

**ITEM NO:**Application No.  
**18/00397/FUL**

Site Address:

Ward:  
AscotDate Registered:  
20 April 2018Target Decision Date:  
20 July 2018**Westwood House Swinley Road Ascot Berkshire SL5  
8BA**

Proposal:

**Erection of building accommodating 73 assisted living units with associated parking, landscaping and vehicular access/exit on to Swinley Road, following demolition of existing dwelling.**

Applicant:

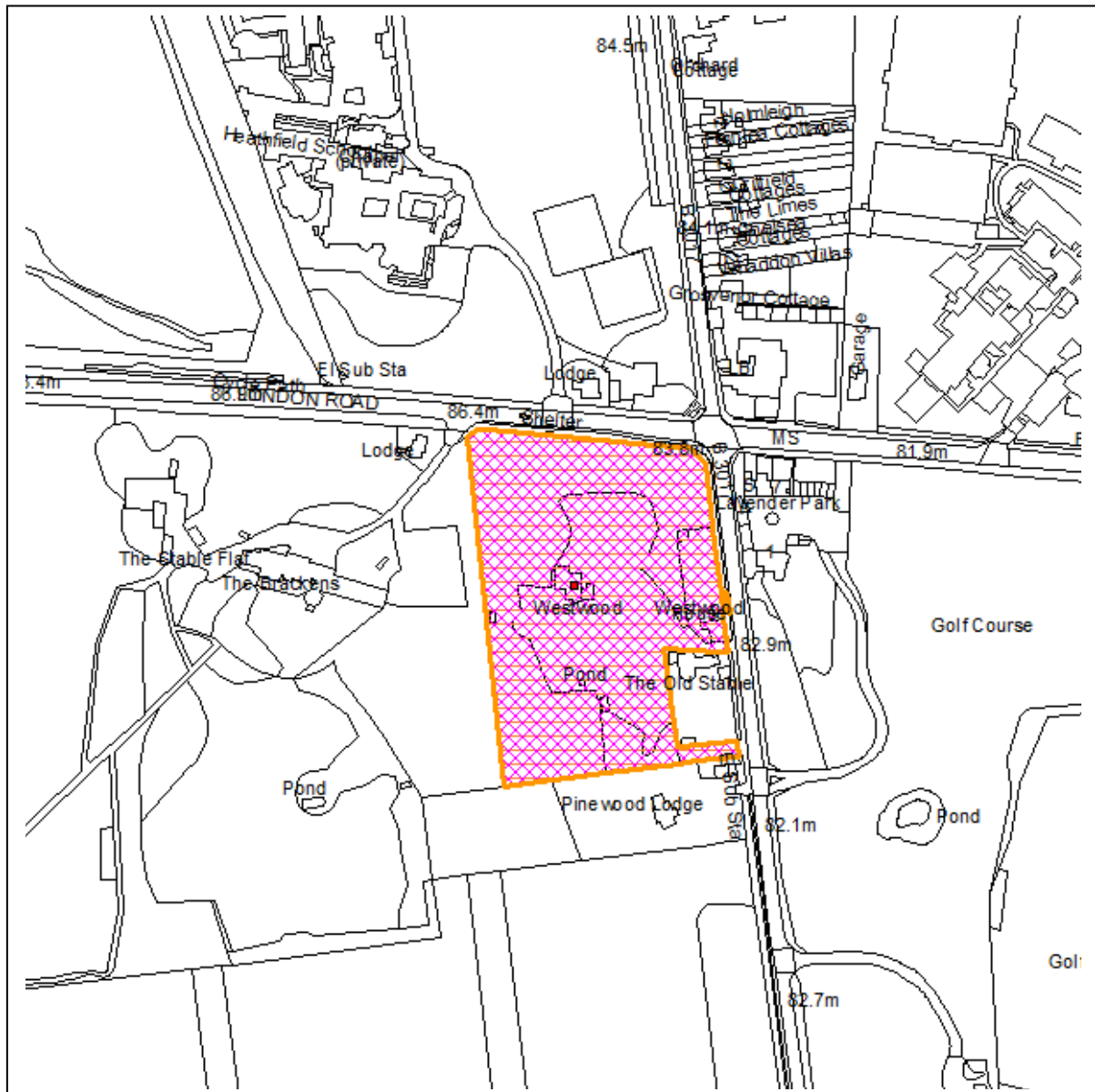
Castleoak

Agent:

Giles Brockbank

Case Officer:

Sarah Fryer, 01344 352000

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

## OFFICER REPORT

### 1. SUMMARY

1.1 This application seeks consent for the demolition of the existing dwelling and erection of a 73 unit care facility aimed at older persons. The proposal would range between 3 and 4 stories in height, contain communal facilities for residents and separate staff facilities. The building would be orientated north-south and set within landscaped grounds. Parking is located to the south of the building with access and egress from Swinley Road.

### 1.2 RECOMMENDATION

RECOMMENDATION
Planning permission be refused for the reasons set out in Section 11 of this report.

### 2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been called to the Planning Committee by Councillor Virgo due to it being a good addition to the community given its location close to the Heatherwood Hospital and Forresters.

### 3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
On Land outside defined settlement
Within 5km of the Thames Basin Heath SPA

3.1 This application relates to a site known as Westwood House located to the southwest of the junction between Swinley Road and London Road between the settlements of Bracknell and Ascot.

3.2 The site is 1.98ha in size and is roughly rectangular in shape, with access currently from Swinley Road. To the north the site borders London Road, and to the east Swinley Road. To the south the site abuts Pinewood Lodge and a conifer plantation which also has seasonal use as a visitor attraction (Lapland UK).

3.3 London Road is the main road connecting Bracknell with Ascot and has a footpath/cycle path along it. Swinley Road in comparison is more rural with a narrower informal footpath and vegetation closer to the carriageway.

3.4 The site currently contains a large dilapidated two storey, detached dwelling with remnants of tennis courts and other hard surfaced areas within the grounds, principally located to the northern part of the site. At the entrance is another dwelling forming a lodge, which is counted as a separate dwelling.

3.5 The site is the subject of a Tree Preservation Order (TPO282), and has many trees, around its perimeter, leaving an open lawned area with a few isolated trees in the centre.

3.6 Access to the site is currently gained off Swinley Road at a location to the north of the property known as 'The Stables' and consists of a compacted and partly overgrown gravel driveway which leads up to the house.

#### 4. RELEVANT SITE HISTORY

4.1 Various previous applications relate to the existing dwelling (extensions, gates etc.) and are not relevant to this application.

#### 5. THE PROPOSAL

5.1 Planning permission is sought for the demolition of the existing dwelling and erection of 73 assisted living units along with communal lounge/ dining rooms, kitchens, hair salon and treatment room. The proposal would be contained within a large three and four storey building, orientated north to south within the site. The building would be set in landscaped grounds, with parking principally located to the south.

5.2 It was established through the pre-application process that the use could be considered as C2 (Residential Institutions). This use class includes 'residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres'. Having regard to relevant appeal decisions it was considered that on balance the C2 classification was appropriate due to the amount and number of communal facilities for providing care within the development and the applicant's assurance that residents would only be permitted to occupy a unit when they required a certain level of care. This can be secured through a S106 obligation along with an age restriction as considered necessary.

5.3 Vehicular access would remain from Swinley Road but would be re-modelled to provide separate accesses for in and out movements. Pedestrian access is proposed from London Road.



5.4 The proposal consists of a single large building which has been designed with a number of separate elements to reduce its perceived scale. It is orientated on a north- south axis with

smaller wings. Formal communal gardens would be located to the west of the building, with parking and services, including bin storage, located to the south and east.

5.5 The building ranges between 3 and 4 storeys in height, with total height to the ridge between 13.66m and 16.6m. The mass of the building has to some extent been broken by introducing staggers to the building, creating relief and breaking up the roof line. Chimneys are also used to give a traditional appearance to the building. Gables are a key feature within the design with external balconies providing private outside space to individual units.

5.6 A variety of materials including stone cladding, brick and weather boarding has been proposed to be used on the building.



East elevation

## 6. REPRESENTATIONS RECEIVED

6.1 5 objections have been received on the following grounds:

- Due to the height of the proposed building the proposal will result in overlooking of the nearby property 'The Stables'.
- Proposed car parking adjacent to the shared boundary would result in fumes and odours adjacent to the neighbouring property. A 2.5m acoustic fence should be erected along the boundary between The Stables and the application site to reduce the effects.
- Scale of the building would be overbearing and has the potential to have an oppressive impact on the neighbouring property.
- Mature trees and screening should be retained.
- Whilst this is previously developed land within the Countryside, the proposal due to its size would result in overdevelopment of the site and affect the green gap.
- Swinley Road is totally unsuitable for a development of this nature due to the amount of traffic, lack of pavement, etc.
- There is no demonstrated need for this facility as there is an existing suitable facility at Ascot Priory.
- The erection of a 3-4 storey building within the Countryside is inappropriate.
- The residents would have to drive to access facilities, adding more traffic to the network which is overloaded.
- Design of the proposed building is unsympathetic and out of character with the rural surroundings.
- Objects to the location of motorcycle parking bays and electric substation adjacent to residential boundary.

Winkfield Parish Council

6.2 Access to Swinley Road is unsuitable, pedestrian access to the site is impractical (being largely unpassable) and the parking provision is insufficient. These factors combine to create a

dangerous highway situation. Furthermore the proposals cause a closure of the green gap contrary to local and national planning policy.

The Bracknell Forest Society

- Consider the erection of a four storey development on the edge of an urban area and within 800m of a SSSI as inappropriate.
- Concern about the effect of the proposal on the biodiversity of the Whitmoor Bog.
- Consider that the proposed development is unsustainable as it is located away from shops, doctors, and poorly served by public transport.
- Parking provision is totally inadequate.

## 7. SUMMARY OF CONSULTATION RESPONSES

Thames Water: No objection regarding Foul Water sewage network.

Archaeology: No objection subject to condition.

Drainage: No objection subject to conditions.

Ecology: No objection subject to conditions.

Environmental Health: No objection subject to condition.

Highways: No objection but seeks to secure the designation of some land for highway purpose.

SPA: Providing the development is mitigated in accordance with the appropriate assessment, no objection to the proposal.

Trees: Proposal would result in the loss of significant and important trees within the site.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

8.1 The key policies and guidance applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15, CS16 of the CSDPD, H5 of BFBLP, SA6 of SALP.	Generally consistent The NPPF supports providing a range of homes (para. 8)
Countryside	CS9 of CSDPD, EN8 of the BFBLP	Not wholly consistent- NPPF does not support protecting the Countryside for its own sake instead 'protecting and enhancing valued landscapes' (para.) 170
Residential amenity	EN20 and EN25 of BFBLP.	Consistent

Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Impact of development	CS6 of CSDPD	
Pollution	Saved policy EN25 of BFBLP	
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Planning Obligations SPD		
Other publications		
National Planning Policy Framework (NPPF Feb. 2019) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
Landscape Character Assessment		
Bracknell Forest Landscape Recommendations Report		
SHMA		

## 9. PLANNING CONSIDERATIONS

### 9.1 The key issues for consideration are:

- i. Principle of development
- ii. Need
- iii. Impact on character and appearance of surrounding area
- iv. Trees
- v. Impact on residential amenity
- vi. Transport Implications
- vii. Sustainability (distance to services)
- viii. Drainage
- ix. Sustainability (resources)
- x. Thames Basin Heaths SPA
- xi. Securing necessary infrastructure
- xii. Pollution
- xiii. Ecology

- i Principle of development

9.2 The Council can demonstrate a 5 year supply of housing land, including the relevant buffers required by the NPPF. Accordingly, policies which affect the supply of housing land can be attributed full weight.

9.3 Policy CS9 of the CSDPD states that the Council will protect land outside settlements for its own sake particularly from development which would adversely affect the character, appearance or function of the land.

9.4 Policy EN8 of the Bracknell Forest Borough Local Plan (BFBLP) considers development on land outside settlements. This policy states that the countryside will be protected for its own sake and development will only be permitted where it would not adversely affect the character, appearance or function of the land.

9.5 However, The NPPF seeks to protect and enhance the valued landscapes and recognises the intrinsic character and beauty of the countryside. Accordingly, both Policies CS9 of the CSDPD and EN8 of the BFLP, which seek blanket protection are not considered to be fully consistent with the NPPF and therefore the weight that can be given to the policy is reduced.

9.6 The site is considered to be Previously Developed Land (PDL) as it contains a residential dwelling with ancillary tennis courts and parking. Chapter 11 of the NPPF aims to make as much use as possible of previously developed or 'brownfield' land (Para. 117; NPPF 2019). Point d) of paragraph 118 of the NPPF specifically supports 'the development of under-utilised land and buildings especially if this would help to meet identified needs for housing' (my underlining). The NPPF, in defining PDL, also states that '...it should not be assumed that the whole of the curtilage should be developed.' Policies CS9 and EN8 are not therefore fully consistent with the NPPF, in this respect.

9.7 Applying adopted policy, the principle of development is contrary to adopted Bracknell Forest Development Plan Policies as they do not make any concessions for development of previously developed land outside the settlement boundary. It is accepted that these policies that are significant in determining the application are out-of-date in terms of paragraph 11 of the NPPF, and that it is therefore necessary to look at whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of granting permission. This is dealt with in the conclusions to the report.

## ii Need

9.8 The NPPF states that strategic polices should be informed by a local housing needs assessment conducted using the standard method. The size, type and tenure of housing needed for different groups should be assessed and reflected in planning policies (including...older people' (para. 61). Residential developments which would meet a need should therefore be given weight within the decision making process.

9.9 The application states that the proposal would meet an identified need within the borough in terms of providing accommodation to meet the needs of older persons, which would prolong independence and promote companionship

9.10 Accommodation for older people can fall within two categories, Use Class C2 or Use Class C3 (assisted living).



9.11 The application is for Use Class C2 which the housing Learning and Information Network (Housinglin.org) group defines as “Use for the provision of residential accommodation and care for people in need of care” the definition does not take into account the type of accommodation, and Inspectors have accepted that self-contained flats within a block offering care and support services can be considered as C2 use. Officers have therefore accepted this and therefore no affordable housing is being sought from this scheme. This use class has also been accepted at another scheme, the former Waterloo Hotel, Crowthorne which has recently been completed. This scheme provides accommodation in the form of 51 Assisted Living apartments (use class C2) for frail older persons including communal facilities, parking provision and associated landscaping (reference 15/00440/FUL). There are similarities between the two schemes; both have self-contained apartments and both have a larger proportion of their floorspace given over to communal facilities than would be found within an average apartment block. Accordingly it is considered appropriate to treat the two schemes the same way.

9.12 The applicants state that the proposal would contribute towards the C3 (assisted living) Council SHMA target as the proposal is not just beds within a larger home but enables residents to live independently within self-contained flats with the security of facilities, support and care on hand should they be required. The Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) contains two separate targets for housing for older people i.e. accommodation falling within Use Class C3 (set out as units) and that falling within Use Class C2 (set out as bedspaces). Since publication of the SHMA, the Government has introduced the Housing Delivery Test (HDT). The HDT Rule Book (July 2018) and subsequent 2018 Measurement Technical Note (February 2019) make it clear that an adjustment should be applied to communal bedspaces to calculate the number of net dwellings that would be freed up from net additional communal accommodation built by applying a national ratio of 1.8.

9.13 The Local Planning Authority needs to be consistent in its consideration of similar schemes and in its monitoring work. It has been agreed that this scheme should be treated as falling within Use Class C2 as discussed above at paragraph 5.2

9.14 The applicants have submitted a needs report in support of the proposal which concludes that a significant shortfall in assisted living accommodation exists. It also considers that the demand for assisted living accommodation has not yet been established as every scheme has been occupied to capacity. They have also submitted a graph showing how demand would increase year on year if not met, and say that this scheme would go towards meeting that need.

9.15 The applicant’s need report draws information from the Draft Housing Strategy and Older Persons Accommodation Support Strategy. It focuses on the provision of Assisted Living Accommodation within the Borough and concludes that the apparent under supply is substantial and the report’s authors are unaware of significant ongoing development to meet and make up the increasing shortfall.

9.16 As indicated above, the Council’s need for older persons accommodation is established by the SHMA. A Housing Background Paper (February 2018) has been produced in support of the emerging Local Plan. In addition the Council has published a Housing Strategy covering the period 2013-2036 (approved by the Executive in March 2018).

9.17 The Housing Background Paper produced in support of the emerging Local Plan, estimates that 13.3% of the population of Bracknell Forest were aged 65 years or older. This was projected to rise by 89.9% over the period of 2013-2036. This report also found that to meet



this need a range of tenure types would be required as well as specialist housing to take into account the expected rise in levels of disability and health problems. The Council therefore acknowledges that there is a need to provide specialist housing, which should include a variety of tenures, to meet this demand.

9.18 The SHMA predicts a need of 1,320 C3 assisted living units and 319 C2 bed-spaces to be provided over the period from 2013 to 2036. This equates to a need to provide 57.39 units and 13.87 C2 bed spaces (or 8 units using the adjustment factor) per year over that period.

9.19 The Draft Housing Strategy highlights uncertainty in terms of what accommodation individuals will choose, and therefore predicting how much and what type of housing will be required to accommodate an ageing population is difficult and not an exact science. Accordingly it is reasonable to suppose that whilst there is a need to accommodate a growing elderly population, not all of that population will want to occupy the type of accommodation being proposed here.

9.20 The latest available housing commitments data is at 31<sup>st</sup> March 2018. It sets out the housing supply levels within the Borough and is split into proposals that have been accepted in principle, those that have planning permission but have not yet commenced, those that have commenced and those that have been completed. In respect of Specialist Housing for Older People, these are broken down into sectors of the market including schemes falling within Class C2 and those falling within Class C3. The data collected shows that between April 2013 and March 2018, 13 units of C2 accommodation have been provided compared with a requirement of 40. However, at 31<sup>st</sup> March 2018 a further 51 units of C2 accommodation were under construction (subsequently completed), which are likely to compensate for past under delivery. Additionally, 130 units of C3 specialist housing) have been delivered compared with a need for 285 units within Bracknell Forest. So whilst the need for C2 units is generally being met, it appears there may be unmet need for C3 assisted living units.

9.21 It is acknowledged that as people live longer there will be an ageing population with specific needs. The proposed model would meet part of that need, enable individuals or couples to stay together and live with as much independence as they want with the knowledge that should needs change, they can change the level of care provided without having to move or be separated from a spouse. It also provides for a more vibrant and social community than a traditional care home and hence would have health and well-being benefits for any future occupants. This carries limited weight in favour of the proposal.

9.22 Because the application is for C2 use, there is no requirement for the applicant to provide any affordable housing.

9.23 The results of the housing commitments survey demonstrate that both C2 and C3 (assisted living) proposals are coming forwards and being delivered/planned within the Borough. Future schemes include some substantial developments within large allocations including developments at TRL (60 bed care home), Warfield and Broadmoor.

9.24 The Council is currently in the process of producing a Local Plan which includes allocations for residential development. The draft Local Plan proposes a policy which seeks to support residential schemes to meet the need of an ageing population. Due to the current stage of this plan, no weight can be attributed to the policy, but it demonstrates the Council's intention to meet the needs of an ageing population. The NPPF supports a plan led approach (para. 15) and this plan should seek to meet the Council's housing needs going forward to create inclusive

and cohesive communities. As the council can demonstrate a 5 year housing land supply and an intention to support specialist accommodation for the elderly, less weight is attributed to the need arguments in favour of the proposal.

9.25 The applicants consider that if the proposal is allowed, it would assist the housing market by freeing up the larger family homes currently being occupied by this ageing population. In a recent appeal (West Malling) the Inspector noted that offering specialist housing more suited to the needs of older persons is likely to encourage them to move and would make a valuable contribution to overall housing needs which should be weighed in the balance [(para. 42) West Malling: APP/H2265/W/18/3202040].

9.26 There is a general acceptance that there is a growing population of elderly people within Bracknell Forest who will require appropriate housing. The provision of C2 accommodation will help to meet an element of this need. Given developments that have recently been built, are under construction or benefit from planning permission it is considered that the need for C2 accommodation is being met. Therefore, there is not considered to be such a pressing need for the type of accommodation proposed. Any allocation of further land to meet these needs is most appropriately dealt with through the preparation of the local plan.

iii Impact upon character of area

9.27 This section of the London Road is characterised by built form set back from the road, generally behind mature landscaping. However, glimpses of developments can be obtained through the vegetation so whilst outside the defined urban areas, London Road is not considered to be completely undeveloped. Developments can be sprawling, but are generally limited in height to one or two storeys.

9.28 Swinley Road has a more rural character with informal narrow footpaths, less development and a narrower highway. There is limited development on a short length of Swinley Road consisting of two storey dwellings abutting the back of the footpath. There is a noticeable change in character between Swinley Road and London Road.

9.29 The site currently contains a detached two storey dwelling with an ancillary area of hard surfacing, including a driveway and tennis courts. The site has fallen into disrepair. To the south of the building is a large lawned area dissected by a ditch approximately 70m south of the dwelling. The lawn is surrounded by mature trees with groups of trees and vegetation in some places encroaching further into the site.

9.30 The Council's Landscape Character Assessment (LCA) analyses the character of the Borough and categorises the valued features of each character area. The application site is located within the Chavey Down Wooded Sands character area which is characterised by the presence of suburban and urban fringe developments and long views broken up by woodland. The report identified the following valued features:

- Continuous nature of woodland
- Naturalistic land cover
- Areas of natural, undeveloped character providing visual and physical separation
- Presence of ponds
- Remnant pastoral fields
- Views across small clearings
- Long straight roads
- Footpaths and areas of public access.

9.31 The application would not affect the woodland, ponds, pastoral fields, roads or footpaths. Whilst the centre of the site is open it was at one point laid to lawn and has been maintained as such, and therefore does not have a naturalistic land cover. The feature the proposal would most affect would be the visual and physical separation between settlements, and the contribution the site makes to this function. The importance of the land as a green separation between the built urban areas of Bracknell and Ascot is amplified by the Bracknell Forest Landscape Recommendations Report (CLP/Ev/5b pages 65 and 66).

9.32 The site is adjacent to the Metropolitan Green Belt, the boundary of which runs along Swinley Road. Policy EN8 supports certain development within the countryside which while clearly visible from the Green Belt would not harm or impact upon it. To support the emerging Local Plan, a joint review of the Green Belt was undertaken in association with Wokingham Borough Council. This report identified that at this point the Green Belt makes a significant contribution to the Green Belt purposes, in particular preventing the merging of Bracknell and Ascot. The Green Belt is at one its narrowest points immediately adjacent to the application site.

9.33 The proposal would result in development being spread across the majority of the open area within the site although trees would be retained on the periphery. It is considered that the retained trees would provide some visual screening to the proposal, from both Swinley Road and London Road. The proposed development, having a significant element of four storey construction, is clearly out of scale with other built form in the vicinity of the site. This is not a gateway site where a taller building might be appropriate. The site is adjacent to the Green Belt and forms part of a green gap between Bracknell and Ascot which is not a suitable location for a building that is significantly taller than any other in the locality. The building is not only tall, (maximum height over 16.7metres) but also remains bulky with the north-south elevation extending to some 95 metres in length.

9.34 The proposed development would be visible from the proposed access and egress roads, and in addition there would be glimpses of the proposal through the vegetation at various points. The proposal would result in a significant increase in the height of built form which, when viewed through the vegetation, would appear incongruous with the other forms of development within the area. This would be more prominent during the winter months when many of the trees surrounding the site have dropped their leaves. The NPPF, para. 127, seeks developments to be sympathetic to local character and history, including the surrounding built environment and landscape setting. It is not considered that due to the height and scale the proposal complies with this criterion.

9.35 The proposal, being demonstrably out of scale with its surroundings, is considered to result in harm to the area's character and appearance. On London Road this impact is considered to be marginally less due to its being more built up and urban in character but the proposal would still be significantly out of scale with development along London Road. Some other developments are visible on Swinley Road but they are more sporadic and significantly smaller in scale than the proposed building and accordingly the proposal is considered to have greater harm on the character and appearance of this highway. The proposed built form would be glimpsed from Swinley Road at the access and egress points to the site. The proposal being visible through or between the trees doesn't automatically render it harmful to the character. However the scheme would be significantly larger and taller than surrounding developments.

9.36 The proposed entrance and egress onto Swinley Road would formalise the entrance features, which would be conspicuous from the Green Belt and would have a harmful impact upon the character of Swinley Road. This coupled with the removal of the T217 (see below) would have an undesirable urbanising effect upon Swinley Road, visible from the Green Belt.

9.37 The Green Belt at this point is at its narrowest and is highlighted within the review as making a significant contribution to the aim and function of the Green Belt. Development adjacent to the Green Belt at this point would have greater impact upon the function of the Green Belt than elsewhere within the Borough.

9.38 The NPPF makes it clear, that whilst PDL should be developed ahead of greenfield land, not all of a PDL defined site should automatically be developed. The revised NPPF has also reduced the weight to be given to developing PDL outside settlements, rather it attributes significant weight to the re-development of brownfield land within settlements.

9.38 At present the site's character is derived from the green area surrounding the existing built form, with the dwelling and built form appearing modest in comparison. The proposal and associated hard surfacing would significantly change the character of the site, occupying almost all of the open space which the site currently enjoys. It would dominate the trees and vegetation around it, spreading development considerably, and thereby changing the internal character of the site.



9.40 The retention of trees around the perimeter of the site, and the location of the proposed development within the site, would reduce the prominence of the building within the streetscene. Whilst the proposal would have a significant impact within the site, the impact outside the site would be reduced to partially restricted views of the proposal through the vegetation and less restricted views at the access and egress. The access and egress points are visible from the Green Belt and would provide glimpsed views of the building within. This would introduce further urbanisation to this sensitive area, eroding the rural verdant green character of Swinley Road. The proposal would therefore be contrary to Policies EN8 of the BFBLP and CS9 of the

CSDPD. The proposal would also be contrary to the NPPF [paragraph 127 c)]. This requires developments to be... sympathetic to local character and history, including the surrounding built environment and landscape setting. The harm the proposal would cause to the character of the area is considered to have significant weight against the proposal.

#### iv Trees

9.41 The site is covered by Tree Preservation Order (TPO) 282 and therefore the loss of any tree within the group should be carefully considered against any benefits the proposal might bring.

9.42 Policy EN1 of the BFBLP seeks to protect trees and hedgerows which are important to the retention, where applicable, of:

- (i) A clear distinction between built up areas and the countryside
- (ii) The character and appearance of the landscape or townscape
- (iii) Green links between open spaces and wildlife heritage sites
- (iv) Internationally, nationally or locally rare or threatened species
- (v) Habitats for local wildlife
- (vi) Areas of historic significance.

9.43 The application has been supported by an arboricultural report and survey which has identified 240 individual trees, 7 groups and 4 hedges. The proposal would remove 64 individual trees, 2 groups of trees and a hedge. One group is to be partially removed.

9.44 The report considered that the removal of the trees from the site will not be particularly noticeable from the outside of the site as the retained trees will form an effective screen and as such the proposal will not have a negative effect upon the character or appearance of the area.

9.45 The most significant of the trees to be removed consist of:

- T205- Western Hemlock (22m tall)
- T206 – Sweet chestnut (21m tall) Possibly a veteran tree though there is disagreement over the relevant criteria
- T207- English Oak (17m)
- T208 – English Oak (21m)
- T217 (beech) at the access point

9.46 The proposal would affect the following trees which would require mitigation:

- T3 and T12 the proposed egress route
- Protective fencing to T30.

9.47 The application proposes the removal of T217 (beech) located at the proposed entrance of the site to facilitate the access road. This tree is a prominent and visible feature within the Swinley Road streetscene. It contributes significantly to the general rural feel of Swinley Road with branches overhanging the highway, contributing to the sense of enclosure. The loss of this tree would have a noticeable detrimental impact upon the character and appearance of Swinley Road.

9.48 The applicants recognise that the loss of T217 would open up views into the site and have sought to retain more trees within the site to maintain a green visual end stop when looking from Swinley Road into the site. Whilst this is noted and welcomed it is still considered that the loss of T217 would have a noticeable detrimental and negative effect upon the rural character of the streetscene. As a consequence the loss of T217 is attributed substantial weight.



Extract from Tree Works Plan showing trees within the southern half of the site to be removed.

9.49 T206, a Sweet Chestnut, is described within the Arboricultural report as a semi-mature tree with a height of 21m and categorised as a B tree. The tree survey notes heartwood decay throughout the tree, that it is not visible from outside the site and therefore it has no public visual amenity value, as such it is not worthy of retention. However internal decay is a characteristic of a veteran tree and the report acknowledges that the tree 'does have some features commonly seen in older mature trees'.

9.50 The Council's Tree Officer has questioned whether or not T206 should be afforded veteran status due to the report's acknowledging that this tree demonstrates some veteran qualities.

9.51 Veteran trees are protected within the NPPF which states that they should not be lost 'unless there are wholly exceptional reasons' (para. 175 NPPF). Veteran trees are important for their ecologic contribution, their status as trees and historic values.

9.52 The applicant's report does not consider that the tree should be afforded veteran status 'because of the tree's poor physiological and structural condition rather than being signs of great age'. The report also comments on the tree's girth not being wide enough to indicate a great age.

9.53 The ancient tree forum defines a veteran tree as being a tree of any age but which shows ancient characteristics such as:

- Low fat and squat shape
- Wide trunk in comparison with others of same species.
- Hollowing of trunk



9.54 The damage to the tree probably arose from landscape works within the Root Protection Area (RPA) (there is evidence of a pond and a ditch nearby) and this has resulted in the features currently found in trees of greater age.

9.55 It is accepted that the tree in question is not of significant age or merit, however it is starting to decline, providing a different unique habitat as it does. What importance the tree has will therefore be connected to its ecological value. The tree was not mentioned within the bio-diversity surveys. The bio-diversity officer considered that, providing the tree was retained within the site after felling, the ecological value could be retained within the site. Therefore the ecological reason for the tree's retention falls away. It is considered that whilst the tree is displaying some veteran qualities, it is a borderline case. Given time, the tree would mature further possibly developing more significant veteran qualities. At present it is not considered that these qualities are sufficiently developed to justify a veteran listing.

9.56 The remaining trees proposed to be lost, are located within the centre of the site. The report has justified the loss of these trees, due to their not being of public interest. It is acknowledged that due to the trees being retained around the site the trees within the centre have a limited effect upon the character of the public realm. As such only limited weight can be attributed to their loss.

9.57 Further information has been received regarding how the access and egress roads can be constructed to avoid harming the protected trees they would pass close too. These details are generally considered acceptable. However, concern still remains regarding the proposed crown lift to T12 which the applicants considered will be sufficient at 3.5m but the Tree Service considers a more realistic crown lift of 5m will be required.

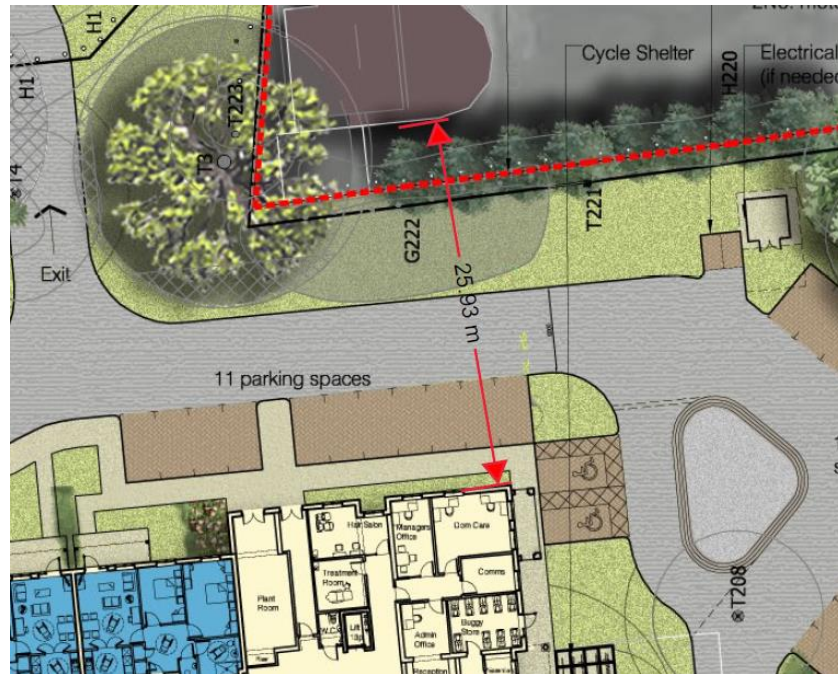
9.58 The Tree Service now accepts the details provided in the recently submitted documentation and plans to retain and protect the majority of trees on this site, however due to the removal of protected trees within the site the proposal will result in conflict with Policy EN1 of the BFBLP.

#### v Residential Amenity

9.59 The nearest and only property to be affected by the proposal is known as The Stables and occupies a portion of land between the two proposed access points. This is a two storey detached dwelling located against the northern access point with its amenity space to the south and is separated from the application site by a tall row of conifer trees and a fence.

9.60 The proposed building would be located 25.9m from the side elevation of The Stables. The design SPD provides guidance on what distances are considered acceptable to protect the privacy and amenities of adjoining dwellings. This considers *'In considering siting relationships between blocks of flats a minimum distance between facing habitable windows of 22m will be sought to avoid unacceptable levels of overlooking.'* At a distance in excess of 25m, the proposal is considered to be an acceptable distance from The Stables that does not result in unacceptable levels of overlooking. Notwithstanding this, the applicants have amended the design and introduced obscure screens to the balcony ends closest to The Stables to reduce the potential for overlooking from the external balconies.





9.61 The occupiers of The Stables have requested a 2.5m acoustic fence to the shared boundary with the proposal. It is considered that, given the proximity to the proposed vehicle entrance and exit points to the boundary, this request is justified to protect the occupiers from vehicle noise. The applicants have agreed to this and the relevant details are shown on the plan. They can be secured with a condition.

9.62 At the request of the occupiers of 'The Stables' the applicant has moved areas of car parking away from the boundary, to reduce the possibility of any noise and disturbance from closing doors and engines. The applicants have not moved proposed motorcycle parking or an electrical sub-station from adjacent to the boundary as requested by the residents of The Stables. However, any disturbance caused by these two elements is not considered to be so significant as to warrant a refusal of planning permission.

9.63 Subject to relevant conditions ensuring that the acoustic fence is installed and retained and that the obscure glazing screens are also retained it is considered that the proposal complies with Policy EN20 (g) of the BFBLP.

#### vi Transport Implications

9.64 The NPPF supports sustainable transport and seeks that significant developments should be focused in locations which are or can be made sustainable (para. 103). Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety (NPPF Para. 109).

9.65 The proposed site will be accessed and egressed at separate points. The access uses an existing access to the site located in close proximity to the access to 1 to 7 Lavender Park and Lavender Farm House and adjacent to an access to a substation. The egress uses the existing access to Westwood Lodge. As the egress is situated away from accesses to other properties it is in principle acceptable. The visibility splays proposed at the egress have been calculated on observed speeds and are acceptable. The submitted drawings show that the access and egress will be signed; however there is a concern that due to the car park layout a

driver may be inclined to egress via the access as this could be a shorter route. A site visit showed that visibility splays in the leading direction may not be achievable and vehicles exiting via the access will result in a conflict of turning movements occurring. Therefore a physical form of barrier which allows access but prevents egress will be required, the details of which can be secured by a condition.

#### Car Parking

9.66 The Parking Standards SPD, March 2016, for a C2 Sheltered Accommodation use with on-site staff, requires 1 space per member of staff, 1 space per 1.5 units for residents and 1 space per 4 units for visitors, this application therefore requires 66 spaces. The proposals show 64 parking spaces (including 4 disabled), 2 motorcycle bays and a minibus parking bay. The minibus will be used to transport residents to nearby facilities and services. Given the nature of the proposals and age of the residents who will be elderly, car ownership rates are likely to be lower. This shortfall of two spaces is therefore unlikely to result in on street parking on the neighbouring highway. Therefore, the parking provision is considered acceptable.

#### Trips

9.67 The applicant has undertaken a first principle approach to calculating the likely trip generation from the proposed development, by surveying one of the applicant's similar sites at Keble Court, Church Crookham, Hampshire. While the site has similar characteristics an examination of the applicant's web site shows that only 60% of the units are sold. Therefore, to take this into account the trip rates have been increased within Table 1 of the October 2018 Technical Note by a factor of 1.6 to account for the position that the site was not fully occupied when the survey was undertaken.

9.68 The amended trip analysis indicates an additional 6 vehicle movements in the AM peak period and 9 vehicle movements in the PM peak period. Neither of these figures is a material increase and both are considered to be within the daily fluctuations one would expect to see on the neighbouring highway network.

9.69 Analysis of the Swinley Road / London Road signalised junction within the Technical note shows that this junction suffers from congestion at peak times and queues form off-peak as well especially on the southern arm due to the one lane approach. Any increase in vehicular movements along this southern arm will exacerbate these issues.

9.70 The Highway Authority has proposals to widen the Swinley Road approach to ease congestion at this junction, but this will require dedication of land around the junction within the applicant's site. The Highway Authority would seek dedication of land around the junction tied with any permission granted as part of a Section 106 agreement.

9.71 It is acknowledged that the Swinley Road / London Road junction operates at capacity and requires improvements. At present the Highway Authority cannot implement a scheme due to the land ownership constraints. However, the Council's own highway consultant acknowledges that vehicle movements arising from this development are not material and are within daily fluctuations expected within a network. In addition the land required to widen the carriageway along Swinley Road and at the junction contains a number of protected trees. These include trees which make a significant contribution to the character of both London Road and Swinley Road. Their loss would open up views into the site, increasing the visibility of trees within the site and the proposed development.

9.72 The designation of the highway land is therefore not required to make the development acceptable in highway terms and therefore it does not comply with Regulation 122 of the CIL Regulations which states:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

9.73 The applicants have indicated their willingness to agree to the dedication, and have included it in a draft Heads of Terms submitted to inform the drafting of any required S106 agreement. It is acknowledged that this designation of part of the site to highway land is desirable to enable the highway authority to plan for future development within the Borough. However, the impact of this proposal on the highway network is not significant enough to warrant the refusal of the application on highway safety grounds and therefore this proposal does not justify an obligation to secure the dedication of this land.

9.74 Subject to the conditions recommended by the highway authority the proposal is considered to comply with Policies CS23 of the CSDPD, M4 and M9 of the BFBLP.

#### vii Sustainability (Distance to services)

9.75 The NPPF seeks to focus development in locations which are, or can be made, sustainable. One factor of sustainability is the ease of access to services and facilities via a variety of transport means, with walking and cycling routes given priority.

9.76 London Road is a bus route (no. 702 providing an hourly service), connecting Ascot and Bracknell and a designated cycle route. There is a station on the Reading-Waterloo line located at Martins Heron, located 1.2km away from the proposal.

9.77 The closest shops are at Warren Row, Ascot located approx. 900m to the north in a straight line. The Local centres at Fernbank Road and Martins Heron are located 1.3km and 1.2km away respectively.

9.78 According to guidance, the development is within acceptable walking distances (2km) of facilities and services, including Tesco (Martin's Heron) and Martin's Heron railway station. Also, Bracknell and Ascot town centres are within a 5km cycle distance which is in line with guidance.

9.79 Whilst it would be possible to walk to shops and get to and from the site by bus and potentially train, how realistic this would be given the targeted occupants is questionable. Whilst the site would not be completely unsustainable, it is not located on a site where residents would have the option to pop out for a newspaper or become part of the community outside the complex. There would still be a strong desire to use the private car or mini-bus to access nearby facilities. Accordingly the location of the site, having regard to future occupants being able to access services is attributed moderate negative weight.

#### viii Drainage

9.80 Following the submission of revised drainage details it is considered that the proposal complies with BFBC policy. Calculations have been submitted showing that the soakaways have sufficient capacity to accommodate 1 in 100 year plus 40% storm events with no surcharging.

9.81 A pumping station is proposed on the access road and justification for this has been provided given the access road is the lowest point of the site. If a gravity connection was provided to the soakaway systems to the north of the site, it would result in the soakaway structures being significantly deeper and potentially close to groundwater levels. As there are no other disposal routes for this portion of the site then this short length will be pumped to the main surface water drainage network. While in principle this is acceptable, the details do state that the capacity of the soakaway will be dependent on detailed design once the catchment area is completely fixed. Therefore, a pre-commencement condition for drainage design is recommended to any permission if the application is approved.

9.82 The applicant's drainage consultant has confirmed that, given the infiltration soakage tests undertaken for the preliminary design, the ground is suitable for soakaways apart from the northern area of the site and an attenuation tank system is not proposed. However, they have confirmed that some of the infiltration tests were undertaken for 2 rather than the 3 cycles as required within BRE Digest 365. While it is unlikely there will be a material change to the results, the submission of a final detailed design with full infiltration test results should be the subject of a pre-commencement condition.

9.83 It has been confirmed that the permeable paving will be part of the tanked soakaway system with the runoff draining into porous pipes and not into the ground in the locations where the infiltration tests showed that the ground conditions would not be suitable for soakaways. This is acceptable.

9.84 Therefore, subject to conditions, no objections to the proposals are raised from a drainage perspective.

#### ix Sustainability (resources)

9.85 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. An adequate Sustainability Statement has not as yet been received therefore a condition is recommended to be imposed in order to secure this.

9.86 Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. No Energy Demand Assessment has been submitted therefore again a condition is recommended to be imposed to secure this.

#### x Thames Basin Heaths SPA

9.87 In the light of the "Sweetman Judgement" (People Over Wind and Sweetman v Coillte Teoranta, April 2018) the comments below comprise an Appropriate Assessment which is consistent with the advice provided to PINS on such matters.

9.88 This response is based on the following information provided by the applicant:

- The scheme will comprise 15 x 1 beds and 58 x 2 beds apartments, allowing choices of space for couples and/or individuals or friends/siblings – who wish to live in a place that is adaptable to deal with their health needs and gives access to 24/7 care and support.
- However, taking into account of the number of residents who will be immobile, the number of dwellings is reduced to 60 x 1 bed dwellings less an existing dwelling.

- A summary of six other sites that Anchor has developed and now operate across the county, provides evidence of how mobile residents are and average occupancy levels of the assisted living units.

9.89 It is understood that one 5+ bed dwelling is to be demolished as part of the proposal.

#### Summary of Response

9.90 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m – 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 therefore been carried out including mitigation requirements.

9.91 This site is located approximately 2.9km 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.

9.92 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 Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. 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. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.93 In this instance, the development would result in an equivalent net increase of 60 x 1 beds replacing one 5+ bed dwelling which results in a total SANG contribution of £256,294

9.94 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £22,888.

9.95 The total SPA related financial contribution for this proposal is £279,182. The applicant must agree to enter into a S106 agreement to secure the SANG and SAMM contributions 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 Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD and the NPPF.

#### xi Securing necessary infrastructure

9.96 CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

9.97 Guidance in the Planning Obligations SPD, which came into effect (with CIL) on 6 April 2015, is relevant.

9.98 CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.99 CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These comprise:-

- Provision and enhancement of land to Suitable alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
- specified Local Road Network capacity improvements
- strategic road network improvement outside the borough
- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

9.100 CIL receipts could be spent on items not listed on the Regulation 123 list that meet the government criteria on CIL spending.

9.101 In accordance with Policy CS6 of the CSDPD and Planning Obligations SPD the following additional measures to mitigate the proposal would be sought and secured through an appropriate legal agreement.

9.102 Travel Plans –A section 106 obligation will be required to ensure a final travel plan is approved prior to occupation and to secure the contribution of a travel plan fee of £3000 to cover the review and monitoring of the Travel Plan and a Travel Plan deposit of £5,000 returnable if the conditions of the Travel Plan are met.

9.103 Biodiversity – The Council in line with the NPPF seeks to ensure any new development brings net gains to biodiversity. It will therefore seek a £20,000 contribution towards biodiversity enhancements to serve the site at Wentworth Way /Ascot Priory Woodland as identified on page 155 of the POSS for Bracknell Forest.

9.104 Subject to securing the contributions above, it is not considered that the proposal would have detrimental negative impact upon surrounding facilities.

#### xii Pollution

9.105 As part of this site is within the 250m buffer zone of a landfill site, conditions are recommended to ensure that there has been no transfer of contaminants within the soil to protect the health of future residents. This is considered to be in accordance with Policy EN25 of the BFBLP.

#### xiii ECOLOGY

9.106 The application site comprises a house, lodge, associated outbuildings and gardens (with trees and ponds). The site is surrounded by habitat of good wildlife value – it is

neighbouring by woodland in all directions, with a golf course 70m east, large grassland areas 60m east and 170m northeast, and Englemere Pond Nature Reserve 500m southeast. The ecological implications of the proposals are discussed below.

## Bats

### Buildings

9.107 The ecological appraisal (Clarke Webb Ecology Limited, 'Ecological Appraisal', Rev 2) confirms that a number of bat surveys have been undertaken between 2011-2017.. The main house has hosted up to 5 species of roosting bats over this period, with the more recent surveys finding brown long-eat, soprano and common pipistrelle bats. The stables were also found to be hosting roosting bats in 2017.

9.108 It is therefore very likely that the proposed works will disturb or harm roosting bats. As such, a licence for development works affecting bats will need to be obtained from Natural England, for derogation from the provisions of the Habitat Regulations, before works which could impact upon the roost can commence – this can be conditioned (wording provided below). The report provides a mitigation plan to ensure that bats are not harmed and that replacement roosting sites are provided and that the favourable conservation status of bats will be maintained.

### Trees

9.109 Numerous trees are scheduled for removal as part of the development. The ecology report concludes that some of these trees have bat roosting potential. However, no evidence of bats roosting within the trees was observed. Section 4.15 of the report recommends that the trees should be further surveyed prior to removal and checked following removal before being chipped. This can be ensured through the provision of a Construction Environment Management Plan (CEMP), which should be conditioned.

### Foraging and commuting bats

9.110 The report recommends that any external lighting should be “directed away from likely bat foraging/commuting routes”, i.e. the woodland edge. As such, the provision of a wildlife-sensitive lighting scheme should be subject to a planning condition.

## Great crested newts

9.111 There are records of great crested newts (GCN) within ponds offsite (100m west and 80m east), and 1 GCN was recorded in Pond 1 in 2011, with GCN eDNA also recorded here in 2016. No newts were observed onsite during the 2017 surveys. Assuming that Pond 1 and the nearby ponds may still be used by GCN, and considering the suitability of some terrestrial habitats onsite for use by GCN (woodland edge, shrubbery, piles or rubble/timber etc), the proposed works may adversely affect GCN. The report provides an outline mitigation plan to ensure that GCN will not be harmed, and if it is implemented the favourable conservation status of GCN will be maintained.

9.112 As such, and as per the report's recommendations, a licence for development works affecting GCN will need to be obtained from Natural England, for derogation from the provisions of the Habitat Regulations, before works which could affect GCN commencing – this can be conditioned.

## Badgers



9.113 Two outlying badger setts were identified within the redline boundary. The report notes that no other signs of badgers were found, besides “occasional poorly defined tracks through denser shrubbery”.

9.114 The setts will not be lost as a result of the development. However, the setts are located within 20m of the development area where new hardstanding, courtyards and a small refuse building will be constructed.

9.115 Since 1) badgers can open up new setts overnight, 2) there is a risk that the setts (if occupied at the time that works start) could be disturbed/damaged by groundworks nearby it is recommended that an updated badger survey is undertaken prior to commencement of works. This should be secured via a planning condition.

#### Reptiles

9.116 The reptile surveys have been undertaken to an appropriate standard, and the report concludes that since no reptiles were found on site, the proposals are unlikely to directly adversely affect any reptile species. However, because slow worm and common lizard have been recorded at a neighbouring site, it is suggested in Section 4.20 that some precautionary measures are to be adopted. These measures – to include grass maintenance and careful removal of any piles of debris – would be sufficient to ensure that the risk of the works affecting reptiles remains minimal. This will need to be addressed in a CEMP which should be secured via a planning condition.

#### Other protected wildlife

9.117 The proposals are considered unlikely to adversely affect any protected habitats.

9.118 Nesting birds were observed onsite. To ensure that nesting birds are not harmed during vegetation and building clearance, such works should be undertaken outside of the bird nesting season or, if that is not practical, all areas to be cleared should be checked immediately prior by a suitability qualified ecologist. This measure should be detailed within the CEMP.

9.119 In line with the NPPF, the development should incorporate opportunities for wildlife such as bird and bat boxes, reptile refugia and wildlife-friendly landscaping. The provision of biodiversity enhancements should be secured via a planning condition.

9.120 As such, subject to the conditions below, the proposals would be in accordance with ecology related planning policy.

## 10. CONCLUSIONS

10.1 A recent Secretary of State decision has indicated that where policies do not accord with the NPPF, then they are considered as being out of date and it falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 8 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

An Economic Role:

10.2 The proposal would provide additional specialist residential units which would contribute to the five year housing land supply. As the Council can demonstrate a five year housing land supply, it is considered that this is a consideration which carries moderate weight in favor of the proposal.

10.3 The application would also have other economic benefits including supporting the local economy through the creation of construction jobs and employment opportunities once the home is up and running, and the future residents spending at local shops etc. Given Bracknell's strong economy, it is considered that these benefits carry limited weight. This view has been endorsed by Inspectors in other appeals within the Borough (Locks Ride and Tilehurst Lane).

#### A Social Role

10.4 The NPPF definition of the social strand of sustainable development includes providing a supply of houses which meets the needs of present and future generations, and creating a high quality built environment 'with accessible local services that reflect the communities needs and support its health, social and cultural well being' (para 8).

10.5 Chapter 8 of the NPPF seeks to facilitate social interactions by providing opportunities for meetings between members of the community who might not otherwise come into contact with each other (paragraph 91). The location of the proposal results in the development not adjoining any existing community and being physically separated from the settlements of Bracknell and Ascot. Whilst it is envisaged that the proposal would create a community of its own, promoting and supporting social interactions between residents, the location means that interactions with the wider community would be limited. The proposal would have benefits for the residents in terms of supporting independent living longer which is shown to have health benefits.

10.6 Bracknell Forest can presently demonstrate a 5year supply of housing land. Accordingly policies relating to housing land supply are considered to be in date. The applicants have argued that the proposal would meet a demonstrable need for specialist elderly persons care within the Borough. The Council accepts that the population of Bracknell Forest is ageing, and like the rest of the country, there will be a need to provide housing to meet this need. However, developments to meet this need are being brought forward either as windfall sites or within larger allocations and at present the Council is on track to meet its C2 requirement. However, the Council recognises that there is a slight under supply of C3 (assisted living) properties. Therefore moderate positive weight is attributed to the contribution this application would make to the specialist housing need.

10.7 As the proposal does not provide any affordable housing there is no benefit from the development in this regard.

10.8 The last element of the social role discusses accessibility to services that reflect the community's need. The site is located with vehicle access from Swinley Road, and a pedestrian access to London Road. Swinley Road has a narrow overgrown footpath along its length, which would not encourage journeys on foot. London Road benefits from a footway/cycle way and is lit.

10.9 The nearest doctors surgery is 1.3km, local shops 900m, and station 1.2km away, a reasonable walk. It is considered that for the majority of trips to access services and facilities people with access to a car would be inclined to drive or use the onsite minibus.

10.10 There is a bus route along London Road with the most frequent route providing an hourly service). The poor access to public transport limits travel mode choice and is contrary to point c) of para. 102 and para. 103 of the NPPF.

10.11 It is therefore considered that opportunities for travel other than the private car are limited. The proposal is considered to conflict with Policies CS1, CS2 and CS23 of the CSDPD and therefore carries moderate weight against the application.

10.12 Overall the social benefits brought by the proposal are outweighed by the negative impacts and therefore the social impacts of the proposal are considered to be neutral.

#### An Environmental Role

10.13 The applicant considers that the proposal would have a limited impact on the character and appearance of the countryside due to the screening afforded by the retained vegetation around the site. However it is apparent that the proposal would be visible through the vehicular entrance and egress points, where the vegetation is slightly thinner, or during those months when trees are not in leaf. Significant trees which contribute to the character of Swinley Road would be lost as well as trees within the site, all of which are protected.

10.14 Whilst the site is partially PDL, the height of the proposed development which includes a large four storey element is clearly out of scale with its surroundings. The scale and spread of the proposal does not relate acceptably to the character and appearance of the area. When viewed from the surrounding area the proposal would form an incongruous development not comprising the good design required by Chapter 12 of the NPPF and not in accordance with CSDPD Policy CS7 or BFBLP Policy EN20.

10.15 Policy EN8 seeks to protect the countryside for its own sake only permitting development in certain circumstances and only where it would not adversely affect the character, appearance or function of the land, and, where conspicuous from the Green Belt would not injure the visual amenities of the Green Belt. Since the proposal does not meet any of the exceptions, the proposal is directly contrary to this policy.

10.16 Policy EN8 is not considered to be wholly consistent with the NPPF which instead of protecting the countryside for its own sake, seeks to 'recognise the intrinsic character and beauty of the countryside' (para. 170). It therefore falls for any benefits of the proposal to be weighed against the character, appearance and function of the land.

10.17 The proposal, due to the spread of development and its mass and height, is considered to significantly change the character of the site. It also results in the loss of several mature trees which contribute to the setting. This is considered to be a significant negative impact.

10.18 From London Road and Swinley Road the impact upon the character is less marked. Restricted views of the proposal would be available through the retained vegetation. On Swinley Road the loss of T217 would have a significant detrimental impact, creating a gap in the solid line of vegetation which encloses the highway and makes a positive contribution to the character. This is considered to have significant negative weight.

10.19 The site also forms an important function in separating the built forms of Bracknell and Ascot and protecting the edge of the Green Belt which has been demonstrated as being at its narrowest and therefore most threatened by development in this area. Whilst located outside the Green Belt, the site would be visible from the Green Belt.

10.20 Accordingly the proposal is considered to have substantial negative environmental impacts.

#### Balancing considerations

10.21 The NPPF is a material consideration.

10.22 It is acknowledged that the scheme brings benefits in terms of partially meeting a specific housing need and the health and well-being benefits residents may be derived from the type of accommodation envisaged. Whilst acknowledging an ageing population, the need for housing and specifically C2 accommodation is not considered to be pressing and therefore these aspects are accorded moderate weight.

10.23 The proposal is not considered to be in a wholly sustainable location and is divorced from settlement boundaries with a limited bus service. This will discourage trips other than by private car, and residents from interacting with the wider community. This is afforded moderate negative weight.

10.24 Overall it is considered that the proposal would result in significant harm to the character and appearance of the site and, whilst more limited, would still have a substantial impact to character of Swinley Road. This is considered not to be outweighed by the need for either housing or specialist housing for the elderly whether falling within use Class C2 or C3. Accordingly the proposal is considered to be contrary to Policies CS9 of the CSDPD, Policies EN1 and EN8 of the BFBLP.

#### **11. RECOMMENDATION: REFUSE for the following reason(s):**

01. The proposal would result in a large development, of increased height, scale and mass of built form than currently on the site, and out of scale with other development in the area. The proposal would require the removal of a number of protected trees. Accordingly the proposal would result in an incongruous development, harmful to the character and appearance of the area and the site. The proposal is therefore contrary to Policies CS7 and CS9 of the CSDPD, EN1, EN8 and EN20 of the BFBLP and to the NPPF.
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).
03. In the absence of a planning obligation to secure a travel plan and contribution towards off site bio-diversity improvements in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy CS6 of the Core Strategy Development Plan Document and the Planning Obligations SPD (2016).

## Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.
  
02. Plans and documents considered by this application:  
Plans considered:  
4694 (LP01) - Site Location Plan  
4694 PL03 (H) - Proposed Site Plan  
4694 PL05 (B) - Ground Floor Plan  
4694 PL06 (B) - First Floor Plan  
4694 PL07 (B) - Second Floor Plan  
4694 PL08 (B) - Third Floor Plan  
4694 PL09 (C) - Roof Plan  
4694 PL10 (D) - Proposed Elevation 01  
4694 PL11 (C) - Proposed Elevations 02, 03  
4694 PL12 (D) - Proposed Elevations 04  
4694 PL13 (C) - Proposed Elevations 05, 06, 07  
4694 PL14 (A) - Contextual Elevation Section  
AR-3702bo TWP app E.6 – Tree Works Plan  
  
Documents considered:  
Clarke Web Ecology Limited 'Ecological Appraisal' Rev 2  
Quaife Woodlands AR-3702 bo Rev. D – Arboricultural Survey and Planning Investigation Statement  
Flood Risk Assessment and Drainage Strategy  
Drainage Calculations and Information received 07.06.18
  
03. Reasons for refusal 2 and 3 could be overcome with an appropriately worded legal agreement.