

EASTERN AREA PLANNING COMMITTEE ON 7TH FEBRUARY 2018

UPDATE REPORT

Item No: (2) Application No: 17/02578/RESMAJ Page No. 43-74

Site: Firlands Farm, Hollybush Lane, Burghfield Common, Reading, Berkshire, RG7 3JN

Planning Officer Presenting: David Pearson

Member Presenting: N/A

Parish Representative speaking: N/A

Objector(s) speaking: N/A

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Rob Collett

Ward Member(s): Councillor Keith Chopping

1. Introduction

This report complements the Application Report published prior to the Committee and provides an update on matters that have changed in the meantime.

2. Additional consultation responses

BBOWT have provided the following additional consultation response following the submission of the Ecological Management Plan. Planning officers' response is provided in Section 3.

"Thank you for referring me to the additional document submitted by the applicant designed to address my earlier comments. I have reviewed the Ecological Management Plan (dated December 2017, author Ecosulis) and can confirm that the report is sufficient to address my objection point on this issue. I do however wish to raise the following in relation to the report;

- Paragraph 3.2 states the management prescriptions are intended for nesting birds, badgers, bats and small mammals. Reptiles are missing from this list, albeit referred to later on in the document. I recommend it is clearly stated in this*

paragraph that reptiles are included in the list of fauna that management is designed to benefit.

- Paragraph 4.9 proposes sweet chestnut is planted. As a non-native species sweet chestnut is inappropriate to include in the woodland buffer. I would recommend native oak as larger standard tree, and to also include spindle in the list of hedgerow and smaller trees to be planted, particularly in areas managed for biodiversity if planting in gardens is considered problematic.*
- Paragraphs 4.11 & 4.12 – BBOWT considers the inclusion of native species planting in gardens and around houses to be more appropriate to the objectives of this plan (stated in paragraph 2.2) and the Council's own biodiversity objectives. Very few of the species in the planting list for the gardens and amenity areas are natives; this could be easily reconfigured to address biodiversity enhancement objectives.*
- Paragraph 4.13 – fencing should be permeable to wildlife, e.g. hedgehogs, badgers, to avoid introducing unnecessary barriers to movement.*
- Paragraph 4.16 – a Bat and Bird Box Strategy is referenced; I have been unable to locate this document. I trust that the boxes will be of durable design and construction, intended to last for the lifetime of the development and to include prescriptions for monitoring their condition and, if required, replacement of boxes not integrated into building fabric.*
- Section 5 tables (various) – references to avoiding the bird nesting season should read; "official bird nesting season" for clarity*
- BBOWT supports the stated intention to implement the management and annual monitoring of habitat features in perpetuity, including an initial Plan review after 5 years. We would welcome further detail on how this is to be ensured in practice.*

I have not been able to locate any amended lighting plan or document addressing BBOWT's concerns regarding light spill into existing areas of woodland. In the absence of any information to address this issue we maintain an objection to this reserved matters application. Note that conditions of planning permission have not required a specific sensitive lighting strategy document to be submitted, but the plans currently showing light spill into deciduous woodland constitutes unmitigated impact on a Habitat of Principal Importance under the NERC Act 2006, and potentially also impact on foraging bats (protected from disturbance that may impair their ability to survive & reproduce under the Conservation of Habitats and Species Regulations 2017). BBOWT would welcome details of sensitive lighting proposals for these areas, which minimise any impacts of artificial light on ecological receptors, as also required by the NPPF (para 125)."

No further public representations have been received.

3. Biodiversity

As detailed in the agenda report, BBOWT objected to this application due to concerns with not provided net gains in biodiversity, and in terms of the impact on the deciduous woodland within the site, a Priority Habitat. Subsequently an Ecological Management Plan (EMP) was submitted in response.

The EMP provides management prescriptions to meet a number of key objectives, including to contribute to LBAP targets and strategies by increasing net biodiversity on the site. As part of the EMP, habitat creation is proposed, including the creation of balancing ponds with surrounding wetland planting and grassland, grassland meadows, hedgerow planting, and native planting adjacent to the woodland in the north-west.

The retained woodland to the north will be protected during the works. An access road and footpaths will be created through the woodland to the north, but otherwise the retained woodland will be protected during works, with some scrub clearance (maximum 30%) to allow a varied structure and open up the woodland for ground flora. Deadwood piles will be created within the woodland to provide habitat for reptiles, small mammals and invertebrates.

In addition, a total of 40 bird boxes and 30 bat boxes will be erected on new buildings and retained trees on site (as required by Condition 12 of the outline permission).

In response to re-consultation, BBOWT confirm that the report is sufficient to address the objection on the first issue, subject to some minor changes that could be agreed pursuant to a condition. The EMP will be implemented concurrent with development, and the land will be managed in perpetuity. Annual monitoring shall also take place. A condition has been recommended to secure the prior approval of a revised EMP, its subsequent implementation, and appropriate LPA supervision of monitoring during the early years.

However, there remains insufficient information to overcome BBOWT's concerns with light spill into existing areas of woodland, and on foraging bats. It is considered that this outstanding concern can be addressed through the prior approval of a Lighting Strategy prior to the first occupation of the development. Condition 11 (Construction Method Statement) of the outline permission covers temporary lighting and measures to mitigate the impact of construction operations including on ecological receptors. A Lighting Strategy is therefore only required for prior approval before first occupation.

Further conditions are proposed to secure a Precautionary Method of Working, a Rhododendron Control Strategy, and to prevent vegetation removal during bird nesting season without appropriate ecological supervision.

Subject to the above conditions, it is concluded that the ecological assets of the development will be conserved and enhanced, and thereby the proposal complies with the NPPF and Core Strategy Policy CS17.

4. Tree works application 17/03555/TPW

A tree works application (reference 17/03555/TPW) has been approved by the Council's Tree Officers, authorising the removal of a number of TPO trees. This is a separate matter that falls outside the scope of the reserved matters application, so this information is provided for information only.

The outline planning permission also considered access, and thereby it was permitted to construct the new vehicular access to the site through the woodland. This necessitates the removal of a number of trees, and the location of the access was agreed in order to avoid the best quality trees. It is intended to transfer the woodland to the Council as public open space, and an associated Woodland Management Plan has also been submitted as part of the landscaping reserved matters.

Planning permission can authorising tree removal/works to TPO trees. However, in this instance a separate tree works application has been made in order that the tree works can proceed without delay in advance of the bird nesting season which begins in March.

The vast majority of trees on the application site are proposed to be retained. Some other very limited tree removal is required on site, including a number of small individual trees within the developable area, and where removal is necessary to facilitate the sustainable drainage measures.

The approved drawings are attached showing the trees to be removed in red.

5. Arboricultural supervision

The applicant has provided the necessary arboricultural watching brief required by the Council's Tree Officer. According, Conditions 4 (tree protection) and 5 (arboricultural supervision) of the Agenda Report have been updated to reflect the correct reference (Revision G).

6. Made ground

The proposal includes raising the ground levels by approximately 0.6m to facilitate the drainage measures. Following questions by Members on site, the applicant has confirmed that arisings from the construction will be retained on site and used to make up the garden areas of the dwellings. Crushed stone materials will need to be brought onto site for road and driveway construction.

Planning officers are satisfied with this information. Finished ground levels are detailed in the latest plans to be approved, and other legislation controls the sourcing and quality of imported material.

7. Materials

The applicant has requested that the materials condition be amended to include a prior approval process for alternative materials. This could become necessary if there are difficulties sourcing building materials, and would allow an alternative materials selection to be agreed. This is considered a reasonable request in light of current sourcing difficulties for building materials, and so an amended condition is recommended accordingly.

8. Updated recommendation

To delegate to the Head of Development and Planning to **APPROVE THE RESERVED MATTERS APPLICATION** subject to the conditions on the Agenda Report, as amended and added to below:

Amended Condition 3: Materials

The materials to be used in the external surfaces of the dwellings shall be in accordance with the Materials Layout (Drawing P1387/02 Revision P), the submitted samples, namely:

- Brick - Forterra Hampton Rural Blend*
- Roof - Sandtoft Vauban Multiblend and Stoneleaf Del Mino Natural Slate*
- Tile Hanging - Sandtoft Humber Flanders*
- Painted Brick - Sandtex Chalk Hill*

Alternative materials may be agreed in writing by the Local Planning Authority by way of a discharge of conditions application made pursuant to this condition.

Reason: To ensure that the external materials respond to local character. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

Amended Condition 4: Tree protection (provision)

No development shall take place until the approved tree protection scheme has been provided in accordance with the Arboricultural Impact Assessment, Method Statement and Woodland Management Plan (Prepared by ACD Environmental, Reference MILL21003aia-ams, Revision G). Notice of commencement of development shall be given to the Local Planning Authority at least 2 working days before any development takes place. The scheme shall be retained and maintained for the full duration of building/engineering operations, or until such time as agreed in writing with the Local Planning Authority. There shall be no construction activities, excavations, storage of materials/machinery, parking of vehicles, or fires.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. This condition is applied in accordance with the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

Amended Condition 5: Arboricultural supervision (as approved)

ACD Environmental (or another qualified project arboriculturalist approved in writing by the Local Planning Authority) shall be retained throughout the construction phase of the development. Arboricultural supervision shall take place in accordance with the Arboricultural Impact Assessment, Method Statement and Woodland Management Plan (Prepared by ACD, Reference MILL21003aia-ams, Revision G).

Reason: To secure arboricultural supervision in order to protect existing trees proposed for retention throughout the construction phase. This condition is applied in accordance with the NPPF, and Policy CS18 of the West Berkshire Core Strategy (2006-2026).

Additional Condition 16: Ecological Management Plan

The construction of the dwellings shall not take place until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall be based on the EMP dated December 2007 (prepared by Ecosulis Ltd, Reference J006437). Thereafter, the measures outline in the EMP shall be fully implemented on site, concurrent with the construction phase of works, and thereafter in perpetuity following occupation of the development. Annual monitoring (in accordance with the EMP) shall be undertaken, to identify any need for further actions or reactive management. Notice of first occupation of the final dwelling shall be given to the Local Planning Authority within seven days of the same. Monitoring reports detailing findings and recommended changes (if any) shall be submitted to the Local Planning Authority for approval on the 1st, 2nd, 3rd, 5th and 10th anniversary of such notice being given.

Reason: To ensure the implementation of the Ecological Management Plan, and appropriate monitoring, in the interests of the conservation and enhancement of ecological assets on the site. The prior approval of a revised EMP is required to address a number of concerns raised by BBOWT. This condition is applied in accordance with the NPPF, and Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

Additional Condition 17: Lighting Strategy

No dwelling shall be first occupied until a Lighting Strategy has first been submitted to and approved in writing by the Local Planning Authority. The Strategy shall:

- (a) Identify those areas on the site that are particularly sensitive to bats;
- (b) Show how and where external lighting will be installed to avoid light spill into existing areas of woodland, and so that it can be clearly demonstrated that illuminated areas will not disturb or prevent use of the site by bats;
- (c) Include an isolux diagram of the proposed lighting.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these areas shall be maintained thereafter in accordance with this Strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. The prior approval of a Lighting Strategy is required to address the objections of BBOWT, as insufficient information has been submitted with the application. This condition is applied in accordance with the NPPF, and Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

Additional Condition 18: Precautionary Method of Working

No development shall take place except in accordance with the Precautionary Method of Working (prepared by Ecosulis Ltd, reference J006258, dated 23/01/2017), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a practical working strategy is implemented during the pre-condition and construction phases to ensure that features of ecological interest are not compromised. This condition is applied in accordance with the NPPF, and Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

Additional Condition 19: Rhododendron Control Strategy

The Rhododendron Control Strategy (prepared by Ecosulis Ltd, reference J006258, dated 23/01/2017) shall be implemented concurrent with the construction phase of works.

Reason: To eradicate Rhododendron, a non-native invasive species, from the site. This condition is applied in accordance with the Wildlife and Countryside Act 1981, the NPPF, and Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

Additional Condition 20: Vegetation removal during bird nesting season

No vegetation removal shall be undertaken during the bird nesting season (March to September inclusive) unless a nesting bird check has first been undertaken by a qualified ecologist, and appropriate ecological supervision is provided.

Reason: To ensure protected of nesting birds during the bird nesting season. This condition is applied in accordance with the NPPF, and Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).