

Unrestricted Report

ITEM NO: 8

Application No.
14/01095/FUL
Site Address:

Ward:
Wildridings And Central

Date Registered:
16 October 2014

Target Decision Date:
15 January 2015

**Photon House/Blueprint House Old Bracknell Lane
West Bracknell Berkshire RG12 7FS**

Proposal: **Redevelopment of site to provide 20no. 1 bedroom and 46no. 2 bedroom flats with associated car parking.**

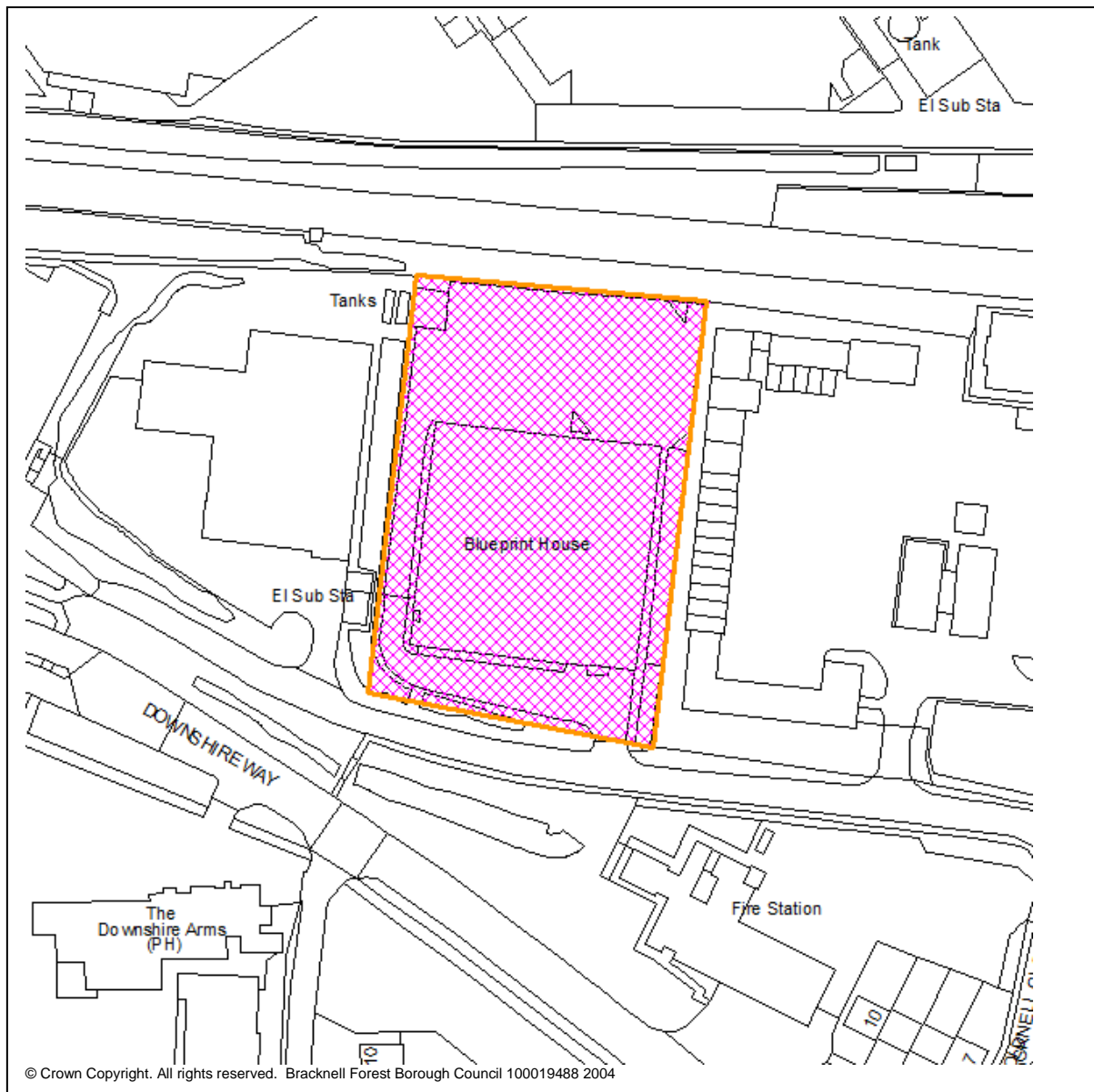
Applicant: Bracknell Projects LLP, Glencarron Developments Limited and

Agent: Mr Duncan Gibson

Case Officer: Trevor Yerworth, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. INTRODUCTION

This application seeks full planning permission for the redevelopment of the site to provide 20 no. 1 bedroom and 46 no. 2 bedroom flats with associated car parking and landscaping. It forms part of a larger site that includes the Council's depot that is formally allocated for housing under Policy SA1 of the adopted Site Allocations Local Plan (SALP). The Council has recently agreed a brief for the development of this larger allocation site.

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

2. SITE DESCRIPTION

The 0.5ha site lies within an existing employment area approximately 500 metres from Bracknell town centre and stations. The site fronts onto Old Bracknell Lane West on its southern boundary from which it takes vehicular and pedestrian access. Beyond this is an open landscaped area dropping down to the busy Downshire Way to the south. It is bounded by the Waterloo-Reading railway line on its northern boundary, beyond which lies the Peel Centre. The Council's depot site lies to its east beyond which is a modern business park, Bracknell Beeches. Bracknell Fire Station and Ambulance Station lie a short distance away to the east and further commercial premises adjoin the site to the west. On the south side of Old Bracknell Lane West between the Fire and Ambulance stations is a small residential development of ten dwellings. Further residential development is found on Old Bracknell Lane East 200m to the east.

The site itself is relatively level, but forms part of a steeply sloping area where the large buildings occupy level terraced areas with steep drops to adjacent properties east and west. The site is elevated two to three metres above Old Bracknell Lane West at the front which drops steeply in front of the site towards the Twin Bridges roundabout. A number of large mature Oak trees form this boundary, screening the existing building from public views. The site is presently occupied by Blueprint House, comprising 2,639 sq m floorspace in mixed office, storage and distribution use.

3. RELEVANT SITE HISTORY

There have been a number of planning applications relating to the current and previous uses of the site. However the only relevant planning history was an approval in 2011 for the redevelopment of the site for office use (planning application 11/00358/FUL). Planning permission was granted on 2nd April 2013 (following the completion of a legal agreement) for the redevelopment of the application for office (class B1) use. The approved building was to be 19 metres high with five storeys and a gross external floor area of 5,763 square metres. The scheme retained the existing access position from Old Bracknell Lane, an access road then ran along the eastern side of the building to a decked 153 space car park.

4. THE PROPOSAL

Full permission is sought to demolish the existing building on the site and to redevelop it to provide 66 flats comprising 20 x No. 1 bedroom flats and 46 x No. 2 bedroom flats. The flats would be accommodated within two blocks. The front block (block A) would be six storeys with a maximum height of 19m which is the same as the extant approved office scheme. It would be sited prominently at the front of the site fronting Old

Bracknell Lane West. This building has been designed to sit on the existing building line and would be the same height as the extant office building approved in 2011. Behind this, and positioned broadly centrally in the site is block B which although having a substantially larger footprint than block A would be only five storeys with a maximum height of 16.3m. This block would be largely hidden by block A. The two blocks would be linked by an open, part glazed walkway at each floor level.

The proposal would re-use the existing access position but, unlike the existing arrangement, proposes to locate the majority of the car parking underground in a 74 space basement car park. An additional 5 spaces (included some disabled spaces) would be provided at ground level. Double hooped cycle spaces are to be provided within the basement car park making them safe, secure and weather proof.

At the rear of the site a landscaped margin approximately 9 metres wide is to be provided which will provide a buffer to the railway line and serve both as a pleasant setting to the rear of the building. It is proposed that this land is safeguarded for a future pedestrian and cycle link to adjacent sites which when complete will provide a safe link through the wider allocated site to the station and town centre.

5. REPRESENTATIONS RECEIVED

One letter of objection signed by residents from all the properties on Old Bracknell Lane (17 signatures) has been received raising the following points:

- The development would result in additional traffic (approximately 90 cars) on Old Bracknell Lane West. This would exacerbate existing problems getting to and from Downshire Way and increase pollution.
- Consider that the gate separating Old Bracknell Lane West into residential and commercial areas should be removed and cars permitted to travel through to Old Bracknell Lane East.

6. SUMMARY OF CONSULTATION RESPONSES

Bracknell Town Council

Objects to application on the following grounds:

- Not in keeping with area.
- Overdevelopment of site.
- Highway concerns regarding the access into and out of the site from Downshire Way.

Highway Officer

At present the Highway Authority are concerned over the level of parking proposed for the site and the effects overspill parking could have on highway safety. A parking survey of neighbouring developments has been requested to demonstrate that the proposed level of parking would be adequate.

Cycle parking enhancements should also be investigated to increase provision on site to meet current standards. Detailed comments incorporated in report.

Amended comments following receipt of parking survey:

I have looked at the sites surveyed and visited in the evening myself and it the results do seem to coincide with my observations. The consultant for the applicant advises

that this survey is robust and the revised parking proposal on site would provide a parking ratio slightly higher than the survey results. The applicant has indicated that the revised proposal would provide a ratio of 1.29 spaces per unit. If this were to be provided then it is likely that parking capacity would be close to saturation. However access to the town centre is slightly better which may also help reduce the level of car ownership sufficiently to bring it within this ratio (1.29 spaces per unit).

Taken into consideration all of the above I am content that the provision of a parking ratio of 1.29 spaces per unit is likely to be adequate for the demand of the site, however I would advise that all spaces are communal and not allocated to ensure maximum flexibility over the day for both occupiers and visitors. Such an arrangement will lead to the most efficient use of the parking on site.

Environmental Health Officer

No objection subject to conditions.

Sustainable Drainage Officer

This is a full application and a flood risk assessment has been submitted which indicates a probability of low risk of flooding. But no drainage design, information has been submitted. Reference is made in the flood risk assessment to proposed site drainage at section 8.0 and the use of SuDs in the conclusion section 9.0.

The conclusions states that surface water runoff will be controlled to be no more than existing flows and that the drainage strategy proposed takes account of climate change and goes on to say that the proposed development will not increase the amount of surface water runoff and will provide a reduction and that this will lead to betterment.

The drainage layout drawings do not tie in with the FRA, which refers to the use of SuDS and no calculations have been submitted to show that there is any reduction in runoff as referred to in the FRA.

Due to the underground car parking the use of vegetated SuDs may not be possible, so hard landscaped SuDS may be required. The applicant should therefore supply further details which show how the SuDS (referred to in the FRA) will be delivered, together with details of flow rates, volumes maintenance and exceedance routes.

The applicant has submitted a revised FRA and a Drainage Strategy in response to these comments.

Biodiversity Officer

The ecological report shows that the building does not host roosting bats and that the site has limited value for wildlife. However, there are opportunities to enhance the site for wildlife. This includes planting native species where possible and otherwise planting species that have a known value for wildlife. Some of the proposed grassland on site could be native species rich grassland and managed appropriately. Details of these enhancements and the landscaping can be secured by condition.

Housing Enabling Officer

The following issues should be sought for a policy-compliant scheme.

25% of the total of 66 flats (17) should be affordable dwellings. The tenure mix should be 70% (12) for Affordable Rent and 30% (5) for Intermediate Housing which meets the council's stated intentions for addressing local housing need. The affordable homes should be properly integrated into the development with no difference in external appearance compared to market housing. This can be achieved by vertical or horizontal segregation.

A Registered Provider will need to pay a price to the developer at a level which ensures the proposal will deliver the affordable housing as stated above.

Waste Recycling Officer

The proposed site plan for this development shows that the bin store is of an adequate size to accommodate bins for refuse weekly collection and bins for recycling on a fortnightly collection. The path leading from the access road to the bin store needs to be wide enough for the large bins to be moved along and the path also needs to be level with no slopes, the surface also needs to be smooth - no gravel.

The access roads need to be made up to adopted standard to support the waste collection vehicle.

Landscape Officer

The proposed residential development appears acceptable and the layout has improved the external areas creating more useable open space.

The soft landscape proposal is acceptable in principle and works well within the site. It may be possible to include some native species hedges / screen planting along the site boundaries. Similarly if there is adequate space some native species trees could also be included to the rear of the site. This would help to promote biodiversity and provide links to the local landscape character.

The proposed drainage connections are shown to link to the existing foul and surface water sewers through the existing tree belt along the front boundary. Further details and necessary method statements should be provided to ensure that the important mature trees are adequately protected.

A landscape condition should be included if the application is recommended for approval.

7. DEVELOPMENT PLAN

The Development Plan includes 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)
- Waste Local Plan for Berkshire (1998)

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

Site Allocations Local Plan (SALP)

The SALP and Policies Map were adopted in 2013. Policy CP1 sets 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 are 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 allocates sites for housing development, and also includes changes to the defined boundaries of employment areas in the Borough, including the removal of the Old Bracknell Lane West defined employment area that previously covered this site.

As part of the background evidence supporting the SALP consideration was given to the Employment Land Review (Dec 2009) which identified an oversupply of office floorspace in the Borough, and found no evidence of qualitative deficiencies. Data from subsequent commitments exercises and reports of the amount of office floor space on the market supported this conclusion. It was therefore decided that the continued protection of this site for employment uses was no longer required.

SALP Policy SA1 formally allocates land at 'Old Bracknell Lane West, Bracknell' for residential development with an estimated capacity of 203 units. This site forms the eastern part of 'Area' 1, which was estimated to have a capacity of 88 units. Should permission be granted for the residential development proposed in this application, further certainty will be given to the ability of this site to contribute to the five year supply of housing land. The principle of the proposed development is therefore in accordance with SALP Policy SA1.

Weight to be given to Development Plan Policies

The principle of the proposed development falls to be determined in accordance with the above 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.

Other Material Considerations Relevant to the Principle of Development

It is necessary to also consider whether there are any other material considerations that would apply to the principle of the proposed development. In this case the site is already developed and contains a large office building and associated car parking. The NPPF is a material consideration in the determination of planning applications. At paragraph 17 it sets out core planning principles. Of relevance to this application are

the following: that planning should be plan led (bullet 1); proactively drive and support sustainable economic development to deliver the homes, business and infrastructure that the country needs (bullet 3); and encourage the effective use of land by reusing land that has been previously developed, provided it is not of high environmental value (bullet 8).

The use of the site for residential purposes has been considered through a plan led process. It comprises previously developed land (being in commercial use) within a defined settlement, and therefore the proposed development is also acceptable and supported by these paragraphs of NPPF.

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 consistent with the NPPF. For the reasons set out above it is concluded that the proposed development would be in accordance with Policy SA1 of the SALP and the Core Strategy. As the principle of the proposed development is in accordance with the Development Plan and other relevant material considerations the proposed development is therefore acceptable in principle and 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 THE SURROUNDING AREA

Core Strategy Policy CS7 and 'Saved' Local Plan Policy EN20 set out various design considerations to be taken into account in new development. Development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials, layout and siting, both within itself and in relation to adjoining buildings, spaces and views. It should seek to promote, or create local character and a sense of local identity and seek to avoid the loss of natural features such as trees. These policies are considered to have significant weight in relation to para. 215 of the NPPF, as they are consistent with Chapter 7 of the NPPF. The site contains a number of significant trees, and therefore 'saved' Policy EN1 of the BFBLP is also relevant. This policy is also 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.

The proposed buildings would be sited on previously developed land comprising the existing commercial buildings and existing surface car park to the front and rear. The proposed buildings would be five and six storeys, with the sixth storey of block A set back from the main building line. It would be 19m in height which is the same as the extant approved office scheme. The building would be set back from the front of the site on the existing building line and have a reduced footprint compared to both the existing building and the extant office scheme. The proposed buildings would also provide a greater separation to the side boundaries than the existing or approved schemes. The buildings would be set approximately 15 metres away from the eastern

boundary providing a substantial space for communal gardens and landscaping. A gap of approximately 7 metres would be left to the western boundary.

A comprehensive landscape scheme has been developed for the site to provide a softer setting for the proposed buildings compared to the existing large areas of hardstanding. A link pathway has also been shown to connect the garden area with the safeguarded land and the future east-west footpath/ cycleway. The Oak trees on the Old Bracknell Lane West frontage are of significant importance in streetscene terms. Their retention and the replacement of existing adjacent hardstanding with new soft landscaping will further enhance the setting of these trees and the attractiveness of the street scene.

The applicant has provided 3D CGI images in the Design and Access Statement, which give a good impression as to how the buildings will appear and sit on the site. These are more representative of the bulk and massing and design of the buildings and how they will appear in reality than the 2D drawings. This proposal is relatively high density for Bracknell Forest, however, the design of the blocks and open walkway links help to break up any sense of excessive bulk and massing.

It is therefore considered that in view of its context within a generally commercial urban area, close to the town centre and a busy main road and railway line, a modern high quality building of the height and scale proposed would be appropriate on this site. The inclusion of basement car parking enables sufficient space to be provided around the large buildings proposed to secure a high quality landscaping scheme at the front and sides of the site which is presently used for car parking or roadways, ensuring that the site does not have the appearance of being overdeveloped or the street scene being dominated by parked cars. This also assists greatly in achieving active frontages to the blocks, enabling residential units with windows at ground floor level to provide natural surveillance. This is a significant positive element of this design and layout, which will also make more efficient use of urban land, enabling a higher density of development to be built without compromising good design.

Although the buildings would be substantial and visible from a number of public places, in particular the south west corner of block A which would be quite visible from Twin Bridges roundabout and within the Old Bracknell Lane West streetscene, they would be set back behind a landscaped area and existing trees. As such it is considered that there would be a positive impact on the street scene compared to the existing building.

The external appearance, including the massing of the building, its elevational treatment and proposed materials, while overtly modern and as such out of keeping with the somewhat tired and nondescript existing commercial buildings surrounding it, are considered to be of a high quality and appropriate to the type of development proposed. It is considered the proposed development would enhance the site and the surrounding area and would be in accordance with Core Strategy Policy CS7 and saved BFBLP Policy EN20.

As noted above, this site forms part of a larger development site, as identified in the SALP 2013. Proviso viii of Policy EN20 seeks to ensure that development is not prejudicial to the proper future development of a larger area in a comprehensive manner. To guide development across the larger area allocated under Policy SA1 the Council has commissioned a masterplan study for the allocated site. This is due to be considered by Members Steering Group on 18th February 2015 and if agreed will provide non statutory guidance for the development of this area. It represents a co-ordinated view of how the site should be developed and therefore it is appropriate to

have regard to it. Although this does not have the same weight as the Development Plan it is a material consideration in the determination of this application. Therefore there is a need to ensure that new development here conforms to the design principles set out in the masterplan for the wider site, enabling the delivery of a comprehensive development for the whole area over time.

A key requirement of the masterplan is for an east-west footpath/cycleway towards the northern part of the site to improve pedestrian and cycle links to the town centre and stations. In recognition of this the application identifies a strip of land, between 8 and 9 metres wide adjoining the northern boundary of the site which is allocated as a pedestrian/ cycle route. As this is the first site to come forward it is not possible to link into either of the adjacent sites to the east or west at present, and therefore all that this site can be expected to do is safeguard this route so when these adjacent sites come forward in the future for development it will be possible to construct a pedestrian/cycle path linking these sites. It will be necessary to put in place a mechanism for securing easements across this land (without ransom strips) as part of a s106 agreement. It is likely that it will be necessary to change the levels on this rear part of the site in order to provide reasonable gradients to the sites either side. However it is not possible to carry out detailed design work at this stage as it not known how or when the adjacent sites would be developed.

Although this site will sit within a commercial area for the time being, there is a need to secure the boundaries of this site, the close board fencing proposed may not be appropriate once proposals come forward for the neighbouring future residential sites. Although from a design perspective more open boundary treatments would represent an enhancement, this would not be appropriate while the adjacent sites remain in commercial use. The proposed boundary treatments are considered appropriate for the existing situation and it is not considered reasonable to expect the future owners to have to change these if the neighbouring sites are developed. However it may be possible to achieve this through mutual agreement with the developers of the adjacent sites when these come forward for development.

In conclusion on this issue, it is considered that the principles set out in the DAS, and the proposed high quality design, would enable a development to be created on this site with a distinct and attractive character, making good use of the opportunities provided by the site. It has also been designed to ensure that this site can come forward as a stand-alone development without prejudicing the principles set out in the masterplan for the wider site. Therefore the proposal is in accordance with the relevant sections of CS Policy CS7 and saved 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. This is consistent with the NPPF This site is self-contained with very little risk of any direct impact on existing residential properties. The nearest residential properties to the site are on the opposite side of Downshire Way at 109 metres distance. Properties on Old Bracknell Close to the east of the site are approximately 143 metres away. In view of the distances involved, the intervention of Downshire Way to the nearest property, the proposed substantial landscaping along the Old Bracknell Lane West boundary, and the fact that an existing two storey office/storage and distribution building with associated car parking and servicing already exists on this site it is not considered that the proposed development would result in a serious increase in noise or disturbance to residential neighbours.

In terms of the amenities of future residents of the proposed development, the site presently does not lie in a residential area but sits between two commercial properties, including the Council depot. It is also next to a main railway line and close to busy main roads. BFBLP saved policy EN25 seeks to ensure that residential development is not located in locations close to existing uses which generate incompatible levels of pollution. This is consistent with NPPF paragraph 120 which seeks to prevent unacceptable risks from pollution by ensuring that new development is appropriate for its location and that the effects of pollution are taken into account.

It is acknowledged that, in the short to medium term, these commercial neighbours may not provide the most attractive of environments for residential development. However this is part of an allocated housing site, with the intention being that over time this whole area will become residential. In view of potential concerns about noise the Environmental Health Officer has advised that a noise survey together with appropriate mitigation measures be conditioned. It is also recognised that the present and previous commercial uses on the site may have resulted in ground contamination. In view of this the Environmental Health Officer has advised that a condition requiring the submission and approval of a site investigation report into the nature and extent of any land and/or groundwater contamination and the implementation of any remedial or mitigating measures recommended before the premises are inhabited. These measures should protect future residents from any adverse impacts on their amenities arising from noise or pollution, particularly in the period until the adjacent sites are redeveloped.

In conclusion, no existing properties are considered likely to suffer any significant adverse impacts on their residential amenity, and it is considered that the scheme has been designed so that it provide acceptable living conditions for future residents of the development. Therefore the proposal is considered to be in accordance with saved BFBLP Policies EN20 proviso (vii) and EN25.

11. TRANSPORT IMPLICATIONS

Access:

Policy CS23 of the CSDPD seeks to increase the safety of travel. This is consistent with the NPPF. The site is located on Old Bracknell Lane West, an adopted road serving a mix of uses including an industrial estate and a small residential development. It also provides rear access to the fire and ambulance stations although both of these have their main egress for emergency vehicles direct onto Downshire Way. The road is subject to a 30mph speed limit although at this location speeds are expected to be below this limit due to the presence of parked vehicles and the fact that the road terminates shortly after the site boundary. The end of the road joins into an existing footway/cycleway leading to the town centre, the Southern and Western Industrial Areas and the residential neighbourhood of Wildridings. Old Bracknell Lane West forms a junction with the A322 Downshire Way at its south eastern end. Downshire Way experiences large volumes of traffic during the day and is congested at peak times, this is due to its important role in distributing traffic from the M4 towards the M3 and vice versa as one of the main strategic routes within the borough.

The position of the site entrance is not proposed to alter under this application. The main obstruction to visibility is from cars parked along the road, this is likely to occur from overspill parking from the offices or from commuters using the rail station. There are existing double yellow lines that restrict parking adjacent to the access and these protect access and provide some visibility. Such lines could be extended if necessary

in the future but adequate parking should be provided within the site to reduce the need to park on street.

The access road within the site is wide enough for the scale of development (5.5m). However the existing boundary planting along the frontage restricts visibility in both directions. Some of the planting along the frontage could be removed to enhance visibility; this will not impact on the significant trees on the site. This matter can be addressed through a landscaping scheme to be required by condition. The applicant has provided information of tracking of a refuse vehicle which indicates that safe and adequate turning can be provided.

Saved BFBLP Policy M4 encourages new developments to provide appropriate pedestrian and cycle routes and facilities and Saved Policy M6 seeks the provision of safe, direct and well signed cycle and pedestrian routes. There is an area of land at the rear of the site that the submitted drawings indicate as being reserved for the inclusion of a new footway/cycleway that could link through the wider development of the area and provide better access to local transport nodes such as the rail station. This land should be secured through a legal agreement with easement rights and the dedication of the land as public highway or as part of an adopted open space maintained by the Council, to enable the provision of the route at a later date when the adjacent sites are brought forward for development.

Parking Requirements:

'Saved' Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in the Council's adopted Parking Standards SPD. It provides guidance to supplement 'saved' BFBLP Policy M9. The NPPF refers to local authorities being able to set their own parking standards for residential development. The applicant has provided parking for the development as part of the design of the building. Parking is contained underneath the building with a limited amount of additional spaces at ground level adjacent to the access road.

The applicant has provided a total of 79 spaces, 74 under the building and 5 at grade, this equates to a ratio of 1.2 spaces per dwelling. This level of parking is below the current borough parking standards but considering the position of the site to the town and rail station then a lower level of parking may be applicable. Furthermore this site would form part of the wider development of the area which is intended to deliver more residential flats.

In order to justify the level of parking the applicant has utilised 2011 census data for Bracknell. Interrogation of the census data for the local wards around the site (Wildridings and Old Bracknell) indicate that average car ownership is in the region of 1.1-1.2 cars per household. This is in line with the level of provision provided in this application but it should be recognised that these wards contain a varied amount of housing and tenure which may not be that comparable to the development proposed. The applicant has also referred to a parking survey of a newly developed site in Bay Road which indicated that parking provision of around 1 space per unit was adequate. It should be noted that the surveyed site had 100% affordable housing with a fairly even split of 1 and 2 bedroom units. There is also a public car park adjacent that could cater for visitors. However it is also noted that at approximately 830m distant this site is considerably further away from the town centre and stations than the current site.

Surveys on a new development known as Windermere Gate on Crowthorne Road have indicated a peak demand of 1.4-1.5 spaces per unit. This development is mixed but

predominantly flatted with some affordable units, and is also considerably further away from the town centre and stations than the current site.

When this application was originally submitted the Highway Authority advised that in order to provide justification for the proposed ratio the applicant was asked to undertake surveys of flatted schemes in close proximity of the site to provide further supporting information for this proposal. The applicant subsequently carried out a survey of various flatted developments on Old Bracknell Lane East following advice from the Highway Officer. The surveys were conducted on Friday and Saturday nights (23rd & 24th January) between 22:00hrs and 01:00hrs. The intention was to record the maximum parking demand. The survey results record the number of parking spaces available, the number of vehicles parked and the percentage parking stress. The survey results were:

Broome Court

Broome Court has 20 flats and 39 parking spaces. The maximum occupancy occurred on Friday when 19 vehicles were parked. This is a ratio of 0.95 cars per flat.

Friendship Way

There are 12 flats and 25 parking spaces at Friendship Way. The maximum occupancy was 15 vehicles which occurred late on Saturday night. This is a ratio of 1.25 cars per flat.

The report of the survey concluded that if the parking demand at Friendship Way is taken as the worst case then it would be reasonable to seek a parking ratio of 1.25 spaces per flat for the proposed development. The survey provides evidence that the proposed development is not likely to result in demand for on-street parking in the vicinity of the site.

The applicant has submitted an amendment to the proposal that reduces the number of flats by one to 65 and increases the number of basement parking spaces by 5, resulting in 84 spaces in total. This increases the parking ratio to 1.29 spaces per flat, in excess of the worst case scenario found in the parking survey. The Highway Authority has advised that it considers a parking ratio of 1.29 spaces per unit is likely to be adequate for the demand of the site, provided all spaces are communal and not allocated to individual flats to ensure maximum flexibility over the day for both occupiers and visitors. It is therefore considered that, as amended, the proposal makes adequate car parking provision for this centrally located site.

The Highway Authority originally commented that the 83 cycle parking spaces proposed was below the current standards and this does not help support and promote alternative modes to the car increasing the chance of a greater number of car journeys. In response the applicant has provided an additional 44 cycle parking spaces to bring the number provided up to the required standard.

Vehicle Movements / per day:

The applicant has provided information relating to trip rates for the existing use as well as the proposed flats. Trip rates for the more recently consented larger B1 use has also been included for comparison. The level of two way traffic that the existing use would generate in the peak hours is greater than the proposed use. However the direction of traffic in either peak hour is different for each use with the residential element generating more outbound trips in the AM peak and more inbound trips in the

PM peak compared to the existing use but the likely increase is not so substantial that it would put a significant demand on the network. It should be noted that the trip rates used for the proposed flats may be higher than predicted due to the fact that the location of the site is well placed for access onto the strategic road network as well as access to the town. Trip rates could be in the region of 20% higher than quoted, which will have some impact on the level of traffic that seeks to exit onto Downshire Way and in time as the wider development on the allocation site occurs this will increase. Any increases will need to be set in the context of existing demands on the junction. Overall the level of traffic generated by the proposal compared to the existing use is expected to be lower in peak hours and over the day.

For the reasons given above the proposal is considered to be in accordance with Policy CS23 of the CSDPD, 'Saved' Policies M4, M6 and M9 of the BFBLP and the NPPF and would not result in highway implications.

12. LANDSCAPE, BIODIVERSITY AND TREE ISSUES

Core Strategy Policy CS1 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. Saved BFBLP policies EN1 and EN20(vi) seek the protection of trees important to the retention of the character and appearance of the townscape. Policy EN2 seeks the inclusion of indigenous trees and other plants appropriate to the setting and character of the area within the landscaping schemes of new developments. These policies are consistent with para. 118 of the NPPF which states that LPAs should aim to conserve and enhance biodiversity.

The Council's Landscape Officer has assessed the landscape proposals and considers that the proposed layout will enhance the external areas of the site creating more useable open space. The soft landscape proposals are considered to be acceptable in principle and work well within the site.

The ecological report submitted with the application shows that the existing building does not host roosting bats and that the site has limited value for wildlife. However, there are opportunities to enhance the site for wildlife, for example by planting native species or species that have a known value for wildlife. Some of the proposed grassland on site could be native species rich grassland. It may also be possible to include some native species hedges / screen planting along the site boundaries or to the rear of the site. These measures would help to promote biodiversity and provide links to the local landscape character.

The proposed drainage connections are shown to link to the existing foul and surface water sewers through the existing tree belt along the front boundary. Further details and method statements should be provided to ensure that the important mature trees are adequately protected.

These matters are covered by the suggested conditions. Subject to securing the implementation of these protection and mitigation measures, the proposed development is considered to secure the protection and enhancement of the landscape and biodiversity in accordance with CS Policies CS1 and CS7.

13. AIR QUALITY, GROUND CONTAMINATION AND NOISE IMPACTS

BFBLP saved policy EN25 seeks to prevent development that would generate unacceptable levels of pollution. This is consistent with NPPF paragraph 120 which

seeks to prevent unacceptable risks from pollution by ensuring that new development is appropriate for its location and that the effects of pollution are taken into account. The Council's Environmental Health Officer has raised no objections on these issues subject to appropriate conditions being imposed. In respect of the objection comment that the development would result in additional traffic pollution it is evident from the comments of the Highway Authority discussed earlier that the development would actually result in a reduction in traffic. This is therefore considered to have a positive impact on pollution levels within the adjoining Air Quality Management Area along Downshire Way.

14. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

Policy NRM6 of the South East Plan (SEP) 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. This aspect of the proposal is dealt with later in the report.

These policies 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.

The Council, in agreement with Natural England (NE), has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects.

This site is located approximately 2.7km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

Therefore, a Habitats Regulations Assessment (HRA) 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 site.

In line with the relevant policies 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.

i) The provision of bespoke Suitable Alternative Natural Greenspace (SANG) at Longhill Park, and / or another bespoke SANG to be identified. This will be provided at a minimum of 8ha per 1,000 new population. This site with others in an around the town centre cannot reasonably provide on-site SANG and therefore the Council intends to provide the necessary SANG(s) to serve this and other similar developments identified in SALP Policy SA1. Such sites will therefore be expected to make a financial contribution towards the identified bespoke SANGs. The Longhill Park element of the SANG solution has a limited capacity and cannot accommodate all the large Policy SA1 sites and therefore, the Council is working to identify further additions to the bespoke SANG suite such as Bill Hill and other land. This process is underway but may take some time to complete. However, to date, the Longhill Park element has capacity to accommodate this particular development. A SANG contribution of £108,420 will therefore be sought.

ii) A S106 agreement will be required to prevent occupation until the SANG works and measures are in place.

iii) Strategic Access Management and Monitoring (SAMM) contributions

A Strategic Access Management and Monitoring (SAMM) contribution of £32,176 must be paid on commencement of the development in accordance with the SPA SPD.

In conclusion it is considered that the development would not adversely affect the integrity of the Thames Basin Heaths SPA provided that the above measures are put in place. These measures will prevent a significant adverse effect on the integrity of the SPA. It is considered that these matters could be addressed through appropriate obligations within a s106 agreement. Therefore 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.

15. FLOODING AND DRAINAGE ISSUES

Paragraph 103 of the NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk of flooding and gives priority to the use of sustainable drainage systems. This site lies within Flood Zone 1 (low risk) and is therefore an appropriate site for development in terms of flood risk.

The applicant has submitted a Flood Risk Assessment and a Drainage Strategy. This demonstrates that there would be no increase in peak flows of rainfall runoff compared to the existing situation. The existing land use is comprised of impermeable areas of tarmac and concrete, including car parking areas and roofed accommodation, with small grassed areas. The proposed development includes impermeable buildings and car parking / roadways with permeable areas of green space. Overall there would be an approximate decrease of 1994m² (42%) in impermeable areas at the site. Therefore the off-site surface water flow rate would be reduced by 42% compared to the existing situation.

The FRA states that the surface water run-off from the development site will be discharged into Thames Water sewers at a reduced flow rate from the existing flow rate using SUDs techniques including flow attenuation if required. However as the applicant is awaiting confirmation from Thames Water of an off-site flow rate it is not in a position to determine whether attenuation or any other SUDs technique will need to be incorporated into the surface water drainage scheme. It is therefore recommended that a detailed drainage strategy be secured through condition.

16. SUSTAINABILITY STATEMENT AND ENERGY DEMAND

Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, i.e. Code for Sustainable Homes Level 3. This policy is consistent with the NPPF and therefore can be afforded significant weight. Formal assessment of dwellings against the Code for Sustainable Homes must be carried out by an accredited assessor (accredited by BRE). The assessment has several stages: Pre-assessment Estimator, Design Stage Assessment, and Post Construction Review. All stages should be covered, and the assessments submitted to the Council.

A sustainability statement should address the following:-

- Energy and Carbon Dioxide;
- Water;

- Materials;
- Surface water runoff;
- Waste;
- Pollution;
- Health and wellbeing;
- Management; and
- Ecology.

No Sustainability Statement/ Pre-assessment Estimator has been provided demonstrating likely compliance with Code for Sustainable Homes Level 3. As such it is recommended that conditions are imposed.

Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. This policy is consistent with the NPPF and therefore can be afforded significant weight.

Although the applicant has looked at alternative measures to offset energy demand there are no calculations provided and no firm commitment as to which approach will be taken. As it stands the applicant has not met with the requirements of Policy CS12 and it is recommended that a condition should be imposed.

17. AFFORDABLE HOUSING

Core Strategy Policies CS16 and CS17 (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 sought, subject to viability.

Paragraph 178 of the NPPF states that to ensure 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 report that concludes that the proposals cannot viably support the provision of affordable housing. This report has been independently assessed for the Council by the Valuation Office (DVS). This concluded that the policy level of affordable housing was not viable for this site but there is a surplus available for S106 costs. The applicants have indicated that they are willing to accept a reduced profit margin and are willing to make a contribution to infrastructure and SANGS on the basis that no affordable housing contribution would be provided. DVS recommend this to the Council as reasonable, taking account of viability, and propose that the sum sought should be £200,000. However if the scheme does not commence and completion is not achieved within an agreed timescale there should be a review of the viability since any concession by the Council is in the current market.

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.

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.

In accordance with the Limiting the Impact of Development Supplementary Planning Document (LID) which provides guidance on the implementation of Core Strategy Policy CS6, this application should make contributions to mitigate adverse impacts on local open space and outdoor recreation, primary education, community facilities, youth facilities and built sports facilities.

As noted above the applicant has provided a viability report that demonstrates that the above requirements for infrastructure and community facilities would make the development unviable. The independent advice from the DVS is that the development should be capable of generating a surplus available for S106 costs of £200,000. However from this figure it is necessary to deduct the non-negotiable SPA mitigation as detailed in section 14 above. The combined SANG and SAMM contribution for this development would be £140,596 leaving a surplus of just £59,404 for other s106 contributions.

Since the viability appraisal was carried out, as noted above, the applicant has amended the scheme by increasing the size of the basement car park in order to improve the parking ratio. This has considerably added to the construction costs of the scheme wiping out this surplus.

Another material consideration is that the Council is likely to introduce the Community Infrastructure Levy (CIL) on 6th April 2015. Once CIL takes effect there will be legal restrictions on using S106 to secure contributions for pooling towards infrastructure to support development.

This application lies within the town centre CIL charging zone which is zero rated. Therefore after the 6th April (if approved at the Council meeting on 25 February 2015) this development would not be required to pay any contribution towards infrastructure or community facilities other than affordable housing and the non-negotiable SPA mitigation contribution which is not affected by CIL. Although this application is being reported to committee before CIL comes into effect, in view of the short time before this becomes operative, and the time required to complete a s106 agreement, it is reasonable to assume that there is a possibility that a decision will not be issued until after CIL becomes operative. In this scenario SPA mitigation and affordable housing would still be required as these are not covered by CIL. The applicant accepts that SPA mitigation payments will have to be made, and has demonstrated that the provisions of affordable housing on this site would make the development unviable.

It is therefore recommended that if Members are minded to grant permission, this is subject to the completion of a s106 agreement to secure the mitigation of adverse impacts on the SPA and as noted in section 11, the safeguarding of land at the rear of the site for a future pedestrian/ cycle route linking to adjacent sites.

19. CONCLUSIONS

SALP Policy CP1 sets 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 application site was considered in the preparation of the SALP and ultimately it was allocated for development by SALP Policy SA1 when the Local Plan was adopted last year.

Representations have been received from the residents of Old Bracknell Close and Bracknell Town Council which raise a number of other material considerations, including concerns about additional traffic, overdevelopment and out of keeping with the area. As noted in this report the concerns about additional traffic are misplaced as this proposal would actually result in less traffic than the existing use of the site. The building would be the same height and have a smaller footprint than the approved replacement office scheme. It is therefore not considered to represent an overdevelopment of the site. While clearly a residential development would result in a different character to this area than the current commercial uses which predominate, given that this site together with those adjacent has been formally allocated for housing in a recent adopted Local Plan, this change in the character of the area from commercial uses to residential has already been accepted by the Council.

This report has considered the proposal against relevant policies in the development plan and other material considerations, including the NPPF. 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 SA1 of the SALP, Policies CS1, CS2, CS7, CS10, CS12, CS14, CS15, CS23 and CS24 of the Core Strategy and Policies EN1, EN2, EN20, EN25, M4, M6 and M9 of the BFBLP. The proposal is therefore in accordance with development plan policies to which substantial weight should be given. 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. No other material considerations are considered to 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 the SPA or to deliver comprehensive development across the larger allocation site. Therefore the application is recommended for approval subject to appropriate conditions and the completion of a s106 agreement to secure the mitigation of adverse impacts on the SPA and the safeguarding of land at the rear of the site for a future pedestrian/ cycle route linking to adjacent sites.

RECOMMENDATION

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

01. 1. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA), including a financial contribution towards off site SANG and Strategic Access Management and Monitoring.

2. Measures to safeguard land at the rear of the site for a future pedestrian/ cycle route linking to adjacent sites.

That the Head of Development Management be authorised to **APPROVE** the application subject to the following condition(s):-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out in accordance with the following plans received 10.10.2014:
BPL001 - DP-0-001 - Proposed Apartment Layouts
BPL001 - DP-0-002 - Proposed Apartment Layouts
BPL001 - DP-0-003 - Proposed Apartment Layouts
BPL001 - DP-0-004 - Proposed Apartment Layouts
BPL001 - DP-0-005 - Proposed Apartment Layouts
BPL001 - DP-0-006 - Proposed Apartment Layouts
BPL001 - DP-0-007 - Proposed Apartment Layouts
BPL001 - DP-0-010 - Proposed Demolition Plan
BPL001 - DP-0-011C - Proposed Floor Plans
BPL001 - DP-0-012E - Proposed Floor Plans
BPL001 - DP-0-013F - Proposed Floor Plans
BPL001 - DP-0-014E - Proposed Floor Plans
BPL001 - DP-0-015A - Proposed Floor Plans
BPL001 - DP-2-070A - Proposed Elevations
BPL001 - DP-2-071A - Proposed Elevations
BPL001 - DP-2-072A - Proposed Elevations
BPL001 - DP-2-073A - Proposed Elevations
BPL001 - DP-2-074 - Proposed Elevations
BPL001 - DP-2-075 - Proposed Elevations
BPL001 - DP-9-900D - Proposed Site Plan
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. The development hereby permitted shall be carried out in full accordance with the tree protection measures and method statements set out in the arboricultural impact assessment by Barton Howe Associates Ltd. dated October 2014 unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of tree protection
[Relevant Plans and policies: Core Strategy DPD CS1; BFBLP EN1, EN20]
05. No development shall take place until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) Comprehensive planting plans (including native species and species that have a known value for wildlife where possible) 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.

- b) Details of semi mature tree planting.
- c) Comprehensive 5 year post planting maintenance schedule.
- d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
- e) Means of enclosure (walls and fences etc)
- f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- g) Recycling/refuse or other storage units, play equipment
- h) Other landscape features (water features, seating, trellis and pergolas etc).

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.

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

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

06. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority. If any trees or hedgerows shown to be retained on the approved plans are removed, uprooted, destroyed, die or become diseased during the course of the development or within a period of 5 years of the completion of the development, another tree or hedgerow of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives it written consent for any variation.

REASON: In the interests safeguarding visual amenity.

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

07. The development hereby permitted shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include as a minimum:

- (i) a Demolition and Construction Logistics/ Site Organisation Plan
- (iv) Details of the parking of vehicles of site operatives and visitors

- (v) Areas for loading and unloading of plant and materials
- (vi) Areas for the storage of plant and materials used in the demolition and construction of the development
- (vii) The erection and maintenance of security hoarding
- (viii) External lighting of the site
- (ix) Method of piling for foundations
- (x) Measures to control the emission of dust, dirt, noise and odour during demolition and construction
- (xi) Measures to control surface water run-off during demolition and construction
- (xii) Measures to prevent ground and water pollution from contaminants on-site during demolition and construction
- (xiii) Demolition and construction working hours and hours during the construction and demolition phase during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xiv) Details of wheel-washing facilities;
- (xv) details in respect of measures to minimise, re-use and re-cycle waste; minimise the pollution potential of unavoidable waste; and dispose of unavoidable waste in an environmentally acceptable manner; and
- (xvii) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.

The approved Construction Environmental Management Plans shall be adhered to throughout the demolition and construction period.

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

[Relevant Policies: BFBLP EN25]

08. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include 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 demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith.

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

[Relevant Policy: Core Strategy DPD CS10]

09. 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 of that 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 3 of the Code for Sustainable Homes.

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

[Relevant Policy: Core Strategy DPD CS10]

10. The development 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% unless otherwise agreed in writing by the Local Planning Authority).

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: CSDPD Policy CS12]

11. No development shall take place until:
 - i) Details of the proposed method and extent of a phase II investigation (Site investigation) has been submitted to and approved in writing by the Local Planning Authority;
 - ii) a Phase II report (Site investigation) in accordance with the agreed details of method and extent has been submitted to and approved in writing by the Local Planning Authority; and
 - iii) Any remedial or mitigating measures recommended by the findings from the Phase II report shall be approved by the local planning authority and implemented before the premises are inhabited. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".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]
12. No demolition or construction work shall take place outside the hours of 08:00 and 18:00 Monday to Friday; 08:00 and 14:00 Saturday and not at all on Sundays and Public Holidays.
REASON: In the interests of the amenities of the area.
13. The development hereby permitted shall not be begun until a noise survey has been submitted to and approved in writing by the Local Planning Authority. The noise survey shall include the proposed method of mitigation to be used to ensure reasonable noise levels can be experienced by the future occupiers of the residential dwellings and users of the outside spaces. This noise monitoring should be conducted over a minimum of a 24 hour period. Any noise mitigation works recommended by the approved noise survey shall be completed before any permitted dwelling is occupied.
REASON: To ensure that the amenities of the future residents is not adversely affected by noise.
[Relevant Policies: BFBLP EN25]
14. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
15. No dwelling shall be occupied until a means of access for pedestrians has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of accessibility and to facilitate access by pedestrians.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

16. No dwelling shall be occupied until a plan showing visibility splays has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
17. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
18. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, any of the buildings hereby permitted.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
19. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
20. No gates shall be provided at the vehicular access to the site.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
21. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works forming the access from the site to Old Bracknell Lane West. The buildings provided by the carrying out of the development shall not be occupied until the off site highway works have been completed in accordance with the scheme.
REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining

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

In the event of the S106 planning obligation(s) not being completed by 26.5.2015 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the 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.
02. The development would prejudice the comprehensive development of the wider site allocated under Policy SA1 of the Site Allocations Local Plan by not making adequate provision for the safeguarding of the route for a future footway/ cycleway linking this site to those adjacent. In the absence of a section 106 planning obligation to secure suitable safeguarding of this route, the proposal would therefore be contrary to Policies EN20 and M6 of the Bracknell Forest Borough Local Plan, and Policies CS23 and CS24 of the Core Strategy Development Plan Document.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk