

ITEM NO:

Application No.
15/00403/FUL
Site Address:

Ward:
College Town

Date Registered:
2 June 2015

Target Decision Date:
1 September 2015

**Jolly Farmer Yorktown Road College Town
Sandhurst Berkshire GU47 0PX**

Proposal: **Erection of building comprising 42no. sheltered apartments for the elderly with a retail unit/tea shop (use class A3) and associated parking, following demolition of existing building. (Resubmission of 13/00800/FUL)**

Applicant: Renaissance Retirement Ltd

Agent: Mr Peter Tanner

Case Officer: Sarah Fryer, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 This is an application for full planning permission which proposes the erection of a building comprising 42no. sheltered apartments for the elderly with a retail unit/coffee shop (use class A3) at ground floor level with associated parking following demolition of the existing building on site. As no element of care is to be provided, the units are considered to be C3 dwellings however will be marketed at the over 70's.

RECOMMENDATION
Approve subject to the completion of a S106 agreement.

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
Site contains individual and group Tree Preservation Orders (TPO)
Site partially identified as former landfill
Local Shopping Parade
Part of site within Flood Zone 2

3.1 The site currently comprises of a vacant late-Victorian 2-storey public house built with a mix of white painted and red facing brickwork. The building has been extended to the side and rear. A large detached storeroom (believed to have been a former coach house) also exists on the site. There is also an outdoor seating area (beer garden to the public house) located on the north-west side of the public house.

3.2 The rear third of the site consists of a small wooded area of semi-mature and mature self-sown trees. This separates the site from the 2-storey residential properties at Fairmead Close. A public footpath runs along the north west boundary of the site and links Yorktown Road to Fairmead Close to the rear of the site.

3.3 The application site is situated on the north side of Yorktown Road opposite a parade of local shops, a local bus stop. A Waitrose Supermarket is located some 100metres from the site.

4. RELEVANT SITE HISTORY

4.1 13/00800/FUL Erection of building comprising 42no. sheltered apartments for the elderly with a retail unit/coffee shop (use class A3), and erection of outbuilding for storage, with associated parking following demolition of existing building. Refused 31.10 2014

5. THE PROPOSAL

5.1 The application seeks consent for a three and half storey detached building, which reduces in scale to two and a half storeys to the rear on the existing site of the Jolly Farmer Public House, Yorktown Road, Sandhurst. This will provide 42 self contained 1 and 2 bedroomed apartments, owners lounge, and tea rooms. The apartments will be marketed as

retirement living with a concierge on site between the hours of 9am to 5pm to assist the occupiers with taking out waste to the communal bins, carrying shopping etc. No individual care is to be provided and therefore the units fall into Class C3, dwellings of the Town and Country Planning (Use Classes) Order 1995 as amended.

5.2 The building is of modern design with Juliet balconies serving the main habitable rooms of the apartments. There are also 6 balconies proposed on the northwestern and northeastern elevations. The roof would be hipped with rendered gables breaking up the long elevations.

5.3 Parking for the proposal is provided within a basement carpark beneath the structure and accessed via a ramp located along the northwestern elevation, and surface parking to the southeast of the building. Parking for battery mobility scooters and cycles is provided adjacent to the main access with additional cycle parking bays located to the front of the building. Around the proposal landscaped amenity grounds would be provided.

6. REPRESENTATIONS RECEIVED

6.1 Four representations have been received, three of them, whilst not objecting to the principle of the proposal, raise the following concerns:

- The foul drains on Yorktown Road are constantly blocked and consideration should be given to this.
- Concerned that the Environment Agency has down graded the area to now falling within flood zone 1. The water course flows in to the Blackwater River through a culverted channel. When the Blackwater River floods the water backs up through the culvert, flooding the wooded area to the rear of the proposed site which acts as a flood plain.
- Concerns regarding the amount of parking on the site, questioning if this would be sufficient to the proposal.

6.2 One letter objects to the proposal on the following grounds:

- The proposed building is too large for the plot. A three storey building in this location would be detrimental to the village feel of College Town.
- Increase in volume of traffic and lack of proposed on site parking would result in increase in on-street parking issues for existing local residents.
- There is an abundance of sheltered housing available locally.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Consultation responses can be summarised as follows:

7.2 External Consultees:

7.3 Environment Agency: The Environment Agency undertook a model review with regards to planning application reference 13/00800/FUL. The review demonstrated that the application site lies within flood zone 1. Therefore, the Flood Map for Planning has been updated, which now shows the proposed development noted above to be located within flood zone 1.

7.4 The site lies above the Head drift deposits over the Windlesham Formation (Secondary A Aquifer). Their records also suggest that the land north of the Public House is an historic landfill site (Fairmead Close) accepting industrial, inert wastes.

7.5 They note from the information submitted within this planning application that sustainable drainage systems (SUDS) are proposed for the disposal of surface water. Infiltration systems

should not be used in areas where contamination is present as they can cause contaminants to become mobile and lead to the pollution of groundwater.

7.6 However it is noted that the email from Peter Tanner (dated 23rd March 2016), indicates that all waste material encountered from this pit has now been removed and validation sampling shows that surrounding soils are not impacted by the contaminated infill material. The Environment Agency are therefore satisfied with the investigation of this site and have no objection to the use of this area for Stormbloc create infiltration system, subject to the imposition of conditions.

7.7 Internal Consultees:

Biodiversity Officer

7.8 Comments included within Section 9.

Housing Enabling Officer:

7.9 Comments included in report at section 9.

Highway Authority:

7.10 Comments included within section 9.

Tree Service:

7.11 Tree Officer notes that certain trees on this site are protected by a TPO (TPO Ref: 1147 relating to 11 individual trees and three groups) which was confirmed in 21st. August 2013. During the consideration of the application, T10 (poplar) of TPO 1147 (applicant's reference T31) was damaged during a storm and an application for its removal subsequently received. The tree was inspected February 2016 and found to be structurally unsound and therefore its removal was consented subject to a replacement oak being re-planted.

7.12 Following the submission of the revised Arboricultural Impact Assessments and Method Statement, the Tree Officer has no objection to the proposal.

Environmental Health Officer:

7.13 No comments received to date.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15, CS16, CS17 of CSDPD	Consistent
Transportation	CS23, CS24 of CSDPD 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.
Trees	CS1 of CSDPD, Saved Policy EN1	Consistent
Biodiversity	CS1 of CSDPD, Saved Policy EN1, EN3 of	Consistent

	BFBLP	
SPA	Saved Policy NRM6 of SEP, CS14 of CSDPD, Saved policy EN3 of BFBLP	Consistent
Local shopping parade	CS21 of CSDPD, Saved Policy E5 and E7 of the BFBLP	Consistent
Drainage	CS1	Consistent
CIL	CS6 of CSDPD	Consistent
Sustainable Resources and Renewable energy	CS10 and CS12 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Planning Obligations SPD		
Thames Basin Heaths Special Protection Area (SPD)		
Other publications		
National Planning Policy Framework (NPPF)		
National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Housing issues
- iii Impact on character and appearance of area
- iv Residential amenity
- v Trees and Landscaping
- vi Bio-diversity and ecology
- vii Flooding and drainage
- viii Transportation implications
- ix Sustainability and energy Demand
- x Impact upon Thames Basin Heaths SPA
- xi Community infrastructure levy (CIL)

i Principle of Development

9.2 The application proposes the demolition of a now vacant public house (Use Class A4) which falls partially within the boundary of a defined local shopping parade (College Town) and within a defined settlement. The redevelopment would comprise a residential scheme in the form of 42 x sheltered apartments marketed at the retirement market.

9.3 The development proposal raises a number of land use issues; the principle of redevelopment; the loss of the existing use (public house) and its impact on the vitality and viability of the existing retail parade, together with the loss of the community function and the principle of the residential development on this site.

9.4 Bracknell Forest Borough Council has a sustainable approach to managing the location of new development, with a focus on town centres, then previously developed land and then other defined settlements. As the site constitutes previously development land, partially within a town centre, and within a defined settlement, the re-development of the site is acceptable.

9.5 Consideration has also been given to the loss of a public house within an existing local parade. Policy CS21 of the Core Strategy directs retail development to identified town centres, and also states that applications involving the loss of a retail use that perform an important community role will only be permitted if it does not conflict with other elements of the Core Strategy. The supporting text to the policy (para. 235) sets out that units performing an important community role include pubs, should be protected. In addition, Core Strategy Policy CS21 and BFBLP Policy SC3 both seek to protect community uses. It is considered that the part of Policy CS21 relating to loss of retail uses performing an important community role can be afforded full weight (in relation to para. 215 of the NPPF) as it is consistent with para. 70 of the NPPF. The pub use is however vacant and cannot be considered as providing an active community function at present. A marketing report (dated July 2013) has been submitted in support of the application proposal and this sets out that the site has been marketed unsuccessfully for in excess of a year, and that there are other public houses within a reasonable distance of the site, within one mile along Yorktown Road (The White Swan, The Village Inn and The Wellington Arms). With this in mind, the loss of the existing public house and the loss of this community facility is considered to be justified based on the information submitted, therefore officers have no objections to the loss of the pub, in this instance.

9.6 However, the proposal still represents the loss of a retail unit in a defined retail area (local parade) and this has been given due consideration. The boundary of the designated local shopping parade at College Town was expanded in recent years to include the Jolly Farmer Pub site. This was due to the site and its use being considered to function as part of the parade as it is linked to the rest of the centre by a pedestrian crossing. This recent amendment to the Council's adopted Policies Map further emphasises the importance of the site to College Town Local Parade and the potential for this site to continue to contribute towards the function of the shopping parade.

9.7 The application proposes an A3 retail space to replace the 229sqm of former A4 floorspace. Considering the vacant nature of the existing site and its current lack of contribution to the retail parade, officers are of the view that the provision of 80sqm is acceptable, as it will provide an active frontage for the site, so that it contributes to the activity of the retail parade. The supporting statements from the applicant also suggest that a retail unit of this scale (75sqm) is more viable in this location than a larger retail space.

9.8 To conclude, officers raise no objections to the principle of the development proposed and as guided by the NPPF and Policy CP1 of the Council's SALP, consideration has also been given to the presumption in favour of sustainable development. This guidance sets out that planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise.

ii Housing Issues

9.9 In terms of the residential aspect of this proposal, the site does not fall within one of the Council's site allocations as set out in the adopted Site Allocations Local Plan (SALP). However, the site can be considered as a windfall site. Policy CS15 of the Core Strategy sets out a housing requirement of 10,780 dwellings across the plan period and as a windfall site on previously developed land, this proposal would contribute towards the Council's 5 year supply of housing land and is supported in principle.

9.10 The type of development proposed is considered to be Use Class C3, but targeted solely to elderly people requiring sheltered accommodation and no element of care is proposed. The Bracknell Forest Housing Market Assessment (BFHMA DTZ, October 2011) and the 2011 Census both highlight the ageing of the population of the Borough's residents

and as such, this proposal would therefore help meet the housing needs of older people. As such, this form of housing is supported in principle.

Housing Tenure & Mix

9.11 Policy CS16 of the Core Strategy deals with the housing needs of the Borough and states that development will be permitted which contributes to meeting the identified housing needs of all sectors of the community through the provision on suitable development sites of one or more of the following;

- i. a range of housing types, sizes and tenure; and
- ii. some dwellings for those with special needs; and
- iii. some dwellings designed to meet mobility needs and accessibility principles in line with best practice; and
- iv. affordable housing.

9.12 Policies CS16 & CS17 of the Core Strategy (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.

9.13 The application seek to deliver a mix of small 1 and 2 bed units for sheltered housing purposes and as such, this would partly accord with Policy CS16. The plans also indicate that some if not all of the units would be wheelchair accessible.

9.14 In relation to Affordable Housing, Policy CS17 of the Core Strategy requires residential developments to provide affordable housing on suitable sites which are accessible to local people. In line with Bracknell Forest Council's March 2011 Executive Decision, up to 25% Affordable Housing is sought on such sites based on the national indicative minimum site size (15 net) subject to viability. As the application creates more than 15 units (42), up to 25% of affordable housing is sought. This would equate to 11 affordable housing units.

9.15 The supporting Design & Access Statement makes reference (para. 7.10) to a financial payment towards off-site affordable housing as opposed to an on-site provision.

9.16 A viability report has been submitted and independently assessed. In consultation with the Housing Enabling Officer, an off-site contribution towards affordable housing of £100,000.00 was agreed with the applicant.

9.17 Therefore, the contribution is considered to meet the requirements for an affordable housing contribution and the application is considered to comply with Policy CS17 of the CSDPD having regard to para.50 of the NPPF.

iii Impact on character and appearance of area

9.18 The proposal seeks to demolish the existing public house and whilst the pub is not located within a conservation area, nor considered to have any particular architectural merit, its position on the site and its setting do contribute positively to the existing streetscene.. Officers have no objection to the demolition of the existing building in principle but consideration has been given to the quality of the replacement building to ensure it is of a form and function that contributes actively to the local shopping parade building on the existing pedestrian connections across the street and of a scale and height that complements the existing streetscene.

9.19 The active retail frontage protects and enhances the site's relationship with the street and its location within the local shopping parade. Access to the retail unit from the principal elevation fronting Yorktown Road provides an active streetscene, and improves the legibility of the building.



9.20 The proposal was originally submitted taking inspiration from an arts and craft style. This was considered to result in an overly cluttered and fussy building out of character with the comparatively plain and unassuming modern architecture surrounding the site. The application has been amended, simplifying the design. The revised design is considered to much more in keeping with the surrounding functional architecture and accordingly respects the character of Yorktown Road.

9.21 The overall height of the proposed development has been reduced by 0.5m since the 2013 application. Whilst the existing public house and the adjoining properties are two storeys in height, the buildings opposite are three storeys in height. A three and a half storey development is now proposed which utilises the roof space. It is not considered that a building of this scale would harm unacceptably the character and appearance of the area. The mature trees along the side boundaries of the application site also assist in framing the development and separating the site from the adjoining two storey developments.

9.22 The proposal also seeks to bring the existing building line forward slightly towards Yorktown Road and consideration has been given to the impact of this. At present, the existing building line of the public house sits between the residential properties to the south (No. 359-361 Yorktown Rd) and the retail units to the north (No. 343-349 Yorktown Rd) and provides an appropriate setting for the public house. Bringing this forward slightly is not considered to adversely affect the setting of the site or the streetscene. Again, this will help frame the local shopping parade.

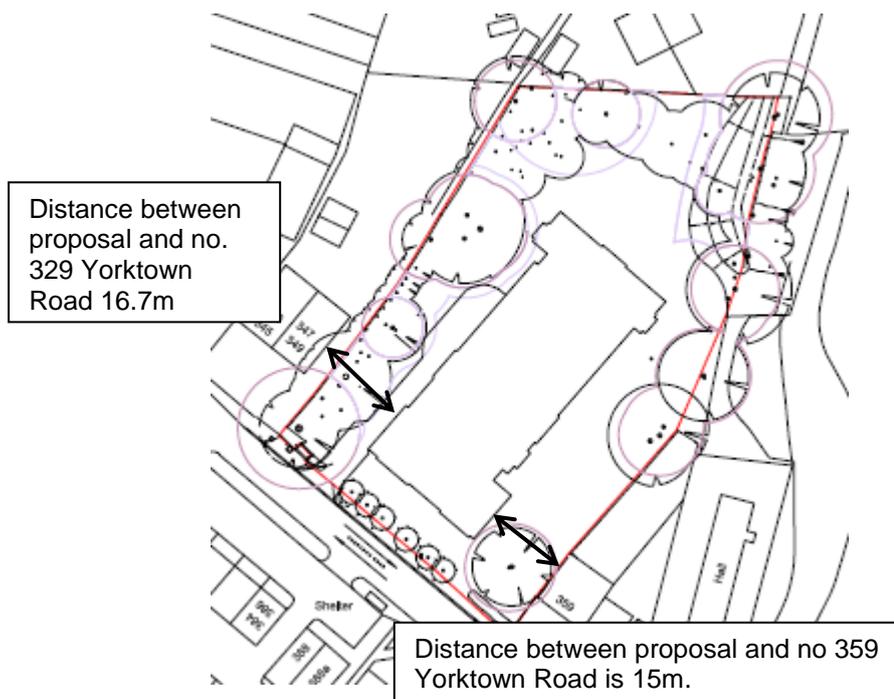
9.23 Concerns were raised regarding the scale, bulk and depth of the 2013 application. Since then the proposal has been amended, reducing the highest ridge height by 0.5m, reducing the depth of the proposal by 9.2m and reducing the height by a storey for the final 24.5m of the building (the ridge height for this element reduces from 13m to 9m). Whilst there is still a significant increase in the built form over the existing, the site is within the settlement boundary where there is a presumption in favour of development. The reduction in depth, maintains more of the woodland to the rear of the site, and results in a proposed footprint of development that is better suited to the plot, subject to the applicant being able to demonstrate that the proposal would not harm the protected trees on the site to an unacceptable degree. This is discussed later in the report.

9.24 To conclude, it is considered that the design and appearance of the proposed building complements the existing townscape of Yorktown Road and therefore complies with Core Strategy Development Plan Document Policies CS1 and CS7 and 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan, alongside the objectives of the National Planning Policy Framework.

Iv Residential amenity

9.25 Consideration has been given to the proximity of the proposed building to the adjoining occupiers and in particular, Nos. 347-349 and No. 359 Yorktown Road as well as the residents at Fairmead Close to the rear. The proposed building is considered to be set back sufficiently from these boundaries, for example, there is a 15m distance between the proposal and side boundary with No. 359 and a 16.7m distance between the proposal and side boundary with No. 349, increasing to 18m as the building steps in. Both of these distances are in excess of the minimal 10m advised between first floor windows in a new building with adjoining boundaries, within the Councils Leaflet 'Extending you home: a householders guide'.

9.26 Views of the properties on Yorktown Road are at an oblique angle further reducing any overlooking. It is considered that with the screening provided by the existing protected trees, the relationship between the development and surrounding properties, and distances to the boundaries, the proposal is not considered to overlook neighbouring properties to the detriment of that residential amenity. However, the scale of these properties varies as the neighboring dwellings are two storeys in height and the proposed development would rise to 3 ½ storeys measuring 13m in height. Therefore, consideration has been given to this relationship and potential impact.



9.27 As noted in earlier sections of this report, the majority of properties along Yorktown Road extend to approximately 10-13m in depth in this area and are two stories in height. The proposal has been amended since the previous application and now proposes an extension of 31.5m depth at 3 ½ stories in height, after which the development reduces to 9m, with an overall reduction in the depth of 9.2m. It is considered that these changes reduce the impact on the visual amenities of the adjoining residents. The design incorporates rendered gable features which breaks up the bulk of the elevations and along with the reduction in depth and height it is now considered that the application would not result in a proposal, detrimental to the amenities of the occupiers at Nos. 359 and 361 Yorktown Road. The proposal is therefore considered to comply with Policy CS7 of the Core Strategy DPD and Saved Policy EN20, criterion vii, of the BFBLP.

vi Trees and landscaping

9.28 As summarised in the consultation section of this report, the Council's Tree Officer has confirmed that certain trees on the application site are protected by a TPO (TPO Ref: 1147, relating to 11 individual trees and 3 groups).

9.29 The applicant has submitted a revised Arboricultural Impact Assessment, including further information on how the hard surfaces areas and retaining wall to the underground car-park will be constructed. In light of this information, the Tree Officer is satisfied that the proposal can be undertaken without harming the health of the trees and has no objection to the proposal.

9.30 The rear of the proposed building lies within a ring of protected trees which will shade a number of the proposed living units. The Tree Service has carefully applied height measurements to the trees that are to remain within closest proximity to the proposed building. It has been concluded that after removal of a number of trees not subject to the TPO and the landscaping of the grounds are completed the views and aspect of the living units will not be unduly affected by shadowing.

9.31 Accordingly, it is not considered that the proposal would have a detrimental impact upon the protected trees within the site. The proposal is considered to be in accordance with Core Strategy Development Plan Document Policies CS1 and CS7 and Saved Policies EN1, EN2 and EN20 of the Bracknell Forest Borough Local Plan.

vii Bio-diversity and ecology

9.32 Whilst the presence of neither bats nor reptiles were found to be on the site, the development encroaches into an area of woodland. The proposal would only require the removal of a limited number of trees, but it would result in the loss of a area of woodland habitat which currently has an element of biodiversity value. The site supports an area of woodland which forms a stepping stone of habitat for wildlife moving through the residential area of Sandhurst.

9.33 Whilst the loss of woodland and habitat is contrary to Policies CS1 and CS7 of the CSDPD, and 'Saved' Policy EN1 of the BFBLP it is considered that the impact could be partially mitigated by a landscape proposal which creates a woodland style garden to the rear of the property and through a mitigation plan to propose bat boxes, tree nesting boxes and native species planting to enhance foraging opportunities for invertebrates and birds. It is recommended that a condition be imposed to this effect.

viii Flooding and drainage

9.34 Following the previous application in 2013, the Environment Agency (EA) undertook a model review which demonstrated that the site now falls within Flood Zone 1. This has been confirmed by the Environment Agency's consultation response.

9.35 The site lies above the Windlesham Formation aquifer and a historic landfill. The EA raised concerns that infiltration of surface water back into the ground waters could pollute the water within the aquifer. The applicant has undertaken works, including trial pits to establish the extent of the landfill within the infiltration area. Following testing of the soil samples, it was concluded the landfill pit has been emptied or did not extend within the area where the surface water storage crates are proposed to be located. The use of an infiltration based scheme to deal with the surface water would not therefore pollute the surrounding soils. The Environment Agency has no objection to infiltration of the surface water.

9.36 Since the 2013 application was considered Bracknell Forest has become the Lead Local Flood Authority (LLFA) with ultimate responsibility for surface water drainage within their area. The legislation requires all major developments to use sustainable drainage (SuDs) techniques unless it is demonstrated that it is not possible. The NPPF para.103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and it gives priority to the use of sustainable drainage systems unless material considerations indicate otherwise.

9.37 The submitted drainage strategy proposes a sustainable solution to dealing with surface water close to source. The LLFA is satisfied with the details that have been submitted and therefore, subject to conditions requiring the maintenance and management of the SuDs scheme over the life of the development, there is no objection on drainage or flooding grounds. Accordingly the proposal complies with the objectives of the NPPF and CS1 of the CSDPD supported by para. 103 of the NPPF.

ix Transportation implications

9.38 In relation to impacts on highway safety, these policies are considered to be consistent with the core planning principles of the NPPF.

9.39 A number of issues have been taken into consideration with regard to the acceptability of the proposal from a transportation perspective. These relate primarily to access, parking, highway safety and capacity.

Impact/Capacity:

9.40 The applicant has provided an indication of the likely demand that such a facility would create in peak hours and over the day, with around 5 trips expected in both peak hours and around 70 trips per day. The use of the former public house would have generated more daily trips with similar numbers expected in the peak hours. However in the evenings and weekends trips to the current use would be expected to be greater and more concentrated than the proposed use. Overall, the proposal raises no objections in terms of network capacity as overall, the daily trip levels are likely to be lower than the existing (former) use.

Access:

9.41 The site is located on Yorktown Road, an important local distributor road located in the centre of Sandhurst. The current access to the site is via an in/out arrangement running parallel to the main road. It is thought that this type of design was proposed to allow service vehicles (beer deliveries etc.) to get into the former public house safely.

9.42 The proposal seeks to utilise the two entry points with slight modifications to serve two new proposed parking areas, one of which would be contained within a proposed basement with a surface level parking area located to the eastern side of the building which would also serve as off street parking and turning for delivery vehicles. The parking areas would not be connected.

9.43 The eastern access provides vehicular access to 9 spaces at ground level and off street delivery parking. It is noted that the amendments propose changes to this access and tracking information for a 7.5t box van have been provided. Changes to the entrance have also been made by including radii to help vehicles manoeuvre. Whilst tight the proposals are considered to be acceptable.

9.44 The visibility out of the access points complies with that expected for a 30mph road. The existing telephone box that is currently located within the footway is shown to be relocated to a position outside of the 2.4m x 43m sightline. It is anticipated that this would be secured via S278 agreement.

9.45 The western access serving the basement parking has been amended with a proposed width of 5.4m for the first 8m, which then reduces to 3m before widening again to 5.4m before a 90 degree corner into the parking area. A 1 in 10 gradient access ramp starting 12m behind the highway boundary and extending for 25m. Acco drains are shown at both the start and end of the ramp with a pump located within the basement to pump surface water back to ground level to be incorporated within the surface water drainage for the site.

9.46 Following concerns raised by the Transportation Officer regarding the safety of vehicles entering and existing the basement car park, the access has been lengthened and widened with the resulting narrow section 15m long. This enables inter car visibility to be achieved and a one way priority system can be implemented. Vehicles entering the site will have priority over vehicles leaving the site. The potential for the conflict of vehicle movements at the junction of Yorktown Road and therefore the danger to users of the highway decreases.

9.47 In conclusion it is considered that the applicant has sufficiently demonstrated that the proposed basement parking could work and that subject to conditions requiring details of the signage to manage the traffic priority, the accesses would not result in severe harm to highway safety. The proposal therefore complies with 'Saved' Policy M9 of the BFBLP and Policies CS23 and CS24 of the CSDPD.

Parking:

9.48 The application proposes a total of 37 spaces split between a basement carpark and a surface car park containing 9 spaces, one of which would be reserved for disabled parking.

9.49 The parking standards SPD includes standards for both 'sheltered housing' and 'retirement housing' requiring 39 and 51 spaces respectively. As a retail unit is proposed, this generates a requirement for 3 spaces making total requirements of 42 and 54 spaces for the two different standards.

9.50 As explained previously in the report, this proposal is considered to fit within Use Class C3 (Residential) as the flats would be independent units. However, given the nature of the use and the evidence put forward, in terms of parking requirements, it is considered appropriate to apply the standard for sheltered housing as the starting point. The building has a communal lounge and grounds, a concierge service and residents will be restricted so that no one under the age of 65 years would reside in the flats. This restriction has been accepted by the applicant as this is the type of person that is seen to occupy this type of accommodation.

9.51 The starting point when assessing any proposal is to refer to the relevant standards, and considered relaxation of the standard where evidence or other material considerations indicate that a lower level of provision could be acceptable. For the reasons set out below, relaxation of the standard is considered suitable where the proposed parking provision is 5 spaces below the standard guideline level of 42. The evidence included data supplied by the applicant of other similar sites around the country which indicated a far lower likely demand for parking.

9.52 The Highway Authority also carried out parking surveys at the following sheltered accommodation sites in the Borough, which confirmed that parking provision and demand was less than the adopted standards would indicate:-

9.53 Winterbourne Court, Tebbit Close, Bracknell

This site has 21 parking spaces serving 40 sheltered apartments plus a warden's flat (planning permission; 612605). The car park was observed to be around 50% full (12 parked

vehicles) during an early morning survey at 7.30am on Tuesday 13th October 2015. The car park was around 80% (17 parked vehicles) during a further survey carried out at 10.30am on the same day.

9.54 McKernan Court, High Street, Sandhurst

This site has 26 parking spaces serving 54 sheltered apartments plus a warden's flat (planning permission; 611538). The car park was observed to be around 60% full (16 parked vehicles) during a mid-morning survey at around 11.00am on Tuesday 13th October 2015.

9.55 Warner Court, Yorktown Road, College Town

This site has 12 parking spaces serving 33 sheltered apartments plus manager's accommodation (planning permission; 624392). The car park was observed to be around 75% full (9 parked vehicles) during a mid-morning survey at around 11.30am on Tuesday 13th October 2015.

9.56 Wyatt Court, Yorktown Road, College Town

This site has 15 parking spaces serving 32 sheltered flats plus a manager's flat (planning permission; 02/00513/FUL). The car park was observed to be around 60% full (9 parked vehicles) during a mid-morning survey at around 11.15am on Tuesday 13th October 2015.

9.57 There is also some shopping parking in the vicinity of the site, which provide further areas in which short term parking could occur at certain times of the day if the site were full. This would help deal with further demand from visitors, especially in the evening.

9.58 It is advised that parking for the concierge (1 space) and 2 spaces for the shop (staff) are allocated/ designated and the remainder should be kept communal for all residents and visitors. This would maximise the use of parking on the site.

9.59 It is noted that buggy parking, with capacity for 6 is also proposed and this will also support those who wish to travel by non-car modes.

9.60 In conclusion a relaxation from the guideline standard for sheltered housing is considered acceptable for the following reasons:

- The sustainable location of the site close to local facilities and public transport.
- The evidence provided by the applicant on how the development would operate including the age restriction and that the proposed level of parking is appropriate.
- Highway Authority officers observations of car parking levels and usage at similar developments in the area as detailed above.
- The availability of alternative short term parking in the vicinity of the site.
- The lack of any evidence that the level of parking proposed would have any severe residual cumulative impacts.

x Sustainability and energy demand

9.61 The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 96 of the Framework states that in determining planning applications, LPAs should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

9.62 This application has been considered against the objectives of the NPPF and in the context of the Borough's energy and sustainability policies (set out below) which are considered to be consistent with the NPPF.

9.63 Policy CS10 of the Core Strategy requires the submission of a sustainability statement demonstrating how the proposals meet current best practice standards.

9.64 Policy CS12 of the Core Strategy requires the submission of an energy demand assessment demonstrating how the development's potential CO2 emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewables.

9.65 The application as submitted is not supported by an energy or sustainability statement. However, at the time of the previous application the applicant confirmed via e-mail that the valley roof construction of the proposed building will enable the applicant to provide southerly facing photo-voltaic panels to the inner roof slopes. The current design also has a valley roof construction and therefore there is no reason to suppose that the current design can not accommodate photo-voltaic panels on the southerly facing roof slopes. Furthermore, the applicant previously confirmed that the development will be fitted throughout with low energy light fittings and the heating to the apartments and to the common areas of the building will be individually thermostatically controlled with programmable timers. The apartments and common areas will be fitted with a heat recovery system as standard. Again these can be applied to the current proposal.

9.66 Whilst no specific details have been submitted, this will be implemented via conditions if the application was recommended for approval.

xi Impact on Thames Basin Heaths SPA

9.67 The site is located 1.44km from the Thames Basin Heaths Special Protection Area (SPA) and the proposal would increase the number of residential units on the site.

9.68 The Council, in consultation with Natural England, 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 1.44 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.

9.69 In summary, the total SPA related financial contribution for this proposal would amount to £71,749 (i.e. £54,051 for SANG + £17,749 for SAMM). This is based on 42 no. one and two bedroom dwellings proposed and includes a discount provided by the existing three bedroom unit that is provided above the public house.

9.70 The occupants of this development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate against this impact. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring measures, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Saved Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy DPD, and the Thames Basin Heaths Avoidance and Mitigation Supplementary Planning Documents (adopted March 2012).

xii Community Infrastructure Levy (CIL)

9.71 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

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

9.73 The application site lies within the zone of Crowthorne and Sandhurst. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development.

9.74 CIL replaces the requirement for planning obligations to secure contributions towards certain services. However, should the application be considered acceptable, an obligation under S106 will be required to secure a payment in lieu of on-site affordable housing, restricting the age of occupiers and SPA mitigation.

9.75 The planning obligations considered necessary in relation to the application proposal accord with the tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) and paragraph 204 of the NPPF in that they are (a) necessary to make development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.

9.76 A non-financial obligation relating to highway matters would also be anticipated (S38 and/or S278 of the Highway Act) in order to undertake the works along Yorktown Road.

9.77 As outlined in the Housing section of this report, a viability report was submitted in support of this application titled 'Planning Obligation Statement including Affordable Housing Statement' (dated August 2015). This document concluded that whilst the development could contribute towards CIL of up to £350,047.50 and SPA of £47,289.00, it could not contribute towards any on-site affordable housing without rendering the development unviable. It has been accepted in this instance and a contribution in lieu of the onsite provision was agreed.

9.78 Therefore, a Section 106 agreement will be sought to secure the following:

- Contribution to mitigate the impact of the proposal on the Thames Basin Heaths SPA.
- Contribution in lieu of an on site affordable housing provision.
- An occupancy restriction so that minimum age for occupancy of the flats is 65 years.

10. CONCLUSION

10.1 The thrust of this assessment has taken into account Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). As set out in this report, the relevant policies, their status and their weight have been duly assessed.

10.2 Policy CP1 of the Council's SALP, sets out a positive approach to considering development proposals which reflect the presumption in favour of sustainable development. It also requires that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate

otherwise. As set out in this report, the relevant policies have been assessed in accordance with their consistency with the NPPF.

10.3 The proposal would result in a windfall of 42 (41 net) residential units, a significant benefit of the proposal given the Councils current 5 year housing land supply shortfall. The applicant through extensive negotiations has demonstrated that the proposal can be accommodated within the site without detriment to the protected trees. Whilst the bio-diversity officer has concerns regarding the loss of woodland, only a few trees, lying outside the protection areas are to be removed and it is considered that a woodland understorey can be built into the landscaping scheme which is required by condition. Accordingly it is considered that the loss of woodland habitat can be mitigated sufficiently to reduce the harm the development would have to the bio-diversity within the area and any resulting harm is considered not sufficient to outweigh the benefit of the additional housing units.

10.4 The applicant has also demonstrated that appropriate accesses to the site can be achieved without detrimentally affecting highway safety on Yorktown Road, and subject to conditions there is no objection to the proposal from a highway safety perspective. The on-site parking provision is 5 spaces below the maximum amount of the amount allowed for by the Parking SPD. The SPD allows evidence to be submitted by applicants on a case by case basis, and the information submitted by the applicant and verified by the Highways Officers for this type of development results in a lower demand for parking. [this is sufficient to justify a condition restricting the occupation of the units to over 65's only].

10.5 The design and principle of the proposal is considered acceptable and an appropriate drainage strategy has been submitted. Accordingly the proposal is considered to comply with policies contained within the CSDPD and the saved policies of the BFBLP. Subject to a completion of a S106 the application is therefore recommended for approval with delegated powers to the Head of Planning.

11. RECOMMENDATION

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

01. a financial contribution to the off-site provision of affordable Housing;
02. mitigation of impacts on the Thames Basin Heaths SPA; and
03. an occupancy restriction so that minimum age for occupancy of the flats is 65 years.

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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 other submitted details received by the Local Planning Authority.

Received 05.07.2016

ASP.13.024.001 REV D (Location and block plan)

ASP.15.037.002 REV L (Site plan)

ASP.15.037.003 REV J (Car park layout)

ASP.15.037.100 REV J (Proposed ground floor plan)

ASP.15.037.101 REV H (Proposed first floor plan)
ASP.15.037.102 REV H (Proposed second floor plan)
ASP.15.037.103 REV G (Proposed third floor plan)
ASP.15.037.105 REV I (Proposed basement plan)
ASP.15.037.201 REV E (Proposed elevations)
ASP.14.037.203 REV D (Proposed car park section and retaining wall elevation)

Received 03.06.2016

4753/290 (Swept path analysis car park basement)
4753/205 REV C (Swept path analysis proposed car park entrance)
4753/206 (Swept path analysis proposed service vehicle access Sheet 1 of 2)
4753/207 (Swept path analysis proposed service vehicle access Sheet 2 of 2)

Received 26.01.2016

Construction method statement prepared by Hackwood Group.

Received 11.01.2016

ASP.15.037.202 REV E (Proposed streetscene)
ASP.15.037.104 REV E (Proposed roof plan and sections)

Received 28.10.2015

ASP.15.037.106 (Existing floor plans)

Received 22.09.2015

ASP.15.037.200 REV E (Proposed elevations)
ASP.14.037.204 REV A (Mezzanine section)
Planning obligation statement including affordable housing statement.

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

3. No superstructure works 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]

4. The development hereby permitted shall not be begun until details showing the finished floor level of the building hereby approved, and surrounding external hard landscaped surfaces, in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and 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]

5. The development hereby permitted shall not be begun until an updated construction method statement, including an updated tree protection plan showing the construction exclusion zones, has been submitted to and approved in writing by the Local Planning Authority. The proposal shall be carried out in accordance with approved method statement details and the submitted Arboricultural Impact Assessment (ref: Barrel Tree Report dated 13th January 2016).

REASON: In the interest of protecting the trees subject to the TPO and shown to be retained on the site.

[Relevant Policies: BFBLP EN1, Core Strategy DPD CS1, CS7)

7. 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]

8. 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 at least 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]

9. The development hereby permitted shall not be occupied until a scheme to enhance the biodiversity and ecology within the site has been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the first occupation of the development.

REASON: In the interest of biodiversity.

[Relevant Plans and Policies: CSDPD Policy CS1, BFLP Policy EN1]

10. The development hereby permitted shall not be occupied 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) Means of enclosure (walls and fences etc)

e) Paving including pedestrian open spaces, paths, patios, proposed materials..

f) 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. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

12. The development hereby approved shall not be occupied until signage to be installed on the access ramp to the basement parking, and directional signage, has been submitted to and approved in writing by the Local Planning Authority. The signage shall be installed in accordance with the approved details prior to the first occupation of the development and thereafter retained.

REASON: In the interests of highway safety.

[Relevant Plans and Policies: CS23 of the CSDPD].

13 No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved Drainage Strategy prepared by Rushby Brewster, Rev A, dated 18.01.16 and drawing RRL013500/P2 received 27th May 2016. Thereafter the on-going maintenance and operation of the approved sustainable drainage scheme following construction shall be in accordance with section 3.2 of the aforementioned report.

.REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Plans and Policies: CSDPD CS1]

14. No dwelling shall be occupied until the associated vehicle parking and on-site turning has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

Informative:

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

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

1. Time Period
2. Approved details and plans
11. Age restriction
13. Drainage maintenance

The following conditions require discharge prior to the commencement of development:

3. Materials
4. Finished floor levels
5. Construction method statement
6. Tree protection details
7. Sustainability statement
8. Energy demand assessment

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

9. Biodiversity
10. Landscaping

12. Access signage.

3. Superstructure works refers to works carried out above ground and therefore does not include demolition of a building or the digging of foundations.

Should the applicant fail to complete the required Section 106 agreement by 30.09.2015 then the application shall be refused for the following reasons:

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

02. The applicant has failed to provide affordable housing in accordance with Policy CS17 of the CSDPD.

03. The applicant has failed to provide an adequate and safe parking layout for the unrestricted C3 Residential Use and this could lead to vehicles parking on the highways to the detriment of road safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.