

ITEM NO: 9

Application No.

18/00326/FUL

Site Address:

Ward:

Wildridings And Central

Date Registered:

26 March 2018

Target Decision Date:

25 June 2018

**Bus Depot and Offices Coldborough House Market
Street Bracknell Berkshire RG12 1JA**

Proposal:

Redevelopment of site to provide a building with a maximum height of 11 storeys accommodating 246no. residential units, up to 130 sq m of commercial space (use classes A1, A2, B1, D1 and D2) and ancillary works including car parking, cycle parking and associated landscaping.

Applicant:

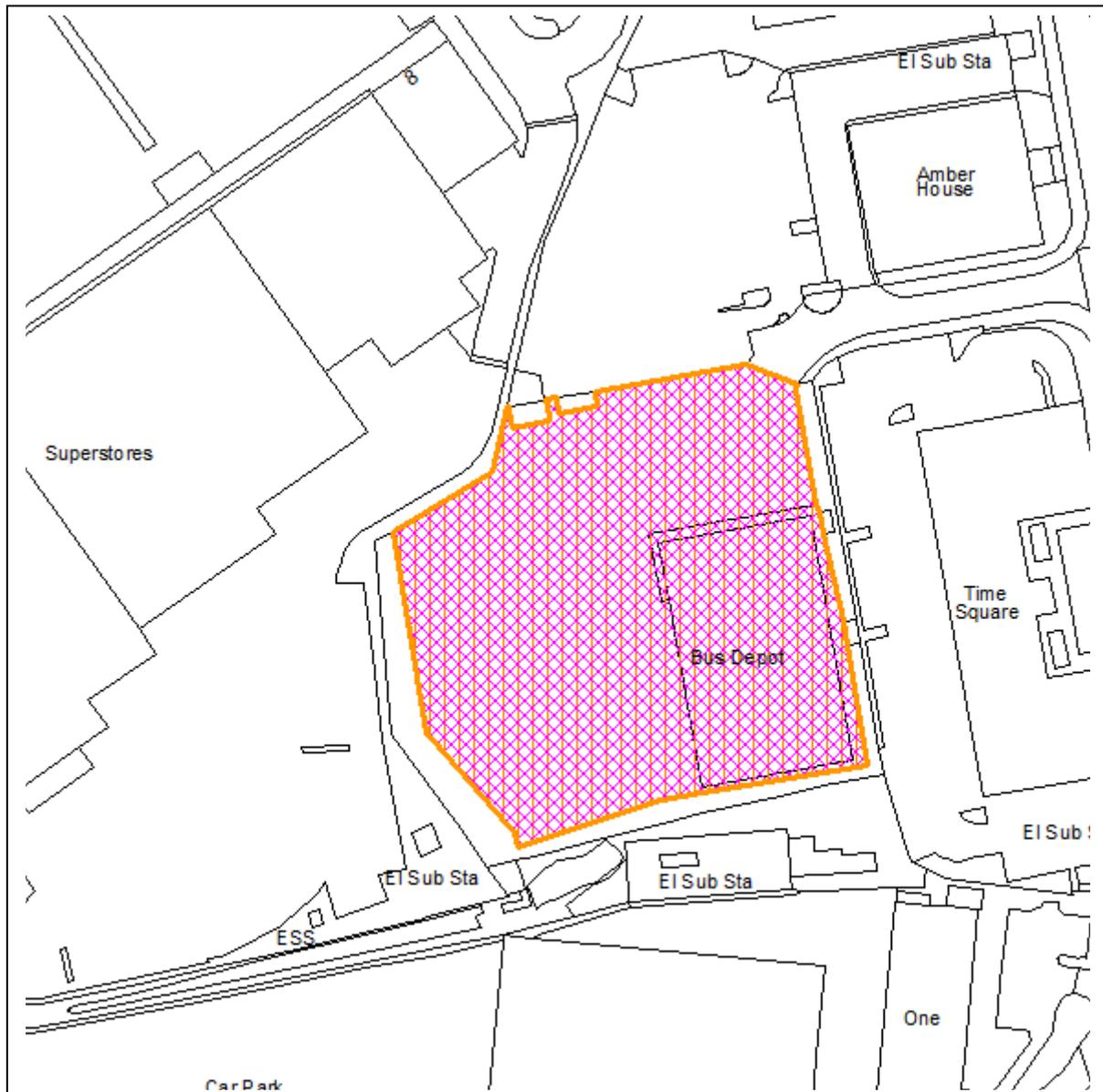
BBD Homes Ltd

Agent:

Miss Anna Russell-Smith

Case Officer:

Martin Bourne, 01344 352000

development.control@bracknell-forest.gov.uk**Site Location Plan** (for identification purposes only, not to scale)

1. SUMMARY

1.1 Full planning permission is sought for the redevelopment of this town centre site to provide a building with a maximum height of 11 storeys accommodating 246no. dwellings (112 x one bedroom and 134 x two bedroom flats), up to 130 sq m of commercial space (use classes A1, A2, B1, D1 and D2) and ancillary works including car parking, cycle parking and associated landscaping.

1.2 The site is previously developed land located in a very sustainable location within Bracknell town centre. Its redevelopment, principally for high density residential accommodation, is considered to be appropriate and in accordance with development plan policies. The proposed building is of an attractive, contemporary design and will provide suitable accommodation for a town centre location including affordable housing meeting the Council's policy requirement in full. Car parking is below the standard for Bracknell town centre but material has been submitted which satisfies officers that with appropriate conditions/obligations this will not lead to unacceptable highway or amenity issues.

1.3 The proposal will result in the loss of mature trees, which is unfortunate, but the mitigation proposed is considered acceptable. A small proportion of the flats will not receive good levels of daylight but this, and the impacts on the amenity of the occupiers of Time Square and the future residents of the redeveloped Amber House site, are considered to be outweighed by the wider benefits of the proposal.

RECOMMENDATION

Following completion of a legal agreement planning permission be granted subject to conditions contained in Section 11 of this report.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is reported to Planning Committee at the request of Councillor Dudley due to concern over the proposed level of parking provision.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Bracknell town centre

Oak tree covered by TPO 160

Within 5km of SPA

3.1 The application site, which has an area of 0.62ha, lies to the west of Market Street from which it is separated by the Council's offices at Time Square. The site's northern boundary abuts an area formerly used for car parking in association with offices at Amber House. That site has been cleared before being redeveloped (see below).

3.2 The site's western boundary adjoins the service area to the rear of retail premises at The Peel Centre. Times Square, to the east, is a five storey office building with associated car parking. It lies at a higher level than the application site. A substation lies to the south of the site beyond which is a decked car park situated behind The One office block.

3.3 The application site is flat and contains a two-storey office/garage building, vehicle wash and valet facility and a large area of hardstanding associated with its use as a bus depot. It contains a number of trees including 5no. oak trees on the site's south-western boundary (as noted above one of these is covered by a TPO) and a mixture of ash and hawthorn on the site's southern boundary.

4. RELEVANT SITE HISTORY

4.1 614369: Detached 2 storey building forming bus depot, workshop and office with associated bus/car park – APPROVED January 1989.

4.2 Approved development on site to north (Amber House and Northgate House):-

15/01035/FUL: Erection of building accommodating 193no. residential apartments (use class C3) with flexible commercial use at ground level within use classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) and associated car parking, amenity space, landscaping, servicing and access following the demolition of Amber House and Northgate House – APPROVED February 2017.

5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of a single building of up to 11 storeys in height (maximum height about 37m) with the following accommodation:-

- Ground floor: undercroft car parking, cycle parking, bin storage, plant and 3no small commercial units (130 sq m)
- mezzanine floor: car parking deck, 4no. one bedroom and 5no. two bedroom flats
- first-floor: roof garden, 17no. one bedroom and 17no. two bedroom flats
- second-floor: 17no. one bedroom and 17no. two bedroom flats
- third-floor: 16no. one bedroom and 17no. two bedroom flats
- fourth-floor: 15no. one bedroom and 17no. two bedroom flats
- fifth-floor: 17no. one bedroom and 15no. two bedroom flats
- sixth-floor: 13no. one bedroom and 17no. two bedroom flats
- seventh-floor: 13no. one bedroom and 14no. two bedroom flats
- eighth-floor: roof garden and 10no. two bedroom flats
- ninth-floor: 5no. two bedroom flats.

5.2 The building comprises two linked blocks. Block A on the eastern part of the site is L-shaped with a 9-storey element with a flat, green roof, located parallel to Time Square. The shorter element of Block A, lying at right-angles, slopes down to the west from 9 to 2 storeys. The western block, Block B which lies closer to the Peel Centre (an average of about 8m from the site boundary), rises from 9 storeys at its northern end up to 11 storeys at its southern end. The two blocks lie about 5m from the site's southern boundary and 4m from the site's northern boundary.

5.3 The building is of a contemporary design with roof gardens and some planted Sedum 'green roof' areas. The flats have balconies, some recessed and some external. The main external materials would be render and high density laminated timber panels with powder coated metal panels and detailing. The balustrades to the balconies would be in toughened glass.

5.4 The 130 sq m of commercial floorspace proposed is to be located on the ground floor and divided between three units. The intention is that it will provide an active street frontage to the site from Market Street and will act as a screen to the car parking within the development. To enable flexibility in relation to potential occupiers for this site, permission is sought for multiple uses comprising A1 (shops), A2 (financial and professional services), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure).

5.5 Vehicular access is taken from a cul-de-sac from Market Street, as at present, which serves 6no. visitor spaces and a landscaped amenity area in the centre of the site which would also cater for the turning of large vehicles.

5.6 Pedestrian access to the flats and commercial units is taken from the courtyard between the two blocks and from within the undercroft/mezzanine level car park. Three of the four entrances have lifts as well as stairs. A large internal bin-store is also accessed from the courtyard with its entrance located next to a turning-head. The main area of cycle parking is proposed under a canopy on the eastern side of the building with a further area within the undercroft car park.

5.7 All the existing trees on the site are proposed to be removed. A Landscape Proposals drawing shows new specimen tree and shrub planting.

5.8 The application has been amended in the course of its consideration.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Recommends approval:-

B.T. Councillors have no objection and would like to mention they were delighted with the many changes made on this application taking into consideration the 'Green' character of Bracknell Forest. B.T. Councillors would like to compliment Stonegate and their colleagues for taking the time to present, listen and act on the positive feedback from Councillors and local residents.

6.2 No other representations were received.

7. SUMMARY OF CONSULTATION RESPONSES

Natural England

7.1 Natural England was consulted on an Appropriate Assessment for the application in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. Natural England has advised that it has no comments to make on this application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

Highways Officer:

7.2 No objection subject to conditions and obligations.

Environment and Public Protection:

7.3 No objection subject to the imposition of conditions. Comments on noise and contaminated land are summarised later in this report.

Tree Officer

7.4 The removal of the three Oak trees to facilitate development is not acceptable and would be contrary to BFBLP Policies EN1 and EN20.

Lead Local Flood Authority

7.5 No objection subject to conditions and an obligation.

Biodiversity Officer

7.6 Recommends the imposition of conditions if planning permission is granted. Further comments below.

Waste and Recycling Officer

7.7 No objection. Further comments below.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The main planning policies and associated guidance applying to this application are:-

	Development Plan Policy	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Town Centre	CS3 of CSDPD, E1 of BFBLP	Consistent
Design	CS7 of CSDPD, EN1 and EN20 of BFBLP	Consistent
Parking	CS23 of CSDPD, M4 and M9 of BFBLP	Consistent
Highway Safety	CS23 and CS24 of CSDPD, M9 of BFBLP	Consistent
Cycling and pedestrians	CS23 and CS24 of CSDPD, M6 of the BFBLP, TC1 of the BNP	Consistent
Residential Amenity	EN20 and EN25 of BFBLP, ENV2 of BNP	Consistent
Housing	CS16, CS17 of CSDPD, H5 of BFBLP, SA6 of SALP.	Consistent
Accessibility	CS7 of CSDPD, EN22 of BFBLP	Consistent
Biodiversity	CS1(vii) and CS7 (iii) of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
Noise	EN25 of BFBLP	Consistent
SPA	SEP NRM6, CS14 of CSDPD and EN3 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Design SPD		
Streetscene SPD		
Parking Standards SPD		
Thames Basin Heaths Special Protection Area SPD		
Planning Obligations SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Amenity issues for occupiers of nearby premises (existing and proposed) and future residents
- iv Transportation considerations
- v Trees
- vi Biodiversity
- vii Thames Basin Heaths Special Protection Area (SPA)

- viii Infrastructure contributions
- ix Affordable Housing
- x Sustainability
- xi Drainage
- xii Noise and air quality
- xiii Waste and recycling
- xiv Archaeology

i. Principle of Development

9.2 The site is previously developed land located in a very sustainable location within Bracknell town centre. Its redevelopment, principally for high density residential accommodation, is in accordance with development plan policies including CSDPD CS1, CS2 and CS3 and BFBLP E1. Although no weight can be attached to it at this stage, it is noted that the site is identified for potential residential-led development in the emerging Local Plan under Policies LP3 and LP8.

9.3 The site is currently a bus depot. Policies in the CSDPD and BFBLP seek to promote alternative modes of travel and improve public transport services. No passengers board or alight from buses at the depot, however, and bus depots do not have to be located in town centre locations or be close to bus stations in order to operate effectively. It is not considered that the loss of the depot and associated employment on the site are over-riding matters when set against the proposal's wider compliance with development plan policies covering Bracknell town centre.

9.4 The non-residential floorspace proposed is modest in scale (130 sq m) but has the potential to add activity to the ground floor frontage at the entrance to the site from Market Street. The principle of the uses proposed is considered acceptable given the small size of the units which may well end up being used for purposes ancillary to the residential elements of the scheme (e.g. office for concierge, residents' gym).

9.5 It is therefore concluded that the principle of the proposed development is acceptable and the remainder of this report considers site-specific matters of detail.

ii. Impact on Character and Appearance of Area

9.6 As well as a Design and Access Statement the application is accompanied by a Heritage and Townscape Visual Impact Assessment (HTVIA) which includes an assessment of the impact on heritage, townscape and views from outside the site.

9.7 The HTVIA assesses the potential of the proposal to impact on heritage assets in Bracknell within a 750m radius of the site. Notwithstanding the scale of the proposed building given the height of buildings in the surrounding area, and the screening provided by the existing building forms, the effect on the setting of all built heritage assets identified in the study area is either nil or negligible. Officers agree with this assessment.

9.8 In terms of townscape the HTVIA finds the proposal to be 'congruent' with the existing townscape around the site. Again officers agree with this conclusion - the site's context is provided by existing or proposed buildings nearby at the Peel Centre and Market Street which are typically tall and/or large.

9.9 The HTVIA considers nine views of the proposed development from locations which were agreed with the officers. These indicate that across distances of more than 500m from the site, visibility of the proposed development is restricted by topography and/or interposing development or vegetation in the foreground. The only exception is the view from the north along Forest Road and Harvest Ride at Cabbage Hill. Here, open fields in the foreground allow wider views. The

proposed building would be visible but would be seen in the context of the existing Bracknell town centre skyline which includes a number of taller buildings.

9.10 As noted above closer views are generally screened by existing buildings (or will be by the proposed Amber House redevelopment). Where visible, for example from views from Skimped Hill Lane (behind the Peel Centre), from the southern end of Market Street and from the railway, the scale and height of the building will not appear out of keeping with the existing and emerging townscape in Bracknell town centre. The architectural form of the proposals is distinctive and HTVIA states that the bright colours seek to reinforce the existing context of the Bracknell Town Centre masterplan.

9.11 Officers were concerned that in the original plans the pedestrian approach to the building was not particularly clear within the streetscene. The design has been amended to use different surfacing materials and the layout of landscaping within the courtyard has been altered to give more clarity to the pedestrian route from Market Street to the residential lobbies. This is now considered acceptable.

Conclusions on impact on the character and appearance of the area

9.12 It is considered that architecturally the building is well-designed with visual interest provided by the varied profile of the roofs, the use of balconies and variation in the fenestration, the use of colour and different materials on the inner and outer faces. The visual impact of the bulk and mass of built development on the site is reduced by having two linked blocks with varying floor heights and profiles.

9.13 Overall, where visible in the streetscene it is considered that the development will have a positive impact on the quality of the built environment of Bracknell town centre.

iii. Amenity issues for occupiers of nearby premises (existing and proposed) and future residents

9.14 Involving as it does the erection of a tall, bulky building the proposal has the potential to cause harm to the living conditions and amenity of the occupiers of nearby buildings through overlooking/loss of privacy, loss of sunlight/daylight and overbearing impacts contrary to BFBLP Policy EN20(vii) and the Design SPD. The premises which stand to be most affected are the proposed flats to the north on the current Amber House/Northgate House site and the Council offices at Time Square to the east. Impacts on The Peel Centre to the west and 'The One' office building to the south are less marked. It is noted that no objections have been received. Impacts can be considered in relation to principles contained in the Design SPD and the Building Research Establishment's "Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice" (2011) which is accepted as good practice by Local Planning Authorities.

9.15 A Daylight, Sunlight and Overshadowing Assessment submitted with the application evaluates the potential impacts of the proposals to the neighbouring residential development of Amber House and the offices at Time Square.

9.16 The Daylight Assessment shows that the proximity of Block B to the proposed flats on the Amber House site would result in 6no south-facing bedroom windows (one on each of the first to sixth floors) in the latter building not receiving daylight in accordance with criteria contained in the Building Research Establishment (BRE) guidance. These bedroom windows are all in two bedroom flats where the other bedroom window and the windows serving kitchen/living/dining (KLD) room would continue to receive adequate daylight in accordance with BRE criteria. This impact is not considered so severe as to justify refusing the application.

9.17 With regard to Time Square, the windows facing the development show a Vertical Sky Component (VSC) greater than 20% which is considered satisfactory for a dense urban environment (the VSC is a measure of the amount of sky visible from a centre point of a window). It is noted that all the main office areas in Time Square rely on artificial lighting.

9.18 Turning to the Sunlight Assessment, the analysis indicates that all KLD windows on the Amber House site will have at least one window that satisfies the BRE sunlight criteria. No unacceptable impacts to sunlight access to the Time Square offices are identified in the assessment.

9.19 The Amber House redevelopment scheme includes a landscaped central courtyard. As the proposed building on the application site is to the south it will cast a shadow over this area at certain times of the day/year. A solar access analysis has been undertaken to assess the overshadowing of this amenity area. It found that 97% of the area will receive more than two hours of sunlight on 21 March (the Spring equinox) which meets BRE minimum standards in relation to overshadowing.

9.20 In terms of overlooking/loss of privacy the windows in the proposed block closest to the Amber House flats are orientated to avoid any direct window to window overlooking between habitable rooms and therefore meet the guidelines contained in the Design SPD.

9.21 Windows in the eastern elevation of Block A will face directly towards the back of Time Square. The minimum separation between these windows would be about 21.5m. The Design SPD does not contain guidelines for minimum distances between facing windows in residential and commercial buildings. The separation referred to above, however, is not far short of the 22m between facing habitable windows sought in that document to avoid unacceptable levels of overlooking when considering siting relationships between blocks of flats. The external balconies on the east elevation of Block A will be closer to Time Square. The application has, however, been amended to increase the height of the balustrades and angle the balconies to encourage south-facing oblique views away from the elevation of Times Square. The balustrades will also provide some mutual screening in views between facing windows in the two buildings.

9.22 Because of the siting proximity of Block A and Time Square there will be overlooking of the proposed flats both from the office in Time Square and the car parking areas behind it. The balconies are perhaps most sensitive to overlooking and ordinarily one would expect these to be most frequently used in summer evenings and at weekends when there will be less activity in the offices. Overall it is concluded that this relationship does not lead to such severe amenity affects to either Time Square or the proposed flats as to justify refusing the application.

Daylight and Sunlight Access to the Proposed Dwellings

9.23 A separate Daylight, Sunlight and Overshadowing Assessment has been prepared by the applicant's consultants to evaluate the potential impacts on the proposed flats. This demonstrates that the majority of flats will achieve good levels of daylight and sunlight. The overshadowing analysis indicates that the two main areas designated as communal amenity spaces will receive satisfactory levels of sunlight in line with BRE's guidelines.

9.24 With regards to daylight, in summary the analysis results indicate that:-

- 457 out of the 627 habitable rooms (equivalent to 73% of all rooms) satisfy the internal daylight criteria for the respective room use; and
- 216 of a total of 246 units (equivalent to 88% of all units) have at least one room satisfying the respective ADF criteria.

- In further detail:-
 - 176 out of the total 246 KLDs (71% of all KLDs in the development) meet the 1.5% ADF target;
 - another 42 KLDs achieve an average daylight factor (ADF) above 1.0% (218 of 246 = 88%). This could still be considered a reasonable provision of daylight given the site constraints; and,
 - 281 out of 381 bedrooms (74% of all bedrooms in the development) meet the 1% ADF target.

9.25 Thirty of the 246 flats (12%) do not have at least one room meeting the relevant ADF target. These tend to be single-aspect flats located at lower levels on the proposed blocks.

9.26 The report assesses whether rooms (KLDs with windows within 90 degrees of due south) would receive enough sunlight. In summary:-

- The assessment was carried out for 132 dwellings having a KLD with at least one window facing within 90° of due south.
- The analysis shows that 111 LKDs (84% of all assessed rooms) will achieve adequate annual and winter sunlight based on the BRE Guide.
- Of the remaining flats, nine achieve adequate winter sunlight and one achieves adequate annual sunlight level based on the BRE guidelines. Eleven flats fall short of the annual and winter sunlight hours criteria. These are located on the lowest floors (ground to third) with windows facing the internal courtyard.

9.27 Overall the proposed design seeks to maximise daylight and sunlight but the density of development sought, and the resulting siting relationships, mean that as summarised above a number of flats will receive amounts of daylight and/or sunlight below recognised desirable standards. It is recognised that the proposed development therefore has shortcomings in relation to the access to sunlight and daylight from certain flats and to this extent is not fully compliant with Policy EN20 of the BFBLP. This is considered further in the Conclusion below.

Amenity space for future residents

9.28 The landscaped area around the perimeter of the building will not be accessible to residents but the proposed flats have balconies and some have private roof terraces. In addition to the internal courtyard area at ground floor level Block A has an amenity area on a deck overlooking the courtyard on the southern wing 1st floor located above the parking decks. This is accessible from southern core of block A. Block B has its own dedicated amenity deck located on the 8th floor of that block. In view of the absence of open space of public value within the site it is recommended that financial contributions are sought towards upgrading active and passive open space nearby.

iv. Transportation Considerations

Access

9.29 Access would be via an existing side road (the extension to Market Street, off the main part of Market Street). This side road currently provides access to the bus depot (and offices), and is the approved access for the redevelopment of the adjacent Amber House. The road is subject to a 30mph speed limit, provides acceptable two-way access and sight-lines, and there are parking restrictions (double yellow lines); and thus, would provide an acceptable access to this development.

9.30 The side road will be extended into the site for access to a car park and a turning area for service vehicles. The proposed access arrangement shown on drawing ITB12600-GA-006-Rev C includes a 6m wide road which would enable two vehicles to pass. A turning head is to be provided in the centre of the development, and the swept paths shown on drawing ITB12024-GA-013-Rev A demonstrate acceptable access and turning for a refuse vehicle, pantechnicon delivery vehicle and a fire tender. Bollards are proposed to control parking within the turning head which would affect its operation.

9.31 These would be dropped to allow access for residential waste collection, and other large deliveries; and a concierge system would control/manage this. It is recommended that the day-to-day management of such a system, and its operation in the long-term, is secured by a planning obligation. Smaller domestic deliveries could occur from the parking bays fronting the commercial units, and commercial deliveries could also occur from these parking bays.

9.32 There are footways to either side of the existing access road to the site; and the footway on the southern side of the road is to be extended into the site to provide acceptable pedestrian access. It is not proposed to extend the footway on the northern side of the road; as the proposals for Amber House (15/01035/FUL) include removing part of the footway, and replacing it with soft landscaping. Some additional pedestrian dropped kerbs/tactile paving are proposed along the side road, in line with the recommendations of a Road Safety Audit (RSA). The side road is lit which would assist with pedestrian access, as well as cycle access. The development itself should be suitably lit.

9.33 The side road is an adopted road, and the extent of the adopted highway can be seen by the extent of the double yellow lines. The redevelopment of Amber House (15/01035/FUL) is to include alterations to the adopted highway, to include the provision of an adopted turning head, and adoption of parking bays on the northern side of the road. It is unlikely the Highway Authority would seek adoption of the access road within this proposed development; though the applicant will require an s278 agreement for any alteration works to connect the new site access with the existing highway. The proposed access to this development fits in with the proposed access arrangements for Amber House.

Parking

9.33 The residential development includes the provision of 174 car parking spaces for 246 no. residential units, a ratio of 0.7 spaces per unit.

9.34 The Council's Town Centre Parking Standards (2016) require a ratio of 0.9 spaces per unit; thus this proposal does not comply with the parking standards. It is noteworthy that 0.9 spaces per dwelling is an average (as stated in the parking standards SPD); and whilst there are examples of sites within Bracknell Town Centre where 0.6 spaces per unit have been allowed (albeit at appeal), Alston House was for far fewer units (12 no. flats). The proposal at the Bus Depot site is for 246 no. residential units; thus the potential impacts of the average shortfall in parking would be correspondingly greater. 221 parking spaces would be required to comply with the Council's Town Centre Parking Standards; and the proposal represents a shortfall of 47 parking spaces. The adjacent Amber House (15/01035/FUL) was approved with a parking ratio of 0.94 spaces per unit in line with the parking standards (183 parking spaces for 193 no. residential units).

9.35 The Transport Assessment accompanying the application highlights the sustainability credentials of the site, including the close proximity to the bus and train station; and the range of shops and facilities available within the town centre. Also, attention is drawn to the reduction in car ownership amongst younger people (based on current research of travel demand, published in 2018), and that apartments in town centres are typically occupied by younger people. These factors are considered to support lower car parking provision.

9.36 The developer intends to provide occupants with sustainable travel vouchers for 3 months free bus travel with local bus operators. These vouchers would be included as part of the travel plan to be secured through the s106 agreement.

9.37 A car club is to be provided as part of this development, for use by residents who only need occasional access to a car. The applicant has indicated that existing car club providers have expressed an interest; and it is intended to provide two or three vehicles, either on-site or off-site. The initial purchase of the vehicles is typically part funded by the developer. As the provision of the car club is part of the justification for a relaxation of the Council's parking standards it should be secured via s106 agreement.

9.38 The Transport Assessment includes various examples from other town centre sites with lower ratios of parking; ranging from 0.26 to 0.66 spaces per unit. These sites include Reading, Staines, Woking, Newbury, and Basingstoke. The Highway Authority has reviewed Skyline Plaza in Basingstoke, and visited the site. This site is in close proximity to the bus and train stations and town centre shops and facilities. There are on-street parking restrictions and some town centre public car parks. In this regard, the site could be considered a good comparator for the Bus Depot site. The parking ratio for Skyline Plaza is 0.56 spaces per dwelling, which is 0.64 below Basingstoke and Deane Borough Council's parking standards.

9.39 The applicant has carried out parking surveys of Skyline Plaza. A Saturday afternoon survey recorded car park occupancy of 43%; no vehicles parked indiscriminately in the car park; and no residential parking on-street. In addition a survey was carried out on a Tuesday evening recorded a car park occupancy of 51%. These surveys support the lower car parking provision proposed at the Bus Depot site.

9.40 There are parking restrictions along the extension to Market Street, the main part of Market Street, and within the Town Centre, so enforcement action could be taken against any unlawful over-spill parking.

9.41 There are public car parks within the Town Centre. Additional residential parking demand within town centre car parks arising from this development, and future residential developments with similar substandard levels of parking provision is likely to reduce the available parking stock for town centre users. The applicant proposes that the sales information provided by the developer (including the Travel Plan welcome packs) would deter residents from seeking to purchase a town centre car park permit.

9.42 Residential parking spaces would be allocated to individual flats, with some flats having a parking space and some flats having no parking. Details of how this will work are required; and the s106 agreement should include provision to advise relevant prospective purchasers and new residents if they will not have an allocated parking space.

9.43 The parking layout incorporates two floors of car parking in an undercroft and on a deck, and some alterations have been made to the parking layout to enable cars to pass, in line with the recommendation of an RSA. 18 accessible/disabled spaces are to be provided equating to 10% of total provision in line with the parking standards.

9.44 The applicant has no objection to the principle of providing electric charging points, and this can be secured through a s106 obligation.

9.45 It is proposed to provide 6 unallocated parking spaces, for the proposed commercial uses in use classes A1, A2, B1, D1 and D2. The applicant has indicated that a number of different A1, A2, B1, D1, and D2 uses could be provided; which would require 3 to 5 parking spaces to comply with

the parking standards. The applicant is prepared to restrict the uses to exclude a nursery as a nursery of 130m² could accommodate in the region of 30 children, which would require 7 or 8 spaces in line with the parking standards (one space per 4 children), plus 7 or 8 staff parking spaces (one space per staff member). The Highway Authority considers that the parking provision for the non-residential uses is acceptable subject to a condition preventing a nursery. Such a condition is considered reasonable given the additional parking demand this could create. These parking spaces would be short-stay (maximum 30 minutes), and could also enable some use by resident's visitors and would be able to accommodate a medium-sized vehicle servicing these commercial units. It could be sensible for these time-limited spaces to be controlled by the Council.

9.46 The adjacent Amber House site (15/01035/FUL) included 13 parking spaces for visitors to 325m² of commercial floor-space; and this represents a similar parking ratio to the Bus Depot site.

9.47 381 cycle spaces are to be provided in line with the parking standard. These would be located on the eastern elevation and north-western corner of the building.

Trips

9.48 The applicant's Transport Assessment notes that 246 no. apartments is likely to generate 99 two-way movements in the morning peak hour, and 78 two-way movements in the evening peak hour. These trip rates were used in the assessment of the adjacent Amber House, and are therefore considered acceptable. This residential development would result in a net increase of 21 two-way movements in the morning peak hour, and 8 two-way movements in the evening peak hour compared with the traffic generated by the existing bus depot; which was obtained from a traffic survey at the site.

9.49 The Transport Assessment indicates that the junction of Market Street with the Bus Depot Access Road would operate to a satisfactory level for a future assessment year of 2022, which included the traffic associated with the proposed redevelopment of Amber House. Also, accident data at this junction does not indicate existing safety issues which would justify intervention.

9.50 The traffic modelling concludes that this proposed development would have limited impact on the wider highway network, including the Market Street/Skimped Hill Lane/High Street Signal Junction, and Church Road/Market Street/Station Way/Bagshot Road/Hazel Hill.

9.51 A framework Travel Plan has been provided, and this indicates that new residents would be provided with travel information to promote sustainable travel modes. A detailed Travel Plan should be secured via s106 agreement.

9.52 The applicant should provide a financial contribution towards footway/cycle-way improvements along Market Street. The development, if permitted, could be CIL liable and some monies may be available for general transport improvements. Construction traffic, including site deliveries and contractor parking should be dealt with via planning condition.

Conclusion on highway matters

9. 53 Access would be via an existing side road off Market Street which currently provides access to the bus depot site, and is the approved access for the redevelopment of the adjacent Amber House. It is considered that this would provide an acceptable access to this development.

9.54 The residential development includes the provision of 174 car parking spaces for 246 no. residential units, a ratio of 0.7 spaces per unit. This is substantially short of the 221 spaces required by the Council's Town Centre Parking Standards (2016) (a ratio of 0.9 spaces per unit); thus this proposal does not comply with the parking standards.

9.55 In justification of this shortfall the applicant has highlighted the sustainability credentials of the site, including the close proximity to the bus and train station; and the range of shops and facilities available within the town centre. It has also drawn attention to the reduction in car ownership amongst younger people, and noted that apartments in town centres are typically occupied by younger people. It has also referred to various examples from town centre sites in other towns in the region with lower ratios of parking. These factors are considered to support the lower car parking provision proposed. In addition the applicant has suggested a number of measures to encourage new residents to use more sustainable modes of transport, including travel vouchers and a car club.

9.56 On balance it is considered that given the highly sustainable location of this site, together with the package of measures to encourage sustainable travel modes offered by the applicant, the shortfall in parking against the Council's adopted standards is acceptable.

9.57 The traffic modelling submitted with the application has demonstrated that this proposed development would have a limited impact on the wider highway network.

v. Trees

9.58 TPO 160 protects a single Oak on the western boundary of the site. There are two other Oak trees of a similar age. In the Tree Officer's view these trees, and a group/row of trees of various species adjoining the southern boundary, warrant retention. Their size and the position of the trees on the southern boundary on elevated ground (above the application site and other land adjoining) make them a substantial skyline feature.

9.59 The proximity of construction would place all three Oaks (T12, 14 and 15) at risk due to encroachment into their root protection areas (RPAs). Currently their nominal protective distance is 11 metres for each, but an argument could be made to increase that distance to 15 metres if any of the Oaks are considered to be veteran trees.

9.60 It is proposed to remove these Oaks; but even if the development was amended to move the footprint away from their RPAs, the scale of the development would still overwhelm the Oaks by its scale and the trees' visual amenity would be compromised and reduced.

9.61 Although the row of trees to the south of the site is an important visual amenity as they are growing on adjoining land it may not be necessary to protect them. However, any development permitted would have to take their presence into account as they are so close to the boundary and any change in ground levels within the Bus Depot site might have an adverse impact on their root systems.

9.62 To mitigate the loss of the existing trees the application proposes tree planting, which can be secured by condition, around the western edge of the site which will increase the overall number of trees on site. The replacement trees will also form part of the green infrastructure of the site linking to the wider area and will provide green corridors to assist with the aim of increasing biodiversity and reflect the historic tree line.

vi. Biodiversity

9.63 The application has been accompanied by a Preliminary Ecological Appraisal (Slimlaw Ecology; March 18). The Appraisal shows that the site comprises predominantly of hard standing and buildings with small areas of introduced shrubs and bare earth with ephemeral vegetation and scattered trees on the boundaries; none of the habitats are designated for their wildlife interest or classified as Habitats of Principal Importance for Conservation (as defined under the NERC Act 2006). The report includes the findings of a preliminary assessment of the trees and buildings for their bat roost potential and concludes that they are of negligible potential. The introduced shrubs

and ivy-clad trees (T12 and T13) are considered to have potential to support nesting birds and recommendations are made for avoiding the nesting season or for pre-clearance surveys. The report sets out recommendations for ecological enhancement comprising native planting and installation of green roofs.

9.64 The Appraisal has been carried out by an appropriately qualified ecologist and in accordance with best practice guidance and therefore the findings are acceptable. The recommendations for avoiding nesting birds during any tree/shrub removal are appropriate and the measures should be secured by condition if consent is granted.

9.65 The mature oak trees on the site boundary (T11-T16) are of ecological value and efforts to retain this within the proposals should be made; felling and replacement with new planting should be an option of last resort.

9.66 The Appraisal report sets out measures for enhancing the ecological value of the site such as creation of green roofs and use of native planting and these are welcomed. Ecological enhancements should be secured as a condition of consent if granted.

vii. Thames Basin Heaths Special Protection Area (SPA)

9.67 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out including mitigation requirements. This site is located approximately 3.2 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.

9.68 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPASPD) (2018) Table 1. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land.

9.69 In this instance, the development would result in a net increase of 112 x one bedroom and 134 x two bedroom dwellings which results in a total SANG contribution of £1,060,949.

9.70 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £115,172.

9.71 The total SPA related financial contribution for this proposal is £1,176,121. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the SPASPD and the NPPF.

9.72 In November 2011, an air quality assessment (which took account of background growth) was carried out to assess the likely significant effects of the Site Allocations Local Plan (Habitats Regulations Appropriate Assessment Site Allocations Local Plan Draft Submission November 2011) on the Thames Basin Heaths SPA. As a result of this assessment the allocations at

Transport Research Laboratory and Broadmoor were required to undertake more detailed air quality assessments at the planning application stage and this has been carried out. No likely significant air pollution effects on the SPA were identified and this was agreed with NE.

9.73 In March 2017, a high court judgement (Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017]) quashed part of the Lewes Joint Core Strategy. This judgement related to the assessment of nitrogen deposition impacts from increased traffic flows on European Sites and the potential for in-combination effects. In January 2018 the Royal Borough of Windsor and Maidenhead (RBWM) carried out a Habitats Regulation and Air Quality Assessment. This takes account of background growth in surrounding boroughs including Bracknell Forest and concludes no likely significant air pollution effects on the Windsor Forest and Great Park SAC. This assessment has also been agreed with NE.

9.74 No air quality avoidance and mitigation measures are therefore required for this application.

viii. Infrastructure Contributions

9.75 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.

The Planning Obligations SPD (6 April 2015) is also relevant. The application site lies in Bracknell town centre so no CIL payments will be required.

Transport

9.76 Due to the town centre location of the site and the number of dwellings the scheme is likely to increase walking and cycling numbers and also pressure on public transport. A contribution should be sought to ensure delivery of improvements to foot/cycle ways along Market Street.

Reason: Paragraph 5.2.4 of the Bracknell Forest Planning Obligations SPD

Travel Plans

9.77 It is noted an initial travel plan has been submitted with the application. A section 106 obligation will be required to ensure a final travel plan is approved prior to occupation to secure the contribution of a travel plan fee and a deposit.

Reason: Paragraph 5.3.4 of the Bracknell Forest Planning Obligations SPD and Appendix 1.1 of the Bracknell Forest Planning Obligations SPD

Education

9.78 The Local Education Authority has confirmed there is no requirement at present for additional education provision in this area.

Reason: Paragraph 5.4.4 of the Bracknell Forest Planning Obligations SPD

Public Transport

9.79 This is a mixed use site with a town centre location and as such it is recognised the site will contribute towards increased use of public transport facilities. For that reason a contribution should be sought towards improvements to Bracknell Rail Station which will increase capacity for users.

Reason: Paragraph 5.2.6 of the Bracknell Forest Planning Obligations SPD

Open Space

9.80 As per the Planning Obligations SPD sites of less than 1ha are required to make a financial contribution towards enhancements to off-site active and passive open space. Some amenity space is proposed on site. However, due to its modest extent, financial contributions should be sought towards refurbishing the basketball court at Ennerdale Playing Field and towards biodiversity and passive open space enhancement works to increase capacity at The Elms and open space in the area.

Reason: Paragraph 5.11.4 of the Bracknell Forest Planning Obligations SPD

SuDS

9.81 The developer has indicated there will be SuDS infrastructure on site. A planning obligation will be required to ensure approval of the SuDS specification and a long term Management and Maintenance Plan prior to commencing on site. A planning obligation will also be required to secure a SuDS monitoring contribution to monitor SuDS for their lifespan.

Reason: Paragraph 5.15.6 of the Bracknell Forest Planning Obligations SPD

ix. Affordable Housing

9.82 Sixty two of the dwellings proposed are to be affordable which complies with the Council's affordable housing policy (25% of 246 (net) dwellings) as per the table below.

	1 bedroom flat	2 bedroom flat	Total
Market	85	99	184
Affordable	27	35	62
Total	112	134	246

9.83 With regards to affordable tenure split, the Council seek 70% to be affordable rent and 30% to be intermediate housing. The Council's Head of Welfare and Housing considers that this provision is acceptable. It is recommended that the provision of this affordable housing be secured by obligation.

x. Sustainability

9.84 A Sustainability and Energy Statement accompanied the application. With regards to CSDPD Policy CS10 it confirms that the water efficiency measures incorporated within the dwellings will ensure the average water use no more than 110 litres per person per day which is acceptable. In terms of CSDPD Policy CS12 the Renewable Energy Officer confirms that the updated Energy Demand statement (June 2018) demonstrates the reduction of carbon dioxide and over 20% on site renewable energy production. The combination of a combined heat and power (CHP) unit and solar Photo Voltaic (PV) panels contribute to achieve the above.

xi. Drainage

9.85 The site is located within Flood Zone 1 with some areas shown to be at risk of surface water flooding. The applicant has assessed this risk and has advised that finished floor levels will be raised to ensure there is no ingress of water into the development site.

9.86 A Flood Risk Assessment and Drainage Strategy have been submitted to support this scheme. The scheme results in a reduction in runoff rates from the site through the use of green roofs and buried geocellular storage tanks. The LLFA raised concern regarding access for maintenance of the tanks and the Applicant has confirmed this will be considered as part of the detailed design.

9.87 The LLFA recommends approval subject to conditions and the long-term maintenance being secured through a S106 Agreement.

xii. Noise, Wind and Contaminated Land

Noise

9.88 The Environmental Health Officer has considered the Noise Assessment, prepared by Mayer Brown, and has no comments on it. The report concludes that:-

- The development proposals reflect a good acoustic design process;
- Internal noise levels can be adequately controlled through the appropriate specification of glazing and alternative means of ventilation;
- Future residents will have access to private or communal external amenity spaces, compliant with the aspirational noise levels indicated in WHO/BS8233 guidance.

Wind/Micro-Climate

9.89 The submitted Wind and Micro-Climate Assessment demonstrates that the wind assessment for the proposed development does not indicate any significant adverse effects on local wind conditions to the surroundings when the proposed development is considered either in isolation or along with future developments. Where mitigation measures have been required within the proposal, these have been incorporated into the design and landscaping where feasible or appropriate.

9.90 The proposed development's impact in terms of micro-climate is considered to be acceptable.

Contaminated Land

9.91 The application was accompanied by a Geo Environmental Report, prepared by Delta Simons. The Environmental Health Officer recommends a contaminated land condition given the previous use of the site. This is included in the Recommendation.

xiii. Waste and recycling

9.92 The Waste and Recycling Officer notes that the proposed ground floor plans show 2no. bin areas with enough space for 25 x 1000 litre refuse bins and 35 x 360 litre recycling bins. This is sufficient for weekly refuse and recycling collections. For a site of this size this is most suitable, any more bins than this would make collections inefficient.

9.93 Commercial waste should be kept separate from domestic waste. Both the domestic bin storage areas will require locks so that only residents use them. Regular cleaning of the bin areas is recommended. The larger bins area includes for bin rotation: moving empty bins closer to the doors and the full bins to the back of the bin area will encourage residents to use the bins properly and not cause the bins at the front to overflow whilst ones at the back are half empty.

xiv. Archaeology

9.94 The applicant has submitted with their application a letter from Cotswold Archaeology to Stonegate Homes Ltd, dated 20th September 2017, that sets out an appraisal of the site's archaeological potential. The Council's Archaeology advisor (Berkshire Archaeology) notes that the letter falls short of a formal archaeological desk-based assessment but considers that it usefully summarises current knowledge and he is content that a formal assessment would not be justified.

9.95 Cotswold Archaeology conclude that there are no known heritage assets within or close to the application site and, due to past 20th century development on the site and within Bracknell Town Centre, the application site has little or no potential for buried archaeological remains to survive. Cotswold Archaeology therefore goes on to advise that a condition for archaeological mitigation would not be appropriate in this case.

9.96 Berkshire Archaeology concurs with this assessment and its conclusion. Therefore no further action is required as regards the buried archaeological aspects of this proposal.

10. CONCLUSION

10.1 The proposed high density residential development, with a small amount of commercial floorspace at ground floor, is considered to be appropriate for this accessibly located town centre site. The building, though large and tall is well-designed and will not appear out of place in the context of existing and proposed buildings nearby.

10.2 Given the size of the building and its siting close to its boundaries it will have an impact on nearby buildings – particularly the offices at Time Square and the proposed flats on the Amber House site – and these in turn will impact on the living conditions of future residents of the scheme for which permission is sought. The applicant has provided detailed information to allow these impacts to be assessed. From this it is apparent that if this development proceeds:-

- a small number of rooms in the proposed Amber House development will have daylight levels below accepted norms, and
- a proportion of rooms in the proposed flats on the application site will receive amounts of daylight and/or sunlight below recognised desirable standards.

There will also be impacts on the outlook, and the sunlight/daylight reaching some of the west-facing windows in Time Square.

10.3 Other harm will arise from the removal of existing vegetation on the site, including a number of mature oak trees although planting to mitigate this loss can be secured both on and off the site.

10.4 The other main issue is the adequacy of the car parking proposed. The applicant states that the proposal provides the opportunity to deliver a highly sustainable scheme aimed at individuals who want to live in a town centre location and not be reliant on car travel as part of everyday life, referring to the services and facilities within the town centre and the site's proximity to the bus and rail stations. The majority of the parking within the development would be allocated to specific apartments so future residents would be clear from the outset whether the apartment they are purchasing/renting has either one car parking space or no parking spaces. Travel vouchers and a car club are proposed (these can be secured by a s106 agreement) which will encourage more sustainable forms of transport and enable residents who only need occasional access to a car to purchase an apartment without a car parking space.

10.5 The Highway Authority has looked carefully at the information provided and concluded that on balance the amount of car parking proposed is acceptable subject to conditions and s106 obligations as detailed in the report.

10.6 Overall the scheme is considered to accord with relevant development plan policies and the NPPF with the scheme's shortcomings outweighed by the provision of housing, including affordable units in accordance with the Council's policy, in a sustainable location. The application is therefore recommended for conditional approval subject to the completion of a s106 agreement to secure the matters listed below.

11. RECOMMENDATION

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

- SPA mitigation measures
- the provision of on-site affordable housing
- long-term management and maintenance of SuDS on the site
- the provision and retention of on-site electric vehicle charging facilities
- long-term management of the access to the service area
- the establishment and long-term provision of a car-club to serve the development
- a financial contribution to improvements to foot/cycle ways along Market Street
- securing a travel plan(s) with associated fees and deposit payments
- a financial contribution towards improvements to Bracknell Rail Station
- a contribution towards the improvement of off-site OSPV/biodiversity facilities at Ennerdale Playing Field and The Elms
- securing S278 and S38 matters associated with the development

the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as he 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 and other submitted details:-

To follow

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

03. The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

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

04. No superstructure works shall be commenced until all outstanding details of external materials 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 Plans and Policies: BFBLP EN20, CSDPD CS7]

05. No residential or commercial unit shall be occupied until means of pedestrian and vehicular access to it have been constructed in accordance with the approved drawings.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

06. No residential or commercial unit shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawings. 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, Core Strategy DPD CS23]

07. The development hereby permitted shall not be begun until:-

- (a) details of the management of the car parking areas to include details of allocated and unallocated parking spaces for the residential units and parking spaces for the commercial units;
- (b) details of the signing for the car parking areas; and
- (c) details of how 20% (1 in 5) of all spaces will be designed and constructed to be readily adaptable to provide charging points

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

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

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

08. No residential or commercial unit shall be occupied until associated approved cycle parking facilities have been provided in accordance with the approved drawings. The facilities shall be retained as approved.

REASON: In the interests of accessibility of the development to cyclists.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

09. 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.

10. No development shall take place until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- Results of intrusive ground investigations demonstrating the depth of the seasonally high groundwater table;
- Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table; and
- Calculations demonstrating that the detail design accords with the runoff rates and principles set out in the RPS Flood Risk Assessment dated March 2018.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with Policy CS1 of the Core Strategy DPD.

11. No development shall commence until details of how the surface water drainage 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 in accordance with Policy CS1 of the Core Strategy DPD.

12. Development shall not commence until a drainage strategy detailing any on- and off-site drainage works, along with proposed points of connection, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge

of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

13. Prior to occupation of any property a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, shall be submitted to and approved in writing by the Local Planning Authority. This will include photographs of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes and cover systems.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with Policy CS1 of the Core Strategy DPD.

14. The demolition shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation [Relevant Plans and Policies: CSDPD: CS1, CS7]

15. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be complied with during construction.

REASON: In the interests of nature conservation [Relevant Plans and Policies: CSDPD: CS1, CS7]

16. All existing trees, hedgerows and groups of mature shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

No development shall take place until:

(i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2005) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:

- Existing and proposed finished levels.
- Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
- Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and

(ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: In the interests of safeguarding the long term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

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

17. All planting comprised in the approved soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All approved hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development.

As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. 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 nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of bio-diversity and visual amenity of the site
[Relevant Plans and Policies: CSDPD CS1, CS7]

18. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until condition (1) has been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (1) has been complied with in relation to that contamination.

The next stage of development cannot occur until LPA written approval has been granted. Failure to comply will result in the condition not being signed off.

(1) Site Characterisation

The development hereby permitted shall not commence until a report by a competent person has been submitted to and approved in writing by the Local Planning Authority; the report findings must include:

(a) a desktop study and a survey of the extent, scale and nature of contamination; this should include as a minimum a site walkover.

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

The next stage of development cannot occur until LPA written approval has been granted. Failure to comply will result in the condition not being signed off.

and,

(b) an assessment of the short and long term potential risks to:

- Human health,
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- Adjoining land,
- Groundwaters and surface waters,
- Ecological systems,
- Archaeological sites and ancient monuments;

This is not an exhaustive list

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

The next stage of development cannot occur until LPA written approval has been granted. Failure to comply will result in the condition not being signed off.

and,

(c) a written detailed remediation scheme, by a competent person for remedial option(s), to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, with proposals for future maintenance and monitoring must be prepared and is subject to approval in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. This scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. If the remediation scheme is approved the Local Planning Authority must be given two weeks written notification of the commencement of the remediation scheme works.

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

The next stage of development cannot occur until LPA written approval has been granted. Failure to comply will result in the condition not being signed off.

and,

(d) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of [X] years, and the provisions of reports on the same must be prepared, both of which are subject to approval in writing of the Local Planning Authority.

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

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

The next stage of development cannot occur until LPA written approval has been granted. Failure to comply will result in the condition not being signed off.

and,

(e) the development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority a verification report by the competent person approved under the provisions of condition (1 a, b) that any remediation scheme required and approved under the provisions of condition (1 c) and monitoring (1 d) has been implemented fully in accordance with the approved details.

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

The next stage of development cannot occur until LPA written approval has been granted. Failure to comply will result in the condition not being signed off.

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

[Relevant Policies: BFBLP EN25]

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

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

20. The development hereby permitted shall be implemented in accordance with the Energy Statement: Bracknell Bus Depot prepared by XCO2, dated June 2018.

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

[Relevant Plans and Policies: CSDPD Policy CS10 and CS12]

21. Bin storage associated with the residential and commercial units hereby approved shall be provided in accordance with the approved drawings before the units it serves have been occupied, and shall thereafter be retained available for use.

REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.

22. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking or re-enacting that Order with or without modification), no part of the premises hereby permitted shall be used as a nursery.

REASON: To ensure adequate parking.

[Relevant Policy: BFBLP M9]

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.

Should the applicant fail to complete the required S106 agreement by 31st October 2018 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.

3. In the absence of planning obligations to secure:-

- the provision and retention of on-site electric vehicle charging facilities
- long-term management of the access to the service area
- the establishment and long-term provision of a car-club to serve the development
- a financial contribution to improvements to foot/cycle ways along Market Street
- securing a travel plan(s) with associated fees and deposit payments
- a financial contribution towards improvements to Bracknell Rail Station

the proposal would not cater satisfactorily for the needs of pedestrians, cyclists and vehicle users to the detriment of road safety and sustainable development and would therefore be contrary to Policy M4 of the Bracknell Forest Borough Local Plan, Policies CS1, CS23 and CS24 of the Core Strategy Development Plan Document and Policy TC1 of the Binfield Neighbourhood Plan.

4. The proposed development would unacceptably increase the pressure on open space of public value and community facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secures the on-site provision of open space of public value, the proposal is contrary to Policies SC1 and R4 of the Bracknell Forest Borough Local Plan, Policy CS8 of the Core Strategy Development Plan Document and the Planning Obligations Supplementary Planning Document (adopted February 2015).

5. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off which would be maintained for the lifetime of the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.