

Date Published: 20 March 2014



PLANNING COMMITTEE

22 AUGUST 2013

SUPPLEMENTARY PAPERS

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

The following papers have been added to the agenda for the above meeting.

These were not available for publication with the rest of the agenda.

Alison Sanders
Director of Corporate Services

Supplementary Report

Page No

PLANNING APPLICATIONS

(Head of Development Management)

**The conditions for public speaking have been met in the applications marked 'PS'.
For further information or to register for public speaking, please contact Customer
Services 01344 352000.**

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**BRACKNELL FOREST BOROUGH COUNCIL
PLANNING COMMITTEE
22nd August 2013
SUPPLEMENTARY REPORT**

Correspondence received and matters arising following preparation of the agenda.

**Item No: 5
13/00083/FUL
Dunmore Level Road Winkfield Windsor Berkshire SL4 2EU**

ISSUE DATE: 20.8.2013

Planning application 13/00501/FUL for the formation of vehicular access on to Level Road for proposed garage (constructed under PD rights) has been approved.

Amendment to recommendation:

Condition 15 should read:

15. The garage shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]

Additional informative:

As the Lead Local Flood Authority (LLFA), the Drainage Officer for Bracknell Forest Council (BFC) must be consulted in respect of any proposal to alter a water course or ditch. As LLFA, BFC would prefer to see a water course or ditch left as a well maintained open channel rather than a piped system as an open channel provides more storage capacity for storm water and will allow land either side to flood in times of heavy rainfall.

**Item No: 6
13/00293/FUL
The Licensed Victuallers School London Road Ascot Berkshire SL5 8DR**

ISSUE DATE: 20.8.2013

Amendment to Officer report:

Second paragraph of Environmental Health Section on page 29 of the agenda should read:

Conditions to restrict the hours of illumination and use are proposed to achieve the following which is considered to be acceptable by the Environmental Health Team:

- Restriction on floodlighting Monday- Friday 8am - 8.30pm
 - Saturday restriction on use 9am - 5pm
 - Sunday and Bank holidays- no use other than by school pupils and no floodlighting
-

Item No: 8

13/00317/FUL

Woodside Woodside Road Winkfield Windsor Berkshire SL4 2DP

ISSUE DATE: 22 August 2013

Correspondence received

The applicant's agent has submitted a letter commenting on the officer's report - the letter is appended in its entirety to this supplementary report. Officers have the following comments to make on the content of this letter, which includes clarifications on the assessments contained within the main report. This report uses the same numbering and bullet points as the letter for ease of reference:

1. Section 5 (i) Proposal

- For clarification, the red line of the application site is not limited to the dwelling and residential curtilage of Woodside - it also includes the existing access road serving Orchard Bungalow. The red line also includes the non-residential buildings known as 'The Laundry' and 'Tractor Shed'. Orchard Bungalow itself and the non-residential buildings known as 'Estate Office' and 'Stables' (two buildings) lie outside the red line but inside the blue line as they are also owned by the applicant. The following buildings are proposed for demolition:

a) Within the red line - existing dwelling and garage; buildings adjacent to Orchard Bungalow known as 'The Laundry' and 'Tractor Shed'

b) Within the blue line - buildings adjacent to Orchard Bungalow known as 'Estate Office' and 'Stables' (two buildings)

2. Section 5 (ii) Site

- The additional description of the non-residential buildings provided by the applicant can be read alongside the description contained in the officer's report for completeness.

3. Section 5 (iii) (1) Policy Context

- Policy CS2 is relevant to this proposal. Whilst this Policy primarily relates to land that is to be allocated for development by the Council, the text of the Policy states 'Development will be permitted within defined settlements and Allocated Sites.' As the application site is not within a defined settlement and is not within an allocated site, development on this site is contrary to Policy CS2 as stated in the main report.

- Paragraph 4.22 of Policy GB1 has not been taken out of context, as a replacement dwelling is listed as one of the possible types of new buildings which the Policy applies to. The applicant's representations elsewhere in the letter regarding the guideline within Policy GB1 that increases under 40% are usually acceptable is not relevant to this application as this applies in relation to extensions and alterations to existing dwellings only and this application is for a replacement dwelling. No indicative percentage increases are set out for what is deemed to be 'materially larger' in the case of replacement dwellings.

- It is accepted that the NPPF reference to 'original dwelling' is in relation to extensions or alteration to existing buildings and not to replacement buildings - this is an error in the main report. In relation to replacement dwellings, the NPPF says at paragraph 89 bullet point four 'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces'. As such, references in the main report to the size of the house in 1948 should be disregarded and the point for comparison is the dwelling as it currently stands on site, namely the house including the converted garage extension and two-storey extension (548sqm) but excluding the detached garage (28sqm) - measurements taken from submitted drawing 002 'Existing Plans'.

4. Section 5 (iii) (1) Assessment of Proposal

- As stated above, it is accepted that a comparison of the proposed house and the existing house as it stood in 1948 is not the correct test to be applied for replacement dwellings.

- The proposed dwelling should be compared to the house as it currently exists. However the detached garage and various other buildings around the site should not be included as part of the existing dwelling. The applicant has not provided any evidence of the 'case law' referred to in the letter and officers draw Members attention to paragraph 4.36 of Policy GB1 which states that 'Ancillary buildings will not normally be taken into account when considering one for one replacement'. Even if the garage was to be included, based on the calculations given on the submitted drawing 002, the total floor area would be 576sqm (548sqm plus 28sqm) and not 588.51sqm as stated in the applicant's letter. Officers do not have access to CAD for checking drawings and instead rely on measuring hard copy plans submitted by applicants, hence the estimate of 786sqm approximated by officers for the proposed dwelling (as this drawing is not labelled with floor space calculations). If the applicant's figure of 715.7sqm is used (which has not been verified), compared to the existing measurement of 548 sqm, the replacement dwelling would be approximately 30% larger than the existing dwelling rather than the 43% stated in the main report. However officers do not consider that this alternative calculation changes the recommendation. Whether or not a replacement dwelling would be materially larger is not simply a mathematical exercise based on floor space and Members should refer to the complete assessment within the main report that led officers to conclude that the replacement dwelling would be materially larger than the existing dwelling (form, scale, bulk, massing, height etc).

- Officers acknowledge that there is a fall back position of an extant planning permission for a further extension to the existing dwelling and that it is possible that the applicant could implement this if planning permission for a replacement dwelling is not secured. However the floor area of this extension cannot be included in the calculations of the existing dwelling as it has not been built. Officers consider that the weight to be given to the fall back position should be limited in deciding whether or not to permit the current application, as an extension to the existing dwelling is considered to have a lesser impact on the openness of the Green Belt than a replacement dwelling of equivalent size in the location now proposed, given the difference in siting, form, scale, bulk, massing, height etc.

- Whilst the starting point for a replacement dwelling is not the dwelling as it stood in 1948, this is the test set out in the NPPF in respect of extensions to existing dwellings. If the extant planning permission for an extension were to lapse without being implemented, officers remain of the opinion that such an extension may not receive planning permission again in the future, given that the dwelling as it stood in 1948 has already been significantly extended.

- Officers also acknowledge the fall back position of an existing Lawful Development Certificate for a garage in approximately the same position as the proposed replacement dwelling but officers do not consider that this would justify the harm that would be caused by the proposed replacement dwelling.

- To clarify, Members should not disregard the fall-back position regarding the extension and garage but should consider the weight to be given to this.

- The supporting Planning Statement submitted by the applicant refers to the demolition of the non-residential buildings as off-setting the proposed garage, and then goes on to compare the existing house with garage versus the proposed house without garage on this basis, hence the comments in the main report that the applicant considers these demolitions to offset the increased volume of the house. However the calculations set out above, which estimate a 30% increase, do not include the garages or non-residential buildings at all.

- In relation to the impact of demolition of the non-residential buildings, the assessment presented by officers in the main report is not based only on whether or not the current use of these buildings is lawful or compatible with the location. Whilst the demolition of these buildings would have a de facto positive impact on the openness of the Green Belt by reducing the built form, officers consider that the demolition of these buildings would not

reduce existing harm to the Green Belt sufficiently to outweigh the harm that would be caused by the proposed new dwelling.

- Whilst the applicant asserts that the non-residential buildings and uses are lawful, in the absence of a Lawful Development Certificate this has not been conclusively proven.

- Officers reiterate that whilst the applicant has stated that all commercial uses at the Orchard Bungalow access would cease if planning permission were to be granted, no mechanism to secure this has been put forward by the applicant. As no proposals have been put forward, no assessment of any alternatives has been possible. If Members were minded to accept the applicant's case, officers advise that planning permission should not be granted without a planning obligation secured by s106 agreement to ensure the cessation of commercial traffic on the Orchard Bungalow access.

- Policy H11 is not relevant to this proposal as no loss of existing housing stock is proposed by this application. Whilst the cessation of non-residential uses around Orchard Bungalow would improve residential amenity of this dwelling, officers do not consider that Orchard Bungalow is uninhabitable at this time and do not consider that an improvement to the residential amenity of that dwelling is a 'very special circumstance' capable of outweighing the harm that the proposed replacement dwelling would cause to the Green Belt.

- Officers do not consider it is incorrect to refer to the lack of a direct relationship between the 'very special circumstances' claimed by the applicant and the proposed replacement dwelling. The NPPF states at paragraph 88 that 'when considering any planning application, location planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'. However it is in the gift of the applicant to cease the non-residential uses and demolish the buildings whether or not planning permission is granted for a new dwelling. Furthermore officers do not consider that such demolition would significantly improve the openness of the Green Belt to such an extent to outweigh the harm that would be caused by the proposed replacement dwelling, particularly given that the new garage would be sited in a similar position to 'The Laundry' and 'Tractor Shed' and would be larger than these buildings. However if Members were minded to accept the applicant's case, officers advise that planning permission should not be granted without a planning obligation secured by s106 agreement to ensure the cessation of commercial uses and traffic on the Orchard Bungalow access.

- The two appeals cited are relevant to this application:

Ash Farm (12/00742/FUL appeal ref APP/R0335/A/12/2189510) relates to an application for a replacement dwelling. The Inspector considered whether the proposal was inappropriate development in the Green Belt, whether there would be any other harm to the Green Belt and if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and whether very special circumstances exist to justify the development. These are also the main issues in the application under consideration at Woodside.

On the facts of that case, the Inspector deemed the proposal to constitute inappropriate development and attached substantial weight to the harm caused by this.

In respect of other effects on the Green Belt, the Inspector stated 'The Framework [NPPF] makes it clear that an essential characteristic of Green Belts is their openness. Open means the absence of development irrespective of the degree of visibility of the land in question from public vantage points. The proposal relative to the existing dwelling would involve the addition of a considerable volume, bulk and spread of development within the plot. The change over the comparatively more modest chalet bungalow would be significant and the scheme would make a patent difference to the openness within this area...I attach substantial weight to this impact upon openness within the Green Belt'. Clearly the current application must be assessed on its own merits but the Inspector's comments regarding openness, aspects to be assessed and weight to be attached are pertinent to the current application.

The Inspector also discusses the applicant's claims of a fall back position and benefits of demolishing other buildings already on site, and states 'I am not convinced as I have to assess what is on the site now and what could be on the site if the appeal were to be allowed as presently framed. To my mind I have to compare the existing dwelling with the proposed one and not get side-tracked by what in the absence of any legal undertakings might or might not take place on the site in terms of outbuildings. In any event the character of outbuildings is, as here, very often different from a dwelling and it strikes me as logical that paragraph 4.36 of the Local Plan sets out that in this Borough ancillary buildings will not normally be taken into account when considering one for one replacement of dwellings.' This methodology is clearly relevant to application at Woodside.

The Inspector concluded, on the merits of that case, that the considerations put forward by the applicant carried moderate weight but did not clearly outweigh the harm arising from the inappropriate development and the other harm, which he considered to carry substantial weight. No very special circumstances were put forward in this case to justify the development.

Binfield Lodge (12/00853/FUL appeal ref APP/R0335/A/13/2193777) relates to an application for the erection of replacement stables. Whilst the type of building proposed is not the same as at Woodside, the same principles would apply to assessment of the proposal. The inspector considered the three main issues to be the same as in the Ash Farm appeal, although it is noted that a different test for 'inappropriateness' was applied as the development was of a different type. The same methodology for assessment was applied and the same conclusion was reached as in the Ash Farm decision.

In relation to openness, the Inspector stated 'This part of the site has an undeveloped character and whilst there might be a case which could be put forward for stabling to consolidate in this area it is beholden on anyone promoting development to seek to minimise detrimental change to rural visual qualities. The sheer scale of the scheme put forward would not meet this objective; the grandness of the buildings, which ought to be visually incidental and subservient to the wider scene, would be magnified to the eye by the relatively modest other structures which abut both on and off the appellant's site. Regrettably the character and appearance of the area would be adversely impacted by this proposed scale and arrangement of development; the countryside here would suffer from undue visual encroachment by reason of the proposed development.' Whilst the facts of the case are different, this assessment mirrors the concerns of officers that the siting and form, scale, bulk, massing, height etc of the proposed replacement dwelling at Woodside would have a detrimental impact on the openness of the Green Belt.

5. Section 5 (iii) (3) Transport considerations

- As the existing access to Woodside and Lovel Dene is not proposed to be altered and is an existing access serving two dwellings, and would remain as such, no assessment of the standard of this access is required.
- As stated above, the applicant has not proposed any mechanism to prevent the Orchard Bungalow access being used by commercial traffic for the existing commercial logging business. However it is accepted that total cessation of these uses would have a beneficial impact on highway safety for the residential users of this access. If Members were minded to accept the applicant's case, officers advise that planning permission should not be granted without a planning obligation secured by s106 agreement to ensure the cessation of commercial uses and traffic on the Orchard Bungalow access.
- The lawfulness of the buildings and uses has been addressed elsewhere in this report.
- Officers do not consider that these matters change the recommendation that very special circumstances do not exist to outweigh the harm that would be caused by the proposed replacement dwelling.

Correction to Officer Report

As a result of the information contained above, there are minor corrections to the conclusion and recommendation as follows (in addition to the clarifications to the main body of the report discussed above)

(iv) Conclusions to be replaced as follows: ('original dwelling' replaced with 'existing dwelling')

The proposed replacement dwelling by virtue of its size and scale would be materially larger than the existing dwelling on the site which is not acceptable in principle and would result in an inappropriate form of development in the Green Belt. This inappropriate development, together with the positioning of the replacement dwelling within the site, would adversely affect the openness, visual amenities and rural character of the Green Belt. It is not considered that 'very special circumstances' exist to outweigh this harm. The proposal would therefore be contrary to Policies GB1 and H5 of the Bracknell Forest Borough Local Plan and Policy CS9 of the Core Strategy Development Plan Document. The proposal would also be contrary to guidance contained within the National Planning Policy Framework, in particular Section 9.

Whilst other matters relating to the proposals are considered to be acceptable, these would also fail to outweigh the harm to the Green Belt. As such the application is recommended for refusal as the proposal would be contrary to the Development Plan and the National Planning Policy Framework.

Amendment to Recommendation

(6) Recommendation to be replaced as follows: ('original dwelling' replaced with 'existing dwelling')

That the application be REFUSED for the following reason(s):-

01. The proposed replacement dwelling by virtue of its size and scale would be materially larger than the existing dwelling on the site, which is not acceptable in principle and would result in an inappropriate form of development in the Green Belt. This inappropriate development, together with the positioning of the replacement dwelling within the site, would adversely affect the openness, visual amenities and rural character of the Green Belt. It is not considered that 'very special circumstances' exist to outweigh this harm. The proposal would therefore be contrary to Policies GB1 and H5 of the Bracknell Forest Borough Local Plan and Policy CS9 of the Core Strategy Development Plan Document. The proposal would also be contrary to the guidance contained within the National Planning Policy Framework, in particular section 9.

Item No: 10
13/00428/T
Land At Whitmoor Bog Swinley Road Ascot Berkshire

ISSUE DATE: 20.08.2013

Corrections to Officer Report

4 REPRESENTATIONS (Page 67)

The following additional representations have been received since the committee report was written.

A further objection was received dated 19.08.13 from a Lise Andresson and referenced: Eighth objection to the proposed development on 'Land At Whitmoor Bog, Ascot, Berkshire', Application Reference Number: 13/00428/T which was addressed to the case officer and copied to all relevant managers and members.

The key concern was that BFBC had not adhered to the Town and Country Planning (Environmental Impact Assessment (EIA)) Regulations 2011 by not undertaking a Screening Opinion of the proposal before the application could be determined by the Planning Committee.

The Case Officer responded in an email to the objector (including all relevant managers and members) on the same day as follows:

"I can confirm that a Screening opinion as to the applicability of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 was undertaken for this proposal.

The letter concluded:

"Taking into account the proposed use, size and location of the development, its cumulative effect with other development, impact on natural resources and any likely production of waste, pollution and nuisance, the Council is of the opinion that the proposed development would not be EIA development."

Please see a copy of the letter sent to the applicant dated 12 June 2013 attached to this email. A copy of this letter has been made available to the public on the Councils website."

An additional response was later received from the same objector stating that they did not agree with the Councils assessment. The Case Officer responded as follows:

"Dear Lise

Thank you for your further comments.

I am confident that EIA screening opinion has been undertaken in accordance with the regulations and members of the planning committee will be in a position to make a fully informed decision on Thursday."

A further letter of objection from Ralph Isitt of Heather Cottage was received dated 18.08.13. This objector continues to challenge the applicant in respect of the parking arrangement for the site and the fact that the relevant parking standards are not adhered to and given the current site levels on the site, the proposed parking as shown is not achievable.

The Highway Officer has responded to the applicant's revised parking layout as follows:

"In respect the amended car parking plan, the plan does show parking spaces and reversing distances that comply with expected minimum distances and I am content with that. I acknowledge that the area behind the disabled parking spaces has not been shown hatched but in reality access will not be restricted as vehicles will not be parked in this area. We must pay regard to the fact that this is a temporary facility as well and as long as adequate size and sufficient parking capacity is provided then there is unlikely to be a detrimental impact.

With regard to the parking layout and gradients, I do not feel that the applicant has fully considered or responded to the comments made and there are areas where access to parking spaces would be difficult and this needs to be addressed. I have looked at the contingency areas and I would advise that the grey area that has been shown is not suitable; especially close to the access to the site with movement in and out of the spaces this could affect the operation of the site which could affect the access.

The applicant will need to formerly submit a revised parking layout plan (secured by condition 15) that is acceptable and approved before the site can open to the public.

5 OFFICER REPORT

Under Section (i) PROPOSAL (Page 68)

The 2nd paragraph whereby the Sunday opening hours are referenced as
Sunday 09.00 - 09.00 hrs
-should be corrected to read as follows:
Sunday 09.00 - 21.00 hrs

Under Section (2) Evaluation of the proposal against Planning Policies and Material Considerations

The second last sentence of the 5th paragraph whereby it states -
Every six to seven years 400 - 500 hundred trees are removed from this area as part of the management regime.
The reference to the word 'hundred' should be deleted so that it correctly reads '...400 -500 trees...'

6 RECOMMENDATION

Condition 01 is revised to read as follows:

01. The development hereby permitted is granted for a limited period and restricted as follows:

(a) Open to the public between
(i) 30th November and 24th December, 2013 and
(ii) 21st November and 24th December 2014 and
(iii) 21st November and 24th December 2015,

(b) Open for site setup/dismantling between
(i) 1st October and the opening of the event and 27th December and 31st January each year respectively
(ii) Construction/Dismantling Traffic shall not enter/exit the site between
08:00 hrs - 09:00 hrs
17:00 hrs - 18:00 hrs

Outside of these dates, the development and all temporary structures/buildings brought onto the land in pursuance of this permission and use shall be removed from the site and land restored to its former condition in accordance with a scheme which shall have been previously submitted to and have been approved in writing by the Local Planning Authority

REASON: To account with the terms of the application and to enable the Local Planning Authority to regulate and control the development of the land.

Condition 03 is revised to read as follows:

03. The development hereby permitted shall be carried out only in accordance with the following approved plans and information:

Dwg No. 1015/00 - Existing site location plan: Scale 1 :1250 Received 04.06.13
Dwg No. 1015/01 C - Existing site plan (A3): Scale 1:2500 Received 01.07.13
Dwg No. 1015/02 I - Proposed site plan (A0): Scale 1:500 (as amended by condition 15 - Parking Layout) Received 19.08.13
Dwg No. 1015/03 - Proposed site section AA- BB: Scale 1:500 Received 04.06.13
Dwg No. 1015/04 - Proposed site section CC: Scale 1:500 Received 04.06.13
Dwg No. 1015/05 - Proposed Elevations: Scale 1:500 Received 04.06.13
Dwg No.1015/06/B Proposed Deck Elevations 1:200 Received 07.06.13
Dwg No.1015/07/B Proposed Deck Elevations 1:200 Received 07.06.13
Dwg No. 1015/09 - Proposed Forest Cafe: Scale 1: 100 Received 04.06.13
Dwg No. 1015/10 - Proposed Glade Marquee: Scale 1:100 Received 04.06.13

Dwg No. 1015/11 - Proposed Toy Factory: Scale 1:100 Received 04.06.13
Dwg No. 1015/12 - Proposed Elf Kitchen: Scale 1:100 Received 04.06.13
Dwg No. 1015/13 - Proposed Skate Hut: Scale 1: 100 Received 04.06.13
Dwg No. 1015/14 - Proposed Shop: Scale 1:100 Received 04.06.13
Dwg No. 1015/15 - Proposed M Christmas Hut: Scale 1:100 Received 04.06.13
Dwg No. 1015/16 - Proposed Post Office: Scale 1:100 Received 04.06.13
Dwg No. 1015/17 - Proposed Ice Rink: Scale 1:100 Received 04.06.13
Dwg No. 1015/18 - Proposed Teepee: Scale 1:100 Received 04.06.13
Dwg No. 1015/19 - Proposed Photo and Gift shop: Scale 1:100 Received 04.06.13
Dwg No. 1015/20 - Proposed Father Christmas Huts: Scale 1:100 Received 04.06.13
Dwg No. 1015/21 - Proposed Elf Cafe Stand: Scale 1:100 Received 04.06.13
Dwg No. 1015/22 - Proposed Elf Bank: Scale 1:100 Received 04.06.13
Dwg No. 1015/23 - Proposed Boundary Fencing: Scale 1:50 Received 04.06.13
Dwg No. 1015/24 - Proposed Cellular Paving: Scale 1:50 Received 04.06.13
Dwg No. 1015/25 - Proposed Village Decking: Scale 1:100 Received 04.06.13
Dwg No. 1015/26 - Proposed Secure Stores: Scale 1:100 Received 04.06.13
Dwg No. 1015/27 - Proposed Typical Sanitation: Scale 1:100 Received 04.06.13

Phase 1 Ecology Report (24 May 2013) by Applied Ecology Ltd received 04.06.13
Reptile Survey Report by Applied (12 June 2013) Ecology Ltd received 13.06.13
Supplementary Ecology Information (25 June 2013) by Applied Ecology Ltd received 26.07.13
Supplementary Ecology Information - Great Crested Newt (10 July 2013) by Applied Ecology Ltd received 10.07.13

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

Condition 04 is revised to read as follows (Page 86/7):

04. No sales of tickets shall take place on the site.

REASON: - To ensure the impact of this development does not adversely affect the local highway network.

[Relevant Plans and Policies: BFBLP M4, Core Strategy DPD CS23]

Condition 06 is revised to read as follows (Page 87):

06. No development shall take place until habitat management and creation in the reptile receptor area(s) has been completed and a report submitted to and approved by the Local Planning Authority. The reptile receptor area shall remain in situ for the duration of the permission and the report shall be resubmitted each year that event takes place and as many times as necessary until such time that it is approved and shall thereafter adhere to approved details.

REASON: In the interests of nature conservation

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

Condition 07 is revised to read as follows (Page 87):

07. The scheme hereby permitted shall be carried out in accordance with the mitigation measures outlined in Applied Ecology Ltd's Reptile Mitigation Strategy.

An ecological site inspection report shall be submitted for approval one month prior to the site opening to the public. The report shall be resubmitted each year that event takes place and as many times as necessary until such time that it is approved and shall thereafter adhere to approved details.

REASON: In the interests of nature conservation

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

Condition 15 is revised to read as follows (Page 88):

15. Notwithstanding the Drawing Reference 1015/02 rev I, the site shall not open to the public until the associated vehicle parking and turning areas have been marked out in

accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning for the duration of the event.

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

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

Insert a new Condition 21 as follows (Page 90):

21. No overnight accommodation shall be permitted on the site.

REASON: - For the avoidance of doubt no overnight staff/security accommodation shall be allowed on the site in the interest protecting the amenities of the neighbours and conservation interests of the area after the site has closed after each day of its operation.

[Relevant Plans and Policies: BFBLP M4, Core Strategy DPD CS23]

The following Informatives shall also be inserted:

1. The Councils Licensing Officer recommends that an event plan be submitted to the Bracknell Forest Safety Advisory Group at least two months prior to the experience opening to the public (details at <http://www.bracknell-forest.gov.uk/planninganeventinbracknellforest>). The applicant should also ensure that the appropriate premises licence under the Licensing Act 2003 is obtained for any sale of alcohol, late night refreshment and regulated entertainment.

2. The applicant is advised to contact the Councils Environmental Health - Commercial Team on 01344 352000 in advance of any operations onsite to ensure that all the facilities will comply with the EC Regulations 852/2004 and the Food Hygiene (England) Regulations 2006, The Health and Safety at Work etc. Act 1974 and related Regulations.

3. The applicant is advised to file emergency access arrangements with the relevant services before the event is open to the public.

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

ISSUE DATE: 22.08.2013

Additional representations

The following additional representations have been received since the committee report was written.

A further letter of objection entitled 'Ninth Objection' was received yesterday (21.08.2013) which alleges that the Council has not processed this application in accordance with the EIA Regulations and that the application would require an Environmental Impact Assessment to be undertaken and to proceed in determining this proposal without one would lead to a contravention of these Regulations.

Officer comment: *The officer conclusion is that an EIA (Environmental Impact Assessment) is not required for the proposed development.*

In addition a further letter has been received from a neighbour commenting on site layout (site plan 1015/sk02 REV.H-I) in that the parking is shown in the exclusion zone, the disabled parking is on a slope, the walkways are not DDA compliant and the conclusion is that all the

parking, diesel generators, diesel storage, refuse store etc. will be in the exclusion zone opposite the houses on the other side of Swinley Rd.

Additional information

In response to these concerns a further revision to the site layout has been submitted (1015 sk02 rev J) today which relocates the Grey contingency parking, previously shown to run north/south parallel to the houses opposite, further to west of this area. The applicant has also stated that as part of Lapland UK's annual Health and Safety check prior to opening for the season, all aspects of the temporary event are required to be compliant with DDA regulation - parking bays, minimum ramp inclines of 1:15 or better, suitable accessible toilet facilities and reasonable adjustments that are practical for the environment.

Officer comment: *The latest submission is an improvement and it sets out what will be operated on site. The recommended conditions cover the requirements of parking layout and marshalling on site and by their inclusion further details can be submitted and agreed.*

Amendment to Recommendation

Insert a new Condition 22 as follows (Page 90):

The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities for employees. The scheme shall be resubmitted each year that that event takes place (if different from the previously approved details) and as many times as necessary until such time that it is approved and shall thereafter adhere to approved details.

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

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

Condition 03 is revised to read as follows:

03. The development hereby permitted shall be carried out only in accordance with the following approved plans and information:

- Dwg No. 13/060/04 - Site Location plan: Scale 1:2500 Received 04.06.13
- Dwg No. 1015/sk02 J - Proposed site plan (A0): Scale 1:500 (as amended by condition 15 - Parking Layout) Received 22.08.13
- Dwg No. 1015/sk03 C - Proposed site section AA- BB: Scale 1:1250 Received 04.06.13
- Dwg No. 1015/sk04 B - Proposed site section CC: Scale 1:1250 Received 04.06.13
- Dwg No. 1015/05 - Proposed Elevations: Scale 1:500 Received 04.06.13
- Dwg No. 1015/sk06 B - Proposed Deck Elevations DD - EE 1:200 Received 06.06.13
- Dwg No. 1015/sk07 B - Proposed Deck Elevations AA - FF 1:200 Received 06.06.13
- Dwg No. 1015/sk08 A - Proposed Forge: Scale 1: 100 Received 04.06.13
- Dwg No. 1015/sk09 B - Proposed Forest Cafe: Scale 1: 200 Received 04.06.13
- Dwg No. 1015/sk10 B - Proposed Glade Marquee: Scale 1: 200 Received 04.06.13
- Dwg No. 1015/sk11 C - Proposed Toy Factory: Scale 1: 200 Received 04.06.13
- Dwg No. 1015/sk12 B - Proposed Elf Kitchen: Scale 1:200 Received 04.06.13
- Dwg No. 1015/sk13 D - Proposed Skate Hut: Scale 1: 200 Received 04.06.13
- Dwg No. 1015/sk14 B - Proposed Shop: Scale 1:200 Received 04.06.13
- Dwg No. 1015/sk15 B - Proposed M Christmas Hut: Scale 1:200 Received 04.06.13
- Dwg No. 1015/sk16 B - Proposed Post Office: Scale 1:200 Received 04.06.13
- Dwg No. 1015/sk17 B - Proposed Ice Rink: Scale 1:200 Received 04.06.13
- Dwg No. 1015/sk18 B - Proposed Teepee: Scale 1:100 Received 04.06.13
- Dwg No. 1015/sk19 B - Proposed Photo Collect and Gift shop: Scale 1:200 Received 04.06.13
- Dwg No. 1015/sk20 C - Proposed Father Christmas Houses: Scale 1:200 Received 04.06.13
- Dwg No. 1015/sk21 B - Proposed Elf Ginger Bread Café: Scale 1:100 Received 04.06.13
- Dwg No. 1015/sk22 B - Proposed Elf Bank: Scale 1:100 Received 04.06.13
- Dwg No. 1015/sk24 C - Proposed Sanitation Type 1: Scale 1:100 Received 04.06.13
- Dwg No. 1015/sk26 C - Proposed Secure Stores: Scale 1:100 Received 04.06.13
- Dwg No. 1015/sk27 A - Proposed First Aid Unit: Scale 1:100 Received 04.06.13

Dwg No. 1015/sk28 A - Proposed Reindeer Pen: Scale 1:200 Received 04.06.13
Dwg No. 1015/sk29 A - Proposed Workshop Marquee: Scale 1:200 Received 04.06.13
Dwg No. 1015/sk30 A - Proposed Sanitation Type 2: Scale 1:100 Received 04.06.13

Phase 1 Ecology Report (24 May 2013) by Applied Ecology Ltd received 04.06.13
Reptile Survey Report by Applied (12 June 2013) Ecology Ltd received 13.06.13
Supplementary Ecology Information (25 June 2013) by Applied Ecology Ltd received 26.07.13
Supplementary Ecology Information - Great Crested Newt (10 July 2013) by Applied Ecology Ltd received 10.07.13

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

Condition 15 is revised to read as follows (Page 88):

15. Notwithstanding the Drawing Reference 1015/02 rev J, the site shall not open to the public until the associated vehicle parking and turning areas have been marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning for the duration of the event.

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

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

Item No: 12

13/00505/FUL

Block A Christine Ingram Gardens Bracknell Berkshire RG42 2LX

ISSUE DATE: 20 August 2013

Additional highway comments:

The applicant will need to ensure increased cycle parking is provided, overall only one additional hoop would be required (2 spaces) for the proposals.

A composite plan showing all alterations to the parking layout and the proposed position of the additional cycle store has been requested and is awaited.

ISSUE DATE: 22 August 2013

Additional Information:

An amended site layout plan was received by the LPA on 21 August 2013 (drawing no. 171012 BC1A). This plan shows all the alterations to the parking layout and an extension to the existing cycle store with the provision of 2no. additional cycle hoops which provides cycle parking for 4no. cycles in total.

Amendment to conditions (in light of revised plan mentioned above).

Condition 2 should read:

The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 20 June and 21 August 2013:

drawing no. 171012-2A1

drawing no. 171012 BC1A

Design and Access Statement

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

Condition 7 should read:

The flat at second floor level in Block A, Christine Ingram Gardens shall not be occupied until the alterations to the existing parking layout including the provision of the additional vehicle parking spaces have been surfaced and marked out in accordance with the approved drawing as shown on drawing no. 171012 BC1A received by the Local Planning Authority on 21 August 2013. The additional parking space shall thereafter be kept available for parking at all times.

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

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

Additional conditions:

Condition 8

The flat at second floor level in Block A, Christine Ingram Gardens shall not be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing as shown on drawing no. 171012 BC1A received by the Local Planning Authority on 21 August 2013. The cycle parking spaces and facilities shall thereafter be retained.

REASON: In order to ensure bicycle facilities are provided.

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

Condition 9 (as per a condition imposed on reserved matters application relating to the development 05/00069/REM)

There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, any of the buildings hereby permitted.

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 Plans and Policies: BFBLP M9]

Item No: 13

13/00506/FUL

Block A Christine Ingram Gardens Bracknell Berkshire RG42 2LX

ISSUE DATE: 20 August 2013

Additional highway comments:

The applicant will need to ensure increased cycle parking is provided, overall only one additional hoop would be required (2 spaces) for the proposals.

A composite plan showing all alterations to the parking layout and the proposed position of the additional cycle store has been requested and is awaited.

ISSUE DATE: 22 August 2013

Additional Information:

An amended site layout plan was received by the LPA on 21 August 2013 (drawing no. 171012 BC1A). This plan shows all the alterations to the parking layout and an extension to the existing cycle store with the provision of 2no. additional cycle hoops which provides cycle parking for 4no. cycles in total.

Amendment to conditions (in light of amended plan mentioned above)

Condition 2 should read:

The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 20 June and 21 August 2013:

drawing no. 171012C1

drawing no. 171012-3a

drawing no. 171012 BC1A

Design and Access Statement

Condition 7 should read:

The flat at second floor level in Block A, Christine Ingram Gardens shall not be occupied until the alterations to the existing parking layout including the provision of the additional vehicle parking spaces have been surfaced and marked out in accordance with the approved drawing as shown on drawing no. 171012 BC1A received by the Local Planning Authority on 21 August 2013. The additional parking space shall thereafter be kept available for parking at all times.

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

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

Additional conditions:

Condition 8

The flat at second floor level in Block A, Christine Ingram Gardens shall not be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing as shown on drawing no. 171012 BC1A received by the Local Planning Authority on 21 August 2013. The cycle parking spaces and facilities shall thereafter be retained.

REASON: In order to ensure bicycle facilities are provided.

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

Condition 9 (as per a condition imposed on reserved matters application relating to the development 05/00069/REM)

There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, any of the buildings hereby permitted.

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 Plans and Policies: BFBLP M9]
