

PLANNING COMMITTEE
13 JUNE 2024
6.32 - 8.25 PM



Present:

Councillors Brown (Chair), Collings (Vice-Chair), Barnard, Egglestone, Ejaz, Frewer, McKenzie-Boyle, Penfold, Smith, C Thompson, Zahuruddin and Virgo

Present Virtually:

Councillors Egglestone

3. Minutes

The minutes of the meeting held on 18 April 2024 and the minutes of the annual meeting held on the 15 May 2024 were approved as a correct record.

4. Declarations of Interest

There were no declarations of interest.

5. Urgent Items of Business

There were no urgent items of business.

6. PS 23-00501-FUL - Garage Block (rear of Mostyn House) Merryhill Road Bracknell Berkshire

Redevelopment of the site to provide 11 no. dwellinghouses, car parking, cycle parking, refuse and recycling storage, amenity space, landscaping and other associated works.

The Committee noted:

- The 19 letters of representation as outlined in the report.
- ☒The supplementary report tabled at the meeting.
- The comments from Bracknell Town Council objecting to the application as outlined in the report.
- The 5 additional letters of representation as detailed in the supplementary report.
- The representations from the 2 public speakers who spoke at the meeting.
- That a site visit that had taken place on 8 June 2024 with Barnard, Brown, Collings, Egglestone, Penfold, Smith, Thompson, Virgo and Zahuruddin in attendance.

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

- A requirement to enter into a s278 and s38 Agreement with the Highway Authority to include works to Merryhill Road to form the site access and works to the pedestrian link to Shepherds Lane.
- Progress Town & Country Planning Act S247 and S248 applications prior to commencement of development in the affected adopted highway areas to be stopped up and offered for adoption together with any associated costs to the Council.
- Affordable Housing
- Contribution towards off-site OSPV
- SuDS specification/implementation/Management and Maintenance Strategy including a monitoring contribution
- SPA Mitigation
- On-site Biodiversity Net Gain management obligations and monitoring fee

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

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.

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

25.01.24, 17.01.24, 29.09.23 and 09.08.23:

3091-APLB-XX-XX-DR-A-4000/ P6
 3091- APLB- ZZ- ZZ- DR- A- 4001/P5
 3091-APLB-XX-XX-DR-A-2100/ P17
 3091- APLB- ZZ- ZZ- DR- A- 3140/P5
 3091- APLB- ZZ- ZZ- DR- A- 3130/P5
 3091- APLB- ZZ- ZZ- DR- A- 2116/P5
 3091- APLB- ZZ- ZZ- DR- A- 2115/P5
 3091- APLB- ZZ- ZZ- DR- A- 2114/P5
 3091- APLB- ZZ- ZZ- DR- A- 2113/P5
 3091- APLB- ZZ- ZZ- DR- A- 2112/P5
 3091- APLB- ZZ- ZZ- DR- A- 2111/P5
 3091- APLB- ZZ- ZZ- DR- A- 2110/P5
 3091- APLB- ZZ- ZZ- DR- A- 3140/P5
 3091- APLB- ZZ- ZZ- DR- A- 3130/P5
 3091- APLB- ZZ- ZZ- DR- A- 3120/P5
 3091- APLB- ZZ- ZZ- DR- A- 3110/P5
 3091- APLB- XX- XX- DR- A- 2200/P7
 3091- APLB- XX- XX- DR- A- 1100/P3
 3091- APLB- XX- XX- DR- A- 1000/P4

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

03. No development shall take place until samples of the materials to include bricks, roof materials, porch canopy materials and bin store materials. and hardsurfacing materials. to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFLP LP 50]

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority 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: BFLP LP 50]

05. No dwelling shall be occupied until that part of the vehicular and pedestrian routes which provide access to it and its parking have been constructed in accordance with details shown on plan 303904-SWH-ZZ-XX-DR-C-0711 P05.

REASON: To improve travel choice and in the interests of highway safety and the efficient operation of the highway network.

[Relevant Policies: Bracknell Forest Local Plan LP25]

06. No dwelling shall be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

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

[Relevant Policies: BFLP LP 26]

07. No development shall take place until a plan showing visibility splays at the following locations has been submitted to and approved in writing by the Local Planning Authority:

- (a) junction visibility splays at the junction of the access road and Merryhill Road;
- (b) forward visibility splays through the narrowing adjacent to Mostyn House ensuring that drivers can see sufficiently whether they can proceed or need to give-way; and
- (c) inter-visibility between vehicles and pedestrians at the crossing point north of the narrowing.

The development shall thereafter be carried out in accordance with the approved details and the visibility splay areas 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 at all times. No dwellings shall be occupied until the approved details have been implemented.

REASON: In the interests of highway safety.

[Relevant Policies: Bracknell Forest Local Plan LP25]

08. No dwelling shall be occupied until a route for pedestrians has been constructed in accordance with the approved plans between Merryhill Road and Shepherds Lane.

REASON: To provide accessibility and connectivity by sustainable modes of transport that provide a choice of transport mode to and from essential services.

[Relevant Policies: Bracknell Forest Local Plan LP25, LP26 and LP27]

09. No dwelling shall be occupied until the associated vehicle parking for two cars per dwelling and turning space has been surfaced and marked out in accordance with the approved drawing. The space shall thereafter be kept available for parking and turning at all times.

REASON: To ensure that the development is provided with an appropriate level of car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: Bracknell Forest Local Plan LP25 and LP62]

10. No development shall take place until

(a) details of the location of two visitor car parking spaces,

(b) details of the unallocated spaces shown white but without annotation on drawing 303904- SWH-ZZ-XX-DR-C-0711 P05, and

(c) details of the signing for the spaces in (a) and (b) above

have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

REASON: No dwelling shall be occupied until the car parking spaces have been provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

[Relevant Policies: Bracknell Forest Local Plan LP25 and LP62]

11. No above ground construction shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for provision of street lighting. Lighting which is to be adopted by the Local Highway Authority and that which is to remain private shall be connected separately and the connection to street lighting within areas to be adopted by the Local Highway Authority shall have a DNO connection. No dwelling shall be occupied until the street lighting has been implemented and the lighting shall thereafter be retained.

REASON: To ensure that the development is provided with sufficient street lighting for the safety of pedestrians and vehicles.

[Relevant Policies: Bracknell Forest Local Plan LP25]

12. The development shall not be occupied until secure and covered cycle parking spaces with one secure covered cycle parking space per bedroom within each dwelling have been provided in the location identified for cycle parking on the approved plans within the development.

The cycle parking spaces and facilities shall thereafter be retained.

REASON: To improve travel choice through provision of cycle parking and facilities for sustainable modes of transport.

[Relevant Policies: Bracknell Forest Local Plan LP25, LP27 and LP62]

13. No gates shall be provided at the vehicular or pedestrian accesses to the site.

REASON: In the interests of highway safety and the efficient operation of the highway network.

[Relevant Policies: Bracknell Forest Local Plan LP25]

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

(a) routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);

(b) parking of vehicles of site operatives and visitors;

(c) areas for loading and unloading of plant and materials;

(d) areas for the storage of plant and materials used in constructing the development;

- (e) location of any temporary portacabins and welfare buildings for site operatives;
- (f) any security hoardings;
- (g) any external lighting of the site;
- (h) methods of piling for foundations;
- (i) measures to control the emission of dust, dirt, noise, odour and the control of rats and other vermin; during demolition and construction;
- (j) measures to control surface water run-off during demolition and construction;
- (k) measures to protect biodiversity, including the welfare of bats and badgers, in accordance with BS42020:2013;
- (l) wheel-washing facilities during both demolition and construction phases;
- (m) areas for the turning of construction and demolition vehicles such that the largest anticipated vehicles can turn and leave the site in a forward gear.

The approved CEMP shall be adhered to throughout the demolition and construction period.

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

REASON: In the interests of highway safety, the efficient operation of the highway network a

[Relevant Policies: Bracknell Forest Local Plan LP25]

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

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

16. In the event that a remediation method statement is submitted and approved pursuant to Condition 15, all works shall be carried out in full accordance with the approved statement. Following the final completion of the approved works, a validation report shall be submitted to the Local Planning Authority. No occupation of the dwellings hereby permitted shall take place until the validation report has been submitted to and approved by the Local Planning Authority.

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

17. No dwelling shall be occupied until hard and soft landscaping, including boundary treatments and other means of enclosure, has been provided for that dwelling/ building in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out in accordance with British Standard 4428:1989 'Code of Practice for General Landscape Operations' or any subsequent revision and completed in full accordance with the approved scheme. All trees and other plants included within the approved details shall be healthy, well- formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications for Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision.

Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the 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, BFLP LP 54]

18. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith.

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

[Relevant Policy: BFLP LP 27]

19. 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 any part of the development. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed including UKHABS types over a period of 30 years

b) Ecological trends and constraints on site that might influence management

b) Aims and objectives of management including biodiversity net gain target habitat types and condition

d) Appropriate management options for achieving aims and objectives

e) Prescriptions for management actions

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)

g) Details of the body or organization responsible for implementation of the plan

h) 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 for the development being 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 shall be implemented in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFLP LP 53]

20. All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Assessment Report (Syntegra Consulting, June 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. An ecological site inspection report shall be submitted prior to practical completion of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFLP LP 53]

21. No development shall take place until full details of the Surface Water Drainage

System, in accordance with drainage strategy contained within the Drainage and Flood Risk Assessment Statement April 2024 Revision 04 have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- a) Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details and drawings as appropriate; and
- b) Calculations demonstrating the drainage design can accommodate the design rainfall using FEH rainfall data
- c) Third party consent where required for offsite drainage works.
- d) Thames Water consent to discharge at proposed discharge rate into public sewers
- e) Confirmation of the gully spacing calculations to demonstrate that they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.
- f) A Management and Maintenance Plan for the proposed drainage system to demonstrate how it would be maintained over the lifetime of the development.

The development shall be carried out in accordance with the approved details.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: BFBLP LP 57]

22. No development shall commence until details of how the surface water drainage system (inclusive of flood mitigation measures) shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority.

The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: BFBLP LP 57]

23. No dwelling shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: BFBLP LP 57]

24. No occupation of any dwelling shall take place until a verification report by an independent body, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented to serve the particular property, has been submitted to and approved in writing by the Local Planning Authority. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes and cover systems.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: BFBLP LP 57]

25. No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to show how:

a) All dwellings shall as a minimum be constructed in accordance with Part M4(2) of the 'Accessible and adaptable dwellings' of the Building Regulations 2010 (Approved Document 'M' - Access to and use of Buildings - dwellings 2015) (as amended)

b) Plot 1 shall be constructed to meet Part M4(3)(2)(a) standard for wheelchair accessible dwellings) as shown on plan 3091- APLB- ZZ- ZZ- DR- A- 2110/P5.

Prior to the occupation of the dwellings hereby permitted, written verification that the completed dwellings are in accordance with a) and b) above shall be submitted to and approved in writing by the Local Planning Authority. The completed dwellings shall be maintained as such thereafter.

REASON: To ensure that appropriate accessible and adaptable dwellings are provided.

[Relevant Policies: BFLP LP38]

26. A scheme for protecting the proposed dwellings and gardens of the approved development from external noise from the Prince of Wales public house and the Kingdom Hall of Jehovah's Witnesses in Horsneile Road shall be submitted, for written approval, to the Local Planning Authority.

No dwelling shall 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 residents from noise from external noise

27. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.

REASON: In the interests of nature conservation

[Relevant Policy: BFLP LP 53]

28. No demolition or construction work shall take place outside the hours of 08:00-18:00 Monday to Friday 09:00-13:00 on Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policy: BFLP LP 58]

7. **24/00163/PARC One The Braccans London Road Bracknell Berkshire RG12 2XH**

Prior approval application for the construction of a double storey roof extension to accommodate 26 new dwellinghouses under Class AA of Part 20 of the GPDO.

The Committee noted:

- The 5 letters of objection as outlined in the report.
- The supplementary report tabled at the meeting.
- The comments from Bracknell Town Council objecting to the application as outlined in the report.
- The additional letter of objection as detailed in the supplementary report.
- That a site visit that had taken place on 8 June 2024 with Barnard, Brown, Collings, Egglestone, Penfold, Smith, Thompson, Virgo and Zahuruddin in attendance.

RESOLVED that Prior Approval be **GRANTED** subject to the following conditions:

01. Development under Class AA, Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), must be completed within a period of 3 years starting from the date of the prior approval.

REASON: To accord with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

02. This development must be carried out in accordance with the following plans received by the Local Planning Authority:

Received 08.04.2024:

- Proposed Third Floor Plan (033/B)
- Proposed Fourth Floor Plan (034/B)
- Proposed Roof Plan (035/A)
- Proposed Front and Rear Elevations (036/C)
- Proposed Left and Right Elevations (037/C)

Received 08.05.24:

- Proposed Block Plan (031/C)

Received 22.05.24:

- Proposed Basement Floor Plan (032/C)

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

03. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:30 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

REASON: To protect the amenities of the occupiers of the neighbouring dwellings.

04. No dwelling shall be occupied until vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing for:

(a) 76 spaces for residents and 15 spaces for visitors

There shall be no restrictions on the use of the residents car parking spaces shown on the approved plan for the occupiers of the building.

The spaces shall thereafter be kept available for parking and turning at all times.

REASON: To ensure that the development is provided with an appropriate level of car parking, taking into account the cumulative impact of developments to the building, to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: Bracknell Forest Local Plan LP25 and LP62]

05. No dwelling shall be occupied until secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development providing:

(a) at least 76 secure and covered cycle parking spaces for residents;

The upper tier of cycle parking shall have gas-assisted lifting. The cycle parking spaces and facilities shall thereafter be retained.

REASON: To improve travel choice through provision of cycle parking and facilities for sustainable modes of transport, taking into account the cumulative impact of developments to the building.

[Relevant Policies: Bracknell Forest Local Plan LP25, LP27 and LP62]

06. No development shall be undertaken until details of visitor cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority demonstrating provision of:

(a) at least 15 visitor cycle parking spaces;

The visitor cycle parking shall thereafter be provided and retained in accordance with the approved details.

REASON: To improve travel choice through provision of cycle parking and facilities for sustainable modes of transport, taking into account the cumulative impact of developments to the building.

[Relevant Policies: Bracknell Forest Local Plan LP25, LP27 and LP62]

07. No dwelling shall be occupied until the car parking indicated on the approved plans as car parking for people with disabilities has been marked out, signed and provided.

REASON: To ensure well-designed places for all, that provide ease of access to, and within, all new development and infrastructure including appropriate facilities for disabled people and those with mobility issues.

[Relevant Policies: Bracknell Forest Local Plan LP50 and LP62]

08. Any gates shall open away from the highway and be set back a distance of at least 7.5 metres from the edge of the carriageway of the adjoining highway. Prior to commencement of development details of the gate access control mechanism for residents, visitors, servicing and deliveries shall be submitted to and approved in writing by the Local Planning Authority. The approved gate access control mechanism shall thereafter be retained.

REASON: In the interests of highway safety and the effective, convenient and safe delivery, collection and servicing arrangements to prevent the likelihood of on-street loading and servicing which would be a danger to other road users.

[Relevant Policies: Bracknell Forest Local Plan LP25]

09. No development (including site clearance and demolition) shall commence, until a Construction (and Demolition) Environmental Management Plan (CEMP) has been submitted to and been approved in writing by the local planning authority. The CEMP shall include the following details as a minimum:

(a) routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);

(b) parking of vehicles of site operatives and visitors;

(c) areas for loading and unloading of plant and materials;

(d) areas for the storage of plant and materials used in constructing the development;

(e) location of any temporary portacabins and welfare buildings for site operatives;

(f) any security hoardings;

(g) any external lighting of the site;

(h) methods of piling for foundations;

(i) measures to control the emission of dust, dirt, noise, odour and other effluvia during demolition and construction;

(j) measures to control rats and other vermin;

(k) measures to control surface water run-off during demolition and construction;

(l) measures to protect biodiversity, including the welfare of bats and badgers, in accordance with BS42020:2013;

(m) construction and demolition working hours, and times during which delivery vehicles and vehicles taking materials away are allowed to enter or leave the site;

(n) wheel-washing facilities during both demolition and construction phases;

(o) areas for the turning of construction and demolition vehicles such that the largest anticipated vehicles can turn and leave the site in a forward gear. The approved

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

REASON: In the interests of the amenity of the surrounding occupiers, highway safety, the efficient operation of the highway network and effective, convenient and safe delivery, collection and servicing arrangements.

[Relevant Policies: Bracknell Forest Local Plan LP25]

10. Notwithstanding that shown on the approved plans, the dwellings hereby approved shall not be occupied until a scheme has been submitted to and approved by the Local Planning Authority which sets out how the views to Two The Braccans shall be shielded from the external staircase. This scheme shall be implemented before the occupation of the dwellings hereby approved and retained as such thereafter.

REASON: In the interests of the privacy of the residents of the neighbouring property.

[Relevant Policy: BFLP LP50]

8. **22/00749/FUL 32 Coppice Green Bracknell Berkshire RG42 1TL**

Proposed erection of 1no. new two storey, two bedroom dwelling with associated parking and landscaping, following demolition of existing side extension.

The Committee noted:

- The 6 letters of objection as outlined in the report.
- The supplementary report tabled at the meeting.
- The comments from Bracknell Town Council objecting to the application as outlined in the report.
- That a site visit that had taken place on 8 June 2024 with Barnard, Brown, Collings, Egglestone, Penfold, Smith, Thompson, Virgo and Zahuruddin in attendance.

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

- avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);

RESOLVED that the Assistant Director: Planning be authorised to **APPROVE** the application 22/00868/FUL subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary:

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.

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

001-PL04 - Location and Block Plans received 02.05.2024

003-PL07 - Proposed Site Plan received 10.06.2023

005-PL01 - Proposed Site Levels and surfaces received 10.06.2023

020-PL01 - Proposed GF & 1st Floor Plans dated 08.12.2022

021-PL01 - Proposed Roof Plans dated 08.12.2022

031-PL01 - Proposed Elevations dated 08.12.2022

Flood Risk Assessment (Ref: AEG3747 RG42 Berkshire 01) received 21.12.2023
Bat Survey Report (February 2023)

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

03. No structure hereby permitted shall be built above existing ground level 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 by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFLP LP 28, LP 50]

04. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

(a) Parking of vehicles of site personnel, operatives and visitors

(b) Loading and unloading of plant and vehicles

(c) Storage of plant and materials used in constructing the development

(d) Wheel cleaning facilities

(e) Temporary portacabins and welfare for site operatives

(f) areas for the turning of construction and demolition vehicles such that the largest anticipated vehicles can turn and leave the site in a forward gear without damage to the culvert at the access to Jocks Lane and each facility shall in accordance with the approved scheme, be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (f) above.

REASON: In the interests of amenity and road safety.

[Relevant Policies: BFLP LP 25, LP 27 and LP 62]

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

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

[Relevant Policies: BFLP LP 28, LP 50]

06. The new dwelling shall not be occupied until the associated vehicle parking has been surfaced and provided in accordance with the approved plans for the existing and proposed dwellings. The spaces shall thereafter be kept available for parking at all times for each of these dwellings.

REASON: To ensure that the development is provided with an appropriate level of car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: Bracknell Forest Local Plan LP 25 and LP 62]

07. The development shall not be occupied until three secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces and facilities shall thereafter be retained.

REASON: To improve travel choice through provision of cycle parking and facilities for sustainable modes of transport.

[Relevant Policies: Bracknell Forest Local Plan LP 25, LP 27 and LP 62]

08. The new dwelling shall not be occupied until refuse storage has been provided in the location identified on the approved plans. The refuse storage areas shall thereafter be retained.

REASON: In order that the dwelling is served with refuse storage and collection.

[Relevant Policies: Bracknell Forest Local Plan LP 50]

09. All ecological measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Report dated February 2023 and approved drawings and maintained as such thereafter.

REASON: In the interests of nature conservation.

[Relevant Policies: BFLP LP 53]

10. The dwelling hereby approved shall as a minimum be constructed in accordance with Part M4(2) of the 'Accessible and adaptable dwellings' of the Building Regulations 2010 (Approved Document 'M' – Access to and use of Buildings – dwellings 2015) (as amended).

Prior to the occupation of the dwelling hereby permitted, written verification that the completed dwelling is in accordance with Part M4(2) of the Building Regulations 2010 (Approved Document 'M' – Access to and use of Buildings – dwellings 2015) (as amended) shall be submitted to and approved in writing by the Local Planning Authority. The completed dwelling shall be maintained as such thereafter.

REASON: To ensure that appropriate accessible and adaptable dwellings are provided.

[Relevant Policies: BFLP LP 38]

11. The new dwelling shall not be occupied 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 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: BFLP LP 55]

12. No development shall take place until a scheme for the disposal of surface water drainage that can be maintained for the lifetime of the development has been submitted to and agreed in writing by the Local Planning Authority. Information required to be submitted to satisfy this condition includes:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- c) Full details of all components of the proposed drainage system including details of permeable paving, dimensions, locations, gradients, invert and cover levels, headwall details, planting and drawings as appropriate;
- d) Evidence to support b) which must include infiltration/percolation testing or written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable;
- e) Mitigation measures for managing surface water flood risk within the site; and
- f) A Management and Maintenance Plan for the proposed drainage system to demonstrate how it would be maintained over the lifetime of the development.

The scheme shall be implemented in accordance with the approved details before the occupation of the dwelling.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: BFLP LP 55]

13. No development shall take place until full details of the flood resilient measures in accordance with Flood Risk Assessment Ref AEG3747-RG42-Berkshire 01 Dated Dec 2023 has 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: To ensure that the site is properly drained and does not increase the risk of flooding. [Relevant Policy: BFLP LP 55]

14. No development shall take place until details of the finished floor levels in accordance with Environment Agency 'Preparing a flood risk assessment: standing advice', 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 and maintained as such thereafter.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding. [Relevant Policy: BFLP LP 55]

15. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose. If within a 5 year period of the completion of the development any soft landscaped area is removed, uprooted, or is destroyed or dies, it shall be replaced by similar soft landscaping in the same location.

REASON: In the interests of good landscape design and the visual amenity of the area and provide soakaway areas to reduce the risk of surface water flooding.

[Relevant Policies: BFLP LP 28, LP 50 and Policy LP 54]

Should the applicant fail to complete the required S106 agreement to secure the SPA mitigation by 13 September 2024, the Assistant Director: Planning be authorised to either extend the period further or refuse the application for the following reasons:

01. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policy LP 32 of the Bracknell Forest Local Plan the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

CHAIR