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Sandhurst Road
Crowthorne RG45 ██████████
24th June 2018

Bracknell Forest Council
Licensing Dept.
Times Square
Bracknell
Dear Sirs,

**Objection to Trading Licence Application for a Kebab/ Burger Van
Wildmoor Heath SSI /SPA Car Park, Crowthorne**

Background

In early March the possibility of such an Application was mentioned in passing. In response we wrote to the Licensing Department and copied the Rangers (Parks and Countryside Department) on 5th March raising concerns and objections in the expectation that Application would be withdrawn.

We were surprised and dismayed to be notified on 31st May that a Licence Application had been submitted and allowed to proceed without any discussion of the issues we had raised. We therefore immediately arranged a meeting at Wildmoor Heath with the member of the Licensing Department the Ranger and the Applicant.

It was a good meeting and it enabled us to obtain some details of what was being proposed as we have not been able to obtain a copy of the Application document. It also gave us the opportunity to express our concerns over the likely adverse impacts that would arise from trading in Wildmoor Heath car park. Specifically we shared our concerns over our personal security, safety and privacy and to the valuable protected environment.

We have not been notified that the Application has been withdrawn we now have no option to write to formally request that the **APPLICATION BE REFUSED**. Detailed reasons for our objection are set out below.

UNSUITABLE LOCATION

When assessing the merits of the Application we would ask the Panel to give full recognition of the issues arising due to the sensitive and protected location of the proposed trading location.

Background

Bracknell Forest Council (BFC) website states that ...“ Wildmoor Heath is jointly owned by BFC and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) who manage the site in partnership as a nature reserve. .. It is one of the most valuable areas in Bracknell Forest for supporting and conserving biodiversity. Three rare birds the woodlark, the nightjar and the Dartford Warbler depend on the lowland heath which is protected by SPA and SSI status . . . Wardens work across the site to monitor visitor trends and monitor conservation of the protected area and its wildlife”.

We have lived in an isolated cottage up a lane off the car park for twelve years. The car park is regularly visited by BBOWT who educate the public on the importance of preserving the sensitive site. They also display signage around the car park to promote good practice. There is also a buffer zone of 400 metres around the SSI/ SPA, within which the building of new houses is prohibited. The zone protects the nature reserve by limiting visitor numbers.

Likely Impacts

Attracting large numbers of people and vehicles into this important, protected nature reserve would be totally at odds with intention, spirit and legal requirements to protect the SSI/SPA. Introducing trading from a kebab van will inevitably draw large visitor numbers to the car park and also into the SPA/SSI during daylight hours and after dark. These visits will reoccur with custom and practice and will often not be limited to one off visits. This would be completely at odds with the range of possible measures being considered by the Ranger / BBOWT to reduce visitor numbers and protect the site.

The road alongside the car park can be busy during parts of the day during times of school runs and the peak times. However, once the evening rush hour is over, the road is quiet with relatively little traffic and not brightly lit. The car park is located over half a mile from the nearest shops, licensed premises and shops in Crowthorne. There is therefore currently little opportunity for passing trade.

To be commercially successful, the van would have to generate trade by drawing traffic into the car park and out of the village. The demographics of people stopping to purchase fast food is likely to be very different to visitors attracted to Wildmoor Heath enjoy the wildlife and walkers. The location also contrasts sharply with urban areas and bright, well lit major roads and intersections / dual carriageways where other vans are located in Bracknell Forest.

We were very surprised that the Applicant chose Wildmoor Heath from the whole range of potential sites that are available to him. We have not been able to establish the reasoning for the choice of location or for the timing of the Application.

We also believe that the Application creates a dangerous precedent for commercial trading within the SSI/ SPA which, if allowed, would be very difficult to revoke. There is also no guarantee that the Applicant himself will be operating the van and it could be operated by different persons in the future, sold on or could even be subject to a change of use.

BFC recently issued "Consultation Paper " Thames Basin Heath Special Protection Area (SPA) Supplementary Planning". This paper identifies Suitable Alternative National Green Spaces (SANGs) and Buffer Zones as "avoidance"/mitigation" measures to take the pressure off and reduce the footfall on valuable SPA/SSI's such as Wildmoor Heath.

BFC's "Avoidance/ Mitigation" measures to reduce pressures on existing SPA/SSI's by establishing new SANGs and Buffer Zones seem to be an excellent way forward in future planning. These options offer the twin attraction of meeting the Applicant's commercial needs on the one hand and also meeting BFC's objective of promoting these new recreational facilities at the same time. We ask the Applicant to investigate such options.

We would also ask the Applicant to re investigate other potential locations which are not subject to SSI/SPA protection and do not adversely impact domestic residents. This would include sites on industrial estates or town centre locations that lend themselves better to commercial trading.

LIKELY INCREASE IN PUBLIC NUISANCE

Paragraph 2.2.of BFC's Consultation Paper identifies three "Potential Adverse Effects on the Integrity of the SPA"

- (a) Human disturbance (fly tipping, cat predation, uncontrolled fires and the creation of many additional pathways).
- (b) More visits to the SPA (recreational pressures), disturbance to sensitive species and dog fouling.
- (c) More air pollution resulting from increased car traffic.

During the past twelve years we have noticed a significant increase in number of visitors to the car park including school traffic and recreational pressures including cyclists and dog walkers. There have also been instances of "human disturbance" from time to time. However, the car park is generally quiet at night, with the occasional disturbance where it is used as a meeting place after dark. Over the years there have also been isolated cases of vandalism and fly tipping (as well as and some limited general littering from sweet and cigarette wrappers and drinks containers).

We have worked closely with several Rangers to safeguard the environment and have been encouraged to report cases of vandalism, fly tipping, littering and anti- social behaviour when they occur. Although each case is unpleasant, fortunately they are not regular occurrences. They also occur during daylight hours and not just after dark. (The latest fly tipping incident of a fridge occurred early in the afternoon).

On 5th June, the Ranger told us about some of the measures being considered to discourage the numbers of visitors to the car park and protect the SPA/SSI. These included installing more security cameras and with signage, fewer parking bays, yellow lining, width restrictions, litter and dog fouling patrols etc. It was therefore a pity that the Application to was allowed to proceed without first being fully discussed with us. We do not believe that the presence of a burger/kebab van in the car park from 5pm to 11pm every evening will have any real effect on reducing anti-social behaviour. We are in no doubt that it would make matters far worse rather than better.

The presence of the van will attract a large increase in traffic and occupants drawn into the car park some of whom will have taken or be carrying alcoholic refreshments. This will inevitably result in increased traffic noise, car radios/ music and headlights from cars manoeuvring in the car park. This is particularly disturbing when it occurs after dark. There would also be an increased risk of access to our driveway being blocked.

There will also be noise and disturbance from groups of customers waiting to be served and then consuming their food and drink. This will continue after trading has stopped and the van has left the car park. There is also likely to be increased littering from the wrappers and containers in which the food is served as well as drinks bottles and glasses. Inevitably litter will be left beyond the confines of the car park and into the SPA and onto our property. Burgers, kebabs, onion rings, and garlic may be very tasty for the consumer. However, the second hand smell of cooking every evening of the year is somewhat less attractive. Providing an eating facility in the car park will inevitably encourage more people to revisit.

INCREASED RISK OF CRIME AND DISORDER

In the twelve years we have lived in the cottage we have always had good relationships with a succession of Rangers. We share a mutual interest in preserving the SPA/SSI and preventing crime and disorder. However, whereas the Ranger has to deal with the results of such behaviour from time to time; we live on site 24/7 every day of the year. For this reason we believe that we are best placed to know what works best for our personal safety and security. The advice of previous owner of twenty five years that our security was best served by maintaining a low profile and that the fewer people that were aware of the property the safer we would be. This has generally served us well.

Over the years there have been occasions of cars and pedestrians coming up our driveway which is clearly marked as "Private". These are disturbing and are worrying for our safety and security particularly when it happens after dark. These have been reported to the police. We have little doubt that large numbers of customers in the car park after dark will lead to an increase in trespass, disorder and could even compromise our personal safety and security. Inevitably there will also be an increased awareness of our house and our movements.

The Ranger has encouraged us to report these cases to the police to raise their awareness. We have found that police driving in and out of the car park significantly reduces / eliminates the numbers of cars parked at night after dark. The recent introduction of a security camera and a notice warning against fly tipping has also significantly reduced the numbers of visitors to the car park at night. We support the Rangers plans to introduce an additional camera and additional signage.

CONCLUSION

We would particularly ask Panel Members to give full weight to our concerns over our right to safety and security and freedom from public nuisance as well as the protection of valuable sensitive environment SPA/SSI when reaching their decision. Specifically, we would ask members of the Panel to consider how they would feel if they were in our position. The Applicant has the option of looking for more suitable options for siting his van; we do not have that luxury.

