

Unrestricted Report

ITEM NO: 7

Application No.
21/00044/OUT

Ward:
Winkfield And
Cranbourne

Date Registered:
4 February 2021

Target Decision Date:
1 April 2021

Site Address:

**Oak Tree Nursery Bracknell Road Warfield Bracknell
Berkshire RG42 6LH**

Proposal:

**Outline application for the erection of rural workers dwelling with
associated parking (all matters reserved except for access).**

Applicant:

Mr Chris Helberg

Agent:

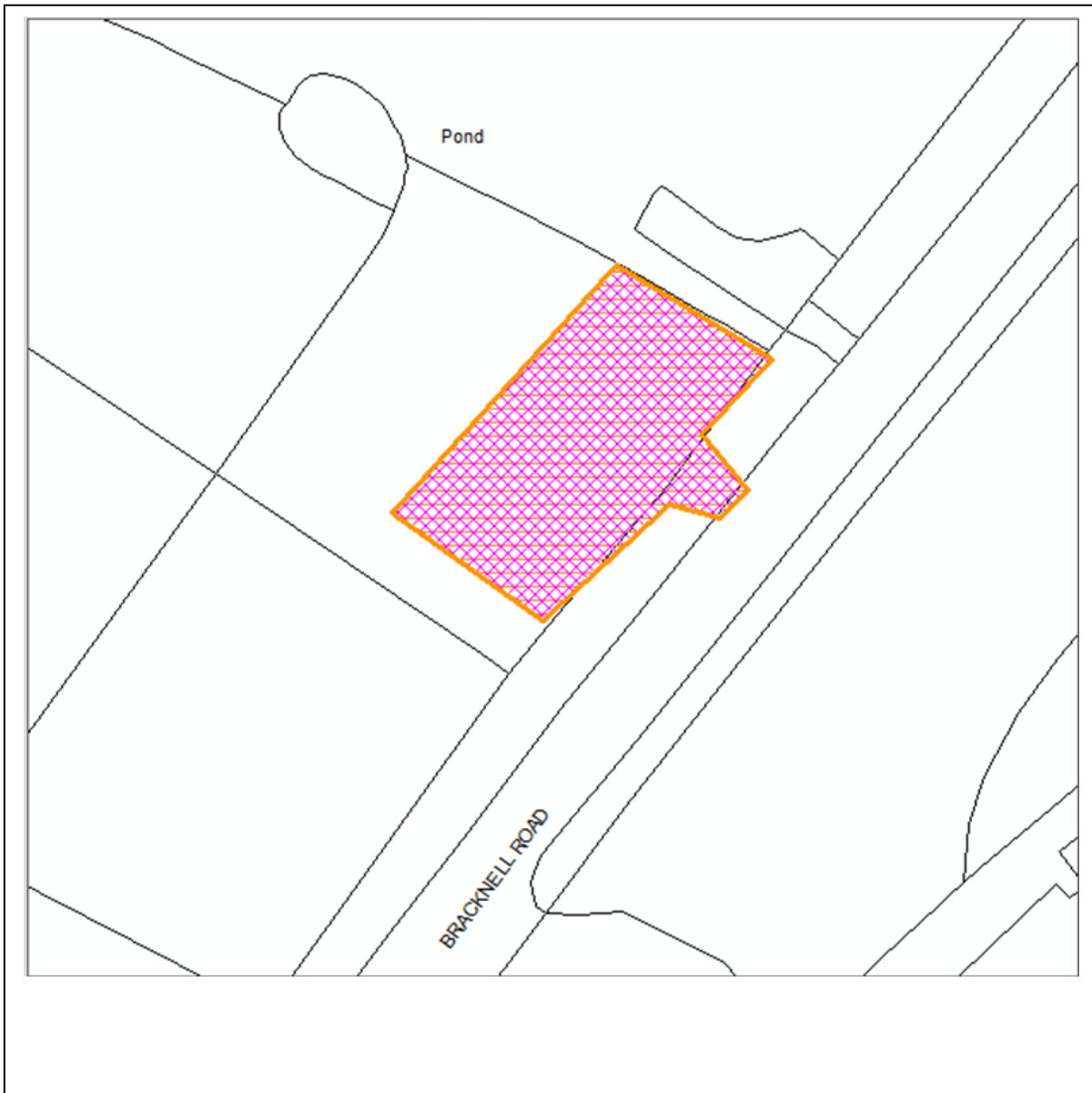
Mr John Hunt

Case Officer:

Sarah Fryer, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1.0 SUMMARY

1.1 This application seeks outline planning consent, with only access being considered at this point, for the erection of a dwelling to provide accommodation for a rural worker in connection with the Oaktree Garden Centre which comprises Oaktree Nursery and World of Water. The site is within the Green Belt where very special circumstances must be demonstrated for a new dwelling in this location. The applicant has provided sufficient information and evidence to demonstrate that there is a need for a worker to live close to the site and the business is sustainable. It is considered that in this case very special circumstances have been demonstrated.

1.2 The Highway Authority has no objection on highway safety ground to the access and the application is considered acceptable in all other regards.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2.0 REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is reported to committee as it was called in by Cllr Dudley so that the principle of development should be decided by committee as this is a Green Belt application.

3.0 PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary Metropolitan Green Belt

3.1 This application seeks outline planning consent for the erection of a new rural workers dwelling, with associated access and curtilage on land to the north-east of Oaktree Garden Centre, Bracknell Road, Winkfield.

3.2 The site consists of a grassed field, separated from Bracknell Road by a hedgerow, the north-eastern boundary is defined by a hedgerow, whilst to the north-west is open grassland, and to the southwest is an overfill gravel carpark serving Oaktree nursery.

3.3 To the southwest of the nursery housing flanks the road whilst opposite is sited Stirrups Hotel and restaurant.

3.4 Bracknell Road is a classified road.

4.0 RELEVANT SITE HISTORY

4.1 The relevant planning history can be summarised as follows:

4.2 19/00008/FUL Retention of the hardsurfacing and proposed remedial works to an area of land used as a temporary overflow car park associated with the garden centre. [Note for Clarification: Class B, Part 4, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 permits the use of any land for any purpose for not more than 28 days in total in any calendar year.] Pending consideration

4.3 11/00090/FUL Section 73 application to erect one detached chalet bungalow and garage. (Amendment of plans approved under permission 619697) without compliance with

condition 04 Planning Permission 620470 (this condition states that the approved dwelling shall not be sold, let, licensed to occupy or otherwise disposed of separately from the land edged in red on plan number 640 121) Approved 17.05.2011
[Application still left property as a tied dwelling for the purposes of agriculture/ forestry]

4.4 17/00980/LDC Certificate of lawfulness for the site as mixed use for the purposes of a garden centre (Retail A1 and horticulture). Approved 09.11.2017

4.5 606671 Outline Application for the erection of 2 detached houses with garages on land adjacent to Miawl Refused 02.02.1982

4.6 619697 Erection of one detached chalet bungalow Approved 01.01.1994
Condition 4 linked it to Oaktree Nursery and condition 5 is an agricultural workers condition.

5.0 THE PROPOSAL

5.1 This is an outline application for the erection of 1no. dwelling and associated access with all other matters reserved.

5.2 An outline planning permission allows for a decision to be made on the general principles of how a site can be developed. Outline planning permission would be granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.

5.3 Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (i.e. they can be 'reserved' for later determination). These are defined in article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

(i) 'Access' - the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

(ii) 'Appearance' - the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

(iii) 'Landscaping' - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

(iv) 'Layout' - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

(v) 'Scale' - the height, width and length of each building proposed within the development in relation to its surroundings.

5.4 As such, this application seeks outline consent for the erection of a single dwelling house to house a rural worker in connection with the adjacent businesses at Oaktree Nursery.

5.5 A reserved matters application, to be made at a later date, will then seek approval for details of appearance, landscaping, layout and scale of the development.

5.6 An indicative layout, elevations and floor plan has been submitted showing a four-bedroom dormer bungalow style dwelling. The planning statement states that at least 2 off-street parking spaces will be provided, indicating that the proposed property will be at least 3 bedrooms.

6.0 REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 The site lies within the Green Belt and Winkfield Parish Council does not believe that any special circumstances apply as no crime has been reported in relation to the site.

Warfield Parish Council

6.2 Has submitted observations supporting the comments submitted by Winkfield Parish Council. In addition, the Councillors have concerns regarding the access being located so close to the existing access.

Other responses

6.3 CPRE Berkshire objects for the following reasons:

- The Green Belt has been identified as being at particular risk from encroachment at this point.
- Encroachment is already evident on nearby PDL sites, whereas this is a greenfield site, outside the village envelope and the Green Belt. It is therefore important to keep this site open.
- There are not details supplied of scale or appearance and without this information would represent an adverse impact upon the openness of the Green Belt and the impact should be considered to be substantial.
- Policy supports rural exception housing, but this proposal would not meet that criteria.
- VSC based upon the argued essential need for the dwelling do not stand up to scrutiny and do not outweigh harm to the Green Belt.
- The application for planning in principle without detail of what is proposed means impact on the character and appearance of the countryside and neighbourhood cannot be assessed.

6.4 4 comments from different addresses have been received in support of the application. These state:

- Can see no reason why the applicant can't be housed upon the site.
- Can attest that the large site is at significant risk from theft, having suffered the consequences ourselves. Their alarm regularly goes off, resulting in complaints from residents and loss of business to us, as it takes a considerable amount of time for a staff member to attend the site.
- This will assist the garden centre.

7.0 SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection subject to conditions.

Biodiversity

7.2 No objection, conditions recommended

8.0 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and associated policies are:

	Development Plan	NPPF
Principle of Development	CSDPD Policies CS1 and CS2	Consistent
Design & Character	CSDPD Policy CS7 and BFBLP 'Saved' Policy EN20	Consistent
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent
Residential Amenity & Pollution	'Saved' Policies EN20 & EN25 of BFBLP	Consistent
Transport	CSDPD Policy CS23 and BFBLP 'Saved' Policy M9	Consistent
Green Belt	BFBLP GB1	Not fully consistent
Biodiversity	CSDPD Policies CS1 & CS7 WNP13	Consistent
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent
SPA	CS14 of CSDPD BFBLP 'Saved' Policy EN3 SEP 'Retained' Policy NRM6	Consistent
Supplementary Planning Documents (SPD)		
Design SPD (2017) Parking Standards SPD (2016) Sustainable Resource Management SPD (2008) Thames Basin Heaths SPA SPD (2018)		
Other publications		
National Planning Policy Framework (NPPF) 2021) National Planning Policy Guidance (NPPG) BFC CIL Charging Schedule		

9.0 PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Transport and Highways Considerations
- iv. Biodiversity
- v. Community Infrastructure Levy

i. Principle of Development

9.2 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, which is supported by the NPPF (para. 2). Section 13 of the NPPF contains specific policies relating to development within the Green Belt. Paras.147-150 set out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). The Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt.

9.3 Policy CS1 of the CSDPD sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes. This is consistent with the NPPF and as such can be afforded full weight.

9.4 Policy CS2 of the CSDPD states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

9.5 The site is located outside of a defined settlement on the Bracknell Forest Borough Policies Map (2013) and within the Green Belt. Therefore, Policy CS9 of the CSDPD and 'Saved' Policies GB1 and EN8 of the BFBLP are relevant. These policies seek to protect the Green Belt from inappropriate development.

9.6 Policy CS9 of the CSDPD states that the Council will protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land, and will protect the Green Belt from inappropriate development. In addition to this, it is stated in 'Saved' Policy EN8 of the BFBLP that development would only be permitted outside of the defined settlement boundaries where it would not damage its landscape quality and would not injure the visual amenities for the Green Belt.

9.7 Paragraph 149 of the NPPF states that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm in the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.' Paragraph 149 states that the 'local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agricultural or forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in a disproportionate additions over and above the size of the original building;
- d) the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which

would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.8 Paragraph 150 also provides the following exceptions to inappropriate development:

- a) Mineral extraction
- b) Engineering operations
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt Location.
- d) the re-use of buildings providing the buildings are of permanent and substantial construction
- e) material change in the use of land (such as change of use for outdoor sport or recreation for cemeteries or burial grounds).
- f) development buildings, brought forward under a community Right to Build Order or Neighbourhood development Order.

9.9 'Saved' Policy GB1 of the BFBLP relates to building within the Green Belt. This policy states that approval will not be given, except in very special circumstances for any new building in the Green Belt unless it is acceptable in scale, form, effect, character and siting, would not cause road safety or traffic generation problems and is for certain types of development, including the replacement, alteration or limited extension of existing dwellings. However, reduced weight is given to GB1 as it is not in full conformity with the NPPF.

9.10 This application will only consider the principle of the proposal within the Green Belt.

9.11 The proposed new dwelling house does not meet any of the exceptions listed in the NPPF and is therefore inappropriate development in the Green Belt. This means that it would only be acceptable if a case for Very Special Circumstances (VSC) can be demonstrated.

Impact upon the Openness of the Green Belt

9.12 The NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open.

9.13 The introduction of a dwelling to this location will harm the openness of the Green Belt. It is considered that an assessment of the impact on openness can be made at this stage based on the known site parameters and the ability of the planning authority to control the exact location, scale and design of the proposal through a subsequent reserved matters application.

9.14 An informative is proposed stating that any subsequent reserved matters application(s) should demonstrate how the proposed dwelling in terms of its scale, siting and design minimises harm to the openness of the Green Belt.

Consideration of Very Special Circumstances (VSC)

9.15 The proposal is for a dwelling to provide accommodation for a rural worker associated with the neighbouring Oaktree Garden Centre. It is considered that if a case for a rural worker's dwelling can be demonstrated, then that could be VSC.

9.16 A specialist consultant was employed by the planning authority to examine and interrogate the applicant's need and justification for a rural worker's dwelling in association with Oaktree Nursery. This also ensured that the business is financially viable.

9.17 Paragraph 80 of the NPPF provides guidance in respect of isolated homes in the countryside. Paragraph 80, states that:

'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking the majority control of a farm business, to live permanently at or near their place of work in the countryside.'

9.18 Paragraph 84 the NPPF discusses the rural economy in that:

'planning policies and decisions should enable:

a) the substantial growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) the development and diversification of agricultural and other land based rural businesses....

9.19 Further guidance in respect of homes for rural workers is provided with the Planning Practice Guidance (PPG) published in 2019 (it makes reference to paragraph 79 as opposed to paragraph 80 which was changed in the 2021 NPPF update).

'Considerations that it may be relevant to take into account when applying paragraph 79a of the NPPF could include:

- evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);*
- the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period..."*

9.20 The above can be analysed by considering:

- The degree to which there is confidence that the enterprise will remain viable for the foreseeable future
- Provision of the dwelling on-site or in the immediate vicinity is essential for the operation of the business as evidenced by a genuine functional need
- Whether alternative suitable accommodation exists or could be made available on established buildings on the site or elsewhere.

The degree to which there is confidence that the enterprise will remain viable for the foreseeable future

9.21 The site consists of three separate companies, Oaktree Garden Centre Online Limited, World of Water and Oaktree Nursery (who grow and sell stock). The land is owned by Mr John Went who is a director of Oaktree Garden Centre Online Ltd. and World of Water and Oaktree Nursery as a sole trader. They are all family businesses. There has been an established nursery and garden centre on the site for in excess of 20 years.

9.22 Oaktree Garden Centre Online limited was incorporated on 20th March 2013. Mr John Went and Mr C Helberge (the applicant) are named as two of the directors (Mr C Helberge is Mr Went's stepson). Financial accounts have been provided for the period to 31st December 2020 including part year figures to September 2021. Other accounts are available on the Companies House web site. Whilst losses have been returned in recent years, an operating profit was shown in 2019, with profit also made in 2017. It is noted that the latest accounts published by Companies House, whilst showing an operating loss, show that the turnover had returned to pre- pandemic levels and the applicant was confident of returning an operating profit in next financial year.

9.23 Accounts have also been submitted for World of Water and Oaktree Nursery.

9.24 World of Water returned a profit in 2019, a loss in 2020 and returned to profit in 2021. The loss in 2020 is explained by the Covid 19 pandemic and restrictions placed upon the retail industry.

9.25 Oaktree Nursery returned profits in 2019, 2020 and 2021 although some of these were small.

9.26 The emerging local plan policy LP 39 requires the rural enterprise to have been established for 3 years and profitable for one to demonstrate that the business linked to the rural dwellings was sustainable. Whilst the Garden Centre has returned losses in the last two years, World of Water returned a loss in 2020, it was back in profit in 2021 and had returned a profit in 2018. The pandemic was given as the reason for this and this is not disputed. It is noted that once shops were allowed to open, a profit returned and it is a well established business..

9.27 Whilst some of the profits are small, the companies on the site have returned profits for at least three of the last four years. The garden centre and nursery have been long established upon the site and whilst World of Water has not been on this site for as long, it was re-located from another site and so is also well established. Given this, it is considered that the businesses are sustainable. This is confirmed by the Council's specialist advisors.

Provision of the dwelling on-site or in the immediate vicinity is essential for the operation of the business as evidenced by a genuine functional need

9.28 Detailed information regarding the operations of both Oak Tree Nursery and World of Water, in respect of stocks kept on the site and both the automated and manual systems in place to preserve that stock has been submitted. Information regarding current response times and procedures currently in place to deal with incidents had been supplied along with losses sustained.

9.29 World of Water carry stocks of live fish, some of which are tropical and hence require specific temperatures to be maintained. A small change in water temperature can result in the health of fish deteriorating and ultimately stock being lost.

9.30 The nursery grows garden plants from seed to either sell on site or wholesale. The seedlings are raised within heated polytunnels to protect them from frost. The heaters are manually operated and if they fail during spells of frost, they have to be manually re-set and plants and stock could begin to be affected within 30 minutes.

9.31 It is these two enterprises within the site which provide the need for someone to live in close proximity to the site to ensure the effective operation of a land based rural enterprise, to protect the health and well-being of animals and to deal quickly with emergencies which

could cause serious loss of products. It is considered that these support a need for a full time worker to live on or very close to the site.

9.32 It is noted that a residential presence and improvements for both enterprises could effectively mitigate losses. Therefore, having regard to the scale of the enterprises and evidence provided, it is considered that there is justification for one residential presence on site or in the immediate area. This is confirmed in the advice provided by the Council's specialist advisors.

Whether alternative suitable accommodation exists or could be made available on established buildings on the site or elsewhere.

9.33 There is no existing dwelling upon the site.

9.34 A residential property next to the nursery is within family ownership and it is understood that this is occupied by Mr John Went, a Director in Oaktree Garden Centre Online. It has been stated that whilst he has management input, he has stepped back due to health reasons and hence is not able to address the functional requirements of the business. There is case law where it has been found that upon retirement a worker was entitled to remain in a dwelling serving the business rather than the dwelling being made available to another worker who could meet the essential needs of the business.

9.35 A search on rightmove by the specialist advisor has been undertaken and established that there are no properties suitable for a rural worker to rent or buy in the area.

9.36 In conclusion it is considered that it has been demonstrated that there is a need for a worker to deal with emergencies within the site out of hours and that the businesses from which the need arises are sustainable and well established. Apart from the dwelling occupied by Mr. John Went, there are no other suitable dwellings local to the site.

Green Belt Balance

9.37 The proposed dwelling is considered to be inappropriate development within the Green Belt in accordance with the NPPF, and would therefore result in harm due to its inappropriateness including harm to the openness of the Green Belt. The NPPF establishes that substantial weight should be given to any harm to the Green Belt and development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.

9.38 The applicant has justified an essential need for a worker to deal with emergencies within the rural enterprise site out of hours and that the businesses from which the need arises are sustainable and well established. There are also no other suitable and available dwellings local to the site. The applicant has provided an indicative plan showing a dormer style bungalow.



Indicative elevation of proposed dwelling

9.39 The evidenced business requirements and lack of suitable alternative accommodation are considered to represent VSC and carry very significant weight in favour of the application. In this instance the VSC are considered to be of sufficient weight to outweigh the harm to the openness of the Green Belt.

ii. Impact on Character and Appearance of Surrounding Area

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

9.41 Bracknell Road is characterised by linear residential development and whilst the proposal would be in a gap in this development it is not considered that the proposal would be out of character with other development within the area.

9.42 The materials, scale, siting and landscaping would be considered at the reserve matters stage.

iii. Transport and Highways Considerations

9.43 Bracknell Road, the B3022 is a classified road. The proposal includes a 3.6m wide access with dropped kerb from this road which would be appropriate for a single residential dwelling.

9.44 Any gates should be set back at least 6.0m from the highway of B3022 Bracknell Road and open inwards into the site, to ensure that a vehicle can wait off the adopted highway for the gates to open. Visibility splays of 2.4m by 43m in each direction should be provided at the access and shown on any subsequent drawings submitted.

9.45 As B3022 Bracknell Road is on the classified road network, the access will need to be included in the description of development. A Section 278 agreement with the Highway Authority may be needed, depending on the extent of the access and culvert works, or a

minor works licence may be appropriate if the scale of works is smaller. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

9.46 Accordingly, the Highway Authority has no objection to the proposal, subject to conditions being imposed.

iv. Biodiversity

9.47 Policy CS1 of the CSDPD seeks to protect and enhance biodiversity, whilst paragraph 180 of the NPPF provides principles local authorities should apply in determining applications.

9.48 The application site comprises an area of species-poor, semi-improved grassland, with tall ruderal and introduced shrubs with hedges along the southeast boundary with the road and to the southeastern side adjoining the garden centre.

9.49 The site is located within the Green Belt with a garden centre to the south, open fields to the north and east and a small pond 40m to the northeast of the proposed site.

9.50 An Ecological Assessment of the area of land associated with Oak Tree Nursery was carried out in March 2021 by Derek Finnie Associates Ltd including an Extended Phase 1 Habitat survey of the Site.

9.51 Following previous comments on the lack of detail and evidence within the initial reports, the applicant has provided an amended reptile report which contains photos and further details regarding the reptile survey method undertaken, including a map showing locations of refugia and the dates and times when the refugia were checked. This provides sufficient information to confirm that the surveys were undertaken with appropriate methods and support the conclusion that reptiles are absent from the site.

9.52 In accordance with Policy CS1 of the CSDPD, it is concluded that the proposal would not have a detrimental effect upon biodiversity and ecological enhancements should be secured by condition.

v. Community Infrastructure Levy (CIL)

9.53 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the Borough and the type of development.

9.54 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including those that involve the creation of additional dwellings. The proposal would be CIL liable. This will be secured in accordance with relevant legislation and would go towards infrastructure projects.

10.0 CONCLUSIONS

10.1 The application seeks consent for the principle of, and access to, a single dwelling to be used by a worker associated with the businesses run at Oaktree Garden Centre. The applicant has demonstrated that there is a need for an employee to be close to the site to respond to emergencies which may affect the health and well-being of livestock, in this case fish and other aquatic livestock as part of the World of Water business and to a lesser extent

the significant loss of stock through the failure of heaters used to grow bedding plants as part of Oaktree Nursery. This is in accordance with national policy.

10.2 The proposal for a new dwelling in the Green Belt is classed as inappropriate development in accordance with Section 13 of the NPPF. However, the harm to the Green Belt caused by inappropriateness and other considerations is considered to be clearly outweighed by the benefits of the proposal in providing improved security and protection of stock. This is therefore considered to comprise Very Special Circumstances (VSC), to justify approving the principle of a new dwelling in the Green Belt.

10.3 There are no objections on either highways or biodiversity grounds. The siting, scale and layout and landscaping will be submitted later as reserved matters and are not for consideration under this application. An informative is proposed stating that any subsequent reserved matters application(s) should demonstrate how the proposed dwelling in terms of its scale, siting and design minimises harm to the openness of the Green Belt.

10.4 It is therefore considered that the proposed development complies with 'Saved' policies GB1, EN1, EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.

11.0 RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

01. Approval of the details of the scale of the buildings, the layout, appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the reserved matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
04. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 4th February 2021 by the Local Planning Authority,
Oaktree Nursery - Rural Workers Dwelling Site Location Plan.
Oaktree Nursery - Rural Workers Dwelling Site Plan.
Oaktree Nursery - Rural Workers Dwelling Site Plan (highway details)
REASON: To define the permission.
05. Any gates provided shall open away from the highway and be set back a distance of at least 6.0 metres from the edge of the carriageway of the adjoining highway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

06. No development (other than the construction of the access) shall take place until the access has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. Prior to the commencement of development details of the proposed vehicles access including showing visibility splays of 2.4m by 43m in each direction along Bracknell Road shall be submitted to and approved in writing by the Local Planning Authority. No other part of the development hereby permitted shall be commenced before the proposed vehicular access is formed. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway and maintained clear of any obstruction exceeding 0.6 metres in height at all times.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
08. No building hereby permitted shall be occupied until associated cycle parking and vehicle parking and turning space has been provided in accordance with details approved as part of a Reserved Matters application. The spaces shall not thereafter be used for any purpose other than parking and turning.
REASON: To ensure that the development is provided with adequate parking and turning in the interests of highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
09. No development shall commence 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.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
10. The occupation of the dwelling shall be limited to a person solely working, or last working, at the Oaktree Garden Centre, Oaktree Nursery and World of Water (Bracknell), or a widow or widower of such person, and to any resident dependents.
REASON: The site is located within the Green Belt where it is the policy of the Local Planning Authority to restrict severely the erection of new dwellings and planning permission is only granted because the dwelling is intended to serve the needs of a rural worker specific Oaktree Garden Centre.
[Relevant Policies: BFBLP GB1, Core Strategy DPD CS9]
11. The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
12. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least

10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

13. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). The surface water drainage works shall be completed before occupation of the dwellings/buildings hereby permitted and shall be operated and maintained as such thereafter.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.

[Relevant Policies: CSDPD CS1, BFBLP EN25]

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, E, and F of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASONS: The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply.

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

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 02. Time
 03. Time
 04. Plans considered
 05. Gates set back.
 08. Cycle Parking and turning
 10. Rural workers tie
 13. Sustainable Urban Drainage.
 14. Removal of PD rights.

The following conditions require discharge prior to the commencement of the dwelling hereby approved:

01. REM details
 06. Access construction
 07. Visibility splays
 09. Bio-diversity enhancements
 11. Sustainability statement
 12. Energy demand assessment
03. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknellforest.gov.uk , to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out
 04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations, the Party Wall Act or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
 05. Any subsequent reserved matters application(s) should demonstrate how the proposed dwelling in terms of its scale, siting and design minimises harm to the openness of the Green Belt.