

**PLANNING COMMITTEE
14 SEPTEMBER 2023
6.30 - 9.10 PM**



Present:

Councillors Brown (Chair), O'Regan (Vice-Chair), Barnard, Collings, Frewer, Hayes MBE, McKenzie-Boyle, Penfold, Smith, Gaw and Virgo

Present Virtually:

Councillor Eggleston

Apologies for absence were received from:

Councillor Karim

Visiting Councillors Present:

Councillors Gaw and Virgo

22. Minutes

RESOLVED that the minutes of the meeting held on 17 August 2023 be approved as a correct record.

23. Declarations of Interest

Councillor Smith declared an Affected Interest in Item 7: Land West Of Maize Lane and East Of Old Priory Lane (Land Parcel 3) Warfield, Bracknell as both he and his employer had provided professional support to a subsidiary of the applicant within the last two years and would withdraw from the meeting for the consideration of this item.

24. Urgent Items of Business

There were no Urgent Items of Business

25. PS 19/00009/OUT White Gates Mushroom Castle Winkfield Row, Bracknell, Berkshire, RG42 7PL

Outline application for the erection of up to 42no. dwellings, ancillary infrastructure and open space with vehicular access from Gardeners Road (all matters reserved except for details of access) following the demolition of existing dwelling and associated outbuildings.

The Committee noted that:

- The Supplementary Report tabled at the meeting.
- The comments from Winkfield Parish Council as detailed in the report.
- The 72 objections received as summarised in the agenda.

- That a site visit had taken place on 9 September with the following Councillors in attendance: Councillors Barnard, Brown, Collings, Hayes, O'Regan, Penfold and Smith
- The representations of the two public speakers at the meeting
- The representations from Councillors Gaw and Virgo
- An additional 33 objections, 2 letters making general representations and 1 letter of support as summarised in the supplementary report
- The Officer's verbal confirmation that further 6 objections had been received since the publication of the Supplementary Report

RESOLVED that following the completion of a planning obligation under Section 106 of the Town and Country Planning Act, 1990, relating to the following measures:

- A minimum of 35% (15 dwellings) with a mix that generally reflects the type and size of market housing
- A financial contribution towards improvement and maintenance of community facilities at Carnation Hall
- Provision of pedestrian/cycle access to Chavey Down Road through adjacent Carnation Hall land or along Mushroom Castle including financial contributions in-lieu of off-site works
- On-site Biodiversity Net Gain maintenance obligations and Monitoring Fee.
- SuDS maintenance obligations and monitoring fee.
- Provision of a minimum of 0.22 hectares on-site Open Space of Public Value (OSPV) and commuted maintenance sum if to be transferred to the Council and provision or contributions towards Active OSPV
- SANG and SAMM contributions
- Requirement to enter into s278 and s38 agreements for construction of access road and subsequent adoption including commitment to the construction of a turning head at the end of Mushroom Castle, within the red line of the application site, for refuse vehicles.
- Reptile mitigation contribution to compensate for loss in extent of habitat
- Contribution towards off-site BNG units
- Highways provisions for Private Access and Footways maintenance
- S106 Obligation monitoring fees

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

01. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
02. Approval of the 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.

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 shall be carried out in accordance with the following plans and other submitted details received by the Local Planning Authority:

Site location plan TOR-XX-ZZ-DR-A-SK007
Flood Risk Assessment & Development Drainage Strategy Rev B
SS/18/0820/577 dated May 2019
Biodiversity Metric 4.0 received 16.08.2023
Ecological Impact Assessment Windrush Ecology, August 2023
REASON: To ensure that the development is undertaken only as approved by the Local Planning Authority.
05. No development (including demolition) other than the construction of the access shall take place until the vehicular access onto Gardeners Road has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such details are required to be in general accordance with Access Option A set out in the Transport Statement Rev A 19/0245/5777/KRS dated 12th June 2019 and to take into account the arboricultural and ecological implications of its construction.
REASON: In the interests of highway safety and given the potential impact of the construction of the access road on the adjacent Local Wildlife Site.
06. The means of vehicular access and egress to the permitted residential development shall be from Gardeners Road only (including for demolition and construction traffic) and there shall not be any vehicular access (including during demolition and construction) via Mushroom Castle.
REASON: In the interests of highway safety.
07. No gates shall be provided at the vehicular access to the site.
REASON: In the interests of highway safety.
08. No development (including any demolition or site clearance) shall take place, until Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include as a minimum:
- i. Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
 - ii. Details of the parking of vehicles of site operatives and visitors;
 - iii. Areas for loading and unloading of plant and materials;
 - iv. Areas for the storage of plant and materials used in constructing the development;
 - v. Location of any temporary portacabins and welfare buildings for site operatives;
 - vi. Details of any security hoarding;
 - vii. Details of any external lighting of the site;
 - viii. Details of the method of piling for foundations;
 - ix. Measures to control the emission of dust, dirt, noise, odour and other effluvia during demolition and construction;

- x. Measures to control surface water run-off during demolition and construction;
- xi. Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- xii. Details of wheel-washing facilities during both demolition and construction phases; and
- xiii. Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn within the site and leave the site in a forward gear;
- xiv. Measures to control rats and other vermin

The areas proposed within the CEMP for the activities set out in (i) to (xiv) above shall be located so as to maintain access and sufficient parking for existing residents in the surrounding area at all times.

The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.

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

09. No dwelling shall be occupied until:

- a) a means of vehicular access; and
- b) a means of access to it for pedestrians and cyclists; and
- c) vehicle parking spaces and space for cycle parking;

have been constructed in accordance with details to be submitted and approved by the Local Planning Authority pursuant to condition 2 of this permission. Such access and parking spaces shall thereafter be retained.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking and in the interests of the accessibility of the site to pedestrians, cyclists and vehicles.

[Relevant Policies: BEBLP M6, Core Strategy DPD CS23]

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

REASON: In the interests of the archaeological and historical heritage of the Borough.

11. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or public holiday.

REASON: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

12. The development hereby approved shall not commence until an asbestos remediation method statement has been submitted to and approved in writing by the Local Planning Authority. The report should include details of:

- source and extent of asbestos across the site, and
- remediation measures to be taken

Works shall be carried out in accordance with the approved 'remediation method statement' and a final validation report shall be submitted to the Local Planning Authority before any dwelling on the site is occupied.

REASON: To protect future occupiers and users of the site from the harmful effects of asbestos.

13. If contamination is found at any time during site clearance, groundwork and construction the discovery shall be reported as soon as possible to the local planning authority. A full contamination risk assessment shall be carried out and if found to be necessary, a 'remediation method statement' shall be submitted to the local planning authority for written approval. Should no evidence of contamination be found during the development a statement to that effect shall be submitted to the local planning authority.

REASON: To protect future occupiers and users of the site from the harmful effects of contamination.

14. Works shall be carried out in accordance with the approved 'remediation method statement' (submitted to comply with condition 13) and a final validation report shall be submitted to the local planning authority before the first occupation of any dwelling hereby permitted.

REASON: To protect future occupiers and users of the site from the harmful effects of contamination.

15. Any application for the approval of landscaping as a Reserved Matter shall include full details of both hard and soft landscape works. These details shall include:

- i) proposed finished ground levels or contours,
- ii) comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations,
- iii) Details of tree planting,
- iv) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.),
- v) Means of enclosure (hedges, walls and fences etc) which should provide for the free movement of wildlife to and from the site,
- vi) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, parking courts, play areas etc. with details of proposed materials and construction methods,
- vii) The siting, layout and equipment proposed for any Open Space of Public Value
- viii) Furniture, play equipment, refuse or other storage units, signs, lighting etc.
- ix) The creation of new water features and associated habitats
- x) Any other landscape features
- xi) Comprehensive 5 year post planting maintenance schedule

All planting comprised in the soft landscaping works as may be approved under the relevant Reserved Matters applications shall be carried out and completed in full accordance with the approved details in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved

development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of Practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: - In the interests of good landscape design and the visual amenity of the area. [Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

16. Prior to commencement of any development above slab level, samples of the external materials to be used in the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials.

REASON: In the interests of the visual amenities of the area. [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

17. Prior to commencement of any development above slab level, a sustainability statement for water efficiency setting out measures to achieve an average water use in new dwellings of 110 litres/person/day shall be submitted to and be approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details and an agreed programme and shall be maintained and retained thereafter.
REASON: In the interests of sustainability.

18. Prior to commencement of any development above slab level, details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area. [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

19. No dwelling hereby permitted shall be occupied until their associated bin storage and access has been implemented in accordance with the details approved as Reserved Matters. All stores and accesses shall thereafter be kept available for refuse storage at all times.
REASON: To ensure the provision of satisfactory waste storage facilities in the interests of amenity.

20. Prior to the commencement of any development on site, details of Tree Protection based on the Draft Tree Protection Plan included at Appendix 4 of the submitted Tree Survey Report and providing a scheme for the protection of existing trees, hedgerows and groups of mature shrubs shown to be retained on the approved drawings, in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), shall be submitted to and approved in writing by the Local Planning Authority. Details shall include an approved development layout plan at a minimum scale of 1:200 and show the following:-

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal; shown clearly with a broken line.
- d) Proposed locations of protective barriers, that are a minimum height of 2.0 metres and supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 2) and which include appropriate weatherproof signage (such as "Keep Out - Construction Exclusion Zone") affixed at regular intervals to the outside of the protective fencing structure.
- e) Illustrations of the proposed protective barriers to be erected.
- f) Proposed location and illustration of ground protection measures within the root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent ground compaction and contamination.
- g) Annotations at regular intervals, of the minimum protective distances between barriers and trunks of retained trees.
- h) All fenced-off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

Tree protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works/building construction works/hard landscaping works.

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

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]

21. The protective fencing and other protection measures specified by condition 20 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following:
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.

- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above;

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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

22. No dwelling hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No dwelling shall be occupied until the approved cycle parking for that unit has been provided, in full accordance with the approved details, and the facilities thereby provided shall thereafter be retained.

REASON: In the interests of accessibility of the development to cyclists. [Relevant Policies: SEP T4, BFBLP M9, Core Strategy DPD CS23]

23. The development (including site clearance and demolition) 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:
- methods to avoid killing, injury or disturbance to bats during development
 - provision of temporary roosts during construction
 - provision of replacement roosts
 - 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, unless varied by a European Protected Species license subsequently issued by Natural England. In the interests of securing the maximum benefit for biodiversity any variation of the agreed mitigation required by Natural England must not result in the reduction in the quality or quantity of mitigation/compensation provided. Agreed features for roosting bats shall be permanently installed in accordance with the approved details. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved confirming the implementation of the approved measures.

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

24. If more than 3 years elapse between the previous protected species surveys and the due commencement date of works, updated protected species surveys shall be carried out by a suitably qualified ecologist. 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. Any revised mitigation

measures identified shall be implemented in full accordance with the approved report.

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

25. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the practical completion of the development. The content of the LEMP shall include the following:
- a) A final plan showing the type, quantity and location of biodiversity units to be delivered on site using UKHabs types. The plan should be substantially in accordance with the 'Habitats post development' plan within the Ecological Assessment (Windrush Ecology, August 2023) as already submitted
 - b) A final Biodiversity Metric showing the calculations for the type, quantity and condition of habitats. The metric should be substantially in accordance with the Biodiversity Metric as already submitted
 - c) Ecological trends and constraints on site that might influence management
 - d) Aims and objectives of management including biodiversity net gain target habitat types and condition
 - e) Appropriate management options for achieving aims and objectives
 - f) Prescriptions for management actions
 - g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - h) Details of the body or organization responsible for implementation of the plan
 - i) On-going monitoring and remedial measures

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the predicted biodiversity net gain of the originally approved scheme as shown in the biodiversity metric.

The approved plan will be implemented in accordance with the approved details.

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

26. 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. An ecological site inspection report shall be submitted within three months of the first occupation of any dwelling hereby approved.
- The approved scheme shall be performed, observed and complied with.
- REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

27. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging development activities
 - b) identification of "biodiversity protection zones"
 - c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during development (may be provided as a set of method statements)
 - d) the location and timing of sensitive works to avoid harm to biodiversity features
 - e) the times during development when specialist ecologists need to be present on site to oversee works
 - f) responsible persons and lines of communication
 - g) the role and responsibilities on site of an ecological clerk of works or similarly competent person
 - h) the use of protective fences, exclusion barriers and warning signs
- The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the development period strictly in accordance with the approved details.

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

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans with vertical calculation planes and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

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

29. Works shall be carried out in accordance with the details contained in Appendix 7. Reptile Mitigation Strategy within the Ecological Assessment (Windrush Ecology, August 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. An ecological site inspection report shall be submitted prior to practical completion of any dwelling hereby approved confirming the implementation of the approved works.

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

30. No development shall take place until full details of the Drainage System in accordance with Flood Risk Assessment & Development Drainage Strategy Rev B Ref SS/18/0820/5777 Dated May 2019 has been submitted to and approved in writing by the Local Planning Authority.
This shall include:
- i) Results of intrusive ground investigations demonstrating the depth of the seasonally high groundwater table.
 - ii) Calculations demonstrating the drainage design can accommodate the design rainfall using FEH rainfall data
 - iii) Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table.
 - iv) Where offsite discharge into public sewers is proposed, Thames Water consent to discharge at proposed discharge rate.
- iii) Confirmation of the gully spacing calculations to demonstrate that they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.
- The development shall be carried out in accordance with the approved details.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with policy CS1 of the Core Strategy.
31. No development shall commence until full details of measures to protect all proposed dwellings from the risk of surface water flooding has been submitted to and approved in writing by the Local Planning Authority. Where natural flow paths would be affected as a result of the proposal, an assessment shall be made and full details of mitigation measures to protect affected proposed dwellings from risk of surface water flooding with due consideration to avoid increasing risk of flooding downstream, shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with policy CS1 of the Core Strategy.
32. No development shall commence until details of how the surface water drainage system (inclusive of flood mitigation measures) shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with policy CS1 of the Core Strategy.
33. Development shall not commence (excluding demolition and site clearance) 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.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with policy CS1 of the Core Strategy.

34. No occupation of any dwelling shall take place until a verification report by an independent body, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented to serve the particular property, has been submitted to and approved in writing by the local planning authority. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes, cover systems.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
35. No dwelling hereby permitted shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
36. No dwelling hereby permitted shall be occupied until a copy of the consent from the sewerage undertaker confirming that sufficient capacity exists within the public sewerage infrastructure for the proposed foul water connection and agreeing to the connection being made, has been submitted to, and confirmed in writing by, the Local Planning Authority.
REASON: To ensure that the disposal of foul water is appropriately provided for the development prior to its initial occupation in accordance with policy CS1 of the Core Strategy.

In the event of the S106 agreement not being completed by 31st December 2023, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons:

01. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).
02. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to 'Saved' Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD, the resolution on affordable housing made by BFC Executive on 29 March 2011, and the NPPF.
03. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, community facilities and public open space. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway measures, open space, and community facilities, the proposal is contrary to Policies R5 and M4 of the

Bracknell Forest Borough Local Plan and CS6, CS8, and CS24 of the Core Strategy Development Plan Document and to the Planning Obligations SPD and the NPPF.

04. In the absence of a planning obligation to secure a biodiversity net gain which would deliver measurable improvements for biodiversity by creating or enhancing habitats in association with the development the proposal is contrary to paras 8c and 170d of the NPPF.
05. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off which would be maintained for the lifetime of the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, the Flood Risk and Coastal Change PPG updated 15/04/2015, and the NPPF.

26. **PS 23/00410/FUL Tesco Stores Ltd Whitton Road, Bracknell, Berkshire, RG12 9TZ**

Agenda item 6 was withdrawn from the agenda as the item could be determined under delegated powers in light of new information received.

Councillor Barnard requested that the Chair circulate a written response to the Committee detailing the reasons to why the item was withdrawn from the agenda, what additional information had been provided and whether there were any lessons that could be learnt for similar cases in the future.

27. **22/00578/REM Land West Of Maize Lane and East Of Old Priory Lane (Land Parcel 3), Warfield, Bracknell, Berkshire**

Reserved Matters Application relating to scale, layout, appearance and landscaping in respect of 175 dwellings pursuant to outline planning permission 20/00214/OUT, including submission of details pursuant to Conditions 05 (Tree Retention/Removal), 06 (Tree Protection) and 09 (Hard and Soft Landscaping).

The Committee noted that:

- Councillor Smith withdrew from the meeting for the consideration of this item owing to his declaration of interest.
- There had been no new representations following those raised in the Planning Committee of 20 July.
- That a site visit had taken place on 9 September with the following Councillors in attendance: Councillors Barnard, Brown, Collings, Hayes, O'Regan, Penfold and Smith.

RESOLVED that the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be carried out only in accordance with the following plans:-
Site Location Plan – 21203 - S101

Proposed Site Layout – 21203 - P101AS
Coloured Site Layout – 21203 - C101G
Masterplan with Coloured Layout – 21203 - C103G
Building Materials Layout – 21203 - P102AD
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 Method Statement – August 2023

REASON: To ensure that the development is constructed as approved by the Local Planning Authority.

2. The internal floor layout of house type 3D (plots 40, 41, 42, 43, 137, 138, 142, 143, 164, 165, 169, 170, and 173) shall be laid out as approved and thereafter retained as such with a maximum of 3 bedrooms at any time.
 REASON: To ensure adequate parking provision is provided in the interests of highways safety.
 [Relevant Policies: BFBLP EN3, M9, CSDPD CS14, CS23, SEP NRM6]
3. No superstructure works shall be carried out until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 REASON: In the interests of the visual amenities of the area.
 [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. No development shall commence until details of the foundation structure of Building B1 (plots 59-64) and Building B2 (65-70) have been submitted to and approved in writing by the Local Planning Authority. The foundations of Building B1 and Building B2 must be designed and constructed to a depth that takes full account of the site-specific sub soil type present together with the species and ultimate mature sizes of all existing protected trees on site within potential below ground influencing distance of the approved development. Details shall be site specific and include: -

- a) 1:200 layout and construction profile drawings of the proposed structure, showing existing levels, proposed foundation depth below ground level and full structure specification.
- b) Site specific details of the soil type.

The foundation structure shall be implemented in full accordance with the approved details.

Full compliance with this condition is required in addition to satisfying minimum NHBC guidance relating to foundation structures, in order to obtain separate building regulation approval.

REASON: - To safeguard the long-term retention and management of protected trees in the vicinity considered important to the visual amenity of the area from any tree related subsidence pressure.

5. The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site 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.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
6. No dwelling shall be occupied until its associated boundary treatments have been provided in accordance with the approved details and retained permanently thereafter.
REASON: In the interests of the appearance of the site.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]
7. No building hereby permitted shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
8. No building hereby permitted shall be occupied until means of access to it for pedestrians and cyclists has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of accessibility and to facilitate access by pedestrians and cyclists.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]
9. No building hereby permitted shall be occupied until a plan showing visibility splays has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved details. The land within the visibility splays, with the exception of trees adjacent to the principal street through the development, shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway and shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
10. No dwelling(s) shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and

the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

11. The gradient of private drives shall not exceed 1 in 12.
REASON: To ensure that adequate access to parking spaces and garages is provided.
[Relevant Policies: Core Strategy DPD CS23]
12. The car parking for the development hereby permitted shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority and shall be retained as approved:
 - (a) surface materials and markings;
 - (b) location and design of any lighting;
 - (c) pedestrian routes within car parking areas;
 - (d) the location of level car parking spaces for people with disabilities including details of marking out and signage;
 - (e) the location of visitor car parking spaces including details of marking out and signage;
 - (f) gradients of the pedestrian and access routes; and
 - (g) location of electric charging points.REASON: In the interests of accessibility and to ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
13. No parking space shall be brought into use until the approved scheme in respect of that parking area has been complied with in full. Thereafter the parking areas shall be maintained in accordance with the approved scheme and be retained and kept available for parking at all times. There shall be no restrictions on the use of the car parking spaces shown as visitor parking for the occupiers of, or visitors to, any of the dwellings hereby permitted.
REASON: In the interests of accessibility and to ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
14. No dwelling shall be occupied until the associated vehicle parking has been provided in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
15. The garages hereby permitted shall contain a separately accessed storage room which shall be thereafter retained as such. The remainder of the garage, which shall have minimum dimensions of 6m (length) by 3.5m (width) by 2.4m (height), shall be retained for the use of the parking of motor vehicles at all times.
REASON: To ensure that the development is provided with adequate parking in the interests of highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

16. The car parking pergola (relating to plots 35-37) and car ports (relating to plots 1, 2, 18 & 44) hereby approved shall be retained for the use of the parking of motor vehicles at all times and, notwithstanding the provisions of Part 1 Classes A and E of Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made, and no gate or door shall be erected to the front.
REASON: To ensure that the development is provided with adequate parking in the interests of highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
17. No dwelling shall be occupied until the secure and covered cycle parking spaces have been provided in accordance with the approved plans. The cycle parking facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
18. No gates shall be provided on any vehicular route within the site.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
19. Details of wooden bollards to prevent vehicular access on the footway/cycleways adjacent to Plot 134 to be submitted and approved by the Local Planning Authority. Works to be implemented and completed prior to the opening of the route, and retained as approved.
REASON: In the interests of pedestrian and cyclist safety.
[Relevant Policies: Core Strategy DPD CS23]
20. Details of wooden bollards to prevent parking on the footway opposite parking spaces for Plots 35-37 to be submitted and approved by the Local Planning Authority. Works to be implemented and completed prior to the opening of the route, and retained as approved.
REASON: In the interests of pedestrian safety.
[Relevant Policies: Core Strategy DPD CS23]
21. Prior to commencement of development a permeable paving management and maintenance plan shall be submitted to and approved by the Local Planning Authority. The plan shall include required activities to be undertaken by property owners to ensure permeable paving will function as surface water attenuation features for the lifetime of the development. The approved plan shall be implemented in full.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
22. Prior to the completion of any dwellings above damp proof course level evidence should be provided to the Local Planning Authority that the property deeds for each house specifies that the permeable paving must be retained and maintained by the property owner.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.
23. With respect to proposed SuDS and groundwater levels, a risk assessment shall be undertaken that assesses the risk of floatation on the structural stability and operation of the proposed SuDS. Evidence to be submitted may include floatation calculations to demonstrate impact of ground water on

proposed SuDS. Where risk is identified, measures shall be proposed to mitigate the risks. This shall be submitted to and approved by the Local Planning Authority. Mitigation hereby approved shall be carried out and maintained in accordance with the approved scheme.

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

24. Prior to commencement of development, details of SuDS features, to include the bio-retention feature adjacent to the principal street, shall be submitted to and approved by the Local Planning Authority. Works to be implemented in accordance with approved plans.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding; and in the interests of landscaping, drainage and highway safety.
[Relevant Policies: Core Strategy DPD CS1]
25. Prior to commencement of development details of the Hedge Lane bridleway crossing and raised table adjacent to plot 117 to be submitted to and approved by the Local Planning Authority. Works to be implemented and completed prior to the opening of the route for public use.
REASON: In the interests of pedestrian, cyclist and equestrian safety.
[Relevant Policies: Core Strategy DPD CS23]
26. No dwelling hereby permitted shall be occupied until bin storage and/or bin collection points serving it has been provided in accordance with the approved details. The bin storage and bin collection points shall thereafter be retained.
REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.
[Relevant Policies: BWLP WLP6 and WLP9]
27. No development hereby permitted, including any vegetation clearance, shall commence until a badger sett survey of the development site and immediately adjacent areas has been undertaken. This survey shall be undertaken prior to the start of works on site and a report detailing the results of the surveys is to be submitted to and approved in writing by the Local Planning Authority. If surveys show that a licence to disturb a badger sett is required a copy of a valid licence is to be submitted to the Local Planning Authority prior to the commencement of works within 30m of badger setts; and/or works which have the potential to disturb the setts, as advised by the Project Ecologist.
REASON: To ensure that badgers are not adversely affected by the proposals.
28. No part of the development shall be occupied until a scheme for informing buyers and residents about the importance of biodiversity in gardens and good management of grassland has been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in accordance with the scheme.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1 CS7]
29. No development shall commence until either:
 - a) confirmation has been provided to the Local Planning Authority from the sewerage undertaker that sufficient capacity within the sewerage infrastructure exists to serve the development; or
 - b) a scheme for the improvement of the existing sewerage system by the sewerage undertaker to ensure that sufficient capacity is provided to

serve the development has been provided to the Local Planning Authority. No dwelling shall be occupied until the scheme for improvement of the existing sewerage system has been completed in full as approved.

REASON: To ensure that the development is adequately served by sewerage infrastructure.

28. **23/00544/RTD Land For Base Station London Road, Bracknell, Berkshire**
Proposed removal and replacement of the existing 15.0m high Streetpole with proposed 20.0m high Pole on new foundation, together with 6No. Antennas and associated ancillary works. Existing 2No. Cabinets to be upgraded internally.

The Committee noted that:

- The Supplementary Report tabled at the meeting
- No representations were received
- The 29 objections received as summarised in the supplementary report.
- A representation of no objection was received from Bracknell Town Council on 7 September 2023 as outlined in the supplementary report.

RESOLVED That Prior **Approval** is required and is granted with the following conditions that are imposed by the Permitted Development Order -

1. The development shall be begun not later than the expiration of 5 years beginning with the date on which the approval was given.
2. The development must be carried out in accordance with the approved details or as otherwise agreed in writing by the Local Planning Authority.

Subject to compliance with the following condition(s) secured by the Local Planning Authority -

1. This approval is in relation to the following drawings;
100 Rev: A - Site Location Maps - received: 09/08/2023.
201 Rev: A - Proposed Site Plan - received: 09/08/2023.
301 Rev: A - Proposed Site Elevation - received: 09/08/2023
2. The proposed mast shall only be carried out in accordance with the colour to be used in the external elevations of the development hereby approved as follows: RAL 7037
3. The existing 15 metre high mast approved and implemented under application 14/00235/RTD shall immediately be removed following the installation of the replacement mast hereby permitted once it is operational and the existing mast has been decommissioned.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

CHAIRMAN