

**PLANNING COMMITTEE  
12 OCTOBER 2023  
6.30 - 8.20 PM**



**Present:**

Councillors Brown (Chair), Barnard, Collings, Egglestone, Hayes MBE, McKenzie-Boyle, Penfold, Smith and Zahuruddin

**Present Virtually:**

Councillor Frewer

**Visiting Members:**

Councillors Gilbe, Harrison and Virgo

**29. Minutes**

Subject to the amendments of the attendance to show Councillor Zahuruddin as present and to show Councillors Gaw and Virgo present as visiting councillors, it was

**RESOLVED** that the minutes of the meeting held on 14 September 2023 be approved as a correct record.

**30. Declarations of Interest**

There were no declarations of interest.

**31. Urgent Items of Business**

Councillor Barnard made the following statement:

At the last planning committee meeting I let my passion and frustration get the better of me and on a number of occasions I showed a lack of respect to the chair and therefore the committee as a whole. I have subsequently reviewed the recording of the meeting and reflected on my conduct.

I have also since participated in some follow up training with regards to the conduct of planning committee and consequently will ensure I follow due process in a courteous manner.

In conclusion I therefore offer a full and unconditional public apology to the chair and members of the committee.

**32. PS 21/00592/FUL Land South Of Forest Road, Newell Green, Warfield, Bracknell  
Demolition of existing buildings and erection of 43 dwellings,  
associated landscaping and parking, with access from Forest Road  
and Crozier Lane**

The item was deferred to enable a site visit.

33. **PS 22/01047/FUL Land North Of Newhurst Gardens, Newhurst Gardens, Warfield. Bracknell, Berkshire, RG42 6AW**

**Section 73 application to vary conditions 4, 6 and 7 of planning permission 16/01004/OUT for the erection of up to 50 residential units and associated works. [For clarification this application seeks permission to change the access arrangements for the development].**

The Committee Noted:

- The supplementary report tabled at the meeting.
- Three further representations had been received from addresses which have already commented when this item was first brought before the committee on 15 June 2023 as summarised in the agenda.
- The additional representation received as summarised in the supplementary report.
- That a site visit had taken place on 7 October 2023, attended by Cllrs, Barnard, Brown, Collings, Hayes, Karim, Penfold, Smith, Zahuruddin, Harrison and Virgo.
- The representations of the two public speakers at the meeting.

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following;

- update the access plan within the S106 to correspond with the plans approved under this application;
- include clauses to secure details regarding the maintenance and management of the proposed access and internal road layout.
- secure the provision of visibility splays which pass over land outside the application site boundary but over land controlled by the applicant.

**RESOLVED** that the Assistant Director: Planning be authorised to **APPROVE** the application 22/01047/FUL subject to the following conditions amended, added to, or deleted as the Assistant Director: Planning considers necessary:

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. 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.
03. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:-
  - o Site Location Plan (approved under 16/01004/OUT)
  - o Access Plan Overview (186/301 C)
  - o Schedule of Tree Works (SJA stw 23031-01 May 2023)
  - o Tree Protection Plan (SJA AIA 23031-041b)

- o Vehicular Access Scenarios (186/305 rev. B)
- o Road Safety Audit Stage 1 (ref: BN/CH/23-124)

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

04. No development shall take place until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the approved details.

REASON: In the interests of the character of the area.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

05. The access road and its associated footways and margins hereby approved shall be constructed in accordance with the approved drawings and Road Safety Audit, including Designers Response, with the carriageway construction to meet Bracknell Forest Council's adoptable standards prior to the commencement of development within the rest of the site. The margin on the eastern side of the access road north of the driveway for no. 6 Newhurst Gardens shall be planted with species with a height of between 0.2 metres and 0.6 metres.

The connections between the access road and existing driveways shall have a less than 1:15 gradient over a length of no more than 5.0 metres.

REASON: In the interests of highway safety and tree protection and to allow for the efficient delivery of goods and access by service and emergency vehicles including the Council's waste and recycling collection vehicles.

[Relevant Policies: BFBLP 'Saved' Policies EN1, EN20 M4, M6 and M7; Core Strategy DPD CS7, CS23]

06. Visibility splays shall be provided and maintained in accordance with drawing 186/301 C (left-hand panel titled Proposed General Arrangement - Access) for the access road and the driveways which connect to it. No planting or other obstruction to visibility over 0.6 metres in height shall be placed within or allowed to grow within the visibility splay areas with the exception of the signage for the road narrowing & speed limit and street lighting, which shall be positioned as indicated on the approved drawings.

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP 'Saved' Policies M4 and M6; Core Strategy DPD CS23]

07. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP 'Saved' Policies M4 and M6; Core Strategy DPD CS23]

08. No dwelling shall be occupied until covered and secure cycle parking facilities serving it have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be retained as approved.

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP 'Saved' Policies M4 and M6; Core Strategy DPD CS23]

09. No development shall take place (including any ground works or vegetation clearance) until a scheme has been submitted to and approved in writing by the Local Planning Authority to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives
- (f) Details of the access during construction
- (g) Swept paths demonstrating that the largest anticipated construction vehicle can enter the site in a forward gear from the adopted highway, turn around on-site and depart the site in a forward gear back onto the adopted highway.

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

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP 'Saved' Policies M4 and M6; Core Strategy DPD CS23]

10. No development shall take place (including any ground works or vegetation clearance) until details of a scheme (Working Method Statement) to control the environmental effects of the construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

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

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

REASON: To protect the amenities of nearby residents.

11. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented strictly in accordance with the approved details before the development is completed. The scheme shall include:

- (a) Results of BRE 365 compliant infiltration tests to inform the drainage strategy
- (b) Discharge Rates
- (c) Discharge Volumes
- (d) Confirmation from Thames Water of agreement to proposed discharge rates
- (e) Maintenance and management of SUDS features
- (f) Sizing of features - attenuation volume

- (g) Detailed drainage layout with pipe numbers
- (h) Full details of the SUDS Balancing Ponds, and conveyance swales as set out in the drainage strategy
- (i) Network drainage calculations
- (j) Phasing plans

REASON: In order to ensure the provision of adequate foul and surface water drainage to serve the development; to prevent the increased risk of flooding; and improve and protect water quality, habitats and amenity.

[Relevant Policies: BFBLP EN25, CSDPD CS1]

12. All ecological measures and/or works shall be carried out in accordance with the details contained in Grassroots Ecology Ecological Impact Assessment dated September 2016 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]

13. No development shall take place (including any ground works or 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 then 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: Core Strategy DPD CS1, CS7]

14. No part of the development shall be first occupied until an ecological management plan has been submitted to and approved by the Local Planning Authority. The plan shall include:

- i) description and evaluation of the features to be managed
- ii) description of target habitats and species
- iii) ecological potential and constraints on the site
- iv) aims and objectives of management
- v) appropriate management options including location and method statements
- vi) prescriptions for management actions
- vii) preparation of a work schedule indicating the timing of works
- viii) personnel responsible for implementation of the plan
- ix) monitoring and remedial measures triggered by monitoring

The ecological management plan shall then be fully observed, performed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]

15. No part of the development shall be first occupied 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 then be fully performed, observed and complied with.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]
16. No development shall take place until a Sustainability Statement covering water efficiency aimed at achieving an average water use in the dwellings of 110 litres/person/day, as required under optional Building Regulation Part G, has been submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the Sustainability Statement as approved and retained as such at all times thereafter.  
REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policy: Core Strategy DPD CS10]
17. The development hereby permitted shall be implemented in accordance with the recommendations of the submitted Energy Statement and, the dwellings hereby permitted shall be operated in accordance with the submitted Energy Statement at all times thereafter.  
REASON: In the interests of the sustainability and the efficient use of resources.  
[Relevant Plans and Policies: CSDPD Policy CS12]
18. Prior to the occupation of the first dwelling, the applicant will comply with the details contained within the Archaeological Evaluation (ref:237590.02) and Written scheme of Investigation (ref:237591.01) approved under application 21/00017/COND. The mitigation strategy shall then be implemented strictly in accordance with the approved details.  
REASON: In order to safeguard a site that is of historic/archaeological interest  
[Relevant Policies: BFBLP EN6, EN7]
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that order, no freestanding external lighting shall be installed on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority  
REASON: In the interests of the character of the area and biodiversity.  
[Relevant Policies: BFBLP EN20 and EN25, Core Strategy DPD CS1 and CS7, WNP12]
20. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the first occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried out and completed prior to the first 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 order to assess the impact of the development upon existing vegetation, landform and other site landscape features.

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

21. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3 metres high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. The development shall then be carried out strictly in accordance with the approved drawings  
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. The protective fencing and other protection measures specified by the previous condition 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. No activity of any description must occur at any time within these protected 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.  
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]
23. No part of the development shall be occupied until the arrangements for the future management of the public open space on the site in perpetuity have been put in place in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:  
(a) the long term design objectives of the public open space  
(b) maintenance schedules for all public open space areas within the development  
(c) management responsibilities  
(d) details of the ongoing funding arrangements  
The approved arrangements shall then be observed and performed at all times thereafter.  
REASON: In the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

A Recorded Vote was called for by Councillor and the voting on the motion was as follows:

FOR (6): Councillors Brown, Collings, Egglestone, Karim, Penfold, Smith

AGAINST (4): Councillors Barnard, Hayes, McKenzie-Boyle, Zahuruddin

ABSTAIN (0):

**CHAIR**