

**ITEM NO: 5**

Application No.  
**21/00592/FUL**

Ward:  
Binfield North and  
Warfield West

Date Registered:  
11 June 2021

Target Decision Date:  
10 September 2021

Site Address:

# Land South Of Forest Road Newell Green Warfield Bracknell Berkshire

Proposal:

**Demolition of existing buildings and erection of 43 dwellings, associated landscaping and parking, with access from Forest Road and Crozier Lane**

Applicant:

## Redrow Homes (Southern Counties)

Agent:

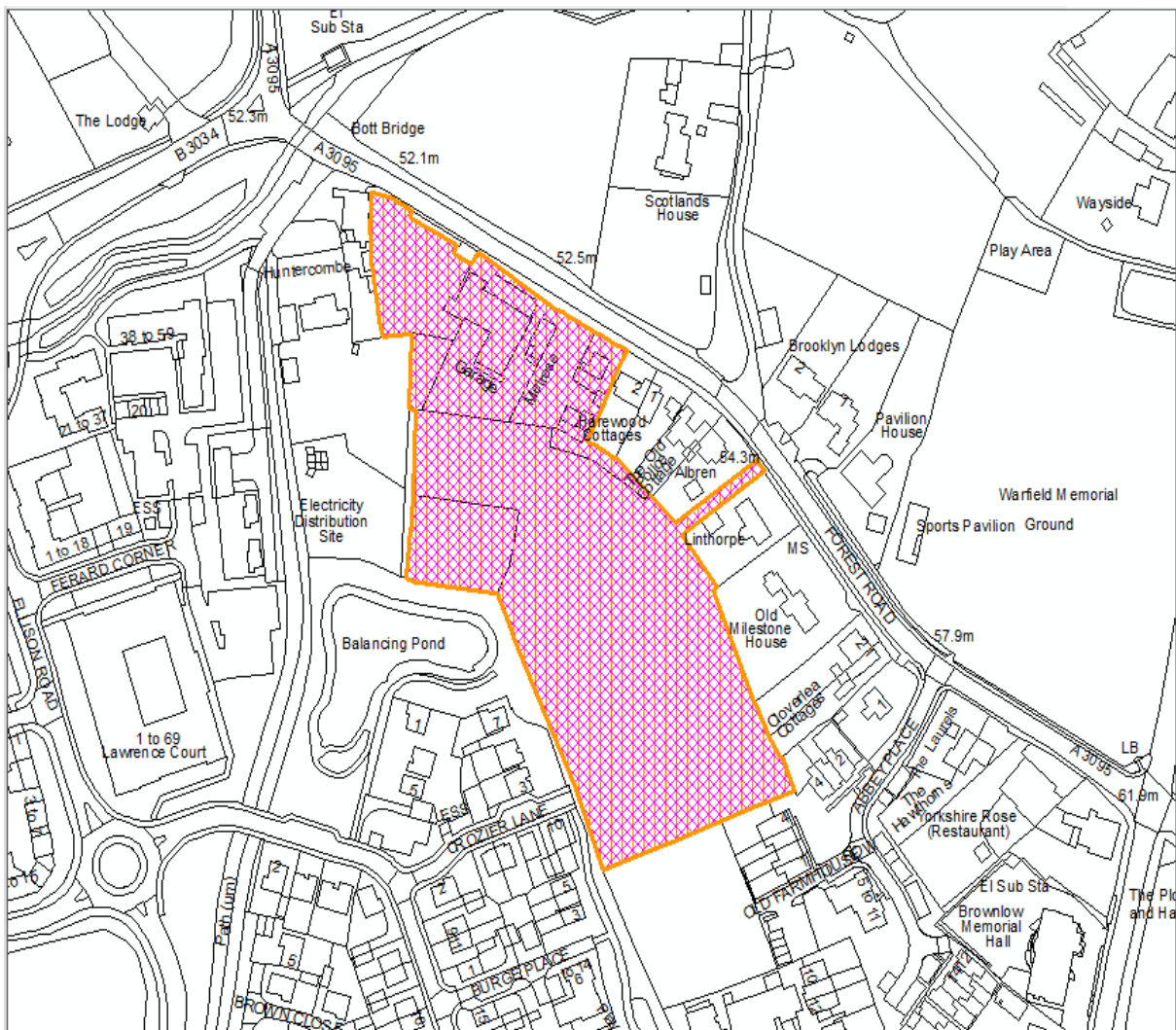
Mr Steven Brown

Case Officer:

Matt Lunn, 01344 352000

Development.control@bracknell-forest.gov.uk

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



## **1. SUMMARY**

- 1.1 The site forms part of the Warfield strategic development site that is allocated for a comprehensive mixed-use development of 2,200 dwellings, and supporting infrastructure, in Policy SA9 of the Bracknell Forest Site Allocations Local Plan (SALP) (July 2013). This strategic policy is supported by the site-specific guidance set out within the Warfield Supplementary Planning Document (SPD) and the Warfield Area 1 Masterplan.
- 1.2 This application seeks full planning permission for the erection of 43 dwellings, associated landscaping and parking, with access from Forest Road and Crozier Lane, following the demolition of existing buildings, including the former Warfield Garage.
- 1.3 During the course of the assessment of this application a significant number of amendments to drawings and supporting documents have been made to address officer concerns relating to the impact on the character of the area, impact on neighbouring properties, drainage, landscaping and highway safety. These amendments have included changes to the number, size and design of dwellings, and development layout.
- 1.4 The application is now recommended for approval subject to conditions and completion of a section 106 legal agreement.

<b>RECOMMENDATION</b>
Planning permission be granted subject to the completion of a S106 agreement and the conditions contained within Section 11 of this report.

## **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

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

## **3. PROPOSAL**

- 3.1 Full planning permission is sought for the erection of 43 dwellings, associated landscaping, parking and access from Forest Road and Crozier Lane, following the demolition of existing buildings, that includes two existing residential units (net increase of 41 units) and the redevelopment of the former Warfield Garage.
- 3.2 The proposed site layout is shown on figure 1 below.



Figure 1: Proposed site layout

3.3 The following market and affordable housing mix is proposed:

No. Beds	Market	Affordable	Total
1 Bed	0	4	4
2 Bed	1	3	4
3 Bed	13	1	14
4 Bed	14	1	15
5 Bed	6	0	60
Total	34	9	43

- 3.4 9 dwellings would be delivered as affordable housing, equating to 21%; which although less than the planning policy requirement of 25%, is justified because of the application of 'vacant building credit' (ref. section 9.xi.).
- 3.5 Dwellings are provided in a variety of types and forms, including one apartment building, terraced block and bungalow, and the remainder as semi-detached and detached houses.
- 3.6 In terms of building height, the majority of buildings are 2 storeys, with limited 2.5 storey elements where appropriate to terminate street views within the site or define a gateway into the development, and a single storey building is proposed in a sensitive location.
- 3.7 Car parking spaces are proposed on plot, with set back car ports, and the apartment building would be served by a parking court. Visitor spaces are distributed throughout the development. Secure cycle storage is provided in rear gardens and in a communal store.
- 3.8 Passive Open Space comprising 0.3ha is proposed that includes an attenuation pond, easement ditch, and incorporates a significant Oak tree (Tree Preservation Order 1207) on the south-western boundary.
- 3.9 In terms of vehicular access, 22 dwellings (51%) would be accessed via a continuation of the carriageway from Crozier Lane to the south (referred to as the 'southern parcel'), and 21 dwellings (49%) would be accessed via a T-junction from Forest Road to the north (the 'northern parcel'). A proposed pedestrian and cycleway provides a north-south strategic 'greenway' connection through the site as part of the open space, forming a continuation of a recently provided route from new development to the south, linking to a point near the Three Legged Cross pub and Avery Lane Public Right of Way (PRoW) to the north. A further stepped pedestrian route is proposed via a narrow corridor linking the site to Forest Road to the east, and to the Warfield Memorial Ground area of public open space, and PRoW beyond.
- 3.10 The southern parcel (plots 1-22) is a cul-de-sac of houses served by a 4.8m wide access road, with pavement either side for the majority of the adopted highway, with two small sections of shared surface forming private drives to the north and south. Houses largely front onto the road and are set back with landscaped front gardens and elements of parking. The area of open space, including the greenway, and the Forest Road pedestrian link, on entering the site, all benefit from active dwelling frontages providing some natural surveillance.
- 3.11 The northern parcel (plots 23-43) is framed by a landmark apartment building and further built form positively addressing Forest Road. The parcel is served by 5.5m wide access flanked by pavement, quickly narrowing to 4.8m and further to 3.8m which serves as a shared surface. Houses have landscaping to their front and side, providing set back from the carriageway. Car parking is mostly on plot, with a short row of parking spaces on the right on entering the site, with parking for the apartment block to the rear, screened from Forest Road. The greenway is routed through the parcel, and is mostly set back from housing, benefiting from a landscaped setting. The greenway passes to the west of the apartment building, joining up with a small area of open space that forms a

landscaped set back between the apartment building and Forest Road. This open space also provides a Sustainable Drainage System (SuDS) function, and includes a raised bund along the west flank with the Three Legged Cross.

- 3.12 A traditional palette of building materials and architectural detailing is proposed. Red brick is the dominant material, with elements of render, tile hanging and waney-edge boarding, reflective of local character. Dwellings have front gables and porch canopies projecting from principal elevations and porches that provide for variation in the streetscene.
- 3.13 Variation in roof heights and types, a mix of red and grey tiling and with chimneys on certain buildings, provides for a varied roofscape.
- 3.14 The proposed landscaping comprises a mixture of native and ornamental species. Native hedge and tree species are focused in and around areas of open space, with the planting of large deciduous trees such as Oak and Lime trees maximised, to benefit biodiversity and to effectively buffer development on sensitive flanks to help blend development into the surrounds. Ornamental and herbaceous planting is focused more within property boundaries.

#### **4. SITE AND SURROUNDING AREA**

- 4.1 The site area is 1.9 hectares (ha) and slopes gently down towards the north, with a 6m overall height difference. It lies southeast of the junction with Forest Road and Maidenhead Road (A3095) and forms part of the gateway to Warfield from the west and Maidenhead.
- 4.2 The site is bounded to the north by Forest Road, to the east by the rear gardens of existing properties along Forest Road and Warfield Street, and to the south by the sides of properties on the Abbey Place and Old Farmhouse Row development. To the west it is bounded by the north-south greenway, open space and ditch line, with properties within the recently constructed Redrow development beyond and to the north-west lies the property 'Huntercombe' with its long rear garden.
- 4.3 The site is formed of two distinct elements. The northern part of the site along Forest Road is previously developed land comprising several buildings and hardstanding that was formerly used as a garage, residential properties, carwash facility, second-hand car sales forecourt and café. No buildings are of architectural merit and all have been vacant for some time.
- 4.4 To the south of the built form, the remainder of the site is greenfield; comprising former paddock land with mature vegetation including trees, scrub and coniferous hedgerow around the perimeter of the site. The southernmost part of the site is currently being used as a temporary compound for construction on the adjacent site to the south, being built-out by the same developer.
- 4.5 One significant Oak tree is located on the western ditch line – this is subject to a Tree Preservation Order (TPO 1207), and a further Oak of significant size is located on the



proposed pedestrian link near to Forest Road. Several other trees of note lie in and around the site.

4.6 The Cut river is located approximately 35m north of the site. The river runs in a westerly direction past the site before heading in a southerly direction. The majority of the site lies within Flood Zone 1 (low risk), however, a small area within the north-western corner of the site is located within Flood Zone 2 (Medium Risk) and Flood Zone 3 (High Risk).

4.7 The southern side of Warfield Street and Forest Road, from Newell Green to Maidenhead Road, is characterised by brick-built 2-storey detached or semi-detached buildings, mostly of Victorian age or older. Properties are reasonably set back, allowing space for hedges, trees and short walls to define frontages, providing for an attractive gateway into Warfield.

4.8 To the north across Forest Road is Warfield Memorial Ground and larger detached properties, both old and more recent, with large amounts of land, more set back and screened by high hedgerows and trees.

4.9 Much of Forest Road and Warfield Street has a distinctly semi-rural feel, with a vegetated and historic character. There is no consistent architectural approach, with a mix of properties of different sizes and ages, but generally materials are characteristically red brick and slate roofs, with chimneys. The imposition of new development in the area, whilst altering the character, has generally sought to reflect the local vernacular.

4.10 As shown in figure 2 below, the application site forms a part of the 'Land at Warfield' urban extension allocated under Policy SA9 of the SALP and is located in the northwestern part of Area 1, as identified in the Warfield SPD. This application for 43 dwellings represents 2% of the allocation for 2,200 dwellings.

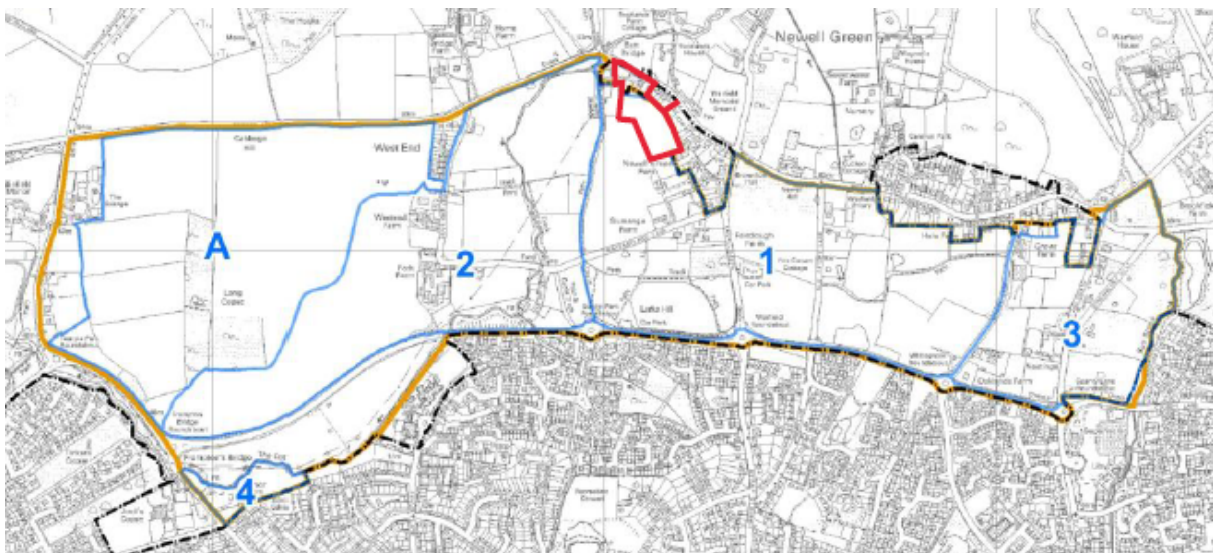


Figure 2: Site location (red) in context of SA9 allocation

## 5. RELEVANT SITE HISTORY

#### 5.1 The following applications are relevant to the site:

- 16/00115/FUL (a) Land off Forest Road, Newell Green, Warfield; and b) Land at Moss End, Warfield): a) Erection of 56. dwellings with associated access, open space and infrastructure, following demolition of 2. dwellings and Warfield Garage, on land off Forest Road; and b) change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG), with associated works, on land off Moss End.

Refused July 2016. Reasons for refusal:

- i. Proposal would result in a piecemeal form of development that would prejudice the comprehensive delivery of SA9.
- ii. Layout is unsatisfactory, to the detriment of the character and appearance of the area, residential amenity and road safety. In particular it would:
  - result in a cramped form of development, unsympathetic to the location and setting;
  - undermine the policy requirement for a development that is green and verdant in character;
  - fail to provide sympathetic boundary treatment to existing properties;
  - fail to provide adequate highway access ; and
  - fail to provide car parking in accordance with standards.
- iii. Proposal would not mitigate its impacts on the Thames Basin Heaths Special Protection Area.
- iv. Proposal would result in an increased risk of flooding in the area impacting new and existing residents.

#### 5.2 In addition, the following applications on adjacent sites are also relevant:

- 16/01274/FUL (Land at Watersplash Lane): Demolition of existing buildings and erection of 43 dwellings with associated accesses (to land to west and to Watersplash Lane), parking and landscaping.

Approved 2018.

[To the south of the site, delivering the southern extent of the north-south greenway.]

- 16/01195/FUL (Land East of Avery Lane and North of Watersplash Lane): Erection of 116 dwellings with associated landscaping, infrastructure works and open space of public value served by vehicular access from north-south link road and pedestrian/cycle links to Watersplash Lane.

Approved 2018.

[Abuts the south-west of the site, providing vehicular and north-south greenway access to southern part of site.]

- 19/00327/FUL (Land at South West of Abbey Place): Erection of 9 dwellings with associated access, parking and landscaping. Approved August 2021.

[Abuts the south of the site.]

## 6. REPRESENTATIONS RECEIVED

#### 6.1 28 representations Objecting to the proposal were received. A summary of matters raised is as follows:

## General

- i. There is no need more homes in the Warfield area. *[Officer response: ref. section 9.i. Principle of development.]*
- ii. Redevelop areas in Bracknell instead of greenspace. *[Officer response: ref. section 9.i. Principle of development.]*
- iii. Lack of community engagement to address concerns. *[Officer response: the public was notified of this development in accordance with legislation, and all objections received have been considered in the determination of this application.]*
- iv. Construction will cause more disturbance for local residents. *[Officer response: A condition requires the submission of a CEMP to limit construction disruption to acceptable levels.]*
- v. Concern that neighbour notification letters were returned – residents must be given a chance to comment. *[Officer response: Where these houses now exist, letters have been delivered.]*
- vi. Concerns and wellbeing of existing residents is being ignored. *[Officer response: Representations received have been considered in the determination of this planning application. The principle of development is established here, with the design being in accordance with planning policy and guidance. A condition requires the submission of a CEMP to limit construction disruption to acceptable levels.]*
- vii. Too many amendments – should have been a new application to give residents chance to be reconsulted properly. *[Officer response: Ref. Informative 1. Amendments to planning applications are acceptable, and objections received are considered throughout the determination.]*
- viii. Development would coalesce settlements. *[Officer response: ref. section 9.i. Principle of development.]*
- ix. Not a sustainable location. *[Officer response: ref. section 9.i. Principle of development.]*
- x. There are Health and Safety concerns over asbestos on site. *[Officer response: Separate legislation relates to the handling, removal and disposal of asbestos.]*
- xi. Development places significant strain on the already overburdened local amenities such as Primary schools, Secondary schools and healthcare facilities such as the GP Surgeries and Health Centres. *[Officer response: Ref. para 9.5-9.14 and section 9.xv. Infrastructure delivery.]*
- xii. A CEMP should be secured, which should be prepared in consultation with local residents. *[Officer response: A condition secures submission of a CEMP for approval, which will be publicly available for comment.]*

## Design

- i. Development is not sympathetic to the character of the area. *[Officer response: Ref. section 9.ii. Design and impact on the character of the area.]*
- ii. Development is too cramped. *[Officer response: Ref. para 9.7 and section 9.ii. Design and impact on the character of the area.]*
- iii. Proposal is over-development, removing greenspace to the detriment of existing residents. *[Officer response: ref. para 9.7 and section 9.ii. Design and impact on the character of the area.]*



- iv. Development does not conform to design principles set out in the Character Area Assessments SPD and Warfield SPD, such as density, grain, plot sizes. *[Officer response: Ref. section 9.ii. Design and impact on the character of the area.]*
- v. The Forest Road frontage; the apartment building in particular, is not in keeping with local character. *[Officer response: Ref. section 9.ii. Design and impact on the character of the area.]*
- vi. The applicant has not resolved the reasons for refusing the previous application (16/00115/FUL). *[Officer response: Section 5 first bullet sets out the previous reasons for refusal. The report overall sets out why this development is considered acceptable. Para 9.23 discusses the matter of comprehensive development.]*
- vii. The buffer between new dwellings and existing properties along Forest Road is inadequate. *[Officer response: Ref. section 9.iii. Impact on residential amenity.]*
- viii. Proposed detached properties are too close together. *[Officer response: The site layout has changed considerably since the original submission, including a reduced density; and now overall, the grain of development is considered looser and acceptable.]*
- ix. Access to the development should only be from the south and not from the north. *[Officer response: Access accords with the Area 1 Masterplan, and the LHA is supportive.]*
- x. Unclear what boundary treatment is proposed to the rear of existing properties fronting Forest Road. *[Officer response: The Boundary Treatment Plan shows either 1.8m high closeboard fencing is proposed, or the retention of existing boundary treatment. Boundaries are often supplemented with landscaping, as shown on submitted landscaping plans.]*
- xi. Proposed dwellings are too close to existing properties in Abbey Place and Old Farmhouse Row. *[Officer response: Ref. section 9.iii. Impact on residential amenity.]*
- xii. Back-land development and therefore negative impact on community integration. *[Officer response: Whilst positioned to the rear of properties, this development is part of a much larger strategic allocation that provides for numerous points of connectivity, to assist new residents walk and cycle around the locality and which benefit existing residents. Together with the Warfield Community Hub and off-site open space improvements that this site will help deliver, this development would assist community integration.]*
- xiii. Insufficient open space and tree planting is proposed. *[Officer response: ref. paras 9.13 & 9.95.]*
- xiv. Vehicles entering the southern access from Crozier Lane would illuminate the rear of existing properties fronting Forest Road. *[Officer response: Dwellings, boundary treatment and landscaping would prevent unacceptable light spill.]*
- xv. Concern regarding overlooking, overbearing and overshadowing from plot 18 to existing properties to the east. *[Officer response: ref. para 9.58.]*

#### Drainage

- i. The flood risk and drainage strategy needs to be subject to independent review. *[Officer response: The Council is the Lead Local Flood Authority, and has been consulted throughout determination. Independent review would be unnecessary and inappropriate.]*

- ii. Development will exacerbate existing flooding problems in the vicinity. *[Officer response: ref. section 9.ix. – Drainage. The LLFA is satisfied that the proposal would not result in an increase in flood risk off-site.]*
- iii. Ground is too boggy to build on. Water levels are too high, resulting in waterlogging of a neighbouring garden. *[Officer response: The development will lead to a betterment of drainage across the site and will not increase flood risk off-site.]*
- iv. The FRA inaccurately states that ‘there is no history of flooding at the site’ – this is incorrect. *[Officer response: This reference is in specific regard to the Bracknell Forest SFRA. The paragraph then goes onto reference flooding incidences in the Forest Road area. The LLFA is aware of flooding issues in the area and is working to remediate. Paras 9.120-9.122 discusses localised flooding issues.]*
- v. The Three Legged Cross junction and Spice Lounge flood numerous times a year. *[Officer response: Flooding issues in the vicinity of the site are known to the LLFA. Ref. paras 9.120-9.122. Recent and proposed remedial works will reduce the likelihood of flooding.]*
- vi. Drainage pipes by the Spice Lounge are too small to cope with all the rainwater in the area. *[Officer response: Ref. paras 9.120-9.122. The development will fund increased drainage capacity works by securing an appropriate contribution through the s106 Agreement.]*
- vii. Development will pose a greater risk of flooding/waterlogging to the existing properties, especially those to the north which are at a lower ground level. *[Officer response: ref. section 9.ix. – Drainage. The LLFA is satisfied that, with the proposed drainage strategy, the development would not result in an increase in flood risk off-site.]*
- viii. Existing balancing ponds have already proven not to provide for sufficient flood risk mitigation. *[Officer response: Detailed hydraulic modelling has informed pond design / capacity. The LLFA is satisfied that the proposed drainage strategy would not result in an increase in flood risk off-site.]*
- ix. Object to drainage culverting along Huntercombe’s boundary as this will only worsen flooding at this property. *[Officer response: The amended site layout largely retains this ditchline with only a short culverted section, with pipe of sufficient diameter that would be relatively simple to maintain, and is acceptable to the LLFA. Overall, there would be a net reduction in the extent of culverting.]*
- x. Increase in ground water levels can cause damage to properties such as subsidence. *[Officer response: ref. section 9.ix. – Drainage. The LLFA is satisfied that the proposal would not result in an increase in flood risk off-site.]*
- xi. Concerns over the adequacy of the drainage strategy including whether ditches have sufficient capacity. *[Officer response: ref. section 9.ix. Drainage. Detailed hydraulic modelling has informed drainage design. The LLFA is satisfied that the proposed drainage strategy would not result in an increase in flood risk off-site.]*
- xii. Conditions should require the developer to rectify any unanticipated flooding issues. *[Officer response: The drainage strategy has been designed for 1:100 year + 40% climate change events. The development would be required to implement the drainage strategy that the LLFA considers satisfactory, and thereafter manage and maintain for the lifetime of the development. This meets the requirements of the NPPF.]*
- xiii. Require details and confirmation of off-site drainage works. *[Officer response: Ref. paras 9.120-9.122. The development will fund increased drainage capacity works for BFC to implement. This planning obligation for a ‘Contribution towards off-site drainage improvement works’ is shown in para 9.155.]*

6.2 Objectors have submitted a review of the Flood Risk Assessment and Surface Water Drainage Strategy by an appointed drainage consultant. The full report is accessible on the planning portal. Key points raised are as follows:

- i. Catchment size used in the modelling is insufficient.
- ii. The modelled water level from The Cut needs to be amended.
- iii. Confirmation that box culverts have been modelled is needed.
- iv. Updated hydrology should be applied to the EA model and flood compensatory storage reviewed.
- v. Winter Groundwater Monitoring needs to be conducted.
- vi. Ditch 1 should be surveyed and added to The Cut model.
- vii. Ditch 1 works should be detailed.
- viii. Risk of flooding on the Eastern boundary is potentially underestimated. 150mm depression could be insufficient if full catchment modelled.

*[Officer response: the LLFA has reviewed this submission, considered matters raised and liaised extensively with the applicant's drainage consultant. As set out in section 9.ix. – Drainage, the LLFA has reviewed the hydraulic modelling and the proposed mitigation scheme and consider that it is acceptable to manage flood risk at the site without increasing flood risk off-site.]*

6.3 It should be noted that several objectors provided photographic and video evidence of flooding in the area. Paras 9.120-9.122 discusses local flooding issues in the context of this development proposal.

#### Transport

- i. No road infrastructure modifications are proposed to accommodate the additional traffic. *[Officer response: Several road junction enhancements are to be secured as part of the SA9 strategic development, and ref. section 9.xv. Infrastructure delivery, for other transport-related infrastructure mitigation to be secured from this development.]*
- ii. The development would add to congestion. *[Officer response: ref. para 9.76. The development provides good pedestrian and cycle connectivity to local facilities and services to help minimise the need for residents to use the private car.]*
- iii. Increased traffic will have detrimental impact on privacy, safety and health of residents. *[Officer response: ref. sections 9.i. Principle of development, 9.iv. Transport. The development will include measures to minimise the need to use the private car, such as by providing good pedestrian/cycle connectivity to local facilities and the wider area.]*
- iv. Access onto Forest Road is unsafe due to vehicle speeds and limited visibility. *[Officer response: ref. section 9.iv. Transport. The LHA is supportive of access arrangements. Visibility splays will be secured by condition.]*
- v. Forest Road is already too congested because of cars queueing for traffic lights at either end. *[Officer response: ref. section 9.iv. Transport. The LHA has considered the impact of traffic generated from the development in the context of transport infrastructure delivered with the wider SA9 development and strategic traffic modelling, and has raised no objection.]*
- vi. The pedestrian cycleway will impact the security and privacy of the two adjoining properties, namely Linthorpe and Albren. Lighting of this route would also impact on the

privacy and cause light pollution; especially because there is currently no street lighting on the middle or lower parts of Forest Road. *[Officer response: Ref. paras 9.77-9.78, 9.90-9.91. Low intensity use of this route is anticipated with only slight level change required from the use of CCS in the RPA of the tree. There are many examples across the borough with public access alongside gardens.]*

- vii. Safety concern that the Forest Road cycleway would lead directly out onto a busy road. *[Officer response: Detail of any necessary safety features is to be conditioned and agreed with LHA. This could include staggered barriers at points of access, as necessary. The LHA is supportive of access arrangements.]*
- viii. Object to the access from the south onto Crozier Lane, and should be achieved from Forest Road, the disused access road next to Linthorpe or from Abbey Place. *[Officer response: ref. section 9.iv. Transport. Access arrangements accord with the Area 1 Masterplan and the LHA is supportive.]*
- ix. Crozier Lane is too narrow for access and would put children playing's safety at risk. *[Officer response: ref. section 9.iv. Transport. Access arrangements accord with the Area 1 Masterplan and the LHA is supportive.]*
- x. Insufficient visitor parking spaces are proposed. *[Officer response: ref. para 9.75.]*
- xi. Need to ensure that roads are wide enough. *[Officer response: The LHA has been consulted throughout determination and is satisfied with road design.]*
- xii. The pavement and highway across the front of 2 Harewood Cottages is included in the plan. The verge is within the ownership of this property and the boundary is defined by the edge of the existing pavement, which is not clear on the submitted plan. *[Officer response: Any works associated with this development would be within land controlled by the applicant or ancient highway land. This detail will be determined through the Section 278 process.]*
- xiii. Proposed planting on Forest Road will impede visibility exiting 2 Harewood Cottages. *[Officer response: A condition has been imposed to amend landscaping, as required, as part of the Section 278 agreement to ensure that visibility splays for properties on Forest Road are not obstructed.]*
- xiv. Traffic speed calming measures on Forest Road should be proposed. *[Officer response: The LHA has not raised the need for such measures as part of this application.]*
- xv. Construction traffic will overwhelm Forest Road. *[Officer response: A condition requires the submission of a CEMP to limit any construction disruption to acceptable levels. This would include restrictions on work hours, vehicle washing and delivery times and routes.]*
- xvi. Plot 14 has no turning area, meaning vehicles would need to reverse blind across the end of the footpath /cycleway. *[Officer response: The layout has since changed, and now provides for suitable turning areas.]*
- xvii. Forest Road corridor pedestrian access is unsafe. *[Officer response: The LHA considers access to be safe in principle. Precise design detail, including necessary safety features, is secured by condition.]*

#### Green Infrastructure

- i. Developers have already cleared hedgerows and all the trees, except for one, adversely impacting wildlife. *[Officer response: The Council is not aware of any unlawful tree / hedgerow removal. Both trees subject to TPOs are integrated into the site layout. The development provides for biodiversity mitigation and enhancement.]*

- ii. Trees within 2 Harewood Cottages are included on plan without owner having been consulted. A Blackthorn proposed to be kept at the back corner of this property has bracket fungus and is unsuitable as a garden tree and should be removed. *[Officer response: Development is required to consider trees adjacent to the site where appropriate. A schedule of tree works, that considers tree health, is to be secured by condition. No tree works would be proposed beyond the development site boundary.]*
- iii. Plans show the removal of conifer trees on the boundary with and under the ownership of Huntercombe. This is an error. *[Officer response: Conifers are now shown for retention, and to be pruned back to boundary.]*
- iv. Greenspace proposed is insufficient with no consideration for replacing green space lost and hedgerows that have already been taken down. *[Officer response: ref. section 9.i. Principle of development & para 9.13. The landscaping scheme proposes a net gain for hedgerows on site.]*
- v. Trees along the footpath/cycleway by Linthorpe's boundary, are all very unsafe, apart from the large oak and smaller oak, and should be removed. *[Officer response: The intention is to retain as much vegetation along this Forest Road footpath corridor as possible. A schedule of tree works, that will consider tree health, is to be secured by condition.]*
- vi. Landscaping proposed does not accord with the Warfield SPD. *[Officer response: Ref. paras 9.95-9.96.]*
- vii. Impact on trees adjacent to the site needs to be considered. *[Officer response: The submitted Tree Protection Plan provides consideration for trees adjacent to the site. The Tree Officer, in consultation, has raised no objection in this regard.]*

#### Biodiversity

- i. The development will have an adverse impact on flora and fauna on the site. *[Officer response: ref. sections 9.vi. Trees and Landscaping & 9.vii. Biodiversity.]*
- ii. Query whether wildlife and bat surveys have been undertaken and that the impact of development has been considered. *[Officer response: As the Ecological Impact Assessment sections 4.8-4.9 set out, the site has been extensively surveyed. Updated surveys are required by condition as appropriate.]*
- iii. There is a significant bat population roosting in the local vicinity, which use the rear treeline and hedgerows of the existing Forest Road dwellings as their annual commuting routes and foraging zones. It should be preserved and supplemented. *[Officer response: The development will retain significant trees on the site, with limited pruning back of some trees on the boundary proposed. Significant tree and hedgerow planting is proposed that will provide future biodiversity habit, including areas for bat foraging.]*

## **7. SUMMARY OF CONSULTATION RESPONSES**

### **7.1 Warfield Parish Council – Recommend Refusal for the following reasons:**

- i. Too much of the development is accessed off Forest Road. *[Officer response: Site access is in general accordance with the Area 1 Masterplan (A1M), and the Local Highways Authority (LHA) is supportive.]*
- ii. Development beyond the Forest frontage does not accord with the Area 1 Masterplan. *[Officer response: Ref. section 9.ii. Design and impact on the character of the area. The*



*development responds appropriately to A1M design objectives, based on urban design principles, and provides for a landscaped boundary treatment in line with the Character Area Assessments SPD.]*

- iii. One visitor parking space associated with the apartment block is not adequate. *[Officer response: Three visitor parking spaces are provided close to the apartment building and the LHA is satisfied with the quantum and distribution across the site.]*
- iv. Insufficient retention of existing trees and hedgerows and lack of planting, in particular native species around open space. *[Officer response: Ref. sections 9.vi. Trees and Landscaping. The most significant trees are to be retained and integrated into the proposal, with only the removal of several smaller trees proposed of relatively low categorisation. Landscaping and open space treatment has changed considerably since the initial submission and is considered acceptable.]*
- v. SuDS does not provide rural character. *[Officer response: SuDS are a necessity within this site allocated for residential development, and contributes towards the open space on site and provides biodiversity habitat.]*
- vi. Further wildlife surveys needed. *[Officer response: As the Ecological Impact Assessment sections 4.8-4.9 set out, the site has been extensively surveyed. Updated surveys are required by condition as appropriate.]*
- vii. Wildlife corridors and hedgehog access is needed. *[Officer response: The north-south greenway, ditchline and Forest Road pedestrian link will act as green corridors. Ecological mitigation and enhancements are proposed, which includes hedgehog highways.]*
- viii. Connection is needed to existing footpath west of tree T7. *[Officer response: This requirement is shown on the Site Layout Plan, with delivery to be secured by condition.]*
- ix. Lack of open space and play areas on site. *[Officer response: Ref. para 9.13. Open Space is in general accordance with the A1M and is considered acceptable. There are several play areas within a short walk, so provision was not sought on this site. Instead, a financial sum towards off-site active open space will be secured.]*
- x. Limited front gardens and car dominance fails to deliver an informal streetscene. *[Officer response: Ref. section 9.ii. Design and impact on the character of the area.]*
- xi. Lack of variety in plot sizes and set backs to provide interest in streetscene. *[Officer response: Ref. section 9.ii. Design and impact on the character of the area.]*
- xii. Concern regarding the scale of native tree and hedgerow removal. *[Officer response: The Council is not aware of any unlawful tree / hedgerow removal. Both trees subject to TPOs and other existing trees are integrated into the site layout.]*
- xiii. Tree T7 should be classed as a veteran tree. Works around it and additional ditch water could damage the tree. *[Officer response: Ref. section 9.vi. Trees and Landscaping. The need for works to be carried out sensitively near to the tree is recognised and a condition will ensure that work methods respect this. With reference to the drainage strategy, the site will drain into the ditch downstream of the tree via an attenuation basin to limit the rate of water ingress.]*
- xiv. Concern for the lack of pavement linking from north to north-south greenway. *[Officer response: Pavements now extend into the main access before meeting a shared surface which is acceptable for this intensity of usage, and is supported by the LHA.]*
- xv. Safety measures should be designed into ped/cycle links where they join Forest Road. *[Officer response: such detail is to be conditioned and agreed with LHA, and will include suitable safety measures, such as staggered barriers at points of access, as necessary.]*

- xvi. Concern that horse riders could use access – this should be designed-out. *[Officer response: Detail of access to the greenway is to be agreed, however, this will likely include staggered barriers that will help design-out modes of transport that the route is not designed for.]*
- xvii. Car ports are too small. *[Officer response: Car ports are of sufficient size to meet the requirements of the Parking Standards SPD.]*
- xviii. Relationship with existing dwellings on Forest Road is not appropriate, and does not accord with the Design SPD, 3.6. *[Officer response: Ref. paras 9.55-9.60.]*
- xix. Affordable housing is congregated into one corner of the site, which goes against community integration. *[Officer response: BFC's Housing Officer has been consulted and is satisfied with the location of the dwellings. Registered Providers consider clusters easier to manage. Site design does not provide any barriers to integration, and the development would help address affordable housing need.]*
- xx. Ground level change would result in overbearing and overlooking issues for existing properties. *[Officer response: Ref. section 9.iii. Impact on residential amenity.]*
- xxi. Proposal to level the site goes against the NPPF's overarching environmental objective. *[Officer response: The development is considered to be a sustainable form of development that is considered to strike the right balance in meeting environmental, social and economic objectives.]*
- xxii. Development site does not benefit from Biodiversity Net Gain (BNG). Off-site mitigation requires careful consideration. *[Officer response: On-site opportunities for BNG have been maximised, and there is no in principle objection to providing mitigation off-site towards BFC projects that will deliver measurable BNG.]*
- xxiii. Northernmost part of the site is prone to flooding. The drainage strategy that uses the ditch and culverts will lead to greater off-site flood risk. *[Officer response: Ref. section 9.ix. Drainage.]*

## 7.2 Other consultation responses:

- Environment Agency (statutory consultee): No objection, subject to condition.
- Urban Design Officer: No objection.
- Local Highways Authority: No objection, other than concerns raised regarding off-site lighting, subject to conditions and s106 agreement.
- Drainage Officer: No objection, subject to conditions.
- Heritage Consultant: No objection, subject to condition.
- Parks & Countryside Officer: No objection.
- Biodiversity Officer: No objections subject to conditions and s106 agreement.
- Tree Officer: Concerns raised. Comments addressed in report.
- Environmental Health Officer: No objection, subject to conditions.
- Waste and Recycling Officer: No objection.
- Berkshire Archaeology: No objection, subject to condition.
- Renewable Energy Officer: No objection, subject to conditions.
- Local Education Authority: No objection.
- Special Protection Area Officer: No objection in principle, subject to s106 agreement.
- Housing Officer: No objection, subject to s106 agreement.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:

	<b>Development Plan</b>	<b>National Planning Policy Framework (NPPF)</b>
General policies	<ul style="list-style-type: none"> <li>- Site Allocations Local Plan (SALP) (July 2013): CP1 &amp; SA9</li> <li>- Core Strategy DPD (CSDPD) (February 2008): CS1 &amp; CS2</li> <li>- Warfield Neighbourhood Plan (WNP) (December 2022): WNP1</li> </ul>	Consistent
Design	<ul style="list-style-type: none"> <li>- CSDPD: CS7</li> <li>- Bracknell Forest Borough Local Plan (BFBLP) (January 2002) (Saved policies): EN20</li> <li>- WNP: WNP3 &amp; WNP12</li> </ul>	Consistent
Parking	<ul style="list-style-type: none"> <li>- BFBLP: M9</li> <li>- WNP: WNP14</li> </ul>	Consistent
Transport	<ul style="list-style-type: none"> <li>- CSDPD: CS23 and CS24</li> <li>- BFBLP: M6</li> </ul>	Consistent
Trees, Landscape and Biodiversity	<ul style="list-style-type: none"> <li>- CSDPD: CS1 &amp; CS7 (iii)</li> <li>- BFBLP: EN1, EN2, EN3 &amp; EN20 (ii)</li> <li>- WNP: WNP8 &amp; WNP11</li> </ul>	Consistent

8.2 Relevant Supplementary Planning Documents (SPD) and other guidance include:

- Warfield SPD (2012)
- Design SPD (2017)
- Character Area Assessments SPD (2010)
- Streetscene SPD (2011)
- Parking Standards SPD (2016)
- Warfield Central Area Masterplan Document ('Area 1 Masterplan') (A1M) (2015)

8.3 Other publications:

- NPPF
- Planning Policy Guidance (PPG)

8.4 At a national level, the key planning policy guidance relevant to this proposal is the NPPF. Chapter 9 promotes sustainable transport; Chapter 12 requires good design and Chapter 15 deals with conserving and enhancing the natural environment.

8.5 At a local level, the most relevant planning policies are those set out in the Site Allocations Local Plan (SALP), the Core Strategy Development Plan Document (CSDPD), the Bracknell Forest Borough Local Plan (BFBLP) and the Warfield Neighbourhood Plan.

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Design and impact on the character of the area
- iii. Impact on residential amenity
- iv. Transport
- v. Heritage
- vi. Trees and Landscaping
- vii. Biodiversity
- viii. Archaeology
- ix. Drainage
- x. Thames Basins Heaths Special Protection Area (SPA)
- xi. Affordable Housing
- xii. Energy sustainability
- xiii. Waste management
- xiv. Contaminated land
- xv. Infrastructure delivery

9.2 These will now be considered in turn. All measurements provided are reasonably accurate approximations from scaled plans.

**i. Principle of development**

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paragraph. 2 and 12). This is also reflected in SALP Policy CP1 which sets out that a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the NPPF. The development plan is the statutory starting point for decision making and planning applications which accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate development should be restricted.

9.4 The majority of the site was allocated for development following adoption of the SALP in policies SA9 'Land at Warfield' and SA1 'Previously Developed Land in Defined Settlements' as 'Land at Battle Bridge House'. A small northernmost part of the site was included within the defined settlement. The entire site now lies within the defined settlement and is considered acceptable in principle.

9.5 SALP Policy SA9 is the most relevant development plan policy for determining this application. Policy SA9 requires comprehensive well designed mixed-use development that includes:

- i) 2,200 residential units (including affordable housing)
- ii) Employment
- iii) Neighbourhood centre
- iv) Two Primary Schools
- v) Multi-functional community hub
- vi) On-site open space
- vii) Suitable Alternative Natural Greenspace (SANG)

9.6 The following provides a summary as to how this development would meet SA9 planning policy objectives as set out in points i) – vii) above:

- i) 2,200 residential units (including affordable housing):

9.7 The application would make a meaningful contribution towards this allocation, the location of which is broadly in line with the illustrative concept plan for Warfield (SALP, p38). Figure 4.1 of the Area 1 Masterplan provides an indicative figure of 50 dwellings for the application area. The Warfield SPD Figure 5 (p47) provides a target density of 35 dwellings per hectare (dph) and the development proposes 34 dwellings at 23 dph. Given that the SPD provides an indicative target, subject to detailed site design, and in the context of this site being in the northern extent of the allocation adjacent to an area with a historically looser grain/lower density of development, the proposed density is considered acceptable.

9.8 The site will provide a mix of market and affordable homes.

- ii) Employment:

9.9 The Warfield SPD states that employment floorspace would be encouraged in the Neighbourhood Centre, which is planned to be a short distance from the site. It further states that “Development proposals for uses other than housing beyond the Neighbourhood Centre will need to demonstrate that they do not detract from the objective to provide 2,200 dwellings on the site”. This application will facilitate employment at the school, and the delivery of housing itself will generate jobs and training opportunities and additional spending power in the local economy. The delivery of this site will also contribute towards the delivery of the new neighbourhood centre and improve connectivity to it, thereby assisting in the creation of, and access to, jobs.

- iii) Neighbourhood centre:

9.10 This centrepiece of the allocation is planned for close to the site, on land to the east of Newell Green. This site is not required to deliver the centre, other than contributing financially towards the community hub element and facilitating pedestrian/cycle access to it. The application provides for north-south greenway connection for pedestrians and cyclists and will financially contribute towards a planned new east-west greenway crossing of Newell Green to access the centre from the west via sustainable travel modes.



iv) Two Primary Schools:

9.11 The SA9 allocation plans for two schools. Warfield CE Primary School (Woodhurst Park) is closest to serve pupils from this site has been built and fitted-out. Safe and efficient pedestrian and cycle connectivity to the school is proposed. The Local Education Authority has been consulted and has not raised the need for planning obligations from this development.

v) Multi-functional community hub:

9.12 The Warfield Community Hub, including nursery, will be located as part of the neighbourhood centre, adjacent to the open space at Priority Field. This development would make a proportionate contribution towards the build cost.

vi) On-site open space:

9.13 According to BFC's Open Space of Public Value (OSPV) standards, this 43 dwelling proposal would require 0.23ha passive and 0.2ha active OSPV – 0.43ha OSPV overall. This application would provide for approximately 0.3ha passive overall onsite and underprovide active OSPV. The Warfield SPD (p53) states that, whilst open space will be required to be provided to standard, this could be in the form of enhancements to existing sports facilities nearby requiring upgrades, such as Priory Field or Warfield Memorial Ground, which both have costed projects ready to be implemented, subject to funding. To compensate for the deficit of on-site active open space, this application would make a financial contribution towards off-site active OSPV projects, within close proximity, for the benefit of new and existing residents of Warfield. This would be compliant with policy.

vii) Suitable Alternative Natural Greenspace (SANG):

9.14 Third Party SANG is to be provided, secured by planning obligation, to mitigate the impact of this development on the Thames Basin Heath SPA.

Material considerations

9.15 SALP Policy SA9 is supported by the Warfield SPD, and the site is located within 'Area 1' of the Warfield strategic allocation which has an agreed masterplan. The relevance of these documents in shaping the development of this site is explained below:

a) Warfield SPD

9.16 The Warfield SPD sets out specific guidance relating to the development of the Policy SA9 allocation. Development Principle W1 explains that 'the Council will expect planning applications to support the comprehensive development of Warfield including accessibility and the delivery of infrastructure'. The SPD was adopted following public consultation and it supplements Core Strategy Policy CS5 and SALP Policy SA9. It is

therefore capable of being afforded full weight and can be treated as a material consideration in the determination of planning applications.

b) The Area 1 Masterplan

9.17 The site is located within the Area 1 Masterplan which was endorsed by the Council as technically sound and meeting the requirements of SALP Policy SA9 in February 2015.

9.18 The Masterplan responds to requirements set out in the Warfield SPD and provides the parameters and design principles to set the context for development proposals. It is a material consideration in the assessment of this planning application.

9.19 Whilst the masterplan is not immutable, any amendments or changes in terms of the key design principles set out in the masterplan, would be required to demonstrate an improvement or enhancement to what could be achieved through conformity to the masterplan. Therefore, the applicant has been required to demonstrate consideration for the content of the Area 1 Masterplan when putting forward proposals for this site.

9.20 To secure the successful delivery of the comprehensive development of the strategic allocation, it is important that individual development proposals do not undermine the overarching objectives. This includes the transport/highway strategy, design and infrastructure delivery. The need to secure comprehensive delivery has been recognised by Inspectors on appeal, when considering alternative proposals within the wider allocation.

c) Five Year Housing Land Supply

9.21 The Council is currently unable to demonstrate a 5 Year Housing Land Supply (5YHLS) [4.74 years as at April 2023] and as a result the presumption in favour of sustainable development is applied. Therefore, development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme.

d) Comprehensive site delivery

9.22 The SALP and the Warfield SPD explain the need for a comprehensive approach to the development of the Warfield strategic development and for masterplans 'to be prepared by the developer and agreed by the Council'. An Area 1 Masterplan has been agreed by the Council as being in compliance with the requirement of SALP Policy SA9 and provides the context and forms a material consideration in the assessment of this planning application.

9.23 A principal reason for refusing a previous planning application (ref. section 5.) on this site was that the proposed development would have resulted in a piecemeal form of development which would have prejudiced the comprehensive delivery of SA9 in terms of design and infrastructure delivery. This was largely because several sites to the south needed to be considered as a whole to ensure appropriate development design interface,

connectivity and because the Community Infrastructure Levy Regulations at the time limited the pooling of up to only five developer contributions towards any one infrastructure project needed to mitigate impact. Fragmentation of development would therefore have led to poorly considered design and a failure to be able to deliver projects needed to mitigate the whole SA9 allocation.

- 9.24 Since this refusal, a consortium and a further individual development to the south (ref. section 5.) have received planning permission with construction nearing completion, and the 'pooling restriction' has been abolished. The context for this planning application has therefore changed significantly since this refusal, with the Council now of the view that development of this parcel, would not now prejudice the delivery of the wider allocation.

### Sequential Test

- 9.25 Flood risk mapping confirms parts of the site are within areas at risk of fluvial and surface water flooding.
- 9.26 Paragraph 159 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing it away from areas at highest risk, whether existing or in the future.
- 9.27 Paragraph 161 requires the application of a sequential approach to the location of development taking account of the potential and future risk of all sources of flooding, to avoid, where possible, flood risk to people and property.
- 9.28 Paragraph 162 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source, and development should not be permitted if there are reasonably available sites appropriate for the development in areas with a lower risk of flooding. It should be used in areas known to be at risk now or in the future from any form of flooding. 'If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied'. (paragraph 163).
- 9.29 The applicant has provided a Sequential Test and Exception Test, dated August 2023, whereby it has reviewed sites without planning permission that are included as draft allocations within the emerging Bracknell Forest Local Plan, the Site Allocations Local Plan, and SHELAA sites.
- 9.30 The Sequential Test concludes that there are no sequentially preferable sites (in flood risk terms) to the subject site which are reasonably available, suitably located and appropriate for the nature and quantum of the proposed development.
- 9.31 The Exception Test is required as a small area in the north of the site is located within Flood Zones 2 & 3. No properties are proposed within the flood zone, or within its greater extent factoring in climate change. It concludes that the proposal is a sustainable form of development which provides appropriate flood mitigation, and which would make a positive contribution towards the Borough's housing supply.

9.32 The findings of the applicant's Sequential and Exception Test are accepted and it is concluded that the issue of flood risk does not prevent the development of this site; consistent with the approach set out in Chapter 14 of the NPPF.

9.33 Having regard to planning policy and other material considerations set out above, there is in-principle support for the residential development of this site, and the Council is satisfied that the development of this parcel would not prejudice the comprehensive delivery of the SA9 allocation.

## **ii. Design and impact on the character of the area**

9.34 'Saved' BFBLP Policy EN20 and CSDPD Policy CS7 requires development to be sympathetic to the appearance and character of the local area and appropriate in terms of built form. These are consistent with chapter 12 of the NPPF and therefore have significant weight. NPPF para. 130 states that developments should function well, be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and be sympathetic to local character and history. It says they should establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also says that development should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development, including green and other public space.

9.35 The part of the site fronting Forest Road sits within the Policy WNP3: Promoting Good Design in Newell Green area. The policy sets out a number of design principles that development proposals should have regard to, and can be given significant weight.

9.36 Following the Warfield SPD, in accordance with the requirement of SA9, an Area 1 Masterplan (A1M) was agreed with BFC that provided more fine-grained site analysis and design principles that planning applications would be required to respond to. Figure 3 below, shows the sites location within A1M.



Figure 3: Site location on Area 1 Masterplan (bold red)

9.37 The site is located within the 'Newell Green South' character area, which is intended to reflect the 'rural character of Newell Green with an informality and greenness to its form and appearance' (A1M, p34). The relevant masterplan design principles are:

- The access strategy, with development orientated towards Bracknell town centre, to minimise traffic impact on Forest Road.
- Provision of c.22 units accessed off Forest Road and c.28 units accessed off the new north-south link road.
- Advises 35 dwelling per hectare (dph).
- Prevalence of detached and semi-detached dwellings to the north and short terraces and mews further south.
- A landmark building fronting Forest Road.
- Primary frontages facing onto the access road from Forest Road and area of open space.
- An area of greenspace fronting Forest Road adjacent to the Three Legged Cross pub.
- A small development parcel in the northern part of the site is accessed off Forest Road, whilst the majority of the site is accessed through an adjacent development parcel to the west onto the new north-south link road (Sopwith Road).
- Pedestrian links provided through the site from the south out onto Forest Road at two separate points.
- Integration of the Oak tree into an area of open space.
- Vehicular and pedestrian/cycle links into adjacent development parcels.
- Provision of SuDS.

9.38 The Character Areas SPD (2010) provides further design recommendations and can be afforded significant weight. It provides guidance to supplement Core Strategy Policy CS7 (Design). The application site is partly within/partly adjacent to Area A (Forest



Road/Osborne Lane) of the Northern Villages. The key recommendations relevant to this proposal are:

- Development along the main streets should most appropriately be in the form of semi detached or small terraces of houses (2 storeys high);
- Infill development at the rear of plots could differ slightly in character without impacting negatively on the settlement. However, existing frontage conditions should be retained;
- Development within the village fringes should retain the looser, more open and less formal development pattern;
- Retain roadside and waterside hedgerows and hedgerow trees;
- Front boundaries to be formed by hedgerows or low brick walls; side boundaries linking to older property to use brick walls;
- New development should retain and reinforce tree and hedgerow planting in keeping with the local landscape pattern; and
- Boundary treatments should be in line with existing boundaries as there is a risk of loss of locally distinctive road frontage.

9.39 First, the northern parcel accessed off Forest Road will be assessed. The development's Forest Road frontage is defined by a 2.5 storey landmark apartment building, marking the northernmost extent of the development set back by an area of landscaped open space. As intended, the design provides a focal point of greater visual prominence, in a gateway location that provides legibility and visual interest. This accords with the Area 1 Masterplan recommendation for buildings up to 3 storeys in height at key locations. The dual aspect also serves to provide activation and natural surveillance to open space and the greenway to the west. 2 storey dwellings to the south-east complete the frontage, providing a transition of massing from the apartment building to existing dwellings, by means of a terraced block and detached house. Particular attention has been given to plots 33-35 to ensure that they turn the corner and frame the main access. As figure 4 shows, with separation between blocks, the access road, open space, and a substantial landscaped setback, the design and setting of development is considered to respond to design objectives, is appropriate to this important location and is sympathetic to the character of the area.



Figure 4: Proposed Forest Road frontage

9.40 Upon entering the site from Forest Road, dwellings are suitably set back, and areas of parking are broken up by areas of landscaping, including tree planting, which continues to soften the streetscene through into the site and onwards to define the greenway link. Dwellings are mostly detached with two semi-detached blocks, and the majority are two storeys in height, which is reflective of dwellings in the locality. Parking is mostly provided alongside dwellings, with car ports, to minimise car dominance in the streetscene. The

arrangement of plots, combined with variation in elevations and roofing, helps to provide a loose grain of development, and breaks up any continuity in frontage.

9.41 The apartment parking area is now located to the rear of properties to minimise any imposition on Forest Road, open space and the streetscene generally.

9.42 The greenway follows a direct route through the parcel, and is generally well set back from built form and benefits from a reasonable degree of natural surveillance where it links to the southern parcel. Access for a fire engine is provided at the link between the north and south parcels, where bollards at either end would prevent it being used as a vehicular cut-through. At this point, plot 23 is 2.5 storeys in height and serves as a key building, appropriate to its location in terminating a view westwards from the southern parcel. The principle of 'key buildings', in the context of good urban design principles, is explained in the Design SPD, paras 3.7.4 -3.7.11.

9.43 With reference now to the southern parcel; the access from Crozier Lane is framed by 2 storey detached dwellings that front the strategic greenway and ditchline. Boundary treatment defining this frontage and plot 14 and 17's rear garden that wraps around the greenway and open space has been carefully considered, with post and rail and chain link fencing. This is supplemented with landscaping, providing for softened enclosure appropriate to this highly visible location adjacent to open space.

9.44 This southern parcel, as shown at figure 5, similarly comprises mostly detached 2 storey dwellings, other than a single semi-detached block and elements of 2.5 storey dwellings where considered appropriate, which serve to provide definition in the streetscene and variety in dwelling mix, design and roofscape. Plot 18 is the only bungalow provided and is considered necessary to address a particular design interface with existing properties (ref. section 9.iii.).



Figure 5: Proposed dwellings backing onto Forest Road properties (top), and dwellings along the northern extent of the southern parcel (bottom)

9.45 The majority of car parking is provided to the side of dwellings which serves to loosen up the development, with instances of parking to the front largely set into the site away from the main access.

9.46 On entering the site, dwellings are set back beyond 2m-4m side/front gardens that provide for tree planting to soften the street. Built form on the street comprise a variety of styles of roof line and projected elements which serves to create for variation in built line for a more organic feel.

9.47 Plots 8, 9 & 20 are the only 2.5 storey dwellings, with good depth of landscaped front gardens, they serve to terminate main views east and north within this southern parcel. This design response is considered appropriate and provides for variation, interest, and a sense of legibility to assist with orientation through the site.

9.48 Dwellings include a variety of projected elements, such as porches, bay windows and garages. A variety a roof styles are proposed, including hipped and half-hipped roofs with gable elements, with chimneys added to reflect local character. Construction of dwellings will predominantly be of red brick, however this is supplemented with various elements of patterned tile hanging, timber boarding, rendering, and brick detailing. Roofs will incorporate both red and grey tiling.

9.49 A variety of boundary treatments are proposed, appropriate to their location. Where plot boundary enclosure is required in more sensitive areas, such as where there is an interface with open space, split-chestnut post and rail fencing, bolstered with stock fencing and hedging, is proposed. This will provide a sympathetic vegetated interface that will mature over time. Prominent rear garden boundaries are defined with 1.8m high brick walls. Only those rear garden boundaries with less visual presence are defined by 1.8m close-boarded fencing. This arrangement is considered sympathetic to the character of the area.

9.50 A continuation of the north-south greenway is provided for through the site from the south. It is integrated within an area of open space that widens to provide for an attenuation basin and a significant oak tree on a ditch-line. It also serves to provide the visual and physical connection to the pedestrian link to the east, that forms a pedestrian-only continuation of the green corridor out onto Forest Road.

9.51 In conclusion, although the character of the site will inevitably change, it is considered that the proposal has appropriately responded to design objectives set out in the Warfield SPD and Area 1 Masterplan, and sympathetically blends into the character of the area. Redevelopment of the presently derelict area along Forest Road will provide clear benefits. The proposal makes efficient use of the land and good use of the opportunities provided by the natural assets of the site. Therefore, the proposal is in general accordance with the Area 1 Masterplan, Warfield SPD, 'Saved' BFBLP Policy EN20, CSDPD Policy CS7 and the NPPF.

### **iii. Impact on residential amenity**

9.52 BFBLP Policy EN20 seeks to protect the amenity of surrounding properties. This Policy requires that new development does not have an unacceptably adverse affect on the amenity of surrounding properties and adjoining area. This is consistent with the NPPF.

- 9.53 In addition to heights of buildings, separation distances and boundary treatment, proposed finished floor levels in response to changes to existing ground levels are also a factor for consideration.
- 9.54 The following section will assess the impact of the development from the north of the site clockwise.
- 9.55 Development along the Forest Road frontage is sufficiently set back from the road, with established vegetation bounding the carriageway opposite. The nearest potentially impacted dwellings are existing properties fronting Forest Road to the east and are either side-on or backing onto the proposed development.
- 9.56 The depth of gardens for plots 32 and 33 provide a rear to side separation with the neighbouring dwelling of 19m. This relationship is considered acceptable.
- 9.57 Plot 31 is set at an oblique angle to the foot of the neighbouring property's garden beyond vegetation, with separation varying from 1.8m to 3m and 22m between the side and rear of dwellings. The proposed roof line is hipped away from the property which will further reduce its visual impact. This relationship is considered acceptable.
- 9.58 Plot 18 is a single storey bungalow and is proposed to be constructed on ground raised by 1.85m (which is necessary for the drainage strategy to function effectively) and has a side to rear interface with nearest properties to the east. Factoring in the levels change, the height to ridge would be 7.65m and 4.45m to eaves from existing ground level. Separation to boundary and the nearest property to the east would vary from 2.7m and 24m respectively to 6.3m and 28m. The distance between habitable windows, at an oblique angle would be 27m. The boundary is vegetated with established trees, and as part of the landscaping scheme, hedging and pleached Hornbeam trees are proposed to help strengthen the visual buffering. To the front of the bungalow, further hedgerow and tree planting is proposed to prevent headlights from cars spilling into rear gardens. To the rear, the patio area is proposed to have a timber screen to prevent incidental overlooking. Concerns were first raised by objectors with regard to this relationship when a two-storey dwelling was proposed here. Replacement with a bungalow is now considered to have addressed concerns and, combined with the separation distance and intervening vegetation, is now considered to be an appropriate relationship that would not lead to an unacceptable impact on amenity. Figure 6 shows this relationship.

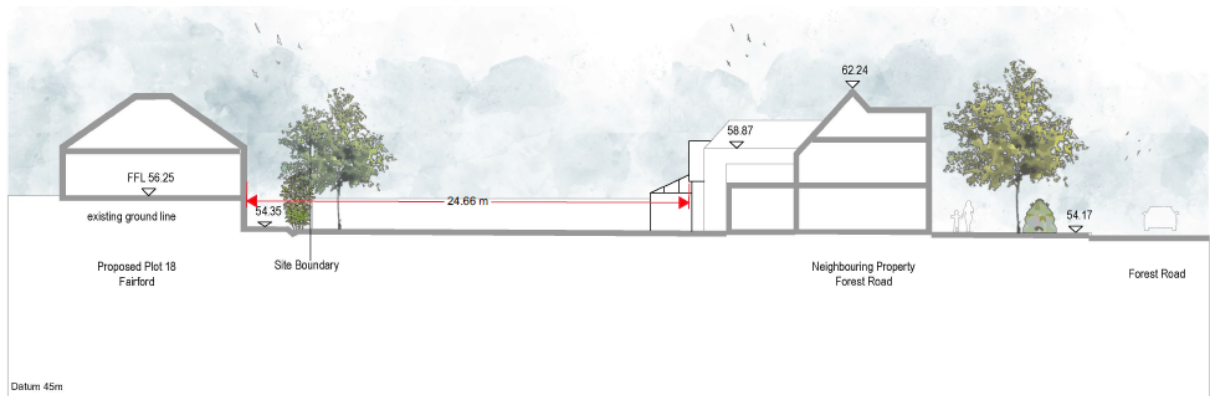


Figure 6: Relationship between Plot 18 and Forest Road properties

9.59 The pedestrian access onto Forest Road rises by means of two sets of steps to meet the proposed internal site level change from the east. The highest point of the steps would be 11m from the rear boundary of the most impacted property, with the top of the lower tier being 4m away. Given the distances, low intensity of path usage expected and landscaping proposed, this relationship is considered acceptable.

9.60 Between plots 13 and 8 the increased land level change is around 1-1.5m, and the depths of rear gardens ranges from 11.5 to 14.5m. The boundary is heavily vegetated, largely defined by 1.8m closeboard fencing with a further 3.5m height of Leylandii hedge. With dwellings further east, rear-to-rear separation between dwellings is 33 to 36m. Separation is greater with plots 8 and 9 that are 2.5 storey with skylights in the rear roofline. This relationship significantly exceeds the Design SPD guidance minimum of 22m back-to-back separation and is considered acceptable. Figure 7 shows this relationship.

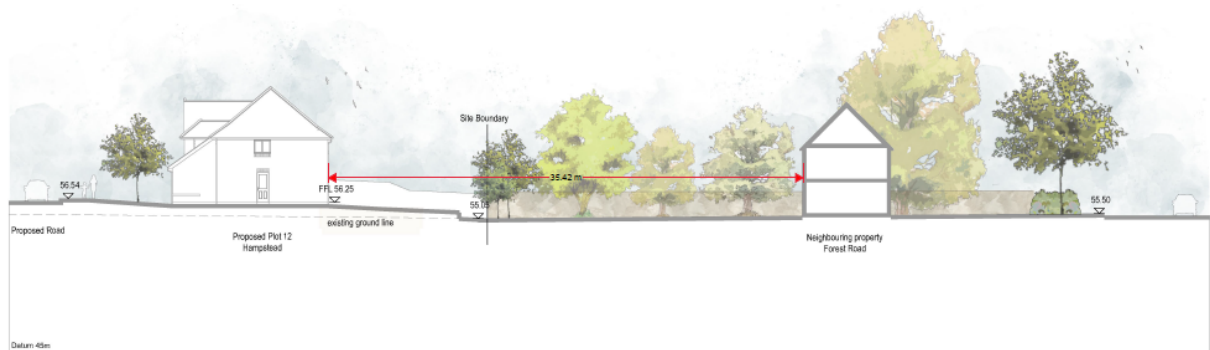


Figure 7: Relationship between Plot 12 and Forest Road properties

9.61 Plots 5-7 have a closer relationship to existing dwellings, with boundary vegetation providing less of a buffer. Level change would only be +0.5m. The back-to-back relationship with dwellings at Abbey Place is oblique with a separation of 21m. The nearest proposed rear garden would be 12.5m deep with significant landscaping proposed to strengthen the boundary over time. The side elevation of Plot 5 is set in from the boundary by 3.5m and is 10m from the side elevation of the closest dwelling on Old Farmhouse Row. This is an acceptable relationship.

- 9.62 To the south, the separation distance between nearest plots 1 and 2 to the newly constructed apartment building at Old Farmhouse Row is 20-22m, which is in approximate alignment with the Design SPD separation guideline.
- 9.63 To the west, the front elevations of plots 1 and 14 are 15m and 23m away respectively from newly constructed development, beyond the greenway, ditchline and private drive. This is considered acceptable.
- 9.64 Further north, to the west of the site is the property Huntercombe. Plots 23-27 back onto and are appropriately set back from its heavily vegetated and long rear garden. The apartment building is set in 20m from the vegetated boundary, with a separation of 35m from the Huntercombe dwellinghouse, which is considered acceptable.
- 9.65 The Three Legged Cross pub is 35m northwest of the apartment building, with open space and ditchline and earth bund between. This relationship is considered acceptable, and the development will provide a betterment to what is currently a neglected former car sales forecourt.
- 9.66 Within the site, relationships between dwellings generally accord with the Design SPD guidelines, and the depth of gardens separating properties are considered acceptable.
- 9.67 Around the edge of the site, whilst there would be level changes within the site, the development's ground levels will tie into existing ground levels of adjoining land. Therefore boundary fencing around the edge of the site will remain approximately the same, with some additional 1.8m high closeboard fencing proposed in places to bolster boundary treatment where less defined. This is shown on the submitted Boundary Treatment Plan. It is important to note that the 'Site Boundary' line shown on figures 6 & 7 should not be interpreted as representing the height of boundary fencing.
- 9.68 Overall, it is considered that the proposal would not result in any unacceptably adverse impacts upon any existing and/or proposed residential amenity and would therefore comply with Saved BFBLP Policy EN20(vii), the NPPF and the Design SPD.

#### **iv. Transport**

- 9.69 The NPPF emphasises the importance of transport policies in facilitating sustainable development and in giving people real choice about how they travel. Particular advice is set out in paragraph 35 of the NPPF which explains that developments should be located and designed where practical to (amongst other matters) give priority to pedestrian and cycle movements. They should also have access to high quality public transport facilities and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- 9.70 The Local Highways Authority (LHA) has been consulted throughout the determination of the scheme, with issues raised helping to evolve the layout.

#### Access

9.71 Access arrangements roughly split the site in two. The northern parcel, comprising 21 dwellings, is served by vehicular and pedestrian access off the A3095 Forest Road via a T-junction. The southern parcel, comprising 22 dwellings, is served by vehicular and pedestrian access off Sopwith Road (Galton way and then Crozier Lane), and a segregated pedestrian link providing a connection to Forest Road. This latter route would be stepped, to avoid an engineered ramp. This is considered acceptable given that there are alternative non-stepped routes onto Forest Road via the main access and greenway to the north, and via Abbey Place to the south.

9.72 Fire engine access passes across the greenway opposite plot 23. Whilst considered acceptable in principle, details of this section, comprising grasscrete and bollards, are to be secured by condition.

9.73 Access arrangements accord with the Area 1 Masterplan access and movement strategy. Further to this, a segregated 3m footpath/cycleway is provided, providing north-south connectivity via a greenway linking Crozier Lane and Forest Road. This forms a continuation of the route consented on earlier schemes to the south.

9.74 Where appropriate, for unadopted routes, provisions for Private Access and Footways (PAF) will be secured to provide public access, appropriate construction and maintenance in perpetuity. Indemnity for refuse collection will also be required along with other relevant controls that an adopted highway would have the ability to provide. Having such clauses will also allow public access to the visitor parking bays in these areas for all residents.

### Parking

9.75 The proposal appears to provide parking in line with BFC standards for dwellings and visitors, with the exception of plot 21 which has a substandard garage and 2 spaces on plot, a shortfall of 1 space. However the garage is larger than a single garage in width and so could be used for parking a smaller vehicle whilst the remainder of the space is used for storage such as cycles. This is one of several sub-standard garages provided across the site not counted as a parking space, but capable of being used as such. On balance this single exception is considered acceptable, with such a shortfall not being grounds for refusal. These smaller garages can provide storage and an area to store cycles as well. Cycle parking is to be conditioned, but the plan shows sheds/garages for the dwellings and a store for the flats.

### Traffic impact

9.76 The applicant has looked at data from the BFC Model for 2026 and made an evaluation of the likely trip generation and distribution using details from TRICS and national statistics. This site is part of a wider development of Warfield and the applicant has undertaken a reasonable peak hour test of the impact of the development with other proposed developments already included. The impact from the proposal will have a nominal impact on the local road network as the changes already made and are in place paid regard to the potential future development of this site.

## Off-site works

9.77 With regards to off-site highway works to be delivered as part of this development, the LHA has sought for both the Forest Road main access to be lit and a 120m section of road south of the application site by the main access, to 'fill a gap' and join up with an existing section of lighting that ends at Old Milestone House. The reason cited is to improve safe access. This would serve to light a long currently unlit section of road. Whilst it is understood that the SA9 strategic development site will inevitably have an impact on the character of Warfield, the benefits of works that would cause 'harm' need to be weighed against the benefits.

9.78 NPPF paragraph 185 and Policy WNP12: Promoting Dark Skies, state that development should be appropriate to its location and consider potential sensitivity of the wider area to impacts that could arise, in particular to limit the impact of light pollution from artificial light on local amenity. NPPF para 111 further states that development should only be refused if it would lead to an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Given that this stretch of road proposed to be lit is historic and characterful remote from the point of main access, it is not considered that street lighting can reasonably be justified from this development. Street lighting immediately around the main access will however be secured. The applicant has agreed to this and has offered to provide, and replace existing standard LED lighting columns, with heritage-style lanterns in the interests of reflecting and enhancing the character of the surrounding area. This will be subject to section 278 agreement. If thus minded, lighting of this road could be carried out by the LHA outside the scope of this planning application.

9.79 To conclude, subject to works proposed being secured by condition or planning obligation, that could be linked to the phasing of development, the development accords with planning policy and guidance, and would not lead to any unacceptable highway safety issues. The proposal is considered to comply with Policies CS23 and CS24 of the CSDPD and Saved policy M9 of the BFBLP.

## **v. Heritage**

9.80 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the decision maker when considering whether to grant planning permission for development which affects a listed building or its setting to "have special regard to the desirability or preserving the building or its setting or any other features of special or architectural interest which it possess". The requirements of this Act are relevant because part of the site is within the setting of the locally listed Spice Lounge and Old Police Cottage and the Grade II Listed Milestone (Milestone 250m South East of Bott Bridge), and to a lesser degree, the Grade II Listed South Lodge and Newell Hall.

9.81 Para. 193 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the



weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

9.82 Para. 194 indicates that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification....".

9.83 Paragraph 196 states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

9.84 The Council's Heritage consultant has been consulted and has advised that the main part of the site which would potentially affect the built heritage in Warfield, would be along the Forest Road frontage. The proposals for the new building along Forest Road would replace existing buildings on the Warfield Garage site which are not of any architectural or historic interest and includes poorly designed buildings which are unsympathetic to the historic environment. Following amendments to the original proposal that sought to address concerns raised, the massing of built form on Forest Road and overall visual impact of buildings has reduced.

9.85 There is no objection to the proposed development as, if suitable architectural detailing and materials are incorporated, there would be a potential improvement to the setting of the locally listed buildings. A condition is recommended for the submission of external building materials to safeguard the special architectural and historic interest of the Listed Buildings and locally listed buildings.

## **vi. Trees and Landscaping**

9.86 Trees and hedgerows are important to the character and appearance of an area and in providing ecological habitats. BFBLP Policy EN1 requires proposals for major development to, where possible, retain trees and hedgerows to soften the impact of the new developed areas and enhance those wildlife habitats which are important to the immediate surrounding locality of the proposed development. Policy EN2 requires the planting of indigenous trees appropriate to the setting and character of the area and a variety of other indigenous plants.

9.87 A tree survey, arboricultural impact assessment, tree protection plan and supporting information have been submitted in support of the application. BFC's Tree Officer has been consulted during the course of determination.

9.88 The site contains and is bordered by a number of trees and hedges. A relatively small number of the trees merit particularly careful consideration in relation to this development. The most significant are two English Oak trees within the site. Firstly T7 is a category A1 landmark tree subject to a TPO (TPO 1207), that is a potential veteran, on the west-side of a ditchline defining the western boundary. Secondly, T13 lies to the east in a narrow corridor forming a pedestrian link to Forest Road. There are several other groups and individual trees around the perimeter within and outside of the site.

9.89 T7 is located within the western area of open space, specifically on the west side of the ditch line, which suppresses the spread of roots to the east, resulting in an adjusted non-circular root protection area (RPA). To the east of the ditch, a 3m wide pedestrian/cycleway is proposed 10m away from the trunk. For the area of the path outside of the adjusted RPA, but within the conventional RPA (plotted if the ditch was not present), path construction will adopt a precautionary approach; constructed by means of a non-intrusive 'do-dig' method using a cellular confinement system (CCS) of 75mm depth with a self-binding gravel wearing course. An indicative construction cross-section is shown on the submitted Tree Protection Plan. Self-binding gravel is used in many tree-related situations across the borough, such as on paths through woodland in close proximity to trees. This construction method is designed for this conflicting situation, and will minimise root disturbance and compaction, and allow ground movement for root development and a degree of gaseous exchange and water percolation. This is considered to be appropriate, striking the right balance in facilitating access whilst minimising harm to the tree.

9.90 T13 is located in a constrained corridor between existing properties to the north and south. Existing buildings and hardstanding would serve to have suppressed root development leading to an adjusted RPA being plotted, that in effect increases the amount of the RPA within the corridor in the application site. BFC's Tree Officer has expressed concerns regarding the appropriateness of a path through this corridor given the constrained rooting environment. The footpath connection is a requirement of the Area 1 Masterplan, and good levels of accessibility within a development is an important part of good design. Therefore, delivery of this route needs to be achieved unless the benefits are outweighed by the harm doing so. To address this conflict, the applicant is proposing the use of CCS with a self-binding gravel wearing course through the adjusted RPA area, with an appropriate separation from the trunk to allow development of buttress roots. For reasons previously set out, this is considered an appropriate balance, incorporating a sensitive construction method.

9.91 Sections of path in the vicinity of T7 & T13 are to remain unlit, to minimise any soil disturbance from servicing, biodiversity disturbance, harm to the character of the trees and lighting spill onto neighbouring properties. The path past T13 will remain unadopted. Precise details of path construction and drainage works near to the tree will be conditioned.

9.92 T26 – category A2 English Oak along Forest Road will be integrated into the layout and become a defining feature, framing the northern entrance of the greenway into the site. Extensive hardstanding to the south will be removed to create a more sustainable growing environment.

9.93 The Tree Officer raised concerns regarding the proximity of built form between T3 – English Oak and Plot 23, and T11 – Ash tree and plot 13. Trees are located outside of the site, with the trunks 16m from the rear elevations of each house. Neither tree is to the south of the proposed rear gardens, therefore the future impact on amenity from shading is considered limited. These trees are not the subject of a TPO and remedial pruning is not unusual on property boundaries; in which case the tree owners would have control

over the tree's removal and works on their property. Given the distance between trees and built form, and their aspect, the relationship is not considered to unacceptably compromise the future health of the trees or residential amenity and is therefore considered to be acceptable.

9.94 No changes to existing ground levels within the RPA of retained trees are proposed other than for the construction of paths using a no-dig method and the sensitive instatement of landscaping. Further to this, a condition is proposed requiring details of proposed works and ground level changes within 5 metres of the RPA of retained trees in order to safeguard their health.

9.95 The proposed landscaping emphasises the planting of native broad-leaved tree and hedge species around the site, including a landscaped setback for development fronting Forest Road, and in areas of open space. Within the site, more of a mix of a native, ornamental and herbaceous species-mix is proposed that serves to 'green-up' the streets that will attractively mature the development over time. Landscaping has been carefully considered, with Parks & Countryside and Biodiversity Officer input, to benefit biodiversity and provide for visual buffering with existing properties.

9.96 Overall, the scheme is considered to sympathetically integrate existing trees into the site and provides for a landscaping scheme that is appropriate to the semi-rural setting and maximises opportunities for biodiversity and therefore is considered acceptable.

## **vii. Biodiversity**

9.97 Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity, and CS7 requires development to enhance the landscape and promote biodiversity. This is supported by the NPPF – Section 10 that seeks to conserve and enhance the natural environment and for development to minimise impacts and provide net gains for biodiversity.

9.98 The application site comprises a mixture of greenfield and brownfield land; primarily semi-improved grassland, dense scrub and buildings/hardstanding. There are no designated nature conservation sites within the application site. The most valuable habitat present within the site comprises scattered trees, specifically the veteran and mature English Oaks on the south-western and eastern boundaries. The site supports foraging and commuting bats and nesting birds. Evidence of mole, fox and rabbit was also recorded; although they are not subject to legal protection in terms of their conservation status.

9.99 An Ecological Impact Assessment (EclA) has been submitted to identify and mitigate the impact of development, to ensure compliance with nature conservation legislation and relevant planning policy. The Council's Biodiversity Officer has been consulted throughout determination. Tree-specific matters are considered in section 9.vi..

9.100 The proposal provides a landscaping scheme that focuses on native trees, such as English Oak and Wild Service trees, and hedgerow species within areas of open space,

and elements within built form. The development would provide boxes, bird boxes, hedgehog highways through the site and deadwood stag beetle habitat.

9.101 In the event of approval, conditions will be imposed to require a Construction Environmental Management Plan to minimise the impact on biodiversity during construction. It will also require the provision of up-to-date reptile and bat survey information, a lighting scheme sensitive to wildlife, and for ditch culverting to be designed to facilitate wildlife connectivity between ponds and ditches.

9.102 Overall, the development would provide for measurable Biodiversity Net Gain (BNG); achieving a gain onsite for hedgerows and watercourses, with area habitat units being provided off-site by financial contributing towards BFC's BNG projects. On-site provision would be secured by condition through a Landscape and Ecological Management Plan (LEMP), with off-site BNG and monitoring sums secured by planning obligation.

9.103 To conclude, the Council's Biodiversity Officer is satisfied that the scheme accords with planning policy, and it would provide a net gain for biodiversity in accordance with the NPPF.

#### **viii. Archaeology**

9.104 A Written Scheme of Investigation for an archaeological evaluation at the site has been submitted. Berkshire Archaeology has been consulted and has advised that the site lies in an area of archaeological potential and has therefore recommended the imposition of an archaeological condition.

#### **ix. Drainage**

9.105 Chapter 14 of the NPPF states that "When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere" (para 167), and that "Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate" (para 169).

9.106 The majority of the site lies within Flood Zone 1 (low risk), however, a small area within the north-western corner of the site, near The Cut river, is located within Flood Zone 2 (Medium Risk) and Flood Zone 3 (High Risk). Areas within the site are at risk of surface water flooding. Additionally, it is recognised that the area to the north of the site, around Huntercombe, the Three Legged Cross and on Forest Road, frequently experiences localised flooding, which has been raised extensively in objections. This particular issue is addressed below.

9.107 A Flood Risk Assessment (FRA) and drainage strategy based on pluvial modelling have been submitted in support of the application and the Lead Local Flood Authority (LLFA) has been consulted throughout the course of determining this application, the following advice has been provided.

- 9.108“Extensive discussions with the applicant and their drainage consultant has been undertaken in relation to the proposals for the management of surface water flood risk and the LLFA is now satisfied with the proposals.
- 9.109The primary issues at the site were the existing surface water flow path affecting the site shown to be flowing south to north through the site as well as the proposed realignment of a partially culverted watercourse through the site.
- 9.110The applicant has undertaken detailed hydraulic modelling to assess the surface water flood risk and then have used this modelling to design a mitigation scheme. The LLFA has reviewed the hydraulic modelling and the proposed mitigation scheme and consider that this is acceptable to manage the flood risk at the site without increasing flood risk off-site.
- 9.111The mitigation scheme consists of a new surface water flow channel along the eastern boundary of the site which captures surface water runoff from the surrounding catchment. Additionally, the applicant has included a low level embankment in the north west corner, adjacent to the existing Three Legged Cross, to reduce the risk of flows leaving the site at this location.
- 9.112Additionally, the applicant has submitted a surface water drainage strategy, including SuDS measures, to manage surface water runoff from the proposal. The proposed development is split into two catchments which will both drain to the existing ditch flowing through the site within the north-south greenway. The southern catchment will drain via permeable paving and a piped drainage network to an attenuation basin in the centre of the site within the area of open space. The northern catchment will utilise permeable paving to attenuate flows prior to discharge at the north west corner of the site. The discharge rate from the proposed development will be restricted to the equivalent pre-development greenfield rate. The LLFA considers this strategy to be acceptable in principle to manage runoff from the proposed development.
- 9.113The proposed development will lead to a betterment of drainage across the site. The site layout will result in a net reduction in the extent of culverted ditch, currently running beneath the concrete forecourt. This, combined with the de-silting and redefining of the neglected ditch along the western boundary, will enable the site’s drainage to function more effectively, be easier to maintain and become an amenity and biodiversity asset.”
- 9.114Attention is drawn to a non-technical drainage note produced by the applicant, that is appended to this report (Appendix 1). This provides an overview of the drainage works and mitigation proposed as part of the development.
- 9.115To conclude, the LLFA is satisfied that the proposal would not result in an increase in flood risk off-site, in accordance with the NPPF. Therefore, the drainage strategy proposed is satisfactory, subject to conditions requiring details of design, works implementation, and management and maintenance details.

Built form proximity to The Cut

9.116 Based on the Environment Agency's flood map and further modelled data, the majority of the site lies within Flood Zone 1 with low risk, with a northwestern area extending slightly into Flood Zones 2 and 3 with medium and high risk. However, all new properties are located out of Flood Zone 3.

9.117 The NPPF classifies the proposed site usage 'Residential' as 'More Vulnerable' Development, and states that 'More Vulnerable' developments are suitable in Flood Zones 1 and 2. Therefore, the site layout for residential purposes is appropriate.

9.118 The development proposal will incorporate mitigation measures to reduce flood risk and to ensure safety of the people and properties within the site and surrounding land over its lifetime considering appropriate climate change allowance.

9.119 The Environment Agency has been consulted and is satisfied with the proposed site layout subject to a condition concerning finished floor levels.

#### Localised flooding issues

9.120 With regard to localised flooding, there is understood to be two main issues. First, a collapsed culvert section beneath the concrete forecourt is thought to be restricting the flow of water northwards from the southern ditch line towards The Cut, leading to the backing-up of water at times of heavy rainfall, causing localised flooding. BFC is working with the applicant, as owner of the site, to rectify this.

9.121 Second, during times of extended heavy rainfall, the water level in The Cut has risen to such an extent that it has covered the outfall pipe that discharges water from the southern ditch line. Preventing discharge, this then leads to the surcharge of water downstream. BFC has recently undertaken Phase 1 of engineering works to raise the pipe level entering The Cut, which has been complicated by the extent and depth of utility services close to the Three Legged Cross. This improvement is anticipated to result in fewer flood events. Phase 2 of the work, which is yet to be undertaken, will increase the capacity of the drainage that runs from the proposal's site boundary towards The Cut. This will increase flow conveyance to the outfall and further reduce the likelihood of flooding.

9.122 It is important to note that flooding issues related to Phase 1 & 2 of works are a historic issue, and are wholly unrelated to the development site/proposal. However, because the ditch line within the application site, that serves a wider function in draining land beyond the application site, uses the pipe related to Phase 2 of works, and will continue to as part of the proposed drainage strategy, the developer has offered to fund Phase 2 works. This offer to provide mitigation beyond what would ordinarily be required is due in part to the developer's recognition of flooding concerns in the area, but also because BFC does not have a specific budget to otherwise fund the works. This funding will be secured by planning obligation.

#### **x. Thames Basins Heaths Special Protection Area (SPA)**

9.123 In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) Bracknell Forest Council (BFC) has carried out a Habitats Regulations Assessment of the proposed development.

9.124 The following potential adverse effects on habitats sites were screened out of further assessment:

- Loss of functionally linked land (TBH SPA)
- Air pollution from an increase in traffic (TBH SPA, Windsor Forest and Great Park)
- Special Area of Conservation (SAC), Thursley, Ash, Pirbright and Chobham SAC and Chilterns Beechwoods SAC)

9.125 Recreational pressure on the TBH SPA was screened in for Appropriate Assessment.

9.126 BFC, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (TBH SPA) along with any larger developments comprising over 50 net new dwellings within the 5 – 7km zone is likely to have a significant effect on the integrity of the TBH SPA, either alone or in-combination with other plans or projects.

9.127 This site is located partly within the 400m – 5km and partly within 5km – 7km of the Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.128 The development must secure measures to avoid and mitigate against the effect upon the TBH SPA, as set out in BFC's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (April 2018).

9.129 The strategy is for relevant developments to secure Suitable Alternative Natural Greenspace (SANG) capacity and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures.

9.130 In this instance, the development would result in a net increase of 43 dwellings of which 24 dwellings are within the 400m – 5km TBH SPA buffer zone and the remaining 19 dwellings are located within the 5km to 7km buffer zone. Following confirmation from Natural England, the 19 dwellings in the 5km – 7km zone will not have an impact on the integrity of the TBH SPA and therefore no mitigation is required. However, the remaining 24 dwellings (located in the 400m – 5km zone) require mitigation measures to be secured and delivered.

9.131 The development has secured SANG capacity at a nearby SANG for 24 dwellings.

9.132 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) calculated on a per bedroom basis for the 24 dwellings.

9.133 The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until BFC has confirmed that SANG (and the relevant amount of its SANG capacity to serve the development) is made publicly available. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with South East Plan saved Policy NRM6, saved policy EN3 of the BFBLP, Policy CS14 and CS4 of the CSDPD, Policy SA9 of the SALP, the Warfield SPD, the TBH SPD and the NPPF.

## **xi. Affordable Housing**

9.134 Policy CS16 requires development to meet the identified housing needs of the community, and CS17 requires suitable development to provide affordable housing. These policies can be afforded full weight as they are consistent with Section 5 of the NPPF. The Council's affordable housing policy requires 25% of dwellings to be provided as affordable housing.

9.135 This 43 dwelling scheme is proposing to provide 9 units as affordable. Whilst this equates to only 21% of dwellings, this is justified because of the application of 'vacant building credit'.

9.136 PPG states that where vacant buildings are being demolished as part of a scheme, the existing floorspace of the vacant building should be credited against the floorspace of the new development. It further explains that whatever the percentage proportion of vacant floorspace is, when compared to the proposed floorspace, the equivalent percentage reduction should be allowed in the number of affordable housing units to be provided.

9.137 In this instance, 881sqm of on-site vacant floorspace amounts to 17.5% of the proposed 5,018sqm total floorspace. The starting point of 25% of affordable dwellings for this 43 dwelling is equivalent to 11 dwellings. With the application of vacant building credit, this reduces to 9 dwellings, therefore the proposed quantum of affordable dwellings is acceptable.

9.138 The following affordable housing type and tenure is proposed:

	1b 2p flat	2b 4p flat	3b 5p house	4b 6p house
Shared Ownership	2	1	0	0
Social Rent	0	0	1 (plot 37)	1 (plot 38)
Affordable Rent capped at LHA	2 (ground floor unit as WC accessible)	2	0	0

9.139 The Housing Officer has been consulted and considers this an acceptable mix.

9.140 This amount, tenure, size, type and location of Affordable Housing will be secured by Section 106 obligation.



9.141 Subject to the above being secured by s106, the level of affordable housing proposed is considered acceptable.

**xii. Energy sustainability**

9.142 Since the Government's Ministerial statement of the 26<sup>th</sup> March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres per person per day.

9.143 Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation.

9.144 The requirement for such details to be submitted for approval will be secured by condition.

**xiii. Waste management**

9.145 The infrastructure Delivery Plan (IDP) (October 2012) that underpinned SALP policy SA9 requires the provision of two underground waste recycling facilities on the SA9 site. One facility has already been provided at the Cabbage Hill SANG car park as part of permission 13/01007/OUT and the other is planned for at the centrally located neighbourhood centre. This site is therefore not required to provide a site-wide waste recycling facility.

9.146 The Waste & Recycling Manager has been consulted and has confirmed that arrangements for waste bin storage and collection are acceptable.

**xiv. Contaminated land**

9.147 According to BFC Environmental Health's records, the northern part of the application site has been previously occupied by a vehicle repair garage with petrol filling forecourt, a smithy and cafe. Such land uses have the potential to cause contamination which could pose a risk to the proposed end users. As the proposed residential use is sensitive, in accordance with the NPPF, the applicant will be required to carry out a contamination risk assessment of the site followed by remediation works if found to be necessary.

9.148 A Phase 2 Geo-environmental Site Investigation Report has been submitted with the application. This makes reference to a Phase 1 Desk Study previously carried out, and this has been used to inform the Phase 2 Intrusive Investigation. A copy of the Phase 1 report has not been included as part of this application and must therefore be provided by the applicant to ensure the Phase 2 investigations have adequately targeted all the potential sources of contamination that might be present on site.

- 9.149 The Phase 2 investigations have identified elevated concentrations of arsenic, lead, hydrocarbons and hazardous ground gases at the site that could pose a risk to the proposed end users. It is stated that further gas monitoring is considered necessary in drier months to confirm the gas regime at the site.
- 9.150 In addition to demolition of the existing buildings on site, there are underground tanks, interceptors, sumps and vehicle inspection pits that all require removal. Remediation is considered necessary to make the site suitable for use and some proposals suggested. It is stated that a formal Remediation Strategy will need to be produced for the site.
- 9.151 Investigations across the northern section were constrained by the presence of existing buildings, parked cars and underground structures. Further assessment of these areas will therefore be required following demolition and site clearance.
- 9.152 In the event of approval, a condition to ensure that further investigations can be carried out following demolition of the existing buildings on site and that suitable remediation and validation of the site are carried out prior to occupation of the proposed dwellings will be secured.

#### **xv. Infrastructure delivery**

- 9.153 Policy CS6 requires development to contribute to the delivery of infrastructure needed to support growth and to mitigate its impacts upon infrastructure. Mitigation is primarily delivered through planning obligations, secured by s106 legal agreement, and the Community Infrastructure Levy (CIL).
- 9.154 In accordance with the requirements of SALP Policy SA9, planning obligations would be secured towards the following areas of infrastructure:
- a. Local Transport
  - b. Primary Education
  - c. Community Facilities
  - d. OSPV
  - e. SPA Avoidance & Mitigation
  - f. SuDS
  - g. Affordable Housing
- 9.155 The Council has agreed, in principle, the heads of terms for the s106 legal agreement, which the Council considers accords with the infrastructure requirements of SALP Policy SA9, that will ensure the strategic site is delivered comprehensively. Planning obligations to be secured would include:
- Measures to avoid and mitigate the impact of the residential development upon the Thames Basin Heaths SPA.
  - Affordable Housing: A minimum of 21% (9 dwellings) in accordance with the table in section 9.xi.

- Requirement to enter into s278 and s38 agreements for construction of access, roads, footways, cycleways and subsequent adoption.
- Highways provisions for Private Access and Footways (PAF) and maintenance.
- Provision and maintenance of on-site open space.
- Contribution towards off-site open space, towards, e.g. Warfield Memorial Ground or Priory Field.
- On-site Biodiversity Net Gain maintenance obligations and monitoring fee.
- Contribution towards off-site BNG units.
- SuDS maintenance obligations and monitoring fee.
- Residential Travel Plan measures.
- Contribution towards Harvest Ride accessibility improvements.
- Contribution towards Newell Green crossing.
- Contribution towards Avery Lane access improvements.
- Contribution towards the Warfield Community Hub.
- Contribution towards off-site drainage improvement works.
- S106 Obligation monitoring fees.

9.156 Subject to appropriate mitigation being secured, this proposal would comply with CS Policies CS6, CS8 and SALP Policy SA9.

9.157 It is considered that these planning obligations meet the statutory tests.

9.158 BFC commenced charging CIL on 6<sup>th</sup> April 2015 and it applies to new buildings including those that involve the creation of additional dwellings.

9.159 CIL will be used to fund such strategic infrastructure as:

- a. Strategic transport infrastructure
- b. Secondary education
- c. Post-16 education
- d. Special educational needs
- e. Library facilities
- f. Built sports facilities

9.160 The proposal would be CIL liable and is located in the 'Land at Warfield' charging zone with a CIL rate of £220 (plus indexation) per square metre.

## **10. CONCLUSIONS**

9.161 This proposed development is on an allocated site located within the defined settlement and therefore is acceptable in principle. The 43 dwellings, of which at least 21% (9 dwellings) will be affordable, will contribute to the Council's housing supply, which is a material consideration, and the delivery of SALP Policy SA9.

9.162 A number of objections were received, and the report has addressed the matters raised.

- 9.163 In terms of overall design, layout and character, subject to appropriate materials, the development is considered to meet planning policy objectives and is appropriate in the location, delivering housing that provides a sense of place and is sympathetic to the surroundings.
- 9.164 The layout appropriately addresses fluvial flood zones to the north of the site near to The Cut, and drainage strategy for the site is considered to appropriately address surface drainage, so that there would be no increase in flood risk off-site. An off-site financial contribution towards the upgrading of off-site drainage infrastructure will provide net betterment and reduce the risk of flooding in the locality.
- 9.165 Proposed vehicle access (with the exception of off-site lighting), connections for sustainable modes of transport and parking are acceptable to the Local Highway Authority subject to works being securing by condition and/or planning obligation.
- 9.166 Off-site highway works are considered to strike the right balance in maintaining highway safety whilst minimising adverse impacts on the character of the area.
- 9.167 Landscaping is considered to make the most of opportunities for tree and hedge planting and to provide visual softening of the development that will mature over time and provides habitat for biodiversity.
- 9.168 The development is considered to have appropriately integrated existing trees into the layout and will utilise sensitive design solutions for creating pedestrian and cycle links in proximity to significant trees.
- 9.169 The impacts of the proposal on the living conditions of the occupiers of nearby properties and the amenity of the occupiers of the proposed new homes have been considered and found to be acceptable.
- 9.170 It is concluded that the proposed development makes a valuable contribution towards the borough's housing supply without unacceptably compromising the character and appearance of the area, residential amenity or highway safety.
- 9.171 The proposal delivers the remaining significant development parcel in this area, that is considered to accord with the planning policy objective for the comprehensive development of this part of the Warfield allocation at Newell Green, both in terms of design and infrastructure delivery, to the satisfaction of the Council. The application is therefore recommended for approval, subject to appropriate conditions and the completion of a Section 106 legal agreement to secure the provisions referred to in Section 9.xv.

## **11. RECOMMENDATION**

- 11.1 Following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:-

- Measures to avoid and mitigate the impact of the residential development upon the Thames Basin Heaths SPA.
- Affordable Housing: A minimum of 21% (9 dwellings) in accordance with table in section 9.xi.
- Requirement to enter into s278 and s38 agreements for construction of access roads, footways, cycleways and subsequent adoption.
- Highways provisions for Private Access and Footways (PAF) and maintenance.
- Provision and maintenance of on-site open space.
- Contribution towards off-site open space, towards, e.g. Warfield Memorial Ground or Priory Field.
- On-site Biodiversity Net Gain maintenance obligations and monitoring fee.
- Contribution towards off-site BNG units.
- SuDS maintenance obligations and monitoring fee.
- Residential Travel Plan measures.
- Contribution towards Harvest Ride accessibility improvements.
- Contribution towards Newell Green crossing.
- Contribution towards Avery Lane access improvements.
- Contribution towards the Warfield Community Hub.
- Contribution towards off-site drainage improvement works.
- S106 Obligation monitoring fees.

11.2 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:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:-

- Location Plan – LP.01 Rev B
- Coloured Site Layout – CSL.01 Rev Z13
- Dwellings Materials Layout – ML.01 Rev L
- Boundary Treatment Plan – BTP.01 Rev M
- Apartment Floor Plans Sheet (1 of 2) – FB-A.p1 Rev L
- Apartment Floor Plans and Roof Plan (Sheet 2 of 2) – FP-A.p2 Rev K
- Apartment Block A Elevations – FB-A.e Rev L
- Car Port (Single) – CP.01 Rev D
- Car Port (Twin) – CP.02 Rev D
- Amberley Floor Plans - HT.AMB.p Rev E
- Amberley Elevations – HT.AMB.e Rev G
- Canterbury Floor Plans – HT.CANT.p Rev D
- Canterbury Elevations – HT.CANT.e Rev D

- Hampstead Floor Plans – HT.HAMP.P Rev E
- Hampstead Elevations – HT.HAMP.e Rev E
- Leamington Lifestyle Floor Plans – HT.LEAMQ.p Rev E
- Leamington Lifestyle Elevations – Brick Option – HT.LEAMQ.e1 Rev D
- Leamington Lifestyle Elevations – Render Option – HT.LEAMQ.e2 Rev D
- Harrogate Elevations – Brick Option – REDR201013 HT.HARR.e1 Rev D
- Harrogate Elevations – Render Option – REDR201013 HT.HARR.e2 Rev D
- Harrogate Floor Plans – REDR201013 HT.HARR.p Rev D
- Henley Floor Plans – HT.HENL.p Rev C
- Henley Elevations – HT.HENL.e Rev D
- Highgate Floor Plans – HT.HIGH.p Rev D
- Highgate Elevations – Brick Option – HT.HIGH.e1 Rev D
- Highgate Elevations – Render Option – HT.HIGH.e2 Rev D
- Stratford Floor Plans – HT.STRAT.p Rev E
- Stratford Elevations – Brick Option – HT.STRAT.e1 Rev D
- Stratford Elevations – Render Option – HT.STRAT.e2 Rev E
- Shaftesbury Floor Plans – HT.SHAF.P Rev C
- Shaftesbury Elevations – Render Option – HT.SHAF.e1 Rev D
- Shaftesbury Elevations – Render Option with Chimney – HT.SHAF.e2 Rev D
- Oxford Lifestyle Floor Plans – HT.OCFOQ.p Rev E
- Oxford Lifestyle Elevations – HT.OXFOQ.e Rev E
- Letchworth Floor Plans – HT.LETC.p Rev E
- Letchworth Elevations – HT.LETC.e1 Rev E
- Letchworth Elevations – HT.LETC.e2 Rev E
- Warwick Floor Plans – HT.WARW.p Rev F
- Warwick Elevations – HT.WARW.e Rev F
- Warwick Corner Floor Plans – HT.WARW-CNR.p Rev D
- Warwick Corner Elevations – HT.WARW-CNR.e Rev E
- Plots 34-37 Floor Plans – P34-37.p Rev D
- Plots 34-37 Elevations – P34-37.e Rev D
- Fairford Elevations – HT.FAIR.e Rev A
- Fairford Floor Plans – HT.FAIR.p Rev A
- Flood Risk Assessment & Drainage Strategy – June 2023 [Issue 5]
- Pluvial Modelling Study Update Technical Note – October 2023 [Issue 3]
- Engineering Layout (Sheet 1 of 3) - 7734/02/01 Rev L
- Engineering Layout (Sheet 2 of 3) - 7736/02/02 Rev F
- Engineering Layout (Sheet 3 of 3) - 7736/02/03 Rev H
- Soft Landscape Proposals – RED23091 11 L Sheet 1 of 3
- Soft Landscape Proposals – RED23091 11 L Sheet 2 of 3
- Soft Landscape Proposals – RED23091 11 L Sheet 3 of 3
- Hard Landscape Proposals – RED23091 12 I Sheet 1 of 3
- Hard Landscape Proposals – RED23091 12 I Sheet 2 of 3
- Hard Landscape Proposals – RED23091 12 I Sheet 3 of 3
- Soft Landscape Specification - RED23091 - Spec Rev A
- Landscape Management and Maintenance Plan – RED23091 – Man Rev A
- BNG Metric – Rev E
- Ecological Impact Assessment – Rev G
- Phasing Plan – WAR.PL.100 – September 2023

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

### Design

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 and in order to safeguard the special architectural and historic interest of the Listed Buildings and locally listed buildings.

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

4. 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]

5. 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 additional windows shall be constructed at first floor level or above in the side elevations of the dwellings hereby permitted other than as shown on the approved drawings. REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

6. All boundary walls, fences and other means of enclosure shall be erected in accordance with the approved drawings. The approved details shall be erected prior to the occupation of the relevant dwelling and shall be retained thereafter in accordance with the approved details. Any repair or replacement of the boundary treatment shall be as a like for like replacement.

REASON: In the interests of the visual amenities of the area.

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

7. The following windows:-

- Plot 18: ground floor east facing

hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent).

REASON: To safeguard the amenities of adjoining properties.

[Relevant Policies: BFBLP EN20]

8. 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 and C of Part 1 of the Second Schedule of the 2015 Order shall be carried out to Plot 18 hereby permitted.

REASONS: To safeguard the character of the area and the amenity of adjoining properties.

[Relevant Policies: BFBLP EN20]

### Trees

9. No development (including site clearance) shall be begun until the following details have been submitted to and approved in writing by the Local Planning Authority:
- a. a comprehensive land (topographical) survey in accordance with Section 4 of British Standard 5837:2012 'Trees In Relation to Construction Recommendations' (or any subsequent revision) showing:
    - i. Spot levels at the base of trees and throughout the site at an interval appropriate to meet design requirement, recorded as a grid and interpolated as contour, ensuring that any abrupt changes, embankments, ditch inverts and retaining features are recorded; and
    - ii. The position of all trees within the site with a stem diameter of 75 mm. or more, measured at 1.5 metres above highest adjacent ground level; and
    - iii. The position of trees with an estimated stem diameter of 75 mm. or more that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter; and
    - iv. For individual trees, the crown spread taken at four cardinal points; for woodlands or substantial tree group, the overall extent of the canopy; and
    - v. The extent, basal ground levels and height of shrub masses, hedges, hedgerows and stumps; and
    - vi. Other relevant landscape features and artefacts, such as streams, buildings and other structures, trenching scars near to trees; also any overhead and underground utility apparatus, including drainage runs with manholes and invert levels; and
    - vii. Hard surfaced areas of any description; and
    - viii. Existing boundary treatment and means of enclosure.
  - b. Detailed works schedule for any trees, hedgerows or shrubbery shown.
  - c. Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site.

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]

10. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees to be retained (both on and off site) in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction



works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing 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. Accurately plotted minimum 'Root Protection Areas' of retained trees calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision),
- c. All existing and retained soft landscaping areas located within the Minimum Root Protection Areas, clearly/ accurately plotted and annotated to be retained/unaltered.
- d. Proposed location/s of 2m high (minimum) protective barrier/s, supported by a fixed fully braced metal framework, constructed as a minimum in accordance with Section 6, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- e. Illustration/s of the proposed protective barriers to be erected.
- f. Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g. Annotated minimum distances between protective barriers and trunks of retained trees and/or proximity to existing structures at regular intervals.
- 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.

Arboricultural site monitoring – note confirming that all protection measures are to be routinely monitored by site visits undertaken by a project arboriculturalist (appointed by the landowners), at maximum 4 week intervals for the duration of all works on site to ensure full compliance with the approved tree protection and monitoring scheme. Copy of the signed report to be forwarded to the Local Authority following each site visit.

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

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

11. The protective fencing and other protection measures specified by condition 10 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 the correct approved structure/s, maintained fully intact and (in the case of the fencing/ barriers) 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.
- g. 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.
- h. 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.

12. No development shall commence until a detailed site-specific construction design and installation method statement for the proposed paths located within the accurately calculated minimum Root Protection Area of retained Oak trees - survey ref. T7 (TPO 1207) & T13, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include:

- a. An approved development layout plan identifying all areas where special construction measures are to be undertaken.
- b. Materials including porous surface finish.
- c. Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
- d. Design specific implementation method statement including program of arboricultural supervision.

The construction and installation method statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision. The No Dig structure shall be retained in perpetuity thereafter.

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

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

13. No development shall take place until:

- i. details of all proposed alterations to the ground levels, including excavation works on site, within 5 metres of and including the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. Details shall include:
  - a. Existing and proposed finished levels.
  - b. Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.

- c. Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and
  - d. Clearance/ culverting of existing ditches or works related to the creation of new balancing ponds/ basins as approved.
- ii. a programme and method of implementation 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 safeguarding the long-term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

### Landscaping

14. No dwelling hereby approved shall be occupied until hard and soft landscaping works have been completed in full accordance with approved plans, and thereafter maintained in accordance with the approved management and maintenance plan.
- 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 next planting season (1<sup>st</sup> October to 31<sup>st</sup> 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]
15. No retained tree, hedgerow or group of shrubs specified as to be retained on the approved drawings shall be cut down, uprooted or destroyed.
- Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans which die, are removed or irreparably damaged during the course of the development, or within a period of 5 years of the completion of the development, shall be replaced with another tree, hedgerow or group of shrubs of the same species and size as that originally on site.
- 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]

### Energy

16. No structure hereby permitted shall be built above ground level 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 approved 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: CSDPD CS10]
17. The development hereby permitted shall be implemented in accordance with the submitted Energy Demand Assessment and the buildings constructed by the carrying out of the development shall be operated in accordance with the submitted Energy Demand Assessment.
- REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS12]

## Transport

18. No dwelling in Phase 2 (reference the approved Phasing Plan) of the site hereby permitted shall be occupied until the following access works along Forest Road have been carried out, as indicatively shown on the submitted Site Layout Plan:
- a. access to the site;
  - b. cycleway improvements towards the Three Legged Cross;
  - c. footpath improvements across the site, including widening to 2m, to tie into the Forest Road footpath connection provided from near Plot 18; and
  - d. street lighting at main access only.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BSP T1, BFBLP M6, Core Strategy DPD CS23]

19. No more than 50% of dwellings to be completed in Phase 1 (reference the approved Phasing Plan) before the pedestrian link to Forest Road east of Plots 13 & 18 is constructed and publicly accessible.

REASON: In the interests of facilitating access for pedestrians.

[Relevant Policies: BSP T1, BFBLP M6, Core Strategy DPD CS23]

20. The greenway link in Phase 2 is to be constructed and be publicly accessible prior to 50% of dwelling completions in Phase 2, or before the greenway link in Phase 1 has been constructed and is publicly accessible, whichever is soon.

REASON: In the interests of facilitating access for cyclists and pedestrians.

[Relevant Policies: BSP T1, BFBLP M6, Core Strategy DPD CS23]

21. The greenway link in Phase 1 and footpath connecting to the existing path west of Tree T7 is to be constructed and be publicly accessible prior to 50% of dwelling completions in Phase 1, or before the greenway link in Phase 2 has been constructed and is publicly accessible, whichever is soon.

REASON: In the interests of facilitating access for cyclists and pedestrians.

[Relevant Policies: BSP T1, BFBLP M6, Core Strategy DPD CS23]

22. The greenway link shall not be publicly accessible before details for the fire engine access opposite Plot 23, including grasscrete and bollards, has been submitted and approved by the Local Planning Authority and provided and retained in accordance with the approved plans.

REASON: In the interests of amenity and highway safety.

[Relevant Policies: BSP T1, Core Strategy DPD CS23]

23. No dwelling shall be occupied until that part of the access road which provides access to it, along with adjacent margins and street lighting, has been constructed in accordance with details to be submitted and approved by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: BSP T1, Core Strategy DPD CS23]

24. 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:
- 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; and
  - f. location of electric charging points.

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]

25. 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]

26. The garages hereby permitted 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]

27. The car ports 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]

28. No dwelling shall be occupied until a scheme for secure and covered cycle parking spaces has been submitted and approved by the Local Planning Authority and 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]

29. 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, 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]

30. 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 relevant 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]

31. Notwithstanding landscaping details shown on the 'Soft Landscape Proposals – RED23091 11 L Sheet 1 of 3' plan, landscaping across the site frontage with Forest Road is to be adjusted where necessary, as part of the Section 278 agreement, so as not to obstruct visibility splays for properties on Forest Road.

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

32. 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]

33. 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]

#### Bins

34. 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]

#### Drainage / Flood risk

35. No development shall take place until full details of the Drainage System have been submitted to and approved in writing by the Local Planning Authority. These shall include:
- i. full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting and drawings as appropriate;
  - ii. detail to demonstrate that culverts are designed so that wildlife does not become trapped and are able to move between ponds and ditches. The design should avoid steep drops that could trap species such as newts; and
  - iii. further details of the proposals for the proposed mitigation measures for managing surface water flood risk within the site.

The approved details shall thereafter be complied with.

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 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. The approved details shall thereafter be complied with.

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.

37. No dwelling shall be occupied until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable 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.

38. Prior to occupation of any property in each phase a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes or control mechanisms, cover systems, etc.

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.

39. No dwelling shall be occupied until evidence of legal covenants associated with the deeds of properties relating to any aspects of a drainage system(s) that passes through privately owned property but serves multiple properties is submitted to 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.

40. The development shall be carried out in accordance with the submitted flood risk assessment (FRA by Cole Easdon Consultants dated June 2023) and the following mitigation measure it details:
- Finished floor levels shall be set no lower than 600mm above the 1%+35%CC flood level as shown in Drawing No 7736.501 dated March 2021

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

#### Construction management

41. No demolition or construction work shall take place on any Phase or Sub-phase outside the hours of 08:00hrs and 18:00hrs Monday to Friday; 08:00hrs and 13:00hrs on Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: SEP NRM10, BFBLP EN25]

42. No development including demolition and site clearance shall commence until a detailed Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, which shall include as a minimum:

- i. Location of the access for demolition and construction vehicles;
- ii. Routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
- iii. Details of the parking of vehicles of site operatives and visitors;
- iv. Areas for loading and unloading of plant and materials;
- v. Areas for the storage of plant and materials used in constructing the development;
- vi. Location of any temporary portacabins and welfare buildings for site operatives;
- vii. Details of any security hoarding;
- viii. Details of any external lighting of the site;
- ix. Details of the method of piling for foundations;
- x. Measures to control the emission of dust, dirt, odour and other effluvia;
- xi. Measures to control noise (including noise from any piling and permitted working hours);
- xii. Measures to control rats and other vermin (particularly during site clearance);
- xiii. Measures to control surface water run-off during demolition and construction;
- xiv. Measures to control noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site;
- xv. Measures to prevent ground and water pollution from contaminants on-site;
- xvi. Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- xvii. Details of wheel-washing facilities during both demolition and construction phases;



- xviii. Measures to minimise, re-use and re-cycle materials and waste arising from demolition;
- xix. Measures to minimise the pollution potential of unavoidable waste;
- xx. Measures to dispose of unavoidable waste in an environmentally acceptable manner;
- xxi. Details of measures to mitigate the impact of demolition and construction activities on ecology, which should cover:
  - 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.
- xxii. Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.

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

REASON: To mitigate and control environmental effects during the demolition and construction phases.

Relevant Policies: BFBLP EN20, EN25; Core Strategy DPD CS1, CS7

### Biodiversity

43. 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 'Biodiversity Net Gain Plan – Proposed Habitats and Hedges' (Drawing no. RED23091\_BNG\_REVE) and 'Biodiversity Net Gain Plan – Proposed Rivers and Streams' (Drawing no. RED23091\_BNG\_River\_REVB) - Appendix 14 and 15 within the Ecological Impact Assessment Rev G (ACD Environmental, 12/06/2023) - 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; and
- 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]

44. The development hereby permitted shall be carried out in accordance with the mitigation measures specified in the submitted Ecological Impact Assessment (12th August 2020), which shall thereafter be retained in accordance with the approved details. An ecological site inspection report confirming use/installation of the approved measures shall be submitted prior to practical completion of any dwelling hereby approved.

REASON: In the interests of nature conservation.

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

45. The development hereby permitted shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting, including details of lighting units and levels of illumination. No lighting other than domestic security or garden lighting installed in individual dwellings shall be provided at the site other than in accordance with the approved details. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the character of the area, biodiversity and safety of pedestrians.

[Relevant Policies: BFBLP EN20 and EN25, Core Strategy DPD CS1 and CS7]

46. No site clearance shall take place during the main bird-nesting period of 1<sup>st</sup> March to 31<sup>st</sup> August inclusive, unless in accordance with a scheme to minimise the impact on nesting birds which has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: BFBLP EN3, Core Strategy DPD CS1, CS7]

47. If more than 2 years elapse between the previous reptile and bat surveys and the commencement date of works, an updated survey 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.

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

48. No development shall commence above ground level 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.

The development shall be implemented in accordance with the scheme.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

49. 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]

### Contamination

50. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- i. a survey of the extent, scale and nature of contamination;
- ii. an assessment of the potential risks to:
  - a. human health,
  - b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - c. adjoining land,

- d. groundwaters and surface waters,
- e. ecological systems,
- f. archaeological sites and ancient monuments;
- iii. an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

51. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

52. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (except for the demolition of the existing buildings) other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and, is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

53. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 50, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 51, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 52.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property

and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

54. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the reports on the same must be prepared and approved in writing by the Local Planning Authority.

The measures identified in that scheme must be complied with and completed, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### Noise

55. A noise impact assessment shall be carried out to determine the noise impact of the adjacent Electricity Distribution Site on the proposed dwellings of the development, hereby approved. The assessment and a scheme for protecting future occupants of the proposed development from noise shall be submitted for approval by the local planning authority prior to the commencement of works.

The development shall not be occupied until the noise mitigation measures identified in the approved scheme have been fully implemented. The noise mitigation measures shall be retained and maintained thereafter.

REASON: To protect future occupants from noise from the electricity distribution site.

#### Archaeology

56. No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

REASON: The site lies in an area of archaeological potential. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets in accordance with national and local planning policy.

#### Sewerage

57. 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. confirmation has been provided to the Local Planning Authority from the sewerage undertaker that a scheme will be implemented for the improvement of the existing sewerage system by the sewerage undertaker to ensure that sufficient capacity is provided to serve the development. 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.

Informative(s)

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. The Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at [Highways.Transport@bracknell-forest.gov.uk](mailto:Highways.Transport@bracknell-forest.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.
3. Notwithstanding the wording of Bracknell Forest Council's Parking Standards SPD, the Building Regulations part S "Infrastructure for the charging of electric vehicles" 2021 edition takes effect on 15 June 2022 for use in England. It does not apply to work subject to a building notice, full plans applications or initial notices submitted before that date, provided the work is started on site before 15 June 2023. The applicant should familiarise themselves with, and comply with, the requirements of this document with regard to provision of electric vehicle charging infrastructure.
4. Trees on and adjacent to this site are protected by a confirmed Tree Preservation Order. Damage to any protected trees on and/ or adjacent to the site as a result of non-compliance may be subject planning enforcement action and also separate legal action under the Tree Preservation Order legislation.
5. Under the terms of the Land Drainage Act 1991 and the Floods and Water Management Act 2010, the prior consent of the LLFA is required for any proposed works or structures, in the watercourses.

In the event of the s106 planning obligations not being completed by 15.04.2024 the Assistant Director: Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:

1. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policies CS5 and CS14 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).
2. 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 Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.
3. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space and community facilities. 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 safety measures, a travel plan, open space and community facilities, the proposal is contrary to Policies R5 and M4 of the Bracknell Forest Borough Local Plan, Policies CS6, CS8, and CS24 of the Core Strategy Development Plan Document, Policy SA9 of the Site Allocations Local Plan, the Warfield Supplementary Planning Document (2012) and the Planning Obligations Supplementary Planning Document (2015).
4. 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.
5. 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.

## **Appendix 1 – Drainage Non-Technical Note**