

Unrestricted Report

ITEM NO: 7

Application No.
21/00089/CON

Ward:
Binfield With Warfield

Date Registered:
25 June 2021

Target Decision Date:
20 August 2021

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Site Address:

Land North Of Tilehurst Lane and West Of South Lodge Tilehurst Lane Binfield Bracknell Berkshire RG42 5JS

Proposal:

Details pursuant to Conditions 04 (Finished Floor Levels), 11 (Site Organisation), 12 (Working Method Statement), 14 (Biodiversity Enhancements), 23 (Surface Water Drainage Scheme), 24 (Drainage Strategy) of planning permission 17/01174/OUT (Appeal Ref: APP/R0335/W/19/3228697).

Applicant:

Burrington Estates

Agent:

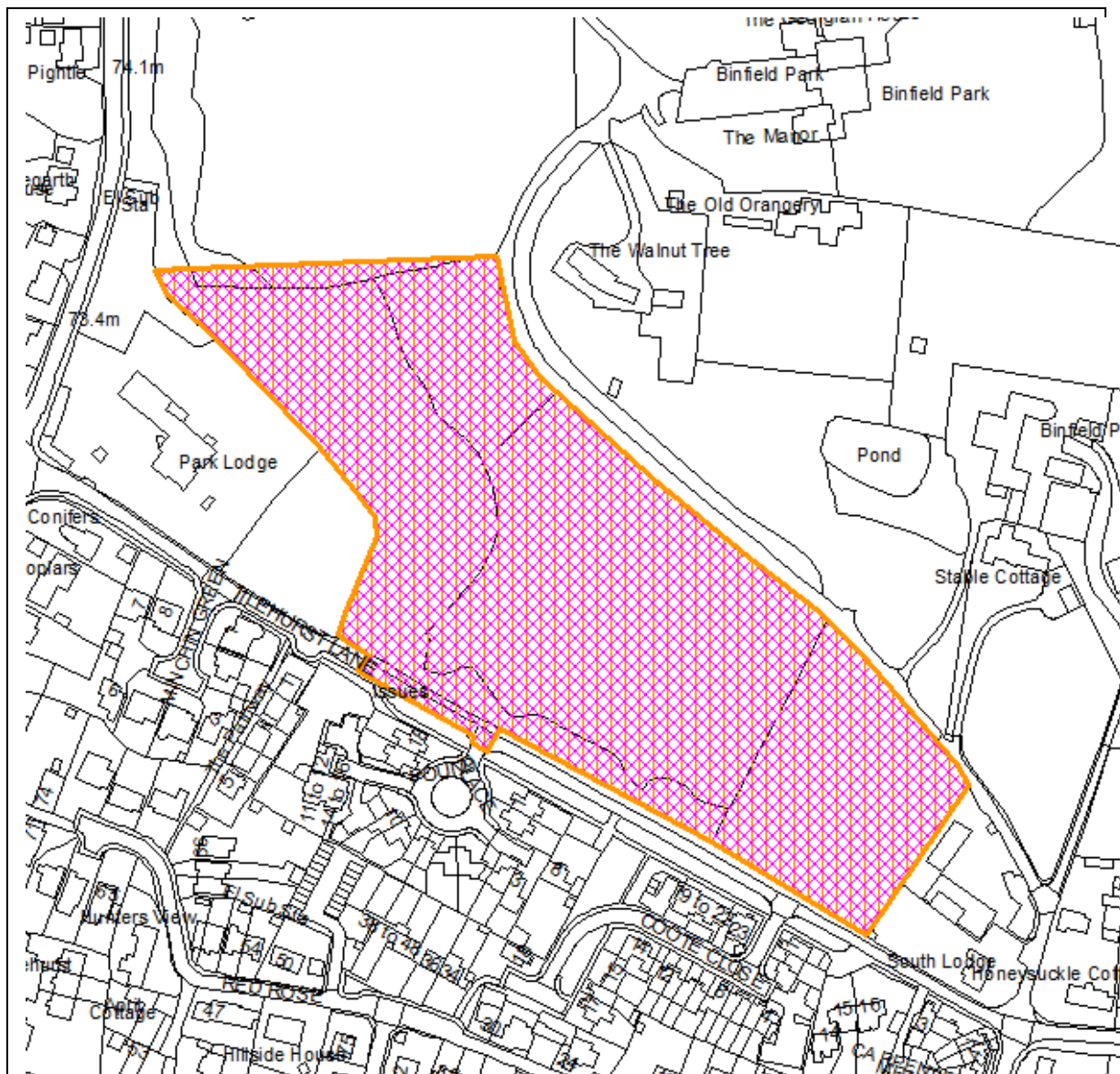
(There is no agent for this application)

Case Officer:

Jo Male, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The application submits details of finished floor levels, site organisation/working method strategy to mitigate the impact of construction works, biodiversity enhancements and the detailed drainage scheme pursuant to conditions 04, 11, 12, 14, 23 and 24 of planning permission 17/01174/OUT which was allowed on appeal and which granted outline planning permission for the erection of 40 dwellings including 10 affordable dwellings, together with the provision of parking, landscaping and drainage attenuation features with access from Tilehurst Lane.
- 1.2 The details are considered acceptable. There is a 10m difference in levels across the site and the submitted scheme demonstrates that level access can be provided to each dwelling and along adoptable routes to the public open space. Details of traffic management routes during construction have been carefully considered to ensure that vehicle movements to the site are routed to minimise their impact on adjoining occupiers. The submitted details also demonstrate appropriate biodiversity enhancements and a drainage scheme which is consistent with the strategy approved on appeal and which will appropriately deal with both existing surface water run-off and that from the proposed development.

RECOMMENDATION

The submitted details be approved as set out in Section 11 of this report.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is being presented to the Committee in order that it can be considered at the same time as other conditions applications relating to this site (reference; 22/00013/COND and 22/00080/COND) and the reserved matters application for the site 21/00507/REM, all of which appear elsewhere on the agenda, as agreed at the meeting of the Planning Committee on 19th May 2022.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Countryside

Site lies beyond the 5km buffer to the Thames Basin Heaths SPA
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Buildings within the vicinity of the site are listed
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- 3.1 The application site extends to 3.21ha and comprises undeveloped grassland divided into three grazing paddocks, located on the northern side of Tilehurst Lane. The land originally formed part of the parkland to Binfield Park, a Grade II* Listed Building, which is located to the north of the site. To the north-west lies a further paddock, and to the west lies an area of woodland associated with the Park Lodge Day Nursery which is located at the junction of Tilehurst Lane and Terrace Road North. There is a fall across the application site of approximately 13m in a north-west to south-east direction.
- 3.2 The site's southern boundary with Tilehurst Lane is characterised by a verge and ditch with tree and shrub planting which extends into the site. Immediately adjacent to the site's eastern boundary is a cattery and the Grade II listed South Lodge, together with

entrance gate piers which are also associated with Binfield Park and which are Grade II listed.

- 3.3 The site is located within the countryside immediately adjacent to the settlement boundary of Binfield as identified on the Bracknell Forest Borough Policies Map (2013). This also identifies Tilehurst Lane as part of the Binfield Bridleway Circuit.
- 3.4 The site is located beyond the 5km buffer to the Thames Basin Heaths SPA and it was accepted at outline application stage that, given the scale of the development, it would not, either individually or cumulatively have a significant effect on the conservation objectives of the Thames Basin Heaths Special Protection Area.

4. RELEVANT SITE HISTORY

- 4.1 In 2017 an outline planning application (17/01174/OUT) was submitted proposing the erection of forty houses, including 10 affordable houses together with provision of parking, a play area, landscaping and an attenuation pond, with access from Tilehurst Lane. This application was refused however was ultimately allowed on appeal (ref: APP/R0335/W/19/3228697) following a public inquiry. The permission was granted subject to conditions which included securing the provision of a 'heritage park' on the site's western side which would provide publicly accessible open space.

Details of recent applications relating to the site are set out below:

19/00213/COND - Details pursuant to condition 26 (Heritage Park) of planning permission 17/01174/OUT in relation to appeal reference APP/R0335/W/19/3228697. Approved.

21/00006/COND Details pursuant to Condition 22 (Archaeological Evaluation) of planning permission 17/01174/OUT (Permission granted on Appeal Ref. APP/R0335/W/19/3228697). Approved.

21/00014/COND Details pursuant to condition 7 (Tree Protection) of planning permission 17/01174/OUT (Appeal Ref: APP/R0335/W/19/3228697). Approved.

21/00037/COND Details pursuant of to Condition 19 (Updated Ecological Appraisal) of planning permission 17/01174/OUT (Appeal Ref: APP/R0335/W/19/3228697). Approved.

21/00507/REM Submission of reserved matters application to outline planning permission 17/01174/OUT for the approval of details of appearance, landscaping, layout and scale relating to the erection of 40 dwellings including 10 affordable dwellings, together with the provision of parking, landscaping and drainage attenuation features with access form Tilehurst Lane. Appears elsewhere on this agenda.

22/00008/COND Details pursuant to condition 15 (works to trees in bird nesting season) of planning permission 17/01174/OUT. Approved.

22/00013/COND Details pursuant to Condition 20 (Energy Demand Assessment) and Condition 21 (Water Efficiency) of planning permission 17/01174/OUT. Appears elsewhere on this agenda.

22/00080/COND Details pursuant to Condition 10 (cycle parking) and 17 (External lighting) of planning permission 17/01174/OUT. Appears elsewhere on this agenda.

5. THE PROPOSAL

- 5.1 This application seeks the approval of details submitted pursuant to conditions imposed by the Inspector in granting outline planning permission for 40no. dwellings at the site.

Condition 04 (Finished Floor Levels) states:

The development hereby permitted shall not commence until details showing the finished floor levels of the dwellings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Condition 11(Site Organisation) states:

The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- i) Parking of vehicles of site personnel, operatives and visitors
- ii) Loading and unloading of plant and vehicles
- iii) Storage of plant and materials used in constructing the development
- iv) Wheel cleaning facilities
- v) Temporary portacabins and welfare for site operatives

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

Condition 12 (Working Method Statement) states:

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

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

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

Condition 14 (Biodiversity Enhancements) states:

Any demolition and site clearance shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the

local planning authority. The approved scheme shall be performed, observed and complied with prior to the completion of development on the site.

Condition 23 (Surface Water Drainage Scheme) states:

Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles in accordance with Clive Onions Ltd FRADS V10 dated 8th August 2019 and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall include:

- i) Results of intrusive ground investigations demonstrating the depth of the seasonally high groundwater table and interpretative report confirming that the SUDS scheme will not impact on ground water levels.
- ii) Discharge Rates.
- iii) Discharge Volumes.
- iv) Sizing of features - attenuation volume.
- v) Detailed drainage layout with pipe numbers.
- vi) Confirmation of the gully spacing calculations demonstrating that they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.
- vii) Full details of any SUDS Balancing Ponds, headwalls, control structures and conveyance swales as set out in the drainage strategy.
- viii) Full details of the eastern and southern conveyance swales including levels and earthworks confirming their volume.
- ix) Network drainage calculations.
- x) Exceedance routing.
- xi) Phasing plans.

Condition 24 (Drainage Strategy) states:

Development shall not commence until a drainage strategy detailing any on- and off-site drainage works, along with proposed points of connection, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

6. REPRESENTATIONS RECEIVED

- 6.1 One letter of representation has been received which requests that construction lorries should be routed from the south-eastern end of Tilehurst Lane via Church Lane rather than from the top of Tilehurst Lane, as indicated within the originally submitted method statement. [Officer Note: this routing has since been amended at the request of the Highways Officer as referred to in the report below].

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

Confirms that changes made to ensure the adopted areas are suitably ramped and that level access to at least 1 entrance has been provided to each property. Also notes that suitable level areas within gardens that have steps has been provided for bin storage and that the final details in relation to the adoptable areas will be covered in the S38 agreement.

Raises no objection to amended Construction Environmental Management Plan and Method Statement which amends the proposed routing of construction vehicles into Tilehurst Lane from Terrace Road North. Requests more details of contractor parking within the site. [Officer Note: this has been requested and will be provided in advance of the Committee meeting].

Thames Water

Thames Water confirms that the conditions can be discharged on the basis of the information submitted and provide the following supplementary comments: The drainage strategy condition can be discharged on the basis that foul will discharge by gravity downstream of manhole ref. 5302. The surface water drainage condition can be discharged on the basis that the surface water will discharge to manhole ref. 5303 at a maximum rate of 9l/s.

LLFA

We have reviewed the information submitted in relation to Conditions 23 and 24 and consider this sufficient to demonstrate that surface water runoff from the proposed development, as well as existing surface water runoff can be managed effectively. The submitted information is in accordance with the principles agreed as part of the Reserved Matters application that we have previously discussed with the applicant and recommended approval of. We therefore consider that Conditions 23 and 24 can be discharged.

Biodiversity

Preliminary Ecological Assessment recommends the creation of log piles for reptiles and amphibians which are not shown on any landscape drawings. These should be positioned along green corridors and around the attenuation pool. [Officer Note: Amended plans have been submitted to show these and a full range of enhancements including bird and bat boxes].

8. DEVELOPMENT PLAN

8.1 The Development Plan for the Borough includes the following:

Site Allocations Local Plan (2013) (SALP)
Core Strategy Development Plan Document (2008) (CSDPD)
'Saved' Policies of the Bracknell Forest Borough Local Plan (2202) (BFBLP)
'Retained' Policies of the South East Plan (2009) (SEP)
Bracknell Forest Policies Map (2013)

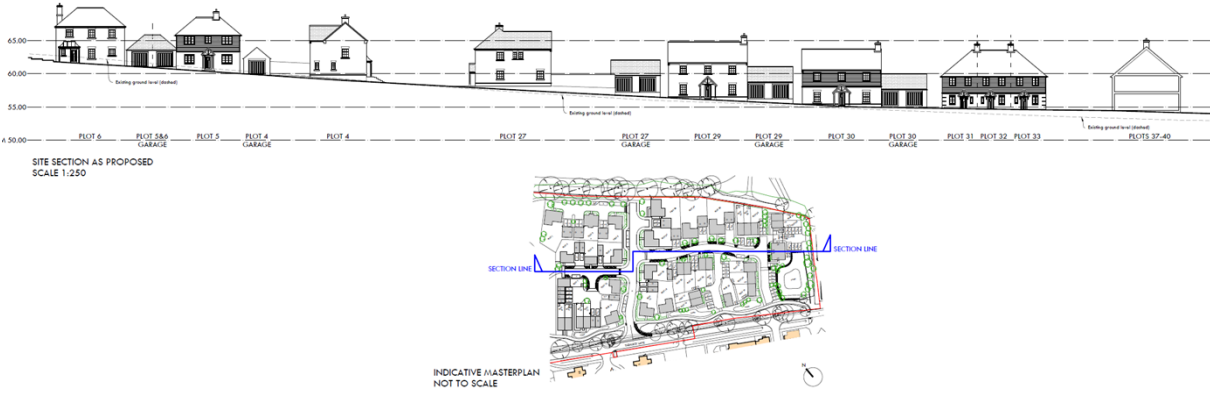
The application site also lies within the designated Binfield Neighbourhood Plan area such that the Binfield Neighbourhood Plan (2016) also applies.

9. PLANNING CONSIDERATIONS

Condition 04 (Finished Floor Levels)

- 9.1 The submitted details indicate the finished floor levels across the site with reference to a fixed datum point as required by Condition 04.
- 9.2 There is a difference of over 10m across the developable part of the site east to west which inevitably leads to a variation in floor levels unless significant re-profiling of the land is envisaged. These floor levels vary across the site with those at the eastern end being set approx. 7.7m lower than those at the western end.
- 9.4 The Inspector, in assessing the outline application, acknowledged this difference in levels and commented:

‘However, although Appeal Site A rises to the north-west, the proposed location of the housing would be at a lower level within the least sensitive well screened area’.
- 9.5 The development currently proposed is located within the same area as shown for development within the indicative layout plan before the Inspector.
- 9.6 The below section across the site demonstrates the visual impact of the proposed development.



- 9.7 This shows that ground levels at the north-western corner of the site have been reduced, with the residual land being supported by a retaining wall which varies in height from 0.15m to 1.2m. This will help to reduce the visual prominence of the development as the land rises. Further changes to ground levels would impact on the original concept of the drainage scheme considered by the Inspector which was based on the principle of water flowing down to the eastern end of the site where it will be captured within the attenuation basin.
- 9.9 Further retaining structures are required throughout the development to accommodate the level changes across the site and some of the properties (e.g. Plots 4, 11, 12 and 13) are accessed by steps to their primary access. However, where level access cannot be achieved at the front of the property, it is provided to the rear from the point where a person is most likely to alight from a car, with a ramped pathway then being provided to the rear access door. This arrangement is consistent with Part M of the Building Regulations.

- 9.10 In instances where there is a change in levels within the rear gardens (e.g. Plots 1, 2, 6, 12, 24 and 27), level platforms have been provided to enable the storage of bins and their easy movement to the front of the property.
- 9.11 The submitted details confirm that all footpaths within the site that provide access to the area of public open space to the west, are of an appropriate gradient to allow access by all users.
- 9.12 Given the topography of the site and the constraints it imposes, it is considered that the details of the finished floor levels are acceptable.

Conditions 11 and 12 - Site Organisation and Working Method Statement

- 9.13 The purpose of conditions 11 and 12 is to ensure the provision of facilities and impose controls that will minimize the impact of the construction works on adjacent occupiers.
- 9.14 As originally submitted, the scheme indicated that construction traffic should be routed from the south-east end of Tilehurst Lane which is the same routing as being used for the construction of the 53no. unit scheme at the eastern end of Tilehurst Lane. It is noted that the letter received from the local resident supports this routing. However, the Highway Officer raised concern about the impact of the development from construction vehicles on local residents at the lower end of Tilehurst Lane which is relatively narrow and which has no footway to the road. It was considered that it would be more appropriate for the development at the upper end of Tilehurst Lane to be accessed from the north-west. Concerns about the narrowness of the road in this area would be mitigated in part by road widening works required under the s278 highway agreement and the presence of the footway. Concerns about impact of deliveries at peak times (e.g. the nursery opening/closing times) have been ameliorated by the submitted scheme specifying that deliveries should be scheduled outside of peak times i.e. before 9am or between 1500 and 1600 hours.
- 9.15 In light of the Highway Officer's concerns, the scheme has been amended in relation to the routing of construction vehicles to the site. The Highway Officer has provided the following comments:

'I have looked at the latest version of the CEMP submitted which is revision B received on the 14th July 2022 and am now content that the changes made to the construction routing have addressed the concerns raised previously. I understand that you have received an objection in relation to the revised routing now arriving and leaving the site from/to the north. Whilst I understand the concern raised it must be seen in the context of the extent of the lane that such vehicles will pass along and the negative impacts that could have. As we know Tilehurst Lane does vary in width along its length and the eastern half of the lane does not have at present any segregated routes for pedestrians. The western end does and as part of the development the width of Tilehurst Lane will be widened over the frontage providing increased space for vehicles to pass each other safely. The combination of these factors do in my opinion make directing the construction traffic and especially larger delivery vehicles this way the safer option to reduce the potential impact on all users of Tilehurst Lane while development is being constructed'.

- 9.16 The Officer has also requested that the plan showing construction vehicle parking within the site be clarified, and subject to receipt of this additional information, it is considered that the amended CEMP is acceptable and will help to minimize the inevitable impact of any construction works on local residents.

Condition 14 – Biodiversity Enhancements

- 9.17 Condition 14 of 17/01174/OUT requires the submission of a scheme for biodiversity enhancements including details showing the location of these enhancements. The Biodiversity Officer noted that, as originally submitted, the details did not show the creation of log piles for reptiles or amphibians as had been recommended in the Preliminary Ecological Appraisal for the site. In response to these comments a revised scheme has been submitted. It confirms that the biodiversity enhancements proposed will include native species planting as detailed on the landscaping plan being considered under the reserved matters application; the creation of swales with appropriate wetland planting; bat and bird boxes to be located on existing trees and new buildings; and log piles and hibernacula for reptiles and amphibians. In addition, the proposed scheme includes measures so as to mitigate the impact of the development on wildlife such as the use of 'hedgehog highways' within the boundary fencing and wildlife friendly kerb stones to be used in all gully pots along the access road.
- 9.18 It is considered that these details address the previous comments of the Biodiversity officer and that the submitted details are acceptable and satisfactorily discharge Condition 14.

Conditions 23 and 24

- 9.19 In refusing outline planning permission 17/01174/OUT the Council initially imposed a holding objection in relation to flood risk and drainage as the submitted information failed to provide sufficient information to demonstrate that the site could be effectively drained.
- 9.20 During the course of the appeal, an amended Flood Risk Assessment and Drainage Strategy (FRADS) was submitted, together with a revised indicative site layout which showed a revised swale feature being accommodated in the south-eastern part of the site. This information, together with appropriate conditions and clauses within the S106 Agreement were considered sufficient to overcome the reason for refusal and it was withdrawn by the LPA.
- 9.21 In allowing the appeal, the Inspector accepted the principles set out in the submitted FRADS which is referred to within Condition 23 of the appeal permission. The current application submits further details of the drainage scheme which are consistent with these principles established.
- 9.22 The drainage scheme shows surface water runoff from the proposed impermeable areas of the development to be drained via a piped network, and a network of swales, to an attenuation basin on the south eastern edge of the site. The attenuation basin will discharge to the Thames Water sewer in Tilehurst Lane at a rate of 9l/s (equivalent to the greenfield runoff rate) which is consistent with the outline and reserved matters approval and has been agreed with Thames Water.
- 9.23 The drainage system has been designed to manage rainfall events up to and including the 1 in 100 year event, including a 40% climate change allowance. Additionally, the applicant has carried out detailed hydraulic modelling of the existing surface water flood risk affecting the site. As a result of this hydraulic modelling, areas of the site shown to be affected by flooding, along the south-eastern boundary, have been left free from development at existing ground levels so that flood risk is not increased off-site.

9.24 The LLFA has confirmed that:

We have reviewed the information submitted in relation to Conditions 23 and 24 and consider this sufficient to demonstrate that surface water runoff from the proposed development, as well as existing surface water runoff can be managed effectively. The submitted information is in accordance with the principles agreed as part of the Reserved Matters application that we have previously discussed with the applicant and recommended approval of. We therefore consider that Conditions 23 and 24 can be discharged.

9.25 In respect of the originally submitted scheme, the Biodiversity Officer required consideration of the design of the drainage features to ensure minimal barriers to wildlife movement and ensure escape routes within SuDS features to avoid entrapment of animals. These issues have been addressed in the shallow gradient of the swales and use of wildlife kerbs at all gully locations which are shown on the submitted plans. On this basis, the submitted details are considered to satisfactorily discharge Conditions 23 and 24.

10. CONCLUSIONS

10.1 The application submits details pursuant to conditions of planning permission 17/01174/OUT relating to finished floor levels, site organisation/working method statement, biodiversity enhancements and drainage. The details are considered acceptable and will ensure that the development is consistent with the terms of the appeal application as approved by the Inspector and will mitigate the impact of the development on the site and adjacent occupiers. Accordingly approval is recommended.

11. RECOMMENDATION

That the application be APPROVED on the basis of the following details:

Condition 04: Finished Floor Levels
ES20.057 -11.11P6 levels and Contours Sheet 1
ES20.057 -11.12P6 levels and Contours Sheet 2

Conditions 11 and 12 Site Organisation and Working Method Statement:
Construction Environmental Management Plan and Method Statement Rev B dated July 2022

Condition 14: Biodiversity Enhancements
Biodiversity Enhancements Plan 23rd May 2022

Condition 23 and 24 Drainage:

ES20.057-11.01 P7 Drainage Layout Sheet 1
ES20.057-11.02 P8 Drainage Layout Sheet 2
Drainage Modelling Information contained in email from Matthew Huggon dated 29.06 .2022
Basin and Swale Plan inc. Wildlife Kerb Detail ES.20.057 17.00 P2

Surface water Catchment Plan ES20.057 04.05 P3
Flood Exceedance Routing Layout ES20.057 13.21 P2
Hydrobrake Detail ES20.057-400.4-P3
Private Drainage Construction Details ES20.057 41.00 P1
Longitudinal Sections Sheet 1 ES20.057 12.01 P3
Longitudinal Sections Sheet 2 ES20.057 12.02 P1

Informative:

1. The applicant's attention is drawn to the terms of Condition 25 of 17/01174/OUT which requires the construction of the eastern balancing pond to be inspected and approved by a suitably qualified Engineer (a chartered engineer with embankment and reservoir design experience) and a verification report including substantiating evidence confirming the satisfactory design and construction of the SUDS Scheme to be submitted to and approved by the LPA.