

Unrestricted Report

ITEM NO: 7

Application No.

14/00528/T

Site Address:

Ward:

Ascot

Date Registered:

16 May 2014

Target Decision Date:

15 August 2014

**Land At Whitmoor Bog Swinley Road Ascot
Berkshire**

Proposal:

Land At Whitmoor Bog Swinley Road Ascot

Three-year temporary permission for the holding of a children's Christmas theatrical experience to be open to members of the public between 30th November and 24th December, 2013 and 21st November and 24th December 2014 and 2015, with set up in the periods between 1st October and the opening of the event and dismantling between the 27th December and 31st January in the respective following year, together with ancillary works to reposition the access arrangement onto Swinley Road (B3017) and in the formative year to strengthen existing forest access routes and pathways, with the removal of all structures from the site and the reinstatement of the land in the intervening periods.

Note for Clarification: This is a Section 73 application for the variation of condition 2 (time operation) of planning permission 13/00428/T. It only seeks to remove the restriction of Tour Times: Monday - Friday between 13:00hrs and 15:30hrs imposed as part of condition 02. The proposal remains a temporary permission for 3 years (expiring 31 January 2016) as approved under planning permission 13/00428/T.

Applicant:

Mr Mike Battle

Agent:

Mr Julian Black

Case Officer:

Paul Corbett, 01344 352000

Development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1 REASON FOR REPORTING APPLICATION TO COMMITTEE

This application is reported to the Planning Committee as it was required to be advertised as a departure from the development plan consistent with the previous application. Furthermore this proposal has received 4 objections.

2. SITE DESCRIPTION

The site comprises a small area of Whitmoor Bog within the larger Swinley Forest owned and managed by the Crown Estate just off the B3017 Swinley Road to the south west of Ascot.

This part of the forest is separated from the larger Swinley Forest by the A329 to the north, the residential estate of Martins Heron to west, the railway line to the south and the B3017 Swinley Road to the east.

The site itself is dominated by blocks of variable aged pine plantation woodland managed as a commercial forestry by the Crown Estate. The site is not covered by any statutory or non-statutory nature conservation designations. However the site is on land outside the defined settlement referred to as countryside. The site is close to a Site of Special Scientific Interest (SSSI) namely Englemere Pond which is also designated as a Local Nature Reserve which is positioned to east on the opposite side of the road to this site.

The temporary site of the Lapland UK village relates to an area of young trees covering approximately 0.4 of a hectare.

3. RELEVANT SITE HISTORY

The Planning Committee of 22 August 2013 granted temporary planning permission to Lapland UK for a period of three years for the holding of a childrens Christmas theatrical experience to be open to members of the public within a small area of Whitmoor Forest, off the B3017 Swinley Road to the south west of Ascot between 30 November - 24 December 2013, and 21 November- 24 December 2014 and 2015, with set up and dismantling periods between 1 October and the opening event and 27 December and 31 January each year respectively.

The planning permission requires all buildings and facilities to be removed from the site in the intervening periods.

The application site extends to 14 hectares and forms part of the Whitmoor area of the Swinley Forest. This includes the wider area of forest that creates the setting for the children's experience. The actual focus of the event and the area with temporary structures (LaplandUK village) is much less at approximately 0.4 of a hectare. The heart or focus of the site lies approximately 300 metres to the west of the B3017 Swinley Road between Bracknell and Ascot.

Lapland UK held their first successful opening on this site last year having relocated from Bewl Water in East Sussex where it operated successfully within the wooded landscapes of the High Weald Area of Outstanding Natural Beauty.

The Crown Estate the current land owners continue to support Lapland UK to operate within the Windsor Estate at Swinley Forest for the forthcoming 2014 and 2015 seasons.

It is understood that last years event was very successful not only for the operator but also in terms of positive feedback from local businesses and the community alike with no traffic issues having been reported.

4. THE PROPOSAL

This proposal is a Section 73 application for the variation of condition 2 (time operation) of planning permission 13/00428/T. It only seeks to remove the restriction of Tour Times: Monday - Friday between 13:00hrs and 15:30hrs imposed as part of condition 02. The proposal remains a temporary permission for 3 years (with the site to be cleared by January 31 2016 following the 2015 Christmas event) as approved under planning permission 13/00428/T.

A Section 73 application results in a new planning permission and all the previous agreed principles are carried forward into this application and any permission granted with the same expiry date.

Whilst the applicants were accepting of the reason for the imposition of the break clause contained within the condition it has created a number of operational issues in the running of the events. These are set out as follows by the applicant:

(i) Difficulties in the efficient management of staff and programming attendance at the various events. The break-clause introduces a no-work period in the middle of the operations day, which is difficult and inefficient to manage;

(ii) An inefficient fuel burn is created in the middle of the day. A period of two and a half hours is insufficient time to justify shutting down the on-site generators. Consequently they remain operational and idle over the length of the break-clause without the site being used. This is unsustainable, inefficient and makes for poor economics;

(iii) A marked disruption in the operational and visitor momentum on site. The staff and the production of the events are carefully choreographed and managed to ensure that the very highest standard of 'experience' is provided to all visitors. Closing the event in the middle of the day deadens all of the operational momentum and visitor excitement and expectation that builds up over the course of the morning and early afternoon. The re-creation and rebuilding of operational efficiency and excitement of the event takes time in the second phase of operation and, on occasion, does not achieve the levels attained in the first part of the day;

(iv) Additional staff movements on and off site. The closure of the site and the event in the middle of the afternoon has the effect of encouraging staff to leave site between 13:00 and 15:30, which adds unnecessarily to movements and disturbance on the network; and

(v) Reduces opportunities for visitors to attend the events in the middle of the day, which reduces flexibility and impacts, in particular, on parents of younger children. Obviously these are real concerns, which have lead to a particularly inefficient and unsustainable way of working. With the benefit, now, of the additional highway assessment information that demonstrates minimal impact on the highway network, it is not considered that the removal of the break clause in the three weeks in the run-up to

the week before Christmas will impact materially on the free flow of traffic on Swinley Road and its junctions.

The applicants feel they satisfactorily demonstrated that the impact on the highway network is negligible and request that the restrictive break clause within Condition 02 be removed and they suggest that the condition reworded along the following lines:

"The development hereby approved shall take place only between the dates approved in Condition 01 above and the site shall operate within the following time frames.

(a) The site shall be open to the public no earlier than thirty minutes prior to the following

tour operating times:

(i) Tour Times: Monday- Friday 10:00 hrs and 18:00 hrs

(ii) Tour Times: Saturday - Sunday 09:00 hrs - 18:00 hrs;

(iii) No tours shall commence after 18:00 hrs and the site shall close at 22:00hrs;

(b) No activity shall be permitted on the site between 22:00 hrs and 08:00 hrs.'

The applicant considers such an amendment would allow the business to move forward on an even keel whilst maintaining the broader accepted controls over the hours of operation. All other controls on the operation of the event would remain unchanged.

5. REPRESENTATIONS RECEIVED

Winkfield Parish Council

Make the following observations:

Following further information received from the officer in answer to queries raised (see below), WPC would urge BFC to carry out traffic monitoring and ask the Highways Officer to check carefully the conclusions of the traffic report. They also ask that officers respond to the following points:

1. Confirmation is sought that there is to be no increase to the number of visitors/bookings per hour throughout the day in addition to the relaxation of the condition that did not allow bookings during the lunchtime period.
2. Is there an intention (by BFC) to monitor the traffic levels?
3. Application 13/00428 had the suffix of T, this application is FUL - can you explain why?

OFFICER RESPONSE:

1. The applicant commissioned an independent highways consultant to monitor traffic levels during the Lapland event last year and now seeks to demonstrate by way of the data collected that the imposed restriction of 2.5 hrs. Monday to Friday between the hrs. of 13:00hrs and 15.30hrs is no longer required. The Councils Highway Officer only imposed this restriction until such time it could be satisfactorily demonstrated that by allowing tours during this period would not significantly impede upon the peak pm traffic flow when these customers were predicted to leave the site. Therefore should the Highways Officer be satisfied with the data submitted there would be no justification to refuse this variation of this condition. The maximum visitor/bookings per hour will remain as per previously approved.

2. There is no specific arrangement to monitor the traffic associated with this event, however the Council as the Highway Authority does already monitor the general highway network and therefore any incidents are likely to be recorded as a matter of course.

3. *The planning reference suffix of T has no bearing on the application itself and remains a temporary permission expiring in 2016 as per the original permission 13/00428/T.*

6. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

The Highways Officer raises no objection to this proposal subject to the imposition of the previously imposed conditions relating to off-site parking for staff and that the planning permission expiring after 3 years as originally approved. Approval is recommended.

Royal Borough of Windsor and Maidenhead

No objection

7. PLANNING GUIDANCE RELATING TO SECTION 73 APPLICATIONS

The Department for Communities and Local Government (DCLG) planning practice guidance web-based resource (March 2014) under the section Flexible options for planning permissions - amending the conditions attached to a permission including seeking minor material amendments (application under Section 73 TCPA 1990) sets out the following which is relevant to this application:

(i) An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. However it does make it clear that a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission.

(ii) It also sets out that decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission,

(iii) The application should be considered against the Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

8. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

'Retained' Policies of the South East Plan 2009 (SEP)

Site Allocations Local Plan 2013 (SALP)

Core Strategy Development Plan Document 2008 (CSDPD)

'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)

Bracknell Forest Borough Policies Map 2013

9. PRINCIPLE OF DEVELOPMENT

The principle of locating this temporary recreational facility for 3 years within an area of commercially managed woodland was accepted through the grant of planning permission 13/00428/T dated 5th September 2013 which was considered by the Planning Committee on 22 August 2013. Since that date, there have been no changes in planning policy that would materially impact on that decision.

In terms of this proposal for the variation of condition 02, as detailed above, it is not considered that it would adversely impact upon the highway network beyond the site during the evening peak travel period and that sufficient parking is provided for on the site. These matters are considered in more detail in the preceding section of this report.

10. TRANSPORT IMPLICATIONS

CSDPD Policy CS23 states the Council will use its planning powers to reduce the need to travel, increase the safety of travel and promote alternative modes of travel.

BFBLP 'saved' Policy M4 requires appropriate pedestrian, cycling and public transport routes and facilities and any necessary highway works. In relation to impacts on highway safety, and promoting alternative modes of travel, these policies are considered to be consistent with the NPPF.

Condition 02 part (a)(i) of planning permission 13/00428/T stated the site shall operate within the following time frames.

(a) (i) Tour Times: Monday - Friday 10:00 hrs - 13:00 hrs and 15:30 hrs - 18:00 hrs

This proposal seeks to remove the non-operational period between 13.00hrs and 15.30hrs to read as follows:

(a) (i) Tour Times: Monday - Friday 10:00 hrs - 18:00 hrs

The applicant commissioned an independent highways consultant to monitor traffic levels during the Lapland event last year and now seeks to demonstrate by way of the data collected as evidence to Local Planning Authority that the imposed restriction of 2.5 hrs. Monday to Friday between 13:00hrs and 15.30hrs is no longer required. The Councils Highway Officer only imposed this restriction until such time as it could be satisfactorily demonstrated that by allowing tours during this period would not significantly impede upon the peak pm traffic flow when these customers were predicted to leave the site. Therefore should the Highways Officer be satisfied with the data submitted there would be no justification to refuse this variation of this condition.

The maximum visitor/bookings per hour will remain as per previously approved. Lapland UK confirms they will continue to operate the agreed regime of busing staff in from Ascot as approved, but preferably, without the inconvenience of having to do this through the middle section of the day to meet the terms of the break clause imposed by condition 02.

The submitted data relating to 2013 Christmas Season covers Monday (2nd December), Friday (6th December), Saturday (7th December) and Sunday (8th December) of the second survey week. This was when the site was at capacity and shows an inbound trip rate which is approximately 25 per cent higher than estimated at the peaks which has been confirmed as a combination of staff parking on site and low

uptake of public transport options. It was stated that this arose due to the failure of the operational plan to work efficiently due to the need to comply with the break clause (mid afternoon) as imposed by the condition. The applicant confirms that if this condition was lifted it would enable them to operate the staff parking system more efficiently as originally intended.

The Highways Officer raises no objection to this proposal subject to the imposition of the previously imposed conditions relating to off-site parking for staff and that the planning permission expires after 3 years as originally approved.

The Highways Officer is satisfied that the variation of the planning condition 02 to lift the restriction to new customers entering the site between 13.00hrs and 15.30hrs will not adversely impact upon the highway network during the evening peak travel time.

The proposal would therefore not conflict with CSDPD Policy CS23, BFBLP Saved Policy M4, or the NPPF.

11. CONCLUSIONS

The principle of locating this temporary recreational facility for 3 years within an area of commercially managed woodland was accepted through the grant of planning permission 13/00428/T which was considered by the Planning Committee in August 2013. In terms of this proposal for the variation of condition 02, as detailed above, it is not considered that it would adversely impact upon the highway network beyond the site during the evening peak travel period and that sufficient parking is provided for on the site.

It is therefore considered that subject to repeating the previously imposed planning conditions, that the proposal still complies with Development Plan policy and the NPPF and that the variation of condition 2 of permission 13/00428/T would not conflict with CSDPD Policy CS23, and, BFBLP Saved Policy M4.

12. RECOMMENDATION

The proposal is recommended for conditional approval.

RECOMMENDATION

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

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 31st January 2014 and
- (ii) 1st October and 31st January 2015 and

(iii) 1st October and 31st January 2016
Note: Excludes 25th and 26th of December each year.

(c) 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.

02. The development hereby approved shall take place only between the dates approved in condition 01 above and the site shall operate within the following time frames.

(a) The site shall be open to the public no earlier than 30 minutes prior to the following tour operating times

(i) Tour Times: Monday - Friday 10:00 hrs - 18:00 hrs

(ii) Tour Times: Monday - Friday 10:00 hrs -18:00 hrs the last week before Christmas Eve and are defined for each season as follows:

Year 1: 16th -20th & 23rd -24th Dec 2013;

Year 2: 17th -19th & 22nd -24th Dec 2014; and

Year 3: 17th -18th & 21st -24th Dec 2015 and,

(iii) Tour Times: Saturday- Sunday 09:00 hrs - 18:00 hrs

(iv) No tours shall commence after 18:00 hrs and the site shall close at 22:00 hrs.

(b) No activity shall be permitted on the site between 22:00 hrs and 08:00 hrs

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]

03. The development hereby permitted shall be carried out only in accordance with the following approved plans and information submitted under planning permission 13/00428/T and conditions applications.

Transport Statement - Issue A dated 13 May 2014 received 16.05.14

PLAN - Site Access received 11.07.14

Table - Lapland UK Queue Lengths corrected 2 and accompanying email from Grant Leslie For Monson Engineering Ltd received 22.07.14

Planning Application Ref: 13/00428/T

Dwg No. 13/060/04 - Site Location plan: Scale 1:2500 Received

Dwg No. 1015/sk02 J - Proposed site plan (A0): Scale 1:500 (as amended by condition 15 - Parking Layout)

Dwg No. 1015/sk03 C - Proposed site section AA- BB: Scale 1:1250
Dwg No. 1015/sk04 B - Proposed site section CC: Scale 1:1250
Dwg No. 1015/05 - Proposed Elevations: Scale 1:500
Dwg No. 1015/sk06 B - Proposed Deck Elevations DD - EE 1:200
Dwg No. 1015/sk07 B - Proposed Deck Elevations AA - FF 1:200
Dwg No. 1015/sk08 A - Proposed Forge: Scale 1: 100
Dwg No. 1015/sk09 B - Proposed Forest Cafe: Scale 1: 200
Dwg No. 1015/sk10 B - Proposed Glade Marquee: Scale 1: 200
Dwg No. 1015/sk11 C - Proposed Toy Factory: Scale 1: 200
Dwg No. 1015/sk12 B - Proposed Elf Kitchen: Scale 1:200
Dwg No. 1015/sk13 D - Proposed Skate Hut: Scale 1: 200
Dwg No. 1015/sk14 B - Proposed Shop: Scale 1:200
Dwg No. 1015/sk15 B - Proposed M Christmas Hut: Scale 1:200
Dwg No. 1015/sk16 B - Proposed Post Office: Scale 1:200
Dwg No. 1015/sk17 B - Proposed Ice Rink: Scale 1:200
Dwg No. 1015/sk18 B - Proposed Teepee: Scale 1:100
Dwg No. 1015/sk19 B - Proposed Photo Collect and Gift shop: Scale 1:200
Dwg No. 1015/sk20 C - Proposed Father Christmas Houses: Scale 1:200
Dwg No. 1015/sk21 B - Proposed Elf Ginger Bread Café: Scale 1:100
Dwg No. 1015/sk22 B - Proposed Elf Bank: Scale 1:100
Dwg No. 1015/sk24 C - Proposed Sanitation Type 1: Scale 1:100
Dwg No. 1015/sk26 C - Proposed Secure Stores: Scale 1:100
Dwg No. 1015/sk27 A - Proposed First Aid Unit: Scale 1:100
Dwg No. 1015/sk28 A - Proposed Reindeer Pen: Scale 1:200
Dwg No. 1015/sk29 A - Proposed Workshop Marquee: Scale 1:200
Dwg No. 1015/sk30 A - Proposed Sanitation Type 2: Scale 1:100

Phase 1 Ecology Report (24 May 2013) by Applied Ecology Ltd
Reptile Survey Report by Applied (12 June 2013) Ecology Ltd
Supplementary Ecology Information (25 June 2013) by Applied Ecology Ltd

Supplementary Ecology Information - Great Crested Newt (10 July 2013)
By Applied Ecology Ltd

The following are also approved relative to conditions accompanying this planning permission.

Conditions Application Ref: 13/00161/COND

Information approved in respect of Condition 05 (Means of Enclosure)

- Scheme Of Security Fencing (Report) dated 22 September 2013
- Entertee Fence Issue No 5 dated 19/09/13
- Anti Climb HD Round Top Panel Dwg No 07052232 Rev8
- Example Tee Shield Installation
- Example Smart Hoard Installation
- Security Fence Layout Plan
- Incident Response Plan (IRP) Issue 001
- Incident and Corrective Action Report (ICAR) Issue 001

Information approved in respect of Condition 10 (Contamination Avoidance Plan) received on 26.09.13.

- Prevention Of Spills / Contamination of Land Or Water Courses
- Incident Response Plan (IRP) Issue 001
- Incident and Corrective Action Report (ICAR) Issue 001
- Spill containment equipment - Arco - 56L2132 Plant Nappy details
- Spill Controls
- Fuel & Oil Storage And Use Arrangements
- Spill Risks Site Plan Issue 05

Information approved in respect of Condition 11 (Noise Mitigation)

- Prevention of Noise Report dated 22 September 2013
- Noise Vibration Controls
- Respect the Locals Controls
- Heras Acoustic Barrier System
- Noise Control Site Plan Issue 05
- Background noise levels email & table

Information approved in respect of Condition 12 (Waste Management)

- Waste Management Report dated 22 September 2013
- Hazardous Waste Controls
- 40YED RORO Skip
- Segregation of Waste
- Waste Control Site Plan Issue 05
- Incident Response Plan (IRP) Issue 001
- Incident and Corrective Action Report (ICAR) Issue 001

Information approved in respect of Condition 16 (Site Organisation) on 26.09.13

- Set Up & Removal Phases dated 22 September 2013.
- Dry Ramp System (Wheel Wash)
- Great Crested Newt (GCN) Information to Site Personnel
- Site Plan Phase 1 - Issue 05
- Site Plan Phase 2 - Issue 05
- Incident Response Plan (IRP) Issue 001
- Incident and Corrective Action Report (ICAR) Issue 001

Conditions Application Ref: 13/00164/COND

Information approved in respect of Condition 06 (Reptile Mitigation).

- Note On Reptile and Amphibian (Including Great Crested Newt) Mitigation By Applied Ecology Ltd Dated 26 September 2013.
- Reptile Mitigation - Report Of Work Completed Dated 10th & 14th October 2013.

Information approved in respect of Condition 09 (Great Crested Newts)

- Reptile and Amphibian (Including Great Crested Newt) Mitigation by Applied Ecology Ltd dated 26 September 2013 .

Information approved in respect of Condition 13 (Site Access)

- Dwg 5440M/04 C Proposed Access 278 Works - LPA Received 03.10.13
- Dwg 5440M/01 D proposed Access (Typical Cross Section Details) - LPA Received 30.09.1

Information approved in respect of Condition 17 (shuttle bus scheme)

- Operation of a Shuttle Bus from Ascot and Ascot Station for Staff and Customers - LPA received 22.10.13
- Shuttle Bus Route Map - LPA
- Site Plan showing drop-off and pick-up points at the event

Information approved in respect of Condition 18 (Car Park Management)

- Car Park Management Plan 2013 by JB's Marking & Parking version 5

Information approved in respect of Condition 19 (Highway Signage)

- Diversion Signing Map - Lapland-01-RevB - Amendments
- Signs Schedule - Lapland-02-RevA - Amendments
- Signs Schedule - Lapland-03-RevA - Amendments

The applicant is reminded that consent of the neighbouring Highway authority would be required with regards to the placement of any directional signage outside the administrative boundaries of the borough of Bracknell Forest.

Information approved in respect of Condition 22 (Employee cycle store)

- Bike Park Report
- Bike Park Location
- Details of Secure Covered Cycle Parking (shipping container)

Conditions Application Ref: 13/00168/COND

Information approved in respect of Condition 08 (External Site Lighting)

- Report by Capita dated 3rd October 2013
- Lighting Calculations 01-10-2013
- Lighting Layout Plan
- Data Sheets in respect of NVC Colorado Lighting,
- NVC Tampa Lighting and TL-90 Lighting provision.

Information approved in respect of Condition 14 (Parking Layout and Surface Treatment)

- Monson Dwg No 5440M-05B - Internal Roads and Parking Typical Sections
- Internal Roads Plan as Amended dated 04.11.13

Information approved in respect of Condition 20 (Replacement Tree Planting)

- Dwg No.5440M/04 B - Replacement Tree Positions

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

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]
05. The development and use of the land hereby permitted shall not be commence until details of a scheme of security fencing any other means of enclosure and screening has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented as approved before the site is opened to the public.
REASON: - In the interests of the visual amenities and character of the area and site security.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
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 and CSDPD CS1, CS7]
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 and CSDPD CS1, CS7]
08. 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 external site lighting including details of the lighting units, levels of illumination and hours of use and the details of the power generators required to power the lighting. No lighting shall be provided at the site other than in accordance with the approved scheme. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of the amenity of neighbouring residential properties nature conservation.
[Relevant Policies: BFBLP EN20, EN25 and CSDPD CS1, CS7]
09. No development shall begin until a Great Crested Newt mitigation plan has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented as approved.
REASON: To in the interests of nature conservation.
[Relevant Policies: BFBLP EN20 and CSDPD CS1, CS7]

10. The development hereby permitted shall not commence until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing what preventative and remedial measures that will be implemented to prevent any spillages contaminating the land or water courses of the site. The approved scheme shall be implemented prior to the site opening to the public
REASON: To ensure that any potential for contamination can be contained without impacting the upon the natural habitat and species that it supports.

[Relevant Policies: BFBLP EN25]
11. The development hereby permitted shall not commence until details of plant and equipment noise insulation or equivalent including positioning within the site have been submitted to and approved in writing by the Local Planning Authority. The noise generated from the plant and equipment whilst in operation shall not cause the existing background level to increase whilst in operation to any of the neighbouring residents. The plant and equipment shall be installed and operated in accordance with the approved scheme.
REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.
[Relevant Policies: BFBLP EN25]
12. The development hereby permitted shall not commence until details of on-site refuse storage (including any open air storage facilities) for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the site opening to the public and thereafter shall be retained for the duration of the event.
REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.
[Relevant Policies: BWLP WLP6 and WLP9]
13. The development hereby permitted shall not be commenced until details of the junction between the proposed site access and Swinley Road has been submitted to and approved in writing by the Local Planning Authority. The site shall not be open to the public until the junction has been constructed in accordance with the approved details.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
14. The development hereby permitted shall not be commenced until details of the layout of the internal access road and parking surface treatment has been submitted to and approved in writing by the Local Planning Authority. The site shall not be open to the public until the approved details have been implemented.

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
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]

16. The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority, with regards to the site setup and removal phases that accommodates the following:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in both the setup and removal phases of the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e).

(f) No construction work shall take place on the site between 22:00 hrs and 08:00 hrs

REASON: In the interests of visual amenity, road safety and nature conservation of the site.

[Relevant Policies: BFBLP M4, M9, Core Strategy DPD CS23]

17. The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the operation of the shuttle bus service between Ascot and the site for transferring staff and customers.
The development shall be carried out in accordance with the approved scheme.

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 and to encourage sustainable alternative transport options to reduce the reliance on private car travel and make good use of the public transport options.

[Relevant Policies: BFBLP M4, M9, Core Strategy DPD CS23]

18. The development hereby permitted shall not be commenced until a scheme (Car Park Management Plan) has been submitted to and approved in writing by the Local Planning Authority detailing the operation and layout of the on site parking and access arrangements including the use of marshalling within the site to control traffic. The development shall be carried out in accordance with the approved scheme.

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 and to encourage sustainable alternative transport options to reduce the reliance on private car travel and make good use of the public transport options.

[Relevant Policies: BFBLP M4, M9, Core Strategy DPD CS23]

19. The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing advanced directional signage to the event on the Highway Network. Details shall include sign size (including size of any lettering), materials, fixings and location.

The site shall not be open to the public until the approved scheme has been fully implemented. The signs shall be maintained for the duration of the event and removed once the event has closed.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

20. The development hereby permitted shall not be commenced until a detailed scheme of proposed tree planting has been submitted to and approved in writing by the Local Planning Authority to mitigate for the loss of any mature trees fronting Swinley Road. The scheme shall include the following comprehensive details of all trees to be removed and the new trees to be planted: - Full planting specification.

a) Positions of all proposed species.

b) Comprehensive details of ground preparation.

c) Staking/tying method/s.

All tree-planting shall be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 31st March inclusive) to the completion of the approved development. The quality of all approved landscape works shall be in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees included within the approved scheme shall be healthy, well formed specimens with single leading shoots and shall be of a minimum quality compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision.

REASON: - In the interests of good landscape design and the visual amenity of the area and to compensate for the loss of any trees fronting Swinley Road.

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

21. No overnight sleeping 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]

22. 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]

Informative(s):

01. 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.

02. 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.
03. The applicant is advised to file emergency access arrangements with the relevant services before the event is open to the public.
04. 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.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk