

Unrestricted Report

ITEM NO: 05

Application No.
20/00573/FUL
Site Address:

Ward:
Great Hollands South

Date Registered:
2 October 2020

Target Decision Date:
1 January 2021

Land South Of Allotment Gardens and East Of Downshire Driving Range South Road Wokingham Berkshire

Proposal: **Erection of new gymnastics centre with associated car parking, cycle storage, access and landscaping**

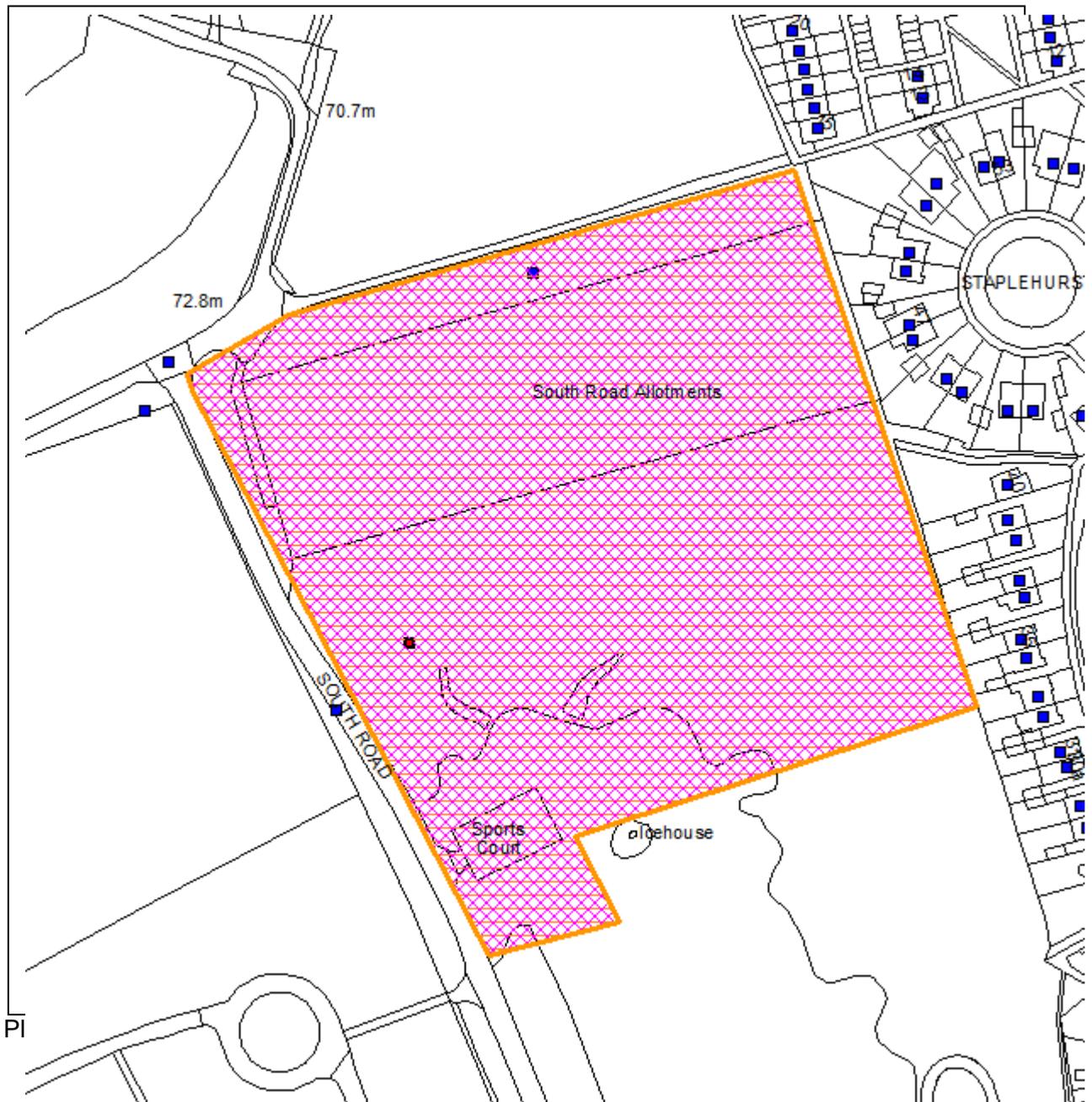
Applicant: Bracknell Gymnastics Club

Agent: Mrs Emily Temple

Case Officer: Margaret McEvit, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the erection of a new gymnastics centre with associated car parking, cycle storage, access and landscaping.

RECOMMENDATION
Planning permission be refused.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of a petition of more than 20 signatures objecting to the planning application.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Countryside
TPO on site
Open space of public value

3.1 The site is situated outside of the settlement boundary within a designated green space known as Great Holland Recreation Ground. The site is covered by a number of trees, that are protected by TPO (TPO 1319 and 1286), and measures 1.37 hectares.

3.2 To the north of the site is an existing allotment garden, and Downshire Golf Course Driving Range is situated to the west. To the east is the residential development of Staplehurst and to the south is an area of public open space. A new sports pavilion incorporating a café and function hall has been erected further south within the public open space, which was approved under planning permission 17/00224/FUL.

3.3 The site would be accessed from South Road which leads off Nine Mile Ride. There is no existing vehicular access to the site from South Road.

4. RELEVANT SITE HISTORY

4.1 17/01091/FUL. Erection of new sports centre with associated car parking, cycle storage and landscaping. REFUSED

5. THE PROPOSAL

5.1 This full application proposes the erection of a part single/ part 2 storey building with the building providing accommodation at ground floor and lower ground floor levels. A total of 54 car parking spaces are shown with 38 being general parking

spaces, 8 disabled spaces and 8 drop off parking spaces. Cycle parking is shown along the southern edge of the building.

The building is shown to comprise composite boarding walls with extensive areas of glazing with a pitched roof over and a flat roof element.

The proposed gymnastics club would provide purpose-built training facilities for Bracknell Gymnastics Club. No competitions are proposed to be held at the site.

6. REPRESENTATIONS RECEIVED

Town Council:

6.1 Bracknell Town Council has recommended refusal of the application and raised the following material considerations:

Bracknell Forest Council should investigate, with the club, any brown field sites or empty commercial properties to allow this important club to remain in Bracknell.

- o Green space should be maintained for future generations
- o Loss of community social space for dog walkers, ramblers, casual walkers, runners, family walks.
- o Loss of linking green space for the wildlife - light and noise pollution
- o Loss of mature trees
- o Concerns about local flooding with the loss of so many mature trees
- o Impact of increased traffic in a rural setting. The park is already busy with football, park run, park users, allotment holders and visitors to the Cemetery
- o The area in question is a natural scrubland with trees and bushes and the associated wildlife including many protected species
- o With more housing planned for the area, the space needs to be accessible for people's mental health.
- o In an era of greater environmental awareness, regeneration, and recycling established buildings with roads already in place should be considered.

The Club is an important part of Bracknell but this may not be the right location.

Other representations:

6.2 A total of 1237 representations have been received. 320 of these representations are in support of the application, with the remaining objecting to the application. A petition objecting to the proposal has also been received containing 22 signatures.

6.3 The following material considerations have been raised in support of the application:

- Bracknell Gymnastics Club is one of the leading TeamGym clubs in the country but operates with limited facilities at Bracknell Sports Centre. A centre of excellence for TeamGym could accommodate British team training.
- The Club is active within the community and offers participation opportunities for local people.
- British Gymnastics indicates that approximately 1.6million people are on waiting lists to participate in gymnastics and a further 1.3million would like to participate but are not currently on a waiting list.

- Bracknell Gymnastics Club currently operates out of Bracknell Leisure Centre and are limited in the programme they can offer. The leisure centre does not offer access to pit landings or fixed apparatus. Other groups share facilities with local schools which restricts the availability of training hours.
- Cheerleading and Freestyle gymnastics cater for teenagers and provide a social aspect and offer classes to male teenagers which are not freely available locally.
- The proposed facilities would be of interest to British Gymnastics as a venue for zonal coaching clinics, GB Team Training and hosting coaching courses.
- The facilities provided would be a world class facility attracting world leading athletes to the centre, who would be positive role models for young people.
- The development has been designed to limit any negative impact on the surrounding neighbourhood and take steps to be ecologically sound and sustainable. Planting trees and the provision of a green roof would help to provide a green space. Concerns over the visual impact of the building could be overcome by tree planting and buffer planting to enable the building to sit in the landscape fabric. Trees to be lost are of poor quality and would be replaced by good quality trees. The building would be energy efficient.
- Gymnastics classes in Bracknell are oversubscribed with several local providers recently closed
- The facility would provide parking for other users of the recreation ground and would support Woodenhill Primary School with additional educational space. The development would allow collaboration between the gymnastics club and Wooden Hill School and support the pupils' learning beyond the school curriculum.
- Investment in sport is essential as development in the Borough reduces space for exercise.
- The proposed development would bring jobs and growth to the community.
- The proposed development would be a better use of land than housing. Once completed the new development would be accepted and would support current park users including parkrun runners.
- The location of the site is easily accessible but away from major traffic routes so would not result in highway disruption. Adequate car parking would be provided. The swept path would accommodate a coach but this would be required only approximately once or twice a year. Parking in Staplehurst would not be permitted.
- Existing gymnastic facilities have reduced in the area and the John Nike ice rink has recently closed, reducing sports facilities. Local trampoline clubs have faced reductions in access to shared facilities due to the Covid 19 crisis.

6.4 The following material planning considerations have been made in objection to the proposal:

- Proposal is contrary to Development Plan
- Loss of open space of public value used by local residents
- Loss of wildlife habitat

- Increase in traffic. South Road cannot accommodate coaches and right hand turns from South Road onto Nine Mile Ride would be difficult.
- Lighting and noise nuisance for local residents
- Surface water flooding concerns
- Loss of trees protected by a TPO.
- The site is the wrong location for this form of development. Unused buildings or sites within the urban areas should be used for this form of development.
- Urbanising effect on the semi-rural character of the area
- Unacceptable parking and turning arrangements
- Traffic/congestion conflict with Crematorium users
- Unneighbourly impact on local residents at antisocial hours
- Site is not easily accessible to Bracknell residents and would result in off-site parking affecting local residents and users of facilities such as the Crematorium.
- Alternative facilities are available nearby.
- The number of letters of support from outside the Borough indicate that this is a facility serving a wider area that will require users to drive to the site.
- The proposal should be determined on the impact on the site not on the merits of the gymnastics club.
- The gymnastics club would benefit relatively few people using the facility but the current open space benefits more from the local community.
- Loss of privacy for properties that back on to the site
- Very little public transport is available to serve the site.
- The site includes an old Ice House.
- Current Covid 19 restrictions on use of facilities should not be a reason to permit this development.
- Benefits of a gymnastics club are not comparable to the benefits of a green space.
- The building would not be in keeping with the local area.
- The application is contrary to the Council's Biodiversity Action Plan which states that 'important sites are protected'. The destruction of existing habitats does not ensure this.

7. SUMMARY OF CONSULTATION RESPONSES

7.1. Highways Officer - The Highway Authority objects to the proposed development, which fails to:

- provide safe and suitable access to the site for all users,
- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas,
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles,
- allow for the efficient delivery of goods, and access by service and emergency vehicles.

A Travel Plan is required for a development of this scale, but none has been submitted, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108 and 111.

The proposed parking is a considerable shortfall against the Parking Standards SPD, contrary to Local Plan Policy M9, which is likely to result in inconsiderate and obstructive parking off-site.

The proposed access and parking arrangements would result in an unacceptable detriment to highway safety for all road users, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108, 109 and 110.

The Highway Authority recommends that the application is refused for the above reasons.

7.2 Tree Officer - The proposal would have a significant adverse impact on the landscape & environment through the loss of a great number of trees which would diminish the landscape and visual amenity as well as destroy the woodland character of the site.

The application will require the removal of significant number of trees within a woodland area protected by TPO's and as such is contrary to policies EN1, EN3, EN8 & EN20.

7.3 Biodiversity Officer – Objects to the proposal on the basis that:

- The proposals would result in loss of woodland priority habitat in conflict with the purposes of its conservation as a Habitat of Principal Importance;
- The application does not demonstrate it would achieve protection and long-term conservation of Species of Principal;
- The application does not demonstrate that it would protect or achieve net gain for biodiversity; and
- The proposals would result in a reduction of green infrastructure that would reduce the resilience of the ecological network at this location.

7.4 Implementation Officer

Highways/Transport

Should any roads be sought for adoption or the proposal include any works to the Public Highways then a planning obligation will be required to ensure a Highways agreement is entered into.

Open Space of Public Value

The proposal seeks to build over approximately 1.37ha of Passive OSPV. Only in exceptional circumstances, where it is robustly demonstrated that the loss of the OSPV cannot be avoided, would we support the proposal. Whilst alternative sports and recreational provision is proposed, it is evidently a material change from passive open space. There are no details or evidence of where the passive OSPV would be re-provided. There is therefore a strong objection to the proposal in its current format. Paragraph 97 of the NPPF expressly states that Existing Open Space should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use

It is not possible to judge from the proposal that a, b or c have been met and therefore the loss of open space is not acceptable.

In the event that it is demonstrated to the satisfaction of the Council that the benefits of the proposal outweigh the loss of the current use then a contribution would be sought towards re-provision/ expansion or improvement of Passive OSPV to mitigate the loss.

Travel Plan

The Planning Obligations SPD appendix 1, Part 1, states that D2 Assembly and Leisure uses will be required to produce a travel plan depending on the size and location of the development. If the Highways Authority requests a travel plan for the development, a planning obligation would be required to secure the submission and approval of a Travel Plan and the Travel Plan fee and deposit with at least the minimum fee of £3,000 and deposit of £5,000.

SuDS

Should an acceptable proposal be put forward, where there are SuDS on site a planning obligation will be required to ensure approval of a Drainage Strategy which should include a Design Specification and Implementation Strategy and a long-term Management and Maintenance Plan prior to commencing on site. A planning obligation will also be required to secure a SuDS monitoring contribution to monitor SuDS for the lifetime of the development.

7.5 Environmental Health Officer - The major concern is noise impact on local residents due to noise breakout and vehicles. A noise assessment has been submitted with the application. It considers both noise from the operation of the gymnastics centre and from the vehicles coming to and from the proposed premises. It makes no reference to plant, so it is assumed that no externally mounted noise generating plant is proposed (e.g. air conditioning systems). This has been confirmed by the agent. On the basis of no noise generating plant being proposed there are no objections to the proposal.

7.6 Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

7.7 Berkshire Archaeology - Immediately to the south of the site is an 'Icehouse', a 19th-century refrigerator, which is still extant. This monument is also shown on historic mapping. It survives as a pronounced mound with its domed, brick roof partly exposed. This structure is not designated as a listed building or Scheduled Monument, but it is a heritage asset of local interest. Should the scheme be permitted, consideration should be given to how damage to this extant monument can be avoided during construction or after, with increased usage of the locality.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF	
General Policies	CSDPD Policy CS2 Consistent (Para. 17 & 117 - 119). CSDPD Policy CS9 and BFBLP 'Saved' Policy EN8 Elements are acknowledged to not be fully consistent (para. 170 a) and b) however the thrust of these policies	Full Not fully consistent.	

	remains consistent (paras. 78-79, 103, 104a, 117 and 170)	
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Trees & Landscaping	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 170 & 175)
Noise and Pollution (including Land Contamination)	CSDPD Policy CS1 BFBLP 'Saved' Policy EN25	Consistent (paras. 118, 170, 178 & 180)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)
Open Space Provision	CSDPD Policy CS8	Consistent (paras. 92 & 97 of the NPPF)
Securing Necessary Infrastructure	CSDPD Policy CS6	Consistent (para. 54 to 56, 92 and 94)
Supplementary Planning Documents (SPD)		
Parking standards SPD Planning Obligations SPD (2015)		
Other publications		
National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Loss of open space
- iv Impact on residential amenity
- v Impact on highway safety
- vi Impact on trees
- vii Impact on biodiversity

Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration.

9.3 The NPPF confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 11 sets out that for decision takers this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.4 The site is located on land outside of a defined settlement as shown on the Bracknell Forest Borough Policies Map (2013) and is considered 'countryside'. CSDPD Policy CS1 indicates that development should protect and enhance the character and quality of local landscapes and the wider countryside. Policy CS2 provides locational principles for the allocation of land for development and confirms that development will be permitted within defined settlements and on Allocated Sites. Both of these policies

are considered to be consistent with the principles of sustainable development and a plan-led approach as set out in the NPPF such that they should be accorded full weight.

9.5 Policy CS8 of the CSDPD relating to recreation and culture states that development will be permitted which retains, improves and maintains existing recreational facilities; and/or provides and maintains new recreational facilities. Whilst Policy CS8 would support the proposal in so far as it would provide new recreational facilities, as the site is not allocated and is outside of a defined settlement, it would be contrary to policy CS2 and policy CS9. Policy CS2 seeks to steer new developments to be located on allocated sites or within defined settlements. Policy CS9 seeks to protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. In addition to this, it is stated in 'Saved' Policy EN8 of the BFBLP that development would only be permitted outside of the defined settlement boundaries where it would not damage its landscape quality. The policy indicates that "the countryside will be protected for its own sake. Outside the defined settlement boundaries, development will be permitted only where it would not adversely affect the character, appearance or function of the land, would not damage its landscape quality and, where conspicuous from the Green Belt, would not injure the visual amenities of the Green Belt'.

9.6 Policies CS9 and EN8 are not wholly consistent with the revised Framework which does not refer to the 'protection' of the countryside but both policies include an assessment of the effect on the character and appearance of the land and this is consistent with para. 170 b). This requires decisions to contribute to and enhance the natural and local environment by 'recognising the intrinsic character and beauty of the countryside'. It is also consistent with NPPF para. 127 which requires decisions to ensure that developments 'are sympathetic to local character and history, including the surrounding built environment and landscape setting..'. As policies CS9 and EN8 are not wholly consistent with the NPPF any conflict with them cannot be accorded full weight in the planning balance which is set out in Section 10 below.

9.7 'Saved' policy R7 of the BFBLP provides for recreational use of the countryside provided that it would not adversely affect residential amenity or the function or character of the countryside. It states that organised recreational activity - such as golf courses, orienteering, polo pitches - may be acceptable provided the activity is appropriate to a countryside location and can be undertaken without affecting the character of the countryside. In this instance, the proposal for a large gymnasium building is not a recreational use that would normally be associated with the countryside, such as those listed under this policy.

9.8 Paragraph 83 of the NPPF states that planning policies and decisions should c) enable sustainable rural tourism and leisure developments which respect the character of the countryside and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural building, public houses and places of worship.

9.9 Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. The NPPF glossary under Appendix 2 outlined that main town centre uses includes more intensive sport and recreation uses

and whilst a gymnasium is not specifically listed under this glossary, health and fitness centres are and so the proposal is considered to constitute a main town centre use.

9.10 As outlined in the Government Guidance for Ensuring the Vitality of Town Centres, the sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of town centre locations, with preference for accessible sites which are well connected to the town centres. This supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking. Only when it has been clearly demonstrated that there are no suitable sequentially preferable locations, can the sequential test be passed.

9.11 At the time of the submission of the planning application the proposed use would fall within Use Class D2. From 1st September Use Class D2 was revoked and the proposed use would fall with Use Class E(d). Regulation 4 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 states that if a planning application was submitted by 31st August 2020 then it should be determined by reference to the use classes in operation at that time.

9.12 A Sequential test was submitted with the application which references a number of other sites in and around Bracknell that were also considered. The analysis of the 'pros and cons' of each site is considered to be very subjective with no clear and compelling justification given as to why certain sites were disregarded. Some sites were disregarded simply due to a lack of response from the current owners/occupiers. Although reference is made in the submitted Sequential Test to the size requirements for the proposed building and the need to ensure adequate ceiling heights and need for a pit to achieve this, no figures have been given for the minimum size requirements of the proposed building. Sites within the Western Site Unit were ruled out on this basis with no discussion of the minimum size or extent of works given.

9.13 The Sequential Report rules out Braybrooke Recreation Ground as a suitable site as it would result in the loss of a public open space. The loss of the open space close to a town centre is said to be more harmful than the loss of the public open space on the application site, but no indication is given of how the value of the public open spaces has been measured.

9.14 It is not therefore considered that it has been adequately demonstrated that no other suitable sites within a town centre or edge of town centre location exist.

9.15 Paragraph 90 of the NPPF states that where an application fails to satisfy the sequential test, or is likely to have significant adverse impact on one of more of the considerations in paragraph 89, it should be refused. It is noted that the NPPF pre-dates the introduction of Class E (within which this application falls). The revised Use Classes Order would allow the proposed use to be located within any existing commercial, business or service use site without the need for permission for change of use. This reduces the relevance of the sequential test in guiding specific uses to town centre locations but would still have some relevance in this case where the proposed location is not currently in Class E use and is outside of the settlement. The classification of the proposed use as Class E would permit the use to be carried out on any site also in Class E, potentially widening the opportunities available for the gymnastics club to be sited within the town centre or an edge of town centre site or on other sites within the settlement area.

9.16 Policy CS8 of the Core Strategy states that existing recreational facilities are to be retained and that the Council will resist the loss of existing provision. This policy is considered with Paragraph 97 of the NPPF which states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless;

- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

9.17 The proposal would not fall under a) or b) as there is no evidence to suggest that the open space is surplus to requirements and the loss is not proposed to be replaced. Great Hollands Recreational Park is identified in the Bracknell Forest Open Space and Sports Study (August 2017) as being of excellent quality, serving the park run and has cycleways and footpaths that provide safe opportunities for walking and running. The park, including the proposal site, therefore clearly serves its purposes as an open space that provides opportunities for sports and recreation. Although the development would be providing alternative sports and recreational provision and therefore falls to be assessed under c), it is not considered that it has been demonstrated that the benefits of the proposed development would clearly outweigh the loss of the current use.

Conclusion

9.18 Therefore, as the applicant has failed to satisfy the sequential test and as it has not been demonstrated that the benefits of the proposed development clearly outweigh the loss of the current open space, the proposal is unacceptable in principle. It would be contrary to policies CS1, CS2, CS8 and CS9 of the Core Strategy, EN8 and R7 of the BFBLP and relevant NPPF paragraphs mentioned above.

Impact on Character and Appearance of the Area

9.19 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 124 of the NPPF emphasises the importance of good design as key to making places better for people to live in. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.20 To reiterate, Policy CS9 seeks to protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. 'Saved' Policy EN8 of the BFBLP states that development would only be permitted outside of the defined settlement boundaries where it would not damage its landscape quality.

9.21 The proposal would require the removal of a number of trees which would in itself have an impact on the character and appearance of the site as a recreational park in the countryside. The introduction of the proposed building on the site and associated

access, parking and turning areas would further alter the character of the site and surrounding area resulting in a more urbanised appearance. The building has been designed to be single storey with a partial lower ground floor level. It would be clad in composite boarding with a low pitched roof and includes extensive areas of glazing. The building will be set back from South Road but would still be readily visible from the open space to the south and on the approach along South Road.

9.22 There are other buildings situated within close proximity to the site such as Great Hollands Pavilion, the Bowling Club and Downshire Golf Course buildings which are also situated within the countryside. These buildings are low key in nature and relate to the outdoor uses with which they are associated. The Bowling Club building is positioned close to South Road, but the building is single storey and of modest design. The Great Hollands Pavilion building is positioned further back from South Road and is less prominent in the street scene.

9.23 The proposed gymnastics club building will be visible from South Road and, although the footprint of the building has been reduced since the previously refused application on the site (17/01091/FUL), it still fills much of the width of the site. The building and its car park will also be very visible from the footpath link to Staplehurst, footpaths through the landscaped area on the eastern side of the site and from allotments to the north.

9.24 The site is positioned north of other buildings on the eastern side of South Road and is separated from buildings at the bowling club and Great Hollands park by the open space. As such the building does not relate to existing buildings associated with Great Hollands recreation ground and will appear as an isolated building unconnected to any outdoor recreational uses.

9.25 Whilst there is no objection to the design of the building, it is not considered that a building on this site, together with the associated car parking and access road, is appropriate to this out of settlement site.

9.26 The proposal would adversely affect the character and appearance of the surrounding area and would be contrary to 'Saved' policy EN8 and EN20 of the BFBLP, Policy CS7 and CS9 of CSDPD and the NPPF.

Loss of open space

9.27 The proposal seeks to build on a designated open space of public value. Policy CS8 of the CSDPD seeks to resist the loss of existing recreational facilities and states that development will be permitted which retains, improves and maintains existing recreational facilities or provides and maintains new facilities. The current use of the site is for passive OSPV and it is not considered that the replacement of this with indoor sports training facilities protects the existing recreational facility. Whilst alternative sports and recreational provision is proposed, it is a material change from passive open space. No details or evidence have been provided of where the passive OSPV would be re-provided and it has not been demonstrated that the replacement recreational facilities would be an improvement to the quality of facilities that will be provided in the gymnastics centre.

9.28 Although the proposed gymnastics club will offer high quality training facilities and there is support for the provision of the new facilities, the development will be a different form of recreational facility serving a specific need for sports training. This cannot be easily compared to the benefits of passive OSPV used by local residents. In

addition, the site is outside the settlement area, and the provision of open space for use by residents is supported by policy EN8 of the BFBLP which seeks to permit recreational development suitable in the countryside. The loss of a facility appropriate within the countryside and its replacement by an indoor sports facility is not considered to represent an improvement to the quality of facilities in this countryside location.

9.29 Paragraph 97 of the NPPF expressly states that Existing Open Space should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

9.30 It is not possible to see from the proposal that a, b or c have been met and therefore the loss of open space is not acceptable.

9.31 The proposal is considered to be contrary to policy CS8 of the CSDPD and to para. 97 of the NPPF as it will result in the loss of OSPV and it has not been demonstrated that this will be satisfactorily re-provided or that the proposed gymnastics club represents an improved quality of recreational facilities.

Impact on Residential Amenity

9.32 'Saved' policy EN20 of the BFBLP states that new development should not adversely affect the amenity of surrounding properties and adjoining area.

9.33 'Saved' Policy EN25 of the BFBLP states that development will not be permitted if it would generate unacceptable levels of noise, smoke, fumes or other environmental pollution which would adversely affect the amenities of the occupiers of buildings.

9.34 Residential uses exist to the east of the site, with some dwellings situated along Staplehurst directly adjoining the site at their rear boundaries. The building at its closest point would be set back approximately 87m from the boundary with the dwellings situated along Staplehurst. This separation distance would be sufficient to prevent the buildings from having any direct impact on the amenities of these residential units in terms of loss of light and appearing overbearing, particularly as the shared boundary adjoins the bottom end of their gardens. The car park would be situated in closer proximity to the residential units, being set back 30m from the eastern site boundary. The plans show that a landscape bund would exist between the car park and the eastern boundary.

9.35 A noise assessment has been submitted to support the application. It considers both noise from the operation of the gymnastics centre and from the vehicles coming to and from the proposed premises. It makes no reference to plant, but the applicant has confirmed that no externally mounted noise generating plant will be installed. On the basis that no noise-generating plant such as air conditioning will be installed, the environmental health officer has no objection to the proposals and with respect of noise and disturbance to the residential amenities of neighbouring properties the proposal is considered to be in accordance with policy EN20 of the BFBLP.

Impact on trees

9.36 Policy EN1 of the BFBLP states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows. Trees and hedgerows are important to the retention of the character and appearance of the landscape or townscape of the area.

9.37 Paragraph 175 c) of the NPPF states that when determining planning applications, c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Footnote 58 explains that wholly exceptional reasons include for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

9.38 The definition of an ancient or veteran tree is outlined in the NPPF as 'A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage'. The Woodland Trust has made objections based on the reference in the ArbTech tree survey to trees T51 and T77 submitted with the previous application on the site, 17/01091/FUL, as being 'veteran' trees.

9.39 In the previous application on this site for a gymnastics centre, (17/01091/FUL), the applicant's arboricultural report cited two Oaks as having 'veteran' status. Subsequent to that report, other arboricultural submissions provided by applicants in this current application, have not supported the initial classification of the two Oaks as 'veteran' and the Design & Access Statement for this current application clearly states that in the applicant's opinion the two Oaks are definitely not of 'veteran' status (Sect. 6.33).

9.40 The trees on site are protected by a TPO (TPO 1319 and 1286) and the woodland on the application site is listed on the Forestry Commission's Forest Inventory database. The trees provide considerable visual amenity and act as a buffer between the managed landscape afforded by the allotments to the north and the intensely maintained landscape afforded by the Great Hollands Recreation Ground.

9.41 The submitted Arboricultural Impact Assessment sets out an approach of identifying and surveying all trees on site as individuals in line with BS5837 recommendations. This approach seeks to identify the best trees on site for retention and to identify trees of a lesser category that could be removed to facilitate development. The tree officer has advised that this is not an appropriate interpretation of BS5837 recommendations and believes that more trees should be "A" category trees than the submitted Arboricultural Impact Assessment details. As an example, T89 is an individually protected tree (T2) within TPO 1286 but is not graded as "A" category by the applicant.

9.42 Trees that are not "A" category on site are part of a woodland environment and as such have a collective value as a singular woodland feature with wildlife habitat value. The designation of TPO 1319 as a woodland recognises its collective value as a wildlife habitat. Some lesser category trees that will be removed in the application are valuable components of the woodland as a habitat and defects in trees and ivy infestation provide habitat.

9.43 Trees along the frontage with South Road are shown to be retained. However, a new access road is to be provided into the site running parallel with South Road that removes a number of trees and compromises the root protection areas of many of the remaining trees. In addition, any footway/cycleway along the frontage of the site required to meet highway requirements would have implications for the retention of important trees along the South Road frontage.

Conclusion

9.44 The proposed development would result in the loss of a significant number of trees within a woodland protected by TPOs and is contrary to policies EN1, EN3, EN8 and EN20 of the BFBLP.

Biodiversity

9.45 Policies CS1 and CS7 of the CSDPD seek to protect and enhance the quality of natural resources including biodiversity. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

Loss and degradation of deciduous woodland priority habitat

9.46 The proposed development would result in 0.971 ha of woodland being lost or degraded. Approximately 0.7ha would be converted to car park and landscaping areas and the remaining 0.27 ha re-landscaped as a bund leaving no original woodland habitat. The site includes approx. 0.29 ha identified in the Natural England priority habitat inventory. All of the woodland was classified as deciduous semi-natural woodland by the previous Ecological Appraisal (Ecology by Design, 2018) which meets the definition of 'lowland mixed deciduous woodland' priority habitat and is considered to be a Habitat of Principal Importance (HPI). Under section 41 of the NERC Act 2006 all public authorities must have regard to the conservation of habitats and species listed as of Principal Importance.

9.47 The proposals to replant the remaining 0.27ha are insufficient to compensate for the greater loss of habitat. The compensatory strategy suggests that offsite compensation would be required with a third party but no proposals for this compensation are included in the application.

9.48 The remaining trees around the northern boundary and between the building and the car park would no longer form part of a woodland habitat and would be downgraded to highly managed trees and landscaping. These areas would be intensively managed and the ground beneath would be managed as mown grass for visibility, preventing any natural woodland processes such as regeneration, deadwood accumulation and habitat structure.

9.49 The remaining woodland area at the east end of the site would be re-profiled as a 'landscaped bund' shown on the plans. This would involve the complete loss of all

existing woodland vegetation and replanting to form a narrow young woodland. This would be under increased human pressure due to the location of the car park and the new path network that would leave no area undisturbed by people and dogs. Clearance around the new path would also limit the space for woodland understorey. The proposed development would result in the direct loss or degradation of approximately 0.97 hectares of woodland which conflicts with the intention to conserve priority habitats in the NPPF and the council's legal duty to have regard to the conservation of those habitats. The proposals also conflict with saved Local Plan policy EN1 and Core Strategy policies CS1 and CS7 which seek to protect existing tree cover and biodiversity.

Loss of two veteran trees, irreplaceable habitat.

9.50 Two mature oaks on site (T84 and T89 of the current BHA survey) are not veteran trees but have veteran features such as large deadwood or cavities and they remain significant features within the woodland. If these trees are retained within a landscaped area it will be difficult to allow them to progress into veterans due to the safety issues involved close to a building and car park.

Adverse impacts on foraging bats, European Protected Species

9.51 The compensation strategy points to case law (*Morge vs Hampshire County Council*, 2011) in advising that the loss of foraging and commuting do not relate to the council's legal duty for bat roosts under the Habitats Regulations. However, the council also has legal duties to Species of Principal Importance (SPI) under the National Environment and Rural Communities Act 2006 (NERC Act). Soprano pipistrelle, Brown long-eared and Noctule bats are SPI recorded at this site. Under section 41 of the Act, the council has a duty to have regard to the conservation of these species. Therefore, it is important to consider the loss of foraging and commuting habitat for these species. The previous bat survey (2018) concluded that the surveys of the sites are of District value for commuting and foraging bats. Section 5.1.1. concludes that "the site is likely to be within the core sustenance zones for all bats recorded (six species including three rare). Section 5.1.2. predicts the impact will be high at a district level.

9.52 A district level of importance is sufficient for the council to require its protection and the current proposals are likely to result in adverse impacts such as loss of foraging habitat and lighting. The compensatory strategy considers the impact of 0.7 ha loss of foraging habitat against the availability of similar habitats in the area. This is roughly in line with new guidance from Bat Conservation Trust 2020 (BCT) "Core Sustenance Zones and habitats of importance for designing Biodiversity Net Gain for bats". The conclusion is that this loss is relatively small scale within the area. However, consideration of the impact on Species of Principal Importance in relation to standing advice is made below. In addition to the direct loss of habitat, any lighting at this site will also have an impact on nocturnal wildlife, even with a sensitive design. In particular, lighting of the car park could further reduce the availability of foraging habitat for bats beyond physical loss.

Absence of net gain for biodiversity/ Lack of mitigation hierarchy

9.53 The compensation strategy section 4.2.1 refers to a net gain assessment and concludes a loss of 86.57% (-9.14 units) of the biodiversity value for habitats at the site. However, it is clear from the significant loss of habitat and the design of the site that very little impact has been avoided in line with the mitigation hierarchy. The strategy suggests that compensation for the lost biodiversity credits should be provided offsite with a third party. The report does recognise that the biodiversity offset would need to

specifically provide for woodland creation due to the presence of priority habitat. The mitigation hierarchy is a sequential process to first avoid, then mitigate then compensate. The use of offsite net gain contributions should be the last and smallest measure intended to cover residual net gain and not, as it appears in this case, to justify large scale clearance of a site. The NPPF paragraph 170 requires all development to achieve net gains for biodiversity and this proposal clearly shows a significant loss without any adherence to the mitigation hierarchy or specific proposals for compensation. Therefore, it is contrary to national and local policies (CS1 and CS7) requiring the protection and enhancement of biodiversity.

Further survey for reptiles and breeding birds – Species of Principal Importance

i) Reptiles

9.54 Further surveys have been carried out for birds and reptiles submitted within a revised Protected Species (Phase 2) Surveys & Ecological Compensation Strategy (October revision). The reptile survey identified a low population of slow worms within the more open areas of the site. Slow worms (*Anguis fragilis*) are a Species of Principal Importance (SPI) listed under section 41 of the NERC Act. The report suggests that the allotments adjacent to the north of the site are likely to support a larger population although this is not based on survey results within that area. During the reptile survey no refuges were placed in the scrub adjacent to the allotments, presumably as it was assumed to be unsuitable habitat. Therefore, it is difficult to make an informed assessment about the central focus of the slow worm population. The compensation strategy does not propose any replacement habitat for slow worms and opts for complete removal using habitat degradation methods to move the reptiles onto adjacent land. While allotments are likely to be suitable, their management is constantly changing giving no certainty and there are no measures proposed to increase the capacity of this area for more reptiles.

9.55 The council has a duty to have regard to the conservation of Species of Principal Importance. Therefore, it is important to consider the long term loss of habitat for these species.

ii) Breeding birds

9.56 The bird survey was carried out in October, well outside the breeding season so unlikely to identify breeding birds and can provide no clear picture of importance. With reference to Fuller (1980)², the report suggests that the bird assemblage is of no local importance. However, the non-breeding assemblage is 21 species which is only three short of the number required to be of local importance. A breeding bird survey would likely identify more species dependent on the woodland for nesting or foraging. The survey did identify two species amber-listed and two species red-listed as Birds of Conservation Concern (BoCC). In addition, a previous survey identified grey wagtail, a red-listed BoCC. It is acknowledged that none of the BoCC species are likely to rely on the woodland for breeding, although they may use it as a food source for feeding chicks.

9.57 Of the 21 bird species identified, three (Dunnock, Starling and House Sparrow) are also Species of Principal Importance (SPI). The compensation strategy suggests clearance outside the bird breeding season but there is no consideration of mitigation for lost habitat which is recommended.

iii) Concluding on Species of Principal Importance/protected species

9.58 The various surveys at this site have identified the presence or likely presence of 9 Species of Principal Importance (House Sparrow, Dunnock, Starling, Hedgehog, Noctule, Soprano Pipistrelle, Brown Long-eared bat, Slow-worm and Stag Beetle). The compensation strategy does not provide consideration of or mitigation for, the long term loss of habitat for reptiles, birds, hedgehogs or stag beetles. Therefore, it is in conflict with standing advice from Natural England and does not demonstrate that it protects and enhances biodiversity in line with core policies CS1 and CS7. Lastly, the council cannot conclude that the conservation of Species of Principal Importance at the site will be achieved in line with its legal duty under the NERC Act 2006

Adverse impact on green infrastructure

9.59 This site has been identified as performing a range of functions in the green infrastructure review commissioned by the council in support of the emerging local plan (TVERC, 2017) which is available on the council's website. The study identified the area as being of value for landscape, woodland habitat network and flooding. Therefore, this area of land currently performs a range of functions that may be lost if the land is developed.

9.60 It is estimated that it would take approximately 30 years (using biodiversity metric estimates) to achieve the condition of a mature woodland that currently exists at the site. This means it would effectively remove that area for many generations of species that use the woodland. Paragraph 170 of the NPPF states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:...d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;”

9.61 This woodland forms part of an ecological network helping species move through the landscape. While retaining 0.27ha would allow some connectivity to be retained, it would still be reduced and effectively removed for a number of years while new trees develop. This is not in line with the intention of the NPPF to enhance the natural environment and establish networks that are more resilient to future pressures.

Impact on Highway Safety

Access

9.62 The proposed development would take access off South Road, a publicly accessible road which provides access to Easthampstead Park Cemetery and Crematorium, Great Holland Recreation Ground, Great Hollands Bowls Club and Beaufort Park. South Road leads to West Road and is therefore also used for access to Downshire Golf Complex, and some allotments to the north of the application site. South Road can accommodate two-way traffic being around 5.8m wide and visibility splays of 2.45m by 160m can be achieved at the junction of South Road with Nine Mile Ride, in line with the Highways Guidance.

9.63 The angle and direction of travel of the one-way access road at the front of the building has been amended since the original submission, but it remains that the angle of approach for coaches to the egress onto South Road is likely to require drivers to look over their shoulder to see, which is very difficult for vehicles such as coaches and would give rise to highway safety concerns.

9.64 Some indication of a footway/cycleway to connect with provision along South Road has been shown, but this appears to be provided within the root protection areas of a number of trees, which is likely to prevent the route being constructed to adoptable standards, in conflict with the overall cycleway scheme for South Road, in conflict with Core Strategy Policy CS24 and Local Plan Policies M4 and M6.9.64

9.65 The site is not situated in a location which would reduce the need to travel nor encourage access using sustainable modes. The routes to the bus stops stated in the Transport Statement do not have streetlighting and are not adopted highway. It is very unlikely that these would be used to access the development, contrary to Core Strategy Policies CS1 and CS23 and Local Plan Policies M4 and M8 supported by the NPPF at paragraph 103.

9.66 48 standard parking spaces are shown on the revised site access plan, along with 6 disabled spaces and an 8-space drop-off area. It remains unclear why so many motorcycle spaces are shown, it seems unlikely that this many motorcycles would visit the site at the same time. A 40-space covered cycle parking area is shown on the revised site access plan, to the north of the proposed building.

9.67 Table 8 of the Parking Standards SPD sets out a standard for Sports Facilities of 1 car parking space per 22 sq. m and 1 cycle parking space per 50 sq. m. The submitted Ground Floor and Lower Ground Floor plans do not appear to scale properly and therefore the Application Form figure of 2,300 sq m has been used to determine that the number of car and cycle spaces required is 105 car parking spaces and 46 cycle spaces. Accordingly, the proposed car parking is around half of that required by the Parking Standards SPD (March 2016) contrary to Local Plan Policy M9.

Servicing and Deliveries

9.68 The refuse storage location has not been set out on the submitted plans. The Parking Standards SPD states that "Facilities should be provided within the site for the loading, unloading and manoeuvring of delivery vehicles for all uses within this class". Whilst a swept path drawing of a refuse vehicle is provided in Appendix F of the Transport Statement, this appears to show the refuse vehicle requiring areas which are not carriageway and coming far too close to car and motorcycle parking. This could result in conflicts with other road users.

Travel Plan

9.69 A Travel Plan is required for a development of this scale, but none has been submitted, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108 and 111.

Conclusion

9.70 The proposed development does not provide safe and suitable access to the site and does not give priority to pedestrian and cycle movements within the scheme and with neighbouring areas. Provision has not been made for the delivery of goods and access by service and emergency vehicles.

9.71 A Travel Plan is required for a development of this scale, but none has been submitted, contrary to Core Strategy policy CS23 supported by the NPPF at paragraphs 108 and 111.

9.72 The proposed parking is a considerable shortfall against the Parking Standards SPD, contrary to Local Plan Policy M9, which is likely to result in inconsiderate and obstructive parking off-site.

9.73 The proposal is therefore contrary to policy M9 of the BFBLP, policy CS23 of the CSDPD and paragraph 109 of the NPPF as the proposal would have inadequate access, inadequate parking and provision for the delivery of goods and access for emergency vehicles. No Travel Plan has been secured.

10. CONCLUSIONS

10.1 The development would be unacceptable in principle as it has not been demonstrated that the benefits of the proposed development clearly outweigh the loss of the current open space. It would result in an adverse impact on the character and appearance of the area which is outside a defined settlement area.

10.2 The proposal would result in the loss of TPO trees which contribute to the visual amenity of the area and constitute woodland. It has not been adequately demonstrated that the proposed development would not have an adverse impact on protected species and their habitats. It is considered that the proposal would also give rise to highway safety issues. A Travel Plan would be required for the proposed development and has not been secured.

10.3 The proposal is therefore contrary to 'Saved' policies EN1, EN3, EN8, R7, EN20, and M9 of the BFBLP, Policies CS1, CS2, CS7, CS9 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

That the application be **REFUSED** for the following reasons:-

01. The proposed development would be situated on land outside of a defined settlement and the site has not been allocated in the Site Allocations Local Plan. It would have an adverse impact on the character, appearance and function of this land as open space of public value and it has not been demonstrated to the satisfaction of the Local Planning Authority that there are no suitable preferable locations, including within a town centre or edge of town centre location. The proposed location has therefore not been justified, and the proposal is contrary to policies CS1, CS2, and CS9 of CSDPD, policies EN8 and R7 of the BFBLP, and the NPPF.
02. The proposal would result in the loss of existing open space at Great Hollands Recreational Park which is not proposed to be replaced. Whilst alternative sports and recreational provision is proposed, it has not been demonstrated that the benefits of the proposed development would clearly outweigh the loss of the current use. As outlined in the Bracknell Forest Open Space and Sports Study (August 2017), the site clearly serves its purpose as an open space that provides

for sports and recreation. The proposal is therefore contrary to policy CS8 of CSDPD, 'Saved' policy EN8 of the BFBLP, and the NPPF.

03. The proposed development, by virtue of its proposed scale, siting and prominence, as well as the loss of the existing trees subject to a TPO, would have a harmful urbanising impact on the character and appearance of this outside of settlement/countryside location, and would be contrary to 'Saved' policies EN8 and EN20 of the BFBLP, Policies CS7 and CS9 of CSDPD and the NPPF, which seek to protect the character and appearance of land situated outside of a settlement.
04. The application would require the removal of significant number of trees within a woodland area protected by TPOs which would result in loss of woodland priority habitat in conflict with the purposes of its conservation as a Habitat of Principal Importance under the NERC Act 2006. This would also result in a reduction of green infrastructure that would reduce the resilience of the ecological network at this location. The proposal is therefore contrary to policies EN1, EN3, EN8 & EN20 of the BFBLP and contrary to the NPPF.
05. The application does not demonstrate that it would achieve protection and long term conservation of Species of Principal Importance that are also protected species in line with the NERC Act 2006, Standing Advice from Natural England, saved BFBLP policy EN1 and CSDPD policies CS1 and CS7.
06. The application does not demonstrate that it would protect or achieve net gain for biodiversity in line with the NPPF, CSDPD policies CS1 and CS7.
07. The proposal, by reason of inadequate access, inadequate provisions for the efficient delivery of goods and access by service and emergency vehicles and inadequate parking, would give rise to highway safety issues and over-spill parking which would be contrary to policy M9 of the BFBLP and the NPPF.
08. The application fails to secure a Travel Plan which is required for a development of this scale, contrary to CSDPD policy CS23 supported by the paras. 108 and 111 of the NPPF and the Planning Obligations SPD

Informatives

- 01 Reason for refusal 08 could be overcome through the completion of a suitably worded S106 agreement.
- 02 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.
- 03 The application was determined on the basis of the following plans: -

1912015-0100-01 A
BHA_712_04
BHA_712_01
3498/206 REV B

3498/203 REV D
3498/203 REV C
3498/202 REV D
3498/202 REV C
3498/201 REV C
3498/201 REV E
3498/200 REV F
3498/200 REV D
3498/102
1912015-TK03
1912015-TK01

Doc. Ref: Uniform 7/DC/Agenda

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

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