

**PLANNING COMMITTEE
8 NOVEMBER 2018
7.30 - 10.34 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Mrs Hayes MBE, Heydon, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Skinner, Thompson and Worrall

Also Present:

Councillors Peacey, Turrell and Virgo

Apologies for absence were received from:

Councillors Finnie, Dr Hill and Phillips

46. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 11 October 2018 be approved as a correct record and signed by the Chairman.

47. Declarations of Interest

There were no declarations of interest.

48. Urgent Items of Business

There were no urgent items of business.

49. PS: Application No 18/00662/FUL - Holly Cottage, London Road, Binfield

Erection of 12 bedroom Residential Care Home (Use Class C2) with associated access, parking and landscaping following demolition of Holly Cottage.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Christopher McDonagh objecting to the application and Phil Just, from the Choice Ltd speaking in response.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Binfield Parish Council recommending refusal.
- The comments of East Berkshire NHS Clinical Commissioning Group.
- The thirty five objections as detailed in the agenda papers.
- The comments from Binfield Badger Group, detailed in the supplementary report.

Having read the officer report and heard the debate, the Committee were not persuaded by the issues and arguments raised and, therefore an alternative motion was proposed and seconded and being put to the vote was **CARRIED**.

RESOLVED that planning application 18/00662/FUL be **REFUSED** for the following reasons:

01. By reason of its bulk and mass the proposed care home building would result in an over-development of the site, out of keeping with the surrounding pattern and form of development, to the detriment of the character and visual amenities of the area and the living conditions of the occupiers of adjoining properties. The proposed development would therefore be contrary to Policy EN20 of the Bracknell Forest Local Plan and Policy CS7 of the Core Strategy Development Plan Document.

02. 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).

03. In the absence of a planning obligation to secure a travel plan with associated fees and deposit payments 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.

50. **PS: Application No 18/00961/PAA - Land West Of Prince Albert Drive, Prince Albert Drive, Ascot**

Prior approval application for the change of use of existing agricultural building to 5 no. residential properties.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Andrew Trapnell objecting to the application and Emily Temple speaking in response.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The eighteen objections as detailed in the agenda papers and the additional objection as detailed in the supplementary report.
- The ten sworn statements received from local residents of both Prince Albert Drive and Prince Consort Drive. Which attest that on 20 March 2013 the site was not used solely for agricultural use as part of an established residential unit.
- The additional comments from the agent as detailed in the supplementary report.

RESOLVED that Prior Approval is granted.

This decision is based on the following plans and information received by the Local Planning Authority on 24 October 2018
PAD/111 (Rev B) – Proposed Site Plan
PAD/112 (Rev B) – Proposed Floor Plans and Elevations
and is subject to the following condition

Any gates provided shall be set back a distance of at least 7 metres from the edge of the carriageway of the adjoining highway.

REASON: In the interests of highway safety.

51. **Application No 18/00382/FUL - The Rose and Crown, 108 High Street, Sandhurst**
Erection of 2no. dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of existing public house

A site visit had been held on Saturday 3 November 2018, which had been attended by Councillors Birch, Brossard, Dudley, Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- That Sandhurst Town Council raised no objection to the application.
- The eight objections received in response to the planning application as detailed in the agenda.
- The one letter of support as detailed in the agenda.

Having read the officer report and heard the debate, the Committee were not persuaded by the issues and arguments raised and, therefore an alternative motion was proposed and seconded and being put to the vote was **CARRIED**.

RESOLVED that planning application 18/00381/FUL be **REFUSED** for the following reasons:

01. The proposed development would not provide safe and suitable access for pedestrians through the car park of the Rose and Crown public house. This would result in pedestrians coming into conflict with vehicles reversing and manoeuvring within the car park to the detriment of pedestrian safety. The development would therefore be contrary to Saved Policy M6 of the Bracknell Forest Borough Local Plan, Policy CS23 of the Core Strategy Development Plan Document and the National Planning Policy Framework (2018).

02. 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 Supplementary Planning Document (2018).

52. **Application No 18/00702/FUL - Grapevine Cottage, 58 Owlsmoor Road, Owlsmoor**

Erection of detached three bedroom two storey detached house with access and landscaping following demolition of existing garage.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.

- The comments of Sandhurst Town Council recommending refusal.
- The two letters of objections received in response to the planning application, as detailed in the agenda.

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

- Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).

RESOLVED that the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 10 July 2018 and 11 September 2018:

NIP 18/21/A2

NIP 18/21/B2

NIP 18/21/C2

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

03. No superstructure works shall take place until brick and tile samples to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. No construction works shall take place until details showing the finished floor levels of the dwelling hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority 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]

05. The development shall be carried out in accordance with the scheme of means of enclosure set out on drawing NIP 18/21/C2 received by the Local Planning Authority on 11 September 2018.

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

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

06. No construction works shall commence until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out 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 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 good landscape design and the visual amenity of the area.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

07. The first floor bathroom window in the south facing side elevation of the dwelling hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass or equivalent. It shall at all times be fixed shut below 1.7m from the internal floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the south facing side elevation of the dwelling hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

09. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the approved details.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. The dwelling shall not be occupied until the vehicle parking and turning space for the new dwelling has been set out in accordance with the approved drawing. The spaces shall be retained as such thereafter and shall not 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]

11. No development shall commence until parking for the existing dwelling has been set out in accordance with the approved drawing. The spaces shall be retained as such thereafter and shall not be used for any purpose other than parking.

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]

12. No dwelling shall be occupied until secure and covered parking for bicycles and storage for refuse has been provided in accordance with the approved drawings. It shall be retained as such thereafter.

REASON: In order to ensure bicycle facilities and refuse storage are provided.

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

13. No part of the dwelling shall be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and 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]

14. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy requirements will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as 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]

15. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.

[Relevant Policies: CSDPD CS1, BFBLP EN25]

In the event of the S106 agreement not being completed by 28 February 2019, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

01. 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 Supplementary Planning Document (2018).

53. Application No 18/00964/FUL - Bus Depot and Offices, Coldborough House, Market Street, Bracknell

Redevelopment of site to provide a building with a maximum height of 11 storeys accommodating 242no. residential units, up to 225sqm of commercial space (use classes A1, A2, B1, D1 and D2) and ancillary works including car parking, cycle parking and associated landscaping.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.

- The comments of Bracknell Town Council recommending approval, as detailed in the supplementary report.
- The briefing note received from the applicant, as summarised in the supplementary report.

Following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to, but not limited 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

RESOLVED that 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:-

LOC Location Plan

PL50B Proposed Block Plan

PL51C Proposed Site Plan - Roof Plan

PL52C Proposed Ground Floor Plan

PL53A Proposed Mezzanine Floor Plan

PL54D Proposed 1st Floor Plan

PL55B Proposed 2nd Floor Plan

PL56A Proposed 3rd Floor Plan

PL57B Proposed 4th Floor Plan

PL58 Proposed 5th Floor Plan

PL59A Proposed 6th Floor Plan

PL60B Proposed 7th Floor Plan

PL61B Proposed 8th Floor Plan

PL62A Proposed 9th Floor Plan

PL64A Proposed Typical Flat Types

PL70C Proposed Elevations - North & East

PL71B Proposed Elevations - South & West

PL72 Proposed Courtyard Elevations - Sheet 01

PL73B Proposed Courtyard Elevations - Sheet 02

PL80A Proposed Site Section AA

PL81A Proposed Site Section BB

PL82A Proposed Site Section CC

PL90A Proposed elevations details

1888-TFI-00-00-DR-L-1001 Landscape Proposals

1888-TFI-00-00-DR-L-3001 Structural Planting Plan

1888-TFI-00-00-DR-L-2001 Block A Garden

1888-TFI-00-01-DR-L-2002 Block B Garden

1888-TFI-00-01-DR-L-2003 Sky Garden

1888-TFI-00-01-DR-L-5002 Sections

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 full 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. No development, other than that required to be carried out as part of an approved scheme of remediation, shall take place until:-

a) further delineation of the identified hydrocarbon plume and investigation beneath the existing commercial building has been undertaken as well as submission of an updated conceptual model, and

b) a Remedial Strategy for the management of contamination, with proposals for future maintenance and monitoring, has been submitted to and approved in writing by the Local Planning Authority.

Should any unforeseen contamination be encountered during the development, the Local Planning Authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the Local Planning Authority in writing.

No dwelling or commercial unit hereby permitted shall be occupied until a verification report by the competent person confirming that the approved Remedial Strategy has been fully implemented has been submitted to and approved in writing by the Local Planning Authority. Approved details of future maintenance and monitoring shall thereafter be undertaken.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised 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 September 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 children's nursery within use class D1.

REASON: To ensure adequate parking.

[Relevant Policy: BFBLP M9]

23. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the amenity of neighbouring property and the character of the area.

[Relevant Policies: BFBLP EN20 and EN25]

24. The balconies shown on the approved plans shall not be used for the storage of goods.

REASON: In the interests of visual amenity.

[Relevant Policies: BFBLP EN20]

25. No dwelling shall be occupied until:-

(a) a timetable for the laying out/provision of the following areas:-

- the landscaped perimeter of the site
- the landscaped courtyard
- the Block A and Block B gardens
- the Block A 'Sky Garden'

in accordance with the approved details has been submitted to and approved in writing by the Local Planning Authority, and

(b) a plan for the long-term management and maintenance of these areas has been submitted to and approved in writing by the Local Planning Authority.

The areas listed above shall be laid out/provided in accordance with the timetable approved under (a) above and thereafter managed and maintained in accordance with the plan approved under (b) above.

REASON: In the interests of the amenity and well-being of future residents

[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS1]

Should the applicant fail to complete the required S106 agreement by 31st January 2019 the Head of Planning is authorised to **REFUSE** the application for the following reasons:-

01. 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).

02. 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.

03. 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.

04. 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).

05. 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.

CHAIRMAN