

## Unrestricted Report

### ITEM NO: 09

Application No.  
**14/01043/FUL**

Ward:  
College Town

Date Registered:  
24 September  
2014

Target Decision Date:  
19 November 2014

Site Address: **117 College Road College Town Sandhurst Berkshire GU47 0RD**

Proposal: **Section 73 application for continued use of the property as a children's nursery without compliance with conditions 3 and 4 of planning permission 10/00599/FUL. [Note for clarification: this is an application to increase the maximum number of children who may be present at the nursery to 45 between the hours of 09.15 and 16.00].**

Applicant: Mr & Mrs M & L Sanderson

Agent: Mr Paul Scott

Case Officer: Laura Rain, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto: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 over 3 objections have been received.

### **2. SITE DESCRIPTION**

The application site is a former detached chalet style dwelling sited about 7 metres back from the front boundary. Overall the site is rectangular and is approximately 60 metres long by 13 metres wide. Vehicles access to the site is via a 5 bar gate situated on the front boundary at the back edge of the public footpath, a separate gate for pedestrian access is provided, there is hard standing for staff parking. To the front is a canopied area used for the storage of buggies and car seats.

The building occupies most of the width of the site. The rear grounds are about 40 metres long and contain a wooden chalet used for storage and as a changing room, a covered swimming pool, a grassed area and at the far end adjacent to the boundary with numbers 96 and 98 Branksome Hill Road, a covered play area and a wooden building that is used as an art / craft room (the use of these buildings are restricted by conditions on 05/00047/FUL).

To the north of the nursery building at 117 College Road is the boundary with 119 College Road. There is a driveway about 2.5 metres wide from the side wall of the chalet bungalow at 119 College Road and the boundary between the properties, this leads to a garage building which is behind the bungalow and adjacent to the patio at the rear of the nursery. To the south the chalet bungalow at 115 is set back slightly in the street scene and is set away from the boundary with the application site by side access footpath. The nursery building at 117 also has a side footpath resulting in a gap of approximately 3 metres between the buildings.

The rear garden is bounded by 1.8m high close boarded fencing. The fence between no. 117 and 119 has been removed in the main. However the rear garden of no.119 is not within the red line of the planning application and cannot be lawfully used for nursery uses. The applicant confirmed on site that this area is not used for play and that the children's outdoor play is restricted to the out buildings, covered swimming pool and covered play area all which lie within the red line of the site.

### **3. RELEVANT SITE HISTORY**

117 College Road was granted temporary permission for the change of use to nursery in 1990 for no more than 12 children. Originally it was a nursery school open only during school terms and for part of the summer holiday. Over the years a number of planning applications have been submitted and approved to:-

- increase the number of children permitted to attend the nursery at any one time
- increase the number of weeks in the year the nursery is open, and
- increase the opening hours to allow some day care provision as well as nursery school provision.
- increase the use from a mixed residential and nursery use to a nursery use of the whole building.

These are as follows:

616338 Use of 2 ground floors rooms as nursery school. Approved

617126 Relaxation of conditions 1,3,4 + 5 of 616338 to allow permanent use of part of dwelling as a nursery, no. of children attending to be increased to 16, use of 3 ground floor rooms as nursery school and to permit use between 29/7-14/8. Approved

617386 Relaxation of Conditions 1 and 2 of 617126 to allow the number of children attending the nursery to be increased from 16 to 18 and use of the garage instead of the lounge as part of teaching area. Refused

618225 Continued use as nursery school without compliance with condition 1 of 617126 to allow number of children attending to be increased to 24, also condition 2 of 617126 to include use of kitchen as part of nursery. Approved

618882 Continued use of nursery without compliance with conditions 2, 3 & 4 of application 618225 to allow permanent use by 24 children, the continued use of the kitchen as part of the nursery & to enable the nursery school. Approved

620807 Continued use of nursery without compliance with conditions 3, 4 and 6 of application 618882 to allow the continued use of part of the garden, including the swimming pool enclosure, by the nursery and to extend opening hours. Approved

01/00788/FUL Section 73 application to allow: i) continued use of covered swimming pool by nursery without compliance with condition 03 of planning permission 621463 and ii) up to 12 children to attend the nursery between the hours of 0800 and 1800 (remaining children up to an overall maximum of 24 to attend between 0915 and 1600 hours) and nursery to open for 46 rather than 39 weeks in any calendar year, without compliance with condition 04 of planning permission 621463. Approved

03/01049/FUL Section 73 application to vary conditions 02, 03, and 04 of planning permission 01/00788/FUL to increase the number of children able to attend the nursery at any one time from 24 to 30, to allow the use of the room formerly a garage to be used as part of the nursery and to increase the number of children attending the nursery between the hours of 08.00 to 18.00 Monday to Friday from 12 to 18 for a period of one year. Approved

04/01115/FUL Section 73 application to vary condition 07 of planning permission 03/01049/FUL to allow the following changes on a permanent basis: To increase the number of children able to attend the nursery at any one time from 24 to 30, use of the room formerly a garage as part of the nursery and increase the number of children attending the nursery between the hours of 08.00 to 18.00 Monday to Friday from 12 to 18 (Condition 07 gives permission for these changes for a temporary period expiring on 31 January 2005) Approved

05/00047/FUL Section 73 application to allow continued use of the first floor of the property as part of a children's nursery without compliance with condition 3 of planning permission 04/01115/FUL. (This condition restricts the nursery use to the ground floor rooms and parts of the back garden). Approved

05/00583/FUL Section 73 application to allow the maximum no. of children attending the nursery at any one time to increase by 6 (from 30-36 between 09.15 and 16.00 hours and from 18-24 between 08.00 and 18.00 hours, Monday to Friday) and for nursery to open for 48 weeks a year (at present opening restricted to a maximum of 46

weeks in any calendar year) without compliance with conditions 02 and 04 of planning permission 05/00047/FUL.

This application was refused on the following grounds:

01. Increasing the number of children from 30 to 36 will result in a proportionate increase in vehicular traffic caused by the coming and going of parents delivering and collecting children. The site is located within a predominantly residential area where occupiers could reasonable expect a level of amenity concurrent with the property. As a result of the increase in activity and the limited on-site parking available the proposal will result in additional roadside parking which is not compatible with the amenities of the occupiers of adjoining residential properties and will have a detrimental impact on other users of the highway on this bus route. Increasing the number of children extends the problems associated with the use and therefore does not fully comply with the aims and objective of policies E4 and SC2 BFBLP.

02. The site is located within a predominantly residential area. Increasing the number of opening weeks from 46 to 48 increases the time period when adjoining residents experience the coming and going of traffic associated with the activity together with the general noise, nuisance and disturbance resulting from the actives of the nursery. For these reasons extending the opening weeks has a detriment affect on the residential amenities of adjoining occupiers. Therefore the proposal therefore does not fully comply with the aims and objective of policies E4 and SC2 BFBLP.

This decision was appealed and the appeal allowed.

05/01001/FUL Section 73 application to allow the maximum no. of children attending the nursery at any one time to increase by 6 (from 30 to 36) and for 48 weeks a year (increase of 2 weeks) without compliance with conditions 2 and 4 of planning permission 05/00047/FUL.

This application was refused on the following grounds

01. Increasing the number of children from 30 to 36 is likely to result in a proportionate increase in vehicular traffic caused by the coming and going of parents delivering and collecting children together with a need for additional staff and ancillary on-site car parking. The site is located within a predominantly residential area when occupiers could reasonable expect a level of amenity concurrent with the property. The expansion of the nursery introduces a diverse element which by reason of the increase in vehicular traffic and limited on-site parking is not fully compatible with adjoining residential properties. Increasing the number of children extends the problem and therefore does not fully comply with the aims and objective of Local Plan policies E4 and H11.

02. The site is located within a predominantly residential area. Increasing the number of opening weeks from 46 to 48 increases the time period when adjoining residents experience the coming and going of traffic associated with the activity together with the general noise, nuisance and disturbance resulting from the actives of the nursery. For these reasons extending the opening weeks has a detriment affect on the residential amenities of adjoining occupiers. Therefore the proposal therefore does not fully comply with the aims and objective of Local Plan policies E4 and H11.

10/00599/FUL Section 73 application to vary Conditions 01 and 02 (Condition 01 states that the number of children present at the Nursery shall not exceed 36 at any one time, and Condition 02 - The hours of operation shall be restricted to 08.00 to 18.00 (for up

to a maximum of 27 children) and 09.15 to 16.00 hours (for up to a maximum of 36 children) Monday to Friday for a maximum of 46 weeks in any calendar year and the premises shall not be used for the purposes of a nursery at any other time) of Appeal decision APP/R0335A/06/2021678 to increase the number of children from 36 to 39. Approved.

#### **4. THE PROPOSAL**

The proposal seeks to increase the maximum number of children who may be present at the nursery from 39 to 45 between the hours of 09.15 and 16.00.

#### **5. REPRESENTATIONS RECEIVED**

3 letters of objection have been received. These raise the following concerns:

- Parents dropping children off are blocking access to neighbours drives.
- There have been incidents when parents have been rude to neighbours.
- Prior to the last 18 months the owners of the nursery put signs up and also placed a parking co-ordinator outside on the road to ensure all customers parked with respect during peak drop off periods as this had been an issue for many years as agreed by the nursery, however over the last 18 months the nursery have taken no attempts to remedy the poor parking and have taken away the parking co-ordinator and all signs.
- The survey submitted was carried out during the August school holidays where there is obviously a decreased amount of traffic due to surrounding schools such as College Town School, Owlsmoor School and Sandhurst School being closed.
- There is already a recognised problem with the amount of cars and parking issues in relation to College Road and Branksomehill Road.
- This will result in an accident if more cars are parking on the road.
- Buses and lorries have difficulty getting down the road.
- There has been an increase in noise levels since the fence between 117 and 119 was removed.
- The conditions restricting play times are being ignored.

1 letter of support has been received which states:

- Supporter has lived next to the Nursery for many years and it has never been an inconvenience or problem.
- Having a nursery next door reassures neighbour that house is safer during the daytime whilst they are at work.
- There has never been a problem with noise levels or the traffic.
- The owners of the school and parents of the children are always very respectful and friendly and they seem to arrive/depart over a period of time and not all at once so therefore the traffic is minimal.
- The property is left empty for the evening, early morning and weekends.

#### **6. SUMMARY OF CONSULTATION RESPONSES**

Sandhurst Town Council recommend refusal, for the reasons set out below: College Road is a major distributor road and an increase in car movements combined with adjacency to three road junctions would create further congestion at times of peak traffic.

Large commercial vehicles and the local bus service already have difficulty negotiating double parked cars in the vicinity of the nursery.

It was noted that the traffic survey was undertaken during the school summer holiday and would not be representative of term time road use.

Environmental Health:

No objection. There have been no noise complaints regarding this nursery since planning permission was granted in November 2010.

Highway Authority:

The Local Highway Authority has no objection and recommends that the planning application be approved.

Early Years and Child Care Manager:

No objection.

## **7. DEVELOPMENT PLAN**

The Development Plan for this Borough includes the following:

Site Allocations Local Plan 2013 (SALP)  
'Retained' Policies of the South East Plan 2009 (SEP)  
Core Strategy Development Plan Document 2008 (CSDPD)  
'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)  
Bracknell Forest Borough Policies Map 2013

## **8. PRINCIPLE OF DEVELOPMENT**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in SALP Policy CP1 which sets out that a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The development plan is the statutory starting point for decision making and planning applications which accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise, and that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate development should be restricted.

CSDPD Policy CS1 states that development will be permitted which makes efficient use of land, buildings and infrastructure, is located so as to reduce the need to travel and protects and enhances the character and quality of natural resources, landscapes and countryside. This is considered to be consistent with the NPPF.

CSDPD Policy CS2 sets out the sequence in which the Council will allocate land for development and states that development will be permitted within defined settlements and on allocated sites. (The site is located within the defined settlement as shown on the Bracknell Forest Borough Proposals Map 2013) This is considered to be consistent with the NPPF which "seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic

character and beauty of the countryside and supporting thriving rural communities within it."

SALP Policy CP1, alongside CSDPD Policies CS1 and CS2 and the NPPF take a positive approach to development with the defined settlement. As such it is considered that the proposal for the increase in children attending a well established nursery within the defined settlement is considered to be acceptable in principle. This is subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc. These matters are assessed below.

## **9. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.

These policies are considered to be consistent with the objectives set out within the NPPF, and can be afforded significant weight. In addition para. 56 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 64 of the NPPF states that development should only be granted when the design takes the opportunities where available to improve the character and quality of an area and the way it functions.

The site also lies within Area E: College Town of the Character Area Assessment Supplementary Planning Guidance. The SPD was adopted in 2010, following public consultation, so can be afforded significant weight. It provides guidance to supplement Core Strategy Policy CS7 (Design). This states that the plot pattern, very distinct in plan, is hardly visible on the ground, due to the wide variety of house types and architectural approaches. The only common denominator is the linear development pattern.

There are no external alterations proposed. Given the use of 117 College Road as an existing nursery it is not considered that the proposal would result in a detrimental impact upon the character and appearance of this residential location.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, the Character Area Assessment SPD and the NPPF.

## **10. RESIDENTIAL AMENITY**

BFPLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP Policy 'Saved' EN20 is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the core principle relating to design in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and consistent with the general design principles laid out in paras. 56 to 66 of the NPPF. 'Saved' Policy EN25 relates to proposals not adversely affecting the amenities of neighbouring

occupiers through noise and other forms of environmental pollution and this is consistent with para. 123 of the NPPF.

This nursery has operated since 1990. Originally it was a nursery school open only during school terms and for part of the summer holiday. Over the years a number of planning applications have been submitted and approved to:-

- increase the number of children permitted to attend the nursery at any one time
- increase the number of weeks in the year the nursery is open, and
- increase the opening hours to allow some day care provision as well as nursery school provision.
- increase the use from a mixed residential and nursery use to a nursery use of the whole building.

As each application has been submitted the main considerations have been to weigh potential disturbance to local residents and impact on road safety against the need for nursery school/day care provision. The main impact of the nursery on the living conditions of local people is the inconvenience and disturbance which results from on-street parking in the vicinity of the nursery, when children are dropped off and collected, and from noise from the nursery, principally when children are in the garden. However, the use of the external areas is limited to the covered play area at the far end of the grounds and use three times a day for 15 minutes, and to the use of the covered pool for up to 2 hours a day for a maximum of six children at anyone time by planning conditions imposed on previous permissions and no variation to these conditions is sought. The Council's Environmental Health Team has also raised no concerns over this proposal and has not received any noise complaints about this site in the last 4 years.

The above considerations need to be weighed against the wider benefits of increased child care provision. In this instance it is considered that, due to the very restrictive conditions on opening times, session times and play area use, any harmful effects on the living conditions of nearby residents are unlikely to be so significant over and above the existing perceptions of harm, so as to outweigh these benefits.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, and is therefore in accordance with BFBLP 'Saved' Policies EN20 and EN25 and the NPPF.

## **11. TRANSPORT IMPLICATIONS**

CSDPD Policy CS23 states that the LPA will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 seeks to ensure that new development has sufficient car parking. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking. The SPD was adopted following public consultation, so can be afforded significant weight. The NPPF allows for LPAs to set their own parking standards for residential development and therefore the above policies are considered to be consistent with the NPPF.

The application site is located on College Road, a busy local distributor road, which is unclassified. College Road is subject to a 30mph speed limit with traffic-calming in the form of road humps. There are footways and street lighting.

On-street parking is generally un-restricted in the vicinity of the site, with a few short lengths of restricted parking at junctions and at bus stops.



There are bus stops in close proximity to the site for services between Bracknell and Camberley, which are hourly in each direction.

The application notes that, 'existing building and premises will remain unaltered, the 'development' consisting merely of an increase in the authorised maximum number of children catered for, from the current 39 to 45, i.e. an increase of 6 children'. 'Of these no more than the current number of children (i.e. 27) would attend for the full hours with the additional 6 being added to the 12 others who attend between 09:15 and 16:00 hours (i.e. off peak traffic hours). No change is proposed to the current staffing level.

Existing on-site car parking provision (3 spaces) is to be retained. Existing vehicular and pedestrian access will be unaltered.

The applicant has carried out parking surveys in support of this planning application to assess the on-street parking impact of the proposed expansion of the maximum number of children at the nursery.

The parking surveys have been undertaken within a clearly defined survey area during morning and afternoon peak nursery times and a robust assessment of potential on-street parking capacity has been used to determine the parking stress created by the observed parking demand. An initial parking survey was undertaken during August when schools were on holiday. A revised parking survey was undertaken during the October school term time, to provide a more robust assessment of the on-street parking situation.

The parking study, undertaken in August 2014 concluded that, 'the nursery currently has no significant adverse impact on traffic and parking conditions, and the parking survey has demonstrated that there is always ample vacant unrestricted parking space available in the locality, particularly on College Road, at the main nursery children arrival and departure periods'. The parking study undertaken in October 2014 concluded that, 'the further survey and assessment has confirmed the nursery currently has no significant adverse impact on traffic and parking conditions'.

The Highway Authority has visited the site during a nursery morning drop-off period, to validate the parking surveys. The table below compares the applicant's survey undertaken in October 2014 with surveys undertaken by the Highway Authority in November 2014, during a morning drop-off period. On-street parking demand was observed to be similar to the parking demand identified within the surveys undertaken in support of this planning application. The exceptions are The Close, where on-street parking was much lower than the applicant's survey figures and Academy Place, where on-street parking was much higher than the applicant's survey figures.

Street	Applicant's Survey October 2014		Local Highway Authority Survey November 2014	
	Morning peak (8.00 – 8.15)	Morning peak (9.00 – 9.15)	Morning peak (8.00 – 8.15)	Morning peak (9.00 – 9.15)
College Road	5	3	4	3
Academy Place	4	2	7	5
Richmond Road	7	6	8	6
The Close	7	5	3	2
College Crescent	8	4	8	5
Brakes Rise	1	1	3	1
Range View	1	1	0	0

Bracknell Forest Borough Parking Standards (2007) notes that for a nursery, 1 car parking space should be provided to cater for every 4 children. There is currently no existing on-site car parking provision for parents/guardians of children and none is being proposed. Additional parking by parents/guardians would be on-street.

The applicant has provided a Travel Plan Statement in support of this planning application.

It is noted that since the Travel Plan was introduced in 2006 this has substantially improved the children travel modal split, from 100% unshared car in 2005, to approximately one third coming by unshared and shared car respectively, with just over a third coming on foot, in a buggy or brought by a cycling adult in 2010.

The School operates a number of measures to encourage sustainable travel, including a covered area for storing/parking cycles and buggies and the provision of waterproofs/change of clothes for children. Car seats are also loaned to parents who car share. The School has a fees policy that is geared towards incentivising car sharing and that encourages separate families to car-share.

The Travel Plan was last updated in 2010. It is noted that the Travel Plan will continue to operate and, in conjunction with the proposed expansion of the number of children, will be updated incorporating the results of a repeat survey of parent/children travel mode during 2014/5, and a review of Travel Plan targets and measures for the next few years in the light of the findings in respect of changes in travel mode split since 2010.

On the basis of the parking standards and the travel plan, it is reasonable to conclude that 6 additional children could create demand for 2 additional cars which would park on-street. The parking surveys undertaken by the applicant and the Highway Authority conclude that there is no current parking problem in the vicinity of the nursery. The Highway Authority considers that this proposed expansion would not create parking demand which would be detrimental to highway safety.

For the reasons given above, and subject to the recommended conditions, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF. Furthermore it would meet the requirement of the Parking Standards SPD (2007) subject to the recommended conditions being imposed.

## **12. EARLY YEARS AND CHILD CARE**

College Town Montessori school is currently rated as Good by OFSTED and provide very good care and education for the children who attend. The setting works very closely with Bracknell Forest Early Years team to keep up to date and continually improve practice. Early Years Officers can confirm that the setting have a member of staff outside at peak times to ensure that parents are respectful of residents and park appropriately whilst dropping off and collecting.

Space and staffing within the nursery would enable the setting to increase the number of children accessing to a maximum of 45 per day (i.e. an overall increase of 6).

## **13. CONCLUSION**

The proposal is considered to be acceptable in principle and impacts upon the character and appearance of the area and upon the neighbouring properties. The

updated surveys indicate that there would not be a detrimental impact upon highway safety.

Subject to these conditions the proposal would be acceptable and would comply with SALP policy CP1, CSDPD policies CS1, CS2, CS7 and CS23, 'Saved' policies EN20, EN25 and M9 of the BFBLP and the NPPF.

## **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:  
Parking Plan received by Local Planning Authority 24.09.14  
Planning Statement received by Local Planning Authority 24.09.14  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The number of children present at the nursery, the subject of this permission, shall not exceed 45 at any one time.  
REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of adjoining residents.  
Relevant Plans and Policies: CSDPD CS1]
04. The hours of operation shall be restricted to 08.00 to 18.00 hours (for up to a maximum of 27 children) and 09.15 to 16.00 hours (for up to a maximum of 45 children) Monday to Friday for a maximum of 46 weeks in any calendar year and the premises shall not be used for the purposes of a nursery at any other time.  
  
REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of adjoining residents.  
Relevant Plans and Policies: CSDPD CS1]
05. The times of the nursery school sessions shall be staggered as set out in table 1 at page 6 of the Planning Statement by Scottplan received by the Local Planning Authority on 24.09.2014.  
REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of adjoining residents.  
[Relevant Plans and Policies: CSDPD CS1]
06. Access to the nursery shall be by the front door of the property only.  
REASON: In the interests of the amenities of adjoining residents.  
[Relevant Plans and Policies: BFBLP EN20]
07. No increase in children numbers shall occur until an updated Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall commence when the number of children attending the Nursery increases above 39 and shall continue in operation thereafter.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

08. The use of the outdoor areas shall be restricted to 2 hours a day in accordance with the details contained within paragraph 4.10 of the Planning Statement submitted to the LPA on 24.09.2014. Outdoor play shall be restricted to the existing covered swimming pool, covered outdoor play area and the hardstanding leading to these buildings.

REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of adjoining residents.

Informative(s):

01. 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, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. The red line of the site does not cover the rear garden of no.119 College Road. As such this area of the garden cannot be lawfully used for the nursery.

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](http://www.bracknell-forest.gov.uk)