

**PLANNING COMMITTEE
9 NOVEMBER 2023
6.30 - 10.53 PM**



Present:

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

Present Virtually:

Councillor Barnard

Apologies for absence were received from:

Councillors Karim

Visiting Member:

Councillor Harrison

34. **Minutes**

RESOLVED that the minutes of the meeting held on 12 October 2023 be approved as a correct record.

35. **Declarations of Interest**

There were no declarations of interest.

36. **Urgent Items of Business**

There were no urgent items of business.

37. **PS 21/00592/FUL Land South Of Forest Road Newell Green Warfield Bracknell Berkshire**

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

The Committee noted:

- The two Supplementary reports tabled at the meeting
- The representations of Warfield Parish Council as detailed in the report
- The 28 objections received as outlined in the report.
- The 2 additional representations received as outlined in the Supplementary report.
- The Site visit that had taken place on 4 November with the following Councillors in attendance: Brown, Barnard, Collings, Egglestone, Hayes, O'Regan, Penfold, Smith and Zahuruddin
- The representations of the two public speakers at the meeting
- The representations from visiting member Councillor Harrison

Councillor Collings requested to be notified of the application being submitted to discharge condition 35, in order to notify residents and ensure they are able to comment on the process.

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.

An amended recommendation was moved, seconded, and then carried which **RESOLVED** 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.HEN:.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 (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of good landscape design and the visual amenity of the area.

[Relevant Policies, BFBLP EN2 and EN20, CSDPD CS7]

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 sooner.

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 sooner.
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, to include exploration of all reasonable options to maximise the capacity of the proposed drainage ditches.

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 in the light of the current condition of the site and adjoining areas, and considering future climate change.

36. No development shall commence until details of how the surface water drainage system (inclusive of flood mitigation measures) and overland flow routes 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. Such

details should also include confirmation of the inspection regime and the carrying out of necessary maintenance works by the management company of drainage systems and overland flow routes through privately owned property. 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 and overland flow routes 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) and overland flow routes that passes through privately owned property but serves multiple properties is submitted to the Local Planning Authority. Such evidence should include allowing the management company access on to privately owned property on an annual basis, and as and when required, to inspect drainage systems and overland flow routes, and the right to carry out any necessary maintenance works in accordance with the management and maintenance plan.

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 1st March to 31st 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.

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.

38. **PS 23-00426-FUL 15 Darwall Drive, Ascot, Berkshire, SL5 8NB**

Proposed part single storey, part two storey rear extensions, raising of the ridge height and loft conversion, garage conversion.

The Committee noted:

- The Supplementary report tabled at the meeting
- The Site visit that had taken place on 4 November with the following Councillors in attendance: Brown, Barnard, Collings, Egglestone, Hayes, O'Regan, Penfold, Smith and Zahuruddin
- The representations of the two public speakers at the meeting
- The representations of Winkfield Parish Council as detailed in the report
- The 21 objections received as outlined in the report

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

01. 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).

02. The development hereby permitted shall be carried out only in accordance with the following approved plans: Existing Floor Plans, received on 11/07/2023, Amended Existing and Proposed Site Plans Rev A and Amended Proposed Parking Plan Rev A and Amended Proposed Sections & Levels Rev A, received on 18/09/2023, Amended Existing Elevations, Amended Proposed Elevations Rev B, Amended Proposed Elevations Rev C, Amended Proposed Floor Plans Rev C received on 16/10/2023 and AMENDED PROPOSED PARKING PLAN REV B received on 02/11/2023.

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.

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

04. The proposed windows and rooflights at first floor level and above in the side (north-west and south-east) elevations of the dwellinghouse hereby approved, shall be glazed with a minimum of Pilkington Level 3 obscure glass (or equivalent) and be non-opening below 1.7 metres above the floor of the room in which it is installed.

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

05. 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, similar openings or enlargement thereof shall be constructed at first floor level or above in the side (north-west and south-east) elevations of the development hereby permitted except for any which may be shown on the approved drawings, unless they are glazed with a minimum of Pilkington Level 3 obscure glass (or equivalent) or the parts of the window, opening or enlargement which are clear glazed are more than 1.7 metres above the floor of the room in which it is installed.

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

06. The ridge height of the development hereby approved shall not exceed the existing ridge height of no. 13 Darwall Drive, when measured from the highest adjacent natural ground level.

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

07. The development shall not be occupied until the associated car parking for 3 cars has been surfaced and provided in accordance with the approved drawing 'AMENDED PROPOSED PARKING PLAN REV B', received on 02/11/2023. 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]

CHAIR