

Bracknell Forest Council
Town & Country Planning Act 1990
TOWN & COUNTRY PLANNING (HEARINGS PROCEDURE)
(ENGLAND)
RULES 2000



APPEAL BY

McCarthy & Stone Retirement Lifestyles Ltd

AGAINST the **REFUSAL** by Bracknell Forest Council, acting as the Local Planning Authority, to grant planning permission for:

Redevelopment of the Site to Provide 46 One and Two Bedroom Retirement Living Units for Older People with Associated Parking, Landscaping and Communal Facilities (C3 Use Class), following the demolition of the existing building.

At: *Floringham Lodge, Old Bracknell Lane East, Bracknell, Berkshire, RG12 7AJ*

HEARING STATEMENT
BRACKNELL FOREST BOROUGH COUNCIL

LPA Ref: 25/00456/FUL

PINS Reference: 6009377

Appeal Dated: 8th May 2026

Statement Dated: 06.08.2026

Bracknell Forest
Borough Council
Time Square
Market Street
BRACKNELL
Berkshire
RG12 1JD



1.0 LOCATION AND SITE DESCRIPTION

1.1 The application site is located within an area known as Old Bracknell, situated to the south of Bracknell Town Centre. The surrounding area is predominantly residential in nature and comprises single dwellings or apartments. There are vehicular and pedestrian links from the site to Bracknell Rail Station and the Town Centre.

1.2 The application site itself features a large detached, two storey, dwelling situated within a substantial plot, measuring 0.56 hectares, which stretches the full length from Old Bracknell Lane East at the front of the site, to Downshire Way (A322) abutting the rear boundary.

1.3 The existing vehicular access leads from Old Bracknell Lane East and the site includes a narrow driveway which runs approximately half the depth of the plot, opening out into a large parking area which accommodates several vehicles. The boundary treatments are made up of substantial mature vegetation and trees with the trees along the front boundary adding to the character and appearance of the street scene.

1.4 There are a number of immediate neighbouring properties, with the site bounded by residential dwellings on all sides except for the western (rear) boundary. Properties adjoining the northern and western boundaries are two storey apartment buildings with two storey houses south of the site. A single storey property, The Carriage House is closest to the southern boundary of the site.

2.0 RELEVANT PLANNING HISTORY

2.1 A planning application (ref: 23/00043/FUL) was submitted in January 2023 for the demolition of Floringham Lodge and the development of a later living residential complex of 42 apartments. The application was withdrawn prior to determination in October 2024.

3.0 THE APPEAL APPLICATION

3.1 Planning application 25/00456/FUL was submitted on 22nd July 2025. During the course of the application 2 objections were received raising the following material planning considerations:

- The proposed multi use building is not in keeping with residential housing in the vicinity;
- The height of the proposed building is inappropriate;
- Concerns about overlooking from stairwell and bedroom windows;
- Concern over waste storage area close to the adjoining housing boundary;
- Increased traffic and a need for a pedestrian crossing outside the site.

3.2 The application was determined under the Council's scheme of delegation. The officer's report is at Appendix 1.

3.3 Bracknell Town Council had no objection to the application.

3.4 The application was determined under delegated powers on the 26.02.2026 and was refused for the following reasons:

1. It has not been demonstrated that the proposed vehicular and pedestrian access would provide safe and suitable access for all users nor prioritise sustainable modes

of transport without an unacceptable impact on highway safety contrary to BFLP policies LP 25 and LP 26.

2. A robust evidence base for reduced parking compared with the Council's parking standards has not been submitted nor has it been demonstrated that sufficient parking would be provided on site to avoid displacement of vehicles onto surrounding roads, increasing the risk of illegal, inconsiderate or obstructive parking, which would in turn worsen highway safety and have an adverse effect on the safe and efficient operation of the public highway network contrary to BFLP policies LP 25 and LP 62.
3. The proposed development does not create a high quality living environment by reason of habitable rooms in apartments 14 and 28 not receiving suitable outlook due to the inclusion of obscure glazed windows which are required to reduce opportunities for overlooking adjacent properties and gardens. This is contrary to BFLP Policy LP 50, the Design SPD and the NPPF.
4. The proposed development would result in an overdevelopment of the site, which is evidenced by the proximity of the proposed building to existing residential properties including gardens south of the site which will result in overshadowing and overbearing. This is contrary to BFLP Policy LP 50, the Design SPD and the NPPF.
5. The proposed development fails to provide adequate wheelchair accessible housing to meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings as required for specialist housing for older people. This is contrary to policy LP 38 of the BFLP.
6. In the absence of a planning obligation to secure affordable housing and a late-stage review in relation to an affordable housing contribution in terms that are satisfactory to the Local Planning Authority, the development would be provided with inadequate affordable housing and the proposal would be contrary to Policy LP 16 Bracknell Forest Local Plan and the National Planning Policy Framework.
7. 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 Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policies LP 31 and LP 32 of the Bracknell Forest Local Plan, and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).
8. The proposed development would unacceptably increase the pressure on open space of public value and off-site community facilities. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards open space of public value and off-site community facilities, the proposal would be contrary to Policies LP 3, 24, LP 44 and LP 45 of the Bracknell Forest Local Plan, the Planning Obligations SPD and the National Planning Policy Framework.

4.0 POLICY BACKGROUND

4.1 The application was determined applying the 2025 version of the National Planning Policy Framework (NPPF). The NPPF does not change the statutory status of the development plan as a starting point for decision taking, unless material considerations indicate otherwise. Paragraphs 10 and 11 make it clear that a presumption in favour of sustainable development is at the heart of the NPPF. For decision taking this means that

development proposals that accord with an up-to-date development plan are approved without delay.

4.2 Reference will be made to the relevant policies of the statutory development plan for Bracknell Forest Borough Council. The statutory development plan comprises the Bracknell Forest Local Plan (2024), Joint Minerals and Waste Plan to 2036 (2023), Policy NRM6 of the South East Plan (2009); the Site Allocations Local Plan (2013) (SALP); and the Bracknell Forest policies map (2024).

4.3 The Bracknell Town Neighbourhood Plan forms part of the Development Plan and is used in determining planning applications for Bracknell Town parish. The appeal site falls within Bracknell Town parish. The Plan was 'made' by Bracknell Forest Council on 27 October 2021.

4.4 The LPA's evidence will identify the most important policies for the determination of the appeal; and will address the weight to afford to those policies, applying national policy.

4.5 Reference will also be made to national policy and guidance including within the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

Bracknell Forest Local Plan (BFLP)

4.6 The primary strategic planning considerations applying to the site and the associated policies are:

LP 3 (Sustainable development principles) sets out development that will be permitted if it meets certain development principle considering the economic, social and environmental principles of sustainable development.

LP 16 (Affordable Housing) advises that on sites of 10 dwellings or more (gross) 35% of new homes will be affordable. It advises that the applicant may bring forward a viability assessment, which is to be accompanied by an independently produced, open book financial appraisal to justify any relaxation of the requirement. Any relaxation will require compelling reasons.

Point 6.188 of the justification advises: This viability assessment shall be verified by an independent consultant chosen by the Council at the developer's expense. Where any concessions are agreed for viability reasons, the section 106 Agreement will be expected to include claw-back provisions, and an independent assessor appointed at the developer's expense to monitor the scheme on an open-book basis against the claw-back provisions.

LP 24 (Infrastructure) advises development will only be permitted which mitigates its impacts through the provision of necessary strategic and local infrastructure to ensure that infrastructure is in place and available when it is required.

LP 25 (Transport principles) advises development must prevent, minimise and mitigate negative impacts on the transport network and road safety. Development proposals will be permitted where they provide sustainable modes of transport, provide accessibility and connectivity, provide transport solutions which reduce flood risk, greenhouse gas emissions and emissions to air, provide an appropriate level of parking, support an accessible public transport network, maintain and where required, improve the capacity and the safe and efficient operation of the public highway network, improve or do not cause unacceptable

impact on highway safety, safeguard routes and/or land which is necessary to provide infrastructure to increase highway capacity or widen transport choice and provide effective, convenient and safe delivery, collection, servicing, refuse and recycling collection, and emergency access arrangements.

Policy LP 26 (Transport infrastructure provision) advises that where appropriate and relevant, developments will be permitted which provide or make a financial contribution towards new or improved transport infrastructure and ensure that infrastructure is designed and provided to meet the needs of everyone, including those with mobility issues and those with pushchairs.

LP 31 (Designated nature conservation and geological sites) advises that any planning application affecting a designated nature conservation or geological site must ensure that these sites are safeguarded and enhanced having regard to the national or local status and designation of the site.

LP 32 (Thames Basin Heaths Special Protection Area) advises new development which, either alone or in combination with other plans or projects, is likely to have a significant adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) (as identified on the Policies Map) without appropriate avoidance and mitigation measures will be refused.

LP 38 (Accessible and adaptable dwellings) advises housing proposals will be expected to meet high standards of accessibility and, to this end:

2. On developments of 10 (gross) or more new build dwellings:

i. at least 5% of all dwellings will meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings, and,

ii. where evidence from the Council's Housing Register points to a current local need, affordable schemes will include provision for Part M4(3)(2)(b) wheelchair accessible dwellings.

iii. where a scheme includes specialist housing for older people and adults with disabilities, 100% of all self contained units will meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings.

Policy LP 44 (Protection of community facilities and services) advises that development will be permitted where:

i. existing facilities and services are retained and maintained;

ii. the quality and capacity of existing facilities and services is improved; and,

iii. new facilities and services are provided.

LP 45 (Play, open space and sports provision) advises the Borough's play, open space and sports provision will be protected and enhanced. Development must provide for any play, open space and sporting needs it creates.

LP 50 (Design) considers design and sets out a number of design principles that need to be met. In relation to this appeal:

vi. do not adversely affect the amenity of surrounding properties;

viii. provide acceptable levels of privacy and standards of daylight and sunlight that do not adversely affect the amenity of the locality or surrounding properties, particularly in relation to shadowing and overlooking;

x. can demonstrate that the design, layout and orientation of buildings positively contribute to reducing the impacts of climate change, including planting schemes to provide shade and green roofs and roof gardens, particularly in higher density developments.

LP 62 (Parking) advises development will be approved which:

- i. provides vehicle and cycle parking (including parking for people with disabilities) and electric vehicle charging facilities;
- ii. improves the quality and/or increases the amount of parking in defined centres where identified as being appropriate and needed; and,
- iii. improves the provision, quality, convenience and security of public parking facilities for cycles.

The South East Plan (SEP) (2009) “as retained”.

Policy NRM6 of the South East Plan.(Thames Basin Heaths Special Protection Area) advises that new residential development which is likely to have a significant effect on the ecological integrity of Thames Basin Heaths Special Protection Area (SPA) will be required to :

- demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Such measures must be agreed with Natural England.

Supplementary Planning Documents

4.7 In addition to the aforementioned development plan policies, the following adopted Supplementary Planning Documents are relevant:

- Planning Obligations SPD (2015)
- Parking Standards SPD (2016)
- Thames Basin Heaths SPA SPD (2018)
- Design SPD (2017)
- Housing SPD

5.0 FIVE YEAR HOUSING SUPPLY

5.1 The LPA's most recent Five Year Housing land Supply (HLS) statement published in June 2026 sets out the position as at 1st April 2026 and confirms that the Council cannot demonstrate a 5 year housing land supply with the current figure being 3.53 years.

5.2 A revised National Planning Policy Framework (NPPF) was published in December 2024 and dictates a change in approach. Previously, the NPPF set out (para. 76) that following the adoption of a local plan there was no requirement to update the HLS where the adopted plan is less than five years old. The requirement to produce a HLS is now set out in new para. 78:

78. ...Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. ...

5.3 This change to the NPPF means that Bracknell Forest Council (BFC) is required to produce an annual update of the HLS regardless of the age of the local plan. In addition, para. 78 the NPPF also includes the following:

78. ... The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
a) 5% to ensure choice and competition in the market for land; or
b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or
c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

5.4 Therefore, taking account of para. 78a and 78c, for the 1st April 2026 period, there are two HLS positions for Bracknell Forest:

- a) As at 1st April 2026, up to 30th June 2026: a HLS of 4.03 years.
- b) As at 1st April 2026, from 1st July 2026: a HLS of 3.53 years.

5.5 The Government introduced the Housing Delivery Test (HDT) in 2018, with the first results of the HDT being published by the Secretary of State in November 2018. The HDT measures the net additional dwellings provided in a local authority area against the homes required, using national statistics and local authority data. The HDT provides a measure based on the preceding 3 financial years.

5.6 The current published HDT result relates to the '2023 measurement' (published on 12 December 2024), and covers the period 2020/21, 2021/22 and 2022/23. The data shows that between 2020/21 and 2022/2023, the Council delivered 137% of its housing requirement.

5.7 As yet the 2024 measurement has not been published, the following information is provided on the HDT website:

Stakeholders will be aware that we are currently operating to a delayed publication timetable for HDT as a result of planning reforms and associated consultations. We recognise that authorities, developers and others rightly expect the HDT to be published according to a regular timetable. We are therefore, considering options for expediting future HDT collections, including the possibility of combining the data collections for the 2024 and 2025 HDTs. We will update in due course.

5.8 BFC anticipates that it will exceed the national 85% threshold set out in para. 78b of the NPPF for the 2024 measurement, and (as above) delivered in excess of its housing requirement for the 2023 measurement period. Therefore, there is no requirement to add a 20% buffer to the Council's HLS (as set out in para. 78b of the NPPF).

5.9 Therefore, in line with para. 78a of the NPPF, a 5% buffer is required (for the position up to 30th June 2026). This results in a shortfall of 546 dwellings and a Housing Land Supply of 4.03 years.

5.10 As set out in para. 78c of the NPPF, from 1st July 2026, for the purposes of decision-making only, a 20% buffer is required where the housing requirement adopted in the last five

years is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

5.11 The BFLP was adopted in March 2024, so contains a housing requirement adopted within the last five years. Policy LP4 includes a housing requirement of 614dpa. This is 78% of the LHN set out in Table 2 (614/787) and is therefore less than 80% of the LHN.

5.12 As such, a 20% buffer in line with para. 78c of the NPPF is required from 1st July 2026. On this basis there is a 948 dwelling shortfall from 1st July 2026 and a Housing Land Supply of 3.53 years.

6.0 THE CASE FOR THE LOCAL PLANNING AUTHORITY

6.1 The Council's reasons for refusal are considered in turn below:

Reason 01. It has not been demonstrated that the proposed vehicular and pedestrian access would provide safe and suitable access for all users nor prioritise sustainable modes of transport without an unacceptable impact on highway safety contrary to BFLP policies LP 25 and LP 26.

6.2 Following the determination of this planning application and the submission of this appeal, amended plans have been submitted which make changes to the site layout by widening the footway and adding a kerbed-edge. This provides an adequate footway through the site to meet the needs of residents, including those with disabilities or using wheelchairs or mobility scooters. The amendments also make changes to the radius on the left turn out of the site which will improve the accessibility of the site to the benefit of drivers, cyclists and pedestrians.

6.3 It is the view of the LPA and the highway authority that the submission of plans LSE- 3045 - 03 - AC – 0120 Rev P10 and LSE-3045-03-LA-MCS792-Drg 01 P6 overcome the highway concerns and the Council would remove reason for refusal 01. It is not considered that accepting these plans would be to the detriment of any interested parties. The submitted plans are attached at Appendix 2.

Reason 02. A robust evidence base for reduced parking compared with the Council's parking standards has not been submitted nor has it been demonstrated that sufficient parking would be provided on site to avoid displacement of vehicles onto surrounding roads, increasing the risk of illegal, inconsiderate or obstructive parking, which would in turn worsen highway safety and have an adverse effect on the safe and efficient operation of the public highway network contrary to BFLP policies LP 25 and LP 62.

6.4 Following the determination of the planning application, the Council has adopted reduced parking standards for this area (now within the 'Flexibility Zone') on 23rd June 2026. (Appendix 3). The Council's adopted Parking Standards Supplementary Planning Document (SPD) provides guidance on parking issues relating to new development and existing development. It forms part of the Council's planning framework and is a material consideration in the determination of planning applications.

6.5 The proposal is now only 3 car parking spaces short of the newly adopted standards. The appellant has opted to mitigate this shortfall with a Travel Plan to be secured through a suitably worded condition should the appeal be allowed by the Inspector. The S106 agreement currently being prepared will need to commit to paying the Travel Plan fee (£6,500) and Travel Plan deposit as set out in the Planning Obligations SPD 2026. Subject

to this Condition and S106/UU obligation regarding the Travel Plan fee and deposit, the Council will not seek to pursue reason for refusal 02.

Reason for Refusal 03. The proposed development does not create a high quality living environment by reason of habitable rooms in apartments 14 and 28 not receiving suitable outlook due to the inclusion of obscure glazed windows which are required to reduce opportunities for overlooking adjacent properties and gardens. This is contrary to BFLP Policy LP 50, the Design SPD and the NPPF. Living Environment for Future Residents

6.6 Apartments 14 and 28 are one bed units and the longer wall and the main south facing windows to serve the bedrooms of these apartments are shown to be obscure glazed. The inclusion of obscure glazing has been made to remove the opportunities for overlooking of garden areas south of the site at The Carriage House and Laurel Cottage. The bedroom windows of apartments 14 and 28 on the first and second floors on the southern elevation are less than 30m distance from the closest windows on Laurel Cottage and within 9m of the boundary with gardens along this boundary. The Council's Design SPD advises that:

“3.9.13 For two storey houses a minimum back to back distance of 22m between facing windows is accepted as providing a reasonable degree of privacy for the occupants of both dwellings. With a building(s) with windows above first-floor level, a back-to-back separation of no less than 30m is considered reasonable. As storeys rise additional separation distances may be necessary to mitigate against overlooking, overshadowing and overbearing impacts. In addition to providing adequate back-to-back separation, overlooking impacts can be mitigated by oblique siting relationships, where within the building habitable rooms are located, window design (e.g. use of obscure glazing for non-habitable rooms, high-level windows and rooflights) and screening such as outbuildings or vegetation. In applying these separation distances the impacts of levels differences on sloping sites will also be taken into account.”

6.7 Without the provision of obscure glazing it is considered that unacceptable levels of overlooking will occur from these windows serving habitable rooms. The response of the appellants to these concerns being raised was to provide obscure glazing to reduce opportunities for overlooking. The LPA considers that it is not appropriate to require bedroom windows to be obscure glazed and this is required solely to prevent overlooking from these windows due to the proximity of the proposed building to the boundary of the site. As referred to in para 3.9.13 of the Design SPD obscure glazing can be an appropriate means of ensuring privacy in non-habitable rooms. In a bedroom this is not considered to be appropriate. A more acceptable means of securing appropriate levels of amenity for residents of these apartments is through positioning the building to allow for appropriate separation distance between the proposed building and the boundary with The Carriage House and Laurel Cottage. Para 3.9.11 of the Design SPD states that:

“3.9.11 Principle: All development should be arranged on plots to achieve reasonable levels of privacy for the inhabitants and for residents of neighbouring buildings.”

Privacy for both the occupiers of a development and residents of neighbouring properties should be secured through the appropriate design of the building. In this case, the setting

back of the southern elevation from the site's boundary would be an appropriate design led means of maintaining privacy.

6.8 The secondary window in the bedrooms along the shorter wall, is set at right angles to the projecting wing of the apartment building which accommodates the kitchens. This results in a poor outlook from the window and although not breaching any daylight and sunlight assessment, there will be reduced light and outlook for these bedrooms. This fails to ensure that future users will have a high standard of amenity. Avoiding overlooking of adjoining properties is important to maintain privacy, but this should not be achieved at the expense of providing a high standard of amenity for future occupiers.

6.9 The Design SPD and NPPF para 135 (f) relate to the need for new development to create places with a high standard of amenity for existing and future users.

6.10 NPPF para 135(f) requires developers to "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

6.11 Policy LP 50 of the BFLP indicates design matters to be taken into account in new developments to ensure good design. Design matters in LP 50 considered to be relevant to reason for refusal 03 are:

ii. ensure layouts make efficient use of land, having regard to the character of the area/location and other factors affecting good design;

viii. provide acceptable levels of privacy and standards of daylight and sunlight that do not adversely affect the amenity of the locality or surrounding properties, particularly in relation to shadowing and overlooking;

6.12 It is not considered to be efficient use of land with regard to factors affecting design to position a building in close proximity to site boundaries and attempt to remove any privacy issues through providing obscure glazing to important habitable rooms. Similarly, viii reflects the need to provide acceptable levels of privacy. The solution of obscure glazed bedroom windows is provided to avoid adversely affecting the amenity of surrounding properties.

6.13 Privacy has been recognised by the appellant to be an important design feature through the change in glazing to windows in apartments 14 and 28. However, the means of protecting amenities of adjacent properties has resulted in a reduction in amenities of future occupiers of these units and reflects a failure to ensure that the layout of development is making efficient use of land while taking good design into account.

6.14 This reliance on obscure glazing of bedroom windows to maintain privacy is also indicative of overdevelopment of the site as referenced in Reason for Refusal 04. Given that residents of the apartments will be over 60 it could be argued that older residents may spend more time in their homes and should have an expectation of an appropriate outlook from habitable room windows.

Reason 04. The proposed development would result in an overdevelopment of the site, which is evidenced by the proximity of the proposed building to existing residential properties including gardens south of the site which will result in overshadowing and overbearing. This is contrary to BFLP Policy LP 50, the Design SPD and the NPPF.

6.15 Reason for Refusal 04 relates to the overdevelopment of the site as evidenced by the proximity of the proposed building to The Carriage House and Laurel Cottage. The Carriage

House is positioned very close to the boundary with Floringham Lodge and the Council is concerned that the positioning of a 3 storey building approximately 9 m from the garden areas of The Carriage House and Laurel will be overbearing on these properties and gardens.

6.16 Policy LP 50 advises that new developments should relate well to their location and surroundings through their siting, scale(including height and massing), form, roofscape, design and materials, and in relation to adjoining buildings, spaces and view and should not adversely affect the amenity of surrounding properties. The Design SPD similarly considers the impact of new development on neighbouring properties and the LPA remains concerned that the proximity of the 3 storey building in close proximity to the southern boundary will adversely affect these properties.

6.17 As quoted above in relation to reason for refusal 03, para 3.9.13 of the Design SPD addresses the issue of new development and its impact on adjacent properties:

“3.9.13 For two storey houses a minimum back to back distance of 22m between facing windows is accepted as providing a reasonable degree of privacy for the occupants of both dwellings. With a building(s) with windows above first-floor level, a back-to-back separation of no less than 30m is considered reasonable. As storeys rise additional separation distances may be necessary to mitigate against overlooking, overshadowing and overbearing impacts. In addition to providing adequate back-to-back separation, overlooking impacts can be mitigated by oblique siting relationships, where within the building habitable rooms are located, window design (e.g. use of obscure glazing for non-habitable rooms, high-level windows and rooflights) and screening such as outbuildings or vegetation. In applying these separation distances the impacts of levels differences on sloping sites will also be taken into account.”

6.18 Para. 3.9.13 of the Design SPD in addition to maintaining privacy, refers to the need for separation between properties to avoid any overbearing impacts.

6.19 An Addendum to the Design and Access Statement was submitted on 17.12.2025 as part of the planning application when the issue of potential overlooking from the southern elevation was raised by the LPA. The Addendum includes the following illustrative views which show the indicative views of the proposed building from Laurel Cottage and The Carriage House. These indicate the overbearing impact of the building along this boundary and the harmful relationship with the adjacent properties and garden area. The submitted Tree Survey indicates that some trees within the site along this boundary will be removed, opening up the boundary to views of the building. The scale of the building at this point in such close proximity to The Carriage House and garden areas is considered to be harmful to occupiers of these adjacent properties. The proposed development is considered to be an overdevelopment of the site resulting in a proposal that would be harmful to the amenities of adjoining properties.



Reason 05. The proposed development fails to provide adequate wheelchair accessible housing to meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings as required for specialist housing for older people. This is contrary to policy LP 38 of the BFLP.

6.20 Policy LP 38 of the BFLP sets out the LPA's requirement for housing proposals to meet high standards of accessibility.

- “2. On developments of 10 (gross) or more new build dwellings:
 - i. at least 5% of all dwellings will meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings, and,

¹ Design and Access Statement Addendum

- ii. where evidence from the Council's Housing Register points to a current local need, affordable schemes will include provision for Part M(4)(3)(2)(b) wheelchair accessible dwellings, and,
- iii. where a scheme includes specialist housing for older people and adults with disabilities, 100% of all self contained units will meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings.

6.21 This development is proposed as specialist housing for the over 60's so policy LP 38 requires 100% of units to meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings.

6.22 Revisions to Part M of the Building Regulations (October 2015) relating to the Access and Use of buildings introduced additional technical requirements for accessibility for dwellings, exceeding the minimum standards required by the Building Regulations, known as 'optional standards'. The optional standards may be applied where a local planning authority has a policy in place, based on evidence, that a higher level of accessibility and adaptability in new residential development is viable and necessary to meet current and future housing needs. The optional standards in M4(3)(2)(a) are wheelchair user dwellings suitable for immediate occupation that require wheelchair users to be able to live in the dwelling and use any associated private outdoor space, parking and communal facilities that may be provided for the use of the occupants.

6.23 As the LPA has a policy in place in an adopted Local Plan, and the proposed units are for older people so the end user is known, the requirement for specialist housing for older people to meet the "optional standards" of M4(3)(2)(a) and 100% of units to be wheelchair accessible is considered to be appropriate.

6.24 The appellant has proposed 4 units to be provided to meet M4(3)(2)(a) accessible standards, which represents approximately 8.9% of the units.

6.25 PPG Housing for Older and Disabled People sets out the benefits of accessible and adaptable housing.

"Accessible and adaptable housing
What are the benefits of accessible and adaptable housing?"

Accessible and adaptable housing enables people to live more independently, while also saving on health and social costs in the future. It is better to build accessible housing from the outset rather than have to make adaptations at a later stage – both in terms of cost and with regard to people being able to remain safe and independent in their homes.

Accessible and adaptable housing will provide safe and convenient approach routes into and out of the home and outside areas, suitable circulation space and suitable bathroom and kitchens within the home. Wheelchair user dwellings include additional features to meet the needs of occupants who use wheelchairs or allow for adaptations to meet such needs. "

Paragraph: 008 Reference ID: 63-008-20190626
Revision date: 26 June 2019

6.26 Policy LP 38 seeks to ensure that housing provided for the elderly is suitable for continued occupation as accessible needs differ over time. The appellant has not disputed the need for accessible units but has referred to the cost of providing accessible units.

However, as part of the anticipated costs of providing retirement units and the benefits to future occupiers the housing is aimed at, it is considered to be appropriate for the requirements of policy LP 38 to be met. Residents with changing accessibility needs who have moved into specialist elderly housing should rightly feel that the specialist housing can accommodate changing needs without the need to move to another home as their accessibility needs change.

6.27 The BFC Housing SPD also speaks of the Council's preference to help people to live in their own homes for as long as possible. In considering inclusive design, the SPD refers to the requirements of Policy LP 38 and that the requirement for 100% of units to meet part M4(3)(2)(a) standards will require appropriate accessible approach routes (within the curtilage of the site), level access (including to any communal facilities), in addition to complying with minimum dimensions for corridors, door widths, habitable rooms and bathrooms and advises that:

"5.8.14 In line with the PPG31, these issues should be considered at the beginning of the process and at every stage of the development. The approach should include the building itself and the setting of the building in the wider built environment."

6.28 The appellant is a provider of specialist housing for older people and it is reasonable to expect that its units will be fully accessible to allow for continued occupation as accessibility needs arise.

Reason 06. In the absence of a planning obligation to secure affordable housing and a late-stage review in relation to an affordable housing contribution in terms that are satisfactory to the Local Planning Authority, the development would be provided with inadequate affordable housing and the proposal would be contrary to Policy LP 16 Bracknell Forest Local Plan and the National Planning Policy Framework.

6.29 The LPA's policy on affordable housing as set out in Policy LP 16 of the BFLP requires residential development on sites of 10 dwellings or more (gross) or which have an area of 1.5ha or more including specialist housing for older people to provide 35% of new homes as affordable units. In standalone schemes for older persons accommodation any departure from the full requirement will require a site-specific viability assessment.

6.30 Part 2 i of the policy advises that the assumption is that all proposals for housing will be able to comply with the above policy. The applicant may bring forward a viability assessment which is to be accompanied by an independently produced, open book financial appraisal to justify any relaxation of the requirement. Any relaxation will require compelling reasons.

6.31 A Viability Assessment was submitted with the application seeking a relaxation of the requirement in policy LP 16 to provide affordable housing on site. As set out in the BFLP para. 6.190 and the Housing SPD, the Viability Assessment will be verified by an independent consultant. Where any concessions are agreed for viability reasons, the section 106 Agreement will be expected to include claw-back provisions, and an independent assessor appointed at the developer's expense to monitor the scheme on an open-book basis against the claw-back provisions.

6.32 The submitted viability assessment was assessed by an external valuer. The remaining area of disagreement in relation to viability is the Reasonable Profit Level to be

applied. The appellants use a figure of 20% with the LPA's independent assessor proposing 18.75% having reviewed the rebuttal statement issued by the appellant.

6.33 A separate Developer Profit Position Note and Summary Note covering the one outstanding viability issue have been prepared by David Coate of DJC Housing Consultants on behalf of BFC.

Reason 07. 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 Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy NRM6 of the South East Plan, Policies LP 31 and LP 32 of the Bracknell Forest Local Plan, and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).

6.34 BFC, 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 (TBH SPA) along with any larger developments comprising over 50 net new dwellings within the 5 - 7km zone is likely to have a significant effect on the integrity of the TBH SPA, either alone or in-combination with other plans or projects.

6.35 This site is located within the 400m – 5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone 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.

6.36 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to BFC towards the cost of measures to avoid and mitigate against the effect upon the TBH SPA, as set out in BFC's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (April 2025)

6.37 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 TBH 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.

6.38 In this instance, the development would result in a net increase of 46 dwellings within the 400m – 5km TBH SPA buffer zone which requires both SANG and Strategic Access Management and Monitoring (SAMM) contributions calculated on a per bedroom basis.

6.39 The Council is currently negotiating a s106 agreement with the Appellant which seeks to address the Thames Basin Heaths reason for refusal. The completion of this s106 legal agreement, would satisfactorily address the issues identified in reason for refusal 07 and in this event this reason will not be pursued.

Reason 08. The proposed development would unacceptably increase the pressure on open space of public value and off-site community facilities. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards open space of public value and off-site community facilities, the proposal would be contrary to Policies LP 3, 24, LP 44 and LP 45 of the Bracknell Forest Local Plan, the Planning Obligations SPD and the National Planning Policy Framework.

6.40 The Council is currently negotiating a s106 agreement with the Appellant which seeks to secure contributions towards open space of public value and off-site community facilities. The completion of this s106 legal agreement, would satisfactorily address the issues identified in reason for refusal 08 and in this event this reason will not be pursued at the appeal.

7.0 PLANNING BALANCE AND CONCLUSIONS

7.1 The NPPF confirms that a presumption in favour of sustainable development should be applied to decision-making. The Council can currently demonstrate a 3.53 year housing land supply and as a result the policies which are most important for determining the application are out-of-date and the 'tilted balance' is triggered by virtue of footnote 8 of the Framework and paragraph 11d) of the NPPF applies. This means that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

7.2 Considering the proposed development, the proposal does provide some benefits in terms of the three overarching economic, social and environmental objectives at NPPF para 8.

7.3 Economic Objective: the development will provide new homes for older people in the form of specialist retirement homes for the over 60's. No affordable housing would be provided as part of the development so the weight given to this benefit would therefore be reduced. Other economic benefits to the local community and local economy, such as the creation of jobs, supply chain investment associated with the construction stage, increased demand for local goods and services from future occupiers over the lifetime occupation of the new dwellings are given medium weight.

7.4 The Social Objective: the proposal provides 46 new homes for older people with some communal facilities. This is afforded significant weight however the lack of inclusive design in terms of providing all units to meet M4(3)(2)(a) standards which may prevent continued occupation as residents' needs change is a disbenefit.

7.5 Environmental Objective: the proposal provides homes in a sustainable location close to Bracknell town centre and Bracknell rail station which offers easy and safe walking and cycling routes to shops, services, facilities and public transport links. The application also provides passive open space. This is a significant benefit.

7.6 In considering the above, whilst there are some benefits identified, such as the provision of 46 new homes for older people and economic benefits, the adverse impacts have been identified that would significantly and demonstrably outweigh the benefits of the proposal. These include the harm that the development will cause to the amenities of residents of adjacent properties and amenities to residents of apartments 14 and 28.

7.7 The Planning Inspector is respectfully asked to dismiss the appeal.

9. LIST OF APPENDICES

Appendix 1	Officer Report
Appendix 2	Decision Notice
Appendix 3	Bracknell Forest Housing Land Supply Calculation 1 st April 2026
Appendix 4	LSE-3045-03-AC-0120-Proposed Site Plan
Appendix 5	LSE-3045-03-LA-MCS792-Drg 01 P6 Landscape Proposals
Appendix 6	Parking Standards SPD 2026
Appendix 7	Design SPD 2017
Appendix 8	Housing SPD

10 SUGGESTED CONDITIONS

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 (as amended).

02 The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

- LSE-3045-03-AC-0100 – Location Plan
- LSE-3045-03-AC-0120 Rev P10 - Updated Site Plan
- LSE-3045-03-AC-0200 – Proposed Ground Floor Plan P06
- LSE-3045-03-AC-0201 – Proposed First Floor Plan P07
- LSE-3045-03-AC-0202 – Proposed Second Floor Plan P07
- LSE-3045-03-AC-0203 – Proposed Third Floor Plan P06
- LSE-3045-03-AC-0204 – Proposed Roof Plan P05
- LSE-3045-03-AC-0300 – Proposed Elevations 1 P05
- LSE-3045-03-AC-0301 – Proposed Elevations 2 P05
- LSE-3045-03-AC-0302 – Proposed Elevations 3 P06
- LSE-3045-03-LA-MCS792-Drg 01 Rev P6 – Landscape Proposals
- 2411-KC-XX-YTREE-TCP01 RevA – Tree Constraints Plan
- 2411-KC-XX-YTREE-TPP01 Rev0 – Tree Protection Plan
- PP/4155/BRACKNELL/F1 – Topo
- PP/4155/BRACKNELL/F2 – Topo
- External Lighting Layout
- Elevation Plan A1 Laurel Cottage Ref: LSE-3045-03-AC-0303 RevP01
- 2411-KC-XX-YTREE-TPP01Rev0
- Energy and Climate Change Statement

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

03 No structure hereby permitted shall be built above existing ground level 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 submitted samples shall include details of [insert]. 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: BFLP LP 50].

04 The development hereby permitted shall not be begun until details showing the finished floor levels of the proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site 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: BFLP LP 50]

05 Those windows shown on the approved drawings as having obscured glazing in part or full shall at all times be glazed with a minimum of Pilkington Level 3 or equivalent and shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed or the windows are installed in a corridor area..

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFLP LP 50]

06 The dwellings shall as a minimum be constructed in accordance with Part M4(2) of the 'Accessible and adaptable dwellings' of the Building Regulations 2010 (Approved Document 'M' – Access to and use of Buildings – dwellings 2015) (as amended).

Prior to the occupation of the dwellings hereby permitted, written verification that the completed dwellings are in accordance with Part M4(2) of the Building Regulations 2010 (Approved Document 'M' – Access to and use of Buildings – dwellings 2015) (as amended) shall be submitted to and approved in writing by the Local Planning Authority. The completed dwelling shall be maintained as such thereafter.

REASON: To ensure that appropriate accessible and adaptable dwellings are provided.

[Relevant Policies: BFLP LP 38]

07 No gates shall be provided at the vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: BFLP LP 25]

08 No development above slab level shall take place until a plan showing visibility splays has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: BFLP LP 25]

09 No dwelling shall be occupied until a means of access to the site and building has been constructed for vehicles, pedestrians and/or cyclists in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The means of access shall thereafter be retained unobstructed for its intended use.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BFLP LP 25]

10 No dwelling shall be occupied until the associated vehicle parking has been provided 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: BFLP LP 62]

11 The development hereby approved shall not be occupied until details of on-site refuse storage (including any open air storage facilities) for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the dwelling to which it relates and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.

[Relevant Policies: BFLP LP 50]

12 All ecological measures and/or works shall be carried out in accordance with the details contained in Section 5.1 of the Ecological Impact Assessment (Greenlink, 19/08/2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: LP53]

13 No development shall commence other than site clearance and demolition 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. The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: BFLP LP 53]

14 An ecological site inspection report shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development hereby approved to demonstrate that all biodiversity enhancements have been undertaken in accordance with the approved scheme.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: BFLP LP 53]

15 The Biodiversity Gain Plan shall be prepared broadly in accordance with the Ecological Impact Assessment (Greenlink, 19/08/2025) and Statutory Biodiversity Metric (dated 25 June 2025). The Habitat Management and Monitoring Plan shall be prepared to

accompany the Biodiversity Gain Plan and shall be submitted for approval alongside or after the submission of the Biodiversity Gain Plan.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy LP53.

16 The development hereby permitted shall not be occupied until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP and any changes to those to be notified to the Local Planning Authority within 21 days of the changes occurring;
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of the habitat creation and enhancement works set out in the HMMP; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority,
- has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy LP53.

17. The development hereby permitted shall not be occupied until notice in writing has been given to the Local Planning Authority that the:

- (a) HMMP has been implemented; and
- (b) habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy LP53.

18 The development hereby approved shall not be occupied until the following have been submitted to and approved in writing by the Local Planning Authority:

- 1) details of both hard and soft landscaping works, and
- 2) a comprehensive five year post planting maintenance schedule

No dwelling shall be occupied until the landscaping for that plot has been carried out in accordance with the approved soft landscape planting scheme

The details in respect of 1), above shall include:

a) Comprehensive planting plans showing 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.

c) Means of enclosure (walls and fences etc)

d) Paving including pedestrian, paths, patios, proposed materials and construction methods, cycle routes, parking courts,

e) Any trees or plants which die, are removed, uprooted, are significantly damaged, become diseased or deformed within a period of 5 years from the completion of the development are to be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation

REASON: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area.

[Relevant policies: BFLP LP 50 and LP 54]

19 No development shall take commence until a programme of archaeological work, including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing.

The WSI shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

REASON: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

20 The Development shall take place in accordance with the WSI approved under condition 19.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition 21 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

[Relevant Policies BFLP Policy LP 29]

21 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval

in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Plans and Policies: BFLP LP 58]

22 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Plans and Policies: BFLP LP 58]

23 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Plans and Policies: BFLP LP 58]

24 The development hereby approved shall not be occupied until the noise mitigation measures as set out in the (Noise Assessment, 24 Acoustics, 8 July 2025, Ref R11087-1 Rev 1) submitted with the application, are implemented. The noise mitigation measures shall be retained and maintained thereafter.

REASON: To protect future residents from noise from road traffic noise.

[Relevant Plans and Policies: BFLP LP 58]

25 No development shall take place until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- the control of noise
- the control of dust, smell and other effluvia

- the control of rats and other vermin
- the control of surface water run-off
- the proposed method of piling for foundations (if any)
- proposed construction and demolition working hours
- hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

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

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

[Relevant Plans and Policies: BFLP LP 58]

26 No development (including site clearance) shall take place, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include as a minimum:

- (i) Location of the access for demolition and construction vehicles;
- (ii) Routing of construction traffic (including directional signage and appropriate traffic management measures);
- (iii) Details of the parking of vehicles of site operatives and visitors;
- (iv) Areas for loading and unloading of plant and materials;
- (v) Areas for the storage of plant and materials used in constructing the development;
- (vi) Location of any temporary portacabins and welfare buildings for site operatives;
- (vii) Details of any external lighting of the site;
- (viii) Measures to prevent ground and water pollution from contaminants on-site;
- (ix) Details of wheel-washing facilities;
- (x) Measures to minimise the pollution potential of unavoidable waste;
- (xi) Measures to dispose of unavoidable waste in an environmentally acceptable manner;
- (xii) details of measures to mitigate the impact of demolition and construction activities on ecology; and
- (xiii) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.

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

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

[Relevant Plans and Policies: BFLP LP 25, LP 58]

27 The apartments hereby permitted shall only be occupied by persons of 60 years or over.

REASON: To ensure that the accommodation is only occupied by persons for whom it is designed and in taking account of the specific nature of the development including car parking.

[Relevant Plans and Policies: BFLP LP 25, LP 62]

28. A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development hereby approved. The Travel Plan shall be implemented upon first occupation of the development hereby approved and in line with provisions and timescales set out within the Travel Plan.

29. No development shall commence until a detailed Sustainable Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- i) Results of intrusive ground investigations demonstrating the depth of the seasonally high groundwater table across the site.
- ii) Results of infiltration testing undertaken at a depth representative of the proposed attenuation and infiltration features, in accordance with the relevant guidance and standards.
- iii) Hydraulic calculations demonstrating that the proposed drainage system can accommodate the design rainfall events, including the 1 in 100-year rainfall event plus an appropriate allowance for climate change, using FEH rainfall data.
- iv) An assessment of the potential impact of groundwater on the proposed SuDS features, including details of any mitigation measures required and evidence demonstrating that groundwater levels will not adversely affect the operation, performance, structural integrity, or maintenance of the drainage system.
- v) Full details of all components of the proposed drainage system, including dimensions, locations, gradients, invert and cover levels, construction details, headwall details, planting proposals (where applicable), and supporting drawings, with due regard to the identified groundwater conditions.
- vi) A Temporary Drainage Design Brief setting out the arrangements for the management of surface water runoff and drainage during the construction phase of the development.
- vii) Where discharge to a public sewer is proposed, written confirmation from Thames Water (or the relevant sewerage undertaker) confirming acceptance of the proposed discharge and discharge rate.

The approved Sustainable Drainage Strategy shall thereafter be implemented in full and retained for the lifetime of the development.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding. [Relevant Plans and policies: BFLP LP 57]

30. The development hereby approved shall not be occupied until details of how the surface water drainage system (inclusive of flood mitigation measures) shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of management body, required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety have been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.

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

[Relevant Plans and policies: BFLP LP 57]

31. Prior to practical completion of the development, a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Local Planning Authority. This will include photos of excavations and soil

profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes or control mechanisms and cover systems.

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

[Relevant Plans and policies: BFLP LP 57]

32. No building shall be occupied until the sustainable urban drainage scheme serving the development has been implemented in accordance with the approved details.

Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The sustainable urban drainage scheme shall thereafter be managed and maintained in accordance with the approved management and maintenance plan.

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

[Relevant Plans and policies: BFLP LP 57]

33. No development shall commence until either:

a) Written confirmation has been submitted to and approved by the Local Planning Authority in consultation with Thames Water that sufficient capacity within the sewerage infrastructure exists to serve the development; or

b) a scheme for the improvement of the existing sewerage system by the sewerage undertaker to ensure that sufficient capacity is provided to serve the development. No dwelling shall be occupied until the scheme for improvement of the existing sewerage system has been completed in full as approved.

REASON: To ensure that the development is adequately served by sewerage infrastructure.

Informative – Statutory gain plan

The development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.