

ITEM NO:Application No.
15/00004/FUL

Site Address:

Ward:
BullbrookDate Registered:
13 January 2015Target Decision Date:
14 April 2015**Edenfield Larges Lane Bracknell Berkshire RG12 9AT**

Proposal:

Erection of 48 no. dwellings (41 no. apartments and 7 no. terraced houses) with associated parking and vehicular access from Larges Lane following demolition of existing office building.

Applicant:

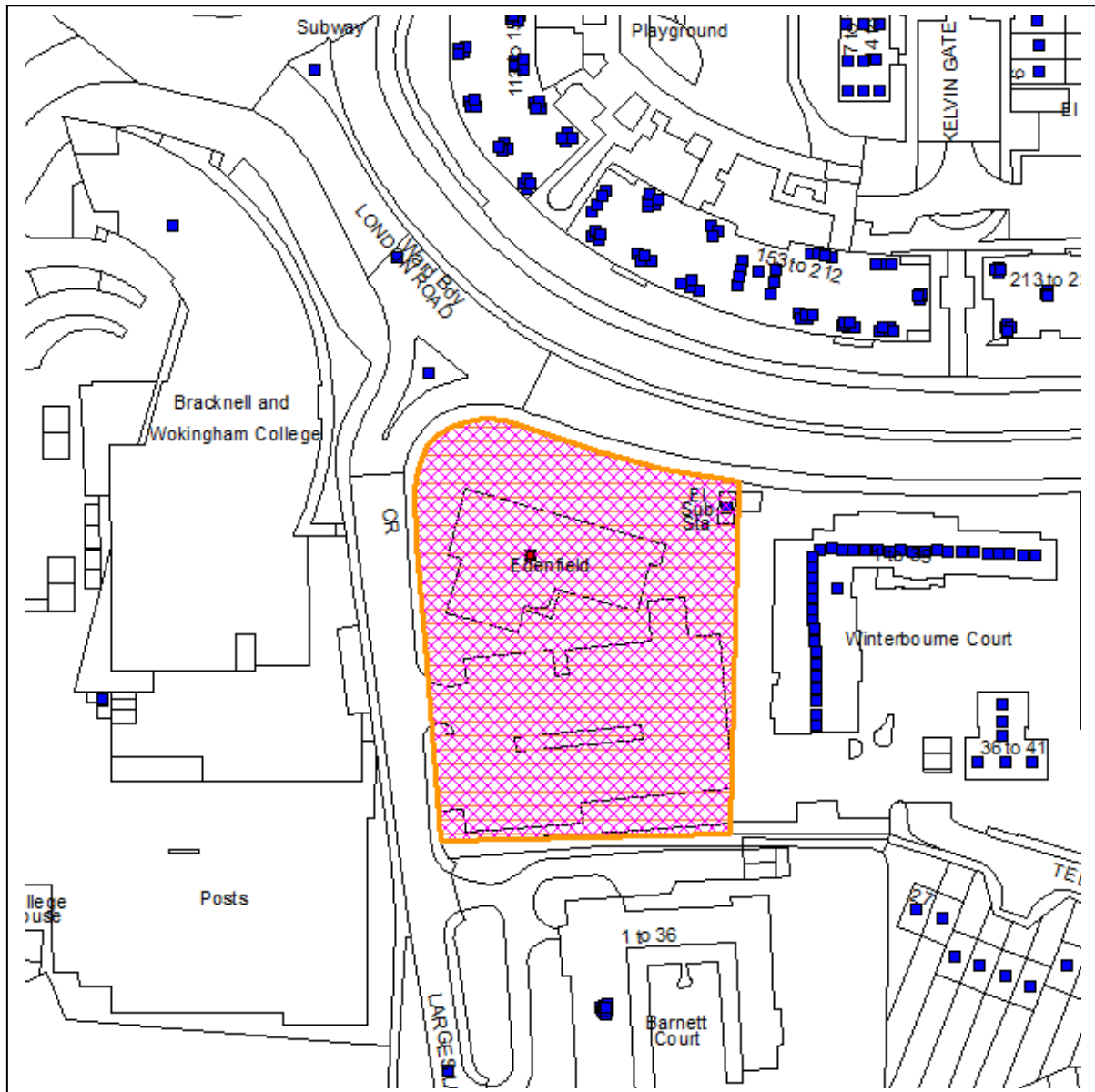
Raglan Housing

Agent:

(There is no agent for this application)

Case Officer:

Simon Roskilly, 01344 352000

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

OFFICER REPORT

1. SUMMARY

1.1 The erection of 48 no. dwellings (41 no. apartments and 7 no. terraced houses) with associated parking and vehicular access from Larges Lane is proposed following demolition of an existing office building.

1.2 With appropriate materials and finishes the proposed buildings are considered to be in keeping with the area. The relationship with adjoining properties is acceptable and there are no over-riding highway safety implications.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report and a Section 106 legal agreement.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Trees on site protected by TPO

Within 5km buffer to the Thames Basin Heaths Special Protection Area
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Opposite a Character Area: Area A of Bracknell Study- Church Road/Larges Lane

3.1 The site occupies a 0.428 ha area, and is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map. The site is on the corner of Larges Lane and London Road with access currently off Larges Lane. There are protected trees on site covered by TPO 251.

3.2 The site currently hosts office accommodation (Use Class B1a) albeit empty and is served by 88 parking spaces. The current office building is a 3 storey yellow brick building located towards the north of the site with vehicle parking and access from Larges Lane taking up the southern half of the site

3.3 The site benefits from Prior Approval Change of use of offices to 35 residential units.

3.4 North of the site is the former Met Office site (Kelvin Gate) where there are residential flats. South of the site is Barnett Court a residential use comprising 27 self-contained units (23 bedsits and 4 one bedroom flats). There is also a self-contained warden's bungalow. There is a planning application in to demolish the buildings at the Barnett Court site and erect a building containing 28no. affordable flats (15/00284/FUL).

3.5 West of the site is the main Bracknell and Wokingham College building.

3.6 East of the site is Winterbourne Court a 3 storey flatted building with flats for the elderly. The main entrance to this building is located within the centre of the site facing south where there is an internal area of amenity space.

3.7 The site is in a sustainable location whereby there is easy pedestrian access to the Town Centre, Railway and Bus stations.

4. RELEVANT SITE HISTORY

4.1 614528- Erection of a 2100 sq.m. building for business use with associated car parking (Use Class B1). APPROVED.

4.2 13/00539/PAC- Application for prior approval for the change of use of office building from class B1(a) to class C3, for the development of up to 35no. residential units. PRIOR APPROVAL GRANTED.

5. THE PROPOSAL

5.1 Erection of 48 no. affordable dwellings (41 no. apartments and 7 no. terraced houses) with associated parking and vehicular access from Larges Lane following demolition of existing office building.

5.2 The mix would consist of 15no. 1 bedroom and 26no. 2 bedroom apartments and 7no. 3 bedroom terraced houses.

5.3 To the north of the site along the London Road frontage and continuing round the corner into Larges Lane would be a 3-7 storey flatted building with flat roofs. The building would be 3 storeys (8.5m high) opposite Winterbourne Court increasing to 7 storeys (20.5m high) on the corner of London Road and Larges Lane then decreasing down to 4 storeys (11.2m high) next to the proposed vehicular access off Larges Lane.

5.4 The external appearance of the flatted building consists of a mixture of brickwork with the majority of the building being light red in colour with areas broken up with darker red brick features. Windows will consist of bronze aluminum frames.

5.5 Proposed along the southern boundary of the site would be 7no. 3 storey (9.8m high) 3 bedroom dwellings with integral garages fronting north and rear gardens to the south. The external appearance of the houses will consist of a light red brick with areas broken up with a darker red brick, like that of the flatted building. Again the windows will consist of bronze aluminum frames.

5.6 Within the centre of the site there would be a parking court broken up with tree planting and a communal courtyard for the residents of the flats.

5.7 The proposed development has undergone a number of revisions in the course of its consideration.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Bracknell Town Council objects to the planning application on the following grounds:-

- Access and inadequate parking concerns
- Visible amenity
- Out of keeping with adjacent buildings.
- Overdevelopment of site to the detriment of adjacent neighbours.

Other representations:

6.2 Seven objections were received at the time this report was written from separate addresses. This included the following petition submitted by the Winterbourne Residents Association that had 31 signatures:-

'Dear Sir, I am writing this letter on behalf of the members of this Association. As you probably know this is a block of retirement flats and is entirely occupied by elderly people. It was bad enough to be informed that the offices know as Edenfield in Larges Lane were to be demolished and would be replaced by flats as this is right next door to Winterbourne Court but we were even more dismayed to learn that the adjoining building, Barnett Court was also going to be demolished and rebuilt as flats.

The unavoidable noise and the congestion caused by construction vehicles is bound to have an effect on our residents because of the close proximity of the developments. To exit Tebbit Close we have to pass both these sites.

Assuming potential occupants of the new flats will possess at least one or two cars each, it would mean possibly over one hundred extra cars would be using the existing roads and with other vehicles making deliveries it can only add to the congestion.

Residents of Winterbourne Court who live in flats facing Edenfield are bound to have their present outlook obscured by the new houses erected in the existing car park. It is feared that this would devalue their property.

I would appreciate that this is only at a planning stage but we sincerely hope more thought will be given before the decisions are made.'

6.3 The concerns raised have been summarised below:-

- Adverse impact upon surrounding residential amenity [*Officer Comment: These concerns are addressed under section 9 - Residential Amenity.*]

- Lack of parking, traffic and highway safety. [*Officer Comment: These concerns are addressed in section 9 - Transport Implications*]

- Adverse impact upon the character and appearance of the area. [*Officer Comment: These concerns are addressed under section 9 - Impact Upon Character and Appearance of the Area*]

- Impact upon Trees. [*Officer Comment: This concern is addressed in section 9 - Trees.*]

- Concerns regarding existing utilities. [*Officer Comment: It is the responsibility of the Utilities companies to respond to development. There are no obvious concerns given the settlement location of the development site*]

7. SUMMARY OF CONSULTATION RESPONSES

Environmental Health

Recommends conditional approval.

Transportation Officer

No objections subject to amendments and suitable conditions.

Biodiversity Officer

Recommends conditional approval.

Tree Officer

Concerns regarding the removal of trees to the front of the site however the proposed replacement species are considered adequate. This will be covered in section 9 of the report. Conditions also suggested.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:-

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS16, CS17 of CSDPD, Saved policy H8 of BFBLP that has been the subject of executive changes.	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD, Saved policy M4 of the BFBLP.	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent
Previously Developed Land/Efficient Use of Land	CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Planning Obligations SPD		
Thames Basin Heath Special Protection Area (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		
The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:-

- i. Principle of development

- ii. Impact on character and appearance of the area
- iii. Trees
- iv. Impact on residential amenity
- v. Transport implications
- vi. Biodiversity
- vii. Sustainability (resources)
- viii. Affordable Housing
- ix. Thames Basin Heaths Special Protection Area
- x. Drainage
- xi. Planning obligations

i. PRINCIPLE OF DEVELOPMENT

9.2 The site lies within a settlement and will contribute to meeting the housing needs of the community. It is also considered to represent previously developed land and therefore makes efficient use of land. It is therefore considered to be acceptable in principle complying with CSDPD Policies CS1, CS2 and CS16 and the NPPF. The remainder of this report considered matters of detail.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

(i) Site Layout

9.3 As stated earlier in this report the application site currently contains 1no. large empty office building with a large carpark and a number of protected trees with access off Larges Lane.

9.4 The site is located opposite Character Area A - Church Road, Larges Lane, Bracknell (Character Areas SPD). Although this site is not shown to be within Character Area A text associated with this character area mentions the following:-

- Development along Larges Lane should consist of houses and smaller blocks of flats to create a transition to the residential areas to the east.

9.5 This is a material consideration when assessing this site.

9.6 On the northern part of the site which fronts London Road, a busy dual-carriageway at this point, the applicant's approach in providing the tallest (7 storey) element on the London Road/Larges Lane corner with the height reducing to three storeys next to Winterbourne Court is considered in-keeping with this area. It is felt that the development responds satisfactorily to the context provided by nearby buildings, framing the London Road 'gateway' that currently contains tall buildings such as the former Met Office site and the Bracknell and Wokingham College.

9.7 The continuous built-form on this part of the site helps screen the rear of the flats, the centre of the site and the proposed houses on the southern part of the site from traffic noise from London Road.

9.8 The 3 storey terraced houses proposed on the southern part of the site allow for an acceptable transition in height in relation to Winterbourne Court to the east and Barnett Court to the south.

9.9 Amenity space for the flats is provided in the form of a communal courtyard. This is of a modest size but the site is within walking distance, via a safe subway route, of The Elms recreational ground off Warfield Road.

9.10 The proposed town houses on the south of the site have rear gardens and raised terraces that provide adequate useable amenity space for future occupants that, at the same time, allow for trees on the southern boundary of the site to be retained.

9.11 The proposal would mean the removal of trees to the front of the site along the London Road frontage that are considered to play an important role within the visual amenity of the streetscene. Their loss will be detrimental to the character and appearance of the area. However it should be noted that the Prior Approval that could be implemented to change the office building to residential is likely to put pressure on the trees at the front being removed. Trees are currently close to the front elevation and do significantly block out daylight to north facing windows. If the building were to be converted to flats the removal of the unprotected trees is highly likely.

9.12 The proposed layout allows for adequate landscaping to be incorporated to the front of the flatted building in order to replace the trees that would be removed and soften the development along London Road. An assessment of the replacement planting will be made under Section 9-Trees.

9.13 Within the centre of the site trees will be planted to break up the car parking and to soften views of future town house occupants. Again these will need to be able to flourish within a large area of hardstanding of which species details can be conditioned.

9.14 In conclusion on the siting of the proposed buildings, the flats are considered in-keeping with the London Road frontage while the terraced housing on the southern part of the site provides a transition to the buildings on the east side of Larges Lane in line with the Character Areas SPD.

9.15 Overall the layout in this case is considered acceptable as it represents an acceptable balance between built form, parking and amenity space, yet at the same time providing a layout that respects the site's visually prominent location.

(ii) External appearance of the dwellings

9.16 The external appearance of the development would consist of a mixture of brickwork with the majority of the building being light red in colour with areas broken up with darker red brick features. Windows will consist of bronze aluminum frames.

9.17 There are various styles of buildings located within close proximity of the site however the scale, bulk, massing and finish are considered sympathetic, especially given the use of different materials that break up the massing. This characteristic of the area.

9.18 The proposed contemporary design of the flatted building and houses, subject to agreeing suitable detailing, are considered in-keeping with the London Road/Larges Lane streetscene.

9.19 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area and would accord with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

iii. TREES

9.20 TPO 251 protects three trees on this site: T2, T3 and T4 (all Oak)(these relate to trees T8, T2 and T1 (respectively) of the applicant's tree survey).

9.21 T2 (applicant's T8) is moribund and there is no objection to its removal (subject to a new tree being planted as part of an approved landscaping scheme).

9.22 Trees T3 and T4 (applicants T2 and T1) are shown to be retained and any grant of permission should include a condition to protect them prior to and during the period of construction.

9.23 As noted at 9.11 above, the proposed development will involve the removal of a significant group of trees along the London Road frontage which are not protected by a TPO and were planted in the 1980s as part of the landscaping for the office building. These are to be replaced with 6no. Acer 'Globosum' which are considered to be suitable replacements that will provide adequate long-term softening to the London Road frontage.

9.24 It is noted the applicant has provided rooting volume recommendations for the proposed trees; these rooting volumes may yet be compromised by any services routed through any of the proposed planting areas indicated. The Planning Authority should satisfy itself that the developer will not compromise that planting area.

9.25 In respect of the car-parking areas; given the constraints on available planting space, any tree planting in this area will require detailed consideration of underground soil-volume requirements to ensure the planting achieves its best growth potential with reduced risk of tree-roots causing nuisance to surfacing and infrastructure (i.e. large constructed tree-pits, root-barriers and grilles to support the final finish surface).

9.26 The above concerns can be addressed and have been put to the applicant. However should they not be clarified prior to Committee they can be conditioned. Any additional conditions will be provided by way of a supplementary report.

9.27 Overall, subject to the imposition of suitable amendments and/or conditions, it is considered that the proposal would not adversely affect protected trees on and adjoining the site which are important in the street scene and would provide adequate landscaping. The application is therefore considered to be in accordance with BFBLP Policies EN1, EN2 and EN20 and CSDPD Policies CS1 and CS7 and the Characters Area SPD.

iv. RESIDENTIAL AMENITY

(i) Impact upon the living conditions of adjoining properties

9.28 Existing residential accommodation lies to the east and south of the application site. The following considers the impacts of the proposed development on this accommodation.

Winterbourne Court (2.5 storey elderly persons flatted accommodation)

9.29 Winterbourne Court, a residential flatted development, is located to the east of the development site. It lies at a slightly lower level than the application site. The main Winterbourne Court building comprises an L-shaped block with one element fronting London Road and a second located parallel to the eastern boundary of the application site. This part of Winterbourne Court lies some 7m from the boundary. The current office building on the application site lies a minimum of about 20m from the nearest part of Winterbourne Court.

Impact of proposed flats

9.30 The eastern end of the proposed flats lies about 14m from the western elevation of Winterbourne Court. At this point the proposed flats are 3 storeys in height (8.5m). The building steps up heightwise to the west with a four storey element some 22m from Winterbourne Court.

9.31 Winterbourne Court has habitable windows facing west towards the application site. Notwithstanding the levels difference it is not considered that the eastern end of the proposed flats would appear unacceptably visually overbearing when viewed from these windows.

9.32 The proposal will result in the loss of some daylight/sunlight to west-facing windows in Winterbourne Court but given the siting relationships of the buildings this impact is not considered to be so great as to justify refusing the application.

9.33 The end (east-facing) elevation of the flats contains windows. The proposed secondary living room windows would lie at an oblique angle to the nearest windows in Winterbourne Court and the proposed bathroom windows could be conditioned to be obscure glazed and fixed shut. It is not considered, therefore, that any unacceptable overlooking/loss of privacy would result.

Impact of proposed houses

9.34 The flank wall of the eastern-most terraced house would be located some 8m from the flats at the southwestern corner of Winterbourne Court. It is not considered that it would appear unacceptably overbearing or significantly overshadow any rooms. It is felt that an adequate level of daylight would be received by windows at Winterbourne Court due to the separation between the existing and proposed buildings.

9.35 The proposed flank wall to the end terrace facing east will have no windows present and can be conditioned so that none are installed in the future so as to avoid any future overlooking. Windows facing north are considered to be orientated at an angle that would not result in any direct overlooking of Winterbourne Court.

Barnett Court (2 storey elderly persons flatted accommodation)

9.36 Currently with there being trees, a footpath, vehicular access and parking between the proposed terraced houses and Barnett Court south of the site there would be no loss of privacy, no overshadowing and no overbearing impacts upon either residential amenity. It is considered that this would also be the case with the scheme for a flatted residential development at Barnett Court which is the subject of a current planning application.

(ii) Living conditions of future residents

9.37 Due to its orientation and design the proposed development does not result in any adverse overlooking and/or overbearing impacts upon any of proposed residential units. It is considered that adequate amenity space/landscaping is provided around the proposed building.

Conclusion on residential amenity:

9.38 Given the assessment made above the proposal as a whole is not considered to result in any significantly harmful impacts upon residential amenity. As such the proposal is considered to comply with saved BFBLP Policy EN20 proviso (vii) and the NPPF.

v. TRANSPORT IMPLICATIONS

Access

9.39 A 15m wide vehicular access onto Larges Lane will be created in an almost identical location to the current vehicular access.

9.40 In terms of access to the site this is acceptable in principle but the current design appears to not clearly delineate the full width required for vehicles to pass each other. Changes to the permeable paving colours have been sought to help address this. Furthermore there is no protection to the edge of the parking spaces which means that additional parking may occur on the end of each row which would restrict access from the parking to the houses opposite. The applicant has been advised that a planted strip 1m wide could be introduced on the end of the bays to overcome this issue. Such a change would allow the bin collection point to move forward and provide better separation between the parking space adjacent. This change has been sought.

9.41 The current design of the road is a shared surface but hard paving across the first three houses will direct pedestrians to walk along this route and this could lead to conflict with vehicles reversing out of the car ports. The applicant has been advised that the shared surface commences nearer to the junction and this could be achieved by increasing the planted areas currently shown.

9.42 With the above suggestions there may also be an opportunity to smooth out the road alignment within the site slightly. The applicant has again been made aware of this and alterations have been sought.

9.43 Refuse collection points for the houses will be located within the site north of the houses but close enough to the vehicular access off Larges Lane to be collected by a refuse vehicle. Refuse storage for the flats will be located within the ground floor of the building on the Larges Lane frontage, again close enough to be collected by a refuse vehicle.

Parking

9.44 A total of 44 parking spaces are proposed for the flats in the form of undercroft and parking courts, giving an average of 1.07 spaces per flat. The 7 houses have two spaces each within car ports. The level of parking for the flats is acceptable considering the location of the site, the current parking restrictions in the area and the survey and census information provided by the applicant with the application. Census data (2011) for this ward (Bullbrook) indicates average ownership of 1.2 cars per unit and the adjacent ward (Wildridings and central) indicates average car ownership of 1.1 cars per dwelling. The applicant has investigated census data for the area and this would support such a provision. Furthermore the proposal is for completely affordable units and typically car ownership is slightly lower for this type of residential accommodation. Surveys of the recent Bay Road development have supported a provision of 1 space per unit and with a condition to make all outside space communal this should ensure that parking demand is kept within the site.

9.45 The site is located within a control parking zone whereby we would not want to encourage residents of this site applying for permits. A S106 should be used to restrict residents from applying for permits within the controlled parking zone. As the site falls within a control parking zone a restriction along the lines suggested is considered reasonable and enforceable.

9.46 Disabled parking has been provided to the required standard.

9.47 Cycle parking locations have been shown but no exact details have been given, conditions for cycle parking will be required.

Vehicle Movements / per day

9.48 The applicant has investigated the likely traffic generation from the proposal and compared it to the recently consented prior approval residential use by using information from the TRICS database. This has indicated the additional traffic that is likely from the new proposal. The proposal itself will generate 19 two way movements in the a.m. peak and 20 two way movements in the PM peak hours. The actual increase over the prior approval is 6 two way movements and 7 two way movements in the a.m. and p.m. peak hours respectively. This level of traffic is nominal

and will have a limited impact on the local road network. Furthermore the existing use of the site as an office would have generated significantly more traffic than the proposal in the peak hours and over the day.

Summary

9.49 Subject to conditions and a planning obligation to restrict residents from applying for permits within the controlled parking zone the proposal is not considered to result in any unacceptable highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

vi. BIODIVERSITY

9.50 The proposal, subject to conditions, is considered acceptable in terms of biodiversity and therefore accords with Core Strategy Policies CS1 and CS7 and Parking Standards SPD and the NPPF.

vii. SUSTAINABILITY (RESOURCES)

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

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

viii. AFFORDABLE HOUSING

9.53 CSDPD Policy CS17 and BFBLP Policy H8 seek the provision of a level of affordable housing on suitable development sites, taking account of the economics of provision. The policies are consistent with the NPPF.

9.54 The proposal is for a 100% affordable housing scheme and therefore more than meets with the requirements of the relevant policies. A Section 106 obligation would be required to ensure this provision is met.

ix. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

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

9.56 This site is located approximately 2.44 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.57 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.

SPA Avoidance and Mitigation Measures required will comprise:

a) The provision of Suitable Alternative Natural Greenspace (SANG) and its on-going maintenance in perpetuity.

9.58 In accordance with the SPA SPD, the development will be required to provide alternative land (SANG) to attract new residents away from the SPA. As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest).

9.59 The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. This is equal to 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

9.60 The enhancement of open space works at Englemere Pond SANG is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG).

9.61 An occupation restriction will be included in the Section 106 Agreement. This is to ensure that the SANGs enhancement works to be secured by the CIL have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2

b) Strategic Access Management and Monitoring (SAMM) Contribution

9.62 The development will also be required to make a contribution towards SAMM. This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it

Conclusion on SPA mitigation

9.63 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). Without any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.64 Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.65 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect 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 Regulations (2010) as amended, and permission may be granted. Therefore the proposal would accord with CSDPD Policy CS14, BFBLP 'Saved' Policy EN3, South East Plan Saved Policy NRM6, the Thames Basin Heaths SPA SPD and the NPPF.

x. DRAINAGE

9.66 The Planning Practice Guidance 'Flood Risk and Coastal Change' as amended 15/04/2015 advises under para. 079 that when considering major development, as defined under the Town

and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

9.67 The applicant has submitted a Drainage Strategy which the Council's Drainage Engineer considers acceptable and should be conditioned so that it is fully implemented on site.

xi. PLANNING OBLIGATIONS

9.68 The proposal would not be CIL liable as the site is located within the Town Centre zone which has a zero rate for CIL. Therefore no CIL Liability Notice will be issued. As the site is for affordable housing it is likely that an exemption from CIL would have been secured even if the CIL rate was zero.

9.69 A S106 is required to restrict new residents applying for parking permits in the controlled parking zone and to secure SPA mitigation and affordable housing.

10. CONCLUSIONS

10.1 This site is located within the settlement and would result in the development of previously developed land; and therefore the proposed development is considered to be acceptable in principle. The 48 units (48 net increase in dwellings) contribute to the Council's housing supply which is a material consideration.

10.2 A number of objections were received. The report has sought to address these.

10.3 In terms of visual character, and subject to appropriate materials and finishes, the development is considered to be sympathetic within the streetscene when viewed from London Road and Larges Lane. The layout, bulk, massing and design are considered to respect the pattern and character of built form in the area yet provide a high quality design required in such a visually prominent gateway location.

10.4 The proposed vehicular access to the site and parking layout are acceptable to the Highway Authority subject to suitable amendments and/or conditions. As such the proposal would not result in any over-riding highway safety concerns.

10.5 The impact of the proposal on the living conditions of the occupiers of nearby flats, in terms of the proposed flats and housing, parking and access, has been carefully considered. The scheme, as amended, is now considered acceptable in this regard.

10.6 It is concluded that the proposed development provides housing without compromising the character and appearance of the area, residential amenity or highway safety. The application is therefore recommended for approval subject to appropriate conditions and the completion of a Section 106 legal agreement to secure the matters referred to in Section 9(xi).

11. RECOMMENDATION

Following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. mitigation of impacts on the Thames Basin Heaths SPA

02. restricting new residents applying for parking permits in the controlled parking zone.

03. affordable housing.

That the Head of Planning 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 only in accordance with the following approved plans and documents:-

AHR-AR-LL-10-001 - Existing Site Location Plan 13.01.15
AHR-AR-LL-10-100 - Proposed Site Plan F 20.10.15
AHR-AR-LL-20-100 - Ground Floor Plan E 16.09.15
AHR-AR-LL-20-101 - First Floor Plan C 16.09.15
AHR-AR-LL-20-102 - Second Floor Plan C 16.09.15
AHR-AR-LL-20-103 - Third Floor Plan D 20.10.15
AHR-AR-LL-20-104 - Fourth Floor Plan C 20.10.15
AHR-AR-LL-20-105 - Fifth Floor Plan B 17.06.15
AHR-AR-LL-20-106 - Sixth Floor Plan B 17.06.15
AHR-AR-LL-20-107 - Housing Floor Plans C 16.09.15
AHR-AR-LL-20-300 Proposed East Elevation Apartments C 20.10.15
AHR-AR-LL-20-301 Proposed North Elevation Apartments C 20.10.15
AHR-AR-LL-20-302 Proposed West Elevation Apartments B 17.06.15
AHR-AR-LL-20-303 Proposed South Elevation Apartments D 20.10.15
AHR-AR-LL-20-304 Proposed Housing Elevations B 17.06.15
AHR-AR-LL-90-001 Landscape Site Plan 02
AHR-AR-LL-90-002 Concept Planting Plan 02
AHR-AR-LL-90-003 Tree Protection and Removal Plan
Vehicle Tracking AHR-AR-LL-90-004
Communal Space AHR-AR-LL-90-011
AHR-AR-LL-90-021 Tree Pit Area 02

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 bathroom windows in the east facing flank wall elevation of the flats hereby permitted shall not have windows glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The windows shall be fixed shut with the exception of the top half being openable.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

05. No windows at first floor level or above, other than those shown on the approved plans shall be inserted in the east flank elevation of the terraced houses and the east flank wall of the flats both facing Winterbourne Court.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. The development hereby permitted shall not be begun until details showing the finished floor levels of the building the levels of the road and parking hereby approved in relation to a fixed datum point 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 character of the area.

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

07. The development hereby permitted shall not be begun 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 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) including fencing that is permeable to badgers at the end of both the existing and propose badger corridors.

f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas 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.

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

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

08. 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. Any site clearance during this period shall be undertaken in compliance with the approved scheme.

REASON: In the interests of nature conservation

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

09. The demolition shall not be begun until a scheme for the provision of bird (swift) and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local planning authority.

The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

11. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) site security arrangements including hoardings
- (iv) proposed method of piling for foundations (if applicable)
- (v) Construction, demolition and piling (if applicable) working hours
- (vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

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

12. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of amenity.

13. No development shall take place until details of on-site refuse storage for any waste (arising from the legitimate use of the development) awaiting disposal have been submitted to and approved in writing by the Local Planning Authority. The details should include the method used to determine the size/capacity of the proposed covered bin store, and whether any additional bin storage areas will be required, and whether any such additional bin storage areas will be open air storage. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: In the interest of amenity.

14. The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

15. 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%). 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]

16. The development hereby approved shall be implemented in accordance with the approved Drainage Strategy submitted 25.06.15.

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

17. Thereafter the on-going maintenance and operation of the sustainable drainage scheme, following construction, shall be in accordance with the agreed Drainage Strategy submitted 25.06.15.

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

18. 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]

19. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. Those areas 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]

20. 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: SEP T4, BFBLP M9, 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, to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the

approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

22. 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, with the exception of the terrace houses that have parking on plot.

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]

23. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (general Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.

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

[Relevant Policy: BFBLP M9]

24. The dwellings provided by the carrying out of the development shall not be occupied until adequate secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces and facilities shall thereafter be retained.

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

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

25. 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]

26. 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 including the following:

Highway works relating to the access to the site with Large Lane.

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]

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

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

[Relevant Policies: BFBLP EN20 and EN25]

Informatives:

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.

02. No details are required to be submitted in relation to the following conditions: 1, 2, 4, 5, 8, 10, 12, 16, 17, 22, 23 and 25.

03. The applicant is advised that the following conditions require discharging prior to commencement of works: 3, 6, 7, 9, 11, 13, 14, 15, 21, 26 and 27.

04. The following conditions require discharge prior to the occupation of the dwellings hereby approved: 18, 19, 20 and 24.

05. The Chief Engineer (Highways) should be contacted at Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 351668, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.

In the event of the S106 planning obligation(s) not being completed by 12th January 2016 the Head of Planning 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 applicant has failed to secure restrictions on future occupiers of the development so that no parking permits can be obtained. In the absence of such a restriction this would encourage unsuitable on street parking to the detriment of highways safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.

03. In the absence of a planning obligation to secure 25% on-site 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, Policy CS16 of the Core Strategy Development Plan Document and to Supplementary Planning Guidance on Affordable Housing (adopted September 2003)