

OFFICER REPORT

1. SUMMARY

- 1.1 This site is located within the Countryside and does not abut the current settlement boundary. However, the site lies with close proximity to facilities including local recreational grounds, schools and bus routes. It is also a brownfield site. The harm of the development is not considered to outweigh the benefit the dwellings would make towards the Council's 5 Year housing land supply. The proposal is therefore considered acceptable.

RECOMMENDATION

Approve subject to S106 agreement

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been reported to the Planning Committee following the receipt of more than 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Countryside

- 3.1 The application site covers 3.36ha and is generally level with a vacant office building which according to the information submitted, both by the applicants and local residents, has never been occupied since being constructed.
- 3.2 The site has access from South Road, an unadopted highway. The site is located to the west of Great Hollands, Bracknell and the Great Hollands Recreational Park, and north of the B3430 separated by a tree belt. Downshire Golf Club and Easthampstead Park Cemetery and Crematorium lie to the north of the site
- 3.3 The site consists of a modern two storey office building, parking and associated structures housing bin storage and cycle parking. The office building was constructed around 2009, and has never been occupied. The site is therefore considered to be previously developed land (PDL).
- 3.4 The site is landscaped with close cut turf with the built form located within the central of the site. A mature group of trees is located to the north of the site, with drainage ditch separating these from the parking area. An area adjacent to the western boundary has been left less managed for the interests of bio-diversity.

4. RELEVANT SITE HISTORY

- 4.1 02/00790/LDC Application for a Lawful Development Certificate for continued use of existing buildings as (B1) Business Approved 17.07.2003
- 4.2 06/01095/OUT Outline application, including details of access, for the erection of replacement B1 (business use) building (4,724 sq.m.) with associated car parking and landscaping and removal of all existing buildings structure, hard standing and plan from the site (Withdrawn)
- 4.3 07/00234/OUT Outline application including details of access, for the erection of replacement B1 (business use) building (4,724 sq.m.) with associated car parking and

landscaping and removal of all existing buildings structure, hard standing and plan from the site Approved 06.06.2007

- 4.4 08/00093/REM Submission of details of layout, scale, appearance and landscaping for the erection of a replacement B1 (business use) building (4,724 sq.m.) with associated car parking pursuant to outline planning permission 07/00234/OUT. Approved 15.05.2008
- 4.5 08/01072/A Erection of non illuminated directional sign Approved 12.02.2009
- 4.6 08/01073/A Erection of monolith sign Approved 12.02.2009
- 4.7 09/00054/FUL Section 73 application to allow the erection of a 300 sq.m. staff amenity area Approved 26.11.2009
- 4.8 13/00798/FUL Erection of single storey rear extension and roof terrace fronting existing rear courtyard to form staff amenity area Approved 18.22.2013
- 4.9 13/00889/FUL Erection of single storey rear extension fronting existing rear courtyard to form staff amenity area. Approved 06.12.2013
- 4.10 15/00640/NMA Non-material amendment to planning permission 13/00089/FUL for the installation of generator equipment within acoustic housing Agreed 24.07.2015.

5. THE PROPOSAL

- 5.1 The proposal seeks outline planning permission with all matters reserved apart from access, for the construction of up to 68 dwellings, including on site affordable housing, subject to the Vacant Building Credit (VBC) being applied.
- 5.2 An indicative layout has been submitted demonstrating one way in which the units could be accommodated. This included two blocks of apartments with a mixture of terraced, semi-detached and detached dwellings. An area for play and open space has also been left as well as the area of heathland adjacent to the western boundary.
- 5.3 Access to the site would utilise the existing access from South Road. The mature trees within the site are shown as being retained.

6. REPRESENTATIONS RECEIVED

Other representations:

- 6.1 A total of 50 representations have been received from residents of surrounding properties. The comments can be summarised as follows:
 - Increasing traffic near to a children's playground will result in a highway safety risk.
 - Proposal would spoil the look of the park and surrounding area.
 - Proposal will destroy further woodland and parkland
 - Increase in pressure on the existing road network which is already congested and crumbling.
 - Destruction of wildlife habitat
 - Too many houses already being built within the area
 - Will effectively join together the towns of Bracknell and Wokingham
 - Will spoil the peace and tranquility of the crematorium
 - Bracknell has prided itself on its open spaces which are slowly being eroded away.
 - Would result in an increase in traffic and hence noise pollution.

- Further pressure on GPs, schools and other services.
- More suitable brown field sites should be found.
- South road is a small access road which would not support the extra traffic.
- Would be out of keeping with the surrounding countryside and crematorium.
- This site should be used as accommodation for the gymnastics club [Officer note: this is not a material consideration for this application].
- Will make way for further development on the neighbouring site in the future [Officer note: This is not a consideration which can affect the determination of this application].
- An alternative use should be found for the office building rather than redevelop the site.
- Character of the area is moving from being rural to urban.
- Site is a haven for wildlife
- Traffic survey and report is incorrect.

1 comment in support has been received;

- This site is away from other buildings and so will not impact the area. More houses are needed or house prices will keep increasing.

Bracknell Town Council

- 6.2 Bracknell Town Council has no objections to this initial outline application but would like the affordable housing carried forward to the next application and consideration given to the traffic flow on South Road.

7. SUMMARY OF CONSULTATION RESPONSES

- 7.1 Highways: No objection subject to conditions and S106 clauses.
- 7.2 Drainage: Following submission of amended information, no objection subject to conditions.
- 7.3 Bio-diversity: Application acceptable subject to conditions.
- 7.4 SPA: There is insufficient capacity within any of the Councils SANGS to accommodate the increase in population generated by this application. The applicant has made private arrangements to secure SANG capacity. The Council is in the process of consultation on a new SPA SPD which will deliver increased capacity.
- 7.5 Landscape: Agrees with the findings of the LVIA. Makes recommendations on information submitted with future applications.
- 7.6 Archaeology: No objection subject to conditions.
- 7.7 Education: requests a contribution towards Great Hollands Primary School.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

- 8.1 The primary strategic planning considerations applying to the application and the associated policies are:

Development Plan	NPPF
General policies	CP1 of SALP: Presumption in favour of sustainable development

CS1 of CSDPD: Sustainable Development Principles

CS2 of the CSDPD: Locational Principles

Consistent.

(Para. 14 of the NPPF)

Housing CS15 of the CSDPD: overall housing provision Not consistent with the NPPF as it does not represent an 'objective assessment of need', and therefore carries little weight.

Affordable housing/ Mix CS16 of the CSDPD: Housing Needs of the Community

CS17 of the CSDPD: Affordable Housing

Consistent.

(Para. 50 of the NPPF).

Design & Character CS1 (viii) of the CSDPD

CS7 (i) & (iii) of CSDPD: Design

Saved policy EN20 (i) of BFBLP: Design considerations in new development

Consistent with para. 17, 56, and 109 of the NPPF.

Open Space provision CSDPD Policy CS8: Recreation and Culture

Saved Policy R4 of the BFBLP: Provision of open space of public value

Consistent with paras. 72 & 74 of the NPPF.

Consistent with the NPPF Chapter 8.

Noise Saved Policy EN25 of the BFBLP: Noise and other pollution This is considered to be consistent with paras. 17(4), 17(7) and 109(4) of the NPPF.

Transport CS23 and CS24 of CSDPD Consistent SPA SEP Policy NRM6: Thames Basin

Heaths Special Protection Area

CSDPD Policy CS14: Thames Basin Heaths Special Protection Area

Saved Policy EN3 of the BFBLP: Nature Conservation

Consistent with the NPPF (Chapter 11)

Supplementary Planning Documents (SPD)

Parking Standards SPD 2016

Other publications

National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)

Character Area Assessments SPD (Chapter 4- Northern Villages)

Bracknell Forest Borough Landscape Character Assessment (LUC) 2015

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on the character and appearance of the area including Landscape impact.
- iii Impact on Highway safety
- iv Ecology
- v Drainage
- vi Trees
- vii Land Contamination
- viii Thames Basin Heaths Special Protection Areas (SPA)
- ix Affordable Housing

x Securing necessary infrastructure / CIL

i. Principle of Development

- 9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.
- 9.3 Paragraph 14 of the NPPF sets out that for decision takers this means:
- approving development proposals that accord with the development plan without delay, and
 - Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits assessed against the policies in this Framework taken as a whole: or
 - Specific policies in this Framework indicate development should be restricted.
- 9.4 Paragraph 49 of the NPPF states that 'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.
- 9.5 The site is located outside the defined settlement boundary and as such is directly contrary to Policy CS9 of the CSDPD, Policy EN8 and Policy H5 of the BFBLP. All of these policies restrict the development of residential dwellings in the countryside, seeking to protect the countryside for its own sake, unless specific criteria are met.
- 9.6 However, Bracknell Forest Council is unable to demonstrate that it has a 5 year supply of deliverable housing sites. Accordingly, policies which have a presumption against residential development in the countryside are considered out of date and, whilst still a consideration, the weight that can be attributed to them decreases.
- 9.7 The application therefore should be considered in relation to the presumption in favour of sustainable development, as set out in SALP Policy CP1 and paragraph 14 of the NPPF. Permission should only be refused where the harm arising from the application would significantly and demonstrably outweigh the benefits of the scheme. The benefits and harm of the development are considered in the following sections of the report.

ii Impact on character and appearance of the area, including landscape impact

- 9.8 Policy CS7 of the CSDPD seeks a high quality of design for all development In Bracknell Forest. This should be achieved by building upon the local character, respecting local patterns of development and enhancing the landscape. The application is for outline permission only with matters including layout, scale, siting and appearance to be reserved for approval at a later date.
- 9.9 The LUC Landscape Character Appraisal 2015 defines the site as being located within the Forested Sands Character Area.
- 9.10 The LUC report states that the following features relevant to this site should be protected:
- remaining areas of wet and dry heathland and acid grassland from encroachment.
 - historical features within woodland
 - the semi-natural woodland and mature trees
 - the undeveloped nature, sense of remoteness and dark skies
 - the undeveloped wooded character between Crowthorne and Bracknell
 - long views along historical straight rides.

- 9.11 Whilst some of the key characteristics identified in the report are evident within the site, as the application site itself is developed, none of the key characteristics relate to the actual application site (for example the undeveloped nature has already been lost). Applying the Landscape Character Appraisal, it is not possible to demonstrate that re-development of this site would harm the landscape character of the application site or surrounding area.
- 9.12 The application was supported by a Landscape and Visual Impact Assessment (LVIA) which stated that the site is well screened from the surrounding area by the existing vegetation and views to the site are limited. The LVIA concludes that the site is capable of being developed in line with the illustrative masterplan and landscape strategy without resulting in material landscape or visual harm to the surrounding area. It is concluded that the LVIA is accepted however it is recommended that the impact of the surrounding trees be considered on the living conditions of future residents in particular relating to the southern two plots.
- 9.13 The proposal would result in an isolated residential development, not abutting the settlement boundary. The sustainability of the site in terms of distanced to services is discussed within the transport section below. However, whilst the site would be visually separated from the existing built form, due to its screened location, this is not considered harmful to the wider character of the area. The site will create a character of its own which would not be significantly more harmful than the existing built form of the B1 offices which currently occupy the site.
- 9.14 The design of the proposal is reserved for approval at a later date. An indicative layout has been submitted showing how the 68 dwellings could be accommodated within the site. This proposes a mix of 1 and 2 bedroom apartments and 3 and 4 bedroom houses. It is considered that this provides an appropriate dwelling mix across the site. An indicative heights constraints plan has been produced showing that the proposal would range in height between 2 to 3 ½ storeys. The existing office building is shown as being 12m high, equivalent to a three storey building.
- 9.15 Whilst approval is not sought for the layout, it has been considered and comments below are intended to inform future applications:
- The layout is not very legible, with some housing tucked away to the rear of the apartment blocks and some in stand alone locations.
 - The streetscenes are very dominated by cars. Large areas of parking to the front of properties creates poor streetscenes which are not acceptable and which may affect the number of homes achievable on the site. A mix of parking solutions would be required on this site to ensure that areas of parking are broken up visually.
 - Apartment blocks should be set within grounds which provide amenity for the residents. A better balance between the built form of the apartments, usable amenity space for residents and parking provision needs to be achieved.
 - Greater variation in building height would improve the proposed development on the northern part of the site.
 - Plots backing onto open spaces and leisure routes should be avoided and therefore apartments can be used to face in a number of different directions and provide natural surveillance and activity both towards the street and towards the open spaces.
- 9.16 Whilst there are concerns about the indicative layout it is not a consideration at this time. It is considered that the site can accommodate up to 3 ½ storey properties without detrimentally affecting the wider character or appearance of the area. Accordingly it is

concluded that the proposal would not have a demonstrable detrimental impact upon the immediate or wider landscape character. The proposal is considered to comply with Policy CS7 of the CSDPD and EN20 of the BFBLP.

iii Impact on Highway Safety

- 9.17 The applicant has provided an extensive Transport Assessment which has assisted the Highway Authority in formulating the following comments.

Access

- 9.18 Beaufort Park takes access off South Road, a publicly accessible road which provides access to Easthampstead Park Cemetery and Crematorium, Great Hollands Recreation Ground and Great Hollands Bowls Club. South Road can accommodate two-way traffic being around 5.8m wide. Visibility splays of 2.4m by 160m can be achieved at the junction of South Road with Nine Mile Ride in line with highways guidance. There is a footpath which is around 1.6m wide on the western side of South Road between Nine Mile Ride and the Beaufort Park access road. The footpath is unlit and behind some trees, and there are long-term plans to improve pedestrian and cycle access along South Road, including some potential lighting as part of the TRL housing development.
- 9.19 The existing access road serving Beaufort Park typically measures 5.5m in width and therefore complies with the Council's guidance on carriageway widths for access roads serving this scale of residential development. A 2m wide footway is provided on the southern side of the road and visibility splays of 2.4m by 43m can be achieved at the junction with South Road which exceeds guidance for a 20mph speed limit road. The access road has low level lighting bollards, and while lighting could be improved to enhance pedestrian access, these existing bollards would be adequate bearing in mind the current lawful office use could generate more traffic than this residential development. The proposals would not affect the existing access to The Bungalow on the corner of this access road and South Road.
- 9.20 South Road is owned and maintained by the Council, but is not formally adopted highway.
- 9.21 The Transport Assessment indicates that internal access roads, footways and shared surfaces would be designed in line with the Council's highways design guide for residential development. The site layout is likely to alter at reserved matters stage; however, swept paths for a refuse vehicle around an indicative site layout demonstrate adequate access and turning. Also, it is noted in the Transport Assessment that the existing gates are to be removed which will assist with access, including refuse vehicles.
- 9.22 The Highway Authority usually seeks to adopt residential estate roads serving this scale of residential development. However, as South Road is not formally adopted Highway, and the applicant has not put forward proposals to upgrade the access road to adoptable standards, the estate road should remain private and provision should be made for this, and the future management by a management company, within an s106 agreement.
- 9.23 A residential development which could be occupied by young families will give rise to different accessibility requirements than an office. The Transport Assessment demonstrates that acceptable pedestrian and cycle facilities towards Wooden Hill and Nine Mile Ride and bus services would be available to new residents of this development for access by non-car modes, providing sustainable transport links and choice of transport modes.

Trips

- 9.24 The Transport Assessment indicates that the current lawful office use is predicted to generate circa 98 two-way vehicle movements in the morning peak and 87 two-way vehicle movements in the evening peak. The proposed residential development is predicted to generate less traffic with 39 two-way vehicle movements in the morning peak and 40 two-way vehicle movements in the evening peak.
- 9.25 While the trip patterns for a residential development will differ from an office, with a greater number of trips likely to be entering the development during the evening peak period when South Road is likely to be busy (due to the current facilities it serves), traffic modelling concludes that the residential development would have less impact on the South Road/Nine Mile Ride Junction and the wider highway network during peak periods than the current lawful office use.
- 9.26 This residential development is accessible by non-car modes and travel packs identifying sustainable modes of travel are to be provided to new residents. This should be secured via the s106 agreement. Also, if the development is CIL liable, then some monies could be available to fund general local transport improvements. Construction traffic, including site deliveries and contractor parking could be dealt with by planning condition.

Parking

- 9.27 The Transport Assessment indicates that parking is to be provided in line with the Council's parking standards with a mix of allocated spaces, garages for the town houses (measuring 7.5m x 3.5m) and visitor parking (14 spaces). Also, cycle parking will be provided for each house in accordance with the parking standards within a garage (where provided) or garden shed, and for the apartments within a designated cycle store. Details of the parking arrangements would be dealt with by reserved matters.

Sustainable location

- 9.28 As mentioned within the Transport Assessment, the site is considered to be well located. Wooden Hill Primary School and Easthampstead Park Community School are both located less than 1 mile walk from the site along footpaths. Bus routes are located along Nine Mile ride to the south of the site and provide connections to Reading, Wokingham and Bracknell. It is also relevant that the site has an existing lawful employment use which in planning terms makes it already a significant generator for trips. Accordingly, whilst the site is located within the Countryside, it is not considered that the site is poorly related to services which would sustain a reason for refusal.

iv Ecology

Background

- 9.29 The application site is surrounded by grassland, dry heath and woodland, with sections of this habitat falling within the red line boundary. The central area of the site consists of the main building, hardstanding, gravel, amenity grassland, an ornamental pond and ornamental hedgerow, all of which are of limited ecological value.

Habitats

- 9.30 There are areas of acid grassland, heathland and deciduous woodland within the application site (all of which are Priority Habitats as per the NPPF). These areas also fall within the boundary of a proposed Local Wildlife Site (LWS) which has not yet been designated by the local wildlife site selection panel. However, plans show that the Priority

Habitats will be retained. As such, the proposals will not lead to the direct loss of these habitats or the direct loss of a LWS.

- 9.31 However, it will be important to ensure that the development does not lead to a deterioration in quality of the Priority Habitats by, for example, increased recreational use, dog walking, light pollution, escape of non-native garden plants etc. This can be controlled by condition at the reserved matters stage, through the landscaping design and requiring boundary treatments and signage designed to discourage access onto neighbouring sites.

Species

- 9.32 The proposals are unlikely to have an adverse impact on protected species for the following reasons:

Bats

- 9.33 The trees on the site are unlikely to have features potentially suitable for use by roosting bats, and the building was assessed as having “negligible” potential to host roosting bats. As such, it is unlikely that the site hosts a bat roost. Bats will be foraging around the edge of the site, however, as set out in the ecological report, it is unlikely that the proposals will have any noticeable impacts upon foraging or commuting bats as long as a sensitive lighting scheme is implemented. This could be achieved by a planning condition.

Reptiles

- 9.34 The reptile survey report confirms that the dry heath habitat in the western section of the site supports a low population of slow worms and common lizards. The report concludes that since the development avoids the heath and taller grassland, the proposals would not adversely affect reptiles. As such, reptiles should not prove to be a constraint to the proposal.

Other species

- 9.35 The proposals are unlikely to adversely affect other species such as great crested newts, badgers or dormice. This is because no signs of badgers were seen during the survey, the pond on the site was assessed as unsuitable for use by great crested newts (and there are no other ponds within the vicinity of the site), and the woodland habitat is sub-optimal for dormice (and will be retained in any case).

Biodiversity enhancements and landscaping

- 9.36 Should the issue regarding the LWS/Priority Habitats be resolved, it will be important to ensure that a wildlife-friendly landscaping scheme is provided that includes predominantly native species. Furthermore, a condition should be set to ensure that bird and bat boxes are provided and that fencing includes gaps at the base to allow hedgehogs and other animals to traverse the site.
- 9.37 Accordingly the proposal seeks to preserve the important habitats found within the site and would not detrimentally affect any protected species. Measures to protect the bio-diversity and ecology of the site can be secured by appropriate conditions. The application therefore complies with Policy CS1 of the CSDPD.

v Drainage

- 9.38 The site is not situated within a Flood Zone and is not shown to be at risk of surface water flooding.
- 9.39 The application has been supported by a FRA. This has been assessed against the requirements of the NPPF, the PPG-Flood Risk and Coastal Change, Bracknell Forest Local Flood risk Strategy, DEFRA non-strategy SuD's Guidance and the SuD's manual.
- 9.40 Further information was required to ensure that the correct modelling was utilised and that an allowance for urban creep was included within the calculations.
- 9.41 Amended information has been received seeking to address the initial concerns raised. Given that the site is brownfield, and therefore brownfield run off rates apply, and the application is outline only at this stage, it is considered that the application can be adequately drained. More detailed design can be conditioned.

vi Trees

- 9.42 Policy EN1 of the BFBLP, seeks to retain trees and hedges which are important in either:
- The character and appearance of the landscape, or
 - Habitats for local wildlife
- 9.43 A conifer plantation surrounds the southern and eastern boundaries. Within the site to the north there is a small deciduous plantation, consisting of semi-mature oaks. There are few other trees within the site and none of particular importance.
- 9.44 A condition requiring protective fencing to be installed prior to commencement is recommended to protect the trees to be retained.
- 9.45 The proposal is considered to comply with Policy EN1 of the BFBLP.

vii Land Contamination

- 9.46 Policy EN25 of the Bracknell Forest Local Plan seeks to prevent forms of environmental pollution from adversely affecting the amenities of occupiers of buildings or persons using outside space.
- 9.47 Prior to the existing office building being constructed the site was used by the Meteorological Office and therefore there would have been demolition of previously existing structures. Previous uses of the site could have caused contamination. As the proposed residential development is 'sensitive' in terms of potential contamination it is recommended that a condition is applied requiring pre-commencement submission of a preliminary risk assessment (desk top / walk over survey), followed by intrusive investigations and proposals for remediation if found to be necessary.
- 9.48 Subject to the condition the site will comply with Policy EN25 of the BFBLP.

viii Thames Basin Heaths Special Protection Areas (SPA)

- 9.49 The Council, in consultation with Natural England (NE), has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects.

- 9.50 This site is located approximately 0.65 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.
- 9.51 Therefore, a Habitats Regulations Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the SPA.
- 9.52 In accordance with the SPA SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).
- 9.53 For developments which accord with the Development Plan and lead to a net increase of less than 109 dwellings, the Council usually allow the developer to make a payment contribution towards strategic SANGs (subject to SANG capacity in the right location within Bracknell Forest). Unfortunately, due to pressure from unforeseen and unallocated sites such as Prior Approval schemes and the need to accommodate allocated sites, current Strategic SANG capacity is dwindling. This means that the Council cannot offer a strategic SANG solution to this development.
- 9.54 However at the time of writing the report, the Council has consulted on a revised SPD, which, if adopted will provide sufficient SANG capacity to provide mitigation for the development. As this document has been subject to public consultation, weight can be attributed to it and it is envisaged that it will be adopted prior to the Planning Committee meeting.
- 9.55 The applicant has indicated that they wanted to wait for the SPD to be adopted rather than seeking a solution using a private SANG. The application is therefore being brought to the first available committee after the planned adoption of the revised SPA SPD. Accordingly subject to the SPA SPD being adopted as planned, a contribution to cover the SAMM payment (monitoring) and SANG maintenance payments, in accordance with the revised SPD, will need to be paid to the Council. Again these will be secured through a S106 agreement.

ix Affordable Housing

- 9.56 Policies CS16 and CS17 of the CSPD relate to housing needs and affordable housing. The Council's affordable housing policy currently applies to proposals involving 15 net dwellings or more. On these sites there is a requirement for 25% of the proposal to be affordable housing of which 70% to be affordable rent and 30% to be intermediate housing (Planning Obligations SPD).
- 9.57 The applicants are seeking to reduce the number of affordable housing units which have to be provided in proportion to the vacant floor space to be removed. They support this approach by reference to the Written Ministerial Statement, originally made on the 28 November 2014, The statement provides an incentive for the development of brownfield sites containing vacant buildings. The Vacant Building Credit (VBC) allows a financial credit equivalent to the existing gross floor space of the relevant vacant buildings when the local planning authority calculates any affordable housing which will be sought.
- 9.58 Accordingly where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the

overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.

- 9.59 There is no evidence that the existing building upon the site has ever been occupied, and the building was vacant at the time of the case officer's visit. It is therefore considered that the proposal is eligible for VBC to be applied.
- 9.60 As this application is for outline consent with all matters reserved apart from the access, the floor plans of the buildings are not for approval at this stage and therefore are subject to change. It is not possible at this stage to calculate the number of affordable houses which would be provided. The S106 will include a formula to calculate the affordable housing provision on approval of the reserved matters application. The affordable housing secured should be provided upon the site and comply with the Council's tenure policy.
- 9.61 As an indication, based upon the indicative layout, 7 affordable dwellings would be provided, however this figure could change once the reserved matters application is submitted.
- 9.62 Accordingly, subject to the S106 agreement being completed the proposal complies with Policy CS17 of the CSDPD.

x Securing necessary infrastructure / CIL

- 9.63 CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-
(a) infrastructure needed to support growth and;
(b) infrastructure needed to mitigate impacts upon communities, transport and the environment.
- 9.64 Guidance in the Planning Obligations SPD, is relevant. Bracknell Forest Council Community Infrastructure Levy (CIL) is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development. It applies to any new build but in the case of outline applications is calculated when reserved matters are submitted.
- 9.65 If this application were to be approved, CIL payments would be collected following commencement of the development. CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These comprise:-
- Provision and enhancement of land to Suitable alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
 - specified Local Road Network capacity improvements (this includes capacity improvements on Locks Ride/Long Hill Road)
 - strategic road network improvement outside the borough
 - specified footpath and cycleway improvements
 - bus service subsidies
 - specified educational projects
 - libraries
 - built sports facilities
- 9.66 CIL receipts could be spent on items not listed on the Regulation 123 list that meet the government criteria on CIL spending.

Education

- 9.67 The planning obligations SPD seeks contributions towards educational facilities where there is a residential scheme.
- 9.68 The Council will only seek S106 contributions in addition to CIL where the infrastructure improvement project for which funding is sought,
- does not appear on the CIL Reg 123 list
 - does not conflict with the CIL Regulation 123 pooling restriction, that limits the pooling of Section 106 payments to no more than five planning obligations; and
 - fulfils the planning obligation tests set out in CIL Regulation 122, ie. The contribution is necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 9.69 Using an average dwelling mix the development is likely to generate around 24 pupils of primary age.
- 9.70 The site is within the Designated Area of Wooden Hill Primary which is currently full and therefore the proposal would place undue pressure on a service which is already at capacity. Therefore, in order to meet the demand from this development, capacity at the school would need to be increased.
- 9.71 Financial contributions towards improvements to increase the capacity at Wooden Hill Primary School are therefore sought. As the application is for outline consent this will be secured with a formula within the S106, thereby ensuring that the contributions are reasonably related in scale and kind to the development.
- 9.72 As additional capacity at Wooden Hill Primary is not included on the Regulation 123 list, and the pooling restriction would not be breached, S106 contributions can be sought. It is considered that the contribution would mitigate the impact of the proposed development on the school closest to the development site and therefore most likely to be attended by future residents. Accordingly the proposal is considered to comply with Regulations 122 and 123 of the CIL Regulations 2010.
- 9.73 The S106 would also seek contributions for:
- Thames Basin Health Special Protection Area.
 - Affordable Housing
 - Highway safety including a travel plan

10. PLANNING BALANCE

- 10.1 As noted above the Council is unable to demonstrate a 5 year supply of land for housing. It therefore falls for the application to be considered in relation to the presumption in favour of sustainable development as set out in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.
- 10.2 The application is considered first by having regard to the Development plan and then whether there are any material considerations that should be taken into account.
- 10.3 The site is located outside the defined settlement boundary and as such is directly contrary to Policy CS9 of the CSDPD, Policy EN8 and Policy H5 of the BFBLP. All of these policies restrict the development of residential dwellings in the countryside, seeking to protect the

countryside for its own sake, unless specific criteria are met. The proposal does not comply with the stated criteria.

- 10.4 However this is a brownfield site and the NPPF encourages the re-use of such sites (paragraph 17, bullet point 8).
- 10.5 The proposal would have an impact upon the character and appearance, changing the form and character of the site. The LVIA demonstrates that the change would be limited and to the immediate site vicinity. Policy CS9 protects land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. However, the impacts of this could be reduced and mitigated through a suitable layout and design.
- 10.6 However, the Council cannot demonstrate a five-year housing land supply. As at 1 April 2017 the Council considered that it had a 4.1 years supply. In the most recent appeal in the Borough involving housing (Land north of Newhurst Gardens, Warfield) the Inspector noted that the Council can only demonstrate a current supply of 4.1 years and this was not challenged by the appellant. Accordingly the provisions within paragraph 49 of the NPPF are triggered; Policies relating to the supply of housing should not be considered up-to-date and applications for housing should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF is also now relevant, in that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 10.7 The Council has recently consulted on a Draft Local Plan which included a proposal for the allocation of the land surrounding the site and the adjoining site to the West (land at the Hideout) for housing and associated open space (including SANG). Given that this draft Local Plan has attracted many comments which have not yet been analysed, and that it has not yet been subject to examination in public, it is not appropriate to give the Draft Local Plan proposal any weight at this stage.
- 10.8 The Councils balancing exercise is thus:
- 10.9 The proposal would result in the net gain of up to 68 dwellings on a brownfield windfall site, which as the Council cannot demonstrate an up-to-date five-year supply of housing land, carries significant weight in favour of the proposal. Added weight can be given to the provision of affordable dwellings as part of those units. This, however, is reduced by applying the Vacant Building Credit. It is considered that due to Policy this can be attributed low to moderate weight.
- 10.10 The proposal would change the character of the site, however this would be limited to the vicinity of the site and is lessened due to the existing built form within the site, this therefore attributed limited negative weight. The site is within the countryside and is to some extent isolated as it does not abut the settlement boundary, this can therefore be attributed moderate negative weight.
- 10.11 The site is within reasonable distance of a number of services including local park, primary and secondary school and public transport routes. It is therefore considered that the site does offer reasonable transport choices for people other than the private car. The proximity of these services also provides social links with the existing communities. The site's existing lawful use also makes it already a significant potential generator of trips. This aspect is therefore attributed neutral weight.

- 10.12 There are no adverse impacts arising from the development in terms of bio-diversity, highway safety, impact upon trees, and flooding and therefore no weighting is applied to these matters.
- 10.13 In terms of economic impact, It is acknowledged that there would be economic benefits associated with the development, including construction jobs while it is built. The Borough currently benefits from a strong economy and in recent appeals in the area Inspectors have given only moderate weight to the economic benefits of housing proposals.
- 10.14 In conclusion, whilst there is some limited and moderate harm arising from the proposal, this is more than outweighed by the it's significant benefits. In terms of the relevant test in the NPPF, it is therefore not considered that the harm significantly and demonstrable outweighs the benefits of the proposal. The application is therefore recommended for approval.

11. RECOMMENDATION

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

1. SPA mitigation measures
2. Affordable housing
3. Education
4. Travel Packs
5. Highway clauses relating to the estate remaining private and to be maintained and managed by a management company.

That the Head of Planning be authorised to APPROVE the application subject to the following conditions:

01. Approval of the details of the scale of the buildings, the layout, appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990.
04. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:-
04 B Site Location Plan
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
05. No dwelling shall be occupied until a means of vehicular access 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 highway safety.
[Relevant Policies: CSDPD CS23]

06. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.
REASON: 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, CSDPD CS23]
07. No dwelling shall be occupied until covered and secure cycle parking facilities serving it have been provided in accordance a scheme that has been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be retained as approved.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, CSDPD CS23]
08. 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
and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
REASON: In the interests of amenity and road safety.
09. The development hereby permitted shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
(i) control of noise
(ii) control of dust, smell and other effluvia
(iii) control of surface water run off
(iv) site security arrangements including hoardings
(v) proposed method of piling for foundations
(vi) construction working hours
(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the area.
[Relevant policies: BFBLP EN25]
10. Before development commences the applicant shall carry out a contamination risk assessment of the application site commencing with a preliminary risk assessment (desk top study and walk-over survey) followed by intrusive sampling if found to be necessary. The applicant shall, prepare and submit to the Local Planning Authority for written approval a remediation scheme that follows the guidelines set out in BS10175 'Code of Practice for the Investigation of Potentially Contaminated Sites' and CLR11 Model procedures for the

management of Land Contamination or a report as to why a remedial scheme is not required, prior to the commencement of development.

REASON: To ensure that there are no environmental pollutants within the site which could detrimentally affect the living conditions of future occupiers.

[Relevant policies: BFBLP EN25]

11. Before buildings on the application site are occupied the remediation works to make the land suitable for its intended use, as set out in the approved remediation scheme submitted to comply with condition 11 above shall be completed and a validation report shall be submitted to and approved in writing by the local planning authority.
REASON: To ensure that there are no environmental pollutants within the site which could detrimentally affect the living conditions of future occupiers.
[Relevant policies: BFBLP EN25]
12. No dwelling hereby approved shall be occupied until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:
 - A layout plan with beam orientation
 - A schedule of equipment
 - Measures to avoid glare
 - An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.The approved lighting plan shall thereafter be implemented as agreed prior to the occupation of the first dwelling and retained as such thereafter.
REASON: To ensure that wildlife is not adversely affected by the proposed development.
[Relevant Policies: CSDPD CS1]
13. No development hereby permitted shall commence until details of biodiversity enhancements, to include bird and bat boxes, tiles or bricks on and around the new buildings and native and wildlife friendly landscaping has been submitted and approved in writing by the council. The measures shall thereafter be implemented in accordance with the approved plans and retained as such thereafter.
REASON: To ensure wildlife is not adversely affected by the proposed development.
[Reason: CSDPD, CS1 and Paragraphs 109 and 118 of the NPPF]
14. No dwelling hereby permitted shall be occupied until a scheme showing the boundary treatments both around and within the site has been submitted to and approved in writing by the council.
The scheme shall include:
 - Heights and materials of the boundary treatments
 - Locations and sizes of gaps to allow hedgehogs and other small animals to traverse the site.
 - Signage to discourage residents from accessing adjoining land.The measures shall thereafter be implemented in accordance with the approved details prior to the first occupation and retained as such thereafter.
REASON: To ensure wildlife is not adversely affected by the proposed development.
[Reason: CSDPD, CS1 and Paragraphs 109 and 118 of the NPPF]
15. The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, as required under optional Building Regulation Part G, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall 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: Core Strategy DPD CS10]

16. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]
17. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3 metres high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 6.2 (Figure 2) of British Standard 5837:2012, or any subsequent revision.
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: CSDPD CS7, BFBLP EN1 and EN20]
18. The protective fencing and other protection measures specified by the previous condition shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these protected areas including but not restricted to the following:-
a) No mixing of cement or any other materials.
b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant policies: CSDPD CS7, BFBLP EN1 and EN20]
19. Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and retained as such thereafter.
The scheme shall include:
- Results of BRE 365 Compliant Infiltration tests to inform the drainage strategy
 - Discharge Rates
 - Discharge Volumes
 - Confirmation from Thames Water of agreement to proposed discharge rates
 - Maintenance and management of SUDS features
 - Sizing of features - attenuation volume
 - Detailed drainage layout with pipe numbers

- Full details of any SUDS Balancing Ponds, and conveyance swales as set out in the drainage strategy
- Network drainage calculations
- Phasing plans

REASON: To prevent surface water flooding.
[Relevant Policies: Section 10 NPPF]

Informatives

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:-

- 02. Time reserved matters
- 03. Implementation
- 04. Plans considered
- 17. Tree protection fencing

The following conditions require discharge prior to the commencement of development hereby approved:-

01. Approval of reserved matters

- 08. Site management
- 09. Working Method Statement
- 10. Contamination survey
- 13. Bio-diversity enhancements
- 15. Sustainability Statement
- 16. Energy Demand assessment
- 18. Tree protection
- 19. Drainage

The following conditions require discharge prior to the occupation of the dwellings hereby approved:-

- 05. Access
- 06. Parking and turning
- 07. Cycle parking
- 11. Land contamination
- 12. Lighting details
- 14. Boundary treatments

03. To implement works within the highway an agreement under S278 of the Highways Act will be required.

04. Local Planning Authority has a number of concerns regarding the indicative site layout which will need to be addressed at the reserved matters stage. Please refer to the report above specifically paragraphs 9.12 and 9.15.

05. In considering the application the Local Planning Authority has had regard to, but is not approving the following information:

Drawing number 01D Indicative site layout
Drawing 05 Indicative Coloured layout sketch
Drawing 02 C Building Heights Parameters Plan
Drawing CSA/3284/104 Landscape Strategy

In the event of the s106 planning obligations not being completed by 23.05.2017 the Head of Planning be authorised to 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, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).
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.