

ITEM NO:

Application No.
15/00892/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
11 September
2015

Target Decision Date:
6 November 2015

Site Address:

**Land Adjacent To Hayley Green Farm Hayley Green
Warfield Bracknell Berkshire**

Proposal:

**Change of Use from Agricultural Building to Curling Rink (D2),
formation of ancillary grassed parking area, erection of extension to
barn, demolition of former piggery, new vehicular access, and
landscaping.**

Applicant:

Dr Stephen Hinds

Agent:

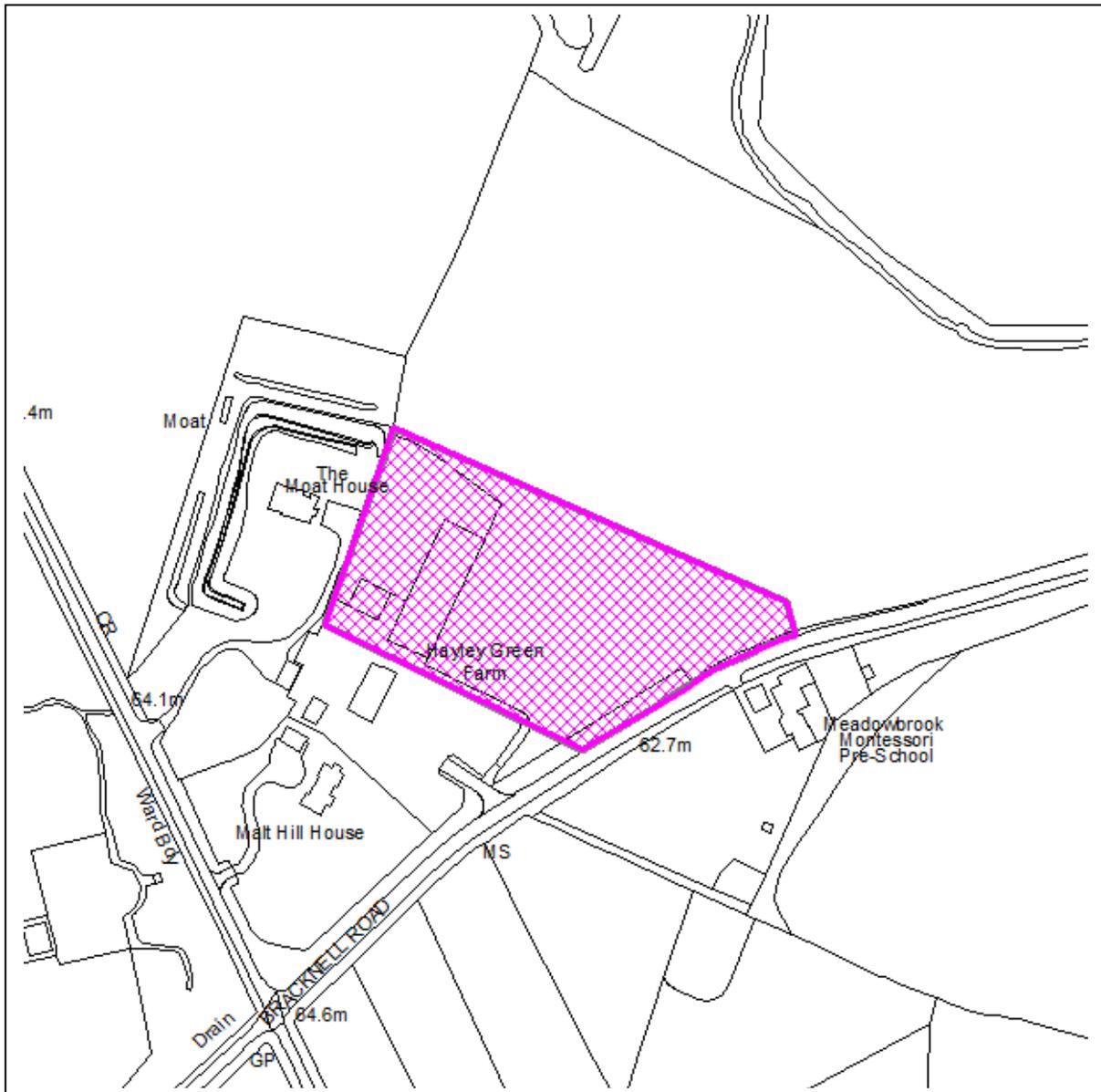
Dr Bob Newell

Case Officer:

Katie Walker, 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 proposal has progressed straight to Appeal stage, following the non-validation of the application. As such, the Council cannot determine the application. Members can, however, agree a deemed recommendation, which will then form the basis of the Council's response to the Appeal.

1.2 The proposed development relates to the provision of a curling rink and associated facilities within the countryside. A sequential test has demonstrated that this is the only realistic location and it is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. The proposal would not result in any adverse impact on highway safety. The proposal would, however, have an adverse impact on the setting of the nearby Listed Buildings. In addition, no information on surface water drainage or flood risk has been provided. As such, the recommendation is for Members to agree with the deemed reasons for refusal.

RECOMMENDATION
That Members agree the deemed reasons for refusal, as set out in section 11 of this report. The Council's Statement of Case for the Appeal will then be based on these reasons.

2. CONTEXT AND REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 This application was not validated by officers, as a planning application fee was not paid. This was because the applicant considered that they were entitled to a 'free go' under the fee regulations, having had a similar application refused in December 2014. However, the fee for the previous application was refunded. Officers therefore considered that the full fee was payable and did not validate the application. The applicant appealed to the Planning Inspectorate on the grounds on non-determination and, as a result, this application has progressed straight to Appeal stage. The decision on the proposal will therefore be determined by the Planning Inspectorate. The purpose of bringing this application to Planning Committee is to ascertain Members' views, which will determine the case officer's response to the Planning Inspectorate.

2.2 The Officer's recommendation is that Members approve the deemed reasons for refusal set out in section 11 of this report, which would then form the basis of the Council's Statement of Case against the Appeal. The deemed reasons for refusal set out in section 11 differ from the reasons for refusal for the previous application. This was refused at Planning Committee for the following reasons:

- *The proposed extension, additional car parking and increased levels of activity associated with the proposed use would have a detrimental impact upon the open and rural character of the area. The development is therefore contrary to Policy CS9 of the Core Strategy Development Plan Document, 'Saved' Policy EN8 of the Bracknell Forest Borough Local Plan and the NPPF.*
- *The proposal is not sited in a sustainable location and as such would result in an increase in traffic movements which would be generated to and from the site. This would lead to an increase in vehicles on Bracknell Road to the detriment of highway safety. The proposed development would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document and 'Saved' Policy M4 of the Bracknell Forest Borough Local Plan.*

- *The use of the proposed access point which is in close proximity to the access for Meadowbrook Montessori Primary School would adversely affect road safety and the flow of traffic. The proposal would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document.*
- *The proposed curling rink use, plant equipment and car parking area by reason of its siting and proximity to the boundary with neighbouring properties would result in an unacceptable level of noise and disturbance to the detriment of the living conditions of neighbouring properties. The proposed development would therefore be contrary to Policy EN20 of the Bracknell Forest Borough Local Plan.*

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Countryside.

3.1 The site is 1.29ha in size and is bound: to the south by Hayley Green Farm and Malt Hill House, beyond which is Bracknell Road; to the west by The Moat House; and to the north and east by open fields. The open fields to the east are also within the control of the applicant. The site is occupied by a large concrete framed barn with masonry dado walls and sheet cladding.

3.2 The existing barn is situated approximately 11 metres from Hayley Green Farm, which is a Grade II Listed converted barn. The boundary between the two sites has 2 metre high fencing and 4 metre high vegetation. The Moat House is also a Grade II Listed building and is approximately 48 metres from the existing barn.

3.3 The barn has been re-clad under permitted development rights as the original sheet roof and walls of the barn contained asbestos. In addition internal alterations have taken place and a new concrete slab has been laid. As a change of use has not occurred and the extension has not commenced, therefore no breach of planning has occurred.

4. RELEVANT SITE HISTORY

13/01035/FUL Change of Use from Agricultural Building to Curling Rink (D2) following renovation, formation of ancillary grassed parking area, erection of extension to barn, demolition of former piggery, new vehicular access, and landscaping. Refused 2014.

11/00885/FUL Erection of 1 no. detached dwelling including basement and detached garage with accommodation above including associated access and amenity space following demolition of 2 no. existing outbuildings (revised scheme following 11/00448/FUL). Refused

11/00448/FUL Erection of 1 no. 5 bedroom detached dwelling including basement and detached garage with accommodation above following demolition of 2 no. existing outbuildings. Creation of new access onto Forest Road, a classified road. Refused

02/00042/LB Listed building consent for the demolition of existing bungalow associated with the erection of 1 no. 5 bedroomed dwelling and associated double garage. Approved

02/00041/FUL. Erection of 1 no. 5 bedroomed house and detached double garage with access onto Malt Hill following demolition of existing bungalow. Approved

01/00708/FUL Erection of 1no. five bedroomed dwelling with attached triple garage and associated access from Malt Hill. Conversion of existing barn to a four bedroomed dwelling

with detached triple garage and associated access on to Bracknell Road (duplicate of 01/00361/FUL). Refused

00/00254/OUT Outline application for the erection of medical/care and retirement development comprising 60 bed medical complex, 30no. sheltered apartments, 8no. flats and 24no. houses with associated car parking with vehicular access onto Malt Hill. Refused.

5. THE PROPOSAL

5.1 The proposal is for the conversion of the existing agricultural barn to a three lane curling rink. An extension, measuring 13 metres by 30 metres is proposed on the north elevation of the barn.

5.2 Internally the conversion and extension would provide:

- 3 curling lanes.
- A reception and office.
- A ground floor gallery.
- A club room.
- A cellar and bar store.
- A classroom.
- A kitchen.
- 2 shower rooms with WCs.
- 2 footwear changing room.
- A plant and equipment room and 2 store rooms.

5.3 A new access off Bracknell Road is proposed and car parking would be provided in front of the east elevation of the barn. 36 car parking spaces, including 3 disabled spaces, as well as motorcycle spaces, are proposed to the east of the barn behind a proposed strip of landscaping. A chiller compound is proposed to the north of the extension.

5.4 The application is similar to the previous application for the curling rink. The main differences are: the access drive has been realigned so that it follows the northern boundary of the site; the service access and coach parking bay has been shortened and the turning head has been turned round so that it faces south (into the site), as opposed to north (facing the open fields); a chiller compound has been included to the north of the proposed extension; the number of disabled car parking spaces has been reduced from 4 to 3; cycle parking for motorcycles has been added; cycle and bin storage has been added to the east of the extension.

6. REPRESENTATIONS RECEIVED

6.2 There have been 73 letters of support for the Appeal scheme, however 52 of these did not provide a postal address. In line with usual Council procedure, only those which provided an address are reported here. The points raised in the 22 letters of support which provided an address are summarised as follows:

- The original application was recommended for approval by planning officers
- There would be no transport impacts, especially when compared with the new homes in the Borough
- The site is sustainable
- Physical and social benefits of sport and recreation
- Interest in the sport and the potential to develop the sport in England
- No impact on residential amenities
- Would reduce journey times from this part of the country

- Tourism
- Effective re-use of building
- Potential for schools to use curling rink
- Contribution to the economy
- Opportunity for Bracknell
- Curling is an inclusive sport

6.3.6 letters of objection have been received. The issues raised are summarised as follows:

- Size of the extension is excessive
- No lighting plan has been submitted, however large floodlights have been fitted to the existing building which would cause light pollution
- The external chiller compound would impact on residential amenity
- Road safety
- Pedestrian safety, especially regarding Montessori School
- Sequential impact assessment is insufficient, retrospective and does not consider using the existing ice rink or sites outside of Bracknell.
- Noise impact assessment does not take into account that the site has not been in agricultural use for many years, and does not take the noise that would be generated by the sport itself into account
- Hours of operation are inappropriate
- Security
- No demand for Curling Rink
- Impact on rural character of the area
- No fundamental change from previously refused application
- No dedicated coach parking
- Works have already begun [*officer note: an enforcement investigation was undertaken and closed for this site*]
- Impact on Listed Buildings
- Impact on visual amenities of the Green Belt [*officer note: the site is not within the Green Belt*]
- Impact of proposals on residential amenity of occupiers of nearby properties
- Insufficient screening of proposals
- Inappropriateness of sub station
- Buildings on site have already been demolished and therefore their removal cannot be considered an improvement on the site as currently existing
- Inappropriate and unsustainable development in the countryside
- Proposed facilities, including kitchen, bar and club room, are unnecessary
- Parking will spread built envelope of the site

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Environmental Health: Conditions recommended.

7.2 Transportation Officer: No objection subject to conditions.

7.3 Listed Building Consultant: Objects to the application. See officer report for details.

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, CS8 and CS9 of CSDPD, EN8 of BFBLP	Consistent
Residential	Saved policy EN20 of BFBLP	

amenity		
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Noise and pollution	Saved policy EN25 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on Listed Buildings
- iv Impact on residential amenity
- v Transport implications
- vi Flood Risk and Drainage
- vii Community Infrastructure Levy

i. Principle of development

9.2 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). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.3 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes. CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise. These policies are considered to be consistent with the sustainable development principles of the NPPF and as a consequence are considered to carry significant weight.

9.4 The site is located outside the defined settlement as shown on the Bracknell Forest Borough Policies Map 2013. The site does not fall within the Green Belt. The boundary of the Green Belt starts approximately 190 metres to the north east of the site.

9.5 CSDPD Policy C8 promotes new recreational facilities. This is considered consistent with the NPPF which promotes mixed use developments, and encourages multiple benefits from the use of land in urban and rural areas such as recognising that some open land can perform many functions including recreation. CSDPD Policy CS9 states that the Council will

protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. This policy is considered to be consistent with the NPPF which, in paragraph 17, seeks to recognise the intrinsic character and beauty of the countryside and support thriving rural communities within it.

9.6 BFBLP 'Saved' Policy EN8 ensures that the countryside will be protected for its own sake. Outside the defined settlement boundaries, development will be permitted only where it would not adversely affect the character, appearance or function of the land, would not damage its landscape quality. 'Saved' Policy EN8 goes on to list acceptable development within the countryside as:

- (i) development required for agriculture and forestry;
- (ii) essential utilities and cemeteries which cannot be sited within settlement boundaries;
- (iii) minor extensions to, replacement of, or subdivision of, existing buildings;
- (iv) the re-use of permanent buildings which are in keeping with their surroundings, or of buildings of special architectural or historic interest, for suitable alternative uses (including residential institutions in extensive grounds) subject to criteria defined in Policy EN9, Policy EN17, Policy EN22, Policy EN12 and Policy H11; and
- (v) proposals which are acceptable in terms of other policies in this plan for:
 - (a) recreation development suitable in the countryside;
 - (b) the disposal, recycling or treatment of waste.

9.7 BFBLP 'Saved' Policy EN9 permits change of use and adaptation of non-residential buildings outside settlements (and outside the Green Belt) where they are of permanent construction, in keeping with their surroundings, would not require extensive alteration or rebuilding, would not be detrimental to the character of the building or its landscaped setting, would not result in more than 500 sqm of business floor space, and would not cause significant environmental, road safety, traffic generation or other problems.

9.8 Paragraph 28 of the National Planning Policy Framework states:

"Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside."

9.9 Paragraph 24 of the NPPF states that LPAs should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. While the curling rink is not a use that would necessarily be classified as a town centre use, the applicant has provided a sequential test, which has examined town centre, edge of centre and out of centre sites for their suitability for the proposed curling rink. This demonstrates that there are no realistic alternative sites for the curling rink.

9.10 'Saved' Policies EN8 and EN9 of the BFBLP and the NPPF take a positive approach to the conversion of buildings within the countryside. The NPPF goes further to support the re-use of these buildings for diversification and for leisure purposes. As such it is considered that BFBLP 'Saved' Policies EN8 and EN9 are consistent with the NPPF and that the proposal for the change of use of an agricultural barn for leisure facilities is acceptable in principle. This is subject to no adverse impacts upon residential amenities of neighbouring properties, the character and appearance of the surrounding area, highway safety implications, etc. These matters are assessed below.

ii. Impact on the character and appearance of the area

9.11 The existing site comprises a barn set within open fields. The existing barn is built of brick with panels to the roof. The proposed curling rink would comprise the conversion of this barn, and the proposed extension would be in keeping with the existing barn in terms of its size, design and roof profile. The extension to the barn would be set back from the highway by approximately 85 metres and as such would not be visually prominent within the street scene.

9.12 The existing barn has a floor space of approximately 1,014 square metres, and the proposed extension would have a floor space of 413 square metres, including the cycle and bin storage area. This represents a floor area increase of approximately 41%. A piggery building of 161 square metres has been demolished and, overall, it is not considered that the increase in floor area represents a disproportionate addition to the building.

9.13 Landscaping is proposed around the car parking to soften the impact of the hard standing. It should be noted that there is existing hard standing around the barn. The car park itself provides a surfaced area providing 36 car parking spaces and motorcycle spaces.

9.14 The proposed extension to the barn would be in keeping with the existing barn, and it is not considered to be disproportionate to the existing barn, especially when taken in the context of the size of the wider site and its distance from the road. As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Policy CS7 of the Core Strategy DPD, 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan and the National Planning Policy Framework.

iii Impact on the Listed Buildings

9.15 Section 66(1) of the (Listed Buildings and Conservation Areas) Act 1990 relates to the determination of applications affecting the setting of a Listed Building and states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' Recent legal cases relating to issues of the setting of listed buildings have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.16 In the recent case (2015) of *East Northamptonshire v. Secretary of State for Communities and Local Government* [2015] 1 W.L.R. 137 (known as the 'Barnwell Manor' case) the Court of Appeal held that section 70(1) was expressly subject to section 66 of the Listed Buildings And Conservation Areas Act and that decision-makers should give 'considerable importance and weight' to the setting of listed buildings. This case clarified the fact that the requirements of the Principal Act should take precedence over the non-statutory policy in the NPPF. This case took place in 2015, after the previous application for the Curling Rink was determined in 2014.

9.17 The Grade II Listed Moathouse is a former hall house located within a moated site. The house, which dates from the early 15th century and was altered in the 16th century, was partly encased in brick in the 18th century and altered in the 20th century. It is built of part-timber framing with painted brick infill at the rear and part-painted brick under an old tile gabled roof. The plan has a two framed-bay forming the former hall with three framed bay crosswing on north-east and a 16th century extension on south-west. The exterior has two storeys with two chimneys at gable ends, two other chimneys at rear, all with corniced heads and clay pots. The late 16th century chimney on the right hand gable is brick in English bond and is now

disused. There are 19th century casement windows and the entrance front to south-west has three-bay windows. The interior has large chamfered joists on the ground floor with shutter grooves in former external wall on north-west and there is a redundant crown post roof, arch-braced centre truss with some sooted rafters.

9.18 The Grade II Listed Hayley Green Farm is a former barn probably of late 16th or early 17th century in date, now converted to a dwelling. The house is built of timber-framing and part weatherboard, part painted brick infill under an old tile half-hipped roof. The plan is rectangular with five framed bays with central gabled midstrey on north-west. The exterior has 20th century lean-to extensions on each side of midstrey. The interior is fine quality timber frame, complete with queen-post roof trusses, clasped purlins and arch windbraces. It has jowled posts with arch-braces to tie beams and the rafters, which are pegged to the purlins, have holes at their feet. The setting is currently dominated by the existing barn, which is a very large modern barn built of brick and cementitious corrugated sheeting.

9.19 There are a number of important and competing constraints on the site including the settings of the two Listed Buildings. The addition of an extension approximately 30 metres long and 13 metres wide to the existing barn which would be located approximately 30 metres east from the boundary with the Moathouse would make it conspicuous within the setting of the adjacent Listed Building. While the impact on the setting of Hayley Green Farm would be partly screened by the existing barn and the distance of approximately 65 metres between Hayley Green Farm and the proposed extension, the surrounding hard standing of the car park with 36 spaces, 3 disabled spaces and coach parking bay plus the associated paraphernalia required, including potential signage, lighting and advertising, would detract from the rural character of the settings of the Listed Buildings.

9.20 Due to the location, size and overall design of the proposed extension and surrounding car park hard standing it would be visually prominent resulting in an adverse visual impact on the character and the settings of the Grade II Listed Buildings. No Heritage Statement has been submitted to support this application or justify the potential harm to the settings of these historic buildings. The Planning, Design and Access statement submitted with the application refers to the impact of the proposal on the nearby heritage assets. Paragraph 28 of the NPPF, however, requires applicants to 'describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance'. The Planning, Design and Access Statement does not provide the level of detail required, as reinforced by the above mentioned Barnwell Manor case, for which there was also no evidence that the statutory duty in the Principal Act was applied. As the Barnwell Manor decision was issued in 2015, after the determination of the previous curling rink application, it can be regarded as a new material consideration.

9.21 The proposal would potentially result in an inappropriate and unsympathetic development that would detract from the special character of the settings of the two Listed Buildings and the contribution they make to the heritage of the area. The proposal would therefore be contrary to Policy EN20 of the Bracknell Forest Borough Local Plan, and Policies CS1 and CS7 of the Core Strategy Development Plan Document and guidance in the NPPF and National Planning Practice Guidance (PPG).

iv. Impact on Residential Amenity

9.22 The existing barn would be converted to accommodate the curling rink, with no substantial external changes other than the extension. The proposed extension would be 60 metres from the boundary with Hayley Green Farm and 29 metres from the boundary with The Moat House. As such the proposed extension would not result in a loss of light or overbearing impact upon the occupiers of these properties.

9.23 The proposed change of use of the barn would result in an intensification of use of the site. The existing access to the barn runs along the boundary with Hayley Green Farm. This access is to be stopped up and a new access is proposed 78 metres away from the boundary with Hayley Green Farm. It is therefore not considered that the proposed access would have a detrimental impact upon the amenities of Hayley Green Farm. The closest car parking space to the boundary with Hayley Green Farm would be at a distance of approximately 11.5 metres, and 20 metres from the dwellinghouse. There is an existing access track which separates the barn from the boundary with Hayley Green Farm and this is proposed to be removed and grassed over, and a new 1.8 metre close boarded fence is proposed on the boundary. Given the proposed distances and the proposed boundary treatments, it is not considered that the proposed car parking area would have a detrimental impact on the residential amenity of the occupiers of Hayley Green Farm. A condition would be recommended to the Planning Inspectorate that, in the event that the Planning Inspectorate should allow the Appeal, details of boundary treatments should be submitted to and agreed in writing by the Local Planning Authority prior to the first use of the Curling Rink. This condition would be recommended without prejudice to the Council's case.

9.24 The Appeal has been accompanied by a noise assessment. The assessment compares the noise of the proposed chiller and dehumidifier against the permitted use, of agriculture, i.e, agricultural vehicle storage and domesticated animals. This sets out that the predicted noise level rating would fall below adopted criteria at Hayley Green Farm, and is therefore not considered to have an unacceptable impact on this property. The assessment demonstrated that the proposals would exceed the adopted criteria at Moat House and, as such, mitigation measures have been proposed. These include an acoustic boundary to the north west boundary of the chiller unit and ductwork for the dehumidifier in order to channel noise away from Hayley Green Farm. The Council's Environmental Health Officers have stated that they are satisfied with the noise impact assessment's conclusions and recommendations and a condition will be recommended to the Planning Inspectorate to secure the measures set out in that report, in the event that the Appeal is allowed. This condition would be recommended without prejudice to the Council's case.

9.25 A number of residents have raised concerns regarding the potential noise of the proposed curling rink in terms of the activity of curling itself. As such, a condition would be recommended to the Planning Inspectorate that, in the event that the Planning Inspectorate should allow the Appeal, the hours of use of the curling centre are restricted to 9am – 10pm. This condition would be recommended without prejudice to the Council's case.

9.26 To ensure that the amenities of residents of neighbouring properties are protected during the construction phase, a condition would also be recommended to the Planning Inspectorate, limiting construction hours from 8 am – 6pm Mondays to Fridays, 8am – 1pm on Saturdays and not at all on Sundays or Public Holidays. This condition would be recommended without prejudice to the Council's case.

9.27 A number of residents have raised concerns that large lights have already been installed on the building. As the proposed development is in an essentially rural area, insensitive external lighting on the site is highly likely to result in loss of amenity to the area through the introduction of sky glow, glare and/or light intrusion through windows of neighbouring properties. No Lighting Impact Assessment for the external on-site lighting has been submitted as part of either application. A condition would therefore be recommended to the Planning Inspectorate that, in the event of the Appeal being allowed, details of external lighting, including a Lighting Impact Assessment, should be submitted to and approved in writing by the Local Planning Authority. This condition would be recommended without prejudice to the Council's case.

9.28 Subject to the proposed recommended conditions, the proposal is not

considered to have a significant adverse impact on the residential amenities of neighbouring properties and would therefore accord with 'Saved' Policies EN20 and EN25 of the Bracknell Forest Borough Local Plan and the provisions of the National Planning Policy Framework.

iv Transport implications

9.29 The site takes access off the B3022 Bracknell Road within the area known as Hayley Green. The road is subject to a 40mph speed limit and is rural in character resulting in speeds which are likely to be broadly in line with the speed limit. There is a school located opposite the proposed site access. The road is unlit. This current proposal is similar to planning application 13/01035/FUL which was refused by the Council's Planning Committee. The Highway Authority (HA) raised no highways objection to 13/01035/FUL.

9.30 An addendum to the Transport Statement (provided in support of 13/01035/FUL) has been provided as part of this current planning application. The addendum notes that the following was accepted by the HA.

Vehicle Tracking

9.31 The applicant notes that, '*Vehicle tracking for access by a standard coach was agreed as acceptable with the provision of 10 metre radii to both sides of the access junction*'.

9.32 The HA is, however, concerned with the revised site layout. A turning head is proposed on site and the vehicle tracking shown for the latest site layout (drawing PD10-H) indicates that larger vehicles (the vehicle type is not specified) could turn within it. This turning head is shown as a coach parking bay and it is therefore unclear how this would operate should two or more coaches be on the site at the same time and how larger delivery and servicing vehicles would turn when a coach is parked within the proposed turning head. The previous refused site layout shown on drawing PD10-F was larger, providing parking and turning for coaches, delivery and servicing vehicles. A revised site layout is required to address this. A condition would be recommended to the Planning Inspectorate requiring a revised layout to be submitted to, and approved in writing by, the Local Planning Authority. This condition would be recommended without prejudice to the Council's case.

Visibility Splays

9.33 The applicant notes that, '*visibility splays of 2.4 metres by 120 metres are contained within the application red line boundary. Also, the site access junction has also been amended to provide a 2 metre wide footway on the east side of the bell-mouth to assist with pedestrian movements. There is a continuous footway on the southern side of Bracknell Road*'. Part of the existing hedge would need to be removed to provide sight-lines. The proposed sight-lines would need to be secured by planning condition, and this would be recommended to the Planning Inspectorate without prejudice to the Council's case.

Traffic and Parking Survey

9.34 The applicant notes that, '*A 7-day survey was undertaken at the Fentons Curling Rink in Tunbridge Wells, Kent. At the time of the survey the rink was 100% occupied and the survey data was considered by the LHA to represent a robust model of the likely activity at Hayley Green. Following the survey the proposed car parking provision was increased to 34 spaces*'. The previous refused site layout shown on drawing PD10-F shows 17 standard spaces plus 4 disabled spaces and 16 over-flow spaces, a total of 37 spaces. The latest site layout shown on drawing PD10-H indicates that 33 parking spaces would be provided plus 3 disabled spaces, a total of 36 spaces. As such this represents a reduction in disabled provision by one space with the number of standard spaces remaining at 33 when compared with the previous

refused parking provision. However, the provision of 36 spaces slightly exceeds the 34 spaces considered to be required, based on surveys of an existing curling rink in Tunbridge Wells and this level of provision is considered acceptable to the HA for this proposed curling rink.

9.35 The provision of 3 disabled spaces complies with the Council's parking standards that 6% of total capacity be disabled. A condition to restrict the D2 use to a curling rink will be recommended to the Planning Inspectorate without prejudice to the Council's case, as alternative D2 uses may be more intensive and require a higher level of car parking.

9.36 The applicant has sought to address the previous reasons for refusal of 13/01035/FUL as follows:

Reason for Refusal 1

9.37 The first reason for refusal sets out that: The proposed extension, additional car parking and increased levels of activity associated with the proposed use would have a detrimental impact upon the open and rural character of the area. The development would therefore be contrary to Policy CS9 of the Core Strategy Development Plan Document 'Saved' Policies EN8 and EN9 of the Bracknell Forest Borough Local Plan and the NPPF'

9.38 The applicant notes that, *'the likely trip generation from the curling rink is 106 two-way trips over the course of a typical day, based on the traffic survey from the Fentons Curling Rink and given that traffic survey data for the B3022 Bracknell Road provides a two-way daily traffic flow (AADT) of 4295, the proposal would result in a 2.5% increase in traffic flows'*. Also, the applicant notes that, *'the existing agricultural use of the site could generate in the region of 48 movements per day and therefore the net impact of the curling rink is likely to be 58 daily movements, a 1.4% increase in traffic flows'*.

Reason for Refusal 2

9.39 Reason for Refusal 2 sets out that: The proposal is not sited in a sustainable location and as such would result in an increase in traffic movements which would be generated to and from the site. This would lead to an increase in vehicles on Bracknell Road to the detriment of highway safety. The development would therefore be contrary to Policy C23 of the Core Strategy Development Plan Document 'Saved' Policies M4 of the Bracknell Forest Borough Local Plan and the NPPF'

9.40 The applicant notes that, *'the proposed access has been designed in accordance with the design standards and methodology set out in the Design Manual for Roads and Bridges TD 42/95 the Geometric Design of Major Minor Priority Junctions and has the benefit of visibility in accordance with that guidance and as such is suitably designed to accommodate the level of traffic forecast for the development in the context of the existing traffic levels on Bracknell Road'*. The HA considers that the applicant has addressed the point regarding safe access to the site. With respect to the sustainability of the site, the previous Transport Statement submitted for planning application 13/01035/FUL (appendix B) cites an inspector's appeal decision that curling is a minority sport which attracts few spectators and that no location would be particularly sustainable.

Reason for Refusal 3

9.41 Reason for Refusal 3 sets out that: The use of the proposed access point which is in close proximity to the access for the Meadowbrook Montessori School would adversely affect road safety and the flow of traffic. The proposal would therefore be contrary to Policy C23 of the Core Strategy Development Plan Document.'

9.42 The applicant notes that, *'the DMRB offers advice on the spacing of junctions where there is likely to be interaction between the two side roads. In such cases minimum spacing is recommended to accommodate the manoeuvring of articulated HGVs between the side roads. Where the access points are private, non-adopted access points, and there is unlikely to be any interaction, then the advice is not applicable as it would not improve the safety of such junctions'*.

9.43 The above refers to one school access. The HA noted previously that the new proposed access onto Bracknell Road for access to this development would be located in between two access points to the school. The western access is approximately 18 metres (centre to centre) from the proposed curling rink access and appears to be a maintenance access to the playing fields which is infrequently used. The eastern access serves an exit from the school car park and this is approximately 25 metres from the proposed curling rink access. Considering the peak activity of the curling rink is likely to be in the evenings and at weekends, when club events take place such as training and matches, this is unlikely to conflict with the school.

9.44 The proposed access road is 5.5 metres wide and the new bell-mouth is shown on drawing PD10-H as being constructed to 'Highways specification'. The means of access should be secured by planning condition. Also, the applicant will require the consent of the HA to construct the access and should be advised of this by way of an informative. There is a shallow ditch and access works may require a culvert or the ditch to be diverted back from the road. The applicant would need to obtain relevant permission to culvert the ditch. A permeable tarmac access road is proposed within the site and this should be suitable for vehicle and pedestrian use. Internal roads and parking area would need to be suitably drained. Further information on drainage is set out below.

9.45 Subject to the conditions set out above, the proposed development would be acceptable in highway terms, and would be in line with CSDPD Policy CS23 and 'Saved' Policy M9 of the BFBLP. The suggested conditions will be recommended to the Planning Inspectorate, without prejudice to the Council's case.

v. Flood risk and drainage

9.46 From August 2015, the Council requires a drainage strategy to be submitted with all major applications and some minor applications. No information has been submitted indicating how surface water from the site would be dealt with nor has any information been submitted regarding how a surface water drainage system would be operated and maintained for the lifetime of the development. The application, therefore, does not provide a sustainable drainage system in accordance with the NPPF and there is no indication that such a system, if provided, would meet the DEFRA Non statutory Technical Standards. As the applicant has not demonstrated that the proposed development can be drained, there is a risk of surface water flooding both on and off the site.

9.47 Due to the lack of information, the proposal in its current state does not demonstrate that it would be SuDS compliant, and is therefore contrary to the NPPF and CSDPD Policy CS1.

vi. Community Infrastructure Levy (CIL)

9.1 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.2 CIL applies to new build. In this case, the proposal would be CIL liable as the proposal comprises the change of use of over 100 sq.m. of floorspace. However, as the proposal is for a leisure use, there would be a nil charge per square metre of floorspace.

10. CONCLUSIONS

10.1 The proposed development relates to the conversion and extension of an existing building in the Countryside for recreational purposes and is therefore acceptable in principle. It would not adversely affect the residential amenities of the occupiers of neighbouring properties or the character and appearance of the surrounding area, and would be acceptable in transport terms. However, the proposal would have an adverse impact on the setting of the Listed Buildings and would therefore be contrary to Policy EN20 of the BFBLP, Policies CS1 and CS7 of the CSDPD and the NPPF. Due to a lack of information, the proposal does not demonstrate that it is SuDs compliant and does not confirm that it is not at risk of surface water flooding, and would therefore be contrary to CSDPD Policy CS1 and the provisions of the NPPF.

11. RECOMMENDATION

11.1 That Members agree the following deemed reasons for refusal:

01. The proposed development would result in an unsympathetic development that would detract from the special character of the settings of the two Listed Buildings and the contribution they make to the heritage of the area. The proposal would therefore be contrary to Policy EN20 of the Bracknell Forest Borough Local Plan, and Policies CS1 and CS7 of the Core Strategy Development Plan Document and guidance in the NPPF.
02. Insufficient information has been provided to demonstrate that the proposed development would be SuDS compliant and there is therefore a risk of surface water flooding on and off the site. As such, the proposed development would be contrary Policy CS1 of the Core Strategy Development Plan Document, and the NPPF.