

BRACKNELL FOREST BOROUGH COUNCIL

DELEGATED REPORT

APPLICATION NO: 25/00456/FUL OFFICER:

Margaret McEvit

DESCRIPTION: 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.

LOCATION: Floringham Lodge Old Bracknell Lane East Bracknell

Week No	36/2025	Registered	22.07.2025	Expiry	21.10.2025
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SITE VISIT NOTES (separate sheet attached? Y / N)	DATE UNDERTAKEN	
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See case officer summary

CONSULTATIONS & REPRESENTATIONS RECEIVED

<u>Consultee(s)</u>	<u>Reply Date</u>	<u>Consultee Comments</u>
Parish-Town Council	24.09.2025	Considered No Objection
Transport Development		Recommend refusal
Urban Design Officer		Comments awaited.
Tree Officer		Comments awaited.
Landscape Officer		Comments awaited.
Biodiversity Officer		No objection subject to conditions and S106 requirements.
Lead Local Flood Authority		No objection subject to conditions.
Waste and Recycling Officer		Comments awaited.
Implementation		S106 requirements.
Environmental Policy		Comments awaited.
Environmental Health and Safety		No objection subject to conditions.
Housing		Proposed affordable housing contributions.
Khrystyna McPeake		Comments awaited.
Transport Development		Comments awaited.

POLICIES:

CASE OFFICER'S SUMMARY:

SITE DESCRIPTION

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 being comprised of single dwellings or apartments. There are vehicular and pedestrian links from the site to Bracknell Rail Station and the Town Centre.

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.

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.

There are a number of immediate neighbouring properties, with the site bounded by residential dwellings on all sides except for western (rear) boundary.

THE PROPOSAL

The application proposes a part 3 storey, part 4 storey building to provide 46 one and two bedroom apartments to be offered as retirement accommodation for the over 60's. A communal lounge and a guest suite are shown at ground floor level. Access to the site is shown from the existing access from Old Bracknell Lane East with 38 car parking spaces provided at the front of the building together with cycle parking.

PLANNING POLICY

The following documents form the development plan for Bracknell Forest Council:
Bracknell Forest Local Plan (BFLP) (2024)
Site Allocations Local Plan (SALP) (2013)
Bracknell Town Neighbourhood Plan (2021)
Joint Minerals and Waste Plan to 2036 (2023)

The following Supplementary Planning Documents (SPDs) are also relevant to the proposed development: Design (2017)
Housing SPD (2025)
Parking Standards (2016)
Planning Obligations (2015)

Other publications relevant to the consideration of the proposed development are:
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Para. 47 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

PLANNING CONSIDERATIONS

Design and impact on amenity of neighbouring occupiers and future occupiers

BFLP policy LP 28 relates to design considerations in new development and seeks to ensure that developments achieve a high standard of design that positively contributes to placemaking. More detailed guidance is provided in the Design SPD (2017).

BFLP policy LP 28 also seeks to create attractive places by responding to and enhancing the distinctive character, heritage, amenity and/or appearance of the local area, or where appropriate, create character, identity and attractiveness.

BFLP policy LP 50 sets out "design principles" that applicants will need to consider. These include: (v) 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 views; and (vi) do not adversely affect the amenity of surrounding properties.

Policies HO7 and HO8 of the Bracknell Town Neighbourhood Plan require that development responds well to the local character and incorporates good quality design.

The site is located within the settlement of Bracknell a tier 1 settlement where policy LP 2 of the BFLP indicates that proposals for new development will be directed. Policy LP 40 of the BFLP states that proposals will be supported which include a mix of housing to meet the existing and future housing needs of different groups in the community, including specialist housing for older people.

The site is located within walking distance of local bus services and Bracknell rail station and is within close proximity to Bracknell town centre and local facilities.

The site will be accessed from Old Bracknell Lane East with the existing access widened to allow for 2-way traffic. Parking will be provided in front of the building with a pedestrian path provided to the entrance of the building. The building is designed with a three storey front element with access from the main reception to the mobility scooter store, manager's office and guest suite with a single storey residents' lounge connecting to a four storey building. Ground floor apartments are provided with a patio and a courtyard garden is provided in the central area between the wings of the building. A footpath runs along the northern edge of the buildings and connects to communal garden areas.

The buildings will be constructed of red brick and clay tiles with interest provided to the elevations through the use of brick bands, projecting brick balconies and variation in materials. Gables and double gables provide variety to the roof lines.

In general the design and appearance of the proposed building is considered to be appropriate. The building is designed to provide two villas with a central linking building to reduce the massing of the building and provide variety of height and roof lines. This also allows for reduced corridor lengths within the building and a less rigid internal layout. All apartments are within a reasonable walking distance of shared and communal facilities and sufficient garden areas and landscaping will be provided to serve the residents. The building is set back within the site so does not dominate the views from Old Bracknell Lane East.

The site has residential properties to the north and south, with apartments at Broome Court north of the site, apartments at Boxford Ridge and houses at Laurel Cottage, Bramshaw, Little Bramshaw and The Carriage

House south of the site. Side elevations of the proposed building show windows to serve bedrooms and stairwells at all levels.

Broome Court has no windows on the side elevation facing the site and no private garden areas. Trees within Broome Court are covered by TPO 768. The proposed building is shown to be positioned approximately 13m from Broome Court. Given the lack of windows on this elevation and intervening trees that will remain, this is considered to be acceptable to avoid overlooking of Broome Court and to avoid having an overbearing impact on Broome Court which is a 3 storey apartment building.

Along the southern boundary, some trees are shown to be removed which will open up the boundary. The Carriage House is located close to the boundary and approximately 12m from the southern elevation of the proposed building. Garden areas for The Carriage House and Laurel Cottage will also be within approximately 9m of the three storey element of the proposed building. Windows on this elevation above ground floor level are shown as being obscure glazed. This includes stairwell and bedroom windows. Although this reduces opportunities for overlooking of properties and garden areas south of the site, the proximity of a three storey building to properties and garden areas is considered to be overbearing.

Policy LP 50 of the BFLP requires applicants to take account of various detailed design matters including:

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

The 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."

Although bedroom windows in apartments 14 and 28 in the elevation facing The Carriage House and Laurel Cottage are now shown as obscure glazed to remove any opportunities for overlooking, the presence of a three storey building at such close proximity to single and two storey residential properties is considered to be overbearing on residents of these properties and users of gardens along this southern boundary to the detriment of their amenity.

The provision of obscure glazed windows in apartments 14 and 28 in order to remove opportunities to overlook adjacent properties and gardens is not considered to be a satisfactory solution that protects the amenities of future residents of these apartments. They are one bedroom apartments and the obscure glazed windows are inserted on the main long wall of the bedrooms where it would be expected that the room would have an appropriate outlook. The secondary window in each apartment is at a 90 degree angle to its kitchen reducing daylight to the only bedroom. Although not falling below appropriate daylight and sunlight assessment levels, this less than satisfactory solution indicates that the building is positioned too close to the southern boundary. Increasing the distance between the building and the boundary would prevent overlooking of adjacent properties and gardens and improve conditions for residents of units 14 and 28. The NPPF at para. 135 advises that development should:

- (f) 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 ; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The position of the proposed building in close proximity of the boundaries of The Carriage House and Laurel Cottage is considered to be harmful to the residential amenities of these properties, contrary to policy LP 50 of the BFLP and the Design SPD.

TRANSPORT IMPLICATIONS

Parking

The application has a significant shortfall against the Council's adopted standards. The proposed 46 retirement living units require 1 car parking space per unit (46 spaces) for residents plus 1 space per 5 units for visitors (9 spaces) = 55 spaces required, but only 38 spaces are proposed, 17 spaces (30.1%) below that required under the Parking Standards SPD 2016 for retirement housing which is defined in the adopted Car Parking Standards as independent living without a warden or support staff. From information in the submitted Planning Statement it is clear that the development is aimed at the active elderly and is distinguished from sheltered housing or care homes in the expectation of the care needs of residents.

"While the development is built around people in their later years this is not a development that offers care as you would find in Extra Care developments or Care Homes. Retirement Living creates safe and secure environments for homeowners to continue to live an active, independent life and caters for downsizers who are typically selling or vacating their former family home and moving to a smaller apartment. Homeowners are generally the more active elderly rather than those who are in need of care or have more significant issues around mobility."

Car parking standards distinguish between sheltered housing and retirement living recognising the likely car ownership levels for the types of elderly persons accommodation. The proposed development does not meet the adopted parking standard for retirement housing. Car parking standards can be applied flexibly where robust evidence demonstrates that this is appropriate. This does not mean that standards will be relaxed in every case nor will any case set a precedent for lower parking provision. The application includes surveys of retirement schemes outside Bracknell Forest to indicate the total parking spaces provided and the number of parked cars on site.

The 'McCarthy Stone... Report on Transport Characteristics' appended to the Transport Statement is very out of date and its findings are not accepted by Bracknell Forest Council, with the majority of surveys not undertaken in the past 5 years and surveys as old as 2013 included. The most recent survey (March 2021) is still over 4 years old, but nevertheless shows a higher rate of car ownership than the other surveys. The finding in 4.2.4 that "This might suggest that the traffic generation increases as the development matures...Whilst this is clearly a very limited sample, there does appear to be a trend." does not appear to have been applied to uplift the aged data in section 1.0. Taking an average of very old data (paragraph 1.4.2) is not considered an acceptable approach. Nor has any information about the different site's characteristics in terms of location and parking provision (including whether parking is charged for) been provided or whether there is on-street parking outside the development and whether this is utilised by residents.

No information about how visitor or staff parking is provided and many of the sites show that all spaces are occupied by residents (in the case of the oldest survey Henshaw Court there are more vehicles than spaces). The vehicle types survey in Section 2 does not match the locations surveyed in Section 1 so no useful comparison can be drawn, again the data in this section is old and therefore the comparison of vehicle widths in section 2.2 is unhelpful as vehicles have been getting progressively wider over time and the data is outdated. The Car Parking Demand in section 3.2 and Table 3.2.1 does not state which site was surveyed, what year the survey was undertaken, nor any characteristics of the location. The figures in this section also conflict with those in section 1.0 of the report in terms of peak demand per occupant. The surveys in section 4.0 appear to be newer and it is unclear why the earlier sections of the report haven't been updated to reflect these, the report seems to have picked-and-chosen different sites and surveys in different sections rather than

present an open and balanced analysis. The age profile of residents at the different sites hasn't been provided, nor whether higher or lower age restrictions change car ownership profiles.

TRICS data is presented in Appendix H but no attempt to compare this with the 'McCarthy Stone... Report on Transport Characteristics' appears to have been made. The site selection also includes a mix of "service vehicles included" and "service vehicles excluded" which makes the results unreliable. The site selection also includes sites in locations with "car ownership within 5 miles" of 0.5 or less, and a significant proportion of the sites in 0.6 to 1.0. Bracknell Forest is an area of very high car ownership with 86% of households owning one or more cars, compared to a national average of 74%. (Census, 2011).

The Highway Authority is of the opinion that a robust evidence base for reduced parking compared with the Council's parking standards has not been submitted nor has it been demonstrated that the 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.

Pedestrian Access

Paving is shown in the adopted highway verge of Old Bracknell Lane East.

Within the site the pedestrian footway is only 1.4m in a site where those with mobility issues are likely to be present. CIHT 'Planning for Walking' states "Footways of appropriate width and adequately maintained for the older user must be considered in design and maintenance regimes" and CIHT 'Designing for Walking' states

"Designers should be aware that, based on the established standard of providing sufficient width for wheelchairs/mobility scooters or double buggies to pass, pedestrians require an absolute minimum obstacle free width of 1.8m and a desirable minimum width of 2.0m".

Speed Survey and Visibility

The speed used for visibility calculations is based on an average 85th percentile over a week of ATC data. The way in which the 85th percentile has been calculated includes peak periods and the survey was not undertaken in a neutral month, contrary to CA185 - Vehicle Speed Measurement, which states, inter alia:

"2.7 Spot speed and journey speed measurements shall comprise a minimum of two individual speed measurement periods, undertaken on different days of the week, and at different times of the day.

2.8 On two-way roads, the individual speed measurement periods shall include separate measurements taken for both directions of traffic flow.

2.8.1 The minimum two individual speed measurement periods should be undertaken in different months and at least one month apart from each other, or in a neutral month if the former is not feasible.

2.8.2 Speed measurements should be undertaken outside of peak traffic flow periods.

NOTE 1 Non-peak periods are typically between 10am and noon and 2pm and 4pm. In some cases these times need to be varied to take account of site specific circumstance e.g. if a school is nearby that closes at 3pm.

NOTE 2 A neutral month is a month that is not impacted by seasonal variation in traffic flows. Typical neutral months are April, May, June, September and October."

The visibility splay to the left shown is shorter than required given the likely speeds on Old Bracknell Lane East and the presence of on street parking. A visibility splay y-distance to the left of 26m is shown but 27.5m is considered more appropriate.

The x-distance for the pedestrian crossing should be 1.5m not the 1.2m shown and the y-distance should be based on Traffic Signs Manual Chapter 6 Table 15-1 'Recommended visibility distances for pedestrian crossings'.

Swept Paths

The swept paths of a fire vehicle and waste vehicle in Appendix G of the Transport Statement collide with a tree at the side access and opposite the entrance to the building.

The proposals do not provide safe and suitable access for all users . This is contrary to BFLP policies LP 25 and LP 26.

DRAINAGE MATTERS

The site is in flood zone 1 with low risk of surface water flooding.

The submitted ground condition desk study identified a Historical monitoring well in northwestern corner of the site. This was measured to be 3.00m deep with 0.10m of groundwater at the base of it during the walkover on 27th June 2025.

Groundwater should be measured in the spring/winter seasons to inform the seasonal groundwater level of the site to conclude the groundwater risk to the site. This could be secured through a planning condition.

Sequential Test

A ground investigation report has been undertaken at the site in June 2025. Groundwater was encountered in some of the pits with the highest level circa 4m below ground level. The risk of groundwater emergence is low so a sequential test is not required.

Drainage Strategy

The site is situated directly on Bagshot Formation Bedrock where a traditional soakaway is unlikely to be applicable, given the presence of cohesive material at 1.5m to 2.0m, which prevents adequate BRE 365 testing. There is a history of soakaway testing in the rear of the property at a depth of 2m with no groundwater.

Infiltration SUDS will be required to allow infiltration to occur in the clayey SAND (base of the feature shall be within the clayey SAND stratum).

Foul Water

The proposed development's on-site foul drainage system will be connected to the existing foul sewer located at Old Bracknell Lane East. Evidence of pre-application consultation with Thames Water has not been submitted. This could be conditioned.

ENVIRONMENTAL HEALTH MATTERS

Contamination

The phase 1 assessment submitted with the application concluded that the risk of contamination presence on the site was low and therefore no further investigation or remediation will be required. However the applicant has since submitted a Phase 2 Ground Investigation which identified some areas of exceedance and makes the following comments and recommendation on page 15:

"Based upon the site observations and findings of the investigation, made ground is considered chemically and/or physically unsuitable to remain beneath areas of soft landscaping, provision of a suitable thickness of capping soils may be required. The cover thickness is anticipated to be up to 300mm in common areas of soft landscaping.

Should site won topsoil be intended for reuse, careful management of stripping and reuse will be required. Soil concentrations within the reworked topsoil have been found to exceed the adopted criteria for arsenic and beryllium and are currently not considered suitable for re-use at shallow depth due to the potential risk to human health. However, soil concentrations within topsoil that wasn't found to have been reworked were found below levels of concern. Further testing and assessment of the existing reworked topsoil onsite via bioaccessibility of the soils could be undertaken to derive Site Specific Assessment Criteria (SSAC) through a Detailed Quantitative Risk Assessment (DQRA). Based on previous experience derivation of SSAC may be able to demonstrate that the existing reworked topsoil does not pose an unacceptable risk to end users with respect to human health and the reworked topsoil onsite could be retained for use within the soft standing areas. However, this is not guaranteed and should be reviewed upon completion of additional testing/assessment. Alternatively, provision of a site-wide clean capping layer should be planned to break the contaminant pathway in areas of soft landscaping.

A Remediation Strategy should be produced to detail the final requirements as necessary once the development layout and landscaping plans are finalised"

Contamination conditions would be required in any planning permission to ensure the site is developed in a way which is suitable for the proposed use.

Noise

A Noise Assessment has been submitted with the application to assess the building noise exposure and to determine the noise mitigation requirements. The site is exposed to traffic noise due to the A322.

The noise assessment report does not go into detail about how noise impacts have been minimised through the design and there are noise sensitive rooms located onto the noise exposed façade. However the development is positioned within the site as far away from A322 as practicable given constraints of adjacent properties. The noise mitigation recommendations relate glazing specifications (2 types specified depending on façade) with mechanical ventilation with heat recovery to overcome the need to open windows for ventilation, as noise exposure through open windows on the worst exposed units will result in internal noise levels in excess of recommended limits. Noise levels through closed windows with ventilation will be acceptable at all locations. Windows will be capable of being opened, but alternative mechanical ventilation will allow windows to be closed to protect from external noise.

The external amenity space is well situated within the site where it benefits from acoustic barrier effect of the building to prevent exposure to excessive noise.

A condition will be required on any planning permission for noise mitigation measures to be installed prior to occupation.

Air quality impact

An Air Quality assessment has been submitted which shows that Air Quality impacts on and of the development when operational is negligible / not significant and the Air Quality impact of the site development is medium risk, but with appropriate migration measures they can be reduced to not significant. The proposed mitigation measures are expected to be incorporated into a CEMP and implemented by the construction contractors.

External lighting

The light assessment drawing shows that light spill will not impact neighbouring dwellings.

BIODIVERSITY MATTERS

Ecological assessment

An Ecological Impact Assessment has been undertaken which is appropriate for the scale and impact of the development proposals.

The existing building has been surveyed for roosting bats and no roosts have been identified. No potential roost features were identified in trees to be removed. Therefore there is no requirement for further survey, licensing or mitigation regarding roosting bats.

A number of precautionary measures have been recommended to avoid ecological impacts during construction. Adherence to the measures in Section 5.1 of the Ecological Impact Assessment should be secured by condition in any planning permission.

Conditions would also be required to provide biodiversity enhancements and an inspection report. This is in line with BFLP Policy LP 53:

"2. Development proposals will be expected to: ... iii. where possible, create new ecological features and incorporate provisions to maximise opportunities for biodiversity" and the National Planning Policy Framework (NPPF) "Planning policies and decisions should contribute to and enhance the natural and local environment by:... minimising impacts on and providing net gains for biodiversity, including by ... incorporating features which support priority or threatened species such as swifts, bats and hedgehogs". Guidance is available on the Council website: Biodiversity enhancements for developments | Bracknell Forest Council.

Lighting

A lighting plan has been provided. This shows that the lighting has been designed to avoid lighting to the back of the site where there is an existing line of trees and some proposed habitat enhancements. This is welcomed in minimising the impact of lighting on nocturnal wildlife.

Biodiversity Net Gain

This application is subject to the statutory framework for biodiversity net gain. The Ecological Impact Assessment and Statutory Biodiversity Metric (dated 25 June 2025) provide details of baseline habitats and proposals for the site, which is welcomed.

Habitat creation and enhancement is proposed on-site including tree, hedgerow and ornamental planting and creation of areas of wildflower grassland. The delivery and monitoring of on-site habitat creation and enhancement will need to be secured by condition and obligation. A monitoring fee will be required by obligation.

The on-site proposals achieve a gain of over 10% in hedgerow units. There is an overall loss in area habitat units. Suitable registered off-site units or statutory credits to address the shortfall will need to be secured by the applicant before the gain plan condition can be discharged. Statutory credits should be a last resort unless fewer than 0.25 units are required (see guidance Statutory biodiversity credits - GOV.UK).

If this planning application were to be approved, the statutory Biodiversity Gain Plan condition will apply. The condition is that 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.

The following would also be required by condition: o
Habitat Management and Monitoring Plan

- o Completion report (for initial habitat creation and enhancement)

The following will be required by obligation:

- o Management in accordance with HMMP
- o Submission of monitoring reports as set out in HMMP
- o Monitoring fee (site less than 1ha)

Green infrastructure

The metric indicates an overall loss of habitats (as measured by biodiversity units) on-site. This is likely to result in a loss of green infrastructure in the Borough which will require contributions to secure 1.17 habitat units. As an alternative the applicant could provide the equivalent provision elsewhere in the Borough such as buying other land and maintain it in perpetuity under a guaranteed maintenance regime.

S106 MATTERS

Community facilities

In accordance with paragraph 5.5.5 of the Bracknell Forest Council Planning Obligations SPD, Bracknell Forest Local Plan (2024) Policy LP24 (Infrastructure), Policy LP44 (Protection of community facilities and services), NPPF (2023) para 34, and Planning Practice Guidance (paragraph 35) lists community facilities as infrastructure a financial contribution will be required towards improvement of the facilities capable of serving the site. This is likely to be £1,000 per dwelling (£46,000) towards community centres/hubs, arts and cultural facilities, libraries and or youth facilities capable of serving the site.

Mandatory Biodiversity Net Gain (BNG) and Green Infrastructure Loss

The Statutory Metric provided shows 7.60 habitat units and 0.88 hedgerow units to be provided on-site. In addition to conditions there must be planning s106 obligations to ensure the onsite provision is maintained for a minimum 30 years and a monitoring fee of £3,600.

However, the application shows a deficit which to get to the minimum 10% increase the relevant amount of habitats units must be purchased for an off-site habitat bank. Given there are no habitat banks in the Borough the development shows a deficit of biodiversity green infrastructure so there is a local plan policy objection unless mitigation within the borough can be secured.

Open Space of Public Value (OSPV)

The standard for OSPV is 4.3 hectares per 1000 dwellings. Depending on the area of the site for example if under 1 hectare then a financial contribution towards off-site OSPV projects will be required. This site does provide an element of Passive OSPV on site but the residents will require access to Active OSPV in addition. Therefore, a contribution of £1,500 per dwelling is required towards offsite Active OSPV projects capable of serving the site (£69,000).

Sustainable Drainage (SuDS)

A drainage monitoring fee of £8,000 may be necessary. S106 Monitoring fee would be required

THAMES BASIN HEATHS SPA

SPA Avoidance and Mitigation Measures

In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) Bracknell Forest Council (BFC) has carried out a Habitats Regulations Assessment of the proposed development.

The following potential adverse effects on habitats sites were screened out of further assessment:

- Loss of functionally linked land (TBH SPA)
- Air pollution from an increase in traffic (TBH SPA, Windsor Forest and Great Park)
- Special Area of Conservation (SAC), Thursley, Ash, Pirbright and Chobham SAC and Chilterns Beechwoods SAC)

Recreational pressure on the TBH SPA was screened in for Appropriate Assessment.

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.

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.

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)

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.

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.

The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until BFC 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 South-East Plan saved Policy NRM6, Policies LP 31 and LP 32 of the Bracknell Forest Local Plan and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2025) and the National Planning Policy Framework.

1. The Conservation of Habitats and Species Regulations (2017) (as amended)

In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) Regulation 63 a competent authority (in this case Bracknell Forest Council - BFC), before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

- a. is likely to have a significant effect on habitats sites (either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

A person applying for any such consent, permission or other authorisation must provide such information as BFC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

BFC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public. BFC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of habitats sites.

NE has issued standing advice to confirm that it has no comments to make on Appropriate Assessments which are carried out by Bracknell Forest Council for planning applications which conclude no adverse effects on the integrity of habitats sites due to measures being secured through legal agreement and put in place in line with those set out in line with agreed policies, guidance and evidence. See <https://www.bracknellforest.gov.uk/planning-and-building-control/planning/planning-policy/supplementary-planningdocuments/thames-basin-heaths-spa-supplementary-planning-document>

2. Pre-Submission Bracknell Forest Local Plan HRA (March 2021)

This assessment is consistent with the Pre-Submission Bracknell Forest Local Plan HRA (March 2021) which has been agreed with Natural England and can be found on the Council's website at <https://www.bracknellforest.gov.uk/sites/default/files/2021-08/natural-england-standing-advice.pdf> (document ref. LP/Env/8e).

3. Habitats Sites Considered

The habitats sites considered within this assessment are as follows:

- o Thames Basin Heaths Special Protection Area (TBH SPA) o Windsor Forest and Great Park Special Area of Conservation (SAC) o Thursley, Ash, Pirbright and Chobham SAC (which sits largely within the TBH SPA) o Chilterns Beechwoods SAC

4. Screening for Likely Significant Effects

This proposal is a 'plan or project' which is not directly connected with or necessary to the management of a habitats site and lies within the 400m - 5km Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone. The potential adverse effects on habitats sites are listed as follows:

- o Loss of functionally linked land (TBH SPA) o Recreational pressure from a net increase in dwellings located between 400m to 5km from the TBH SPA. o Air pollution from an increase in traffic (TBH SPA, Windsor Forest and Great Park Special Area of Conservation (SAC), Thursley, Ash, Pirbright and Chobham SAC and Chilterns Beechwoods SAC)

The proposal does not provide nesting habitat for the bird species for which the TBH SPA is designated. Likely significant effects on habitats sites arising from this proposal in relation to loss of functionally linked land, in combination with other plans and projects, can be excluded and no further assessment is required.

The Pre-Submission Bracknell Forest Local Plan Air Quality Assessment (March 2021) has demonstrated that there will be no adverse effect on the integrity of habitats sites (either alone or in-combination) due to changes in air quality and Natural England do not require further assessment of this proposal. See <https://www.bracknell-forest.gov.uk/planning-and-building-control/planning/planning-policy/developmentplan/emerging-bracknell-forest-local-plan/evidence-base> (document ref. LP/Env/8f).

Given that, unmitigated, there is potential for this proposal to lead to increased recreational pressure on the TBH SPA, likely significant effects cannot be excluded and this proposal has therefore been screened in for Appropriate Assessment.

5. Appropriate Assessment

Based on the information provided by the applicant, BFC must decide whether or not an adverse effect on site integrity (alone or in combination with other plans or projects) can be ruled out. Mitigation may be able to be provided so that the proposal is altered to avoid or reduce impacts.

The following policies and guidance set out the Councils approach to relevant avoidance and mitigation measures which have been agreed with NE. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project.

a. Policies and Guidance

For this proposal the following guidance and policies apply:

- o South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area) <https://www.bracknell-forest.gov.uk/planning-and-building-control/planning/planning-policy/developmentplan/south-east-plan>
- o Bracknell Forest Local Plan (March 2024) Policy LP31 and 32 designates and sets out the approach the Council will take in order to protect habitat sites including necessary mitigation About the Bracknell Forest Local Plan | Bracknell Forest Council (bracknell-forest.gov.uk) (Scroll to PDF of new plan)
- o Thames Basin Heaths Special Protection Area Supplementary Planning Document (April 2025) Thames Basin Heaths Special Protection Area Supplementary Planning Document
- o Thames Basin Heaths SPA Delivery Framework (2009) <https://www.bracknellforest.gov.uk/sites/default/files/2021-08/thames-basin-heaths-spa-delivery-framework.pdf>

The project as proposed would not adversely impact on the integrity of the SPA and SAC if avoidance and mitigation measures are provided as stipulated by these policies and guidance.

b. SPA Avoidance and Mitigation Measures

- i) The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.

In accordance with the development plan, the proposed development will be required to provide alternative land to attract new residents away from the TBH SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest). The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. The Council will carry out these works as part of its on-going SANG enhancement programme. The remaining SANG contributions (for example, to fund in-perpetuity maintenance) will be taken through Section 106 Agreement contributions.

The development will result in a net increase of 46 dwellings. Depending on the dwelling mix, the level of SANG payments are set out as follows:

Market Housing No. of bedrooms	SANG
Contribution	Aggregate SANG
Contribution	
1 bedroom	£4,739 Number of dwellings X £4,739
2 bedrooms	£5,637 Number of dwellings X £5,637
3 bedrooms	£6,712 Number of dwellings X £6,712

4 bedrooms £7,522 Number of dwellings X £7,522 5+ bedrooms £8,774 Number of dwellings X £8,774
Affordable Housing No. of bedrooms SANG
Contribution Aggregate SANG
Contribution
1 bedroom £2,114 Number of dwellings X £2,114 2 bedrooms £2,637 Number of dwellings X £2,637
3 bedrooms £3,337 Number of dwellings X £3,337
4 bedrooms £3,772 Number of dwellings X £3,772 5+ bedrooms £4,649 Number of dwellings X £4,649
Market and Affordable Housing Contribution Aggregate total of the above

An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with the development plan.

ii. Strategic Access Management and Monitoring (SAMM) Contribution

The proposed development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

The level of contributions is calculated on a per bedroom basis with updated inflationary costs as on the Council's website. See Strategic access management and monitoring tariffs from 1 April 2024 (bracknellforest.gov.uk) for the latest information. The application for this development is for 46 dwellings.

No. of bedrooms SAMM
Contribution Aggregate SAMM
Contribution
1 bedroom £578 Number of dwellings X £578 2 bedrooms £763 Number of dwellings X £763
3 bedrooms £1,031 Number of dwellings X £1,031
4 bedrooms £1,176 Number of dwellings X £1,176 5+ bedrooms £1,527 Number of dwellings X £1,527
Total SAMM Contribution Aggregate of above
CIL will be applied separately. A monitoring fee of £480 is also required.

Prior to the permission being granted the applicant must enter into a Section 106 Agreement based upon the above measures. The Council as competent authority is legally bound to ensure that subject to completion of the s106 Agreement and subsequent payment of the contributions, to ensure the necessary mitigation is provided in accordance with its strategy (policy, guidance and regulations) to ensure there is no harm caused by this development upon the integrity of the designation.

6. Conclusion

An Appropriate Assessment has been carried out for this proposed development in accordance with Conservation of Habitats and Species 2017 (as amended). Without any appropriate avoidance and mitigation measures the Appropriate Assessment will conclude that the development is likely to have a significant effect upon the integrity of the TBH SPA with the result that BFC would be required to refuse a planning application.

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

The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Regulation 63(5) of the Conservation of Habitats and Species 2017 (as amended) permission may be granted.

If the applicant does not agree with the above mitigation and enter into a Section 106 Agreement to secure the measures, then the application must be refused.

AFFORDABLE HOUSING

Policy LP 16 of the BFLP states that planning permission will only be granted for residential development on sites of 10 dwellings or more (gross) or with an area of 0.5 ha or including specialist housing for older people where the site is delivering a gain of 10 or more (gross) self-contained units (C3 and C2) where 35% of new homes will be affordable. The tenure, mix and type of affordable homes to be delivered will be informed by the Council's most up to date evidence of identified needs. In stand-alone schemes for specialist accommodation for older persons(C2 or C3), any departure from the full requirement must be evidenced by a site-specific viability assessment.

A Viability Report was submitted with the application which concluded that

"The Residual Land Value for the proposed scheme is £934,079. When compared against the BLV of £1,540,000 the scheme produces a deficit of (£605,921).

Our Financial Viability Assessment and review of the proposed retirement living development leads us to conclude there is no financial headroom available for planning obligations, after accounting for the anticipated gross sales receipts and all reasonable aspects of the outlay necessary."

Para. 6.188 of the BFLP states that:

"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."

The Viability Report was independently assessed by D J C Housing Consultants Ltd. This assessment concluded that:

"This results in a residual land value of £1,483,636. This is clearly above the benchmark land value of £1,320,000 and results in a surplus of £163,636.

Should the Council be minded to grant planning permission for this scheme it is our opinion that the applicant should be required to provide an off-site affordable housing contribution of £163,636 as well as the other S106 payments outlined in paragraph 9 of this report."

A rebuttal report was prepared by Alder King, dated 26th November 2025, on behalf of the applicant which seeks to address the key areas of variance between the respective appraisals. Agreement was reached on all areas of difference other than the level of developer profit. The proposed S106 contributions were also updated. The applicant have included a developer profit of 20% but this is disputed and 18.75% considered to be reasonable for the following reasons:

- Retirement housing is a specialist development for older persons, usually retirees. The fact that retirement housing is specialist in the field does not automatically entitle developers to additional profit.
- Due to retirement housing being developed for a specific need there are specialist developers (such as the Applicant) that can understand and mitigate any risks associated with development of this nature through their extensive track record and experience. Furthermore, there are a number of other specialist developers of a

similar nature operating in the market who could deliver this development. This type of development is what McCarthy Stone does "day in and day out"

- Older people are typically owner occupiers with access to significant amounts of equity to fund the purchase of properties and are not subject to the fluctuating supply and cost of mortgages unlike people in younger age groups.

-With regard to the comment from Alder King that "Retirement living housing must be fully completed and operationally ready before sales commences as older people are less likely to buy 'off plan' without seeing for example the benefit of the communal facilities" We would comment that this would also apply to a general needs apartment block and would also note that an allowance is made in the appraisal for "empty property costs" which helps mitigate the risk.

The Bracknell Forest Local Plan, Viability Testing Report (November 2021) carried out by BPS says the following regarding profit levels:

"In order to provide a robust test to the proposed affordable housing policy target we have adopted a maximum profit of 20% of private sales GDV with a 6% margin on affordable housing GDV.

We would however anticipate that in the majority of instances estate development on large Greenfield sites would require no more than a 15% to 17.5% (GDV) return as such we consider our profit assumptions to include a considerable measure of contingency to avoid testing the plan targets at the margins of viability. For the commercial elements (including care homes) we have adopted a 15% profit on GDV to reflect the reduced risk profile. For the C2 Extra Care we have adopted 18% profit on GDV. "

In their rebuttal report D J C Housing concluded on this matter:

"Our assessment of profit is based upon the perceived risks associated with the proposed development. In reaching a conclusion on the profit level, we have taken into account the price point of the units included in the scheme.

We have re-considered the demand level for the units at the value assumed, taking into account Alder King's comments.

We consider a profit level of 18.75% of GDV (half way between 17.5% and 20% to be reasonable in the current market for the private residential units.

It should also be noted that we would normally adopt a profit level of 17.5% for the open market units and 6% for the affordable units, which would result in a merged profit level of below 17.5%.

Given that our initial appraisal is for a 100% open-market scheme with an off-site affordable housing payment and no affordable units on site, this results in a higher overall profit as there are now more open market units on the site than there would have been if the affordable housing requirement was delivered on site.

With no affordable housing requirement on site, the scheme becomes easier to market and is, potentially, easier to operate and more attractive to potential buyers. It is our opinion, therefore, that an overall profit level of 18.75% is a fair and reasonable assumption for this particular scheme."

The differences in appraisal inputs were:-

1. Standard Construction Costs - Reduced by c. £161,000.
2. Contingency Allowances - Reduced from 5% to 3%.
3. Professional Fees - Reduced from 10% to 8%.
4. Section 106 Contributions - Increased by c. £330,000.
5. Developer Profit - Reduction from 20% of GDV to 18.75% of GDV.
6. Benchmark Land Value - Reduced by c. £220,000.

As a result of the consideration by D J C Housing on behalf of BFC, an appraisal based on the above assumptions with no affordable housing included results in a residual land value of £1,377,989. This is above the benchmark land value of £1,320,000 and results in a surplus of £57,989.

Should the Council be minded to grant planning permission for this scheme the applicant should be required to provide an off-site affordable housing contribution of £57,989 as well as the other S106 payments of £258,008. A s106 claw back provision including monitoring and administration fees would also be required.

In the absence of contributions towards affordable housing the application is contrary to policy LP 16 of the BFLP and the Housing SPD.

TREES AND LANDSCAPING

The site includes mature trees on all boundaries. Trees within the site are not covered by tree preservation orders but trees on the northern boundary within Broome Court are covered by TPO 768. Widening of the access will require the removal of undergrowth but frontage trees will be retained to maintain the landscaped setting of the site. Within the site some trees will be removed both within and along boundaries but it is considered that compensation tree planting as indicated on the submitted landscape plan is acceptable to maintain the landscaped character of the site. Trees are shown to be removed on the southern boundary between the proposed building and the Carriage House and Laurel Cottage and this will contribute towards the overbearing impact of the building on these properties and their gardens.

ACCESSIBLE AND ADAPTABLE UNITS

Policy LP 38 of the BFLP states that housing proposals will be expected to meet high standards of accessibility and that all new build dwellings will, as a minimum, be required to be constructed in accordance with the requirements of Part M4 Category 2 - Accessible and adaptable dwellings of the Building Regulations 2010 (Approved Document 'M' - Access to and use of Buildings - dwellings 2015) (As Amended) or any subsequent updates.

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 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 PartM4(3)(2)(a) standard for wheelchair adaptable dwellings.

In terms building regulation accessibility requirements the development will provide four M4(3) units. This does not meet the requirements of policy LP 38 of the BFLP. In the submitted Planning Statement it is acknowledged that this falls short of the policy requirement but it is stated that such units require reinforcement to the walls for possible lifting hoists as well as increased space for wheelchair turning and storage, which in many cases is not required. To fit out units to this degree would have a financial impact which would make the scheme unviable. Given that the application proposes housing for the over 60's it is not considered acceptable to fall below the requirements of policy LP 38.

SUSTAINABLE CONSTRUCTION

Policy LP 27 of the BFLP underlines a proactive approach to mitigating risks and maximising measures to adapt to climate change. PolicyLP28 considers measures to minimise climate change in the design principles.

Policy LP 55 of the BFLP requires all development proposals to meet climate change objectives and achieve a high standard of environmental sustainability. The policy requires that all new dwellings shall meet the water efficiency standard of 110 litres/person/day.

Bracknell Town Neighbourhood Plan policy HO6 further encourages best practice in energy efficiency and generation, the use of sustainable materials and the design of recycling facilities.

The application is accompanied by an Energy Statement which confirms that the scheme currently proposes to utilise a good thermal envelope to minimise heat loss, as well as efficient heating and lighting systems.

The total carbon emissions of the whole building confirm an approximate 47.85% improvement over Building Regulations Part L 2022 requirements. Water efficiency levels of total 108.8 litres will be met. Electric vehicle charging points will also be provided, as detailed below.

Given the above, it is considered that the proposals in respect of energy and sustainability, accord with national and local planning policy to meet climate change requirements.

CONCLUSIONS AND PLANNING BALANCE

The application proposes 46 one and two bedroom apartments aimed at the retirement housing market with a communal lounge, guest suite, manager's office and communal garden areas. The proposed building is three and four storeys in height and designed of traditional red brick and clay roof tiles with gables and double gables to reduce the bulk of the building and roof lines. Balconies are provided to the apartments and the introduction of deep set windows to some elevations adds variety to the design of the building. The overall height of the building is considered to be acceptable but it is considered that the proximity of the building to the Carriage House and Laurel Cottage south of the site results in an overbearing impact on the properties and their gardens.

Due to the proximity of the building to these properties, bedroom windows in apartments 14 and 28 are obscure glazed to remove the likelihood of overlooking from these apartments. This is considered to be indicative of the overdevelopment of the site in the need to provide a less than acceptable living environment to residents of these apartments. A reduction in the size of the building to create greater distance between the proposed building and adjacent properties would be a more appropriate solution.

Adopted car parking standards distinguish between general housing, retirement housing and sheltered accommodation to reflect the likely change in car ownership related to age and care needs. This application proposes retirement housing for the active elderly with no care needs. The retirement housing car parking standards are therefore the most appropriate to use. The application requires 55 parking spaces to meet the parking standard for retirement housing. The application proposes 38 parking spaces. Parking standards can be applied flexibly where robust evidence demonstrates that this is appropriate. However, the surveys submitted with the application are not considered to be up to date and to reflect similar locations to this application.

Within the site pedestrian access is considered to be too narrow to safely accommodate users, including the potential for wheelchair users. Visibility splays at the site access are inadequate for the speed and conditions of the local roads.

A Viability Assessment has been submitted with the application and this has been independently reviewed. The conclusion of the independent assessment is that the site could generate a surplus of £57,989 towards affordable housing. This would be secured through a S106 agreement which would also include claw-back provisions.

The application does not meet the requirements of Policy LP 38 of the BFLP which for specialist housing for the elderly that 100% of all self-contained units will meet the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings. Instead the application would provide four M4(3) units.

The on-site proposals achieve a gain of over 10% in hedgerow units but there is an overall loss in area habitat units. Suitable registered off-site units or statutory credits to address the shortfall will need to be secured by the applicant before the gain plan condition can be discharged. There will be an overall loss of habitats onsite. This is likely to result in a loss of green infrastructure in the Borough which will require contributions to secure 1.17 habitat units.

The site would provide much needed housing, in particular housing for the elderly population which is a benefit. However, affordable housing would not be provided on site although a contribution could be secured through a s106 contribution,

The site is close to Bracknell town centre and is located within a settlement area where residential development is acceptable in principle.

The application accords with national and local planning policy in regard to meeting climate change requirements.

Overall, it is considered that the application would result in inadequate levels of car parking likely to result in harm to highway safety, does not provide safe and suitable access to all users of the site and would result in loss of amenities as a result of the overbearing nature of the proposed development on adjacent properties. The inclusion of obscure glazed window in two apartments included to prevent overlooking of adjacent properties does not provide a satisfactory living environment to residents of these apartments. In addition, the application fails to secure adequate affordable housing or accessible units necessary to serve less mobile residents. These are considered to outweigh the benefits of the proposed development.

No material considerations exist that indicate there should be a departure from the development plan and accordingly, the application is recommended for refusal.

CASE OFFICER'S CONCLUSION:

RECOMMENDATION:

Recommendation: **REFUSE for the following reason(s):** Date of Recommendation:

This report should be read in conjunction with the Draft Decision Notice

Note: Under the BFBC's scheme of delegation this application has been considered in accordance with the Human Rights Act 1998.							
Decision Notice to?	Parish Council		Compliance		LAO	Other	Specify
Notes for WP Administrator:-						Date Legal Agreement Signed	
PI App Monitoring Check List		Yes / No	Temporary Register		Yes / No	Telecom Register	Yes / No

CHECKED – Case Officer	DATE	Team Leader/Section Head <i>B. Polnik</i>	DECISION DATE 26.02.2026
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