

**PLANNING COMMITTEE
20 OCTOBER 2011**

MISCELLANEOUS ITEM

**PROPOSED MODIFICATION OF RECREATIONAL/SPORTS AND RECYCLING
FACILITIES OBLIGATIONS IN PLANNING AGREEMENT DATED 18 DECEMBER 2003
THE PARKS, BROAD LANE, BRACKNELL (formerly RAF Staff College)
(Head of Development Management)**

1 PURPOSE OF DECISION

- 1.1 To determine proposed changes to the 2003 Staff College Planning Agreement relating to planning permission 03/00567/OUT for 730 dwelling and 19ha. of open space. The 2003 Agreement has several clauses that, if not modified, will not be in conformity with the planning application 11/00416/FUL for the proposed Community Centre/Pavilion etc. (see planning application report also on this agenda). A 2009 Undertaking repeating the 2003 obligations for later application 08/00404/FUL, which also applies to the site and made a minor change to the scheme, should also be modified.

2 RECOMMENDATION

- 2.1 That the Section 299a Planning Agreement dated 18 December 2003 and Undertaking dated 9 February 2009 be modified as follows:-

A. Amend list of recreational/sports facilities (Clauses 7.5.1-7.5.8) to delete:

1. floodlighting to be provided with the rugby pitch (clause 7.5.2)
2. 2 squash courts (clause 7.5.4)
3. an area incorporating teenage play equipment (clause 7.5.7)

The informal kickabout area (clause 7.5.8) to be changed to a Multi-Use Games Area (MUGA), and the MUGA to be provided with floodlighting, basketball nets and fencing and incorporate a teenage shelter.

B. Amend provision for two Recycling Centres within the site (clause 10) by:

1. deleting the Recycling Centre intended for Phase 2 of the development and
2. having 1 underground waste Recycling Centre (now shown next to the community centre/sports pavilion car park)

3 CONSULTATIONS

Borough Solicitor

- 3.1 Nothing further to add.

Borough Treasurer

- 3.2 When the facilities are transferred to the Council the management and maintenance costs will need to be built in to the base budget of the relevant service area. This

can be achieved through the budget monitoring/budget setting process. Initially the commuted sum received will be accounted for elsewhere in the budgets to offset the management and maintenance costs until fully used.

Parks & Countryside Development Officer

- 3.3 Supports upgrading the teenage games area to a MUGA, relocating the floodlighting from the rugby pitch to the MUGA and deletion of the squash courts for the following reasons:
1. The distance of the MUGA from residences is greater, and the landscape setting provides more screening, thereby reducing potential light intrusion.
 2. The lighting of the MUGA can be managed from the adjacent pavilion/community centre.
 3. The MUGA has an all-weather surface, and therefore extending the period of use into winter evenings does not have the same management implications as it does for a grass pitch, with the attendant risks for pitch closure and expensive seasonal restoration of the grass.
 4. Not having the floodlights on the rugby pitch means the grass pitches plateau can be set out in different pitch configurations which has management advantages in terms of distributing areas of wear and tear and responding to future changes in demand for adult, senior and junior rugby and football.

Biodiversity Officer

- 3.4 Supports the proposal to floodlight the MUGA instead of the rugby pitch. Lighting can negatively impact wildlife by creating a barrier to movement and is best located within the more formal areas of public open space adjacent to the pavilion. The site is particularly important for bat roosts. Lighting the MUGA instead of the rugby pitch will avoid lighting key bat foraging areas in the woodland edge in the south of the open space.

Head of Leisure Facilities

- 3.5 Advises the squash courts at Bracknell Leisure Centre have spare capacity at most times.

Waste Disposal and Recycling Manager

- 3.6 The proposal to delete the second recycling facility is acceptable, as there is no need to have 2 recycling facilities sited so close together for glass recycling only.

4 SUPPORTING INFORMATION

Representations

- 4.1 The developer's request to modify the legal agreement was given publicity by notices on the Staff College site and was made available for public inspection as part of the planning application. Ward Councillors, Bracknell Town Council, The Parks Residents Association, Sport England, Bracknell Rugby Club and nearby residents were consulted.

4.2 The following comments were received:

- Bracknell Town Council recommends refusal to removing the proposed floodlighting to the rugby pitch as it would like this facility to be retained as there is a lack of floodlit grass pitches in the area, but has no objection to the other proposed changes to the legal agreement.
- Sport England registered an initial holding objection on the basis that the development results in the loss of land last use as a playing field and requested further information. The proposed deletion of the squash courts should be fully justified. The requested information has been provided, including that there no loss of playing fields is proposed, and revised comments have been received. It withdraws its earlier holding objection in the light of the history of the site. This includes that the Planning Inspector considered the loss of the squash facility acceptable in his assessment of the appeal against the proposed additional 390 dwellings held in 2009.
- Ranelagh School governing body - rejects the proposal that withdraws floodlighting of the rugby pitch. Explains there is a strong demand for a floodlit full pitch from residents, Ranelagh and other schools who have poor rugby provision and understands it could also be used by Bracknell Rugby Club. Recent developments in lighting design make the problems of light pollution minimal, floodlight usage would only be for limited times, and this should limit impact on bats and other animals. Whilst the pitches and floodlights will be in close proximity to the flats, the flats have been brought closer to the sports pitches by the applicant and the applicant must accept the market consequences of that, including any effect of floodlighting.
 - agrees that two squash courts are no longer required (and that the cost of providing them could now contribute to more appropriate facilities)
 - considers that an enhanced MUGA would be a benefit (though this would not be used by the school).
 - has no view on the recycling centre.
 - rejects the proposal that withdraws floodlighting to the rugby pitch (though it can see the additional benefit of MUGA lighting).

[Officer comment: the proposed deletion of the rugby pitch floodlighting is addressed in para 4.7 below. The flats have not been brought closer to the sports pitches. It is considered, however, that floodlighting the rugby pitch will have a greater impact on the living conditions of future residents than a floodlit MUGA]

- Some of the points made in the objections received from local residents to the planning application also apply to the proposed modifications to the section 299a Agreement as follows. The main objection is to the proposed teenage shelter on the grounds that it will cause nuisance and attract teenagers from outside the estate (11 objectors), also loss of the squash courts (3 objectors) and deletion of the proposed floodlighting of the rugby pitch (2 objectors). The issues regarding the proposed teenage shelter have been considered under the planning application, and the removal of the proposed floodlighting of the rugby pitch and squash courts are addressed below.

Planning Considerations

- 4.3 Obligations in the planning agreement require that the proposed community centre, pavilion and outdoor recreational facilities be provided and transferred to the Council by the 500th dwelling to be occupied. Circular 05/2005 sets out that, when an application is made for modification or discharge of an obligation, the local planning authority may determine it in one of 3 ways:

1. If the obligation still serves a useful purpose, by refusing it.
2. If the obligation no longer serves a useful purpose, by discharging it.
3. If the obligation would serve a useful purpose equally well with the modifications specified, by consenting to the modifications sought.

The developer's reasons for the proposed development and consequent request to modify the s299A Agreement are explained in the planning application report on this agenda.

4.4 Design of proposed Building

The report for the planning application explains that the building meets the specification set out in the Legal Agreement for the community centre facility and sports pavilion. In particular, a disabled outside accessible toilet is included, and the meeting room in the community centre would be accessible to the sports pavilion by an internal door.

4.5 Proposed deletion of 2 squash courts

Under the Planning Agreement, 2 squash courts, which were an existing part of the RAF Staff College, are to be retained and refurbished. The community centre is proposed to be sited on the site of the squash courts. As there is spare capacity at most times at the squash courts at Bracknell Leisure Centre, it is considered that retention and refurbishment of the 2 squash courts at The Parks is not necessary, and Sport England has withdrawn its holding objection. It will be noted that the centre of The Parks is about ½ a mile from Bracknell Leisure Centre. Approval of this proposed deletion would facilitate provision of the community centre by the 500th dwelling to be occupied, in accordance with the obligation in the Planning Agreement.

4.6 Proposed deletion of area incorporating teenage play equipment, and informal kickabout area to be changed to a Multi-Use Games Area (MUGA), and The MUGA to be provided with floodlighting, basketball nets and fencing and incorporate a teenage shelter.

The proposed MUGA will accommodate a wide range of outdoor sports, formal and informal play. Floodlighting will allow its use throughout the year since it consists of a surface that is appropriate for general play and it removes the need for a separate teenage play area. It is considered that this facility would better meet the needs of residents than the previously proposed area incorporating teenage play equipment and informal kickabout area.

4.7 Proposed deletion of floodlighting to be provided with the rugby pitch

The proposed rugby pitch is not large enough to host top flight rugby matches, so its use would be limited. It is adjacent to the proposed football pitch, which together will provide a large area of grass pitches on a plateau. Whilst the floodlighting the rugby pitch would enable it to be used in winter late afternoons and evenings for training, this can lead to overuse, and not having floodlights would have the following advantages:

1. Enable flexible layout and marking out of the combined pitches area in different configurations, which could also reduce wear and tear. This would not be possible with floodlights sited down the middle of it.
2. Reduce light pollution to nearby dwellings. The floodlights for the rugby pitch would be just over 30m away from the flats to be constructed which will overlook the pitch, whereas the MUGA floodlights would be double the distance away at about 60m away from the nearest houses, be lower in height, and better screened.
3. Reduce potential negative impacts on biodiversity, particularly bats.

Removal of the requirement for floodlighting of the rugby pitch would be conditional on providing a floodlit MUGA instead.

- 4.8 Amend the provision of Recycling Centres to provide 1 instead of 2 Centres
As kerbside recycling to individual dwellings is now provided, it is considered that the provision of 2 sites for glass recycling only is not needed. The proposed site adjacent to the community centre car park is considered the most suitable site. It is therefore considered that the proposed deletion of the facility in the Phase 2 residential area should be allowed.

Background Papers

Planning Application 11/00416/FUL

Contact for further information

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