

**ITEM NO:**

Application No.  
**20/00077/FUL**  
Site Address:

Ward:  
Old Bracknell

Date Registered:  
3 February 2020

Target Decision Date:  
4 May 2020

**Former St Margaret Clitherow Roman Catholic  
Church Ringmead Hanworth Bracknell Berkshire**

Proposal:

**Construction of 15 No. apartments together with associated  
basement and surface car parking, access roads/paths and site  
landscaping.**

Applicant:

Hilary Foley

Agent:

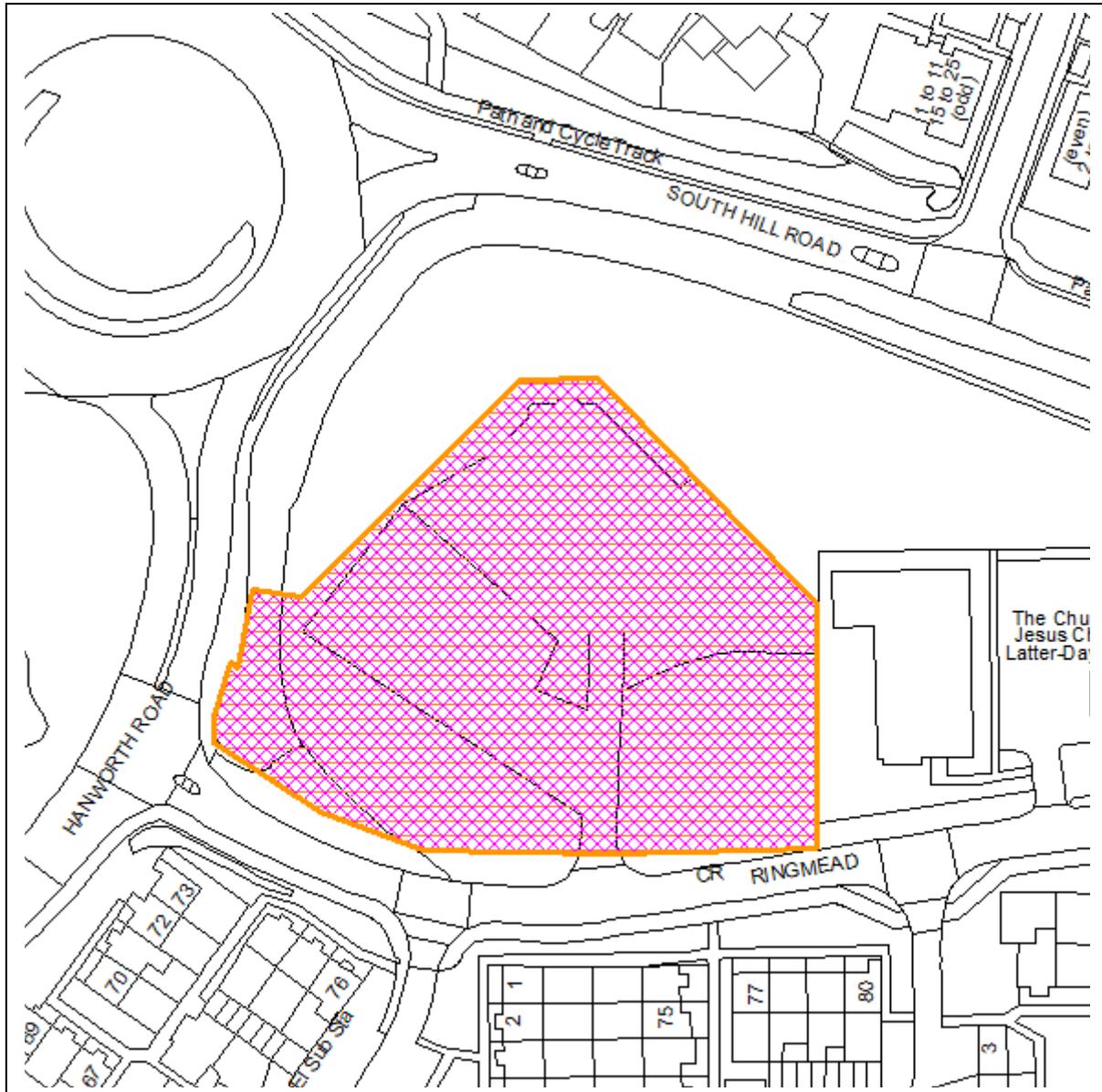
Mr Alex Jones

Case Officer:

Simon Roskilly, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## 1. SUMMARY

- 1.1 This application relates to the former St. Margaret Clitherow Church located within the designated settlement. The application is for the erection of a 5-storey apartment block with associated basement and surface car parking, access roads/footpaths and landscaping.
- 1.2 The building would accommodate 6no. 1 bed and 9no. 2 bed apartments.
- 1.3 The proposal is considered to respect the character and appearance of the area, be appropriate in design and appearance, and not adversely affect the amenities of either existing or future residents.
- 1.4 The proposal also provides policy compliant parking as well as a safe functional vehicular access off Ringmead.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to the completion of a S106 Legal Agreement and conditions as set out in Section 11 of this report.
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## 2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has received more than 5 objections.

## 3. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
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Within Settlement Boundary.
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Within 5km SPA
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- 3.1 The designated settlement site, as outlined in red, has an approximate area of 0.67 hectares. The site was once the location of the St. Margaret Clitherow Catholic Church; however the church has been demolished with the existing hardstanding now overgrown.
- 3.2 The site is located between Ringmead, Hanworth Road and South Hill Road and can be described as having overgrown hardstanding, where the church and carpark once were, surrounded by woodland on all sides apart from the existing vehicular access onto Ringmead.
- 3.3 East of, and adjoining, the site is the Church of Jesus Christ Latter-day Saints which is currently operating from the site with an area of plantation woodland to the north under the ownership of Bracknell Town Council.
- 3.4 Glimpses of the development site can be viewed from all three roads through the surrounding woodland within the winter months, although this is lessened somewhat within the summer months.
- 3.5 Trees to the front of the site on each side of the existing access are protected under TPO 638.
- 3.6 There is currently pedestrian access out of the site along Ringmead and Hanworth Road linking this site with estates such as Hanworth, Birch Hill and Easthampstead. These residential estates provide facilities such as schools, shops and medical facilities, accessible by both foot and cycle. Given this, the site is considered to be in a sustainable location.

## **4. RELEVANT SITE HISTORY**

4.1 The relevant site history can be summarised as follows: -

19/00142/FUL- Construction of 14no 3 storey, 3 bedroom dwellings with integral garage together with associated car parking, hard and soft landscaping, communal plant, building and site entrance modifications. WITHDRAWN BY APPLICANT.

## **5. THE PROPOSAL**

5.1 The applicant seeks planning permission for the erection of a 5-storey apartment block together with associated basement and surface car parking, access roads/footpaths and associated landscaping. The building would contain 6no. 1 bed and 9no. 2 bed apartments.

5.2 The application has benefited from the submission of amended plans seeking to address early concerns.

5.3 The building consists of a core that is 5 storeys high supported on each side by two 3 storey wings, with each apartment provided with external balcony space.

5.4 The front of the building, facing south, is where the main pedestrian access will be located, although there is also pedestrian and vehicular access provided to the rear of the building. This main pedestrian access into the building is through a glazed communal foyer sited within the centre of the building's core, demarcated by a vertical white rendered framework that then runs up to the 4<sup>th</sup> floor and a glazed penthouse apartment. The two south facing wings are also demarcated by white vertical frames that run up to, and include, the 2<sup>nd</sup> floor.

5.5 Horizontally the building can be separated into 4 tiers consisting of the ground, first and second floor within the bottom tier, the 3<sup>rd</sup> floor within the second tier, the 4<sup>th</sup> floor within the third tier and a stair core within the final fourth tier. The tiers are noticeable from the front, rear and sides due to the setback and transitions in height.

5.6 The applicant has put forward elevations showing a pallet of external materials that will include, buff brickwork, vertical timber cladding, white render and dark grey powder coated aluminium grilles with associated frame surrounds.

5.7 14no. surface parking spaces, of which two would be for disabled parking, would be provided along the main access road into the site. There would also be an enclosed cycle store and external visitor cycle spaces off this main access road.

5.8 The main access road runs north and round to the rear of the building so that it connects to a ramped vehicular access to the basement and a further 13no. parking spaces again including 2no. disabled spaces. There would also be cycle and motorcycle storage along with access to the upper residential floor via a lift within the basement.

5.9 The building and access road will be surrounded by a transitional area of amenity space between the built form and the site's surrounding woodland.

5.10 The site will have a footpath from Ringmead into the site, into the building both to the front and rear and to an area of terrace patio to the side of the west wing.

5.11 The bin store would be to the rear corner of the building accessible from the main access road.

## 6. REPRESENTATIONS RECEIVED

### Bracknell Town Council

6.1 No objection.

### Other representations

6.2 6no. representations have been received from different addresses, raising the following objections: -

- Road safety concerns at a very busy and dangerous junction, with entrance and exit from a bend creating a potential accident blackspot due to lack of visibility. Inadequate parking. [Officer Comment: The Local Highway Authority do not object to this proposal and this is covered in Section 9(iv) Transportation Implications.]
- A five-floor development will be out of character and overbearing for this residential area. [Officer Comment: Issues regarding character and appearance are assessed in section 9(ii) Impact on character and appearance of the area.]
- Proximity of the development to existing neighbouring properties and loss of privacy. [Officer Comment: This has been assessed in section 9(iii) Residential Amenity]
- Loss of trees. [Officer Comment: Trees are covered in section 9(ii) Impact on character and appearance of the area, although the Council's Tree Officer has recommended conditional approval.]
- Additional risk of flooding to local homes. [Officer Comment: Surface water drainage is covered in section 9(vi) Drainage.]
- Adverse impact upon Wildlife. Officer Comment: Any potential for an adverse impact upon wildlife is covered in section 9(v) Biodiversity]
- Not all neighbours notified. [Officer Comment: Neighbours were notified in accordance with the Council's notification procedure which also included 1no. site notice being attached to a lamppost at the existing vehicular access and 1no. site notice also attached to a sign on Hanworth Road opposite the roundabout.]

6.3 2no. representations were also received making the following comments in support of the application: -

- The development is in-keeping with the area and would make good use of a brownfield site. The plan proposed is innovative and much needed.
- Natural England has no comments as long as suitable mitigation is secured and the Transport Assessment confirms that there are no concerns with regards to the site's access, delivery/servicing arrangements and car and cycle parking provision and design.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highways Officer

7.1 The scheme would provide policy compliant parking provision and a safe vehicular and pedestrian access into and out of the site. Recommend conditional approval.

### Environmental Health

7.2 Recommend conditional approval.

### Tree Officer

7.3 No objection subject to conditions.

### Bio-diversity Officer

7.4 Recommend conditional approval.

### Waste & Recycling Officer

7.5 No objection to the scheme.

### Lead Local Flood Authority

7.6 No objection to the scheme subject to conditions.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP,  CS1 & CS2 of CSDPD	Limited (policy not used in planning application decision-making)  Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	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.
Trees & Landscaping	CSDPD Policies CS1 & CS7  BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Heritage	CSDPD Policies CS1 & CS7	Consistent (paras. 189 to 197)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7  BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175)

Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 118, 170, 178 & 180)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)
Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 54 to 56, 92 and 94)
<b>Supplementary Planning Documents (SPD)</b>		
Parking standards SPD Planning Obligations SPD (2015) Thames Basin Heath SPA SPD Character Area Assessments SPD Design SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)		

## 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 Residential Amenity
  - iv Transportation Implications
  - v Biodiversity
  - vi Drainage
  - vii Affordable Housing
  - viii Sustainability and Energy
  - ix Thames Basin Heaths Special Protection Area
  - x Community Infrastructure Levy/ CIL

### i. Principle of Development

#### Development Plan

- 9.2 The Development Plan for the Borough includes the following:

Site Allocations Local Plan 2013 (SALP)  
 'Retained' Policies of the South East Plan 2009 (SEP)  
 Core Strategy Development Plan Document 2008 (CSDPD)  
 'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)  
 Bracknell Forest Borough Policies Map 2013

## Policy Context

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration.

### Other development plan policies relevant to the principle of development

9.4 Core Strategy Policy CS2 sets out a number of locational principles for new development within Bracknell Forest, including a sequence of allocation, directing development to the Town Centre first, followed by previously developed and other land within defined settlements, and lastly extensions to sustainable settlements. Policy CS2 states that development will be permitted within defined settlements.

### Conclusion on the principle of development

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

9.6 Residential development of this settlement site is therefore considered acceptable in principle subject to other planning considerations as discussed below.

## **ii. Impact upon the character or appearance of the area.**

9.7 CSDPD Policy CS7 requires high quality design which in this case should build on the local character, respect local patterns of development, enhance landscape and aid movement and accessibility. Policy EN20 of the Local Plan supports Policy CS7 and sets out how development should be in sympathy with its local environment and appropriate in terms of mass and scale, layout and materials amongst other criteria.

## Development layout



9.8 Looking at the above proposed layout, development has been consolidated within the centre of the site with the existing access being utilised, albeit improved. There is a level of transitional open amenity space between the built form/hardstanding and the existing trees.

9.9 The Council's Tree Officer was consulted on the proposed scheme and is satisfied that, subject to appropriately worded conditions, the trees that surround the site can be retained in the long-term.

9.10 Overall the layout of the proposal is considered to make good use of previously developed land yet at the same time retain the site's main valued features which is that of the surrounding woodland.

9.11 Given that the proposed layout addresses the site's constraints in a sympathetic manner it is considered appropriate within this settlement location.

Design and visual appearance

The following images represent an artist's impression of how the site may look





9.12 As set out earlier in this report, horizontally the building can be separated into 4 tiers consisting of the ground, first and second floor within the bottom tier, the 3rd floor within the second tier, 4th floor within the final accommodation third tier and a stair core within the final fourth tier. The tiers would be noticeable from the front, rear and sides due to the setback and transitions in height. This approach is considered to reduce the bulk and massing of the building.

9.13 Elevations shown above demonstrate how the proposed pallet of materials will work. A mixture of buff brickwork, vertical timber cladding, white render and dark grey power coated aluminium grilles with associated frame surrounds would further aid in reducing the appearance of bulk and massing.

9.14 Glimpses of the site, although softened, will be viewed through trees especially during the winter months. However, the inclusion of vertical timber cladding on the central tiers that may be more prominent when viewed from outside the site are considered sympathetic to that of the site, given the wooded nature of the site surrounds.

9.15 The site, although located within the designated settlement, does not specifically relate to the nearby residential estates of Easthampstead, Hanworth and Birch Hill, mainly due to the roads that are present on three side of the site. The adjoining Church site is also considered to be of a design that is specific to its immediate surrounds. As such, the contemporary design of the proposed apartment building is not considered to adversely affect the character and appearance of the area and instead provides a character of its own, sympathetic to that of the valued features of the site.

#### Conclusion on Design, Character and Appearance

9.16 Given the above assessment of the proposal's siting, layout and design it is considered that the development responds well to site constraints such as the surrounding woodland. At the same time, it has its own identity and the design is considered sympathetic to that of the settlement location.

9.17 As such the proposed development is considered to comply with BFBLP policies EN1, EN20, CSDPD Policy CS7, and the NPPF.

### **iii. Impact upon Residential Amenity**

9.18 Policy EN20 criterion (g) of the BFBLP stipulates that in considering proposals, the amenity of surrounding properties should not be adversely affected. The amenities of existing residents and future occupiers is therefore a material consideration in considering an application.

#### Existing residents

9.19 The only building that adjoins the site, to the east, is that of the Church of Jesus Christ Latter-day Saints. All other residential properties are separated from this site by the existing road network with the closest property, 1 Claverdon, approximately 60m from the proposed building. This, combined with the fact that the apartment building will be sited within the center of a wooded site, means that no significant adverse impacts upon existing residential amenity could result.

#### Future Occupiers

9.20 The proposed layout provides suitable useable amenity space in the form of grassed areas, balconies and a communal terrace.

9.21 The layout of the building would not promote any loss of privacy and at the same time would provide acceptable living conditions for the occupants.

9.22 Given the above assessment the proposal would not result in any adverse impacts upon the amenity of any future occupants.

#### Conclusion on the impact upon residential amenity

9.23 Accordingly, the proposal is considered to preserve the amenities of both existing and future occupiers and comply with Policy EN20 (g) of the BFBLP.

### **iv. Transportation Implications**

The following comments were provided by the Local Highway Authority: -

#### Latest Revisions

9.24 The Highway Authority is satisfied with the amendments made to the submitted drawings, which accord with discussions.

#### Access

9.25 The proposed residential development would take access from the northern side of Ringmead, a local distributor road (classified C road), which is subject to a 30mph speed limit. Approximately 80m to the west of the site access, Ringmead connects to Hanworth Road as the minor arm at a 'ghost island' priority junction. It is proposed to re-purpose and improve an existing access, which previously served the now demolished church. Visibility splays of 2.4m by 43m are stated in paragraph 3.15 of the applicant's Transport Statement as being achievable in either direction of the access, and this complies with Manual for Streets for the speed limit of Ringmead. A footway return is proposed to the west of the access along with a pedestrian crossing point to the footway on the southern side of

Ringmead, which will include dropped-kerbs and tactile paving. A S278 agreement with the Highway Authority will be needed to form the footway return and pedestrian dropped crossing with tactile paving.

9.26 At the access, a 4.8m wide access road is shown on the proposed plans, which is sufficient for two vehicles to pass, widening to 6.0m in the vicinity of parking for turning. In order that this access road can be served by Bracknell Forest Council's refuse vehicle, the road will need to be built to adoptable standards, sufficient to accept a 26 tonne refuse vehicle.

## Parking

9.27 The Site Plan and Undercroft Parking Plan show 14 parking spaces on the surface and 13 spaces in the undercroft car park, giving 27 parking spaces overall, which complies with the Parking Standards SPD (March 2016) for the number and sizes of dwellings proposed; and provides 3 visitor spaces. Two of the car parking spaces (in the undercroft) are marked for disabled use from the outset. A further two spaces on the surface are of sufficient size to be changed to disabled parking if there is a defined need for a disabled resident within the development.

9.28 The undercroft parking area has been laid out with road markings and the doors to the motorcycle store and lift well open away from the car park aisle, for highway safety. Spaces adjacent to walls are 30cm wider than standard to improve the ability to enter and exit the vehicles parked in these spaces. Whilst there is a pillar to the rear of, and between, the two disabled parking spaces, the swept path drawings provided in the Highways Technical Note demonstrate that there is sufficient turning space that this would not cause an issue for access to the spaces.

9.29 The location of "20% (1 in 5) of all spaces to be designed and constructed to be readily adaptable to provide [electric vehicle] charging points" in accordance with paragraph 3.8 of the Parking Standards SPD should be required by condition.

9.30 The proposed cycle parking is in accordance with the Parking Standards SPD in terms of the number of cycle spaces, with an even split of cycle spaces between the undercroft and surface store. The three visitor cycle spaces have now been shown as Sheffield-style stands external to the stores, aiding accessibility to visitors and improving security for residents.

## Trips

9.31 Using the TRICS database it is predicted that the 15 flats would generate 5 to 6 trips during each of the AM and PM peak hours and 50 to 60 trips over the day as a whole. The effect on Ringmead and the wider road network of these additional trips is likely to be minimal.

## Conclusion

9.32 The Local Highway Authority recommend that the application be approved subject to suitably worded conditions.

## Conclusion on Transportation Implications

9.33 Subject to conditions the development is considered not to result in any highway safety implications. As such the proposal is considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

## **v. Biodiversity**

The following comments were provided by the Council's Biodiversity Officer: -

9.34 The Ecological Appraisal submitted with the previous scheme highlighted the need for a reptile survey. The reptile survey concludes that reptiles are currently absent from the site although this was hampered by issues of vandalism and presence of wood ants at the site. Therefore, the report recommends a precautionary approach to vegetation clearance at the site and the provision of hibernacula within the final landscape at the site. This can be addressed through conditions.

9.35 The woodland surrounding this site forms an important part of green infrastructure connecting to South Hill Park in the east which was identified by the council's Green Infrastructure Review (TVERC, 2017). The woodland is already restricted by two busy roads and various other urban features. Therefore, it is important that this development supports the function of this area in terms of ecology and landscape. The same woodland is also identified by the ecological appraisal as Habitat of Principal Importance for Conservation.

9.36 The landscape proposals show a proposed new footpath/cycle link from the site to South Hill Road. This feature has not been assessed by the ecological appraisal and could have negative impacts on a locally important area of habitat. A footpath and cycleway could require a wide clearance, long term tree safety works and lighting which may further fragment the woodland. Serious consideration should be given to the use of existing footpaths in the area.

9.37 It is noted that the Tree Protection Plan shows the footpath cycleway as being 'no-dig construction' which may reduce the impact of the path on existing trees, the advice of the Tree Officer should take priority on this matter. It is assumed that this will not be an adopted path requiring further width, clearance or lighting which further reduces the impact but does not negate it. The landscape management plan does include measures to sensitively manage the woodland within the site boundary that may help to compensate by removing invasive non-native species, particularly in the woodland area on the south east corner of the site.

9.38 The landscape plan provides a range of native species planting that will help support biodiversity but does not include some features recommended by the reptile survey and the ecological appraisal. Therefore, a condition should be used to secure biodiversity enhancements listed:

- Nesting and Bat Boxes placed on the new building and suitable trees;
- Natural buffer areas in place along woodland boundaries;
- Wildlife planting incorporated into the design of the residential plots;
- Hedgehog gravel boards or gaps for any proposed fencing on site;
- Log piles retained on site;
- Installation of 'insect hotels/bug boxes'

9.39 On balance the application, subject to conditions, has the ability to protect and enhance biodiversity in accordance with policies CS1, CS7, NPPF, and the NERC Act 2006. As such the application is considered to comply with policy CS1 of the CSDPD.

## **vi. Drainage**

The following comments were provided by the Lead Local Flood Authority: -

9.40 The site is located within Flood Zone One and within an area with a very low risk of surface water flooding according to Environmental Agency data.

9.41 The soil type is Host 15, 'Naturally wet very acid sandy and loamy soils' which, as the bore hole information within the FRA confirms, is not suitable to soakaways.

9.42 The proposed drainage design involves connecting to the existing surface water sewer in Ringmead, via an attenuation geotextile distribution tank within the access road, which will restrict outflow to the positive system within Ringmead to 5l/s.

9.43 In principle this approach is acceptable, however it is unclear if a 10% urban creep factor has been included and the FEH calculation method used within the drainage modelling. A high level assessment of the site using the HR Wallingford Surface Water Surface calculation using the FEH method, with 10% urban creep and taking the whole site area (permeable and impermeable), shows that the attenuation tank should have a capacity of 347m<sup>3</sup> and not the 113m<sup>3</sup> as proposed.

9.44 Therefore, the LLFA recommend a revised design is produced increasing the size of the attenuation tank, however as the principle is acceptable this could be covered by a condition.

9.45 As previously stated, the FRA assumes that the existing site drainage connects to the existing public drainage sewer within Ringmead but this has not been confirmed as a CCTV survey has not currently been undertaken. Therefore, there is no guarantee that the proposed connection can be made, or Thames Water will accept a connection. The applicant will need to provide evidence that Thames Water will support a connection to their sewer, however this can again be covered by a condition.

9.46 To conclude, subject to appropriate conditions, the LLFA recommends no objection to the proposals.

#### Conclusion on Drainage

9.47 Given the LLFA's comments the proposed drainage scheme is considered acceptable in principle subject to suitably worded conditions.

### **vii. Affordable Housing**

9.48 CSDPD Policy CS17 and BFBLP Policy H8 seek the provision of 25% on-site affordable housing provision, taking account of the economics of provision. These policies are considered consistent with the NPPF.

The following comments were received from the Council's Housing Department: -

9.49 Having regard for policy, the Housing Department would agree with 4 units for Affordable housing (3 affordable housing for rent and 1 shared ownership). It is our requirement for 2x1bed (both rent) and 2x2bed (1rent and 1SO).

9.50 Due to demand, the Council requires Affordable rent capped at Local Housing Allowance rate for any of the affordable rented units) or Social Rent (as detailed in the NPPF 2019).

9.51 The Housing Team would need to secure the units through s106, and the Registered Providers would be required to complete an agreed Local Lettings Plan and Global Nominations Agreement with the Local Authority which meets the needs of our customers.

It is our requirement that the Developer engages with a listed Registered Social Landlord who operates in Bracknell to deliver the affordable housing. This list will be provided by the Council's Housing department, for communication between Developer/RSL. Should the Developer wish to approach an RSL outside of the list, evidence of engagement will need to be provided prior to agreement.

9.52 We would also like you to note that we have a legal obligation to secure dwellings for former rough sleepers and care leavers, who are engaging with the council/other agencies with regard to support needs. This is to promote the Council's Housing Let Model, that is currently being drafted.

#### Conclusion on Affordable Housing

9.53 Subject to suitable affordable housing being secured by way of a S106 Legal Agreement the proposal would comply with CSDPD Policy CS17, BFBLP Policy H8 and the NPPF.

### **viii. Sustainability and Energy**

9.54 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 153 of the Framework states that in determining planning applications, LPAs should expect new development to:

- a) 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
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

9.55 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.

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

9.57 Policy CS12 of the Core Strategy requires the submission of an energy demand assessment demonstrating how the development's potential CO<sub>2</sub> emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewables.

9.58 Whilst no specific details have been submitted, this could be overcome via condition if the application was recommended for approval.

### **ix. Thames Basin Heaths Special Protection Area**

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

9.60 This site is located approximately 1.39 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.

9.61 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.62 In this instance, the development would result in a net increase of 15 dwellings which is required to make a financial contribution towards SANG and SAMM which will be calculated on a per bedroom basis once the mix of the development is determined.

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

## **x. Community Infrastructure Levy (CIL) and S106 Contributions**

9.64 Bracknell Forest Council has an adopted Community Infrastructure Levy (CIL). CIL is applied as a charge on each square meter of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.65 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. This application involves a net increase in dwellings and floorspace and would therefore be liable for CIL. This development lies within the Outer Bracknell charging zone.

9.66 In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued along with consent.

9.67 In terms of required S106 contributions, on top of the SPA contributions, the Council would also require contributions to go towards an identified Open Space of Public Value project.

9.68 For sites less than a hectare where no public open space can be secured on site, the Council will secure a contribution towards increasing capacity of public open space in the area which is capable of serving the site.

9.69 The Council has a project identified at Ludlow Play area to increase capacity (Page 116 Infrastructure Delivery Plan) the Council will look to secure £30,000 towards

improvements to the play area to increase capacity and serve residents generated as part of the scheme.

## 10. CONCLUSIONS

10.1 The application seeks planning permission for the erection of a 5 storey building housing 15no. apartments on a cleared brownfield site which once was the site of the former St Margaret Clitherow Church.

10.2 The site is a previously developed brownfield site located within the settlement and as such residential development is therefore considered acceptable in principle.

10.3 The proposal is considered acceptable in terms of its design, appearance, siting and scale and there are considered to be no adverse impacts on the character and appearance of the area.

10.4 The proposal would not result in any unacceptable detrimental impacts upon the amenities of existing and/or future occupiers.

10.5 The development provides on-site amenity space along with an accepted drainage strategy.

10.6 The proposal is considered acceptable by the Local Highway Authority in terms of off-street parking and safe access to and from Ringmead.

10.7 The scheme, subject to conditions, would provide adequate biodiversity mitigation and enhancement.

10.8 The proposal, subject to an obligation in the S106 Legal Agreement, would provide on-site 25% affordable housing within a sustainable location.

10.9 In conclusion it is considered that the full application would deliver a well-designed residential scheme for 15 units on a previously developed site within the settlement.

## 11. RECOMMENDATION

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

- Contribution towards mitigation against the impact upon the SPA.
- Contributions towards OSPV.
- Monitoring Costs
- Affordable Housing

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: -

P01 Location Plan 17.02.21  
P02 G Site Plan 17.02.21  
P03 C Apartment Block/Surrounding Site 17.02.21  
P04 A Undercroft Parking Plan 17.02.21  
P05 B Ground Floor Plan 17.02.21  
P06 A First Floor Plan 17.02.21  
P07 A Second Floor Plan 17.02.21  
P08 A Third Floor Plan 17.02.21  
P09 B Forth Floor Plan 17.02.21  
P10 B Roof Plan 17.02.21  
P11 B South East Elevation 17.02.21  
P12 B North East Elevation 17.02.21  
P13 B North West Elevation 17.02.21  
P14 B South West Elevation 17.02.21  
P15 B Section 17.02.21  
P19 D Overall Site Sections 17.02.21

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

03. Prior to commencement of superstructure works, samples of the external materials to be used in that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials.

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

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

04. Prior to commencement of superstructure works, details showing the finished floor levels of the buildings in each phase hereby approved in relation to a fixed datum point shall be 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]

05. No development hereby permitted (including site clearance and demolition) shall take place until a wildlife protection scheme for construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i) an appropriate scale plan showing where construction activities are restricted;
- ii) details of protective measures to avoid impacts during construction;
- iii) a timetable to show phasing of construction activities; and
- iv) details of persons responsible for compliance with legal consents, planning conditions, installation of protective measures, inspection and maintenance.

The wildlife protection scheme shall be implemented and maintained in accordance with approved details during the duration of operational work.

REASON: In the interests of nature conservation

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

06. No development shall commence until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local planning authority. An ecological site inspection report shall be submitted within three months of the first occupation and the development shall be carried out in accordance

with the approved details.

REASON: In the interests of nature conservation

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

07. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
08. The development hereby permitted shall not be begun until details of a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. Details shall include details of an attenuation tank with a capacity of 350m<sup>3</sup> and confirmation from Thames Water that connections to the existing foul and surface water systems can be obtained. All works that form part of the approved scheme shall be carried out before the development or any part thereof is occupied.  
REASON: In-order to ensure the provision of adequate foul and surface water drainage to serve the development.  
[Relevant Plans and Policies: House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.]
09. No development (other than the construction of the access) shall take place until the access, including footway return and pedestrian dropped-crossing with tactile paving, has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
10. No development shall take place until visibility splays of 2.4m back from the carriageway of Ringmead by 43.0m along Ringmead in each direction have been provided at the site's vehicular access. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway of Ringmead.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
11. No apartment shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The space shall thereafter be kept available for parking and turning 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]
12. No development shall take place until
  - (a) details of the location of 3 visitor car parking spaces, and
  - (b) details of the signing for the spaceshave been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.  
REASON: To ensure that the development is provided with adequate car parking to

prevent the likelihood of on-street car parking which would be a danger to other road users.

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

13. No apartment shall be occupied until the details of the design, operation and ongoing maintenance regime for electric vehicle charging infrastructure with a minimum output of 7kW to be provided for 20% (1 in 5) of the parking spaces shown on the approved plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of sustainable transport.  
[Relevant Policy: Local Plan Policy M9; NPPF paragraph 110 e); and Parking Standards SPD paragraph 3.8 part 1 supported by the NPPF at paragraph 105 e).
14. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities provided shall be retained.  
REASON: In the interests of accessibility of the development to cyclists.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
15. 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]
16. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:
  - a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
  - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
  - c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
  - d) Proposed location/s of 2m high (**minimum**) protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
  - e) Illustration/s of the proposed protective barriers to be erected.
  - f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
  - g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
  - h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
  - i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

- j) Arboricultural site monitoring - Note confirming that all protection measures are to be routinely monitored by site visits undertaken by a project arboriculturalist (appointed by the land owners), at maximum 4 week intervals for the duration of all works on site to ensure full compliance with the approved tree protection and monitoring scheme. Copy of the signed report to be forwarded to the Local Authority following each site visit.

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

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

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

17. The protective fencing and other protection measures specified by condition 16 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- No mixing of cement or any other materials.
  - Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
  - Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
  - Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
  - Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
  - Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

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

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

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

18. No development (including initial site clearance) shall commence until a detailed site specific programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- Induction and personnel awareness of arboricultural matters.
  - Identification of individual responsibilities and key personnel.
  - Statement of delegated powers.
  - Timing and methods of site visiting and record keeping. To include routine site visits at maximum 4 week intervals
  - Procedures for dealing with variations and incidents.

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

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

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

19. No development shall commence until a site specific method statement for the removal of all existing hard surfaced areas and/or structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) A site plan at a minimum scale of 1:200, identifying all areas where such work is to be undertaken.
- b) Reinstatement to soft landscape area including proposed ground de-compaction works.
- c) Timing and phasing of works.

The Construction Method Statement shall be observed, performed and complied with in full accordance with the approved details.

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

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

20. No development shall take place until:

(i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:

- a) Cross section diagrams showing existing and proposed and all /any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
- b) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and

(ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: In the interests of safeguarding the long term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

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

21. No development shall take place until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -

- a) Comprehensive planting plans 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 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 and construction methods, cycle routes, parking courts, play areas etc.
  - f) Recycling/refuse or other storage units, play equipment
  - g) Other landscape features (water features, seating, trellis and pergolas etc).
- REASON: - In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

22. 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 (1<sup>st</sup> October to 31<sup>st</sup> 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 8545:2014 - Trees: from nursery to independence in the landscape – Recommendations’ or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) ‘Specifications For Trees & Shrubs’ or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1<sup>st</sup> October to 31<sup>st</sup> 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 EN1 and EN20, CSDPD CS7]
23. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place.  
REASON: - In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
24. If contamination is found at any time during site clearance, groundwork and construction the discovery shall be reported as soon as possible to the local planning authority. A full contamination risk assessment shall be carried out and if found to be necessary, a ‘remediation method statement’ shall be submitted to the local planning authority for written approval. Should no evidence of contamination be found during the development a statement to that effect shall be submitted to the local planning authority.  
REASON: -To protect future occupiers and users of the site from the harmful effects of contamination.  
Relevant Policies: BFBLP EN25
25. Works shall be carried out in accordance with the approved ‘remediation method statement’ (submitted to comply with condition 24) and a final validation report shall be submitted to the local planning authority before the site (or relevant phase of the development site) is occupied.  
REASON: -To protect future occupiers and users of the site from the harmful effects of contamination.  
Relevant Policies: BFBLP EN25

26. No development [including demolition and site clearance] shall take place until a Construction Environmental Management Plan (CEMP) 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 CEMP shall include measures for :-
- the control of dust, odour and other effluvia
  - the control of noise (including noise from any piling and permitted working hours)
  - the control of pests and other vermin (particularly during site clearance)
  - the control of surface water run-off)
  - the control of noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site.

Construction activity shall be carried out in accordance with the approved CEMP.

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

Relevant Policies: BFBLP EN25

27. 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]

28. 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%) or other measures as agreed with the LPA.
- 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]

In the event of the S106 planning obligations not being completed by 22.07.2021, the Head of Planning be authorised to extend this period or **REFUSE** the application on the grounds of: -

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

2. In the absence of a planning obligation securing Open Space of Public Value contributions and Affordable Housing, in terms that are satisfactory to the Local Planning Authority, the proposal is considered contrary to saved Policy H8 of the Bracknell Forest Borough Local Plan, policies CS6 and CS17 of the Core Strategy Development Plan Document, Bracknell Forest Council Planning Obligations SPD and the NPPF.

### **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. The following conditions require discharge prior to the commencement of ANY development:
03. The following conditions require discharge prior to the commencement of development: 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, 16, 17, 18, 19, 20, 21, 26, 27 and 28.
04. The following conditions require discharge prior to the occupation of the apartments hereby approved: 11, 13 and 22.
05. No details are required to be submitted in relation to the following conditions; however, they are required to be complied with: 1,2, 15, 23, 24 and 25.
06. The Street Care Team Highways and Transport Section should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, 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.