

ITEM NO: 08

Application No.
18/00620/FUL
 Site Address:

Ward:
 Priestwood And Garth

Date Registered:
 19 June 2018

Target Decision Date:
 14 August 2018

**Blocks A, B and C Christine Ingram Gardens
 Bracknell Berkshire**

Proposal:

Creation of six additional apartments following the internal reconfiguration of 4no. existing apartments in Blocks A,B and C, and utilisation of existing roofspace in Block A, installation of dormer windows and alterations to parking layout.

Applicant:

Cover Homes Ltd

Agent:

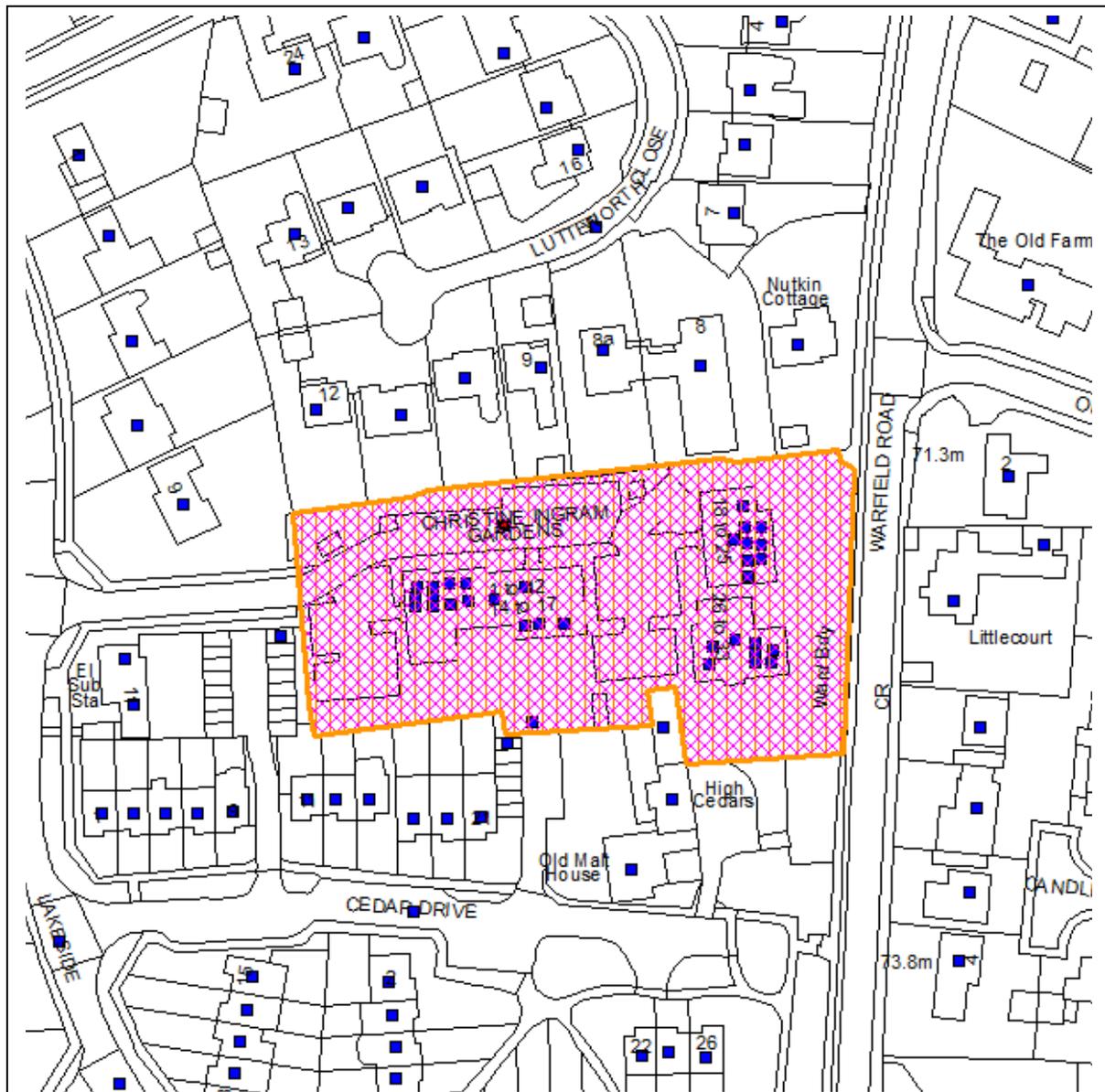
Nexus Planning

Case Officer:

Sarah Horwood, 01344 352000

development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1. SUMMARY

1.1 The proposal relates to the provision of 6no. additional residential units of accommodation on a site within the defined settlement. The proposal would not adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions for future occupiers of the proposed units/reconfigured units would be provided. Further, the development would not result in adverse impacts to the character and appearance of the area.

1.2 It is considered that an acceptable level of parking provision would be provided (maintaining the accepted parking ratio of 1.5 spaces per dwelling on site) which would not give rise to on-street parking or highway safety issues.

1.3 Relevant conditions can be imposed in relation to landscaping, trees and highways.

1.4 A legal agreement is required to secure contributions for SPA mitigation and affordable housing.

RECOMMENDATION

Planning permission be granted subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.
--

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Defined Settlement

Within 5km of the Thames Basin Heath SPA
--

Tree Preservation Order TPO ref: 577

3.1 Christine Ingram Gardens comprises 3no. buildings on site (referred to as Buildings A, B and C) which provide a total of 26no. residential units of accommodation. Building A is sited closest to the access road to the site from Lakeside whereas Buildings B and C are located to the west of Warfield Road. There is one vehicular access serving the site which leads from Lakeside.

3.2 The site is bounded to the north by residential gardens of properties at Lutterworth Close, to the east lies Warfield Road, to the south it is bounded by the residential gardens of properties at Cedar Drive. The site is accessed from a spur road leading off of Lakeside to the west.

3.3 Surrounding the existing buildings are parking spaces serving the development, along with communal amenity areas, bin and cycle stores.

4. RELEVANT SITE HISTORY

4.1 There is a very extensive planning history relating to this site.

Original permissions for the development:

03/01129/OUT refused March 2004 for outline application (including details of siting and means of access) for the erection of 2no. two storey buildings each accommodating 6 flats and 1no. building accommodating 12 flats with associated parking and access onto Lakeside. Allowed at appeal.

05/00069/REM approved May 2005 for submission of details of design, external appearance, landscaping and means of access for the erection of 2 x two storey blocks of 6 flats and 1 x block of 12 flats pursuant to outline planning 03/01129 approved under appeal.

4.2 Following the outline and reserved matters application, 5 applications to provide additional residential accommodation in the roof spaces of existing blocks were submitted:

- 05/00707/OUT Addition of 2no. additional flats in Building C with 2no. additional car parking spaces and revised bin store locations).

Allowed on appeal. Inspector did not consider that the proposal would result in overlooking of neighbouring properties or unacceptable increase in traffic.

- 08/00511/FUL Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Dismissed on appeal. The inspector considered that there would be no harm to residential amenity as a result of the insertion of velux windows or dormer windows and that changes to the parking area would have little overall effect on the visual amenity of the area. The inspector considered that the additional 6 units would result in a net increase of 30 residential units on the site. This exceeds the threshold where affordable housing should be provided as part of the development and no affordable housing provision had been made.

- 08/00789/FUL Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Application refused. The decision was made before the appeal decision for the previous application 08/00511/FUL and was on the basis of loss of landscaping on the site to accommodate additional car parking, failure to provide affordable housing on the site and failure to enter into a S106 Agreement to secure infrastructure contributions.

- 09/00180/FUL Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Appeal dismissed. The inspector agreed with the inspector determining application 08/00511/FUL that there would be no harm to the character or appearance of the site or wider area and no significant overlooking or loss of privacy for neighbouring properties. The inspector considered that the contribution offered by the applicant towards affordable housing provision was inadequate

preferring the Council's approach to considering viability in assessing the proposal and the affordable housing requirement.

- 11/00015/FUL Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A - Nos 1 - 15 Inc, 2no. one bedroom flats in Block B - Nos 26 - 31 Inc). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Application refused by the Planning Committee on the basis of overdevelopment, failure to provide affording housing and failure to enter into a S106 Agreement to secure infrastructure contributions.

Block A

4.3 There have been further applications for the following works:

12/00536/CLPUD approved for application for a certificate of lawfulness for the proposed use of loft space for residential purposes ancillary to units 4, 6, 12 and 15 of Block A, installation of internal staircases and installation of 8 velux windows.

12/00871/FUL approved for creation of 1no. one bedroom flat in roof space of Block A (unit 8) and merging of Nos 1 and 2 to form 1 no. three bed flat (unit 1) in Block A and installation of dormer windows

12/00873/FUL approved for creation of 1no. one bedroom flat in roof space of Block A (unit 7) and merging of units 4 and 5 to form 1 no. three bed flat (unit 4) in Block A and installation of dormer windows.

12/00874/FUL approved for creation of 1no. one bedroom flat in roof space of Block A (unit 16) and merging of units 9 and 12 to form 1 no. three bed flat (unit 9) in Block A and installation of dormer windows

12/00583/FUL approved for installation of 11no. dormer windows in roof of Block A.

13/00505/FUL approved for creation of 1no. two bedroom apartment in roof space and merging of existing 2no. two bedroom apartments to form 1no. three bedroom apartment, with associated installation of 3no. dormer windows and alterations to car parking layout (total number of units to remain at 26). Note for clarification: This application is for an alteration to planning permission 12/00873/FUL to increase the number of bedrooms in the roof space apartment from one to two.

13/00506/FUL approved for creation of 1no. two bedroom apartment in roof space and merging of existing 2no. two bedroom apartments to form 1no. three bedroom apartment, with associated installation of 3no. dormer windows and alterations to car parking layout (total number of units to remain at 26). Note for clarification: This application is for an alteration to planning permission 12/00874/FUL to increase the number of bedrooms in the roof space apartment from one to two.

Block B

4.4 There have been further applications for the following works:

11/00630/CLPUD granted for certificate of lawfulness for the proposed use of roof space of Block B for residential purposes ancillary to Nos: 29 and 31 and the insertion of 4 velux windows.

12/00211/FUL approved for installation of 6no. dormer windows in roof of Block B - Nos 26 - 31 Inc.

12/00830/FUL approved for creation of 1no. one bedroom flat in roof space of Block B and merging of Nos 26 and 27 to form three bed flat and installation of dormer windows

13/00851/FUL approved for creation of 1no. two bedroom flat in roof space, with associated installation of 3no. dormer windows and alterations to car park layout (total number of units to remain at 26). Note for clarification: This application is for alterations to planning permission 12/00830/FUL, to change the number of bedrooms in the approved roof space apartment from one to two.

Affects Blocks A and C

4.5 There have been further applications for the following works:

12/00875/FUL approved for creation of 1no. one bedroom flat in roof space of Block A (unit 17) and merging of units 24 and 25 to form 1 no. three bed flat (unit 24) in Block C and installation of dormer windows.

Affects Blocks B and C

4.6 There have been further applications for the following works:

12/00958/FUL approved for creation of 1no. one bedroom flat in roof space of Block B with installation of 3 dormer windows and reduction of number of units in Block C by altering 3 no. two bedroom flats to 1 no. three bedroom and 1 no. two bedroom flat. Total number of units remains at 26.

5. THE PROPOSAL

5.1 Full permission is sought for the creation of six additional apartments following the internal reconfiguration of 4no. existing apartments in Blocks A, B and C, and utilisation of existing roof space in Block A, installation of dormer windows and alterations to parking layout.

Internal alterations:

5.2 Works which normally affect only the interior of a building are not considered development in accordance with Section 55 (2) of the Town and Country Planning Act 1990 (as amended). However, the works subject to this application result in the creation of additional residential units of accommodation which in itself requires planning permission.

5.3 At present, the 26 existing units on site in the 3 existing residential buildings on site known as Blocks A, B and C which comprise the following mix:

- 4no. 1 bedroom units;
- 18no. 2 bedroom units;
- 4no. 3 bedroom units,

5.4 This application proposes the creation of 6 additional flats across the site. 4 of the additional units would be created by altering the internal layout of 4no. existing 3 bedroom flats in the 3 buildings on site and changing them to be 2 bedroom flats; thus some of the remaining floor space of the existing flats then is given over to making 4 of the new units and then 2 units would be created in the roof void of one of the buildings.

5.5 The proposed development would:

- increase the number of units in Block A from 12 to 16 (net 4 units);
- increase the number of units in Block B from 7 to 8 (net 1 unit);
- increase the number of units in Block C from 7 to 8 (net 1 unit).

5.6 As such, the proposed development would result in the following:

A total of 32 units on site, comprising the following mix:

- 6no. 1 bedroom units;
- 26no. 2 bedroom units.

5.7 This application would create 2no. additional 1 bedroom units over the existing; 8no. additional 2 bedroom units over the existing and the loss of 4no. 3 bedroom units (which would be altered to 2 bedroom flats).

External alterations

5.8 External alterations are proposed to one of the existing buildings – Building A, with the addition of dormer windows to 3 of the 4 elevations of the building:

- 2no. additional dormer windows are proposed on the northern elevation;
- 1no. additional dormer window is proposed on the southern elevation;
- 1no. additional dormer window is proposed on the western elevation.

5.9 No external alterations are proposed to Buildings B and C.

5.10 It is also proposed to provide additional visitor parking at the site in the form of three parallel parking bays within a layby on the Lakeside spur road leading to Christine Ingram Gardens.

5.11 A new cycle store is proposed to the south of Building B.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Bracknell Town Council recommend refusal for the following reasons:

- 1) Councillors are concerned that although apartments have previously been approved in these roof spaces the addition of more apartments within the them will be detrimental to overcrowding in this Cul-de-Sac.
- 2) Increased traffic flow, congestion and parking issues in an already vehicle heavy area that also has many other developments in progress locally.
- 3) Overdevelopment would impact on this already busy residential close.
- 4) Finally Councillors would like it noted that they are disappointed in the way the provision of any affordable housing has been avoided.

Other representations

6.2 11 objections (from 10 postal addresses) have been received which can be summarised to include the following matters:

- Why is development necessary other than to financially benefit the Applicant.
- Is no need for purpose built flats to undergo continual redevelopment.
- Additional building works will generate noise, dust, disturbance, impact on communal areas both on and off site.
- Description of development as applied for is incorrect (*officer comment: description has been amended to relate to converting existing flats, creating new flats in the roof space, along with external alterations to the building, reconfiguring parking*).
- Additional flats will make development more overcrowded and less pleasant place to live.
- Insufficient parking provision.
- Parking/traffic issues.
- Overlooking issues.
- Building works could result in ground movements and may cause damage to surrounding properties and affect existing trees.

- Issues around affordable housing provision on this site.
- Need more affordable housing in Bracknell.
- Would undo conditions imposed on previous planning permissions (officer comment: in the event of this permission being granted, any conditions imposed on this permission could override previous permissions and their conditions).

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection subject to conditions.

Tree Officer

7.2 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 and CS2 of CSDPD	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP;	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Trees and biodiversity	CS1, CS7 of CSDPD, Saved policies EN1 and EN20 of BFBLP	Consistent
Energy Sustainability	CS10, CS12 of CSDPD	Consistent
SPA	SEP NRM6, CS14 of CSDPD and EN3 of BFBLP	Consistent
Affordable housing/mix	CSDPD Policies CS16 and CS17 Saved Policy H8 of the BFBLP	Consistent Definition of 'affordable housing' provided in Para. 5.59 of Policy is not consistent with the NPPF. However main thrust of policy is consistent with paras. 61, 62 and 64 of the NPPF.
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Design SPD		
Sustainable Resource Management SPD (2008)		
Thames Basin Heaths SPA SPD (2018)		
Planning Obligations SPD (2015)		

Other publications
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)
CIL Charging Schedule

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of the area
- iv. Transport implications
- v. Trees
- vi. Viability/affordable housing
- vii. Thames Basin Heath SPA
- viii. Community Infrastructure Levy (CIL)
- ix. Energy sustainability

i. Principle of development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12).

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements.

9.4 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. The site is located with the Defined Settlement as designated by the Bracknell Forest Borough Policies Map (2013). As such, the proposal is considered acceptable in principle subject to no adverse impact on residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc. These matters are discussed below.

ii. Residential amenity

9.5 Policy EN20 of the BFBLP states that developments should not adversely affect the amenity of surrounding properties. This is consistent with the NPPF.

9.6 Guidelines set out in the Council's Design SPD adopted March 2017 state that new windows at second floor level, including a dormer, should be no less than 30m from a neighbouring property and 15m from a boundary where it directly overlooks that boundary.

9.7 The 2no. additional dormer windows proposed in the northern elevation of Block A would be set 17m from the northern boundary of the site, backing onto the residential gardens of properties on Lutterworth Close. Directly to the north of the proposed additional dormer windows are nos. 9 and 10 Lutterworth Close, both of which have single storey rear extensions. There would be a 30m separation distance between the additional dormer windows and the rear elevations of nos. 8a, 9, 10 and 11 Lutterworth Close. In view of the separation distances to properties on

Lutterworth Close, it is not considered that the additional dormer windows on the northern elevation would result in a level of overlooking and loss of privacy that would be detrimental to the residential amenities of these properties.

9.8 The 1no. additional dormer window proposed in the southern elevation would be set 15m from the southern boundary and 30m from the rear elevations of nos. 17 to 21 Cedar Drive. There would be a 30m separation distance from the proposed dormer to High Cedars, Cedar Drive and 40m to Old Malt House, Cedar Drive at the closest points. In view of these separation distances to properties on Cedar Drive, it is not considered that the additional dormer window proposed on the southern elevation would result in a level of overlooking and loss of privacy that would be detrimental to the residential amenities of these properties.

9.9 The 1no. additional dormer window proposed in the western elevation would be set 20m from the western boundary of the site, with a separation distance of 50m to the rear elevation of no. 11 Lakeside. There would be in excess of 20m separation distance between the proposed dormer to the south-western boundary, with in excess of 30m separation distance between the proposed dormer and the rear elevations of nos. 9 and 11 Cedar Drive. In view of these separation distances to no. 11 Lakeside and nos. 9 and 11 Cedar Drive, it is not considered that the additional dormer window on the western elevation would result in a level of overlooking and loss of privacy that would be detrimental to the residential amenities of these properties.

9.10 Further, there are existing dormer windows on all 4 elevations of Block A and the additional dormer windows proposed by this application would not result in any additional overlooking/loss of privacy over and above that already approved by previous permissions.

9.11 The 4no. additional dormer windows due to their size and projection would not appear visually intrusive to adjoining dwellings to the north, south and west who have views over and across the site.

9.12 A new cycle store is also proposed to the south of Building B. This would not affect the residential amenities of flats at Christine Ingram Gardens or adjoining properties offsite.

9.13 The 6no. additional flats proposed, whether created by altering the internal layout of existing flats or utilising the roof void of Block A, would all be provided with acceptable living conditions. Each flat would have sources of natural light, along with proposed windows providing natural ventilation. As such, acceptable living conditions for future occupiers of the proposed units/reconfigured units would be provided.

9.14 Additional parking provision would be provided in the form of a layby for 3no. parking spaces on the spur road leading from Lakeside to Christine Ingram Gardens. These parking spaces would be located to the south of the spur road and adjacent to 2 blocks of garages which are accessed from Cedar Drive. The nearest adjoining residential dwellings would be nos. 9 and 11 Lakeside. It is not considered that the provision of layby parking for 3no. vehicles would result in adverse noise and disturbance to adjoining dwellings given the spur road is used by vehicular traffic travelling to and from Christine Ingram Gardens. Further, the proposed works to create the layby would be at surface level and would not appear visually intrusive to adjoining dwellings.

9.15 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions for future occupiers of the proposed units/reconfigured units would be provided. As such, the proposal would be in accordance with Saved Policies EN20 and EN25 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

9.16 Policy EN20 of the BFBLP and Policy CS7 of the CSDPD relate to design considerations in new proposals and are relevant considerations. These policies seek to ensure that developments are sympathetic to the character of the area and are of a high design. This is consistent with the NPPF.

9.17 Para 118 e) of the NPPF states that planning policies and decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes.

9.18 The Council's Design SPD (March 2017) provides design principles and best practice to guide design quality in the Borough. In terms of roof extensions, the SPD recommends that:

- dormers should be sized so they are subordinate elements at roof level, and do not extend across the full width of the roof;
- ensure that dormers do not rise above the ridge or hip of a roof;
- preferably align new openings with those on the lower levels.

9.19 4no. additional dormer windows are proposed on the roof slope of Block A. The additional dormer windows proposed would allow some of the existing roof space to be utilised for additional units of accommodation in accordance with para 118 e) of the NPPF. The provision of additional residential units within existing residential buildings within the settlement boundary within an existing residential area would not detract from the character of the area.

9.20 There are existing dormer windows on all 3 of the existing buildings on site (known as Buildings A, B and C) and the additional dormer windows proposed on Block A would replicate the design and appearance of existing dormer windows across all 3 of the existing buildings on site.

9.21 The proposed dormer windows would not involve raising the roof height of the building. They would be set approximately 0.7m lower than the existing ridge line of the building and would broadly align with existing windows at ground and first floor levels.

9.22 As such, the proposed dormer windows would not detract from the host building (block A) nor from the 2 other existing buildings (blocks B and C). Due to the existence of existing dormer windows, the additional 4no. dormer windows would not be considered visually prominent when viewed from within the development or from public vantage points of surrounding highways at Lakeside, Cedar Drive, Lutterworth Drive and Warfield Road.

9.23 A new cycle store is also proposed to the south of Building B. This would not appear visually prominent either within the site or offsite due to its siting.

9.24 Additional parking is proposed in the form of a layby for 3no. parking spaces on the spur road leading from Lakeside to Christine Ingram Gardens. The proposed layby parking would be created by converting part of an existing footway which is already hard landscaped and would be laid to a block paving finish. Additional planting is proposed to soften the proposed layby parking which would reinforce existing planting located to the south of the spur road. Given the nature of the proposed works and that additional planting can be secured by condition, it is not considered that the addition of off-site parking provision would detract from the visual amenities of the area.

9.25 As such, the development would not result in an adverse impact on the character and appearance of the area and would accord with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD, the Design SPD and the NPPF.

iv. Transport implications

9.26 Policy M9 of the BFBLP ensures that development provides satisfactory parking provision for vehicles and cycles. A further material consideration for parking provision for vehicles and cycles is provided in the Council's adopted Parking Standards SPD. The NPPF refers to local authorities setting their own parking standards for residential development.

9.27 This application is accompanied by a Transport Statement; however Highway Technical Notes have been submitted during the course of the application to address matters relating to parking and cycle provision.

Access

9.28 Christine Ingram Gardens is a private residential development accessed off Lakeside, an adopted residential road which is subject to a 30mph speed limit. The adopted highway terminates at the gated access to Christine Ingram Gardens and the section of Lakeside (leading to Christine Ingram Gardens) is around 5.5m wide which can accommodate two-way traffic movements and has footways to either side. Acceptable sightlines can be achieved for vehicles exiting onto the main part of Lakeside.

Parking

9.29 Following extensive discussions relating to highways and trees, a revised parking layout of 46no. spaces are to be provided which all effectively exist on site. However these spaces are not necessarily all formally marked out as parking.

9.30 In addition to the 46no. parking spaces on site, an additional 3no. visitor car parking spaces are proposed. The 3no. proposed visitor parking spaces are proposed on a disused section of footway on the southern side of the spur road of Lakeside which provides access to Christine Ingram Gardens. In total, 49no. parking spaces are to be provided on site.

9.31 As a result of the proposed provision of 3no. parking spaces in this location outside of the site, the adjacent carriageway would be narrowed to 4.8m, however this would remain of sufficient width to allow two vehicles to pass in opposite directions and pass parked vehicles in the proposed layby.

9.32 The proposed layby parking can be secured by a S278 Agreement (separate to the planning process), however a condition is recommended to secure the layby parking as proposed.

9.33 It has been demonstrated through the submission of a Transport Statement that there is unused parking capacity available on site (car ownership data suggests a ratio of 1.5 spaces per unit is sufficient) as well as no on-street parking restrictions in the surrounding area which could accommodate some visitor parking. The site is also in a relatively sustainable location which would allow some flexibility in the parking standards. The total parking provision on site of 49no. parking spaces would equate to a parking ratio of 1.53 spaces per dwelling. Historically, parking provision on site has been provided at a ratio of 1.5 spaces per dwelling based on the Council's previous 2001 parking standards. To fully accord with current parking standards, the changes to unit sizes and additional units in the roof space would require 11 additional parking spaces (10 spaces for the units and 1 space for visitors). Based on the historically agreed parking ratio of 1.5 spaces per dwelling, 9 additional parking spaces would be required. In this instance 3 additional parking spaces are proposed (adjacent to the access road to the site off Lakeside) plus re-configuration of a turning-head area to mark out 2 further spaces, noting that these spaces are already being used for parking. Although the proposal could be considered a shortfall against the current parking standards, the applicant has already added five car parking spaces to the originally consented provision, from 39 approved under 05/00707/OUT to 44 spaces now. In order to fully assess the impact of this additional provision against demand, on-site observations by the Highway Authority at different times of day including before the morning peak hour and in the late evening, on a

number of occasions since September 2018 and up to March 2020, indicate that the car park is not typically fully occupied and this combined with the 3 proposed parking spaces, there would be sufficient capacity to accommodate the 6 additional units (new and reconfigured) and maintain a parking ratio of 1.5 spaces per unit over the development as a whole; consistent with that originally permitted for the site (03/01129/OUT & 05/00707/OUT).

9.34 Given a parking ratio of 1.5 spaces per dwelling has previously been accepted on this site, the revised parking provision for 49no. spaces in total (including the 3no. visitor parking spaces in the layby proposed) would maintain this 1.5 space per dwelling parking ratio and as such, would not worsen the existing parking situation. The provision of the 3no. visitor parking spaces in the proposed layby would not reduce the operation of the spur from Lakeside to single-way working.

9.35 Para 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Based on the evidence provided, it is considered that an acceptable level of parking provision would be provided on site. This would maintain the accepted parking ratio of 1.5 spaces per dwelling and would not give rise to on-street parking or highway safety issues. As such, it is the view of Council officers that the application should not be refused on highway grounds.

Cycle Parking

9.36 There are three existing cycle parking racks on site – 1 located to the north of Block A, 1 to the north-east of Block A and 1 to the south-east of Block A.

9.37 An additional cycle store is proposed as part of this application which will provide 8no. additional cycle parking spaces. The proposed cycle store would be covered and secure, located to the south of Block B.

9.38 The provision of additional cycle parking can be secured by condition.

Trips

9.39 6no. additional flats as proposed are likely to generate 24 two-way trips per day, including two or three movements in both peak periods; though not all trips would be by car bearing in mind the site's accessibility to local facilities and the bus route along Folders Lane.

9.40 Subject to the imposition of conditions and for the reasons set out above, the proposal is considered to be in accordance with Saved Policy M9 of the BFBLP, CS23 of the CSDPD and the NPPF. It maintains a parking ratio of 1.5 spaces per dwelling, along with the provision of additional cycle parking. It is therefore not considered that the Council could substantiate a reason for refusal on highway safety grounds.

v. Trees

9.41 The site is covered by an Area Tree Preservation Order, TPO ref: 577 made in 2003. It relates to all trees on site, including Ash and Yew Trees which are located along the northern boundary of the site.

9.42 The reconfiguration and renumbering of parking bays along the northern boundary of the site is acceptable as no excavation or additional hardstanding is proposed.

9.43 The additional parking provision proposed off-site adjacent to the main access (the layby parking) is acceptable in principle on the basis that it is located on top of the original footpath footprint as this is unlikely to have any significant arboricultural impact. This is subject to plotting

and showing the retention of existing vegetation and providing adequate protection measures to safeguard the existing trees and shrubbery along this boundary during the course of the works.

9.44 A detailed scheme of tree protection measures can be secured by condition, along with details of arboricultural site monitoring.

9.45 New tree planting will be required to offset the reduction of green space on-site which can also be secured by condition.

9.46 Subject to the imposition of planning conditions, the proposal would not result in an adverse impact to existing protected trees, in accordance with Saved Policy EN1 of the BFBLP and the NPPF.

vi. Viability/affordable housing

9.47 The original application for the site (03/01129/OUT) was for 22 dwellings (net) which was below the threshold of net 25 dwellings when affordable housing would be sought as set out in Policy H8 of the BFBLP.

9.48 This current application is for 6 additional units which on its own falls below the threshold for seeking affordable housing. However, the original design of the buildings allowed for further expansion without requiring substantial works or increasing the roof height of the buildings. In the appeal decision relating to refused application 09/00180/FUL, the Inspector considered the question of whether or not the addition of 6 units on the site would require the provision of affordable housing on the site and concluded that the 6 additional units were part of a larger development scheme which exceeded the threshold for the provision of affordable housing. Therefore, affordable housing should be sought as cumulatively the development as a whole exceeds the threshold. Accordingly, affordable housing is a material consideration for this proposal.

9.49 Policies CS16 and CS17 of the CSPD (in relation to housing needs and affordable housing) are relevant to this proposal. The Council's affordable housing policy applies to proposals involving 15 net dwellings or more. On such sites there is a requirement for 25% of the proposal to be affordable housing.

9.50 The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances of the case (as set out in the Planning Practice Guidance on Viability updated September 2019). The Council's Planning Obligations Supplementary Planning Document (February 2015) states that viability is a material planning consideration. Para 4.4 of the SPD goes onto state:

"Where a developer seeks the relaxation of normal planning requirements, the onus will be on them to demonstrate that the scheme would otherwise not be viable and that the relaxation sought is the minimum needed to make it viable...Such requests must be supported by clear tangible evidence of viability and costs in a transparent, thorough and robust study which stands up to scrutiny and independent expert review... If it can be demonstrated that a project is not viable; opportunities for flexibility may be considered, such as deferring certain requirements. Any relaxation of planning policy will be the minimum needed to make a scheme viable and be related to delivery and other planning objectives".

9.51 This application has been accompanied by a Viability Assessment undertaken by Whiteleaf Consulting Ltd. This assessment was independently reviewed and scrutinised by the DVS. The DVS considered whether there was a residential surplus for an affordable housing contribution to be made rather than on-site provision (the DVS concluded it was not viable to provide an affordable unit on site). It was concluded that there would be a surplus which could be used as an

affordable housing commuted sum. The Council's Housing team are in agreement with the commuted sum. The contribution that will be secured is not full compliant with Policy CS17 of the CSDPD and the decision of the Council Executive. However, as set out in the Council's Planning Obligations SPD, evidence has been submitted by the developer (and accepted by the DVS) to demonstrate that the scheme would be unviable if the Council sought a fully compliant scheme. As such, a more flexible approach has been taken as outlined in the Council's SPD and a contribution will be secured for affordable housing which will be secured by Section 106 Agreement.

9.52 It is acknowledged that previous applications and appeal decisions for additional residential units on site were refused/dismissed, including on the grounds of affording housing. However, it should be noted that these decisions were made prior to the introduction of the NPPF in 2012, along with the adoption of the Council's Planning Obligations SPD in 2015. A further difference between this current proposal and the previous applications/appeals is that this proposal relates to re-configuring 4no. existing units on site which would result in a loss in value of these existing units which is taken into account as part of the overall viability of the scheme.

9.53 In summary, the DVS consider that an affordable housing commuted sum can be secured and whilst this is not fully compliant with Policy CS17 and the decision of the Councils Executive, having regard to the Planning obligations SPD, it is considered that the application cannot be refused upon the ground of insufficient affordable housing.

vii. Thames Basin Heath SPA

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

Appropriate Assessment

9.55 In accordance with The Conservation of Habitats and Species Regulations (2017) Regulation 63 a competent authority (in this case Bracknell Forest Council (BFC)), before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

- a. is likely to have a significant effect on a European site...(either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site.

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

9.56 A person applying for any such consent, permission or other authorisation must provide such information as BFC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

9.57 BFC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. In the light of the conclusions of the assessment, and subject to Regulation 64 (Considerations of overriding public interest), BFC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

9.58 In considering whether a plan or project will adversely affect the integrity of the site, BFC must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions

9.59 The Council have undertaken an Appropriate Assessment following consultation with NE.

SPA mitigation

9.60 This site is located approximately 4km 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.

9.61 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (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.

9.62 In this instance, the development would result in a net increase of two X 1 bedroom and eight x 2 bedroom dwellings replacing four x 3 bedroom dwellings which results in a total SANG contribution of £25,902.

9.63 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 £2,162.

9.64 The total SPA related financial contribution for this proposal is £28,064. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area SPD, the Planning Obligations SPD and the NPPF.

viii. Community Infrastructure Levy (CIL)

9.65 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.66 CIL applies to any new build (except outline applications and some reserved matters applications) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

9.67 The new units would be created either by the sub-division of existing units into smaller units; or utilising existing roof voids in the buildings. The conversion of existing units into separate units is not considered CIL liable. The creation of new units in what is currently roof void would also not be considered CIL liable given the building as a whole is in lawful residential use for more than 6 months in the last 3 years.

ix. Energy sustainability

9.68 With regards to the requirements of Core Strategy Policies CS10 and CS12 which relate to energy sustainability and renewable energy, the proposal is for the creation of new residential

units of accommodation in 3no. existing residential buildings on site (proposed to be created either by the sub-division of existing units into smaller units; or utilising existing roof voids in the buildings).

9.69 Paragraph 2.6 of the Sustainable Resource Management SPD states that proposals to convert or change the use of a building are excluded from Core Strategy Policies CS10 and CS12. Therefore no submission is required with regard to Policies CS10 and CS12 of the CSDPD.

10. CONCLUSION

10.1 The proposal relates to the provision of 6no. additional residential units of accommodation on a site within the defined settlement.

10.2 The proposal would not adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions for future occupier(s) of the proposed units/reconfigured units would be provided. Further, the development would not result in adverse impacts to the character and appearance of the area.

10.3 It is considered that an acceptable level of parking provision would be provided (maintaining the accepted parking ratio of 1.5 spaces per dwelling on site) which would not give rise to on-street parking or highway safety issues.

10.4 Relevant conditions can be imposed in relation to landscaping, trees and highways.

10.5 A legal agreement is required to secure contributions for SPA mitigation and an affordable housing commuted sum.

10.6 The application is therefore recommended for approval, subject to the completion of a legal agreement.

11. RECOMMENDATION

11.1 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 Basins Heath Special Protection Area (SPA) and to secure an affordable housing commuted sum;

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:-

1. 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.

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 19 June 2018 and 13 February 2020:

Drawing no. 3794/21F

Drawing no. 004 P1 – proposed parking layout found at Appendix 2 of Technical Note by PJA

Drawing no. 3794/22

Drawing no. 3794/23A

Drawing no. 3794/24
Drawing no. 3794/25
Drawing no. 3794/26
Drawing no. 3794/27
Drawing no. 3794/28
Drawing no. 3794/29
Drawing no. 3794/30

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

3. The materials to be used in the construction of the dormer windows hereby permitted shall match those of the existing buildings.

REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]

4. Following the reconfiguration of Flat 4 at first floor level in Block A, Christine Ingram Gardens into 2no. units, the new Flats 4 and 5 at first floor level in Block A as shown on drawing no. 3794/26 received 19 June 2018 by the Local Planning Authority shall thereafter each be retained as s 2 bedroom unit.

REASON: To prevent the creation of additional independent units of accommodation with additional bedrooms without advance planning permission in the interests of proper planning.

5. Following the reconfiguration of Flat 9 at ground/first floor level in Block A, Christine Ingram Gardens into 2no. units, Flat 9 at ground floor level and Flat 12 at first floor level in Block A as shown on drawing no. 3794/26 received 19 June 2018 by the Local Planning Authority shall thereafter each be retained as a 2 bedroom unit.

REASON: To prevent the creation of additional independent units of accommodation with additional bedrooms without advance planning permission in the interests of proper planning.

6. Following the reconfiguration of Flat 26 at ground floor level in Block B, Christine Ingram Gardens into 2no. units, the creation of new Flats 26 and 27 at ground floor level in Block A as shown on drawing no. 3794/27 received 19 June 2018 by the Local Planning Authority shall thereafter each be retained as 2 bedroom units.

REASON: To prevent creation of additional independent units of accommodation with additional bedrooms without advance planning permission in the interests of proper planning.

7. Following the reconfiguration of Flat 22 at first floor level in Block C, Christine Ingram Gardens into 2no. units, new Flats 22 and 23 at first floor in Block C as shown on drawing no. 3794/28 received 19 June 2018 by the Local Planning Authority shall thereafter each be retained as a 2 bedroom unit.

REASON: To prevent the creation of additional independent units of accommodation with additional bedrooms without advance planning permission in the interests of proper planning.

8. Flats 8 and 17 at second floor level in Block A, Christine Ingram Gardens as shown on drawing no. 3794/30 received 19 June 2018 by the Local Planning Authority shall each be retained as a 2 bedroom unit.

REASON: To prevent the creation of additional independent units of accommodation with additional bedrooms without advance planning permission in the interests of proper planning.

9. The number of residential units upon the application site shall not exceed 32 at any given time.
REASON: To prevent creation of additional independent units of accommodation without advance planning permission in the interests of proper planning.

10. The 6no. additional units hereby approved shall not be occupied until the associated vehicle parking spaces have been re-configured and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

11. The 6no. additional units hereby approved shall not be occupied until the associated visitor parking on the southern side of the stub of Lakeside has been surfaced and marked out in accordance with the approved drawing and details contained in a S278 agreement to be completed with the Highway Authority. The spaces shall thereafter be kept available for parking at all times.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

12. The 6no. additional units hereby approved shall not be occupied until 8 secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces/facilities shall thereafter be retained.

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

[Relevant Policies: BFBLP M9, CSDPD CS23]

13. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, any of the buildings hereby permitted.

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 Plans and Policies: BFBLP M9]

14. 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) 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 (d) above.

REASON: In the interests of amenity and road safety.

15. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works -

hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) Any proposed tree, hedge or shrub removal. Shown clearly with a broken line.
- d) Proposed location/s of 2m high (minimum) protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.
- j) Arboricultural site monitoring - Note confirming that all protection measures are to be routinely monitored by site visits undertaken by a project arboriculturalist (appointed by the land owners), at maximum 4 week intervals for the duration of all works on site to ensure full compliance with the approved tree protection and monitoring scheme. Copy of the signed report to be forwarded to the Local Authority following each site visit.

The development shall be carried out in full accordance with the approved scheme.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

16. The protective fencing and other protection measures specified by condition 15 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

17. No development (including initial site clearance) shall commence until a detailed site specific programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) Induction and personnel awareness of arboricultural matters.
- b) Identification of individual responsibilities and key personnel.
- c) Statement of delegated powers.
- d) Timing and methods of site visiting and record keeping. To include routine site visits at maximum 4 week intervals
- e) Procedures for dealing with variations and incidents.

The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority. A copy of the signed inspection report shall be sent to the local Authority following each visit.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

18. The 6no. additional units hereby approved shall not be occupied 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 EN2 and EN20, CSDPD CS7]

19. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose. If within a 5-year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place.

REASON: In the interests of good landscape design and the visual amenity of the area.

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

Informatives

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

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

1. Time limit
2. Approved plans
3. Materials
- 4 to 8. Number of bedrooms
9. Number of residential units
10. Parking spaces
11. Visitor parking spaces
12. Cycle parking
13. No restrictions on use of parking
16. Tree protection
19. Retention of soft landscaping

The applicant is advised that the following conditions require discharging prior to commencement of development:

14. Site organisation
15. Tree protection
17. Site specific programme of supervision/monitoring for all arboricultural protection measures

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

18. Landscaping

In the event of the S106 agreement not being completed by 31 July 2020, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

1. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

2. In the absence of a planning obligation to secure an acceptable affordable housing commuted sum, 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.