include the European protected species (EPS) listed in the [Conservation of Habitats and Species Regulations 2017](#) and the [Wildlife and Countryside Act 1981](#).

It's an offence to:

- deliberately capture, injure, kill or cause significant disturbance to a protected species
- deliberately destroy the eggs of a protected species
- damage or destroy protected species' breeding sites or resting places (such as a bat roost in a tree or a dormouse nest on the woodland floor)

Without prejudice to the conditions of this consent, all works must be carried out carefully, making the necessary checks before proceeding, and you may need a wildlife license in certain circumstances.

8. Should the applicant need access on to the neighbouring Cabbage Hill site, which is owned by Bracknell Forest Council, to implement this planning permission; a licence to carry out works on Bracknell Forest Council's land would be required. For information, contact Property Services at Bracknell Forest Council.
9. The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.

In the event of the s106 planning obligations not being completed by 01.09.2022 the Assistant Director: Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:

1. The absence of an agreement to secure the in perpetuity management and maintenance of the site would result in the land not satisfying the minimum requirements to qualify as SANG as required in Bracknell Forest Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD (March 2012) and as such would impact on the character of the use of land within this green location. As such the development would be contrary to policies C1 of the Core Strategy and GB2 of the Bracknell Forest Borough Local Plan.