

## Unrestricted Report

### ITEM NO: 5

Application No.  
**13/00575/OUT**  
Site Address:

Ward:  
Crowthorne

Date Registered:  
10 July 2013

Target Decision Date:  
9 October 2013

### **Land At Former TRL Site Nine Mile Ride Crowthorne Berkshire RG40 3GA**

Proposal:

**Outline application (including details of access from Nine Mile Ride and Old Wokingham Road) for the comprehensive redevelopment of the former Transport Research Laboratory (TRL), comprising demolition of existing buildings (excluding the new TRL headquarters building), the erection of up to 1000 dwellings, neighbourhood centre (comprising use classes A1, A2 and A3), retail unit (A1 / A2 / A3), primary school and associated playing fields, community centre, care home, and municipal depot, together with public open space, Suitable Alternative Natural Greenspace (SANG), surface water attenuation areas, landscaping, formation of public highways, vehicular access and parking.**

Applicant:

Legal and General Property Partners (Life Fund) Ltd

Agent:

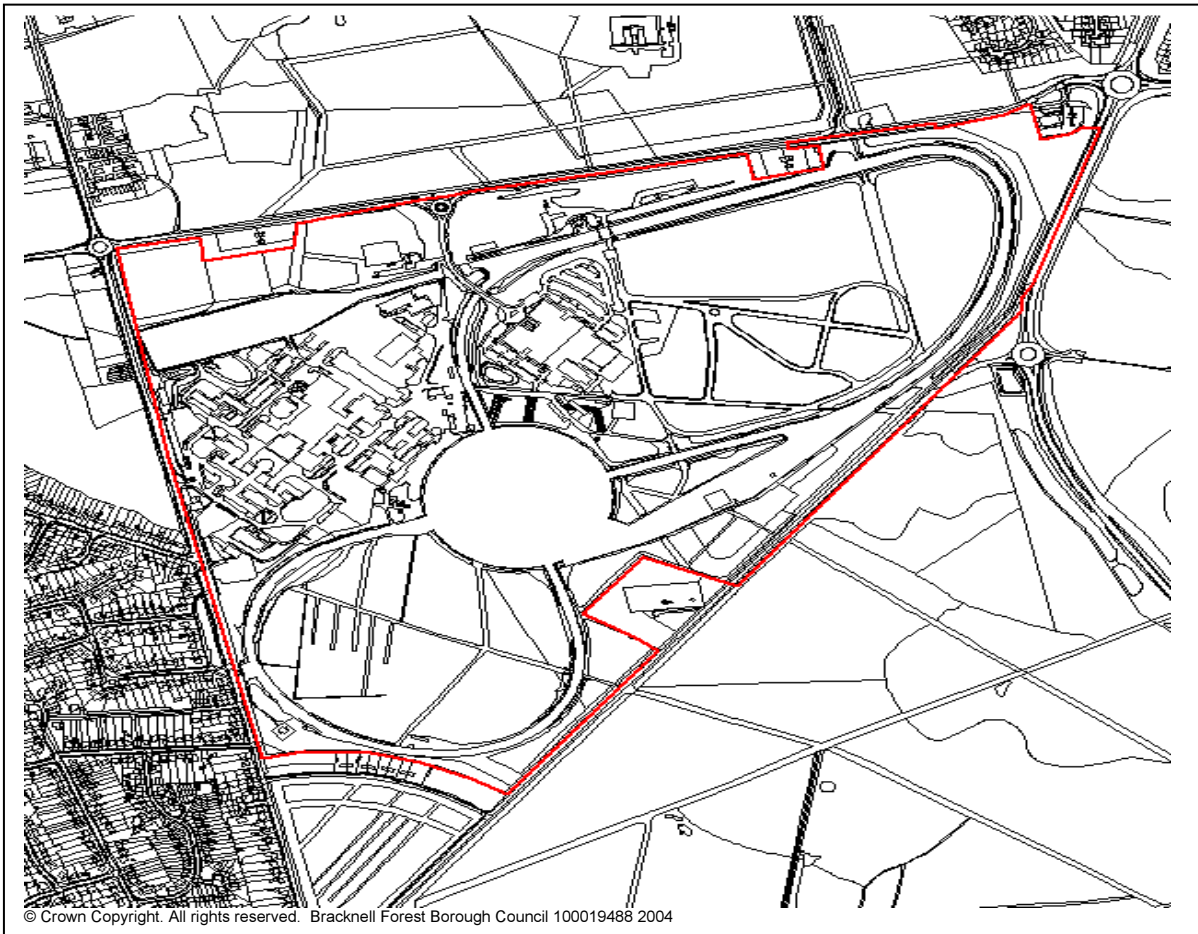
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Case Officer:

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



## **OFFICER REPORT**

### **1. INTRODUCTION**

This application seeks outline permission for a mixed development of the former TRL site. Only the principle of development, including the proposed land uses, the amount of development and access to the site are for consideration at this stage. All other matters are reserved for later consideration.

The application is supported by an Environmental Statement (ES) (including a Flood Risk Assessment and Information for a Habitats Regulation Assessment), a Planning Supporting Statement; a Transport Assessment; a Design and Access Statement; an Affordable Housing Statement; a Sustainability Statement and Energy Demand Assessment; a Statement of Community involvement; and a Utilities Statement. During the course of the application additional information has been submitted with respect to the impact on the SPA and transport issues, and amended plans have been submitted for the proposed depot access as well as a number of minor amendments to the parameter plans (none of which increase the amount of development proposed or are considered to give rise to any significant environmental impacts).

During the course of the processing of the application a number of representations were made which officers raised with the applicant. As a result on the 20th December 2013 the applicant submitted a number of amended drawings and additional information in response to issues raised.

The application is reported to committee as more than three objections have been received.

### **2. SITE DESCRIPTION**

The application site extends to approximately 102 hectares and is located in forested countryside between Bracknell and Crowthorne. It is triangular in shape and generally bordered by Bracknell Road, Nine Mile Ride and Old Wokingham Road. Crowthorne village centre lies approximately 1km to the south west of the site. Although the site lies entirely within Bracknell Forest, it is adjacent to low density residential areas within the area of Wokingham Borough Council(WBC). The open land on the west side of Old Wokingham Road opposite the northern part of the site has been allocated by WBC for residential development.

Adjoining the site to the south east is an extensive area of forest and heathland between Crowthorne, Bracknell, Bagshot and Camberley designated as part of the Thames Basin Heaths SPA and forming the Broadmoor to Bagshot Woods and Heaths SSSI. To the south of the site, beyond Brookers Row, is a triangular area of commercial forestry and heathland, which is owned and managed by the Forestry Commission. To the north of Nine Mile Ride is an area of generally undeveloped land in a mix of uses, including outdoor recreation, a crematorium, mobile home parks, and a water pollution control area.

The site has two main accesses, firstly from the new roundabout on Nine Mile Ride serving the Transport Research Laboratory Ltd. (TRL) headquarters, and secondly from the in/out accesses serving the former Crowthorne Business Estate (CBE) on Old Wokingham Road.

The site comprises the former TRL campus, including the CBE and former operational areas associated with the work carried out by TRL, but excludes the new TRL headquarters building. The TRL site was originally designed in the 1960s as an extensive research institution with no public access and limited views of the activity within the site. The site developed historically as a specialised transport research, testing and consultancy

establishment. The main physical features associated with this use are the figure of eight test track and central circular skid pan. Modern research methods based on increasing use of computer simulation and modelling have, over time, reduced the emphasis of TRL on outdoor testing and research facilities with an increasing focus on office based research. This trend resulted in increasing redundancy of the outdoor track and testing facilities, and led to the present situation whereby TRL is now entirely accommodated within the small area comprising the headquarters building, pavement testing facility and some associated buildings and car parking leaving the remainder of the site available for redevelopment.

The majority of the existing buildings are in the north western part of the site (the CBE). Originally built to serve the needs of TRL and related companies, this part of the site is physically separated from the rest of the TRL site with no direct links between the two parts. It comprises various buildings up to seven storeys high, previously in office, industrial and storage uses, together with large areas of surface car parking and internal roads. The industrial estate as a whole is unattractive with many buildings of poor quality and utilitarian appearance with poor landscaping.

The site is generally level, with a gentle slope from the highest part of the site in the forested area in the south and east down towards the lowest part of the site in the north west. Overall there is a change in levels across the site of approximately 20 metres. The site has a slight depression in the centre which provides a drainage route north-westwards from Crowthorne Woods lying to the south east. The site is largely screened from surrounding areas by established tree planting along the boundaries. There are partial views into the site from Old Wokingham Road which runs along the western boundary, particularly in the vicinity of the present accesses, and also from the roundabout serving the TRL building on Nine Mile Ride.

A public right of way cuts through the north eastern corner of the site between Nine Mile Ride and Bracknell Road.

### **3. RELEVANT SITE HISTORY**

The whole of the TRL site was historically owned and operated by the Department of Transport and used for purposes associated with the research of traffic and vehicle safety. In 1996 permission was granted for the change of use of the existing buildings on the site to B1 (Business and light industry), B2 (general industry) and B8 (storage and distribution) uses, following which the Government disposed of the site to its current owners.

In 2002 planning permission was granted for the construction of a new 14,890 sq metre building on land to the east of the CBE to be used as a new headquarters building for TRL. This permission also included a new roundabout access onto Nine Mile Ride.

In July 2007 an outline planning application (07/01207/OUT) was submitted for the redevelopment of the Crowthorne Business Estate with a business park comprising up to 109,500 sqm of office floorspace and up to 1,500 sqm of ancillary leisure, retail and amenity uses. This was refused on 27 June 2008 because, amongst other things, the proposed development would be located outside of a defined settlement in an area that was considered to be poorly served by public transport, and the application had not demonstrated that the additional floorspace proposed was essential or that the proposed development would not adversely affect the balance between housing and employment growth in the Borough.

In November 2007 a further outline planning application (07/01196/OUT) was submitted for the redevelopment of the entire former TRL site. This proposed redevelopment for a mixed use development including up to 975 dwellings with associated local neighbourhood centre, primary school/nursery, community hall, health and fitness centre and healthcare centre and

small scale office and business units; and a business park comprising 92,903 sqm of office floorspace, and an 80 room hotel.

Planning permission was refused for similar reasons to 07/01207/OUT and because the provision of major residential and office development in this location was considered to represent unsuitable development within the countryside and could prejudice delivery of the managed development of the Borough provided for by the Core Strategy. It was also considered that the proposed development would result in major development inappropriate and harmful to the character, appearance and function of this countryside location and to the strategic gap between Bracknell and Crowthorne.

An appeal against this decision was lodged, and a public inquiry was held in November/December 2008. The Secretary of State considered that the proposal was not acceptable and the appeal was dismissed on 8th June 2009. The following conclusions of the Inspector's Report are considered to be of relevance to this application:

- Overall, the appeal proposals are not in accord with the development plan (paras 848 and 850),
- Limited weight should be attached to the appellant's argument that the Core Strategy (CS) should be treated with caution;
- The proposed SANG does not properly comply with a number of the criteria which Natural England consider to be essential. In particular, the Inspector found that the degree of intrusion would significantly detract from the attractiveness of the SANG and seriously reduce its ability to draw visitors away from the SPA (para.719); the SANG would be unlikely by itself to be sufficiently attractive to new and existing residents to avoid the increase in population so close to the SPA from having a harmful effect on it.
- Nevertheless, this does not indicate that residential development could never be allowed so close to the SPA as the appeal proposal so long as appropriate access management and other measures are provided. Indeed, these conclusions do not necessarily preclude a substantial development including a large number of dwellings on the appeal site. However, the measures currently proposed would not be sufficient to overcome the deficiencies in the SANG and provide adequate mitigation (para. 748);
- The site can reasonably be regarded as previously developed land is underused and it is likely to become more so (para. 928); the existing vacant buildings have little or no potential for reuse and the area would need to be redeveloped for any commercial activities to resume to any significant extent (para. 13);
- As well as a substantial reduction in the physical gap between Bracknell and Crowthorne, the perception of such a gap would also be seriously compromised by the appeal scheme (para.776) and the current clear separation between Bracknell and Crowthorne would be lost (para.779). The fact that the CS includes a policy intention to retain a gap between Bracknell and Crowthorne is a matter to which some weight should be given.

Since the dismissal of the 2008 appeal the Council has been involved in a process of identifying sites for future housing development in the Borough to meet the requirement of Core Strategy Policy CS15 to provide 11,139 net dwellings over the period 2006-2026. This site is contained in the Strategic Housing Land Availability Assessment (2010) and was subsequently incorporated into Broad Area 3 - North East Crowthorne of the Participation (Issues and Options) stage of the Site Allocations DPD (2010). This site was subsequently carried forward into the Preferred Options and Submission stages of the SADPD. Following Examination in 2012/2013 the Plan was found to be sound and was formally adopted in July 2013. This site has been included at all stages of the SADPD process and is now formally allocated in the adopted Site Allocations Local Plan SALP).

#### 4. THE PROPOSAL

Outline planning permission is sought for the comprehensive redevelopment of the former Transport Research Laboratory (TRL) site comprising the demolition of existing buildings (except for the new TRL headquarters building which is to be retained), and the construction of:

- 1,000 new homes comprising a mix of 1 and 2 bedroom apartments (between 90-125 dwellings); 2 bedroom houses (145-205), 3 bedroom houses (300-360), 4 bedroom houses (240-280) and 5 bedroom houses (30-70) and including some affordable housing. The location of the proposed housing would be largely within the footprint of the existing CBE in the north west corner of the site and the area directly east of the TRL Headquarters building;
- A neighbourhood centre comprising up to 1,000 sqm (GEA) of floorspace providing limited local retail / restaurant / professional services / café uses fronting Old Wokingham Road and a separate small scale retail unit in the northeast of the site;
- A centrally located primary school and playing fields. The amount of housing proposed by this application would only require a two form entry school (approximately 2,500sqm GEA); however provision has been made to accommodate a three form entry school in the event that the additional capacity is needed to accommodate children from the allocated development at Broadmoor;
- A care home up to 6,500 sqm floorspace is proposed to be located to the southwest corner of the former TRL site close to Old Wokingham Road;
- A community centre up to 950 sqm between the care home and the primary school;
- A new municipal depot of up to 3,500 sqm to enable the relocation of the existing depot on Old Bracknell Lane West.

In addition the application seeks permission for on-site public open space and Suitable Alternative Natural Greenspace (SANG); surface water attenuation areas; landscaping; new roads; access and parking.

The application is submitted in outline with matters of layout, scale, appearance and landscaping of the proposed development 'reserved' for later approval. Means of access is partially reserved; however, approval of the details of vehicular access to/from the site is sought at this time.

The proposed mixed-use redevelopment would be implemented in a series of phases, taking a number of years to complete in full. Parameter Plans have been submitted to provide a framework which will control and inform future reserved matters applications, while providing a degree of flexibility. The Parameter Plans are intended to provide a "worst case" scenario and effectively define the maximum amount of development that could be provided for under this application.

Parameter Plans set out the site boundary; extent of demolition; the location and layout of individual land uses, informed by, amongst other things, the location of the residential exclusion boundary (400m from the Thames Basin Heaths Special Protection Area) which runs diagonally through the site from the south west to the north east; the location and layout of the proposed primary and secondary roads and access points to/from the site; maximum building heights; proposed bus routes and cycle routes.

In addition to the built development set out above, the planning application proposes Suitable Alternative Natural Greenspace (SANG) which will comprise a total area of 42.5 ha, as well as 10 ha of open space of public value (OSPV), along with additional areas of landscaping.

The application proposes three new priority vehicular accesses off Old Wokingham Road (replacing the existing in and out accesses to the CBE). A further new access off Nine Mile Ride is proposed to the east of South Road. The existing roundabout on Nine Mile Ride would be retained, with this providing access to the retained TRL headquarters building as well as to the proposed development.

An illustrative masterplan and a series of design principles and design guidelines accompany the application showing how the proposed development and open spaces might be accommodated on the site. This also shows a main Spine Road through the site linking the existing roundabout on Nine Mile Ride with the central proposed new priority junction onto Old Wokingham Road close to Hatch Ride.

The density of the proposed 1,000 dwellings is likely to vary from approximately 25 dwellings per hectare in some areas of the site to 40 dwellings per hectare in other areas of the site, according to the nature of the proposed dwellings and the characteristics of that area of the site. The overall average density across the entire site would be within the range of 30 to 35 dwellings per hectare.

Finally a number of off-site highway improvements are proposed to mitigate the impact of traffic associated with the development. These include:

(a) the improvement proposed to the A3095 Foresters Way / Nine Mile Ride junction (Golden Retriever junction) in the Council's Infrastructure Delivery Plan (IDP) will be funded by the proposed redevelopment;

(b) the improvement of the Old Wokingham Road / Nine Mile Ride junction to increase capacity and reduce queuing would be funded or provided in association with the proposed redevelopment;

(c) the improvement of the Old Wokingham Road / Bracknell Road junction identified in the IDP would be funded or provided in association with the proposed redevelopment.

The application also proposes improvements to the existing pedestrian and cycle infrastructure in the vicinity of the site. This includes improvements to footways/cycleways within and around the site and the creation of, and improvements to, crossings at the primary and secondary access points to the site.

On the 20th December 2013 the applicant submitted a number of amended drawings and additional information in response to issues raised. This submission includes:

#### **Drawings for Approval**

- Revised Parameter Plans 002 - 007
- Revised Detailed Highways Plan (Proposed Council Depot Access off Nine Mile Ride - Access "E")

#### **Drawings / Documents for Clarification**

- Tree Removal and Protection Plan - Access E
- Plan showing details of the proposed off-site improvement works to the roundabout at the Old Wokingham Road and Nine Mile Ride junction (drawing 110015/B/17 Rev C).

- Transport Discussion Summary note to summarise discussions that have been held with highways officers from both BFC and Wokingham Borough Council and the further work that has been undertaken since the application was submitted.
- Further Response to Consultee Queries which provides additional information in respect of ecology and, in particular, the SANG which forms part of the proposals.
- SANG Management Plan
- Appraisal of EIA Compliance stating that, following a careful review of the additional information accompanying this letter, the Environmental Statement submitted in support of the planning application remains compliant with the EIA Regulations and does not need to be revised to account for any of the proposed design amendments or clarifications.

**The main changes to the original application are:**

- 1) A revised design for the proposed Council Depot access road off Nine Mile Ride (Access "E"). The revised design remains as a priority junction with a right turn lane and would be sited approximately 25m to the east of the previously proposed location;
- 2) The proposed southern access from Old Wokingham Road (Access "A") will now only provide access to the SANG car park and care home (and not the primary school and also community facilities as previously proposed);
- 3) Amendments to the proposed bus routes; and clarification of the proposed residential building heights.

**5. REPRESENTATIONS RECEIVED**

Objections have been received from the Crowthorne Village Action Group (CVAG) and 82 individuals. The majority of these support the principle of redeveloping the TRL site, but raise the following overarching concerns:

- 1000 dwellings is not proportionate to the current size of Crowthorne
- The development would be harmful to the character of Crowthorne
- The development would place undue pressure on infrastructure (particularly highways) and social support.

**Specific detailed issues raised include the following:**

**Transport**

- increased congestion on local roads. There is already existing problems on local roads and junctions and the proposed development would exacerbate these problems and result in rat running through residential roads to the west of the site (Rowan Drive, Maple Drive and Ellis Road). The traffic model used is flawed, and does not fully take account of the cumulative impact with other proposed developments in the Crowthorne area (within both Bracknell Forest and Wokingham Boroughs). Proposed improvements to public transport, cycling and walking will not reduce car use. Substantial contributions should be required to improving the safety and capacity of the adjacent road network.

- too many junctions on Old Wokingham Road. The spine road would be used as a rat run for traffic seeking to avoid the Pinewood roundabout.

- access should be taken from Bracknell Road instead of Old Wokingham Road as it only has one house and already has a cycle lane and street lighting.

- increased risk to highway safety due to more cars using the road network. The entrance to the depot is on the already busy and fast Nine Mile Ride and no provision is made for a slowing down section for the numerous large council trucks to either the East or West of this

junction. In addition the increased noise and odour will have a detrimental effect on residents of South Lodge adjacent to the proposed access.

- insufficient parking is proposed.

- there is no plan to deal with safe access to the popular Pinewood recreation facilities which is where cycling or walking may well be a favoured option.

### **SPA**

- 2,000 plus new residents sited so close to the TBH SPA would adversely affect the integrity of the SPA as evidenced by the objections from Natural England and the RSPB

- a significantly higher proportion of the site should be given over to SANG.

- the SANG will suffer from high noise levels from Bracknell Road, making it less attractive as an alternative to the SPA.

- development will increase the risk of fires on the SPA.

### **Character of Crowthorne**

- the number of dwellings, proposed building heights and densities would be out of character with Crowthorne

- loss of strategic gap between Bracknell and Crowthorne will result in the loss of the individual identities of these communities

- eroding the gap between Crowthorne and Great Hollands will increase the crime rate within Crowthorne

- concern about the loss of trees and vegetation along Old Wokingham Road - there should be a wider buffer between the new development and existing residential areas.

### **Infrastructure**

- Flooding: The area has a history of flooding which has not been fully considered and could exacerbate flooding downstream of the site

- Education: The proposed new primary school seems sensible but secondary schooling is not adequately considered. Use of Easthampstead School goes against the expressed intent for this development to be seen as an extension to Crowthorne not a spread of Bracknell. Edgbarrow cannot cope with the predicted increase at this site.

- Health care: The proposed development will put intolerable strain on existing GP surgeries and hospitals.

- The proposed council depot is an inappropriate facility for this village and would be detrimental to the quality and attractiveness of the SANG.

- The proposed neighbourhood centre would add to traffic using this junction, impact on the existing Greenwood Road shops and generally result in noise and disturbance to residents.

Air quality: The current air quality in Crowthorne High Street is above acceptable levels. The proposed traffic resulting from this development will cause further deterioration.

In addition the increase in NO2 levels through increased traffic can cause damage to the SPA in the long term.

Impact on residential amenity of immediate neighbours, including South Lodge (opposite proposed depot access) and Windy Ridge (adjacent to the proposed SANG).



## **6. SUMMARY OF CONSULTATION RESPONSES**

### **Crowthorne Parish Council**

Recommend refusal for the following reasons:-

- o There is a very high probability that this proposal, in its present form, would be seriously and unnecessarily harmful to the SPA.
- o The development is not proportionate to the current size of Crowthorne, and would therefore place undue pressure on all elements of infrastructure and social support.
- o It fails to properly address a number of well documented legal requirements.

There are a number of other factors that should be considered, but for these three overarching reasons, this application should be rejected.

A paper setting out CPC's detailed response is provided to accompany these comments.

### **Wokingham without Parish Council**

Objects to the development for the following reasons:-

- o It fails to meet some legal obligations (e.g. the protection of the SPA, pollution levels in Crowthorne High Street, Safety In Design).
- o It fails to adequately mitigate the impact on local facilities (e.g. schools, doctors, waste water).
- o It inadequately addresses the concerns of the local community in respect of traffic and congestion.
- o It fails to make a convincing case for the siting of the BFC depot within the SANG. [Officer comment - the depot is not located within the SANG]
- o It fails to resolve all concerns about the increased risk of flooding to the Wokingham Without area.

The proposal is based on a great number of assumptions, many of which are subject to reasoned argument and disagreement about their validity. As the planning is based on these flawed assumptions it follows that many of the proposals are also flawed. The proposal omits to provide any evidence in respect of the impact of the development on a number of adjacent facilities (e.g. Pinewood, Greenwood Road). These omissions suggest that the proposal does not take all local issues fully into account.

A significant concern to WWPC is that to agree to the proposal would be to support a major development that includes flawed logic and which would fail to provide the necessary constraints on the eventual detailed planning applications. This would result in the council being unable to object to the detailed planning when it is presented and have no ability to influence decisions that materially affect residents.

It is not for WWPC to consider alternatives to the application but to provide a considered input to the planning as presented. It is evident however that instead of L&G making an application for such a large development and then considering how to mitigate its impact, that L&G (together with BFC, CPC, WBC, and WWPC) should consider what level of development the local infrastructure and services can support and to then put forward a proposal that can sustain a realistic number of homes.

A paper setting out WWPC's detailed response is provided to accompany this objection.

## **Wokingham Borough Council**

No objection subject to (1) the provision of additional information on the proposed re-routing of bus service 122, (2) the scheme securing the opening of the primary school at an early stage with all educational spaces required for all ages secured through new or existing capacity within Bracknell Forest without detriment to Wokingham Borough children and (3) subject to Bracknell Forest securing the agreed infrastructure through an appropriate mechanism.

## **Highways Agency**

No objection

## **Natural England**

Original comments:

The planning authority will not be able to ascertain that this proposed development would not adversely affect the integrity of the SPA. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat on which the birds depend and increased disturbance to the bird species for which the SPA is classified, by reason of increased access to the heath including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of regulation 62.

Natural England (NE) is also of the opinion that the proposal is not in accordance with the development plan, namely policy CS14 of Bracknell Forest Council's Core Strategy, or their agreed TBH Avoidance and Mitigation Strategy. NE therefore objects to the proposed development and recommends that the application be refused planning permission.

Revised comments received 10.01.2014

Since the original comments were received the applicant has sought to address the concerns raised and submitted revised and additional information on 20.12.2013. NE comments on this revised and additional information are:

NE withdraws its objection to this application.

It is Natural England's advice that the three outstanding areas of concern as detailed in our previous response letter have been sufficiently addressed by the applicant in the additional documentation that has now been provided. A brief summary is provided below:

- A SANG management plan of sufficient quality and detail has now been provided. We recommend this is agreed between Bracknell Forest and the applicant, and secured through an appropriate mechanism such as the S106 agreement.
- Details have now been provided of how the existing public footpath to the north of the site (which links directly to the SPA), will be blocked off from users of the SANG.
- We advise that air pollution has now been sufficiently considered and discussed, for both the SPA and the underlying SSSI. Given the scale of impact, we are satisfied that there will not be an adverse effect or significant harm to these sites and the associated designated or interest features.

## **Environment Agency**

No objection subject to conditions

## **RSPB**

Object for the following reasons.

The current proposals fail to overcome a number of significant issues regarding the protection of the Thames Basin Heaths SPA, including matters that were raised by both the Inspector and Secretary of State (SoS) as reasons for rejecting the 2008 Appeal. The failure to address these issues force us to OBJECT to this application, based on the current proposals.

### **SPA Access Management**

In addition to the provision of a bespoke SANG, the applicant relies on a contribution towards the Thames Basin Heaths Strategic Access Management and Monitoring (SAMM) Project to address the impacts of those residents who still choose to visit the SPA. The RSPB fully supports the SAMM Project as a means of delivering strategic access management and monitoring for small-to-medium scale developments, or those located further from the SPA boundary. However, it holds serious reservations as to its ability to mitigate the acute, localised effects of a substantial housing development immediately proximate to the SPA, such as this; which, even with a high quality SANG, will inevitably lead to a significant number of potential new visitors focused on the closest areas of the SPA.

The SAMM Project still consists of only one warden for the whole of the SPA with no legal agreement in place with the SPA landowners/managers to allow third party wardening of their land. This is of crucial importance in relation to the former TRL site as the Forestry Commission has yet to sign this agreement. Without wardening of this land, the SAMM scheme will not be able to mitigate impacts from the former TRL site and the RSPB therefore does not consider that the Council will be able to reach a conclusion of no adverse effect on the integrity of the SPA in respect of this application.

### **SANG Design & Layout**

The RSPB is disappointed that the applicant has not made greater efforts to address the weaknesses of the previous scheme layout, for example by allowing better integration of the SANG with the new housing and removing intrusive non-residential development from within the 400m buffer and adjoining land. However, there are some improvements from the last scheme, including the removal of significant pinch points and a reduced intrusion from non-residential development (largely due to the removal of the employment elements from the scheme).

Nevertheless, RSPB remain concerned about the presence of the busy Bracknell Road along much of the SANG's length, the lack of opportunity for longer walks away from the SPA, and the limited provision of open areas will reduce its attractiveness to new (and existing) residents, who may instead choose to visit the nearby SPA.

During our site meeting the noise from the Bracknell Road noticeably diminished the SANG's tranquillity. The HRA suggests that increased vegetation screening and potential earth mounds will be placed between the path and the road where they come into close proximity. The RSPB would support these measures, and recommends that they are incorporated into the SANG Management Plan.

Further concerns were raised about the additional potential disturbance arising from the Council's depot within the north-eastern part of the SANG. The Council will need to assess its potential impact on the function and tranquillity of the SANG.

We recommend that the Council give further consideration to the following matters in respect of the SANG Management Plan, in order to improve its attractiveness and give greater certainty of its effectiveness as a mitigation measure within the restrictions of the present layout: Open space creation - we recommend that areas of accessible open spaces are increased within the SANG, to better reflect the landscape mosaic of the SPA and allow areas for dogs to run freely. This will also improve opportunities for biodiversity enhancements. In order to meet the SANG Guidelines to provide a choice of longer routes of at least 5km, we recommend exploring opportunities to connect routes with other green infrastructure beyond the application site (obviously, taking care to ensure that this would not increase access onto the SPA). Public footpath leading onto Forester's Way - there is a risk of new residents accessing the SPA from the SANG via this public footpath. The proposed gate and sign will not be effective at deterring visitors from using this access, as generally gates are perceived as facilitating access not discouraging it; and, although the RSPB accept that access across the dual-carriageway at this point may deter some people from crossing directly onto the SPA, a safer crossing is available a short distance along the cycleway/footpath towards the Bracknell Road. The RSPB therefore strongly recommend that the SANG footpaths are diverted away from the public footpath to discourage use of this potential access onto the SPA.

### **Phasing**

Significant sections of the development closest to the SANG are proposed to be constructed in the last phases of the building works. This means that early occupants of the new housing constructed furthest from the SANG will have to navigate a busy building site to access the SANG, which may itself be subject to dust and noise arising from the adjacent construction works.

The RSPB strongly recommend that either the construction phasing is revised or a safe and attractive access is created through the development site, to ensure that early occupants of the scheme are not deterred from using the SANG, instead potentially choosing to visit the quieter SPA. Such visitor patterns, once begun, could become established.

### **In Perpetuity**

Welcome commitments to the funding/delivery of the SPA mitigation measures in perpetuity, in line with policy SA5. The Council should ensure that this important matter is firmly established in the Section 106 agreement.

#### **Monitoring**

A robust post-construction monitoring strategy of both the SPA and the SANG is essential to ensure the effectiveness of the mitigation measures. While the SAMM Project will deliver monitoring on the SPA, visitor monitoring will be required for the SANG.

### **SANG Management**

We understand that the SANG will be managed by the Council with a commuted sum paid by the developer for its management in perpetuity. However, a full Habitat Creation and Management Plan, and a management strategy for the SANG are due to be produced at a (undetermined) later stage. Questions how the Council is able to commit to taking on the indefinite management of the SANG without details of the management proposals and confirmation of the costs and funding thereof. Considers that a firmer commitment, based on

clear details of the SANG management proposals and costings, is required at the outline stage in order to provide sufficient certainty of the delivery of this critical mitigation measure.

### **Baseline Impact Assessment**

The current application fails to identify a number of critical pieces of evidence relating to human disturbance and cat predation. Furthermore, no attempt to assess the recent incidents of fire damage to the SPA, and the visitor surveys repeat critical flaws which were identified by the RSPB from the 2008 Appeal proposals, leading to a serious under-estimate of the number of visitors to the SPA from the proposed development. These flaws in the baseline impact assessment lead the applicant to conclude that majority of impacts will be of no more than moderate significance in terms of the international site interests, and in most cases only minor or slight. The ES/HRA go as far as to suggest that the mitigation proposals will even have a beneficial effect on the SPA/SSSI, by not only removing all of the impacts arising from the proposed development, but also alleviating "existing pressures on the SPA and potential future pressures associated with other developments in the vicinity". We strongly disagree with this assertion, which is entirely unsupported by any evidence, and advise that the Council cannot rely on the applicant's impact assessment when undertaking its own assessment of the proposals under Regulation 61(1) of the Habitats Regulations.

### **Appropriate Assessment**

As we have previously indicated, we consider that it is appropriate that all detailed matters concerning the protection of the Thames Basin Heaths SPA are properly considered through a full appropriate assessment under the Habitats Regulations. In the case of such a complex, bespoke mitigation scheme, we do not consider that it is sufficient to simply rely on the proposals satisfying the strategic standards for SPA mitigation measures. As our response illustrates, it is imperative that important matters of detail, such as phasing and detailed access management measures are all fully assessed to ensure that measures will be delivered robustly and that the SPA will be fully protected at all stages of the development. We therefore strongly recommend that the Council undertakes a full appropriate assessment of the proposals. In doing so, we urge the Council to take account of the deficiencies highlighted in this response in respect of the baseline impact assessment presented by the applicant.

Since these original comments were received the applicant has submitted revised and additional information to address some of the concerns raised. The RSPB has been consulted on this new information and its comments are awaited.

### **Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)**

Object for the following reasons.

#### **SPA Access Management**

A SPA-wide strategic access management and monitoring ("SAMM") project has been established, although it remains in its infancy. Sufficient funds have not been collected to employ the necessary wardens or the education officer. We note that the applicant is willing to contribute to the SAMM project based on the standard tariff. There is still considerable confusion surrounding the ability to apply access management to the adjoining areas of the SPA. This issue clearly needs to be addressed before any outline application could be legally consented.

It is disappointing that the applicant, despite clear advice from the Inspector and Secretary of State, has failed to apply access management to the SPA in the immediate vicinity of the site

either through additional contributions agreed with the SAMM project co-ordinator to target extra wardening in that area or through arrangements with the landowner to deliver a scheme directly on that land. Given the high risk of harm from the proposed development so close to the SPA, the Council will need to fully assess the ability of the SAMM project to deliver the required mitigation prior to occupation of the proposed development in its own Habitats Regulations Assessment ("HRA").

### **SANG Quality**

We are encouraged by some of the improvements that have been made to the overall layout of the SANG from the removal of the intrusions of the business park and community park into the SANG. However, we remain concerned about the impact that the depot and its access road could have on the attractiveness of the SANG as a visitor experience in terms of noise, lighting and urban intrusion.

A key concern of the Inspector's at the inquiry in 2008 related to noise and visual intrusion in the SANG from traffic. Due to the decision to retain the SANG in the 400m zone, the SANG still suffers from being elongated alongside a busy road. Traffic noise was still clearly intrusive during site visits and detracts from the natural experience that the SANG hopes to replicate.

From the Masterplan, it is not clear how the essential 2.5km route is laid out nor how a walk of 5km could be catered for, as specified in the SANG Guidelines'.

One further point of concern to us is the issue of the public footpath linking the SANG with the SPA. Without fencing between the footpath and the SANG at the north of the application site, visitors are likely to make use of this access point onto the SPA. A proposed gate and sign is unlikely to deter visitors to the SPA.

We would urge the applicant to consider providing more cleared space with the SANG. Not only does that help replicate the more natural feel of the SPA, there are considerable opportunities for more general biodiversity gain through creation of more semi-natural habitat, particularly heath and scrub, than could arise from an approach to the SANG that relies heavily on retaining the mature plantation areas. This could also help to achieve the targets in the Berkshire Biodiversity Strategy as set out in the Thames Basin Heaths Biodiversity Opportunity Area.

### **Impacts on the SPA and Visitor Surveys**

We consider that the impacts of recreational and urban pressures on the SPA have been under-estimated in the applicant's ES and HRA. The Council should exercise particular caution in applying the applicant's estimated figures of recreational visits to the SPA as, in our view, they do not give a balanced view of potential impacts on the SPA for the following reasons:

- a. The estimated visitor numbers to the SPA are lower than expected due to the aggregated method used for postcodes and the low return rate of questionnaires.
- b. The ES and HRA do not include references or have consideration for the most up-to date literature on disturbance to Annex 1 birds and the disturbance caused by cats.

### **Long Term Management in Perpetuity**

The intention appears to be that the SANG will be managed by the Council and a contribution to allow management in perpetuity will be agreed. We welcome the proposal that the Council will manage the SANG in perpetuity. This will need to be secured in a S106 agreement that also binds the freehold owner of the site.

The ES notes that a full Habitat Creation and Management Plan will be produced for each phase of the proposed development at the reserved matters stage. It also states that a SANG management strategy is to be produced. However, we consider that a costed management plan should be agreed at this outline application stage. In the absence of such a key part of the mitigation strategy, we do not consider that there is sufficient certainty as to the effective management of the SANG in the long term to satisfy the tests in the Habitats Regulations. We are surprised that the applicant has not provided this information as it was one of the issues under consideration at the last inquiry.

### **Air Quality**

The ES identifies that annual mean NO<sub>x</sub> levels on the SPA currently exceed the critical level of 30 µg/m<sup>3</sup> with background concentrations of 32.46 µg/m<sup>3</sup>. The Environment Agency (EA) uses a criterion of <1% of the long term environmental standard to provide assistance in determining whether effects on ecological receptors are significant. The proposed development will generate additional traffic movements on the local network and cause changes in traffic flows, which are predicted to increase NO<sub>x</sub> levels on the SPA. The change in predicted annual mean NO<sub>x</sub> concentrations is above the EA 1% threshold at two transects into the SPA. NO<sub>x</sub> levels are above the threshold at 0-10m into the SPA from Bracknell Road and Nine Mile Road and reduce to below the threshold at some point between 10-20m into the SPA. These transects in the SPA are noted to be mature conifer plantation and deemed not sensitive in character. However, the nature of the SPA is that as the conifer crop is harvested on rotation, open areas become available and attractive to the Annex I birds, particularly nightjar and woodlark. Although nesting sites may be less frequent close to the road, they will also be able to use these areas as supporting habitat and changes in vegetation from increased NO<sub>x</sub> levels may affect their use of the site. An increase in NO<sub>x</sub> levels over the 1% criterion on the SPA should not be so easily dismissed in the ES and applicant's HRA. Proper mitigation is required and should form part of the Council's own HRA. This is an issue that should be addressed both in terms of impact on the SPA site integrity and in terms of impacts on the component SSSI.

### **Phasing**

We welcome the proposed programme for delivering the SANG at the front end of the development activities on the site. We do have some concerns that the northern residential dwellings (to be built in Phase 3 at around 2015-16) will suffer from many years of intensive development before access is uninhibited to the SANG. An inviting access to the SANG is essential from the outset to ensure that visitor patterns to the SPA are not unintentionally set in early stages of occupation.

### **Appropriate Assessment**

Given the considerable uncertainty about the efficacy of the mitigation measures on this site immediately adjacent to the SPA, we consider an appropriate assessment is essential to assess any adverse effects on the integrity of the SPA.

Since these original comments were received the applicant has submitted revised and additional information to address some of the concerns raised. BBOWT has been consulted on this new information and its comments are awaited.

Response to amended/additional information received 20.12.2013

Thank you for providing BBOWT with additional information in relation to the above application. That information is very helpful in many respects. However, we continue to object to this application.

In our letter of 12th August 2013 we set out the issues that we consider are still outstanding in relation to the impact that would arise on the Thames Basin Heaths SPA. I set out below how the new information provided addresses, or fails to address, the concerns we set out in that response.

### **1. Access Management on the SPA**

We maintain the view, which we believe was endorsed by the Inspector at the appeal hearing in 2008, that to provide sufficient certainty that access management measures will avoid a significant effect on the SPA they must be secured in relation to the section of the SPA immediately adjacent to the TRL site. At the very least, to provide sufficient certainty that the measure can be applied effectively, a planning condition or obligation should be imposed that prevents occupancy of the residential elements of the proposed development until such a scheme for access management is in place on the adjacent parts of the SPA.

Whilst we understand that Natural England have contacted the Forestry Commission in relation to securing agreement that access management measures can be applied on the adjacent SPA, as far as we are aware no such agreement has yet been reached. There is no suggestion in the additional information provided that there has been any such agreement, and without it we cannot see that there is any certainty that an impact on the integrity of the SPA will not arise.

### **2. SANG Quality**

We remain concerned about the impact that the depot and its access road could have on the attractiveness of the SANG as a visitor experience in terms of noise, lighting and urban intrusion. We also raised concerns about the noise and visual intrusion in the SANG from traffic.

We understand that these issues are the subject of ongoing discussions through the s106 process in order for the Council to ensure that these are taken into account. However, until they have been adequately addressed we maintain our objection.

We are, though, very pleased to see that agreement has been reached with the applicants that the public footpath linking the SANG with the SPA is to be fenced to separate in from the SANG.

We urged the applicant to consider providing more cleared space with the SANG. Again, we understand that this is an issue on which there has been further discussion between the applicants and the council. We would be happy to remove our objection on this point should adjustment be made to the management plan to secure increased open space.

### **3. Impacts on the SPA and Visitor Surveys**

The points we made in our letter of 12th August 2013 in relation to the under-estimation of recreational and urban pressures have not been addressed in the additional information provided, and therefore remain as they were.



#### **4. Long Term Management in Perpetuity**

We understand that a period of 125 years has been proposed as representing “perpetuity” as that is the period defined as “perpetuity” in the Perpetuity and Accumulations Act 2009. We find this a perverse application of the act, which is “An Act to amend the law relating to the avoidance of future interests on grounds of remoteness and the law relating to accumulations of income”, and do not believe that the planning process in any way meets the definitions under which the Act is expected to apply as set out in Section 1 of the Act itself.

We set out in our letter of 12th August 2013 that a fully costed management plan should be agreed at the outline application stage. We understand that the council has provided a calculation of costs to the applicants. Agreement of a costed plan should address our concern that without such agreement there is insufficient certainty as to the effective management of the SANG in the long term to satisfy the tests in the Habitats Regulations.

#### **5. Air quality**

We welcome the additional information provided in relation to impacts on air quality. However, the information supposes that the habitats in the affected areas will remain static, and does not take account of the dynamic nature of habitats on the SPA.

#### **6. Phasing**

We raised concerns that access should be uninhibited to the SANGs during the various phases of development. The additional information does not address this point, but we understand the council hopes that it will be addressed.

#### **7. Appropriate Assessment**

Given the remaining uncertainty about the efficacy of the mitigation measures on this site immediately adjacent to the SPA, we still consider that an appropriate assessment is essential to assess any adverse effects on the integrity of the SPA.

#### **Forestry Commission**

Has agreed terms with L&G to enable a cycle track to be constructed on the edge of Brookers Row Triangle.

#### **Thames Water**

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. In order to prevent sewage flooding; ensure that sufficient capacity is made available to cope with the new development; and avoid adverse environmental impact Thames Water requests a condition requiring the submission of a detailed drainage strategy for every phase including planned connection dates. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

An impact study is required in order to assess the actual loadings on both the treatment works and the local foul sewer network. This may dictate the timing of upgrade works or the necessity to store or attenuate foul discharge on site.

#### **South East Water**

No comments received.

### **Thames Valley Police Crime Prevention Design Adviser**

Makes comments relating to illustrative layout which could be picked up at the reserved matters stage.

### **Berkshire Fire & Rescue Service**

There are no available public water mains in the area to provide a suitable water supply to effectively fight a fire. BFRS therefore request that the applicant provides a private hydrant or equivalent emergency water supply.

### **Berkshire Archaeology**

No objection subject to the following condition:

'Prior to commencement of any phase of the development, the applicant, or their agents, or successors in title, will secure and implement a programme of archaeological works in accordance with a phase-specific written scheme of investigation for that phase of the development, which has been submitted by the applicant and approved by the planning authority. The archaeological evaluation results for each phase shall inform archaeological mitigation measures that may be required for the particular phase, to be agreed by the LPA, and all works will be carried out in accordance with an agreed overarching archaeological strategy that defines appropriate methods and approaches.'

In accordance with this proposed condition, RPS has prepared an 'Overarching Archaeological Strategy' document and a 'Written Scheme of Investigation for Phase 1 Archaeological Evaluation and Initial Mitigation Works' document.

On this basis Berkshire Archaeology is content to advise that the proposed condition, and supporting documentation, represent an appropriate response to the historic environment implications of this proposed development (along with subsequent phase-specific schemes for Phases 2-6 which will be required to meet the terms of the condition). Their implementation will appropriately mitigate the impacts of development on heritage assets should approval be granted.

### **Highway Officer**

No objection subject to conditions and s106 obligations. Detailed comments incorporated in report.

### **Environmental Health Officer**

No objection subject to conditions. Detailed comments incorporated in report.

### **Sustainable Drainage Officer**

No objection subject to conditions. Detailed comments incorporated in report.

### **Parks & Countryside Officer**

The submitted Landscape Strategy is very thorough and comprehensive. The approach and content is supported, and this is a very positive document to have in place at this early stage. More detailed comments are incorporated in report.

### **Biodiversity Officer**

In general the landscape strategy has the potential to enhance biodiversity on the site. Detailed comments are incorporated in report.

### **Housing Enabling Officer**

The Council's Housing Enabling Officer has advised that the overall number and tenure of affordable housing proposed meets the Council's stated intentions for addressing local housing need.

### **Tree Officer**

No comments received.

## **7. DEVELOPMENT PLAN**

The Development Plan comprises the following:-

- Policy NRM6 of the South East Plan (May 2009)
- Core Strategy DPD (February 2008)
- Site Allocations Local Plan (July 2013)
- Bracknell Forest Borough Policies Map 2013
- Bracknell Forest Borough Local Plan (January 2002) (Saved Policies)

## **8. PRINCIPLE OF DEVELOPMENT**

### **Site Allocations Local Plan (SALP)**

At a meeting on 17 July 2013, the Council resolved to adopt the SALP and Policies Map. Policy CP1 set out the presumption in favour of sustainable development. This requires that development proposals should be approved that accord with the development plan. Where this is absent, silent or relevant policies out of date, development proposals should be approved unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or where specific policies in the NPPF indicate development should be restricted.

The adopted SALP is an integral part of delivering the Council's housing requirement of 11,139 dwellings (as contained in Core Strategy Policy CS15) across the plan period until 2026. It amends the boundaries of settlements where this is required as a result of the allocation of edge of settlement sites and urban extensions for housing development such as the former TRL site, and also includes changes to the defined boundaries of employment and retail areas in the Borough - all changes are incorporated into the adopted Policies Map. The adopted SALP also supersedes saved Policy E12 of the Bracknell Forest Borough Local Plan (relating to identified major employment sites, including the former 'Crowthorne Business Estate' section of the TRL site). The Inspector who undertook the SALP Examination concluded that, subject to specified main modifications, the Plan's site-specific policies were in accordance with national guidance, consistent with the Core Strategy, justified and likely to be effective.

SALP Policy SA5 allocated this site for a comprehensive well-designed mixed use development that maintains a gap between Crowthorne and Bracknell and includes:

- o 1,000 residential units (including affordable housing) located outside of the 400m buffer to the Thames Basins Heath Special Protection Area (SPA).
- o Neighbourhood centre.
- o Primary School.
- o Multi-functional community hub.
- o Care home/nursing home.
- o A depot site (to enable the redevelopment of the Council's existing depot site in Bracknell).
- o Provision of green routes along Nine Mile Ride and Old Wokingham Road.
- o On-site open space and Suitable Alternative Natural Greenspace (SANG).
- o Maintenance of a gap between Crowthorne and Bracknell (comprising on-site open space and/or SANG).

The SALP includes an illustrative concept plan for the site, and also defines a new settlement boundary which is identified on the Policies Map.

The next section of this report will assess the proposed development in terms of its conformity with the various elements of Policy SA5.

#### Housing:

The quantum of development proposed, 1000 dwellings, is identical to the allocation in Policy SA5. The submitted parameter plans and illustrative masterplan show that the residential area would be sited outside the 400 metre SPA "exclusion zone". The amount and location of the proposed housing is therefore in accordance with Policy SA5, the defined settlement boundary shown on the Policies Map and the illustrative concept plan. A mix of dwelling sizes is proposed, including small units (though would be fixed at a reserved matters stage), which broadly accords with the Council's Housing Market Assessment which identifies that there will continue to be a need for a range of unit sizes, particularly 1,2 and 3 bed units. A density of a range of 30-35dph is proposed for the site, which is considered to be appropriate.

#### Neighbourhood Centre/retail uses:

A neighbourhood centre is proposed adjacent to the main access into the site from Old Wokingham Road. The commercial floorspace proposed would be up to 1,000 sq m which is considered appropriate for a neighbourhood centre. The provision and scale of the neighbourhood centre is therefore in accordance with Policy SA5. Although not part of Policy SA5 an additional retail unit is proposed, which would be located outside of the neighbourhood centre. The NPPF (para. 24) requires town centre uses to follow the sequential location for development. However para. 24 also requires Local Planning Authorities (LPAs) to demonstrate flexibility on issues such as format and scale. In view of the small scale of the independent retail unit it is considered that this is a case where the flexibility provided by para. 24 is relevant and therefore it is not considered that any special justification is required for this small retail unit. It would function as a local corner shop, improving the range and quality of local facilities for both the new residential development on the east side of the site and for the existing commercial units at the retained TRL headquarters building. As such it is considered that, if such a unit was considered viable by the developer, it would provide a positive benefit, enhancing the overall development. Furthermore an impact test (as set out in para. 26 of the NPPF) is not required as the neighbourhood centre and potential additional retail unit together are well below the 2,500sqm minimum threshold above which the Government considers there may be a potential impact on existing centres.

#### Primary School:

The application includes the provision of a primary school in accordance with Policy SA5. Although the need created by the proposed 1,000 dwellings, based on the latest pupil yields,

would only require a 2FE school, the Infrastructure Delivery Plan (IDP) which supports the SALP requires a primary school to be provided on a site with sufficient land to allow for a possible increase to a 3FE school (to take account of development planned at Broadmoor, which would require expansion to 3.3ha of land, which should be safeguarded and located adjacent to the proposed school). The submitted parameter plans and illustrative masterplan show a primary school on a site capable of accommodating a 3FE school within the settlement boundary. The proposed school therefore not only will meet the needs of this development, but provides sufficient flexibility to provide for other development needs within the Crowthorne area. The amount and location of the proposed primary school is therefore in accordance with Policy SA5 and the defined settlement boundary as shown on the Policies Map.

#### Multi-functional Community Hub:

The application includes the provision of a community centre within the settlement boundary in accordance with Policy SA5. This would have a floorspace of 950sqm GEA which is in accordance with the IDP requirements. The provision, scale and location of the proposed community centre is in accordance with Policy SA5 and the defined settlement boundary as shown on the Policies Map.

#### Care Home:

The application includes the provision of a care home within the settlement boundary in accordance with Policy SA5. This would have a floorspace of up to 6,500sqm (capable of accommodating 100-120 bedrooms). The provision and location of the proposed care home is in accordance with Policy SA5 and the defined settlement boundary as shown on the Policies Map.

#### Depot:

A municipal depot is proposed in accordance with Policy SA5.

#### Provision of green routes along Nine Mile Ride and Old Wokingham Road:

The SALP illustrative concept plan indicates a 50m landscape buffer along Nine Mile Ride and a green route along Old Wokingham Road. These are indicated on the submitted parameter plans and illustrative masterplan. The application is therefore considered to be in accordance with this requirement of Policy SA5.

#### On-site open space and Suitable Alternative Natural Greenspace (SANG):

Based on an average population of 2.31 people per household, the SANG requirements for a population of 2,310 (arising from 1,000 units) at 8ha per 1,000 people would equate to 18.5ha. Policy SA5 requires significantly in excess of 8ha of SANG per 1,000 population i.e. an area significantly in excess of 18.5ha of SANG is required. 42.5ha of SANG is proposed and therefore this requirement is met. Other SPA mitigation measures are also required and this topic will be discussed later in this report.

Based on an average population of 2.31 people per household, the open space requirements for a population of 2,310 (arising from 1,000 units) at 4.3ha per 1,000 people (as set out in BFBLP Policy R4) would equate to 9.93ha. 10ha of OSPV is proposed in addition to the SANG.

It is therefore considered that the application meets the requirements of Policy SA5 in respect of the provision and amount of open space and SANG.

#### Maintenance of a gap between Crowthorne and Bracknell (comprising on-site open space and/or SANG):

The maintenance of the gap between Crowthorne and Bracknell is an important consideration, and was considered in great detail during the SALP Examination (and by the

Inspector on the previous appeal). As a result of the examination process, a settlement boundary was added to the Policies Map for this site that maintained a 500m gap with the nearest part of Bracknell's built up area, and modifications to Policy SA5 were made to include specific reference to the need to maintain a gap between Bracknell and Crowthorne. In addition the depot was moved on the concept plan in order to take it out of the 500m gap. These modifications were fundamental to the Inspector finding the SALP sound. The submitted parameter plans and illustrative masterplan show that the various built forms of the proposed development would all be sited within the defined settlement boundary and outside the 500m gap accepted by the Inspector. This is in accordance with the Policies Map and also the illustrative concept plan. The only element of the proposals within the gap that is not open space or SANG is the access road to the depot. However this is in accordance with the illustrative concept plan and is therefore considered to be acceptable.

For the above reasons the principle of the proposed development is in accordance with SALP Policy SA5.

### **Other Development Plan Policies Relevant to the Principle of Development**

Core Strategy Policy CS2 sets out a number of locational principles for new development within Bracknell Forest, including a sequence of allocation, directing development to the Town Centre first, followed by previously developed and other land within defined settlements, and lastly extensions to sustainable settlements which is how this site came to be allocated. Following adoption of the SALP, the site is allocated for development. A substantial portion of the land now falls within a defined settlement. Policy CS2 states that development will be permitted within defined settlements and on allocated sites. The proposed development is therefore in accordance with Policy CS2.

Policy CS9 seeks to protect land outside settlements. Part of the allocated site remains outside a defined settlement and the proposals respect this as recreational uses are proposed within these areas. Policy CS9 also seeks to protect the defined gaps within or adjoining the Borough from development that would harm the physical and visual separation of settlements either within or adjoining the Borough. The Core Strategy Key Diagram indicates the broad location of a strategic gap between Crowthorne and Bracknell, part of which falls in the north east of the application site, and therefore Policy CS9 is relevant to the determination of this application in respect of the protection of this strategic gap. The SALP defines a settlement boundary for Crowthorne that maintains this strategic gap. The proposed development similarly respects this gap by not proposing built development (other than the access road to the municipal depot) outside the defined settlement boundary, thus maintaining separation between the settlements of Bracknell and Crowthorne.

Policy NRM6 of the South East Plan and Policy CS14 relate to consideration of and mitigation of impacts upon the SPA. These establish a general presumption against new residential development within a 400m straight line distance of the boundary of the SPA, and require appropriate avoidance and mitigation measures in respect of development within a 5km straight line distance of the SPA.

Policy CS15 sets out a housing requirement of 11,139 dwellings across the plan period (2006-2026). The SALP helps implement this policy through the allocation of sites such as TRL. Should permission be granted for the residential development proposed in this application, further certainty will be given to the ability to achieve a five year supply of housing land. As at 1st April 2013, (following adoption of the SALP) the Council had a 5.6 year supply. Therefore, policies relevant to the supply of land for housing are not out of date, and the above policies are considered up to date in the context of para. 49 of the NPPF.

## **Weight to be Given to Development Plan Policies**

The principle of the proposed development falls to be determined in accordance with these Development Plan policies, taking account of their consistency with the NPPF (in relation to para. 215). The Inspector who undertook the SALP Examination concluded (para. 122) that the site specific policies in the SALP were in accordance with national guidance. Therefore, they are considered to be consistent with the NPPF, and afforded full weight.

Core Strategy Policy CS2 is considered to be consistent with the NPPF as it formed the basis for the allocation of land for development through a plan led system. It takes a positive stance by making it clear that development will be permitted within defined settlements and on allocated sites. Therefore, Policy CS2 can be afforded full weight in relation to NPPF para. 215.

Policy CS9 seeks to protect countryside for its own sake and more particularly to protect defined gaps in order to maintain the identity of individual settlements and prevent the coalescence of settlements. The NPPF (5th bullet point of para. 17) sets out that account should be taken of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside. Whilst there is a difference in emphasis between Policy CS9 and the NPPF, in broad terms it is considered that Policy CS9 is consistent with the NPPF and that significant weight can be afforded to this policy (in relation to para. 215 of the NPPF).

In relation to South East Plan Policy NRM6 and Core Strategy Policy CS14 these are considered to be consistent with paras. 113 and 119 of the NPPF which require LPAs to set criteria based policies against which proposals for any development affecting protected wildlife will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds of Habitats Directives is being considered, planned or determined.

Policy CS15 (in conjunction with the SALP) is consistent with para. 47 of the NPPF which requires LPAs to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period. It also requires LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing. The SALP Inspector concluded that, given that the SALP had been prepared in the context of an adopted Core Strategy, a review the underlying justification for the scale of housing would represent a significant change to the Plan's role and purpose – which is to allocate sites in line with the CS. He considered that the objective assessment of housing needs in the Borough was more appropriately considered through a new Local Plan as proposed in the Council's Local Development Scheme (LDS)<sup>8</sup> with an expected submission date of March 2016. Bearing in mind that the land proposed for allocation in the SALP represents a significant part of the Borough's overall housing supply and noting the NPPF's emphasis on a genuinely plan led system he concluded that such a delay would be counterproductive. Substantial weight can therefore be given to Policy CS15.

## **Conclusion on the Principle of Development**

The relevant Development Plan policies outlined above relating to the principle of the proposed development are considered to be up to date, and consistent with the NPPF. For the reasons set out above it is concluded that the proposed development is in accordance with Policy SA5 of the SALP, Policies CS2, CS9, CS14 (insofar as it relates to locational principles) and CS15 of the Core Strategy and the NPPF. As the principle of the proposed

development is in accordance with the Development Plan and therefore acceptable, the presumption in favour of sustainable development requires that the application proposals should be approved, unless other material considerations indicate otherwise.

The following sections of this report will consider whether there are other material considerations that indicate a determination should be made otherwise.

## **9. URBAN DESIGN AND IMPACT ON THE CHARACTER OF CROWTHORNE**

'Saved' BFBLP Policy EN20 and CSDPD Policy CS7 (which are considered to have significant weight in relation to para. 215 of the NPPF, as they are consistent with Chapter 7 of the NPPF) are relevant. The site contains many trees, and therefore 'saved' Policy EN1 of the BFBLP is also relevant. This policy is considered to be consistent with the NPPF, in particular para. 118, and can therefore be afforded significant weight (in relation to para. 215 of the NPPF).

NPPF para. 57 refers to the need to plan positively for the achievement of high quality and inclusive design for all development. Para. 58 refers to the need for planning decisions to ensure that development optimises the potential of a site to accommodate development and refers to the functioning and overall quality of the area.

A number of representations have raised concern that the proposed development would be harmful to the distinct character of Crowthorne. In particular concerns have been raised that the scale of development would be disproportionate to the existing settlement; that the proposed building heights and densities would be out of character with those of Crowthorne; that the loss of the strategic gap between Bracknell and Crowthorne will result in the loss of the individual identities of these communities and concern about the loss of trees and vegetation along Old Wokingham Road opening up views into the site from existing residential areas.

Some of the concerns raised relate to matters of principle discussed in the previous section. In particular those about the number of dwellings proposed and the loss of the strategic gap. These matters were addressed by the SALP Inspector. He noted that in the 2009 appeal decision the Secretary of State agreed with the Inspector's view that the conclusions reached about that proposal's effects on the integrity of the SPA did not necessarily preclude a substantial development including a large number of dwellings on the site, were it also to be deemed acceptable in other respects.

The site is currently occupied by extensive areas of road testing infrastructure and numerous large buildings including sizeable office and commercial buildings up to six storeys high which are generally in a dilapidated condition, creating a poor internal environment to the site. The landscape is covered by extensive areas of coniferous plantations which suppress the natural heathland. On the external perimeters the site is heavily enclosed by a foil of mature forest allowing only glimpsed views in. Part of the site was previously allocated for employment in the 2002 Local Plan.

The site and its surroundings have been considered by two landscape studies (2010 and 2011) in the context of the SALP. The 2010 report concluded that the area containing the TRL headquarters building, the CBE and the large central surfaced area of the test track had a high capacity to accommodate development in the landscape without significant effects on its character. The remainder of the TRL site predominantly comprises conifer plantations, but also include sections of test track and some other structures. These areas were identified as having a moderate to low landscape capacity for development. Both landscape reports highlight the importance of retaining the existing wooded character of these areas as an important landscape feature of this part of the Borough and the Strategic Gap. Although the



illustrative concept plan contained in the Submission SADPD showed that much of this area retained as open areas, it also showed development extending to the northeast beyond the extent of the TRL building.

The SALP Inspector acknowledged that this part of the site is particularly important given its proximity to the southwest corner of Bracknell's built up area. He accepted that this 'pinch point' is an area of considerable visual sensitivity, as recognised by the previous appeal Inspector in 2009. In that case, office development of a substantial scale was proposed less than 500 metres from the junction of Nine Mile Ride with the A3095 with an intervening car park. However the Submission SADPD suggested a location of the new Council depot closer to Bracknell's built up area than these previously proposed office buildings. The SALP Inspector was not satisfied that this arrangement would achieve an adequate visual separation between the new development and the urban area of Bracknell. The presence of substantial areas of open space elsewhere within the site (including SANG to the south and a landscape strip on the south side of Nine Mile Ride) would not override this, as they would be well separated from the 'pinch point' itself. He therefore concluded that separation of settlements would not be achieved which would fail the requirement to be consistent with the CS. The Inspector was also concerned that the concept plan was illustrative only and a settlement boundary had not been defined. The boundary of the policy SA5 allocation adjoins Nine Mile Ride and extends to the Golden Retriever public house at the Nine Mile Ride/A3095 junction.

In response to the above concerns, the Council amended the illustrative concept plan and added a settlement boundary to the Policies Map to ensure that the edge of the urban extension is defined on the Policies Map. The illustrative concept plan relocated the Council depot to a less visually sensitive location and the new settlement boundary lies at least 500 metres from the nearest part of Bracknell's urban area.

The Inspector noted that although part of the area identified in the 2010 landscape study as having only moderate to low landscape capacity for development would fall within the potential development area, he was satisfied on balance that the resulting arrangement would allow the retention of sufficient woodland and open space to maintain both a physical gap and the perception of such a gap, particularly when viewed from Nine Mile Ride. He also clarified that he did not accept the view of some local representors (repeated in some of the objections to the current application) that CS policy CS9 implies a wider degree of separation - for example in terms of access to services and facilities. He concluded this is outside the scope of Strategic Gaps. Indeed, the need to make efficient use of services and wider community integration implies that some services (for example hospital provision) will need to be shared within a larger geographical area.

The current application respects the parameters of development set out within the SALP concept plan, including the strategic gap, which was found by the Inspector, on balance, not to result in an adverse impact on the character of Crowthorne and would retain a sufficient gap with the outskirts of Bracknell to prevent the coalescence of these two settlements. A Landscape and Visual Impact Assessment has been undertaken for these proposals (Chapter 11 of the Environmental Statement (ES) accompanying this application). This assessment reviewed the existing landscape of the site and local area. In particular, the work considered the degree to which the site provides separation between Bracknell and Crowthorne, and the potential for any negative impacts on this function. This assessment work has demonstrated the scale and form of development put forward in this application can be accommodated without harm to the sense of separation currently provided.

Other issues raised relate to the proposed building heights and densities, and the opening up of the site from Old Wokingham Road. The supporting ES sets out details of the heights and densities of the proposed development, with the average height of the residential dwellings

across the site being two to three storeys. However there would be variation within the different character areas which will assist in providing a distinct townscape quality to the development. Dwellings are proposed to be lower where there are sensitive views such as along Nine Mile Ride, or along the SANG boundary. Conversely dwellings would be higher where it is important to create strong edge conditions such as around feature squares, along the spine road, or fronting onto the woodland in the north west corner. In addition a number of three to four storey landmark buildings are proposed at key intersections along the central spine road.

The applicant's vision for this site is set out in the Design & Access Statement (DAS). This envisages a scheme that that would form an extension to the existing settlement of Crowthorne, creating a new neighbourhood that connects with the established character of the village, and which relates well to the existing sylvan character of Crowthorne. It aims to create an attractive new neighbourhood that reads as a natural extension to the existing settlement of Crowthorne. This would be achieved by assimilating landscape features of the site and integrating them with the locality; ensuring the sensitive presentation of the new development on the public frontages of Old Wokingham Road, Nine Mile Ride and Bracknell Road; creating an attractive lively and functional development with a sense of place and a public realm designed to promote a community within the neighbourhood; reinforcing the forest and heath landscapes as part of the local landscape/ townscape character and ensuring appropriate provision of accessible public open space.

It is considered that these objectives are sound and if successful will lead to the creation of a high quality, well designed urban extension. Development that protects the character of an existing settlement does not necessarily require duplicating elements of the existing character to create a "clone" community. Indeed such an approach would be contrary to guidance in the NPPF which states that (para. 60) decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Para. 63 states that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area, and para. 65 states that LPAs should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design.

The development proposed by this application is not intended to replicate the low density, low rise suburban character of the residential area west of Old Wokingham Road. It is true that some of the buildings are likely to be higher and parts of the development would be at a higher density. However this in itself does not make the proposal unacceptable. The intention is to create a distinct community with its own character, while respecting the positive attributes of Crowthorne which make it so attractive with existing residents.

As noted above the existing buildings on the Crowthorne Business Estate, closest to Old Wokingham Road are large, unattractive office blocks up to six storeys high. These are clearly visible from Old Wokingham Road. It is considered that the removal of these buildings and replacement with a new well designed mixed use community with landscaping and public access to large areas of public open space would considerably enhance the character of the area, and represent an attractive extension to Crowthorne.

As such it is not considered necessary or desirable to attempt to hide the proposed development away from public view. Where the development abuts Old Wokingham Road the DAS envisages development being pulled more tightly into the existing edge of Crowthorne, reflecting the fact that this is the part of the site where the main existing built up area is located, and where existing views into the site can be obtained. The gradual

revealing of the development along Old Wokingham Road from the north, with the solid landscape buffer gradually giving way to a more permeable green edge allowing views into the development before the new gateway to the development is reached opposite Hatch Ride is considered appropriate. The new gateway would be in the form of a landscaped square in front of a neighbourhood centre providing local shopping facilities. The main spine road would exit onto Old Wokingham Road here, and the line of Hatch Ride would be extended south eastwards through the neighbourhood centre as a pedestrianised route, continuing on to the new primary school and community centre. This is considered a very positive feature that will help integrate the new development with the historical rides and existing settlement.

While the proposed development would result in the loss of numerous trees (mainly but not exclusively, coniferous plantations), the visual impact of the proposed development from outside the site would be mitigated to some degree by the existing and proposed woodland which would screen the development from long-range views particularly from Bracknell Road and Nine Mile Ride along which a 50m wide woodland buffer would be retained. Any views into the site would be filtered by the retained and proposed tree belt other than at the main entrance points. This would help soften the appearance of the development.

A similar, but considerably narrower landscape buffer would be retained along most of the Old Wokingham Road frontage. This, together with the road itself, would provide a clear distinction between the existing and the proposed residential areas, while enabling visual links to be maintained helping to integrate the proposed neighbourhood into the existing settlement of Crowthorne.

The proposed loss of trees within the site is not considered to result in any adverse impact on the character of the area, as the most important trees and woodland belts around the perimeter of the site would be retained. Furthermore the reduction in the size of the conifer plantations would provide an opportunity to create new areas of heathland, a major biodiversity enhancement. The main significant tree loss from a public perspective would occur in respect of the proposed new accesses onto Old Wokingham Road and Nine Mile Ride. Some tree loss here is unavoidable, but the access points have been carefully designed to minimise this.

The site is adjacent to Windy Ridge on Bracknell Road, a Grade II listed building. Given that this would be adjacent to the SANGs area where no built development is proposed, and the physical separation and the existence of screening between the proposed development and Windy Ridge, it is not considered that there would be any significant adverse impact on the setting of any nearby listed buildings.

The NPPF at para. 62 states that LPAs should have local design review arrangements in place to provide assessment and support to ensure high standards of design. In general, early engagement on design produces the greatest benefits. In assessing applications, LPAs should have regard to the recommendations from the design review panel.

The applicant sought a review of its proposals at an early stage from the Berkshire Design Panel in December 2012. The Panel provided positive feedback on the approach to design being taken which it considered had the potential to be a successful new community built on previously developed, but under utilised land. The Panel considered that the layout of the proposed residential development appeared sound, broadly locating the residential development in the northwest corner of the site on the previously developed land, and preserving the woodland to the south and east, with a strip of community and education uses located to form a buffer between the proposed residential and the preserved open space. The urban form and the use of green avenues taking their lead from the historic rides which characterise the area generated a legible block structure. It also considered that the

distribution of densities and heights across the site appeared sensible with greater height and density supporting the open spaces at the core of each neighbourhood area.

The Panel also considered that the variety of uses including care home, school and community facilities proposed across the site could, if carefully handled, help support the development of a community within the site. While their general location within the 400m SPA buffer seems sensible it noted that this positions all communal uses to the fringes of the new development, and dislocates them from the neighbouring community at Crowthorne. Additionally, it considered that this could somewhat limit their ability to function together as a focus of community activity. These uses, especially the school, could act as a key hub within the development helping to establish communities. The design of the local centre is still under development. How this area works as an entrance to the wider site, as a point of communal activity and as a successful commercial centre need to be balanced. The Panel was confident that this can be achieved but would require more focus on the relationship of these elements to highways, parking, public space, and links to other community facilities as well as the relationship with residential neighbours. The impact of highways planning on the design at this point, and other entrances to the site, will be critical to their success.

The Panel welcomed the careful consideration of landscape across the site, especially dealing with water. It considered that where possible public access to open spaces, for both potential and existing residents, should be facilitated so they can function as an asset for the wider community in this part of Crowthorne.

In conclusion it is considered that the principles set out in the DAS and Landscape and Open Space Strategy, subject to a high quality design response, would enable a development to be created on this site which enhanced the character and appearance of area, and therefore the proposal is in accordance with the relevant sections of Core Strategy Policy CS7 and saved Bracknell Forest Borough Local Plan (BFBLP) Policies EN1 and EN20.

## **10. RESIDENTIAL AMENITY**

BFBLP 'Saved' Policy EN20 proviso (vii) seeks to prevent development that would adversely affect the amenity of surrounding properties. Generally this site is self-contained with relatively few places where it would impact directly on existing residential properties. The main impact would be in the west where the proposed development abuts Old Wokingham Road. There are also several properties along Nine Mile Ride and one on Bracknell Road which directly abut the site. These all have large plots and it is considered that the detailed layout could be designed to avoid any undue impact on the amenities of these properties. Specific objections have been received from South Lodge on Nine Mile Ride in respect of the proposed access to the depot which would be opposite this property. In view of the nature of the vehicles using this access and the early hours of operation, it is accepted that this particular property would suffer an adverse impact on its residential amenity. In the light of this, and in response to highway safety concerns, the position of this access has been moved further east away from South Lodge. While it is accepted that this amendment is unlikely to fully address the concerns about amenity, it is considered to represent a significant improvement on the original position. Although it is acknowledged that additional noise and disturbance is likely to be caused to this property, including traffic movements at unsociable hours, no waste would be stored at the site, and following careful consideration of alternative access points for the depot it is concluded that the access position now proposed represents the least harmful solution. The inclusion of a replacement municipal depot within this application is in accordance with the SALP, and is required in order to deliver other significant housing sites in the SALP on which the Council depends for securing an adequate housing land supply. On balance therefore the adverse impact on the amenities of South Lodge is considered to be outweighed by the strategic benefits of providing a re-located depot site here.

Concerns have been raised by the owner of Windy Ridge on Bracknell Road in respect of the need to ensure adequate boundary treatment and landscaped buffers along his boundary with the proposed SANGs. While it is accepted that these are important matters that will need to be addressed in order to protect the security of Windy Ridge once public access is provided to the adjoining land, it is not considered that these details need to be resolved at this outline stage, rather these are matters to be considered at the later reserved matters stage.

A number of properties on the west side of Old Wokingham Road would face towards the proposed residential neighbourhood. Although the outlook from these properties would change, it is not considered that this would be detrimental to the amenity of these properties.

A major concern raised by local residents is the significant amount of additional traffic that would be generated by the proposed development which would exacerbate the existing traffic congestion over a wide area within both Bracknell Forest and Wokingham Boroughs. This issue will be addressed under Transport Implications below.

It is therefore concluded that although there would be an impact on South Lodge, this is outweighed by the benefits that the scheme would provide. Furthermore the impact has been reduced through the re-positioning of the depot access further from this property. No other properties are considered likely to suffer any significant adverse impacts on their residential amenity, and the proposal is therefore considered to be in accordance with saved Policy EN20 proviso (vii).

## **11. TRANSPORT IMPLICATIONS**

### **Access to the site:**

The application proposes three new priority vehicular accesses off Old Wokingham Road (replacing the existing in and out accesses to the CBE). A further new access off Nine Mile Ride is proposed to the east of South Road. The existing roundabout on Nine Mile Ride would be retained, with this providing access to the retained TRL headquarters building as well as to the proposed development.

The first access is located towards the south of the development and will serve the proposed care home and SANG car park. The junction is located approximately 26m north of Ellis Road and will form a simple priority junction with Old Wokingham Road. This is appropriate for the proposed level of traffic expected from the access and is acceptable to the Highway Authority. The level of traffic generated by this access in peak times is likely to be low due to the fact that it serves only limited uses which typically have little traffic generation at peak times of the day. A condition on the use of this access is recommended. A 3m shared footway/cycleway has been shown on the southern side of the junction which will connect with wider cycling facilities being proposed. Visibility in both directions is acceptable. This may require the removal or cutting back of some trees to the north of the access for long term retention of the splay. To the south of the junction an existing mast and cabinets will need to be relocated to achieve safe visibility and provide the cycleway that is proposed.

Overall the principle form of the junction is acceptable and the final design will be controlled by condition.

The second access is located in the middle of the development and is envisaged as serving the main route through the development to Nine Mile Ride. The junction is located approximately 100m south of Hatch Ride and will form a priority junction with a ghost island right turn lane on Old Wokingham Road. This is appropriate for the proposed level of traffic

expected from the access and is acceptable to the Highway Authority. A 3m shared footway/cycleway within the site will link this junction with Access A and C. Visibility in both directions is acceptable. This may require the removal or cutting back of some trees to the north of the access for long term retention of the splay. To the south of the junction the road widening carried out to provide the right turn lane removes several trees and provides adequate visibility as the edge of the road will be reinstated as footway or verge. There are also two pedestrian refuges in close proximity of the junction, one is already in existence and is located to the north of the access near to Hatch Ride and the other will be provided prior to the start of the right turn lane. These refuges will provide adequate places for pedestrian to cross Old Wokingham Road.

Overall the principle form of the junction is acceptable and the final design will be controlled by condition.

The final access off Old Wokingham Road is located towards the north of the development and is envisaged serving as a secondary access to the residential area. The junction is located where the current egress to the site is, some 140m north of Hatch Ride. It will form a priority junction with a ghost island right turn lane on Old Wokingham Road. This is appropriate for the proposed level of traffic expected from the access and is acceptable to the Highway Authority. The junction will remain virtually unchanged from the existing egress. A 3m shared footway/cycleway within the site will link this junction with Access A and B as well as up toward the roundabout junction with Nine Mile Ride. Visibility in both directions is acceptable as the access benefits from a footway to the south and a wide verge to the north.

There are two pedestrian refuges in close proximity of the junction, one is already in existence and is located to the south of the access near to Hatch Ride and the other will be provided at the end of the right turn lane. A new section of footway will be provided from the site on the northern side of the access to connect to the proposed pedestrian refuge. The refuges will provide adequate places for pedestrians to cross Old Wokingham Road.

Overall the principle form of the junction is acceptable and the final design will be controlled by condition.

On Nine Mile Ride, a new access is proposed approximately 90m to the east of the junction of South Road. The positioning of this access has been revised (plans received 20th December 2013) and is now approximately 25m east of the original proposal. The position of this access is acceptable to the Highway Authority. Visibility in both directions from the access is also acceptable. Due to the classification and speed of the road a right turn lane has been included within the design. In order to achieve the design requirements of the road a number of trees will have to be removed. A traffic island has been located at the end of a right turn lane and the existing bus stop will need to be relocated and a section of footway provided from the access to serve it. The Highway Authority advise that the traffic island should be altered to a pedestrian refuge as this would create the traffic protection and also a place to safely cross to catch the bus for all users.

A new signalled controlled pedestrian crossing has also been shown just to the west of South Road. This will connect into the site and facilitate easy access for children heading towards Easthampstead School to the north.

Overall the principle form of the junction is acceptable and the final design will be controlled by condition.

The above access proposals have all been through safety audits and the designers have responded to the issues raised.

In addition to the above new accesses the proposal would utilise the existing roundabout on Nine Mile Ride that was constructed to serve the earlier TRL HQ development. The proposals do not alter the design of this roundabout, but changes will be made within the site to the current road that serves the TRL HQ site to provide a link road through the development.

### **Pedestrian/Cycle Proposals to Serve the Site:**

As part of its plans to connect the site to existing infrastructure and local facilities the applicant is proposing a new footway/cycleway that runs through the site and continues along Old Wokingham Road. The 3m wide route will run adjacent to the eastern edge of Old Wokingham Road from the junction with Bracknell Road to the south up to Access A. From this point it runs within the site up to Nine Mile Ride where it will connect to the splitter island at the roundabout. The section of footway/cycleway that runs along Old Wokingham Road south of Bookers Row is in land controlled by the Forestry Commission which has agreed to allow the cycle route to be constructed on its land and dedicated as public highway. As the proposal lies outside the red line for the development a Grampian style condition linked to a S106 obligation is recommended to secure its provision.

The exact design and locations of connections to Old Wokingham Road can be dealt with by details submitted for conditions.

Improvements to pedestrian/cycle access along South Road to provide safe links to the secondary school as well as a further link towards Bracknell are sought. This could be achieved either through scheme implementation by the developer or a financial contribution towards implementation by the Council. The applicant has indicated a possible scheme within the transport assessment, involving new and improved sections of cycleway and lighting of the route. Such an improvement will need to be in place before a significant amount of development has occurred to ensure that school children have a safe route to walk and cycle along. This will be set out in the S106.

Any of the junction or pedestrian/cycle improvements discussed above will be required to be adequately lit and this will form part of the final design of each area.

### **Internal Access Road:**

As part of the proposal the applicant has indicated that an internal spine road linking Old Wokingham Road to Nine Mile Ride will be provided. Some illustrative details of this access road have been provided within the outline application to ensure that a suitably designed road to serve the site can be accommodated. At present there is a bridge that runs into the TRL HQ site from the Nine Mile Ride access and the design of this road is not suitable to serve the proposed development as it is too steep. The applicant has provided indicative levels of the proposed road and these comply with current guidance, the exact design of the entire road will be required by condition prior to commencement of development or reserved matters application. This road will serve as the bus route through the site and thus it will need to be at least 6m in width to allow vehicles to safely pass. Appropriate footways/cycleways will need to be provided as well.

### **Parking Requirements: (to include turning area / on street etc)**

This application is outline only and so parking requirements will be discussed at the reserved matters stage. However the Transport Assessment does discuss that parking will follow current borough standards and various parking options would be explored although the majority of parking will be on plot.

Conditions relating to car and cycle parking are recommended, thus enabling details to be covered at the Reserved Matters stage.

### **Impact of Traffic on Local Road Network:**

The applicant has utilised the Bracknell Forest Multi Modal Traffic Model to ascertain the impacts the development would have by 2026 when the development is expected to be complete. Although the new TRL offices have been included, the modelling approach has not taken into consideration the current extant lawful uses of the site (B1 (Business and light industry), B2 (general industry) and B8 (storage and distribution) uses). Although these uses have not been operating at full capacity for many years these still represent the lawful planning uses which could be resumed at any time without further planning permission.

The residential development is expected to generate around 609 two way movements in the morning peak and around 575 two way movements, in the PM peak hour. The applicant's assessment of traffic likely to be generated from the proposed development is considered to be robust; especially as account has only been taken of the gross number of trips rather than the more normal approach of netting off the increase in trips over and above those that could be generated through a resumption of the lawful uses on the site.

The greatest traffic impact from the development would be on the following junctions around the site.

#### **Old Wokingham Road/Nine Mile Ride**

This junction experiences high levels of traffic which will be further impacted on by the proposed development. Observations of site conditions indicate that queuing currently occurs at certain times of the day. The applicant has therefore investigated improvements to cater for the pressure created from the proposed development. Several options have been tested, including a signalised junction but the most effective proposal is an alteration to the existing roundabout that improves the capacity of the junction by increasing the approach flares giving more stacking capacity. The alterations allow for two lanes of traffic to queue on Old Wokingham Road (south), with more modest changes to the flares on the other arms. The flare proposed to be extended on Nine Mile Ride East will require the removal of a mature Oak tree within the highway verge and the relocation of a lamp column. The loss of this tree is regrettable, but considered necessary if a sufficient improvement is to be made at this junction. The relocation of the bus stop will also improve the movement of traffic through the junction. Overall it is felt that such an improvement will provide sufficient mitigation for the impact of the development on this junction.

#### **Old Wokingham Road/Bracknell Road**

The capacity of this junction will reach the upper limit of acceptability following the proposed development. It has been identified within the Council's infrastructure delivery plan (IDP) as one requiring modifications as part of a wider strategy for this corridor. The applicant has modelled the planned improvements and this indicates that there are capacity benefits which would offset the impact of the development. The proposed development is likely to have a greater impact on this junction than other planned development in the area. Therefore to ensure that the junction is not adversely affected by the development the improvement shown in principle in the IDP should be completed prior to the occupation of the development.



## **Dukes Ride/High Street**

This junction has also been identified within the IDP as requiring modifications as part of a wider strategy for this corridor. The applicant has modelled the impact of the proposed development assuming the planned improvements are carried out and this indicates that although there would be an impact, this would not significantly affect the junction's performance. Therefore to ensure that the junction is not adversely affected by the development a contribution should be made towards the improvement shown in principle in the IDP.

## **Nine Mile Ride/ Foresters Way (Golden Retriever)**

This junction currently experiences significant demands on it during peak hours with traffic queuing on the approaches in both peaks. The proposed development will add to this pressure and the modelling indicates that a significant amount of the development traffic would pass through this junction in each peak hour. The IDP has highlighted the need for this junction to be improved and a scheme has been proposed for the junction that incorporates a significant change to the roundabout. The applicant has indicated that they would be prepared to implement this scheme in full and it is deemed necessary that the scheme is implemented prior to the completion of the development.

This is not the only planned development that will impact upon this junction and therefore the provision of this junction improvement in full by the applicant would represent a degree of over provision beyond the strict needs of this development itself. As such it is considered that contributions to other wider improvements (outside the junctions already discussed) would not be reasonable.

Overall the development can mitigate its impact on the local road network and the junctions listed above will either require physical works or contributions towards planned improvements.

## **Public Transport:**

It is proposed that the existing commercial 194/X94 service will be upgraded and rerouted to serve the site as well as either a new service or an extension to the current 122 service serving Wokingham, such a service will also serve Crowthorne Rail Station. The exact details of the improvements to the 194/X94 service are yet to be agreed but the concept is to provide at least a half hourly service between Bracknell and the site from 6am to 9pm and then an hourly service until 11.30pm. Such a service will provide very good access to/from the town centre and it will be aligned to tie up with train services at Bracknell. Public transport use will also be supported by the travel plan for the site, with funding for household bus passes to promote bus travel.

In respect of the bus service to Wokingham this is also yet to be agreed but it is likely to be less frequent and not run late into the evening. However it is anticipated that it will create an improvement to the existing service serving current local residents and will help to reduce traffic in the area by giving the link to Crowthorne Rail Station.

## **Travel Plan:**

A residential travel plan framework has been provided for the site, it is a requirement for the scale of the development and it will be included within a S106.

## **Construction and Phasing**

The applicant has provided information relating to phasing of the development and when certain parts of the site will be developed. The indicative phasing indicates that before residential development can begin the demolition of the existing buildings and the creation of the SANG must occur. The applicant proposes to utilise the existing roundabout on Nine Mile Ride serving the TRL and the existing northernmost access on Old Wokingham Road to undertake this work. The access for the depot will also be constructed in the early phases providing another potential access that could be used in the creation of the SANGs. Using these points of entry with traffic being directed from Nine Mile Ride to and from the site will reduce the impact on local residents and reduce the potential for conflict and damage to the highway network.

After this work it is anticipated that 4 phases of residential development will occur along with off site highway works to create access to the site for all users. The internal spine road will be constructed during the first residential phase with the other off site works being carried out in phases 2, 3 and 4 of the residential development. The timings of the off site junction works will need further consideration and discussion to ensure the impact of the development is appropriately mitigated at the right time. A pre commencement condition relating to phasing and routing/traffic management strategy will also be required.

## **12. LANDSCAPE AND TREE ISSUES**

The majority of this site consists of extensive forest; however none of these trees are subject to Tree Preservation Orders. The proposed development would involve extensive tree felling together with new habitat creation and substantial new planting. However it is considered that the issues raised at this outline application stage are best addressed in terms of the general landscape impact as discussed in the section on the impact on the character of Crowthorne, as it is considered that on a development of this scale detailed tree and landscape issues are better dealt with at the reserved matters stage should outline permission be granted. As no individual trees are protected it is considered that any issues concerning the loss of trees (if the development as a whole was found acceptable) could be satisfactorily dealt with through replanting, landscaping and management schemes to be drawn up in detail at a later stage. In addition the protection of retained trees can be controlled through appropriate conditions.

The Council's Parks & Countryside Officer supports the outline application in terms of its landscape proposals and open space /play /sports concepts, the location of the SANG, site layout and green infrastructure.

The illustrative landscape structure picks up on the alignment of historic forest tracks and the vistas they create. This provides a strong framework that provides links in the green infrastructure within the site. The placing of neighbourhood squares on these lines adds to the significance of these routes, adding variety to the streetscene and opportunities for structural landscaping. Setting the stream within a green corridor will provide a valuable biodiversity resource in addition to the visual amenity and other green infrastructure benefits. These aspects of the proposal are considered to provide positive benefits for the development and are welcomed.

The management of the areas of predominantly coniferous plantations is very important, and the aim of achieving greater age-range and increasing the proportion of native broadleaved trees and understorey would need to be commenced as early as possible in the development, while the site is readily accessible and the work can be carried out on a commercial forestry scale before there are any residents.

The whole site has great potential to provide pedestrian and cycle routes as viable alternatives to car use for short journeys, as well as for leisure and recreational activities.

### **13. BIODIVERSITY**

Core Strategy Policy CS1 which is consistent with the NPPF, supports development that protects and enhances the quality of natural resources including water, air, land and biodiversity. Policy CS7 supports development proposals which enhance the landscape and promote biodiversity. These policies are consistent with para. 118 of the NPPF which states that LPAs should aim to conserve and enhance biodiversity. The Council's Biodiversity Officer has advised that the integration of green corridors through the site, using old forest tracks, is a positive step and creates a strong green infrastructure through the site. Since the second world war commercial forestry has increased on land that was once heathland. Most commercial forestry operations plant non-native coniferous trees as they are fast growing and can be grown on land that is poor for other agricultural use. Therefore, the tree dominated landscape of TRL is not natural forest, but a planted commercial forest which obscures the natural character of the landscape which is one of heathland with scattered woodland.

Lowland dry and wet heaths are listed under Annex 1 of the EC Habitats Directive in recognition of the extensive losses of this habitat throughout Europe. In Berkshire 98% of heathland has been lost since 1761. The Bracknell Forest Biodiversity Action Plan 2012 - 2017 has a target of creating 57 ha of new heathland in the plans lifetime. The Thames Basin Heaths are also a Berkshire Biodiversity Opportunity Area (BOA) and heathland and bog restoration is a target for this BOA.

The TRL development represents a fantastic opportunity to restore and create lowland heaths which are an important habitat for a diverse range of rare and important species. The potential benefits for biodiversity are therefore very significant. The aim therefore for the landscape of the site should be one of open heath character with areas of wet heath and bog habitat, with small patches of broadleaved woodland within the landscape. There is a need to retain a woodland buffer around the edge of the site to provide screening, but coniferous woodland should not be the dominant feature of this landscape.

In order to achieve the desired open heathland character with woodland patches, the current timber crop will need to be harvested. This will be much easier to achieve before major construction works begin or the development is occupied. Once occupied and there is public access across the site, harvesting and timber management works will be much harder to achieve and more costly. The management of the timber crop and its harvesting therefore should be carried out in the early stages of this development. A reduction in coniferous tree cover will also reduce the fire risk on the site by removing a large resinous fuel source.

The construction and siting of flood retention features within the SANG is very encouraging and again has enormous potential benefits for creating wet habitats which are important in a wider heathland landscape. This approach is therefore supported to achieve the hoped for biodiversity benefits. Detailed plans of how this will be achieved should be provided in later design stages.

The ES reports that no bat roosts have been recorded within the site. Some trees have been identified as having the potential to support roosting bats. There is potential impact from the construction phase of the development from the loss of and disturbance to foraging and commuting bats. Prior to the demolition of buildings on site, a further internal bat survey will be required for any buildings that have the potential to support roosting bats prior to demolition. However internal and external building surveys were undertaken in 2012 and no

evidence of bats was found. In addition a number of trees were assessed as having potential to support roosting bats, but none were observed.

In conclusion, this application proposes that the most significant environmental features on site will be retained and managed and the proposals may provide opportunities to incorporate features into the design which are beneficial to wildlife. The overall mitigation strategy as set out in the ES is considered sufficient to mitigate against any adverse impacts on biodiversity (other than in relation to the SPA which is considered separately below).

The approach taken in respect to the layout of the site, built areas, green corridors and the location of the SANG is considered to be acceptable in terms of its impact on biodiversity subject to the detailed design of the SANG and other public open spaces including proposals for the creation of a more open, heath dominated landscape which reflects the wider pastoral landscape of the region and supports the biodiversity action plan targets in the Thames Basin Heaths. The proposed development, in conjunction with the proposed biodiversity mitigation measures is considered to secure the protection and enhancement of biodiversity in accordance with CS Policies CS1 and CS7.

#### **14. AIR QUALITY AND NOISE IMPACTS (OTHER THAN SPA)**

The Council's Environmental Health Officer has advised that the predicted results for NO<sub>x</sub> when the properties are inhabited in 2022 are within the required Air Quality limits and indicate a negligible impact on NO<sub>x</sub> levels. Therefore the Air Quality part of the Environmental Statement is accepted and there is no requirement for any mitigation to be provided.

The noise and vibration section of the Environmental Statement is satisfactory and no problems are envisaged provided the mitigation put forward is followed.

#### **15. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)**

The Council, in agreement 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 SPA, either alone or in-combination with other plans or projects. Applications for non-residential developments will be dealt with on a case by case basis, in agreement with NE.

Approximately half of the south eastern part of the application site is located within 400m of the SPA with the SPA lying approximately 15m from the site at its closest point. The proposed residential development lies outside the 400m zone, however non-residential development is proposed within this area. The development is therefore likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures. Therefore, a Habitats Regulations Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the SPA.

In line with the following policy documents the project as proposed would not adversely impact on the integrity of the site provided the following avoidance and mitigation measures are provided and prior to permission being granted an applicant enters into a Section 106 Agreement.

- National Planning Policy Framework (DCLG, March 2012)
- South East Plan Policy NRM6: Thames Basin Heaths Special Protection Area
- Bracknell Forest Council Core Strategy Development Plan Document (DPD) (February 2008) Policy CS14

- Bracknell Forest Council Site Allocations Local Plan Development Plan Document (SALP DPD) (July 2013) especially Policy SA5
- Bracknell Forest Council Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) (March 2012)

The following sections discuss the levels of SPA mitigation required for this development. Where reference is made to the Royal Society for the Protection of Birds (RSPB) comments, this refers to a letter from the RSPB dated 12 August 2013. Where reference is made to comments from the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), this refers to their letter of 12 August 2013. Where reference is made to comments from Natural England (NE), this refers to their letter of 21 August 2013 and subsequent discussions and meetings since that date.

## **1. Residential Development - SPA Avoidance and Mitigation Measures**

### **i) The Provision of Bespoke SANG and its Ongoing Maintenance in Perpetuity**

SALP Policy SA5 requires a bespoke onsite SANG significantly in excess of 8ha per 1,000 new residents. It is estimated that the development proposals will give rise to a population increase of 2,310 people. Therefore, to accord with the Policy SA5, there is a requirement to provide at least 18.48ha of SANG. The area of SANG land proposed is 42.5ha which is significantly in excess of 8ha per 1,000 new residents.

In response to a concern which RSPB and BBOWT have raised, the Council will seek obligations within the s106 Agreement accompanying planning permission for this development that ensure that all the 42.5 hectares of proposed SANG is secured as part of the bespoke mitigation strategy for this scheme. Any future case for the assignment of additional new housing to this SANG would need to be fully assessed under the Habitats Regulations at that time on its own merits.

In-kind works are required towards the enhancement of the SANG. The enhancement works will be set out in a SANGs Management Plan agreed with the Council and Natural England (NE) which will be appended to the s106 agreement. Obligations or conditions are recommended that restrict occupancy until the agreed enhancement works are in place.

The enhancement works will be in accordance with Natural England's SANG Quality Guidelines. The SANG should be made as attractive as possible to local residents. It will include the provision of a SANG car park, a circular walk, the creation of an effective barrier between the SANG and the SPA.

In order to satisfy the Habitats Regulations, the entire SANG will be required to be provided and enhanced to SANG standard prior to the first occupation, unless a phased approach can reasonably be achieved which secures at least a 2.3 km circular walk and other SANG quality measures prior to first occupation. Any consequential residual SANG should be provided at a timing agreed in the s106 Agreement.

The RSPB and BBOWT have raised the point that an inviting access to the SANG should be available at all phases of the development so that visitor patterns to the SPA are not unintentionally set in early stages of occupation. This will be secured through conditions and s106 obligations.

Ownership of the SANG land will be transferred to Bracknell Forest Council with appropriate terms and conditions, enabling the ongoing management of the SANG in perpetuity to be undertaken by BFC in accordance with the agreed SANG Management Plan.

It is acknowledged that clear details of the SANG Management proposals and costings is required prior to permission being granted, in order to provide sufficient certainty of the delivery of a SANG of suitable quality which will be available and managed in perpetuity. A Draft SANG Management Plan was issued to the Council in December 2013. This will be the subject of ongoing discussions through the s106 process in order for the Council to ensure that it complies with the Habitats Regulations, Natural England's SANG Quality Guidelines and the Statement of Common Ground as described above.

The RSPB and BBOWT expressed concerns about the design and layout of the SANGs including issues such as the noise and visual intrusion from Bracknell Road, potential disturbance from the depot, the circular footpath route and the lack of opportunity for longer walks. These issues are the subject of ongoing discussions through the s106 process in order for the Council to ensure that these are taken into account.

The RSPB and BBOWT commented on the limited provision of open areas within the SANG. Since August, the Council has been in discussions with the applicant to seek to agree a significant level of tree removal as part of the SANGs enhancement works. This will lead to increased openness on the SANG, and will be secured as part of the SANG Management Plan.

NE, the RSPB and BBOWT expressed concerns about access from the SANG to the SPA via the existing Public Right of Way (PRoW) in the north east of the SANG. Following meetings between the Council and the applicant, the link from the SANG to the Golden Retriever public house and the PRoW has been removed and dense planting will be used to discourage access to the PRoW from the SANG. This is set out in the Draft SANG Management Plan.

The RSPB and BBOWT are concerned that some of the baseline data is misleading or inadequate. The RSPB has provided further comments on the baseline impact assessment. Whilst the application may, in the opinion of BBOWT and RSPB, fall short of identifying critical pieces of evidence relating to human disturbance, cat predation and recent incidents of fire damage on the SPA, it is considered that all these issues have been taken into account in the mitigation for this development.

#### ii) SANGs in Perpetuity Maintenance Costs

A commuted maintenance payment will be sought to ensure that the SANGs is managed in perpetuity in accordance with the SANGs Management Plan which will be agreed with the Council and NE. The level of contributions will be agreed between the Council and the developer and can only be estimated at this stage but a requirement to maintain the SANG will be set out in the S106 Agreement.

#### iii) Strategic Access Management and Monitoring (SAMM) contributions

A Strategic Access Management and Monitoring (SAMM) contribution must be paid on commencement of the development based on the calculation below. As set out in the SPA SPD, the Council is required to secure financial contributions towards SAMM which is calculated on a per bedroom basis. The phasing of SAMM contributions may be possible but each contribution must be made in advance of the number of dwellings being delivered. This will need to be agreed with the Council and NE.

Both the RSPB and BBOWT have expressed reservations as to the ability of the SAMM Project to mitigate for this development. All of the residential part of the development lies between 400m – 5km of the SPA and the Council is therefore satisfied that in applying an appropriate level of SAMM contributions, it is complying with the Development Plan as set

out in South East Plan NRM6. This is also in accordance with the SPA SPD, the SAMM Legal Agreement and SAMM Tariff Guidance. In order to address the concerns of RSPB and BBOWT, the Council has encouraged Natural England (who manage the SAMM Project) to issue a SPA License Agreement to all SPA Landowners in order to request that third party wardening be allowed on their land via the SAMM Project. Natural England has recently confirmed that they are in discussions about this with the Forestry Commission who own the SPA land around the development site. It should also be noted that in December 2013, the Thames Basin Heaths Joint Strategic Partnership Board agreed that some of the SAMM Project income be used to fund SPA wardens as from spring 2014. In order to help fund the SAMM Project, it is the Council's policy that the SAMM contribution be paid in a timely manner on commencement of the development in order to allow for the SAMM Project to implement access management measures in advance of occupation of the development.

The RSPB is concerned that the applicant is relying on the SAMM Project to under take visitor monitoring on the SANG. The SAMM Legal Agreement clearly states that this is one of the tasks of the SAMM Project and this was taken into account when setting the level of SAMM contributions.

## **2. SPA Avoidance and Mitigation Measures – Care Home**

The nursing home proposed on this site lies within 400m of the SPA. The guidance on SPA avoidance and mitigation measures for such developments in this location is set out in the SPA SPD section 3.6. The following avoidance and mitigation measures will need to be put in place in order to reach a conclusion of no adverse effect on the integrity of the SPA:

- A workable pet covenant enforceable by the accommodation management company / organisation which precludes the keeping of cats and dogs on the premises; with the exception of assisted living dogs.
- That the use class of the property is limited to that of C2, and the occupants will only be of limited mobility and thus will not access the Thames Basin Heaths SPA.

## **3. Further Avoidance and Mitigation Measures**

i. Hydrology and lighting – the conclusion reached in the HRA is that there is unlikely to be any hydrological or lighting effects on the SPA as a result of this development and mitigation is therefore not required.

ii. Noise - the conclusion reached in the HRA is that there is unlikely to be any noise effects on the SPA during operation. During construction demolition activities will need to be time constrained to ensure no impact on the SPA as a result of increased noise.

iii. Air pollution – further information was requested on the potential impact and possible avoidance and mitigation measures of an exceedence of nitrogen oxides along the Bracknell Road (as confirmed in the Environment Statement paragraph 9.125). This issue was highlighted as a concern by NE and BBOWT but has since been considered by the National Air Quality Adviser and NE has confirmed that it has no outstanding objections on air quality grounds.

iv. Fire risk – the HRA concludes that without adequate avoidance and mitigation measures it is likely that there would be a potential adverse effect on the SPA through an increased risk of fires. It is agreed that the SANG provision has the potential to draw both existing and potential and additional visitors, who may start fires, away from the SPA. The SANGs Management Plan will need to demonstrate how the design of the SANG can reduce fires travelling between the SANG and the development and potentially onto the SPA. Furthermore the Council will seek to ensure that fire risk is also minimised for the development parcels which will be adjacent to the SANG at the relevant detailed reserved matters stages for such parcels of development.

## **Conclusion on SPA Issues**

The Council is satisfied that the development will not adversely affect the integrity of the Thames Basin Heaths SPA provided that the above measures are put in place.

Should the above measures be put in place and agreed with Natural England, this will prevent a significant adverse affect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species (Amendment) Regulations (2012) permission may be granted.

Natural England originally advised that the individual 'bespoke' proposals for avoidance and mitigation measures initially offered with this application were not considered to be appropriate because:

- A specific bespoke management plan fully detailing how the SANG will be managed and how it meets Natural England's SANG guidelines had not been produced.
- There is a lack of detail in the documentation provided about how the Public Right of Way (PRoW) along the northern section of the site which links directly to the SPA would be made unattractive to potential users of the SANG resulting from the proposal.
- Section 9.52 of the Environmental Statement (ES) states that the Critical Level for the SPA for oxides of nitrogen will exceed the 1% threshold along the Bracknell Road section of the SPA between 10 and 20 metres into the SPA. The potential impact of this has not been sufficiently considered or discussed within the documentation provided.

The applicant has addressed all these issues and it is therefore considered that the proposal is in accordance with National Planning Policy Framework (DCLG, March 2012); South East Plan Policy NRM6; Core Strategy Policy CS14; SALP Policy SA5 and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document.

## **16. FLOODING AND DRAINAGE ISSUES**

A number of representations have raised concerns about flooding issues. The Environment Agency (EA) has considered the submitted information and raised no objection on flooding issues. The EA notes that the submitted Utilities Statement makes recommendations for the replacement of the existing wastewater sewer. The EA welcomes this proposal for the existing foul sewer to be upgraded or that a larger foul sewer outfall be constructed. Following discussions the EA has had with the Council, the applicant and Thames Water over the potential of the proposals to deteriorate the water quality of the Emm Brook as a result of unacceptable increases in discharge of ammonia from the Easthampstead Sewage Treatment Works (STW) the EA is now satisfied that the proposals will not cause an unacceptable deterioration. However it also notes that foul drainage capacity in the area could continue to be an issue and an obstacle to growth in the future.

The Council's Sustainable Drainage Officer held pre-application discussions with the applicants consultants and the Environment Agency. Basic surface water design parameters were discussed and agreed, which are to be found in the Flood Risk Assessment (FRA). The proposed surface water drainage system will lead to the opening up of existing culverts and the reinstatement of open watercourses. This will enable peak run-off rates from the site (post re-development) to be significantly lower than the existing.

The FRA proposes the use of SuDS as a method for reducing pollution which is supported. It is important that the SuDS are designed into the surface water drainage system for the site and that they are not precluded by the provision of underground piped systems or road gully pots. The main drainage design should not stop the individual land parcels from being able to use SuDS systems. The FRA refers to the levels of properties being set to avoid possible



flood risk and also refers to any drainage design taking into account exceedance. It is important that these are also taken into account in the designs for the individual development parcels. This matter can be controlled through appropriate conditions.

## **17. AFFORDABLE HOUSING**

Policies CS16 and CS17 of the CS (in relation to housing needs and affordable housing) can be afforded full weight (in relation to para. 215 of the NPPF) as they are consistent with para. 50 of the NPPF which relates to delivering a wider choice of homes, a mix of housing and affordable housing. The Council's affordable housing policy currently applies to proposals involving 15 net dwellings or more. In such circumstances, 25 per cent affordable housing is required, subject to viability.

The application makes the following provision for affordable housing:

- a substantial amount of affordable housing to meet local needs up to 25% of the total (i.e 250 affordable dwellings) and a tenure mix of 70% (175) affordable rent + 30% (75) intermediate housing (subject to viability);
- in the context of the proposed care home, addressing the needs of older people with affordable public and private accommodation in light of the Older Persons' Accommodation and Support Strategy 2011-2016;
- the use of planning conditions and obligations to secure relevant requirements whilst ensuring viability;

The Council's Housing Enabling Officer has advised that the overall number and tenure of affordable housing proposed meets the Council's stated intentions for addressing local housing need. The affordable housing should be delivered in line with the delivery model set out in the HCA Affordable Homes Programme Framework 2011-2015 with no reliance on Social Housing Grant.

The affordable homes should be properly integrated into the development with no difference in external appearance compared to market housing. This could be in the form of affordable clusters comprising 10 - 20 dwellings in each, rather than pepper-potting of individual dwellings.

The affordable housing should generally reflect the type and size of market housing. There should be sustainable standards of construction in accordance with the HCA's Design and Quality Standards including meeting at least Level 3 of the Code for Sustainable Homes; minimum Housing Quality Indicator (HQI) scores for unit size, layout and noise; and at least 12 out of 20 of the Building for Life criteria.

One or more of the Council's Preferred Partner Registered Providers will need to pay a price to the developer at a level which ensures the proposal will deliver the affordable housing as stated above. Given that there should be about 250 affordable homes delivered during Phases 3 - 6, there may need to be more than one Registered Provider involved. The Affordable Housing Statement refers to engaging a suitable Registered Provider to deliver the affordable housing at affordable rents and prices which meet local housing needs.

The proposal includes a care home facility. The tenure of the bedrooms (private, rent or shared ownership) and the nature of the care home (residential care, extra care or sheltered housing) will need to be discussed with relevant council officers and acknowledge the priorities of the Older Persons' Accommodation and Support Strategy 2011-2026.

## 18. INFRASTRUCTURE AND COMMUNITY FACILITY REQUIREMENTS

NPPF para. 70 refers to delivering the social, recreational, cultural facilities and services communities need, including the need to plan positively for the provision and shared use of space, community facilities (including shops etc), and the need to ensure an integrated approach to considering the location of housing, economic uses, community facilities and services. Para. 72 sets out that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that LPAs should give great weight for the need to create new schools.

Core Strategy Policy CS6 expects development to contribute to the delivery of:-

1. infrastructure needed to support growth and
2. infrastructure needed to mitigate impacts upon infrastructure.

SALP Policy SA5, as well as allocating this site for a mixed development as described earlier in this report, also sets out the infrastructure required to support this development. This includes:

A comprehensive package of on and off-site transport measures to mitigate the development's impact on roads and encourage sustainable modes of transport;  
On-site in-kind provision of a Primary School, on sufficient land to allow expansion;  
Financial contributions towards the provision of Secondary School and Special Educational Needs places;  
On-site in-kind provision of a multi-functional community hub, on sufficient land to allow expansion;  
Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA), in agreement with the Council and Natural England. This will include provision in perpetuity:

- of on-site bespoke SANG significantly in excess of 8ha per 1,000 new population;
  - a financial contribution towards Strategic Access Management and Monitoring; and
  - any other measures that are required to satisfy Habitat Regulations, the Council's Thames Basins Heaths SPA Avoidance and Mitigation Strategy and relevant guidance;
- A comprehensive package of on-site, in-kind Open Space of Public Value, in accordance with standards;  
Protection and enhancement of Public Rights of Way;  
Integration of Sustainable Drainage Systems;  
Provision of Green Infrastructure (in addition to elements listed above);  
On-site in-kind provision of waste recycling facilities.

The IDP expands on this list and provides more detail of the required infrastructure and community facilities.

The S106 agreement will need to include details of all transport contributions and off site works, together with appropriate triggers for the off site works. Obligations will also be required in respect of the proposed bus services and bus infrastructure such as shelters and Real Time Information and triggers for commencement of the new services. Any monies associated with monitoring /sanctions and providing bus passes as part of the Residential Travel Plan would also need to be covered in the s106.

Paragraph 178 of the NPPF states that to ensure viability the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal

cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The applicant has submitted a viability appraisal which concludes that the development would not be viable if the entire package of infrastructure and community facilities as sought by the Council were to be provided.

Independent expert advice on the applicant's viability appraisal has been sought in order to establish what would be a reasonable s106 requirement taking into account the need to ensure a viable scheme. Depending on the outcome of this, negotiations are likely to be required with the applicant to reach agreement on this issue. It is recommended therefore that if Members are minded to grant permission, this is subject to the satisfactory outcome of these negotiations, and the completion of a s106 agreement.

If it were to be resolved to approve the application the on-site, direct provision of facilities as development progresses may be secured by planning condition. Contributions towards the provision of infrastructure by others, and the affordable housing within the site, should be secured by planning obligations entered into by S106 Agreement.

## **19. CONCLUSIONS**

SALP Policy CP1 set out the presumption in favour of sustainable development. This requires that development proposals should be approved that accord with the development plan. Where this is absent, silent or relevant policies out of date, development proposals should be approved unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or where specific policies in the NPPF indicate development should be restricted. Para. 49 of the NPPF sets out that housing applications should be considered in the context of the presumption in favour of sustainable development. This report has concluded that the relevant development plan policies relating to the principle of development are up to date and consistent with the NPPF and as such should carry substantial weight.

The application site was considered in the preparation of the SALP and ultimately it was allocated for development by SALP Policy SA5 when the local plan was adopted last year.

For the reasons set out in the report it is concluded that the principle of the proposed development is acceptable as it would be in accordance with the NPPF, Policy NRM6 of the South East Plan, Policy SA5 of the SALP, and Policies CS2, CS9, CS14, CS15, CS23 and CS24 of the Core Strategy.

Representations have been received from a number of individuals and organisations which raise a number of other material considerations. As the principle of the proposed development is in accordance with the development plan and therefore acceptable, the presumption in favour of sustainable development requires that the application proposals should be approved, unless other material considerations indicate otherwise. The application should therefore only be refused if the adverse impacts identified significantly and demonstrably outweigh the presumption in favour of sustainable development.

This report has considered the proposal against relevant policies in the development plan and other material considerations, including the NPPF. It is concluded that the proposal would be in accordance with development plan policies to which substantial weight should be given. It is not considered that there are any other material considerations that would outweigh this presumption in favour of sustainable development.

However, in the absence of suitable planning conditions and obligations, the application would fail to mitigate the impact of the proposed development on local services and infrastructure, and the SPA, and to secure affordable housing.

The application is therefore recommended for approval subject to appropriate conditions and the completion of a s106 agreement to secure the matters referred to in sections 17 and 18 including the deliverability of an appropriate level of affordable housing, the mitigation of off-site impacts including the SPA, and securing contributions to local facilities and services.

### **RECOMMENDATION**

That authority to determine the application be delegated to the Head of Development Management upon **the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to:-

1. The provision of an appropriate level of affordable housing;
2. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA), including the provision in perpetuity of on-site bespoke SANG; a financial contribution towards Strategic Access Management and Monitoring; and any other measures that are required to satisfy Habitat Regulations, the Council's Thames Basins Heaths SPA Avoidance and Mitigation Strategy and relevant guidance.
3. Securing the timely provision of, and contributions to, local facilities and services including:
  - A comprehensive package of on and off-site transport measures (either through provision in kind or a financial contribution towards provision by others) to mitigate the development's impact on roads and encourage sustainable modes of transport;
  - On-site in-kind provision of a Primary School, on sufficient land to allow expansion;
  - Financial contributions towards the provision by others of Secondary education, post-16 education and Special Educational Needs places;
  - On-site in-kind provision of a multi-functional community hub;
  - A financial contribution towards the provision by others of improvements to existing library facilities;
  - A financial contribution towards the provision by others of improvements to existing built sport facilities
  - A comprehensive package of on-site, in-kind Open Space of Public Value, in accordance with standards;
  - Either the provision in kind, or a financial contribution towards the provision by others of waste recycling facilities.

Where on site and in kind provision is made for infrastructure or services where the intention is that the responsibility for long term management is to be transferred to the Council or other body, in addition a financial contribution towards commuted maintenance and management costs will be sought.

And subject to the following conditions or amendments, additions and deletions thereto as may be necessary:

01. Approval of the details of the scale of the buildings, the access for (other than the vehicular access to/from the site which is not reserved) and the layout, appearance and landscaping of the development (hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before a Phase or Sub Phase (as defined within the details to be submitted and approved pursuant to condition 4) is commenced and shall be carried out as approved, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To comply with Section 92 of the Town and Country Planning Act 1990

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of eight years from the date of this permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

04. The development hereby permitted shall not be begun until a Demolition, Construction and Phasing Strategy which shall show the Phases and Sub Phases in which development is to be carried out, has been submitted to and approved in writing by the Local Planning Authority.

The Demolition, Construction and Phasing Strategy shall comprise the following documents unless otherwise agreed in writing by the Local Planning Authority:

1. A Demolition and Construction Programme which shall set out the anticipated sequence in which the following works will be carried out:

- (i). Demolition works
- (ii). Tree clearance works
- (iii). Earthworks
- (iv). Construction of development Phases and Sub Phases (including areas of Open Space of Public Value)
- (v). The implementation of the Suitable Alternative Natural Greenspace (SANG)
- (vi). Highway works (including pedestrian/cyclist routes and alterations for construction access)
- (vii). Surface water drainage works
- (viii). Landscaping works
- (ix). Utility works
- (x). Recycling facilities
- (xi) Environmental mitigation works identified in the Environmental Statement
- (xii) Public Art

2. A Planning Submission Programme which shall set out the anticipated sequence for the submission of the Masterplan, Design Code, Reserved Matters, strategies and other details as referred to in other conditions attached to this permission

3. Phasing Strategy Diagrams which shall include the following details:

- i. The location of each Phase and Sub Phase of development
- ii. The commencement date and order in which works are to be completed in the development Phases and Sub Phases
- iii. Landscape (including areas of passive and active Open Space of Public Value), utility and highway works for each Phase and Sub Phase.

4. A list of the land use components (including number of dwellings and non residential floorspace) of each Phase and Sub Phase of the development.

The Masterplan, Design Code, Reserved Matters, strategies and other details as referred to in other conditions attached to this permission shall thereafter be submitted in accordance with the approved Planning Submission Programme (as may be amended from time to time by agreement in writing by the Local Planning Authority).

The development shall thereafter only be carried out in accordance with the approved Demolition, Construction and Phasing Strategy (as may be amended from time to time by agreement in writing of the Local Planning Authority).

REASON: In order to ensure a phased programme of development in the interests of proper planning and the comprehensive redevelopment of the area.

05. The development hereby permitted shall be carried out in accordance with the approved Proposed Development Schedule (Table 1 of the Development Specification) and the following plans:

Parameter Plans

001	001 rev 01 - Site Location Plan
002	002 rev 04 - Proposed Composite Development Area
003	003 rev 03 - Proposed Land Use
004	004 rev 03 - Proposed Building Heights
005	005 rev 03 - Proposed Road Network
006	006 rev 03 - Proposed Bus Network
007	007 rev 03 - Proposed Cycle Network
008	008 rev 01 - Demolition Plan of Existing Buildings and Road

Detailed Access Drawings

110015/A/11 rev E	Proposed Primary Site Access to Residential Site & Neighbourhood Centre off Old Wokingham Road - Access "B"
110015/A/12 rev D	Proposed Access to Care Home, Community Centre and School and SANG Parking off Old Wokingham Road - Access "A"
110015/A/13 rev E	Proposed Secondary Access to Residential Site off Old Wokingham Road - Access "C"
110015/A/14 rev F	Proposed Council Depot Access off Nine Mile Ride - Access "E"

REASON: To ensure the development is carried out in accordance with the parameters assessed in the Environmental Statement, as may be modified as the Local Planning Authority considers necessary to ensure a satisfactory development.

06. Prior to the submission of the first Reserved Matters application a Masterplan and Design Code based on the principles in the Design and Access Statement shall be submitted to and approved in writing by the Local Planning Authority. The Design Code will set out design principles in relation to the following:

- (i). Layout, form, scale, and massing requirements for specific plots, character areas, Phases or Sub Phases of the development
  - (ii). Sustainable design and construction, including energy efficiency
  - (iii). Built form strategies including density and massing, orientation, street grain and permeability, street enclosure, active frontages, type and form of buildings including relationship to plot and landmarks
  - (iv). External materials
  - (v). Mix of dwelling types for each Phase or Sub Phase that contains residential development
  - (vi). Hard and soft landscaping strategy including the retention of important trees
  - (vii). Strategy for the design of the public realm including layout of streets, squares, areas of public open space and areas for play
  - (viii). Sustainable urban drainage
  - (ix). Boundary treatment / fencing / means of enclosure
  - (x). Street lighting, signage, and other street furniture
  - (xi). Alignment, width, gradient, and type of construction proposed for all footways, cycleways and highways
  - (xii). On street and off street vehicle parking, loading and turning areas
  - (xiii). Cycle parking and storage
  - (xiv). Securing access to buildings for all
  - (xv). Integration of strategic utility requirements, landscaping and highway design
  - (xvi). Public art
  - (xvii). External lighting of non-residential buildings, circulatory routes, open spaces and parking areas
  - (xviii). The provision and disposition of community facilities and Neighbourhood Centre
- Thereafter all Reserved Matters applications shall be submitted in accordance with the approved Masterplan and Design Code (as may be amended from time to time by written agreement with the Local Planning Authority).

REASON: To enable the Local Planning Authority to exercise appropriate control of the design of the development

07. A minimum of 10 hectares of Open Space of Public Value (including both active and passive open space, but excluding the SANG area) shall be provided within the development hereby permitted. Such areas of Open Space of Public Value shall be provided in accordance with the Demolition Construction and Phasing Strategy approved by the Local Planning Authority pursuant to condition 04, made available for public use and retained as such thereafter.

REASON: To ensure the adequate provision of passive and active open space within the development

[Relevant Policies: BFBLP R4, Core Strategy CS8]

08. No dwellings hereby permitted shall be occupied until an area of Suitable Alternative Natural Greenspace of 42.5 hectares has been laid out and made available to the public in accordance with the approved parameter plans and the SANG Management Plan.

REASON: To ensure that the SANG is provided at the appropriate time.

[Relevant Policies: SEP NRM6; Core Strategy CS14]

09. No retail units hereby permitted comprising shops, financial and professional services and restaurants / cafes within use classes A1, A2 or A3 shall exceed 375 sq m gross external area. There shall be no amalgamation of units such that at any time any unit exceeds 375 sq m gross external area.

REASON: To safeguard the viability and vitality of Crowthorne High Street

[Relevant Policies: Core Strategy CS22]

10. Any application for the approval of landscaping as a Reserved Matter shall include details of the following in respect of the relevant Phase or Sub Phase:

- (i). The proposed finished ground levels or contours
  - (ii). Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
  - (iii). Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
  - (iv). Details of semi mature tree planting.
  - (v). Comprehensive 5 year post planting maintenance schedule.
  - (v)i. Means of enclosure (walls and fences etc)
  - (vii). Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
  - (vii). Recycling/refuse or other storage units,
  - (viii). The siting, layout and equipment proposed for any Active and Passive Open Space of Public Value
  - (ix). The creation of new water and associated habitats including landscaped buffers to watercourses
  - (x). Details of ecological mitigation measures where appropriate
  - (xi). Any other landscape features (water features, seating, trellis and pergolas etc).
- No building within a phase or sub phase shall be occupied until landscaping for that phase or sub phase has been provided in full and in accordance with the approved details of landscaping for that Phase or Sub Phase.

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

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

11. A landscape management plan, including:

- (a) long term design objectives;
- (b) management responsibilities; and
- (c) maintenance schedules

for all landscape areas within a Phase or Sub Phase of the development (other than the SANG, large open space areas to be transferred to the Council by agreement and domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any part of that Phase or Sub-Phase of the development. The landscape management plan shall be carried out as approved, unless otherwise agreed in writing by the Local Planning Authority.

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' or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the Phase or Sub Phase, 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, unless the Local Planning Authority gives written consent to any variation.

REASON: To ensure that the landscaping is maintained in the interests of the visual amenities of the area.

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

12. No Phase or Sub Phase of the development shall be begun until the following details have been submitted to and approved in writing by the Local Planning Authority:-

- a) a comprehensive land (topographical) survey in accordance with Section 4 of British Standard 5837:2012 'Trees In Relation to Construction Recommendations' (or any subsequent revision), identifying the positions of all existing trees over 250mm girth at 1m (or overall woodland group outlines) to be retained (including their crown spreads) together with any retained hedgerows or shrubbery on the land to be retained in that phase;
- b) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site which overhangs the site; and
- c) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site

In this condition "retained tree" means an existing tree which is to be retained in accordance with the survey referred to in paragraph (a) above.

If any retained tree is removed, uprooted, destroyed or dies within 5 years of the completion of a Phase or Sub Phase, another tree shall be planted at the same location and the replacement tree shall be of such size and species (and shall be planted at such time) as may be agreed in writing with the Local Planning Authority.

REASON: In order to safeguard the vegetation that is considered to be worthy of retention in the interests of the visual amenities of the area.

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

13. All existing trees, hedgerows and groups of mature shrubs shown to be retained on the survey approved by the Local Planning Authority pursuant to condition 12 (part a) shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2012, or any subsequent revision. The protective fencing shall be erected in the locations to be agreed in writing by the Local Planning Authority prior to the commencement of that Phase or Sub-Phase and shall be retained until the completion of all building operations on that Phase or Sub-Phase.



REASON: In order to safeguard the vegetation that is considered to be worthy of retention in the interests of the visual amenities of the area.

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

14. Save for domestic gardens, once laid out/planted the areas shown for hard and soft landscaping purposes on the plans approved by the Local Planning Authority pursuant to condition 1 shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.

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

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

15. No Phase or Sub Phase of the development hereby permitted shall be occupied until the access works in respect of that Phase or Sub Phase as set out in the approved Demolition, Construction and Phasing Strategy have been completed in accordance with the following drawings (subject to any minor variations that may be required through the completion of a s278 agreement with the Highway Authority):

110015/A/11 rev E

110015/A/12 rev D

110015/A/13 rev E

110015/A/14 rev F

Thereafter such accesses shall be retained and there shall be no motor vehicular access or egress from the site onto Nine Mile Ride, Bracknell Road, Old Wokingham Road other than from these approved accesses.

No buildings hereby permitted shall be occupied until the existing accesses to the site which are not proposed to be retained have been closed and the footways/verges are provided over the closed accesses in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The footway/verge shall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: CS CS23]

16. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling or other building shall be occupied until:

- (a) a means of vehicular access; and
- (b) a means of access to it for pedestrians and cyclists; and
- (c) vehicle and cycle parking spaces;

have been constructed in accordance with details to be submitted to and approved by the Local Planning Authority. Such accesses and parking spaces shall thereafter be retained

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking and in the interests of the accessibility of the site to pedestrians, cyclists and vehicles.

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

17. No dwelling hereby permitted shall be occupied until the following off-site highway works have been completed:

- i. Improvements to the Old Wokingham Road/ Nine Mile Ride roundabout junction in general accordance with the works shown on drawing 110015/B/17 Rev C;
- ii. Improvements to the Old Wokingham Road/ Bracknell Road junction in general accordance with the improvement identified in Section 7.2 and Table 6.1 of the Local Planning Authority's Infrastructure Delivery Plan (October 2012) or similar works agreed with the Local Planning Authority;
- iii. A new footway / cycleway adjacent to Old Wokingham Road between the site boundary and Bracknell Road as shown on parameter plan 007 and in general accordance with the works shown drawing 110015/B/03 Rev E.

Improvements to the Nine Mile Ride/ A3095 junction (Golden Retriever) in general accordance with the improvement identified in Section 7.2 and Table 6.1 of the Local Planning Authority's Infrastructure Delivery Plan (October 2012) shall be completed in accordance with phasing set out in the Demolition Construction and Phasing Strategy approved by the Local Planning Authority pursuant to condition 04.

REASON: In the interests of road safety and the amenities of the locality.

[Relevant Policy: CS CS23; BFBLP M4]

18. No development in any Phase or Sub Phase shall take place until details of the proposed bus stops (including any temporary bus stops) for that Phase or Sub Phase have been submitted to and approved in writing by the Local Planning Authority; and the building(s) shall not be occupied until that/those stops have been constructed in accordance with the approved plans.

REASON: In the interests of accessibility by public transport.

[Relevant Policies: CS CS23 and CS24; BFBLP M4 and M8]

19. Prior to commencement of any phase of the development, the applicant, or their agents, or successors in title, will secure and implement a programme of archaeological works in accordance with a phase-specific written scheme of investigation for that phase of the development, which has been submitted by the applicant and approved by the planning authority. The archaeological evaluation results for each phase shall inform archaeological mitigation measures that may be required for the particular phase, to be agreed by the LPA, and all works will be carried out in accordance with the agreed Overarching Archaeological Strategy document (RPS reference JLJ 0236, dated 5th September 2013, updated 17th October 2013) and the Written Scheme of Investigation for Phase 1 Archaeological Evaluation and Initial Mitigation Works document (RPS reference JLP 0152, dated 20 September 2013), unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the archaeological and historical heritage of the Borough. The site is within an area of archaeological potential. An archaeological evaluation is required to mitigate the impact of development and ensure preservation "by record" of any surviving remains.

[Relevant Policies: CS CS1, CS7; BFBLP EN6, EN7]

20. No development within any Phase or Sub Phase shall take place, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted for that Phase or Sub Phase, and approved in writing by, the Local Planning Authority. The CEMP shall incorporate a Site Waste Management Plan; a Materials Management Plan; a Dust Management Plan; an Ecological Construction Method Statement; and a Construction Logistics/ Site Organisation Plan.

The Construction Environmental Management Plan shall include as a minimum:

- (i) The location of the access for all of the Phases or Sub Phases of demolition and construction;
- (ii) The routing of construction traffic (including directional signage and appropriate traffic management measures) to minimise the impact of local residents and other road users;
- (iii) Details of the parking of vehicles of site operatives and visitors
- (iv) Areas for loading and unloading of plant and materials
- (v) Areas for the storage of plant and materials used in constructing the development
- (vi) The erection and maintenance of security hoarding
- (vii) External lighting of the site
- (viii) Method of piling for foundations
- (ix) Measures to control the emission of dust, dirt, noise and odour during construction (x) Measures to control surface water run-off
- (xi) Measures to prevent ground and water pollution from contaminants on-site
- (xii) construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;

- (xiii) Details of wheel-washing facilities;
- (xiv) details in respect of measures to minimise, re-use and re-cycle waste, including materials and waste arising from demolition; minimise the pollution potential of unavoidable waste; and dispose of unavoidable waste in an environmentally acceptable manner;
- (xv) details of measures to mitigate the impact of demolition and construction activities on ecology as set out in paragraphs 12.286, 12.287, 12.330-12.372 of the Environmental Statement; and
- (xvi) Details of a monitoring regime to demonstrate compliance with the Construction Environmental Management Plan including timings for reports to be submitted to the Local Planning Authority.

The approved Construction Environmental Management Plan shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

REASON: To mitigate and control environmental effects during the demolition and construction phases

[Relevant Policies: BFBLP EN25]

21. The development hereby permitted shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

- (a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
- (b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CS Policy CS12]

22. No Phase or Sub Phase shall commence until either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment has been submitted to and approved in writing by the Local Planning Authority demonstrating that the buildings within the relevant Phase or Sub Phase will be capable of meeting a minimum standard of Level 4 of the Code for Sustainable Homes in the case of residential buildings or a "Very Good" BREEAM rating in the case of non-residential buildings. Thereafter the development shall be implemented in accordance with the Design Stage Report and interim certificate and retained in accordance therewith.

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

[Relevant Plans and Policies: CS Policy CS10]

23. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final Phase or Sub Phase of the development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of level 4 of the Code for Sustainable Homes in the case of residential buildings or a "Very Good" BREEAM rating in the case of non-residential buildings.

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

[Relevant Policy: Core Strategy DPD CS10]

24. No development shall take place until an overarching surface water drainage strategy for the whole site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and

approved in writing by the local planning authority. The drainage strategy should demonstrate that the surface water run-off rate generated up to and including the 1 in 100 year with an allowance for climate change critical storm will not exceed the run-off rate from the undeveloped site following the corresponding rainfall event.

No Phase or Sub Phase of the development hereby permitted shall commence until details for the disposal of surface water using Sustainable drainage systems and sewage for that Phase or Sub Phase have been submitted to and approved in writing, by the Local Planning Authority.

The details submitted will demonstrate that the surface water run-off rate generated up to and including the 1 in 100 year with an allowance for climate change critical storm for the Phase or Sub Phase, will not exceed the run-off rate from the undeveloped site following the corresponding rainfall event. The Phase or Sub Phase surface water drainage strategy shall be implemented in full prior to first occupation of that Phase or Sub Phase or within any other period as may be agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is properly drained and does not increase the risk of flooding [Relevant Policy: BWLP WLP6]

25. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water that ensures that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the Secondary A Aquifers and the river from any historic contamination that might be mobilised through the use of soakaways.

[Relevant Policy: BWLP WLP6]

26. Development shall not commence until a foul water drainage strategy detailing any on and/or off site drainage works to upgrade the foul drainage network, has been submitted to and approved by, the local planning authority. The scheme shall be implemented as approved. There shall be no occupation of buildings serviced by foul water infrastructure or discharge of foul or surface water from the site into the public system until the drainage works referred to in the strategy have been completed in full.

Reason: To ensure that sufficient foul drainage capacity is made available to cope with the new development; and in order to prevent the new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution. Full details for the disposal of foul drainage are not yet known therefore it must be demonstrated that an adequate foul drainage network infrastructure can be implemented to avoid any risk of pollution.

[Relevant Policy: BWLP WLP6]

27. No Phase or Sub Phase, including demolition, of the development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

(i). A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

(ii). A site investigation scheme, based on (1) to provide information for a detailed risk assessment of the risk to all receptors that may be affected, including those off site.

(iii). In the event that the results of the site investigation and the detailed risk assessment referred to in(2) indicate that the site is contaminated an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(iv). A verification plan providing details of the data that will be collected in order to demonstrate that where remediation works are necessary, the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas. [Relevant Policies: BFBLP EN25]

28. No occupation of any Phase or Sub Phase of the permitted development on land which is found to be contaminated shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation for that Phase or Sub Phase of the development has been submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan for that phase of the development. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas. [Relevant Policies: BFBLP EN25]

29. No phase or sub phase of the development shall be begun until details of appropriate environmental mitigation (including details of timing of implementation) for that phase or sub phase, as set out in chapter 12 of the Environmental Statement have been submitted to and approved in writing by the Local Planning Authority, including:

- a) a Habitat Creation and Management Plan;
- b) further bat, bird and reptile surveys and a scheme for mitigation as appropriate (to include measures for the translocation of protected species from the development area to the SANG);
- c) a lighting strategy;
- d) bat and bird boxes.

The approved mitigation measures shall thereafter be implemented in full and in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of minimising the ecological impact of the development

[Relevant Plans and Policies: Core Strategy CS1, CS7]

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

31. No Phase or Sub Phase of the development hereby permitted (including the construction of the SANG) shall be begun until a scheme for the provision of a temporary access to the TRL site has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the closure of the existing access to TRL site, and retained until such time a the new access to Nine Mile Ride has been completed and made available for use.

REASON: To ensure that appropriate access is maintained to the TRL site at all times.  
[Relevant Policies: Core Strategy CS23]

32. The development hereby permitted shall not be begun until a scheme for the provision of private hydrant or equivalent emergency water supply has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first building.

REASON: There are no available public water mains in the area to provide a suitable water supply to effectively fight a fire

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), the care home hereby permitted shall be used for a residential care home for elderly people requiring personal care (including those with dementia) only (without any on-site staff residential accommodation) and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: To ensure that the proposal does not increase recreational pressure on the Thames Basin Heaths SPA.

[Relevant Policies: SEP NRM6, BFBLP EN3, CSDPD CS1, CS7 and CS14]

34. No development shall commence until a Level 3 Flood Risk Assessment (Detailed study) has been carried out and submitted to and approved by the Local Planning Authority

REASON: To prevent the increased risk of flooding.

Informative(s):

01. The surface water drainage scheme required under condition shall include the following details:

- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+30% allowance for climate change), discharge rates and volumes (both pre and post development), means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b) Details of a site investigation, including infiltration tests;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation including any phase or sub-phase;;
- f) Details of any temporary drainage systems required during the construction of the development or any phase or sub-phase; and
- g) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

In the event of the S106 planning obligation(s) not being completed by 23rd April 2014 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. The proposed development would unacceptably increase the pressure on the transportation network, education facilities, community facilities, public open space, built sports facilities and libraries. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards the transportation network, education facilities, community facilities, public open space, built sports facilities and libraries, the proposal is contrary to Policy SA5 of the Site Allocations Local plan, Policies CS6 and CS24 of the Bracknell Forest Core Strategy DPD, and Policies M4 and R4 of the Bracknell Forest Borough Local Plan.

02. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore 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 to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.

03. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan and Policy CS16 of the Core Strategy Development Plan Document.