

ITEM NO:

Application No.

19/00037/3

Site Address:

Ward:

Wildridings And Central

Date Registered:

11 January 2019

Target Decision Date:

8 March 2019

Stanley Walk Bracknell Berkshire

Proposal:

Siting of outdoor street market with dismantlable stalls for three days a week including occasional speciality themed markets and siting of associated storage container within Jubilee Gardens.

Applicant:

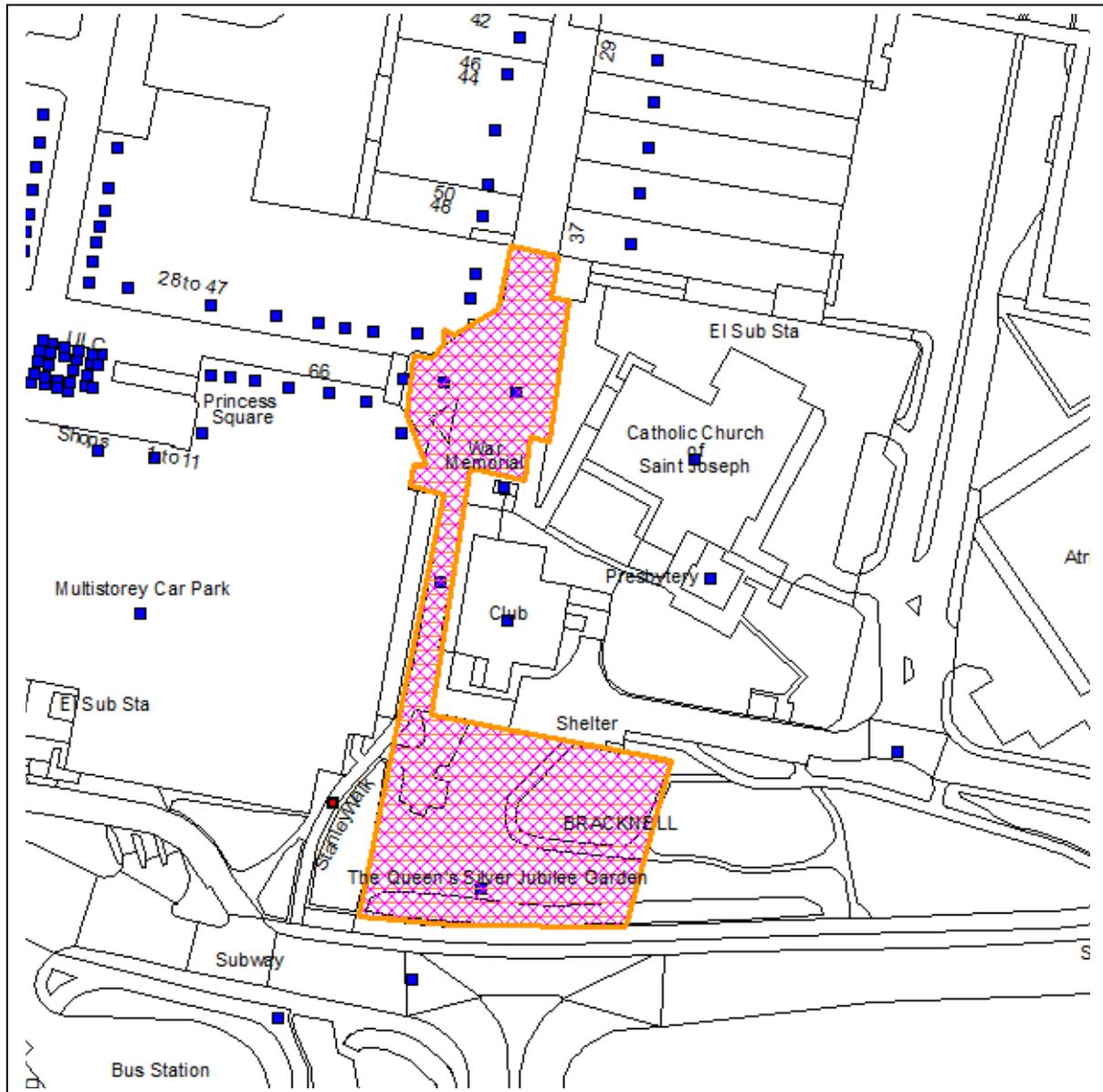
Bracknell Forest Council

Agent:

(There is no agent for this application)

Case Officer:

Simon Roskilly, 01344 352000

development.control@bracknell-forest.gov.uk**Site Location Plan** (for identification purposes only, not to scale)

OFFICER REPORT

1. SUMMARY

1.1 The applicant, the Council's Town Centre Project Officer, seeks to make the existing Bracknell Town Centre market operation permanent and to increase the number of days the market will operate from 2 to 3 days a week. The market currently operates on Fridays and Saturdays and, subject to approval, would operate on Tuesdays. However it would be the number of days in any one week that would be fixed and not the specific days. The market will also operate on an occasional basis, within the 3 day a week limit, in order to support speciality themed markets.

1.2 The location of the market will be the same as it currently is, being to the front of Princess Square in Stanley Walk, with the market's associated storage container to remain within Jubilee Gardens.

1.3 Given that the location of the market will not differ from that of the previously assessed temporary market, adequate access for emergency vehicles entering and exiting the Town Centre can still be provided. In order to ensure that adequate space for emergency access remains in place, a condition securing this will be included as was the case with the original temporary permission.

1.4 As per the temporary consent this proposal is also considered not to adversely impact upon the character, appearance and general function of the Town Centre. It has also been confirmed that, subject to conditions, the proposal would not result in any significant adverse impacts upon residential amenity nor would it result in any highway safety implications.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee because the applicant is the Council's Town Centre Project Officer employed within Planning, Place and Regeneration.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Bracknell town centre

Within settlement area.

3.1 The site, as outlined in red, covers Jubilee Gardens and Stanley Walk up to and including the Grade II Listed war memorial and the main pedestrian entrance into Princess Square.

4. RELEVANT SITE HISTORY

4.1 16/00207/3- Siting of outdoor street market, with dismantlable stalls, for two days a week plus speciality days. Siting of associated storage container within Jubilee Gardens (temporary permission until 15th May 2019). (APPROVED APRIL 2016)

5. THE PROPOSAL

5.1 This is a Regulation 3 planning application submitted by the Council's Town Centre Project Officer employed within Planning, Place and Regeneration. The application is for the permanent siting of an outdoor street market with dismantlable stalls for no more than three days a week which would include any occasional speciality themed markets along with the permanent siting of an associated storage container within Jubilee Gardens.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Bracknell Town Council had made no comments at the time this report was written.

7. SUMMARY OF CONSULTATION RESPONSES

7.1. Local Highway Authority

No objection to the application.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:
i. Impact on Character and Appearance of Area
ii. Impact Upon Residential Amenity
iii. Transport Considerations
these are considered in the following paragraphs.

i. Impact on Character and Appearance of Area

Policy EN20 of the BFBLP and Policy CS7 of the CSDPD are considered to be consistent with Chapter 7 of the NPPF particularly with reference to paragraph 213. They are therefore afforded significant weight.

The proposal is for the siting of dismantlable market stalls and a storage container within the town centre public realm. The proposed market stalls will add to the visual richness and vitality of the centre and their appearance is typical of this type of facility. The proposed location of the storage

container, on the edge of Jubilee Gardens, is not considered to have any significant detrimental impact upon the character, appearance and function of the Town Centre.

ii. Impact Upon Residential Amenity

The applicant wishes for the Market to remain located outside the main pedestrian access to Princess Square, on Stanley Walk east of St. Joseph Roman Catholic Church. There is a sloping embankment rising up from Stanley Walk east towards the front of the Roman Catholic Church. A presbytery bungalow associated with the Roman Catholic Church can be found 75m south east of the market.

The market has now operated for two years, on a two days per week basis, with no known records of any noise and/or disturbance complaints. Given the distance between the Market and the presbytery bungalow, along with the nature of activity associated within the town centre pedestrianised area, it is considered that the proposal will not result in any significant adverse impacts upon residential amenity. As such the proposal is considered to comply with BFBLP Policy EN20.

iii. Transport Considerations

Both the temporary, and now the proposed permanent market, are located within a pedestrianised Town Centre that is considered accessible by public transport and has public car parks.

The applicant's Design and Access Statement notes, 'the market traders will be able to unload vans at location accessing via behind the Royal British Legion building service yard and then returning to park at service yard D (2-3 vehicles) or the High Street car park'. This is likely to be the existing arrangement, and thus would be acceptable.

Given the above statement, increasing the current number of market days from 2 to 3 is considered not to result in any highway safety implications. As such the proposal is considered to accord with Policy CS23 of the CSDPD, Saved Policies E1 and M9 of the BFBLP and the NPPF as it would not result in adverse highway implications.

10. CONCLUSIONS

10.1 The proposal is for the siting of an outdoor street market with dismantlable stalls for three days per week, including occasional speciality themed markets and the siting of an associated storage container within Jubilee Gardens. It is considered to comply with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies E1 and EN20, and the NPPF. It is considered that there would be no adverse impacts upon the character, appearance and function of the Town Centre location, residential amenity or highway safety and the application is therefore recommended for approval.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans:-

- Weekly Street Market Plan dated 11.01.19
- Weekly Street Market and Storage Unit Plan dated 11.01.19

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

03. No market stalls shall be erected and/or operated from on more than 3 days in any one week and not during Remembrance Sunday whichever Sunday this falls on.

REASON: To prevent conflict of uses and to maintain emergency access.

04. No setting up of market stalls or deliveries shall take place before 07:00 on any day.

Reason: In the interests of the amenities of the occupiers of nearby premises.

[Relevant Policies: BFBLP EN25]

05. An access route from Jubilee Gardens to the front of Princess Square with a minimum width of 4m shall be maintained at all times.

REASON: To allow adequate emergency vehicle access to Princess Square.

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The applicant is advised to visit; <https://www.bracknell-forest.gov.uk/roads-parking-and-transport/roads/roads-and-street-works-licences> ; or speak to Highway Network Management as it is likely that street work licenses will be required to operate market stalls.

03. Regularly attending caterers and food retailers will be required to either register with Bracknell Forest Council Environmental Health, in compliance with Article 6 (2) of Regulation (EC) No 852/2004, or demonstrate who their registering Council is.

Details relating to registration can be found at

<http://www.bracknellforest.gov.uk/registrationfoodbusinesses>

A copy of the Application can be obtained by ringing our Customer Service Centre on 01344 352000, which is open from 8.30am to 5.00pm, Mondays to Fridays, or by emailing

Environmental.Health@bracknell-forest.gov.uk.

All food operations, regardless of whether or not they are registered outside of Bracknell Forest Council, may be subject to a food safety inspection, to make sure the food is stored, prepared and handled safely.

Operators must ensure appropriate facilities are available to maintain adequate personal hygiene, including facilities for the hygienic washing and drying of hands, hygienic sanitary arrangements and changing facilities. Operators must also ensure an adequate supply of hot and/or cold potable water is available.

Information on starting a food business can be found at

http://www.food.gov.uk/businessindustry/caterers/starting_up/

Alternatively you may request a copy by ringing our Customer Service Centre or by emailing environment.health@bracknell-forest.gov.uk

All traders may be regulated by Bracknell Forest Council, for Health and Safety. Further information on Employer duties and responsibilities can be found to the Health and Safety Executive website, available at <http://www.hse.gov.uk>

04. The applicant is advised to contact the Licensing Team: licence.all@bracknell-forest.gov.uk to discuss any licensing requirements.