



Council
Wednesday 26 April 2000, 7.30 pm

NB: Any missing reports on these items may be available at the Berkshire Record Office, 9 Coley Avenue, Reading, RG1 6AF.

AGENDA

Page No

1. **Apologies for absence**

2. **To approve as a correct record the minutes of the Meeting of the Council held on 1 March 2000**

[Note: Councillor Mills has indicated that arising from Minute 514 he will report to the Council in accordance with the terms of Motion 1/99].

3 - 12

3. **Mayor's Announcements**

- 1 Borough Elections – 4 May 2000: Retiring members
- 2 Engagements

4. **Public Participation at Meetings**

- (i) To receive a petition in the following terms submitted by Mr J T Martin and signed by 220 persons:

Petition to stop the change of use of St Michael's C of E School Playing Field from sole use of the school to general public use.

We the undersigned, residents of Sandhurst, strongly object to this change of use and insist that you, the Council, our elected representatives, cancel the current plans. Furthermore, not to introduce any such plans for the use of this field in the future.

- (ii) To receive a petition in the following terms submitted by Mrs A Parton and signed by 223 persons:

Parking Problems – Wildridings Square

We the undersigned call on Bracknell Forest Borough Council to take immediate action with a view to resolving the problems arising from acute vehicle congestion in Wildridings Square and

adjacent roads.

5. To receive and consider Reports, Minutes and Recommendations of Committees:

Leisure Services Committee - 21 March 2000 13 - 42
Direct Services Board - 22 March 2000
Public & Environmental Services Committee - 28 March 2000
Social Services & Housing Committee - 29 March 2000
Education Committee - 4 April 2000
Planning & Transportation Committee - 6 April 2000
Strategy & Policy Committee - 12 April 2000
Reference from Planning Control Sub Committee - 16 March 2000

[Note: The Report considered by the Sub Committee as referred to in this recommendation is attached for reference purposes]

6. To Receive Reports from Officers of the Council

(i) Crowthorne Parish Council – Application in Respect of 43 - 46
Members' Interests

To consider the attached report by the Director of Corporate Services (Legal) (Page 5)

7. Motions Submitted Under Standing Order 8

(i) 4/2000 Submitted by Councillors Flood and Bettison

That this Council deplores the arrogant, cynical and uncaring attitude displayed by a local member of the Labour Government in her desire to move the Headquarters of the Meteorological Office away from Bracknell. Further, that this Council seeks the assistance of the two Conservative Members of Parliament representing this Borough and pledges its support for the employees, spouses, children and other family members who face the prospect of either having to move hundreds of miles away or seeking alternative employment.

(ii) 5/2000 Submitted by Councillors Harrison and Ward

This Council deplores the Labour Government policies on Housing as expressed in the Government Green Paper. In particular we oppose the Government's intention to force the sale of our remaining council house stock to external companies.

[Note: In accordance with the terms of Standing Order 8, Motion 5/2000 stands referred to the Social Services & Housing Committee]

COUNCIL

1 MARCH 2000

Present: Councillors Adams, Bailey, Mrs Ballin, Barnard, Bayle, Beadsley, Bettison, Birch, Blatchford, Mrs Clifford, Egan, Fawcett, Finnie, Flood, Good, Harrison, Miss Haydon, Mrs Hayes, Mrs Hirst, Jones, Mrs Keene, McCormack, Mills, North, Piasecki, Mrs Pile, Ryan, Sargeant, Mrs Shillcock, Simonds, Mrs Sutcliffe, Taylor, Thompson, Wade, Ward, Wheaton and Worrall

Apologies for absence were received from:
Councillor Mrs Doyle

THE MAYOR, COUNCILLOR JAMES G FINNIE, IN THE CHAIR

The Mayor's Chaplain, Rev D Osborn, opened the proceedings with prayers.

513. Minutes

RESOLVED that the minutes of the meeting of the Council held on 17 November 1999 be approved as a correct record and signed by the Mayor.

514. Matters Arising

Minute 366 (i) [Minute 224 (i)]

Councillor Mills, Chairman of the Health Panel, reported to the Council on progress with the development of the Health Panel as required by Motion 1/99 adopted at the Council meeting on 21 July 1999. He referred in particular to the decision to undertake a local survey of households in the Borough to ascertain the views of local people on the range and style of health and social care provision they would like to see locally.

515. Mayor's Announcements

Mr D A Veakins

Members had been notified that Mr D A Veakins had resigned from membership of the Council on 31 January this year. Mr Veakins had represented the Old Bracknell Ward with much distinction since his election in May 1995. The Council wished to record its thanks to the former Councillor for his work in the Council and in particular his contribution to health issues in the Borough.

Engagements

The Mayor's list of engagements for the period 18 November 1999 to 1 March 2000 was circulated to Members of the Council for information.

Charity Gala Concert

The Mayor announced that the Charity Gala Concert in aid of the Lewis Marsh Fund would be held at South Hill Park on 12 March 2000 and he looked forward to seeing many Members of the Council on that occasion.

Bracknell Bees Ice Hockey Team

The Mayor on behalf of the Council congratulated the Bracknell Bees Ice Hockey Team on its success in becoming champions of the Sekonda Super League.

516. **Public Participation at Meetings**

In accordance with Standing Order 12 the Council received a Petition in the following terms organised by Mr R Dumelow, signed by 120 persons:

"I believe that the Legal & General scheme is too big for Bracknell and urge the Bracknell Forest Borough Council to support a Town Centre redevelopment that is more appropriate to the needs of local people"

Following questions, the Petition was noted.

517. **Strategy & Policy Committee**

The report of the meeting of the Strategy & Policy Committee held on 5 January 2000 was submitted.

RESOLVED on the proposition of Councillor Bettison, seconded by Councillor Birch, that the report be received.

518. **Leisure Services Committee**

The report of the meeting of the Leisure Services Committee held on 11 January 2000 was submitted and the Chairman responded to questions thereon.

RESOLVED on the proposition of Councillor North, seconded by Councillor Thompson, that the report be received.

519. **Public & Environmental Services Committee**

The report of the meeting of the Public & Environmental Services Committee held on 18 January 2000 was submitted and the Chairman responded to questions thereon.

RESOLVED on the proposition of Councillor Mills, seconded by Councillor Egan, that the report be received.

520. **Education Committee**

The report of the meeting of the Education Committee held on 25 January 2000 was submitted and the Chairman responded to questions thereon.

RESOLVED on the proposition of Councillor Ward, seconded by Councillor Mrs Hayes, that the report be received and the recommendations contained therein be adopted.

521. **Planning & Transportation Committee**

The report of the meeting of the Planning & Transportation Committee held on 27 January 2000 was submitted.

RESOLVED on the proposition of Councillor Mrs Ballin, seconded by Councillor Worrall, that the report be received.

522. **Social Services & Housing Committee**

The reports of the meetings of the Social Services & Housing Committee held on 1 February and 16 February 2000 were submitted.

RESOLVED on the proposition of Councillor Barnard, seconded by Councillor Mrs Pile, that the reports be received and the recommendations contained therein be adopted.

523. **Strategy & Policy Committee**

The report of the meeting of the Strategy & Policy Committee held on 16 February 2000 was submitted with the exception of Minutes 500 and 507 which would be considered separately. The Chairman responded to questions on the report.

RESOLVED on the proposition of Councillor Bettison, seconded by Councillor Birch, that the report be received.

524. **Strategy & Policy Committee Minute 507 – Motion 5/99**

The Council received the report of the Strategy & Policy Committee regarding Motion 5/99 by Councillors Good and Taylor, referred from Council on 17 November 1999 for consideration and report.

The recommendation in Minute 507 was moved by Councillor Bettison and seconded by Councillor Birch. Councillor Good, seconded by Councillor Ryan then moved an amendment in the following terms:

" Delete all after 'redevelopment' and insert 'accepts in principle that the alternative use for Albert Road Car Park should be as an area of open parkland' "

On being put to the meeting the amendment was declared lost.

The substantive Motion was then put to the meeting and declared carried. It was therefore

RESOLVED that the Borough Council confirms its commitment to introduce residents' parking scheme in conjunction with the Town Centre redevelopment but

that the question of an alternative use for Albert Road Car Park be deferred until after the outcome of the Town Centre Inquiry is known.

525. Financial Plans and Revenue Budget 2000/2001

The Council considered a detailed report by the Director of Corporate Services with a draft budget for the year 2000/2001 which included the recommendations of the Strategy & Policy Committee held on 16 February 2000, as set out in Minute 500.

The Leader of the Council moved adoption of the recommendations set out in the report of the Director of Corporate Services. An amendment in the following terms was then moved by Councillor McCormack and seconded by Councillor Bayle:

"That the Council agrees the Council Tax resolution set out in pages 7 to 11 of the agenda with the following amendments:

3.1 *That the recommendation of the Strategy and Policy Committee outlined in paragraph 2 be agreed except:*

(i) *The Planning & Transportation Committee's request for £0.08M for concessionary fares be adjusted to £0.14m to provide for a flat rate charge of £20 for the unlimited travel pass for those older people between the ages of 65-75, in recognition that the Planning & Transportation Committee's decision to increase the charge by 100% was unnecessary and excluded those in greatest need.*

(ii) *The Finance & Property Sub Committee's net budget requirement of £4.222M be increased by £0.12M to provide for a contribution to those Parish and Town Councils that have in place a TV licence subsidy for those older people over the age of 65 years, and that the basis for distribution be determined at the next meeting of the Strategy & Policy Committee.*

(iii) *The Social Services & Housing Committee's budget requirement of £5.124M for services for the elderly be increased by £0.020M to enable free entrance to Day Centres for those older people on Income Support.*

(iv) *The contribution of £3.415M from revenue balances to support the revenue expenditure during 2000/2001 be increased to £3.621M.*

3.2 *That the following amounts be now calculated by the Council for the year 1998/99 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992:-*

(a) £157,439,208 **TOTAL EXPENDITURE INCLUDING GENERAL FUND HOUSING REVENUE ACCOUNT AND PARISH PRECEPTS**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act

(b) £69,228,000 **TOTAL INCOME INCLUDING GENERAL FUND AND HOUSING REVENUE ACCOUNT**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (b) of the Act

(c) £4,773,515 **REDUCTION IN GENERAL FUND AND HOUSING REVENUE ACCOUNT BALANCES**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(c) of the Act "

The amendment was put to the meeting and, on a vote being taken, was declared lost. The original motion was then put to the meeting and, on a vote being taken, was declared carried. It was therefore:

RESOLVED that

- (i) the recommendations of the Strategy and Policy Committee set out in Minute 500 be agreed;
- (ii) it be noted that at its meeting on 17 November 1999 the Council calculated the following amounts for the year 2000/01 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-

(a) 41,030 **TAX BASE FOR WHOLE BOROUGH COUNCIL AREA**

being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the year

(b) **TAX BASE FOR PART OF THE COUNCIL'S AREA**

EACH PARISH AREA

Binfield	3,200
Bracknell	17,230
Crowthorne	2,390
Sandhurst	7,780
Warfield	4,120
Winkfield	6,310

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate

- (iii) the following amounts be now calculated by the Council for the year 1998/99 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992:-

(a) £157,253,208 **TOTAL EXPENDITURE INCLUDING GENERAL FUND HOUSING REVENUE ACCOUNT AND PARISH PRECEPTS**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act

(b) £69,248,000 **TOTAL INCOME INCLUDING GENERAL FUND AND HOUSING REVENUE ACCOUNT**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (b) of the Act

(c) £4,567,515 **REDUCTION IN GENERAL FUND AND HOUSING REVENUE ACCOUNT BALANCES**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(c) of the Act

(d) £83,437,693 **BOROUGH AND PARISH EXPENDITURE TO BE FINANCED FROM GOVERNMENT GRANTS AND COUNCIL TAX**

being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) and 3(c) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year

(e) £55,837,375 **GOVERNMENT SUPPORT FOR LOCAL SERVICES**

being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant and additional grant or SSA reduction grant or relevant special grants

(f) £142,220 **COUNCIL TAX AND RESIDUAL COMMUNITY CHARGE**

NIL CONTRIBUTION TO COUNCIL TAX BENEFIT

being the amount of the sums which the Council estimates will be transferred in the year to its collection fund from its general fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax Deficit) and increased by the amount of any sum which the Council estimates will be transferred to its collection fund from its general fund pursuant to the Collection Fund (Community Charges) directions under section 98(4) of the

Local Government Finance Act 1988 made on 7th February 1994) and increased by the amount representing the authority's contribution to council tax benefit resulting from an increase in its council tax calculated in accordance with the Collection Fund (General) (England) Directions 1999, the Collection Fund (Council Tax Benefit) (England) Direction 1999 and the Local Authorities (Alteration of Requisite Calculations) (England) Regulations 1999

(g) £676.15 **AVERAGE BAND "D" COUNCIL TAX FOR WHOLE BOROUGH**

being the amount at 3(d) above less the amount at 3(e) plus the amount at 3(f) above, all divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year

(h) £1,673,208 **PARISH PRECEPTS**

being the aggregate amount of all special items referred to in Section 34(1) of the Act

(i) £635.37 **BOROUGH COUNCIL TAX FOR BAND "D" PROPERTIES**

being the amount at 3(g) above less the result given by dividing the amount at 3(h) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year if there were an area of the Borough to which no special item relates

(j) Part of the Council's area **BOROUGH AND PARISH COUNCIL TAX FOR EACH PARISH FOR BAND "D"**

Binfield	668.11
Bracknell	683.34
Crowthorne	668.84
Sandhurst	684.51
Warfield	651.15
Winkfield	669.37

being the amounts given by adding to the amount at 3(i) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate

(k) Part of the Council's area **BOROUGH AND PARISH COUNCIL TAX IN EACH PARISH FOR EACH VALUATION BAND**

Parish	A	B	C	D	E	F	G	H
Binfield	445.41	519.64	593.87	668.11	816.58	965.05	1,113.52	1,336.22
Bracknell	455.56	531.49	607.41	683.34	835.19	987.05	1,138.90	1,366.68
Crowthorne	445.89	520.21	594.52	668.84	817.47	966.11	1,114.73	1,337.68
Sandhurst	456.34	532.40	608.45	684.51	836.62	988.74	1,140.85	1,369.02
Warfield	434.10	506.45	578.80	651.15	795.85	940.55	1,085.25	1,302.30
Winkfield	446.25	520.62	594.99	669.37	818.12	966.87	1,115.62	1,338.74

being the amounts given by multiplying the amounts at 3(j) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands

- (iv) it be noted that for the year 1999/2000 the Thames Valley Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

	A	B	C	D	E	F	G	H
Thames Valley Police Authority	40.23	46.93	53.64	60.34	73.75	87.16	100.57	120.68

- (v) having calculated the aggregate in each case of the amounts at 3(k) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 1998/99 for each of the categories of dwellings shown below:-

(a) Part of the Council's area **TOTAL COUNCIL TAX FOR EACH VALUATION BAND**

Parish	A	B	C	D	E	F	G	H
Binfield	485.64	566.57	647.51	728.45	890.33	1,052.21	1,214.09	1,456.90
Bracknell	495.79	578.42	661.05	743.68	908.94	1,074.21	1,239.47	1,487.36
Crowthorne	486.12	567.14	648.16	729.18	891.22	1,053.27	1,215.30	1,458.36
Sandhurst	496.57	579.33	662.09	744.85	910.37	1,075.90	1,241.42	1,489.70
Warfield	474.33	553.38	632.44	711.49	869.60	1,027.71	1,185.82	1,422.98
Winkfield	486.48	567.55	648.63	729.71	891.87	1,054.03	1,216.19	1,459.42

- (vi) (a) the amount of money which is for the time being the maximum amount which the authority may have outstanding by way of borrowing shall be the sum of the current external borrowing at 31st March 2000 plus the value of the Government's Basic Credit Approval plus such short term borrowing that is needed for temporary capital or revenue purposes or £10 million, whichever is the lower ("the overall borrowing limit");
- (b) the amount of money, being part of the overall borrowing limit, which may be held by way of short term borrowing is limited to £1 million;
- (c) the proportion of the total amount of interest payable by the Council which is at a rate or rates which can be varied by the person to whom it is payable or which vary by reference to any external factors shall be limited to 10%.

526. Local Government & Housing Act 1989

The Council received a report from the Director of Corporate Services advising of vacancies which had arisen on a number of Committees arising from the resignation of Mr D A Veakins. The seats vacated by Mr Veakins had been allocated to the Labour Group at the Annual Meeting of the Council. Under the provisions of the Local Government & Housing Act 1989, the Council was required to make appointments to those seats in accordance with the wishes of the Labour Group. It was therefore

RESOLVED that the following appointments to vacancies on Committees be confirmed:

Planning & Transportation Committee	-	Councillor Good
Public & Environmental Services Committee	-	Councillor Grayson
Direct Services Board	-	Councillor Fawcett
Health Panel	-	Councillor McCormack

527. Appointment of Independent Members of Standards Committee

The Council considered a report of the Director of Corporate Services regarding the appointment of independent members to the Standards Committee. At its meeting on 17 November 1999, the Council had established a Standards Committee comprising four Councillors and two independent members. Officers had been instructed to approach individuals who might be appropriate independent members of the Committee. The report proposed the appointment of three independent members to the Standards Committee, to provide adequate coverage in case of the unavoidable absence of one of the individuals.

RESOLVED that

- (i) the Rev David Osborn and Mr David Briggs be appointed to serve on the Standards Committee until the Annual Meeting of the Council in May 2002; and
- (ii) Mr Jonty Driver be appointed to serve on the Standards Committee until the Annual Meeting of the Council in May 2001.

528. **Motions Submitted Under Standing Order 8**

Motion 1/2000

Motion 1/2000 as set out in the agenda for the meeting was moved by Councillor Barnard and seconded by Councillor Ward. On being put to the meeting, and a vote being taken, Motion 1/2000 was declared carried. It was therefore

RESOLVED that this Council ask the Chief Executive to write to the Prime Minister urging him to respond to the Royal Commission which his Government set up to examine the long term care of the elderly.

It is a year now since the Commission presented the Government with their report.

We note with dismay that the only one of the recommendations which has been acted upon so far is one related to a National Care Commission responsible for ensuring quality of care from all providers. Although an important issue it is probably the one which concerns the elderly least from among the many recommendations.

The Commissioners recommended unanimously that "free personal care for all is paramount" and it is on this point among others that the Government has failed to act and is one of the three main recommendations which we would appeal to the Prime Minister to respond to us on behalf of our elderly residents.

The other two are firstly that the means testing thresholds be raised and secondly that there should be a longer delay before pensioners are expected to dispose of their home in order to pay for their care.

Motion 2/000

Motion 2/2000 as set out in the agenda for the meeting was moved by Councillor Bettison and seconded by Councillor Ward. On being put to the meeting, and a vote being taken, Motion 2/2000 was declared carried. It was therefore

RESOLVED that this Council congratulates the Chairman of the Health Panel for the promptness with which he dealt with the health questionnaire to residents. We note the excellent response from the public and feel that the questions on "accident and emergency" and "cancer screening" were an essential part of this exercise.

Motion 3/000

Motion 3/2000 was moved by Councillor Beadsley and seconded by Councillor Jones. In accordance with Standing Order 8 (iv), the Mayor indicated that the motion would stand referred to the Planning & Transportation Committee for consideration.

The meeting commenced at 7.30pm and concluded at 11.25pm

MAYOR

**BRACKNELL FOREST BOROUGH COUNCIL MEETING
26 APRIL 2000**

INDEX TO MINUTES

MEETING	DATE	PAGE NO
COUNCIL	1 March 2000	619
LEISURE SERVICES COMMITTEE	21 March 2000	629
DIRECT SERVICES BOARD	22 March 2000	637
PUBLIC & ENVIRONMENTAL SERVICES COMMITTEE	28 March 2000	639
(a) Hackney Carriage Sub Committee	23 February 2000	645
SOCIAL SERVICES & HOUSING COMMITTEE	29 March 2000	647
(a) Housing Sub Committee	22 February 2000	653
(b) Joint Advisory Sub Committee on Children's Services	29 February 2000	657
EDUCATION COMMITTEE	4 April 2000	660
(a) Education Governor Selection Sub Committee	24 January 2000	667
(b) Education Transport & Awards Sub Committee	6 March 2000	671
(c) Education Quality Assurance Sub Committee	8 March 2000	673
(d) Education Budget Sub Committee	23 March 2000	676
PLANNING & TRANSPORTATION COMMITTEE	6 April 2000	679
(a) Planning Control Sub Committee	20 January 2000	684
(b) Planning Control Sub Committee	17 February 2000	706
(c) Highways Sub Committee	2 March 2000	724
STRATEGY & POLICY COMMITTEE	12 April 2000	729
(a) Health Panel	7 March 2000	737
(b) Best Value Performance Plan Sub Committee	9 March 2000	739
(c) Audit & Performance Review Committee	15 March 2000	741
(d) Finance & Property Sub Committee	22 March 2000	743
(e) Access Advisory Sub Committee	30 March 2000	746
(f) Personnel Sub Committee	5 April 2000	748
REFERENCE FROM PLANNING CONTROL SUB COMMITTEE	16 March 2000	750

**COUNCIL
26 APRIL 2000**

**APPENDICES TO MINUTE 109 OF THE
PLANNING CONTROL SUB COMMITTEE
16 MARCH 2000**

Appendix 1	The report of the Borough Planning Officer	Page 1
Appendix 2	The relevant extract from the Borough Planning Officer's Supplementary Report tabled at the Sub Committee meeting	Page 21
Appendix 3	Plans	Page 23

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3.5 FORMER SORTING OFFICE, HIGH STREET, BRACKNELL.

625357

ERECTION OF 3 STOREY EXTENSION TO POST OFFICE BUILDING TO PROVIDE BUILDING COMPRISING A GROUND FLOOR CLASS A3 (FOOD AND DRINK) UNIT AND 3 NO. RESIDENTIAL UNITS ABOVE. FORMATION OF FOOTPATH ACCESS BETWEEN HIGH STREET AND THE RING, ALTERATIONS TO RAISED PEDESTRIAN AREA ON HIGH STREET FRONTAGE AND SERVICING PROVISION TO THE REAR.

625358

ERECTION OF REAR EXTENSIONS (140 SQ.M.) TO POST OFFICE FOLLOWING DEMOLITION OF THE SORTING OFFICE. RETENTION OF POST OFFICE COUNTERS USE AND CHANGE OF USE OF REMAINING BUILDING TO CLASS A3 (FOOD AND DRINK) USE. ALTERATIONS TO PEDESTRIAN AREA IN HIGH STREET. PROVISION OF A WALKWAY TO THE REAR OF THE BUILDING INCLUDING INSTALLATION OF AN EXTERNAL STAIRCASE ADJACENT TO THE POST OFFICE COUNTERS EXTENSION. FORMATION OF A NEW FOOTPATH LINK BETWEEN THE RING AND HIGH STREET. PROVISION OF A NEW SERVICING AREA TO THE REAR WITH A NEW ACCESS ONTO THE SERVICE ROAD.

625359

ERECTION OF AN OFFICE BUILDING (2880 SQ. M.) WITH ON SITE CAR PARKING AND SERVICING AND ALTERATIONS TO SITE ACCESS. FORMATION OF FOOTPATH ACCESS BETWEEN HIGH STREET, THE RING AND ALTERATIONS TO RAISED PEDESTRIAN AREA ON HIGH STREET FRONTAGE.

1. THE PROPOSALS625357

Full planning permission is sought for the erection of a two-storey extension to the Post Office building fronting High Street. The extension will be located between the High Street Sorting Office building and The Ring. It is proposed to use the ground floor of the extension for a Class A3 use (106 sq. m.), to provide two flats at first floor level and one flat in the roofspace above. The entrance to the A3 unit will be via a new raised pedestrian area adjacent to the existing raised pedestrian area to the front of the Post Office in High Street. The entrance to the residential units will be on the north side of the building via a new access walkway from The Ring. A new pedestrian ramped footpath is proposed between The Ring and High Street (also included in applications 625358 and 625359). Vehicular servicing to the A3 unit will be from the north side of the building. 3 parking spaces will be provided for the residential units. No parking is to be allocated to the Class A3 use. A cycle storage area is to be provided for the occupants of the flats.

The building design includes arched and rectangular windows of a similar design to those on the existing High Street elevation of the building. The flat at second floor
 Planning Control Sub Committee 16 March 2000

level will be provided within the roof of the building and the building design at this level includes dormer windows and roof lights. A fume extractor chimney will be provided within the building (passing up through the first and second floors of the building) to dispel fumes at roof level.

625358

Full planning permission is sought for the erection of a two storey pitched roof extension to the Post Office Counters building (40 sq. m.) to provide a managers office, staff room and WC's at first floor level above a bin store at ground floor level. Permission is also sought to provide a single storey flat roof extension on the northern side of the High Street Sorting Office building (100sq. m.). It is proposed to demolish the parts of the Post Office Sorting Office to the rear of the retained building in High Street. The Post Office Counters outlet will be retained but it is proposed to change the use of the retained High Street Sorting Office building to a Class A3 Use. (It is anticipated that the premises will be used as a public house). Alterations are proposed to the pedestrian area on the High Street frontage principally to improve disabled access and to provide a larger raised pedestrian area by extension towards The Ring. A new entrance and escape stair will be provided to the side of the Post Office Counters extension to link to a new access walkway along the rear of the building and connecting to the footpath beside The Ring. A new pedestrian ramped footpath is proposed between The Ring and High Street (also included in applications 625357 and 625359). One car parking space will be provided for the Class A3 use.

625359

Full planning permission is sought for the erection of an office building comprising 2880 sq. m. floorspace. The plans identify a four storey building of modern design with a further two levels of car parking provided under the building to provide 96 car parking spaces. 15 cycle parking spaces are also proposed. The car parking will be accessed from two points on the existing service road from The Ring to the north of the site. Provision is made within the site for service vehicles. The application also seeks permission for a new ramped footpath linking The Ring to High Street and for alterations to the raised pedestrian area on the High Street frontage (also included in applications 625357 and 625359).

Application 625357, 625358 and 625359

Amendments have been made to all three planning applications following extensive discussions between the applicant and officers.

2. THE SITE

The Post Office site is 0.25 hectares in area and is located at the eastern end of High Street. The site currently contains older buildings fronting High Street, used as a Post Office Counters outlet and a sorting office. The sorting office is also housed in a building to the rear of the buildings on the High Street frontage. A large servicing area and car park is located adjacent to The Ring at the rear of buildings fronting High Street. The site is located at a lower level than The Ring.

3. HISTORY

1996	620350	Redevelopment for a major shopping centre (Swan Hill)	APPROVED
Planning Control Sub Committee			16 March 2000

1998	622810	Comprehensive redevelopment of town centre (Bracknell Regeneration Trust proposal). (<i>Affects The Ring in front of the site</i>)	SUBJECT OF CALL IN. INQUIRY 1999.
1999	624171	Extensions to Post Office building and use for a Class A3 use. Footpath link to The Ring.	APPROVED SUBJECT TO S.106
1999	624173	Outline application for the erection of an office building (1950 sq. m.) with associated car parking and alterations to access.	APPROVED SUBJECT TO S.106

There have also been miscellaneous applications relating to the Post Office's use of the site.

It should be noted that an application (624070) to relocate the Post Office Sorting Office to a site in Downmill Lane was approved by Committee in February 1999 subject to the completion of a legal agreement. The legal agreement has not yet been concluded.

4 POLICY CONSIDERATIONS

Planning Policy Guidance

PPG1	General Policy and Principles
PPG6	Town Centres and Retail Development
PPG13	Transport

BSP

Policy LD1	Sustainable development
Policy LD6	Provision of Infrastructure, Services and Amenities
Policy LD8	Development and Benefits to the Wider Community
Policy H10	Provision of housing in town centres
Policy BU1	Proposals for Further Business Development
Policy S2	Improvement of Existing Shopping Centres
Policy T2	Provision for Pedestrians
Policy T3	Provision for Cyclists
Policy T4	Encouraging the Increased Use of Public Transport
Policy T5	Private Car Use
Policy T6	Control of On Street and Off Street Car Parking

BFBLP

Policy EN21	Design Considerations in New Development
Policy EN24	Designing for Accessibility
Policy EN26	Environmental Enhancement
Policy EN27	Public Art
Policy E1	Development in Bracknell Town Centre
Policy E11	Non Retail Uses in Secondary Shopping Areas
Policy M7	Cycling and Walking
Policy M9	Public Transport
Policy M11	Vehicle and Cycle Parking
Policy SC2	Services and Community Facilities and the Borough Councils

Planning Control Sub Committee

16 March 2000

Standards

Bracknell Town Centre: Urban Design Framework

Supports mixed use development and the creation of a “friendly face” to the town centre.

5. CONSULTATIONS

Bracknell Town Council

625357. No comment received.

625358 and 625359. Respond “no comment”.

Borough Engineer (Highways)

625357 Extension to provide Class A3 unit and residential use and 625358 Change of use to Class A3 and extensions.

Recommends that permission, if granted, should be subject to planning conditions covering the following matters:

1. Securing off site highway works including paving and levelling works to the terrace in High Street and provision of new steps and ramp and all associated work.
2. Securing vehicle parking spaces.
3. Securing the footpath between The Ring and High Street.

625359 Office Building

Subject to the applicant entering into a Section 106 Agreement to secure a financial contribution towards Integrated Transport Measures, it is recommended that planning permission be granted subject to planning conditions covering the following matters:

1. Access closure with reinstatement.
2. Provision of new access before occupation.
3. Visibility splay provided before occupation.
4. Securing off site highway works including paving and levelling works to the terrace in High Street and provision of new steps and ramp and all associated work.
5. Vehicle parking in accordance with the approved plan.
6. Cycle parking and facilities.
7. Securing the footpath between The Ring and High Street.

Access Officer

Raises the following points in relation to the applications as submitted:

1. The stepped ramp between High Street and The Ring is not usable to some people with disabilities. A sloping ramp is needed.
2. The ramp to the A3 use from High Street is a bit too steep.

Planning Control Sub Committee

16 March 2000

3. One door leaf of the entrance to the A3 units should provide a clear opening of 900mm.
4. How accessible are the flats to people with disabilities?
5. Is the first floor of the A3 unit in the Sorting Office building to be accessible to the public and is it going to be served by a lift?
6. The new steps to the front of the A3 and office building should be designed to ambulant stair standards.
7. Disabled person parking bays should be located in the nearest position to the lift. The submitted plan is not acceptable.

The Access Officer has also raised other points that are relevant to Building Regulations.

Joint Strategic Planning Unit

The decision of the Joint Committee on the plans as originally submitted is:

“In terms of location the site is within the town centre and satisfies the sequential test. It offers potential for access by a choice of transport modes and is therefore seen to comply with BSP Policies OS1 and LD1”

In employment terms the office application could result in a net increase of 150 jobs, compared to 83 from the smaller scheme permitted last March. Due to the level of employment already permitted on the site, this increase is not considered to be enough to raise significant employment concerns.”

“The amount of parking proposed (102 spaces) is high for a town centre site, which would otherwise be a very sustainable location. The major proposed town centre re-developments have been discouraged from including commuter parking, and the current applications conflicts with this approach. In order to satisfy Policy T1 and Policies T3-T6 of the BSP it would be necessary to reduce the amount of parking proposed, plus introduce a Green Transport Plan and provide secure cycle storage facilities.”

“Conclusions”

“No objections are raised on strategic location or employment grounds”

“A **holding objection** is raised due to non-compliance with BSP Policies T1 and T3-T6, until acceptable changes to the parking levels and a Green Travel Plan have been negotiated.”

Director of Public and Environmental Services (Environmental Protection)

625357. (Extension to provide Class A3 unit and residential use) and 625358 (Change of use to class A3 and extensions)

Main concern is the potential for disturbance to local residents from noise and odour emissions from the A3 premises.

The proposal would require an air extraction system vented to the outside of the building by means of an external flue. This needs to have a minimum height of 1 metre above the eaves.

There are three potential sources of noise:

Planning Control Sub Committee

16 March 2000

1. Noise from mechanical air extraction plant at the site. A mechanical ventilation/extraction system installed to control cooking odours may cause noise problems for the occupiers of nearby residential premises. There may also be vibration transmission to the first floor flat. Noise and vibration disturbance may be able to be minimised but total abatement may not be possible.
2. Noise from cooking operations/kitchen activities.
3. Noise from people arriving at and leaving the premises.

Planning conditions are recommended to address the above points.

A planning condition would also be required to control demolition and construction hours due to the close proximity of residential premises.

Conditions are recommended relating to the following subjects:

1. Noise control: noise from buildings (including amplified music and sound) and associated plant and equipment.
2. Hours of use.
3. Control of fumes/smells.
4. Hours of demolition and construction.

625359. Office Building.

The main concern is the potential for noise disturbance to local residents. The main noise sources will be:

1. Demolition and construction noise.
2. Operational noise from the use of the building.

Planning conditions are recommended to control these points:

1. Noise control: noise from buildings and associated plant and equipment.
2. Hours of demolition and construction.

Police Architectural Liaison Officer

Concern whether the occupants of the flats will have a safe environment free of noise and disturbance where the close proximity of the A3 use might affect amenity. There is a need for safe parking whether for the residential or the office use. In town centres this is increasingly achieved by roller shutters securing the access.

The impending redevelopment of Bracknell town centre will also have an impact on pedestrian movement and the potential for disorder on properties on the edge of the development zone.

The proposed office glazing should be laminated since it is a large area easily accessible to anti-social people.

6 REPRESENTATIONS

None received.

7. PLANNING CONSIDERATIONS

The main issues raised by this proposal are:

- (1) Principle of the developments
- (2) Highway matters
- (3) Employment Issues
- (4) Design Issues
- (5) Accessibility Issues
- (6) Amenity Issues

Principle of the development

The site is located within Bracknell town centre as defined on the BFBLP Proposals Map. The Sorting Office buildings are located within the Bracknell town centre retail area and are designated as part of the Secondary Shopping Area. The site is also included in the COMM1 commitment site (this commitment reflected the Swan Hill planning permission that has now lapsed).

Policy E1 of the BFBLP is relevant. This promotes major redevelopment that strengthens and improves the retail area, adds to town centre diversity, environmental quality, vitality and viability and rejuvenates and regenerates those parts of the town centre characterised by poor townscape quality. It is considered that the post office sorting office site is characterised by poor townscape quality and that the uses proposed in these three applications would add to the environmental quality of the town centre and at certain times of the day, add to town centre vitality and viability. The policy states that such development will only be acceptable where it:

- (a) Has no unacceptable adverse environmental, road safety or transportation consequence. [These issues are considered below].
- (b) Improves public transport services. [The applicant has agreed to make a financial contribution in relation to the office proposal. The two development proposals affecting the High Street frontage are not considered to require public transport contributions due to the nature of the proposed development].
- (c) Is of a design that improves townscape quality. [This is considered below].
- (d) Includes a mix of uses especially those that would enhance the evening economy. [The three applications provide for a mixed use development at this site comprising residential use, two Class A3 uses and offices. It is considered that planning conditions will be required to ensure that a mix of uses, including

Planning Control Sub Committee

16 March 2000

residential use, is provided before the office building can be occupied. Otherwise the office development could take place without a mix of uses being secured].

- (e) Provides new residential accommodation. [This is proposed as part of application 625357. See comment above with regard to planning conditions].
- (f) Provides for the retention of existing residential and other key town centre uses. [The Post Officer Counters outlet is being retained. There are no residential or key town centre uses (as defined in the BFBLP) on the site].
- (g) Retains buildings of special architectural or historic importance. [The High Street Post Office Sorting Office building is historic and attractive. However, there are no listed buildings on this site].

It is considered that the applications comply with those parts of Policy E1 assessed above.

Highway and Access Issues

The proposal includes 96 car parking spaces to serve the office building of which 4 spaces are designed for use by people with disabilities. 3 spaces will be provided for the residential use and 1 space for the A3 use within the retained sorting office building. Provision is made for 15 cycle parking spaces. The plans identify a two level car park under the office building served by separate accesses from the service road to the north of the site. Servicing for the A3 uses and offices will be provided from one of these accesses. The residential and Class A3 parking spaces are to be provided at surface level adjacent to the site access road. The layout of the site is considered to be acceptable.

The Council's adopted car parking standards for business floorspace would require 1 space per 25 sq. m. floorspace which equates to 115 car parking spaces. The Council's recently published Draft Parking Standards (January 2000) also require 1 space per 25 sq. m. for business development. It acknowledges however that reduced car parking will be encouraged where there is the opportunity for trips to be made by other means of transport either through existing provision or improvements proposed as part of the development. The recently published Public Consultation Draft of PPG13 proposes a maximum car parking standard for Class B1 Uses of 1 space per 35 sq. m. The proposal will provide 96 car parking spaces at a standard of 1 space per 30 sq. m. The Borough Engineer has confirmed that this is acceptable subject to the applicant entering into a legal agreement to secure funds for public transport and to secure a green commuter plan. The applicant has agreed to this.

The Joint Strategic Planning Unit has commented that too much car parking is being provided and has placed a holding objection on the application. In response, it is considered that the amount of car parking currently proposed is acceptable due to:

- (a) The proposed standard of car parking provision is the same as in the previous proposal (application 624173), and,
- (b) There have been no material changes in circumstances that would indicate that a lower provision is appropriate, and,

- (c) A reduction has been made to the amount of car parking normally required by the Borough Council's car parking standards.

The residential units will be allocated one car parking space per flat and the Class A3 use within the sorting office building will be allocated one space. This is considered to be acceptable in a town centre location that is served by public transport and public car parks. With regard to the Class A3 use no car parking is proposed for the users of the premises. This is considered to be an acceptable arrangement within a town centre which is well served by public car parks and is the focus for public transport. It should be noted that a proportion of the patrons will be using the premises as part of their visit to the town centre for other purposes including working, shopping and other leisure activities.

It is considered that the site is accessible to pedestrians, cyclists and public transport users as well as those travelling by car. The development will improve pedestrian facilities by providing a new footpath link between The Ring and High Street; will improve cycling facilities by providing cycle parking for the office building and residential units (the site is located close to the existing cycleway on the east side of The Ring); and will improve public transport by making a financial contribution towards public transport facilities. A Green Commuter Plan will be secured by a Section 106 Agreement to ensure that the future occupier of the office space plans the transport needs of staff.

Employment Issues

The proposal also needs to be considered in terms of Policy BU1 of the BSP. This states that permission will normally be granted for proposals that:

- (a) *Aid urban regeneration* [the proposal will aid urban regeneration within Bracknell Town Centre by upgrading a prominent site which is currently characterised by poor townscape quality]
- (b) *Contribute (when compared to existing or committed development) towards meeting the employment needs of the local population in the County, including rural areas.* [No evidence has been submitted by the applicant to assess how local employment needs may be met by the office proposal. It is unlikely that the future occupier of the building will be known at this stage].
- (c) *Meet the needs of existing firms in Berkshire, including small businesses.* [The design of the building and amount of floorspace proposed indicate that the office development is unlikely to meet the needs of small businesses. No evidence has been submitted to suggest that the proposal meets the needs of existing firms in the County].
- Or,
- (d) *Meet the need for a particular type of business which would serve the local economy and which cannot be accommodated in existing or committed premises.* [There is a supply of existing and committed office space in the Borough that could serve the type of company that would occupy the proposed office building].

Policy BU1 indicates that acceptability with any of the above criteria is subject to the development not giving rise to pressure for housing development additional to the provision in the Structure Plan or to transport problems.

It is estimated that the amount of jobs likely to be provided by the office floorspace is 160 jobs (using an employee/floorspace ratio of 1 employee per 18-sq. m.). The previous office proposal for this site (application 624173) was estimated to provide 108 jobs. The applicant has provided information to demonstrate that the amount of employment currently proposed is of a similar level to the number of jobs currently at the site.

The Joint Strategic Planning Unit have been consulted on the application for the office development but have not raised any objections regarding strategic employment issues.

Given the potential of this proposal to aid urban regeneration in a prominent town centre location and given the amount of employment currently at the site it is considered that the proposal complies with Structure Plan Policy BU1.

Design Issues

The Council's Urban Design Officer has considered the designs of the proposed developments and significant amendments have been made to the plans as a result of discussions with the applicant.

The changes to the High Street elevation of the retained Sorting Office building that are required to be made in order to convert it into a Class A3 Use are minimal and acceptable. The new Class A3/residential use building is to be provided as an extension to the retained building and has been designed to reflect the design of the retained Sorting Office building. The design of this extension is acceptable.

The office building is larger than the building that was previously approved at this site (application 624173). The building has been amended with the following aims:

- (a) To provide a friendly face to The Ring
- (b) To provide an acceptable relationship between the proposed Class A3/residential building and the office building
- (c) To provide convenient access to the building for people with disabilities.

The resulting building will provide a dominant feature within the street scene with the main entrance to the building facing The Ring. The ground floor level of the building will be higher than the Ring (due to the car parking levels below the building) and a series of steps, an access ramp and terraces are proposed on the site frontage. The office building has been amended to provide a larger gap with the Class A3/residential building and the floorplans of the residential units have been amended so that habitable room windows do not face the office building. It is considered that an acceptable design has been achieved.

It is considered that a legal agreement is justified in association with the office development to provide funding for environmental works and public art in this part of the town centre. This will help upgrade the environment of this part of the town centre and add interest to the street scene. The plans identify a decorative iron gateway adjacent to the Ring between the Office and Class A3/residential buildings. This could be provided as public art depending upon the submission of an acceptable design.

Accessibility Issues

The Access Officer has commented on the plans and revisions have been made to respond to those points that need resolving at this stage (rather than at the building control stage).

The main concern has been to achieve an accessible route between the Ring and the High Street to provide easy access between the proposed office building and other town centre facilities. The previous scheme (applications 624171 and 624173) included a stepped ramp. This would have facilitated access between the Ring and High Street but would not have been usable by some people with disabilities. The current proposal has undergone significant amendment in order to achieve a ramped access (rather than a stepped ramp) between The Ring and High Street. The resulting route will be accessible to all users and a section 106 Agreement will be needed to ensure that it is dedicated as a public right of way. The creation of this route has resulted in the provision of a significant structure in front of the proposed new Class A3 unit in High Street and consequently the design in this part of the town centre is not as inviting as may otherwise be the case. However, the benefits to access in this part of the town centre (this will be the only accessible route between The Ring and High Street on the western side of the Ring) are considered to outweigh the less attractive design that results from the provision of the ramp structure.

The site constraints have resulted in housing that is not accessible to all disabled people contrary to Policy H14 of the local plan. The constraints of site levels in this location are such that it is likely that it would not be viable to provide accessible housing at this site. However measures are proposed to ensure that the steps, where proposed, will be usable by those with ambulant disabilities. It is considered that the benefits arising by the provision of town centre housing and achieving a mixed-use development outweigh the conflicts with Policy H14 of the Local Plan.

The internal design of the office building will be subject to Building Regulations approval and adequate standards for disabled people within the building will be achieved at that stage.

Amenity Issues

The main amenity issues relate to the effect of the proposal upon the living conditions of existing and future residents in the locality. Enid Wood House is located to the west of the site and three new flats are to be provided above the Class A3 Use (application 625357).

The Public and Environmental Services Officer has identified a number of potential sources of noise:

- (a) Noise from the demolition and construction activities.
It is considered that the hours when demolition and construction work can take place should be controlled by a planning condition to ensure that residents are not disturbed at quiet hours of the day.
- (b) Noise from the mechanical air extraction plant that will be required to be installed to control cooking odours from the Class A3 Uses.

It is likely that cooking will take place within the Class A3 Uses. If so, air extraction plant will be required to be installed to deal with the fumes and odours. This will be needed in the form of a flue that needs to have a minimum height of 1 metre above the eaves. This has been discussed with the applicant who has amended the plans to identify two internal flues running through the premises exiting at roof level in the form of chimneys. This should ensure that odours are dispersed without adversely affecting amenity or interrupting the external design of the premises. The air extraction plant is likely to generate noise and vibration. A planning condition is required to control this. The Public and Environmental Services Officer has indicated that noise and vibration disturbance may be minimised but not totally abated. This will need to be borne in mind when determining the precise location of the equipment within the Class A3 premises.

- (c) Noise from cooking operations/kitchen activities.
The floor plans for the Class A3 Uses do not identify the location of the kitchens within those uses. (It is likely that the kitchen locations will be determined once an operator specifies his design requirements). The amenity concerns relate to the proposed residential flats rather than the existing flats at Enid Wood House (that are located at a sufficient distance to not be affected by kitchen activities within these developments). It is considered that planning conditions should require the submission of details of the location of the kitchens so that the effect of these on the amenity of the future residents of the flat may be assessed before approval to the kitchen locations is given.
- (d) Noise from people leaving the Class A3 premises late at night.
The premises are located in a part of the Town Centre where planning policies specifically state that Class A3 Use is appropriate (BFBLP Policy E11). The promotion of cafes, pubs and restaurants throughout the town centre is an action point within the UDF (UDF page 31). While an evening economy is encouraged it is also recognised that this can raise amenity issues for local residents. The Public and Environmental Services Officer has advised that a planning condition is justified to control the opening hours for the Class A3 uses. It should be noted that the bedrooms for the proposed residential flats are located on the rear and side of the proposed building and do not face into the High Street. The flats in Enid Wood House will be protected to some extent from late night disturbance by the substantial canopies in front of the shop units in High Street and the set back of Enid Wood House from High Street and the height of the building.
- (e) Operational noise from the use of the office building e.g. from air conditioning plant.
It is considered that a planning condition can control this.

Article 14 Direction

Members will be aware that a direction has been served on the Local Planning Authority by the Government Office for the South East as part of the call-in process for the major town centre development proposals. The direction prevents the Local Planning Authority granting planning permission for development that may prejudice the outcome of the planning inquiry into the major redevelopment proposals without referral to GOSE. It is therefore necessary that the applications should be referred to GOSE so that they may make a decision regarding how the applications should be progressed.

Planning Control Sub Committee

16 March 2000

Conclusions

The developments are considered to be acceptable. The proposals if implemented in full will provide for a mixed-use development and will improve the townscape in this prominent town centre location in accordance with the planning policies for the area. The Class A3 uses will improve the evening economy of the town centre and the proposed residential units will make a small contribution to providing residential accommodation for those who choose to live in a town centre location. A legal agreement and planning conditions will be required to control specific aspects of these development proposals.

8. RECOMMENDATION

Application 625357 (Extension to provide Class A3 unit and residential use).

That subject to the referral of the application to the Government Office for the South East, and

Subject to the **prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990** containing a planning obligation relating to: -

- (a) The provision of a footpath between The Ring and High Street and its dedication as a public right of way;

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

- (1) 101 Full permission – implementation
- (2) 201 Approved plans:
Dwg.1352/41 received 22 December 1999 - Site plan.
Dwg. 1352/26F - Ground Floor and Site Layout.
Dwg. 1352/27E - First Floor Plan.
Dwg. 1352/28D - Second Floor Plan.
Dwg. 1352/29F - Elevations.
- (3) 502 Samples of materials to be submitted.
- (4) The building shall not be first used for Class A3 or residential purposes until the facilities for pedestrians identified on Drawing 1352/26F (comprising changes to the pedestrian area to the front of the building adjacent to High Street and the provision of a ramped footway between the High Street and The Ring) have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The pedestrian facilities shall thereafter be retained for use by pedestrians and shall not be obstructed in any way without the prior written approval of the Local Planning Authority.
REASON: In the interest of pedestrian movement within this part of the town centre.
- (5) 704 Access Constructed Before Development. Insert: 1352/41

- (6) No residential flat and no part of the Class A3 use shall be occupied until visibility splays of 2.4 x 30 metres have been provided at the junction of the access with the Service Road. These areas shall thereafter be kept free of all obstructions over a height of 0.6 metres measured from the surface of the carriageway.
REASON: In the interests of road safety.
- (7) 1510 Vehicle Parking in Accordance With Approved Plan. INSERT "Residential flat" "three" DELETE "[and for the loading and unloading of vehicles]"
- (8) No residential flat shall be occupied until a sign has been erected adjacent to the residential car parking spaces. The sign shall state that the car parking space is reserved for the occupant of the flats and the details of the sign (its size, location and wording) shall be submitted to and approved in writing by the Local Planning Authority. The sign shall be erected in accordance with the approved details and thereafter be retained. The space shall thereafter be kept available only for car parking for the occupier of the residential use at all times.
REASON: To ensure that the development is provided with adequate car parking facilities in order to reduce the likelihood of roadside car parking which would be a danger to other road users.
- (9) The building shall not be used for Class A3 purposes until a scheme of external building lighting has been provided in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority and implemented. The scheme shall include details of the position, design, intensity and hours of operation of lighting and shall include lighting for the pedestrian footpath between The Ring and High Street. No external lighting shall be provided other than in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of security and crime prevention.
- (10) No part of the Class A3 premises shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise (including amplified music and sound) and vibration emanating from the Class A3 premises and associated plant and equipment. The scheme shall include details of the precise location of the equipment within the premises. The measures included in the approved scheme shall be implemented prior to the first occupation of the Class A3 premises to which they relate, and thereafter the measures shall be operated in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the occupiers of the building.
- (11) No development shall take place until a floor plan for the Class A3 Use identifying the location of the kitchen within the premises has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.
REASON: In the interests of the amenities of future residents.

(12) 1206 ADD The "Class A3" use. INSERT "0700 hours to 23.00 hours" Monday to Saturdays and "07.00 hours to 22.30 hours" on Sundays.

(13) 1207 Control of Fumes/Smells

(14) 1242 Hours of Demolition and Construction. INSERT 07.30 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours Saturday and not at all on Sundays or public holidays.

Informatives:

1. People with disabilities.
2. It is considered that the effect of the scheme referred to in Condition 10 above should be that noise from plant, machinery and other activities associated with the development should not be audible outside the premises when measured at the nearest noise sensitive premises. Furthermore, it is also expected that both managerial and physical measures will be included within the scheme.
3. HWY4
4. HWY5
5. The applicant should be aware that an agreement under Section 278 of the Highways Act 1980 is required before any works can be commenced on the existing public highway.
6. The applicant should be aware that as agreement under Section 38 of the Highways Act 1980 is required to secure formal adoption of the footpath between High Street and The Ring.

Application 625358. (Change of use to Class A3 and extensions).

That subject to the referral of the application to the Government Office for the South East, and

Subject to the **prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990** containing a planning obligation relating to: -

- (a) The provision of a footpath between The Ring and High Street and its dedication as a public right of way;

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

(1) 101 Full permission - implementation

(2) 201 Approved plans:

Dwg. 1352/41 Site plan.
Dwg. 1352/10E Basement Plan
Dwg. 1352/30D Ground Floor Plan.
Dwg. 1352/31C First Floor Plan
Dwg. 1352/32B Elevations.
Dwg. 1352/33B Elevations

(3) 502 Samples of materials to be submitted.

Planning Control Sub Committee

16 March 2000

- (4) No part of the A3 premises shall be occupied until the facilities for pedestrians identified on Drawing 1352/30D (comprising changes to the pedestrian area to the front of the building adjacent to High Street and the provision of a ramped footway between the High Street and The Ring) have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The pedestrian facilities shall thereafter be retained for use by pedestrians and shall not be obstructed in any way without the prior written approval of the Local Planning Authority.
REASON: In the interest of pedestrian movement within this part of the town centre.
- (5) 704 Access Constructed Before Development. INSERT 1352/41
- (6) No part of the building shall be used for Class A3 purposes until visibility splays of 2.4 x 30 metres have been provided at the junction of the access with the Service Road. These areas shall thereafter be kept free of all obstructions over a height of 0.6 metres measured from the surface of the carriageway.
REASON: In the interests of road safety.
- (7) 1510 Vehicle Parking in Accordance With Approved Plan. INSERT "Class A3 Use" "one" DELETE "[and for the loading and unloading of vehicles]"
- (8) No residential flat shall be occupied until a sign has been erected adjacent to the Class A3 car parking space. The sign shall state that the car parking space is reserved for the Class A3 use and the details of the sign (its size, location and wording) shall be submitted to and approved in writing by the Local Planning Authority. The sign shall be erected in accordance with the approved details and thereafter be retained. The space shall thereafter be kept available only for car parking for the Class A3 use at all times.
REASON: To ensure that the development is provided with adequate car parking facilities in order to reduce the likelihood of roadside car parking which would be a danger to other road users.
- (9) No part of the Class A3 premises shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise (including amplified music and sound) and vibration emanating from the Class A3 premises and associated plant and equipment. The scheme shall include details of the precise location of the equipment within the premises. The measures included in the approved scheme shall be implemented prior to the first occupation of the Class A3 premises, and thereafter the measures shall be operated in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the occupiers of the building.
- (10) No development shall take place until a floor plan for the Class A3 Use identifying the location of the kitchen within the premises has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.
REASON: In the interests of the amenities of future residents.

(11) 1206 ADD The "Class A3" use. INSERT "0700 hours to 23.00 hours" Monday to Saturdays and "07.00 hours to 22.30 hours" on Sundays.

(12) 1207 Control of Fumes/Smells

(13) 1242 Hours of Demolition and Construction. INSERT 07.30 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours Saturday and not at all on Sundays or public holidays.

Informatives:

1. People with disabilities.
2. It is considered that the effect of the scheme referred to in **Condition 9** above should be that noise from plant, machinery and other activities associated with the development should not be audible outside the premises when measured at the nearest noise sensitive premises. Furthermore, it is also expected that both managerial and physical measures will be included within the scheme.
- 3 HWY4
- 4 HWY5
- 5 The applicant should be aware that an agreement under Section 278 of the Highways Act 1980 is required before any works can be commenced on the existing public highway.
- 6 The applicant should be aware that as agreement under Section 38 of the Highways Act 1980 is required to secure formal adoption of the footpath between High Street and The Ring.

625359. (Office Building).

That subject to the referral of the application to the Government Office for the South East, and,

Subject also to the prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a planning obligation relating to:

- (a) A financial contribution towards public transport
- (b) The submission and implementation of a Green Commuter Plan
- (c) A financial contribution towards public art/environmental improvements
- (d) The provision of a footpath between The Ring and High Street and its dedication as a public right of way

The Borough Planning Officer be authorised to **APPROVE** the application subject to the following conditions:

- (1) 101 Time limit for the commencement of the development
- (2) B3 Approved plans:
Drawing: 1352/41 Site Plan
1352/36E Elevations

Planning Control Sub Committee

16 March 2000

1352/37C Elevations
1352/38C Elevations
1352/39C Elevations
1352/43A Perspective
1352/44A Ground Floor
1352/45 First and Second Floor
1352/46 Third Floor
1352/47A Site Plan
1352/48A Basement Plan
1352/49 Lower Ground Floor

- (3) 601 Details of hard and soft landscaping
- (4) 615 Landscape works implementation
- (5) The finished floor levels of the building in relation to The Ring and the retained Post Office Sorting Office building shall accord with the levels indicated on drawing 1352/39C.
REASON: In the interests of the character of the area and the and the amenity of future residents.
- (6) The gross external floorspace of the building hereby approved shall not exceed 2880 sq. m. This floorspace includes staircases, lifts, corridors and WC's.
REASON: In order to restrict the size of the development to that identified on the application forms and plans in the interest of transportation, employment and design issues.
- (7) 1001 INSERT "2880 sq. m."
REASON In order to restrict the size of the development to that identified on the application forms and plans in the interest of transportation, employment and design issues.
- (8) 1203 Restriction on storage outside the building.
REASON: In the interests of the character of the area.
- (9) 1521 Parking for people with disabilities: full permission
- (10) 1522 Sign posting for people with disabilities
- (11) 1128 Access for disabled people. INSERT "the office building"
- (12) No part of the Class B1 premises shall be occupied until the facilities for pedestrians identified on Drawing 1352/47A (comprising changes to the pedestrian area to the front of the Sorting Office building adjacent to High Street and the provision of a ramped footway between the High Street and The Ring) have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The pedestrian facilities shall thereafter be retained for use by pedestrians and shall not be obstructed in any way without the prior written approval of the Local Planning Authority.
REASON: In the interest of pedestrian movement within this part of the town centre.

- (13) 703 Access closure and reinstatement.
- (14) 704 Accesses Constructed Before Development. INSERT 1352/47A
- (15) No part of the Class B1 premises shall be occupied until visibility splays of 2.4 x 30 metres have been provided at the junction of the car park accesses with the Service Road. These areas shall thereafter be kept free of all obstructions over a height of 0.6 metres measured from the surface of the carriageway.
REASON: In the interests of road safety.
- (16) 1510 Vehicle Parking in Accordance With Approved Plan. INSERT "Class B1 Use" "96 number of cp spaces" DELETE "[and for the loading and unloading of vehicles]"
- (17) 1515 Cycle parking and facilities: scheme.
- (18) The office building hereby approved shall not be occupied until the two Class A3 uses and three residential units indicated in planning permission reference 625357 and 625358 have been completed save for internal fitting out.
REASON: To ensure that the development of the Post Office Site includes a mix of uses and residential use in accordance with Policy E1 of the BFBLP and in the interests of the vitality and viability of Bracknell town centre.
- (19) 1242 Hours of Demolition and Construction. INSERT 07.30 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours Saturday and not at all on Sundays or public holidays.
- (20) 1138 Noise control: Noise from buildings and associated plant and equipment.
- (21) Notwithstanding any details shown on the approved drawings, no development shall take place until a plan has been submitted to and approved in writing by the Local Planning Authority for an access ramp for pedestrians with disabilities between the public footpath on the west side of The Ring and the entrance to the proposed office building facing The Ring. The ramp shall be provided before the building is first used as offices and shall thereafter be retained and shall not be obstructed.
REASON: In the interests of the access needs of people with disabilities.

Informatives:

1. DIS1 People with disabilities.
2. It is considered that the effect of the scheme referred to in Condition 20 above should be that noise from plant, machinery and other activities associated with the development should not be audible outside the premises when measured at the nearest noise sensitive premises. Furthermore, it is also expected that both managerial and physical measures will be included within the scheme.
3. HWY4
4. HWY5

5. The applicant should be aware that an agreement under Section 278 of the Highways Act 1980 is required before any works can be commenced on the existing public highway.
6. The applicant should be aware that an agreement under Section 38 of the Highways Act 1980 is required to secure formal adoption of the footpath between High Street and The Ring.

Contact for Further Information

Chris Steuart, (01344) 351126

PLANNING CONTROL SUB COMMITTEE
16 March 2000
SUPPLEMENTARY REPORT (Borough Planning Officer)

Correspondence received and matters arising following preparation of the main report.

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<p>Item 3.5 625357/ 625358/ 625359 Page 50</p>	<p>Former Sorting Office, High Street, Bracknell.</p>	<p>Consultations</p> <p>The Borough Engineer has stated that some further design work is required for the ramp between the High Street and The Ring to ensure that it complies with the Highway Authority's design standards. A planning condition is required to ensure that the details of the ramp and steps are submitted for the approval of the Local Planning Authority.</p> <p><u>625357</u> condition 4 <u>625358</u> condition 4 <u>625359</u> condition 12</p> <p>Amend to:</p> <p>Notwithstanding any details shown on the approved drawings, no development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for changes to the pedestrian area to the front of the Sorting Office building adjacent to the High Street and for a ramped footway between the High Street and The Ring. The effect of the scheme will be to enable pedestrians (including people with disabilities) to gain access to The Ring from High Street (and vice versa).</p> <p>The approved scheme shall be implemented before the premises are occupied and shall thereafter be retained for use by pedestrians and shall not be obstructed in any way without the prior written approval of the Local Planning Authority. REASON: In the interests of pedestrian movement in this part of the town centre.</p> <p>Informative:</p> <p>The agreement of the Highway Authority under Section 278 of the Highways Act 1980 will be required for work within the public highway.</p>
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PLANNING CONTROL SUB COMMITTEE

16 MARCH 2000

Extract from the Minutes

"Present: Councillors Mrs Doyle (Chairman), Adams, Mrs Ballin, Beadsley, Blatchford, Fawcett, Flood, Grayson, Harrison, Mrs Hayes, Jones, Mills, Ryan, Sargeant, Simonds, Thompson, Wheaton and Worrall

Also in attendance:
Councillor Ward

Apologies for absence had been received from:
Councillors Birch and Mrs Pile

.....

109 Planning Applications Received (Item 3)

The supplementary report of the Borough Planning Officer was tabled and the Sub Committee noted the additional information contained therein relating to applications625357, 625358, 625359,

.....

Former Sorting Office, High Street, Bracknell

Application No. 625357

Erection of 3 storey extension to Post Office building to provide building comprising a ground floor class A3 (food and drink) unit and 3 no. residential units above. Formation of footpath access between High Street and The Ring, alterations to raised pedestrian area on High Street frontage and servicing provision to the rear.

Application No: 625358

Erection of rear extensions (140 sq.m.) to Post Office following demolition of the Sorting Office. Retention of Post Office counters use and change of use of remaining building to class a3 (food and drink) use. Alterations to pedestrian area in high street. Provision of a walkway to the rear of the building including installation of an external staircase

adjacent to the Post Office counters extension. Formation of a new footpath link between The Ring and High Street. Provision of a new servicing area to the rear with a new access onto the service road.

Application No: 625359

Erection of an office building (2880 sq. m.) with on site car parking and servicing and alterations to site access. Formation of footpath access between High Street, The Ring and alterations to raised pedestrian area on High Street frontage.

The Sub Committee noted the comments of Bracknell Town Council and the Police Architectural Liaison Officer.

The proposals included a ramped access between The Ring and High Street, accessible to all users. The creation of this route had resulted in the provision of a significant ramped structure in front of the proposed new Class A3 unit in High Street and the Sub Committee were concerned that consequently the design in this part of the Town Centre was not as inviting as may otherwise have been.

Following debate the following motion was adopted and, pursuant to Standing Order 47, the matter was referred to the Council as a recommendation for decision.

Accordingly it was

RECOMMENDED to the Council that applications 625357, 625358 and 625359 be **refused** for the following reasons:

1. The proposed ramped access between The Ring and High Street would be detrimental to the overall design of the development and to the street scene in a prominent Town Centre location."

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NOTE - The following documents have been circulated separately:

Appendix 1 - The report of the Borough Planning Officer submitted to the Planning Control Sub Committee on 16 March 2000

Appendix 2 - The relevant extract from the Borough Planning Officer's supplementary report tabled at the meeting

Appendix 3 - Plans

INSERT HARD COPY OF PLAN

**INSERT PLANNING REPORT SUBMITTED TO SUB COMMITTEE IN MARCH
(APPENDIX 1)**

(ITEM 6)

**COUNCIL
26 APRIL 2000**

**CROWTHORNE PARISH COUNCIL
APPLICATION IN RESPECT OF MEMBERS INTEREST
(Director of Corporate Services – Legal)**

1 INTRODUCTION

- 1.1 The Council has been notified by Crowthorne Parish Council that it proposes to consider the condition of unadopted roads in the Parish at its next meeting on 16 May 2000. At the time the Parish Council meeting takes place, there will be ten Parish Councillors, five of whom will have a direct pecuniary interest in the matter. The Parish Council has requested that a dispensation be granted to permit the five Councillors to speak and vote on the relevant agenda item.

2 RECOMMENDATIONS

- 2.1 **That subject to the Condition in 2.2 below the following named Members of Crowthorne Parish Council be granted dispensation to speak and vote at meetings of the Parish Council held on or before 31 December 2000 on any agenda item concerning the condition and/or adoption of roads within the Parish of Crowthorne which are not maintainable at public expense:-**

**Councillor J G Finnie
Councillor R C Rand
Councillor Mrs M E Pierce-Jones
Councillor Mr M Pierce-Jones
Councilor R H Wade**

- 2.2 **The dispensation referred to in 2.1 above shall not extend to speaking or voting on any motion proposing expenditure upon or works to unadopted roads within Crowthorne by the Parish Council.**

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

- 3.1 Borough Solicitor
The advice of the Borough Solicitor has been incorporated into this report.
- 3.2 Borough Finance Officer
No comments.
- 3.3 Access Implications
None arise.

4 SUPPORTING INFORMATION

4.1 The Local Government Act 1972 generally prohibits local authority Members from taking any part in the consideration of any matter in which they have a direct or indirect pecuniary interest. For these purposes "local authority" includes Parish Councils.

4.2 As an exception to the general rule, a dispensation may sometimes be granted to permit a Member to speak or to both speak and vote on a matter in which the Member has a pecuniary interest. For Borough Councillors, the power to grant a dispensation is vested in the Secretary of State. In the case of Parish Councillors the decision as to whether or not a dispensation should be granted rests with the Borough Council.

4.3 The Clerk to Crowthorne Parish Council has advised that the Parish Council proposes to consider the following agenda item at its meeting on 16 May 2000:-

"to discuss the condition of the unadopted roads in Crowthorne".

It is understood that the Parish Council will consider the consequences of some works to unadopted roads which were undertaken on behalf of the Borough Council in 1995 which are alleged to have given rise to problems with dust from the roads concerned.

4.4 The five Members concerned (two of whom are not currently Members of the Parish Council but will be when the Parish Council meets on 16 May) have a pecuniary interest in the subject by virtue of their owning properties which have a frontage to an unadopted road.

4.5 The power for the Borough Council to grant a dispensation may be exercised ".....in any case in which the number of Members of the local authority [who would otherwise have to withdraw] would be so great a proportion of the whole as to impede the transaction of business, or in any other case in which it appears to the Council [to be] in the interest of the inhabitants of the area that the disability should be removed". Conditions may be imposed on the dispensation.

4.6 In considering the application for dispensations, it is relevant to bear in mind the policy guidance formulated by the Secretary of State and used by him in determining similar applications made by District and County Councils. Circular 16/92 contains the following advice:

"the Secretary of State's policy is to give dispensations to speak unless the Members interest in the matter before the Council is so immediate that it would be wrong for the Member to take any part. Dispensation to vote is given only where:-

- (a) at least half of the Council committee concerned are disabled; or
- (b) disabilities would otherwise upset the elected party balance in the Council committee".

- 4.7 In this instance one half of the Parish Councillors would be unable to participate if no dispensation were granted. Accordingly, one of the scenarios under which the Secretary of State would be prepared to grant a dispensation to both speak and vote is applicable to the present request. It is therefore considered that a dispensation to allow each of the five Councillors to speak and vote on a general discussion concerning the condition of unadopted roads in Crowthorne (which may result in requests and/or proposals being made to this Council, which would fall to be considered by the Highways Sub-Committee and/or Planning & Transportation Committee) is appropriate. However, given their direct pecuniary interest it would not be appropriate for the Councillors to participate in considering any proposals which would involve any commitment of Parish Council resources.

Background Papers

Correspondence between the Borough Solicitor's office and Crowthorne Parish Council.

DoE Circular 16/92

Contacts for Further Information

Timothy Wheadon – 01344 355621

Alex Jack – 01344 355679

Doc. Ref

FC/26.04.00/AJ/18.04.00

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