

NOTICE  
OF  
MEETING

**MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL**

will meet on

**WEDNESDAY, 15TH MARCH, 2017**

at

**7.00 pm**

in the

**COUNCIL CHAMBER - TOWN HALL - MAIDENHEAD**

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

COUNCILLOR DAVID BURBAGE (CHAIRMAN)  
COUNCILLOR DEREK WILSON (VICE-CHAIRMAN)  
COUNCILLORS CLIVE BULLOCK, GERRY CLARK, DAVID COPPINGER,  
MAUREEN HUNT, RICHARD KELLAWAY, PHILIP LOVE, DEREK SHARP,  
ADAM SMITH, CLAIRE STRETTON AND LEO WALTERS.

SUBSTITUTE MEMBERS

COUNCILLORS PAUL BRIMACOMBE, STUART CARROLL, CARWYN COX,  
JUDITH DIMENT, GEOFF HILL, MOHAMMED ILYAS, MARION MILLS, MJ SAUNDERS,  
HARI SHARMA AND LISA TARGOWSKA

Karen Shepherd  
Democratic Services Manager  
Issued: Tuesday, 7 March 2017

Members of the Press and Public are welcome to attend Part I of this meeting.

The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) – if you are viewing this on the website and there are appendices you are unable to access, please contact the Panel Administrator **Shilpa Manek** 01628 796310, or [democratic.services@rbwm.gov.uk](mailto:democratic.services@rbwm.gov.uk)

**Fire Alarm** - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

**Recording of Meetings** – The Council allows the filming, recording and photography of public Council meetings. This may be undertaken by the Council itself, or any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be available for public viewing on the RBWM website. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

## AGENDA

### PART 1

ITEM	SUBJECT	WARD	PAGE NO
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.		
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.		3 - 4
3.	<u>MINUTES</u> To confirm the part I minutes of the meeting of 15 February 2017.		5 - 8
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Borough Planning Managers report on planning applications received.  Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. <a href="http://www.rbwm.gov.uk/web/dc_public_apps.htm">http://www.rbwm.gov.uk/web/dc_public_apps.htm</a>		9 - 144
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		145 - 148

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

In accordance with the requirements of the Local Government (Access to Information) Act

1985, each item on this report includes a list of Background Papers that have been relied

on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,

although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as

“Comments Awaited”.

The list will not include published documents such as the Town and Country Planning Acts

and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,

as the instructions, advice and policies contained within these documents are common to

the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading “Remarks”.

## **STATEMENT OF THE HUMAN RIGHTS ACT 1998**

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect

for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

## MEMBERS' GUIDANCE NOTE

### DECLARING INTERESTS IN MEETINGS

#### **DISCLOSABLE PECUNIARY INTERESTS (DPIs)**

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

#### **PREJUDICIAL INTERESTS**

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

#### **DECLARING INTERESTS**

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

# Agenda Item 3

## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

15.02.17

PRESENT: Councillors David Burbage (Chairman), Derek Wilson (Vice-Chairman), Clive Bullock, Gerry Clark, David Coppinger, Maureen Hunt, Richard Kellaway, Philip Love, Adam Smith, Claire Stretton, Leo Walters and MJ Saunders.

Officers: Tony Carr (Traffic & Road Safety Manager), Jenifer Jackson (Head of Planning), Karen Shepherd, Antonia Liu and Matthew Tucker (Solicitor - Shared Legal Solutions)

Also Present: Councillor Judith Diment

### 116/15 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Derek Sharp, Councillor Saunders substituted.

### 117/15 DECLARATIONS OF INTEREST

Councillor Kellaway declared a prejudicial interest in item 2 as he lived close to the application site. Councillor Kellaway left the room for the duration of the discussion and voting on the item.

### 118/15 MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 18 January 2017 be approved.**

### 119/15 PLANNING APPLICATIONS (DECISION)

The Panel considered the Head of Planning and Development's report on planning applications and received updates in relation to a number of applications, following the publication of the agenda.

NB: \*Updates were received in relation to planning applications marked with an asterisk.

<b>Item 1</b> <b>16/02025/FULL</b>  <b>Cliveden View</b> <b>Shopping Centre</b> <b>Shifford Crescent</b> <b>Maidenhead</b>	Erection of a nursery with associated parking and improvements to existing parking layout and landscaping, together with fascia improvements to existing parade building and relocation of mobile library facility  The item was withdrawn from the agenda
<b>Item 2</b> <b>*16/03006/FULL</b>  <b>Upper Lea Farm</b> <b>Startins Lan</b> <b>Cookham</b>	<b><i>Erection of a polytunnel (12.5m x 6m) for growing vegetables and associated lowering of land levels.</i></b> The officer's recommendation to permit the application, with an additional condition to withdraw the Permitted Development rights for

<p><b>Maidenhead</b></p>	<p>classes Q, R and S was put forward by Councillor Saunders and seconded by Councillor Smith.</p> <p>A named vote was taken, nine Councillors (Councillors Burbage, Bullock, Clark, Coppinger, Love, Saunders, Smith, Walters and D. Wilson) voted for the motion. Councillor Hunt voted against the motion. Councillor Stretton abstained from voting.</p> <p><b>The PANEL VOTED that the application be APPROVED as per the officer's recommendation, with an additional condition to withdraw the Permitted Development rights for classes Q, R and S .</b></p> <p>(Speakers: The Panel was addressed by Dick Scarfe, Cookham Society).</p>
<p><b>Item 3</b> <b>16/03309/FULL</b></p> <p><i>Land Opposite Lenore Cottage Rolls Lane Holyport Maidenhead</i></p>	<p>Erection of a pair of semi-detached cottages following demolition of builders sheds.</p> <p>The item was withdrawn from the agenda</p>
<p><b>Item 4</b> <b>*16/03324/VAR</b></p> <p><i>Tudor Lea 15 Sutton Close Cookham Maidenhead SL6 9QU</i></p>	<p><b><i>Single storey front extension, part single, part two storey rear extension and alterations to ground and first floor right hand side elevation as approved under planning permission 15/02302 without complying with condition 2 (matching materials) 4 (approved plans) to remove the boarding/render to the first floor rear elevation and replace with facing brickwork and alterations to fenestration. Replace approved drawing.</i></b></p> <p>The Officers recommendation to permit the application, with an informative to request that the applicant consider tinting the brickwork on the side elevation, was put forward by Councillor Stretton and seconded by Councillor D. Wilson.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the officer's recommendation with the informative to request that the applicant consider tinting the brickwork on the side elevation.</b></p> <p>(Speakers: The Panel was addressed by</p>

	Roger Davies in objection, Dick Scarfe, Cookham Society and Mr Smith, Applicant).
<b>Item 5 16/03553/FULL</b>	<b>Construction of 16x two bed apartments with access, parking, landscaping and amenity spaces following demolition of existing 2x dwellings</b>
Zaman House And Awan House Church Road Maidenhead	The item was withdrawn from the agenda

120/15 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions.

Councillor Love, on behalf of the Panel, thanked officers for their work on recent appeals.

121/15 ENFORCEMENT UPDATE - LAND AT FAIRVIEW STABLES - 16/50097

Members received an update on enforcement in relation to application 16/50097. Officers on a site visit before the enforcement notice was issued discovered that the caravan had been moved. Therefore when the enforcement notice was issued it did not include condition v). It was confirmed that the removal of the condition did not affect the ability of the council to enforce the order if evidence arose of the relocation of the occupants to the barn.

122/15 ENFORCEMENT INFORMATION REPORT AND TEMPORARY STOP NOTICE - LAND TO THE SOUTH OF POOL LANE FARM

Members received an update on enforcement in relation to land to the south east of Pool Lane Farm, Broadmoor Road, Waltham St Lawrence, Reading , Berkshire. Members noted that a Temporary Stop Notice had been served because materials were being brought onto the site to facilitate the formation of hardstanding and the raising of the land. The Head of Planning had used urgency powers in the council's constitution to issue a Temporary Stop Notice with effect from 25 January 2017 to 22 February 2017. The notice would give the authority the opportunity to investigate further and take enforcement action as necessary.

Councillor Hunt thanked the planning and enforcement teams and legal officer for their excellent work on this issue.

The meeting, which began at 7.00 pm, ended at 7.55 pm

Chairman.....

Date.....

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# Agenda Item 4

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Maidenhead Panel

15th March 2017

#### INDEX

APP = Approval  
CLU = Certificate of Lawful Use  
DD = Defer and Delegate  
DLA = Defer Legal Agreement  
PERM = Permit  
PNR = Prior Approval Not Required  
REF = Refusal  
WA = Would Have Approved  
WR = Would Have Refused

<b>Item No.</b>	1	<b>Application No.</b>	16/02025/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>	11
<b>Location:</b>	Cliveden View Shopping Centre Shifford Crescent Maidenhead						
<b>Proposal:</b>	Erection of a nursery with associated parking and improvements to existing parking layout and landscaping, together with fascia improvements to existing parade building and relocation of mobile library facility.						
<b>Applicant:</b>	Mr Howells	<b>Member Call-in:</b>	Clr Derek Wilson	<b>Expiry Date:</b>	26 August 2016		
<hr/>							
<b>Item No.</b>	2	<b>Application No.</b>	16/02278/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	23
<b>Location:</b>	Holyport College Ascot Road Holyport Maidenhead SL6 3LE						
<b>Proposal:</b>	2 No. Steel storage containers.						
<b>Applicant:</b>	Mrs Price	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	16 September 2016		
<hr/>							
<b>Item No.</b>	3	<b>Application No.</b>	16/02416/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	29
<b>Location:</b>	Brill House Mercia Road Maidenhead SL6 3DU						
<b>Proposal:</b>	Erection of 7 x dwellings and building consisting of 5 x 1 bed flats and 1 x 6 bed HMO dwelling, following demolition of existing building.						
<b>Applicant:</b>	Mr Stritch - Housing Solutions	<b>Member Call-in:</b>		<b>Expiry Date:</b>	2 November 2016		
<hr/>							
<b>Item No.</b>	4	<b>Application No.</b>	16/02814/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>	49
<b>Location:</b>	Land At BCA And Bordered By Main Buildings To North And Dellars Copse To South Burchetts Green Road Burchetts Green Maidenhead						

**Proposal:** Development of a care village comprising of a 50 bedroom care home, village care and wellbeing centre, 26 assisted living units, 82 independent living units, landscaping, parking and associated new access drive

**Applicant:** Berkshire College                      **Member Call-in:**                      **Expiry Date:** 20 December 2016  
Agriculture

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**Item No.** 5                      **Application No.** 16/03461/FULL                      **Recommendation** PERM                      **Page No.** 105

**Location:** Ockwells Country Park Ockwells Road Maidenhead

**Proposal:** Change of Use of land from agricultural/grazing to Public Open Space.

**Applicant:** Mr Mist                      **Member Call-in:** Not applicable                      **Expiry Date:** 25 January 2017

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**Item No.** 6                      **Application No.** 17/00142/FULL                      **Recommendation** PERM                      **Page No.** 113

**Location:** Newlands Girls School Farm Road Maidenhead SL6 5JB

**Proposal:** Two storey extension to existing science block with associated alterations and glazed roof over existing courtyard adjacent to the library.

**Applicant:** Ms Pfeiffer - RBWM                      **Member Call-in:** Not applicable                      **Expiry Date:** 16 March 2017

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**Item No.** 7                      **Application No.** 17/00357/FULL                      **Recommendation** REF                      **Page No.** 129

**Location:** Herons Court Terrys Lane Cookham Maidenhead SL6 9RR

**Proposal:** Construction of a new three storey dwelling following the demolition of existing dwelling and outbuildings.

**Applicant:** Ms Scott                      **Member Call-in:**                      **Expiry Date:** 29 March 2017

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Planning Appeals Received

Page No. 145

Appeal Decision Report

Page No. 147

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 March 2017

Item: 1

<b>Application No.:</b>	16/02025/FULL
<b>Location:</b>	Cliveden View Shopping Centre Shifford Crescent Maidenhead
<b>Proposal:</b>	Erection of a nursery with associated parking and improvements to existing parking layout and landscaping, together with fascia improvements to existing parade building and relocation of mobile library facility.
<b>Applicant:</b>	Mr Howells
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	/Furze Platt Ward
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at <a href="mailto:susan.sharman@rbwm.gov.uk">susan.sharman@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 This application was originally due to be determined at last month's Planning Panel. However, it was withdrawn by the Head of Planning due to concerns raised by the Highway Authority on the day of the Panel.
- 1.2 Although the proposal complies with the Council's parking standards and would not lead to a level of traffic movements that could not be accommodated by the existing highway network, the Highway Authority is concerned about vehicle servicing for the shop units. The present arrangement involves vehicles driving through the car park in order to access the service bay and then exit by turning left onto Switchback Road North. The revised access arrangement is that delivery vehicles would turn in directly from Switchback Road North, perform a U-turn on site and then exit, and the submitted tracking diagram indicates that this arrangement would appear to be feasible. However, the proposed turning movements are much tighter than the existing movements and the reliability of the tracking analysis is questioned, particularly as it is known that vehicles have difficulty making the existing, easier manoeuvres without over-running the footway on both sides of Switchback Road North, and that this is a regular occurrence so cannot be put-down to driver error. Accordingly, it is recommended that, until it has been demonstrated to the satisfaction of the Highway Authority that the proposed manoeuvre is achievable, the application be refused on the grounds of highway and pedestrian safety.
- 1.3 The principle of allowing a day nursery in this location is acceptable, although it would involve the loss of the current parking provision for a Council mobile library which uses the site once a week. The loss of the mobile library to a day nursery is in-principle acceptable as a community use of the site is being retained. The application does, however, propose an alternative location for the library on land adjacent to the site in the Council's ownership. This would involve the loss of some open space, which would be contrary to Policy R1 of the Local Plan. However, this is a relatively small area of land relative to the whole park, the use of which would not be significantly compromised. Ultimately, it is a matter for the Council (rather than the Planning Authority) to determine whether it wishes to retain the open space as it is or lose part of it to facilitate the mobile library.
- 1.4 The proposed day nursery building would be of a scale and design in keeping with the existing shopping parade against which it would be seen, and the additional parking spaces will be contained within the existing car park area. Accordingly, the proposal will not harm the character and appearance of the area. The building would also be at least 50m away from the closest house and as such the day nursery will not harm the living conditions of any neighbours.

- 1.5 The proposal would also involve an increase in the number of delivery vehicles reversing within the service yard area. As this is adjacent to the flats above the shops, Environmental Protection has been re-consulted for advice on whether these additional movements, involving reversing 'alarms/ beepers' would cause unacceptable disturbance to residents. Advice received will be reported in an update to Panel.

**It is recommended the Panel refuses planning permission for the following summarised reason (the full reason is identified in Section 10 of this report):**

- |           |  |
|-----------|--|
| <b>1.</b> | <b>There is insufficient turning space within the site to allow service vehicles to exit the site onto Switchback North Road safely. Accordingly, the proposal, by reason of the siting of the day nursery, would lead to a situation that would be detrimental to highway and pedestrian safety and the free flow of traffic.</b> |
|-----------|--|

## **2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor. D. Wilson in the public interest.

## **3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site is located at the eastern end of a two-storey parade of shops with flats above, known as Cliveden View Shopping Parade, facing Shifford Crescent, Maidenhead. The site is located in a predominantly residential area. A car park is located to the front of the shops and along the eastern side, where the development is proposed to be sited. The parade is bounded by Switchback Road to the west, housing to the north and east and Shifford Crescent to the south. The site itself lies adjacent to an important area of open space between Whitchurch Close and Shifford Crescent (as identified on the proposals map of the Local Plan).
- 3.2 The location of the nursery currently comprises 15 parking spaces and provides access to the rear of the parade. An RBWM container library is sited on some of the parking spaces once a week. Rear access is also provided off Switchback North Road.

## **4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

4.1

<b>Application</b>	<b>Description</b>	<b>Decision</b>
06/01312/Full	To site a containerised library in the car park one day per week.	Approved 03.08.06. Temporary permission until 03.08.11.
13/02231/Full	To site a containerised library in the car park one day per week.	Approved 27.09.13.

- 4.2 The application seeks planning permission for the erection of a new building to accommodate a day nursery with associated parking, together with changes to the existing parking layout, landscaping and fascia on the parade building at Cliveden View.
- 4.3 The proposed nursery will be a two storey building (9.8m high), with a single storey outshot (10m deep), comprising of 450sqm of floor area. To the rear of the building is the external amenity area for the nursery. It is estimated that the nursery will provide facilities and day care for up to 75 children.
- 4.4 An additional 10 car parking spaces are proposed, as well as a re-configuration of the car park layout and the repositioning of the mobile library area. In addition to this, two new motorcycle spaces and two cycle stands are proposed.
- 4.5 The main access into the site off Shifford Crescent will be maintained, however, the access route around the rear of the shopping parade will be stopped up due to the proposed nursery.

4.6 Switchback Road North will become an in and out access, to allow access to the parking spaces to the rear of the shops and for delivery lorries to access and egress. Recycle bins will be sited on the southern boundary of the site.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 1 (Building a strong and competitive economy) and 8 (Promoting healthy communities).

### Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking	Community Facilities
DG1 R1	P4, T5	CF1, CF2

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Relevant Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy

Information on this document can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of development, including the loss of open space;
- ii The impact on the character and appearance of the area;
- iii Highway safety and convenience and parking provision; and
- iv The impact on the amenities of neighbouring residential properties.

### The principle of development

6.2 Policy E6 of the Local Plan states that proposals for development for business outside of the Green Belt will be acceptable on sites already in such use subject to normal development control criteria and provided that proposals would not lead to an undesirable intensification of activity to the detriment of the local environment, or to the amenities of neighbouring properties. Proposals involving the provision of small business/industrial units or the provision of mix of uses appropriate to the character of the area will generally be encouraged.

6.3 Policy E10 states that when considering planning applications for business development, the Council will: Have regard to the layout of activities within the site and the design and scale of the buildings and the materials used; Ensure that the development would not result in an unneighbourly development or undesirable intensification of an existing use and, where appropriate; provide on site environmental or townscape improvements, provide a mix of use appropriate to the character of the area and have regard to the availability and capability of adequate local services (water, sewerage, drainage, public transport etc).

- 6.4 Policy R1 of the Local Plan states that the Council will not approve proposals that would result in the loss of existing areas of important urban open land identified on the Proposals Map unless they are replaced by new provision which is at least comparable in terms of facilities, amenity and location; or they can best be retained and enhanced through the redevelopment of a small part of the site.
- 6.5 In terms of national planning policy, section 1 of the NPPF advises that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and planning should operate to encourage and not act as an impediment to sustainable growth. Significant weight should be placed on the need to support economic growth through the planning system. Section 8 advises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities and that, planning decisions should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments which bring together those who works, live and play in the vicinity. Planning decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments and should guard against the unnecessary loss of valued facilities and services. Access to high quality open spaces can make an important contribution to the health and well-being of communities and, as such, existing open space should not be built on unless it is surplus to requirements; or would be replaced by the equivalent or better provision in terms of quantity and quality in a suitable location; or the development if for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 6.6 Given the national and local plan policies, the principle of a day nursery in the proposed location is acceptable. While a day nursery is formally classed as a D1 non-residential institution, (in the same way as libraries), they also fall under the description of community facilities. As such, while the proposal involves the loss of a community facility (the library once a week) within the site, it is being replaced by another community facility (the day nursery). The proposal should not therefore be refused on the grounds of a loss of a community facility. It is also important to remember that the Council's mobile library has only been allowed to park within the Cliveden View Shopping Parade with the agreement of the landowner, who is also the applicant in this case.
- 6.7 No evidence of need for a day nursery has been submitted with the application. However, officers are aware that there have been a number of pre-application enquiries about possible sites for this use advising that there is a high demand for day nurseries in the area. These pre-application inquiries do not often lead to planning applications as there are frequently a number of issues that need to be overcome. The application site in this case is a suitable, sustainable location for a day nursery.
- 6.8 Notwithstanding that there will be no net loss of community facilities, the application proposes a new location for the mobile library to the side of the day nursery on open space owned by the Council. The open space is identified on the Local Plan Proposals Map as being Important Urban Open Land. The issue therefore is whether the loss of part of this open space for the library is acceptable in planning terms. On the one hand, the new library parking place would allow for the retention of this existing facility and would only involve the loss of a relatively small area of the open space. On the other hand, the mobile library is only available in this location once a week and any loss of open space in a densely populated area should arguably be resisted. National and local planning policies support either approach.
- 6.9 The RBWM Head of Libraries has advised of the importance of retaining a library facility in this location and the absence of alternative sites in the locality. The Head of Communities and Economic Development has advised that this is a very small park with high levels of demand. In the round, as the Council owns the open space in question and is responsible for the mobile library, it is recommended that the Panel accepts the principle of the new parking place for the mobile library to provide the option of an alternative location for it, but only on the basis of it being used no more than weekly to park the mobile library.

## The impact on the character and appearance of the area

- 6.10 The Cliveden View Shopping Centre is located in a prominent position off Shifford Crescent and Switchback Road North. It is a clearly visible development in a residential area, but is modest in scale and design and bounded by landscaping and open space to the east. The proposed development is not an extension of the existing parade, but a separate building. However, given its close proximity to the parade (approximately 1.4 metres) it will be viewed in this context.
- 6.11 The existing shopping parade is not architecturally striking, but an attempt has been made to break-up the bulk and appearance of the building at the front by setting back the row of individual shops from the main Co-op section. The rear of the building, which is clearly visible from the surrounding roads and park is not particularly attractive.
- 6.12 The proposed nursery would be positioned in an existing parking area that currently provides an open buffer between the shopping parade and park. Although it would be sited close to the edge of the open space (the building would be 1m from the east side boundary), it will be set back from the main parade frontage by 3m. In addition, the building will have a fully hipped roof and be of a similar height to the neighbouring building. Contrasting materials in keeping with the shopping parade (the fascia for which is to be updated) are proposed with the insertion of windows on the side elevations to help break-up the appearance of the building. Although the rear single storey section is deep at 10m this would be largely screened by the 1.8m boundary fencing. Overall, it is not considered that the proposed nursery building will appear dominating in the street scene so as to harm the character and appearance of the area.
- 6.13 The additional parking spaces will be provided on existing hardstanding within the boundaries of the site and so will not harm the character and appearance of the area. The parking place for the mobile library would be an area of hardstanding measuring 4m by 13m. The provision of this would result in the loss of part of the grassed area of the park. With appropriate surfacing and additional landscaping, the library parking place will not harm the visual amenities of the area.

## Highway safety and convenience and parking provision

- 6.14 Cliveden View Shopping Centre is located on the eastern side of the B4447 Switchback Road North and north and west of Shifford Crescent. The B4447 is essentially a district distributor road linking Cookham Rise with Maidenhead Town Centre. Switchback Road North has a carriageway width of 7.3m flanked by 2 x 2.0m wide footways, plus a 2.0m wide grass verge south of the service yard access. Shifford Crescent is a residential street and cul-de-sac, having a carriageway width of 6.3m with 2 x 1.8m wide footways. Both roads are subject to a local 30mph speed restriction and are lit.
- 6.15 The main access to the site and car parking area is off Shifford Crescent. At present delivery vehicles also enter the site from the Shifford Crescent access point and then leave the service area located behind the shops from the exit onto Switchback Road North. The proposal involves retaining the access off Shifford Crescent for use by private vehicles, but stopping up the access route to the rear of the shopping parade in order to allow the nursery to be built.
- 6.16 Existing and proposed parking is as follows:

	Shops	Flats	Day Nursery	Total
Existing	58	10	0	68
Proposed	63	10	9	82
			Difference	+15

There is currently a total of 68 spaces at Cliveden View Shopping Centre which provides parking for both the shops and two-bedroom flats above the shops. The proposal involves reconfiguring and increasing the number of spaces so that 63 spaces will be provided for the shops, 10 for the flats and 9 for staff associated with the proposed day nursery. Parents / carers of children attending the day nursery would use the main car park. The proposal also provides for new

parking areas for motorbikes and cycle stands. Overall, the parking provision complies with the Council's adopted standards.

- 6.17 The submitted Transport Statement utilising TRICS (Trip rate Information Computer System) for similar uses at peak traffic periods predicts that there would be 31 two-way vehicle trips in the weekday morning peak hour (0800-0900 hours) and 27 two-way trips in the evening peak period (1700-1800 hours). The Highway Authority has advised that this level of vehicular activity could be accommodated on the highway network and that a Travel Plan encouraging the use of sustainable modes of travel would be of assistance.
- 6.18 It is proposed that the access off Switchback Road North will become an in and out access for the delivery vehicles, together with access to parking for the flats. This access would be widened to allow two-way vehicle movements, and two turning areas (including one for large lorries delivering to the supermarket) would be provided within the site. However, the Highway Authority has raised particular concerns with regard to this new arrangement.
- 6.19 The present arrangement involves vehicles driving through the car park (from Shifford Crescent) in order to access the service bay and then exit by turning left out onto Switchback Road North. The revised access arrangement is that delivery vehicles would turn in directly from Switchback Road North, perform a U-turn on site and then exit. The proposal requires the existing access to be widened in order to facilitate the proposed turning movements which are much tighter than the existing movements, although the tracking diagram submitted indicates that this would appear feasible. However, the Highway Authority questions the reliability of this analysis and whether these tight manoeuvres could be achieved in reality. The reason for this is that vehicles have difficulty making the existing easier manoeuvres without over-running the footway on both sides of Switchback Road North. This appears to be a regular occurrence and hence cannot be judged to be down to driver error. The Highway Authority is also aware of other sites within the Borough where vehicle tracking diagrams submitted with applications underestimated the space required to turn for an average vehicle driver when this was attempted to be recreated on site. Should it be demonstrated that delivery vehicles are able to turn safely within the site, the access should be provided with a refuge to assist pedestrians crossing.
- 6.20 Further details of vehicle tracking movements, including details of the vehicle and speed of movement should, as a minimum, be submitted. However, it is also recommended that a real-life demonstration be undertaken to show that vehicles are able to make this manoeuvre. Until there is sufficient evidence to demonstrate that service vehicles can exit the site onto Switchback North Road safely, it is recommended that permission be refused.

### **The impact on the amenities of neighbouring residential properties**

- 6.21 The closest house to the proposed nursery would be at least 50m away across Shifford Crescent. Given this minimum separation distance and subject to a condition restricting the hours of operation the nursery will not harm the living conditions of any neighbours in terms of loss of privacy, loss of light or by appearing overbearing. However, the proposal involves closing-off the existing in-out arrangement for delivery vehicles, that would result in an increase in reversing movements within the service yard. As this is adjacent to residential properties, particularly the flats above the shops, Environmental Protection has been re-consulted for advice on whether these additional movements, involving reversing 'alarms/ beepers' would cause unacceptable disturbance to residents. Advice received on this issue will be reported in an update to Panel.

### **Other material considerations**

- 6.22 Currently footpaths cross the park from Whitchurch Close and from Shifford Crescent up to the shopping parade and these will remain largely unaffected by the proposal. These footpaths are not Public Rights of Way but as they cross the park are maintained by the Council. Subject to a minor re-configuration around the recycling bins and mobile library space, these paths will still provide a short-cut to the shops for residents walking from surrounding homes.



## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 The proposal is not CIL liable.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

17 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on 14<sup>th</sup> July 2016.

6 letters and 1 petition with 15 signatures were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. This is an inappropriate location for a day nursery as there is already lots of traffic in the area. The increase in traffic associated with the day nursery will severely impact the flow of traffic on the estate – more traffic will lead to more accidents and this is particularly dangerous for children.	6.17
2. The proposal involves the loss of one of the footpaths to make way for the mobile library.	6.22
3. The car park is not large enough. No additional parking will be provided for the parents using the nursery.	6.16
4. It appears that the nursery will be erected on the grass play area.	No it will not – see 3.1
5. Will the footpath from Whitchurch Close across the play area to the shops remain in place?	6.22
6. The new nursery will put the future of Poundfield Pre-School (Community Hall, Radcot Close) in jeopardy.	Not a planning issue.
7. Delivery lorries will not reverse within the site but will end up reversing into Switchback Road	6.19
8. Noise from the nursery school will affect the adjoining properties.	6.21
9. Summary of comments raised in the submitted petition: Concerned about the adverse effects to road safety of closing off the road that runs around the back of the site, which is used for delivery vehicles for the shops. The proposed changes to cater for these deliveries are inadequate and impractical – These vehicles will have to reverse onto Switchback Road which will lead to accidents. Lorries swinging across the road forces other drivers to stop. Lorries cause damage to footpaths which is a hazard to pedestrians and wheelchair users. There is insufficient parking on the site. Loss of open space to accommodate the mobile library. Concerns about congestion of delivery vehicles arrive at the same time.	6.14 – 6.20

### Consultee responses

Consultee	Comment	Where in the report this is considered
Highway Authority	Raised concerns in relation to whether delivery vehicles can sufficiently and safely turn within the site. Sufficient parking provision and number of traffic movements acceptable.	6.14 – 6.20

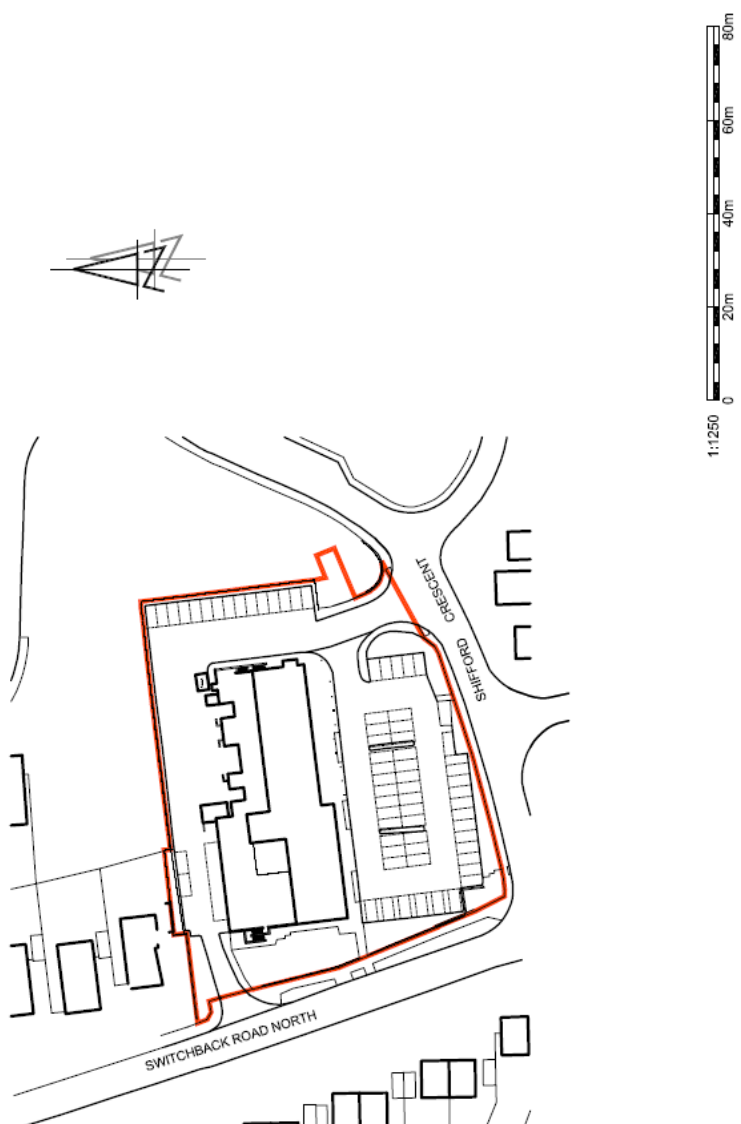
Environmental Protection	Recommends informatives in relation to noise, dust and smoke controls and hours of construction. Re-consulted in respect to noise.	6.21
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**9. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan
- Appendix B – Proposed site layout
- Appendix C – Proposed elevations
- Appendix D – Proposed floor plans

**10. REASON RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 1 It has not been demonstrated to the satisfaction of the Local Planning Authority that there is sufficient turning space within the site to allow service vehicles to exit the site onto Switchback North Road safely. Accordingly, the proposal, by reason of the siting of the day nursery, would lead to a situation that would be likely to be detrimental to highway and pedestrian safety and the free flow of traffic, contrary to saved Policy T5 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003).



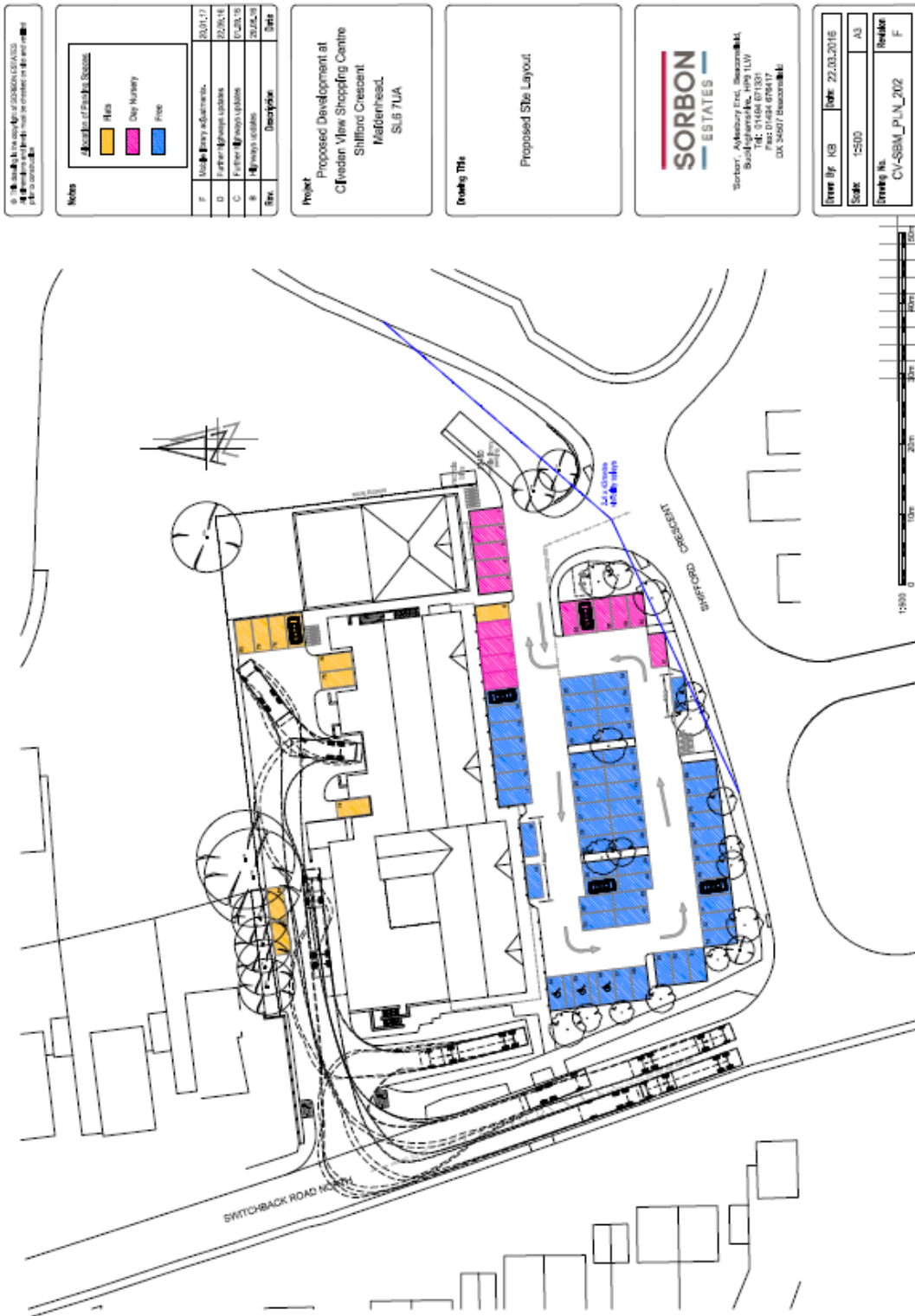
**Clivedon View Shopping Centre, Shifford Crescent, Maidenhead, SL6 7UA**  
**LOCATION PLAN**

Scale: 1/1250  
Date: 14.01.2016

Drawing No: CV-SBM\_LOC\_200A



M:\Drawings\Chedden View, Switchback North, Mardenhead\Project\2017\2017 CV-SBM\_Plan\_202.dwg • proposed the layout, 20/01/2017 15:11:15, CMRPF\WMB



M:\Drawing\Drawings View Search Back North\Map\residential\plan 2016\CV-SBM\_PLN\_205-205-005 - existing-proposed elevations.dwg A2 Proposed: 28/05/2016 14:21:05. Client: Waver

© The details in this schedule of work are the property of SORBON ESTATES.  
 All dimensions and levels must be checked on site and verified  
 prior to construction.

Notes		
Rev.	Description	Date

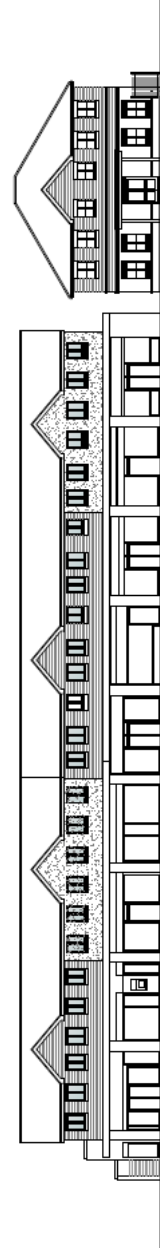
**Project**  
 Proposed Development at  
 Cliveden View Shopping Centre  
 Shifford Crescent  
 Maldenhead  
 SL6 7UA

**Drawing Title**  
 Proposed Elevations

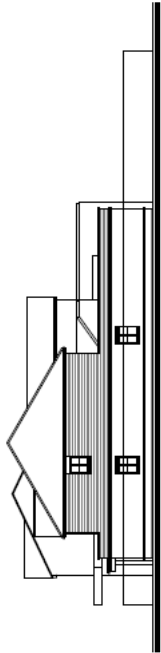


Sorbon, Melbourn Road, Beaconsfield,  
 Buckinghamshire, HP9 1LW  
 Tel: 01494 671331  
 Fax: 01494 676417  
 DX 34507 Beaconsfield

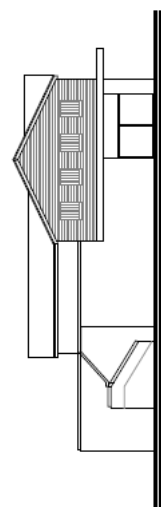
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Drawing No. CV-SBM_PLN_205	Revision



Proposed Front Elevation (facing south)

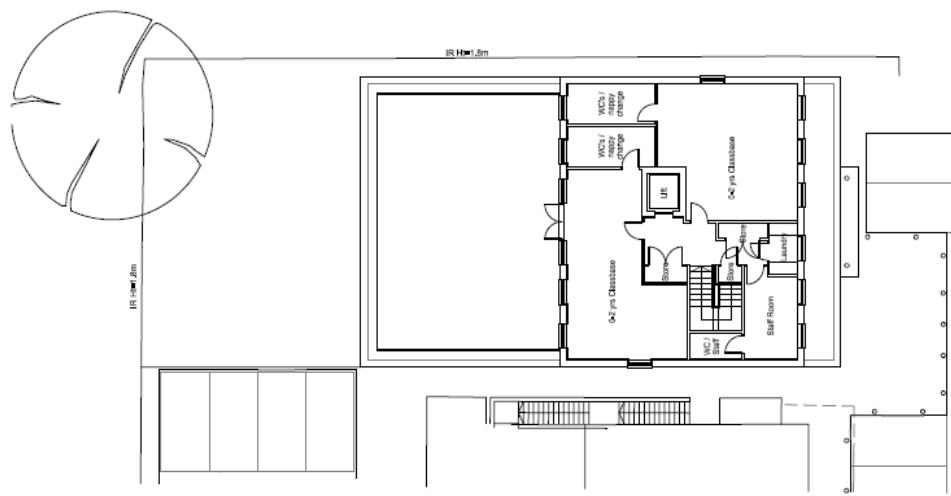


Proposed Side Elevation (facing east)

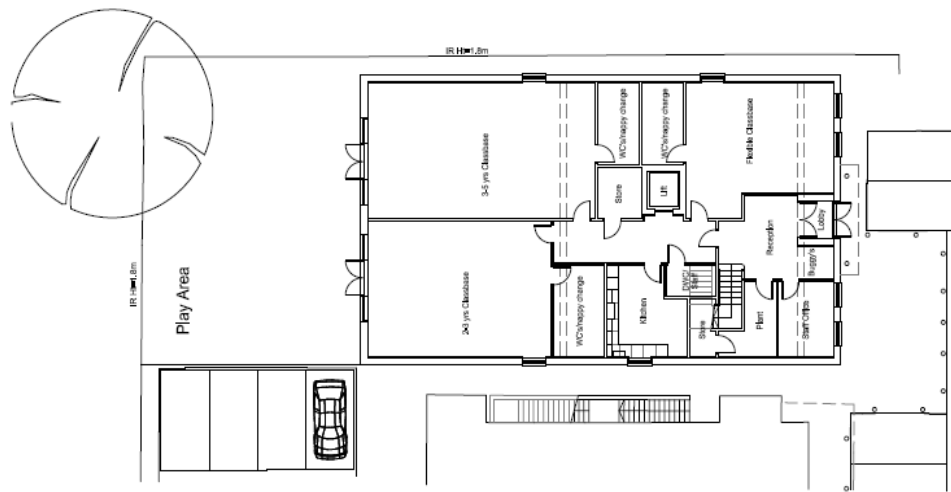


Proposed Side Elevation (facing west)

<b>Consultant:</b>  <small>It is the responsibility of the client to ensure that the design and construction of the building complies with all applicable building regulations and standards.</small>	<b>Notes</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: 8px;">No.</th> <th style="font-size: 8px;">Description</th> <th style="font-size: 8px;">Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	Description	Date																			<b>Project</b> Proposed Development at Cliveon View Shopping Centre Shiloh Crescent Maldenhead, SL8 7UA	<b>Drawing Title</b> Proposed Floor Plans for Day Nursery	 Sorbon, Ashbury Court, Beaconsfield, Bucks HP8 3WJ England Tel: 01494 626617 Fax: 01494 626618	<table border="1" style="width: 100%; border-collapse: collapse; font-size: 8px;"> <tr> <td style="padding: 2px;">Drawn By: JI</td> <td style="padding: 2px;">Date: 14.11.2016</td> </tr> <tr> <td style="padding: 2px;">Scale: 1:100</td> <td style="padding: 2px;">AT</td> </tr> <tr> <td style="padding: 2px;">Drawing No: C:\A-SBM_PLN_2013</td> <td style="padding: 2px;">Sheet No:</td> </tr> </table>	Drawn By: JI	Date: 14.11.2016	Scale: 1:100	AT	Drawing No: C:\A-SBM_PLN_2013	Sheet No:
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First Floor Plan



Ground Floor Plan

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 March 2017

Item: 2

<b>Application No.:</b>	16/02278/FULL
<b>Location:</b>	Holyport College Ascot Road Holyport Maidenhead SL6 3LE
<b>Proposal:</b>	2 No. Steel storage containers.
<b>Applicant:</b>	Mrs Price
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Bray Parish/Bray Ward

**If you have a question about this report, please contact:** Susan Sharman on 01628 685320 or at [susan.sharman@rbwm.gov.uk](mailto:susan.sharman@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 The application site is located in the Green Belt and while it is inappropriate development, other considerations relating to the expansion of the College outweigh the harm by reason of inappropriateness and any other harm. Accordingly, very special circumstances exist in this case to approve the proposal.

**It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.**

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site is located within the grounds of Holyport College, adjacent to the north-west elevation of the existing sports hall. The site is set well within the grounds of the school, approximately 120m from the main entrance off Ascot Road behind the science block.
- 3.2 Holyport College is located within a rural area surrounded by open fields and sporadic development. The school opened in September 2014 and is a state funded day and boarding school for pupils ages 11 – 19 years. The site is within the Green Belt.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

13/00287/FULL	The redevelopment of the former Holyport Manor School to provide a new secondary school comprising 3 new buildings and the retention, refurbishment and demolition of existing structures.	Approved 24.05.13.
16/00972/FULL	Single storey extension to dining hall and single storey extension to sports hall.	Approved 14.06.16

- 4.1 The application seeks planning permission for two steel storage containers, measuring 2.5m wide, 12m long and 2.5m high. The containers are required for storing hall flooring tiles and trolleys, exam tables and chairs.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 8 and 9.

### Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Green Belt
GB1, GB2

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issue for consideration is whether the proposal is appropriate development in the Green Belt, and if not, whether any very special circumstances exist to justify allowing it.

6.2 A storage container permanently positioned on land is a building. Paragraph 89 of the NPPF states a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. The exceptions to these are buildings for agriculture and forestry, appropriate facilities for outdoor sport, outdoor recreation and cemeteries, extensions to buildings that are not disproportionate to the size of the original building, replacement buildings that are not materially larger than the one it replaces, limited infilling in villages and redevelopment which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. As the storage containers do not fall within the list of exceptions, they are inappropriate development.

6.3 The NPPF advises that inappropriate development should not be approved unless very special circumstances (VSC) exist. VSC will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations. The school has submitted a statement setting out other considerations in support of the proposal, summarised as:

Paragraph 72 of the NPPF advises that “the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: give great weight to the need to create, expand or alter schools.”

The expansion of the College was formally approved by the Royal Borough of Windsor and Maidenhead on 28<sup>th</sup> April 2015. The Education Funding Agency approved the academy’s trust’s ‘Business case for a significant change at an existing academy’, entailing an increase to a pupil capacity of 548 on 28<sup>th</sup> August 2015. The demand for the storage is further increased by the approved growth of the College to a pupil admission number of 548 students.

There have been numerous requests for storage from staff. The College is keen to provide sensible, robust storage which is good value, long lasting, weather-proof and safe.

6.4 Advice contained within the NPPF, such as that in paragraph 72, is a material consideration to the application. In this case, ‘great weight’ is attributed to the proposal. In terms of the school increasing its pupil intake, the original planning permission (13/00287) did not restrict the number of pupils, so the need for additional facilities associated with this expansion is attributed significant weight. The provision of metal containers is not an ‘ideal’ solution to the storage problems, particularly if their appearance degrades over years, but the benefits of these for the school are acknowledged.

6.5 Although the proposal is inappropriate development, it would have very limited impact on the openness of the Green Belt in which it is located and would not be contrary to any of the



purposes of including the land in the Green Belt. The College is expanding, which is supported by National Planning Policy, and the storage would provide an essential facility to support that expansion. These 'other considerations' outweigh any harm to the Green Belt, and accordingly very special circumstances exist in this case to justify approving the proposal.

### Other Material Considerations

6.6 Due to the size and siting of the containers they will not harm the character and appearance of the wider area nor the living conditions of any neighbouring residential properties.

### 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 The proposal is not CIL liable.

### 8. CONSULTATIONS CARRIED OUT

#### Comments from interested parties

No letters of representation have been received.

The planning officer posted a statutory notice advertising the application at the site on 29<sup>th</sup> July 2016.

#### Consultee responses

Consultee	Comment	Where in the report this is considered
Bray Parish Council	No objections.	Noted.
Environmental Protection	No objections.	Noted.

### 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Elevations

### 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1 The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

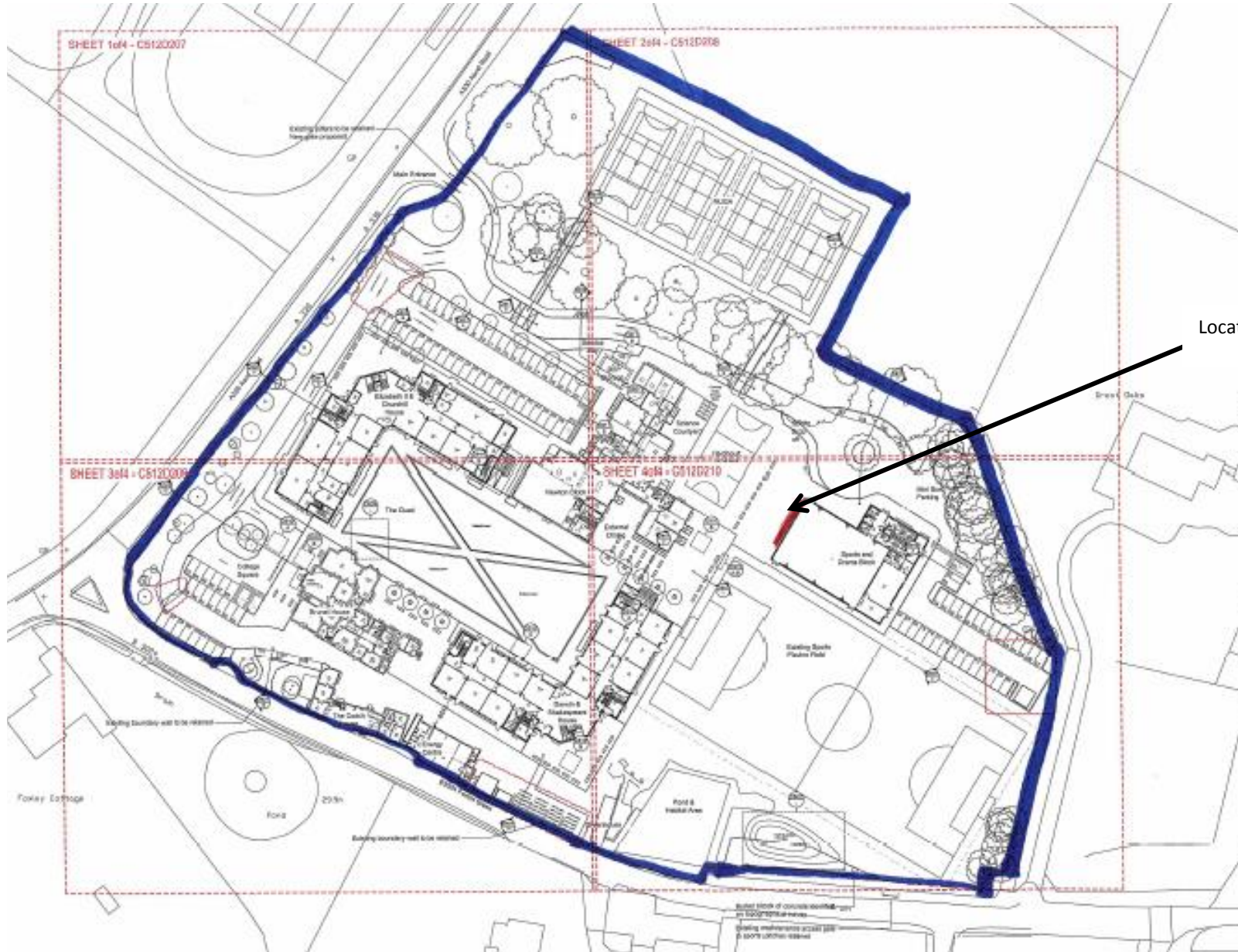
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

3 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

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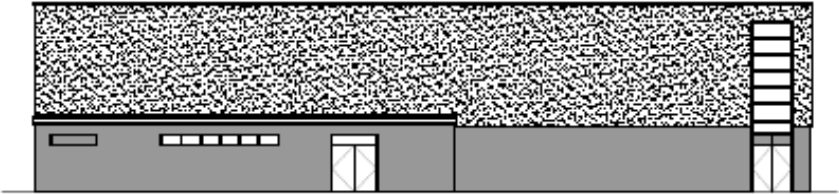


Location of proposed containers

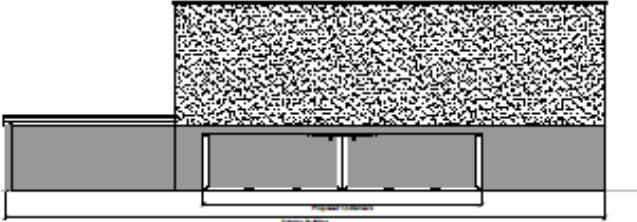
Small block of concrete identified on site is located near the building boundary wall line shown on this plan.  
Building measurements shown on this plan are based on the existing site/scale reference.



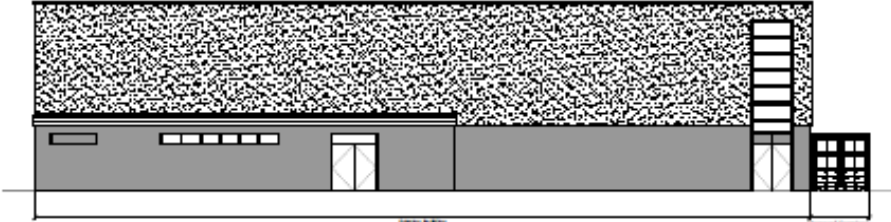
Sports Hall - Existing West Elevation



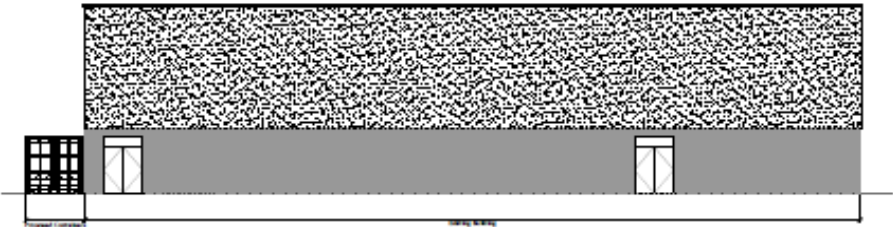
Sports Hall - Existing North Elevation



Sports Hall - Proposed West Elevation



Sports Hall - Proposed North Elevation



Sports Hall - Proposed South Elevation

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 March 2017

Item: 3

<b>Application No.:</b>	16/02416/FULL
<b>Location:</b>	Brill House Mercia Road Maidenhead SL6 3DU
<b>Proposal:</b>	Erection of 7 x dwellings and building consisting of 5 x 1 bed flats and 1 x 6 bed HMO dwelling, following demolition of existing building.
<b>Applicant:</b>	Mr Stritch - Housing Sollutions
<b>Agent:</b>	Miss Katharine Allen - Katharine Allen Architects
<b>Parish/Ward:</b>	Cox Green Parish/Cox Green Ward

**If you have a question about this report, please contact:** April Waterman on 01628 682905 or at [april.waterman@rbwm.gov.uk](mailto:april.waterman@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 This scheme proposes the construction of seven family houses, and a building to accommodate adults with learning disabilities, comprising five single-occupancy flats, and a shared dwelling unit for six people. The new development is proposed to follow the demolition on the site of a now vacant two-storey block of 28 flats, which was constructed in the late 20<sup>th</sup> century for occupation by the elderly. The scheme is part of a larger re-organisation programme of affordable and specialist accommodation being undertaken by the applicant, Housing Solutions. The proposed buildings would present onto the northern side of Brill Green, which is an established large area of open space, of predominantly grass but with numerous trees, well-used for public recreation and informal play. The site is surrounded on its other sides by residential development of varying ages (19<sup>th</sup> and 20<sup>th</sup> century) of modest scale. A new vehicular access would serve the site from Mercia Road, and the current entrance on Lock Lane, to the small existing car park, would be closed.
- 1.2 The development proposal and the information supporting it have been revised and augmented in response to officer requests during the course of the planning application process. This has included matters relating to the ownership of the site, the design of the buildings and the layout and detailing of hard and soft landscaping. With these amendments it is considered that this specialist housing scheme is acceptable in principle, would have no adverse impact on highway safety or water resources, would provide satisfactory living conditions for future users and existing neighbours and would compliment its surroundings architecturally and in landscaping terms.

**It is recommended that the Panel grants planning permission with the conditions listed in Section 10 of this report.**

**2. REASON FOR PANEL DETERMINATION**

- 2.1 As this scheme proposes to create more than two new residential units, the Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended. Further more, small parts of the site are in the Council's ownership (lay-bys on Mercia Road and Lock Lane). A decision on such cases can only be made by the Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site comprises 0.32 hectares of land within the built up area of Maidenhead, in Cox Green Parish. It is bordered to the south west by Mercia Road, to the east and north east by Lock Lane, and to the south east lies Brill Green, with Cox Green Lane on its far side. To the north west the back gardens of Stratford Gardens are separated from the site by fencing and mature hedging with some small trees just off the site.

- 3.2 The existing vacant building on the site comprises a 1970's two storey, pitched roof brick and tile hung complex of 28 units and communal facilities for the elderly. This part of Cox Green is predominantly residential, of medium density, mainly two storey forms of detached, pairs of terraces or houses in street-aligned development pattern. The existing Brill House contrasts with this layout, having an off-kilter arrangement with Lock Lane (from which it derives vehicular access) and with Mercia Road (pedestrian access). A small number of car parking spaces are laid out within the site, and laybys on Lock Lane and Mercia Road provide a further 10 -12 spaces for general public use.
- 3.3 Lock Lane, Cox Green Road and Mercia Road have no on-street parking restrictions, although the narrow Lock Lane is restricted to only allow vehicles needing access to the lane itself. Cox Green Road and the modern estate route of Mercia Road are of comfortable single carriageway width.
- 3.4 The site has a relatively open-plan character on the Mercia Road and Lock Lane frontages with lawns, specimen trees and shrubs surrounding the existing block. A low fence with hedging behind separates the site from Brill Green, and runs a short distance along the Lock Lane frontage. In the vicinity of the site front gardens of a variety of depths are enclosed by hedging, fencing and masonry walls, although open plan arrangements and generous driveways/parking areas also feature.
- 3.5 Brill Green is mainly lawned, and has a number of mature and young trees and shrubs towards its edges. The site and its locality are generally flat.
- 3.6 The site is not within or adjoining a Conservation Area.

#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and date
05/00350/full	Conversion of existing warden flat and adjacent common room into 2x1 bed sheltered flats	Refused 07.04.2005
05/00960	Conversion of existing warden flat and adjacent common room into 2x1 bed sheltered flats	Approved 10.06.2005

- 4.1 Full planning permission is sought for the demolition of 28 flats for the elderly and the erection of seven two or three bed roomed houses, to be let as affordable units, together with supported living units for people with learning difficulties, comprising a block of five single-occupancy flats and a house for six residents.
- 4.2 The scheme shows brick, flint and tiled two storey buildings, with full gabled roofs, presenting a common eaves line, with return gables on the terraced houses and the flats building, southwards towards Mercia Road and Brill Green. The existing access is to be closed up, and a new access road is intended to lead into the site from Mercia Road to reach car parking courts for the residents of the individual houses and for staff of the specialist accommodation. No parking is proposed for the residents of the flats and 6-person house. Cycle parking and bin storage for the houses is located within individual rear gardens, with the flats and 6-person unit being served by a refuse and recycling compound on the north east of the site.
- 4.3 Amendments to the scheme have been submitted following initial comments from the Council's Trees Officer and Flood Risk Engineer. The footprint of the housing has been re-aligned to allow for a greater amount of meaningful landscaping to be planted between the new building and Brill Green, while retaining appropriately-sized back garden areas for each of the family homes. A number of trees are proposed to be lost from the site, but others, including significant trees on the Lock Lane boundary, are to be retained, and new tree planting across the site outnumbers those to be felled.
- 4.4 Details of improving the on-site absorption of surface water run-off have been supplied, and amendments to the location of bin storage away from the rear boundary of properties on Stratford gardens have been submitted (in response to a concern raised by a neighbouring resident).

Finally, revisions to the layout and fenestration of one of the flats, to reduce potential overlooking of private rear gardens of the new houses, has been received, also following a request to amend the scheme.

## 5. MAIN STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### NPPF 2012

- 5.1 Of relevance to this application are paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 4 (Promoting sustainable travel), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 11 (Conserving and enhancing the natural environment) of the NPPF 2012
- 5.2 The scheme is considered to comprise sustainable development, for which there is a simple presumption in favour expressed in the NPPF. There are no material considerations that indicate otherwise.

### Royal Borough Local Plan

- 5.3 The planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and parking	Trees and open space
DG1, H7, H8, H9, H10, H11, R1	P4, T5, T7	N4, N6, N7

These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

- ☐ RBWM Parking Strategy 2004

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

- 5.6 The emerging Borough Local Plan is not yet at a stage where its proposed objectives and policies carry sufficient weight against which to assess this application for planning permission.

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i The principle of the development and Impact on Public Open Space
- ii The provision of appropriate and good quality housing
- iii Impact on character and amenities of the area
- iv Highway and movement safety and convenience

### Principle of development

- 6.2 The site is considered to be “brownfield” and its location within a built up area renders it appropriate for development. Although Brill House is currently empty, its recent former use sets a precedent for residential use.
- 6.3 The site area defined by the red line in the planning application documents includes land not in the ownership of the applicant: as noted above the lay-bys on Mercia Road and Lock Lane are owned by the Royal Borough, and a small section of land on the northern edge of Brill Green remains in the ownership of the Brill Family. Concerns have been raised over the potential or actual loss of part of the Green that has been dedicated as public open space, as a result of the application boundaries. The Brill family land subject of the application is that part of the Green that is currently already sectioned off from the main open space by the existing hedge and fence defining the grounds of Brill House. The proposed scheme now shows no building footprint within this section of the site, only the use of this land as part of the landscaped area fronting the buildings. In effect, therefore, the proposed development would not reduce the land area of Brill Green that is currently available for the public to walk and play on, but would re-inforce its planted contribution to the green buffer between built forms to the north and the open space to the south as such there is no policy objection. A decision on this planning permission may be made safely by the Local Planning Authority as the correct notices, alerting the owners of all parts of the site to the submission of the application, have been properly served, and declaration to this effect also made to the Council. To date no objections from the owners have been received by the Local Planning Authority. In any event, the grant of planning permission does not, in itself, over-ride any control over the treatment of land that an owner has. It will be necessary, separately from the development control process under planning legislation, for the applicant to secure the consent of the respective landowners to undertake the development proposed.

### **Housing**

- 6.4 The application scheme would result in a reduction in number of residential units (from 28 to 13) but the size and nature of the proposed dwellings, would be likely to accommodate more than the same number of residents, albeit of a different demographic and range of special need. Policy H7 of the Local Plan prohibits the loss of residential land or accommodation, with exception (among others) where the proposal would provide other types of residential uses of a specialist nature. There is no policy position expressed in the existing Local Plan which would specifically prohibit the loss of accommodation for the elderly.
- 6.5 Residential development of this type and size of units (including small houses and flats, and accommodation for those with special needs) accords with the objective of Local Plan Policy H8. The dwellings have been designed with level access, and display internal space and circulation standards to achieve the objectives of Policy H9 of the Local Plan (access for the disabled). The living spaces formed would be comfortable, with access to gardens and adequate storage. The scheme design satisfies the expectations in Policy H10 of attractiveness amenity and safety.
- 6.6 The size of the site and the number of units proposed fall below the thresholds (0.5 ha and 15 units) for requirements for the provision of affordable housing on the site. However, while not a requirement of Local Plan policy, it is understood that the applicant intends *all* the units on the development to be affordable: the supported living units being let by Housing Solutions, and the family houses being either let by or in shared ownership with Housing Solutions.

### **Impact on character and amenity**

- 6.7 The mass, form, grouping, orientation, and in-plot position of the proposed mix of terraced, semi-detached and detached houses follow examples of all these characteristics in the residential development surrounding the site. The branched footprint of the replacement Brill House (for the 5 flats and 6-person house) is, as a result of its shape and position within the site, reminiscent of the existing block on the site. While the appearance of the built form on the land will change from that existing, in terms of relationship to its boundaries it is considered that the proposed density and grain of the scheme is in step with its context. The layout of the proposed development has been amended, by pulling the housing back from the southern site boundary, to better relate its built form to the open space to its immediate south – Brill Green – in particular to enable a softer



edge to the development using tree, hedge and shrub planting along its southern boundary. This will not hide the proposed built forms (and in any case this should not be the purpose) but will better mirror the current visual arrangement of a blurred edge between the open space of the green and the private space attributable to Brill House.

- 6.8 The confinement of parking and service areas for the family housing and supported living units to the north of the site means that the proposed buildings and landscaping will largely shield this necessary but less visually attractive part of the scheme from being read together with the street scene or with Brill Green. Some views into the parking area will be possible from certain points on Mercia Road, although these will be framed by hedge and tall shrub planting along both sides of the access road, and the careful placement of a Flowering Pear tree at the entrance to the court to partly terminate this view.
- 6.9 The house and flats block designs show a traditional full gabled roof pattern, with return gables to the Green-fronting elevations of the scheme. The building line is also slightly staggered (an amendment request). This, together with the choice of materials, gives appropriate variety and interest to what may otherwise have been a rather stark alignment onto the public open space. The request from the Parish Council to use hipped roofs for the buildings instead of full length ridges, to lessen the overall bulk of the buildings, is not supported: hipped or part hipped roofs would not suit the proportions of the houses, particularly the detached and semi-detached, and any benefit derived from the perceptible reduction in volume of the buildings would be outweighed by the resultant awkwardness of their form. The scale and mass of the proposed development is considered to be acceptable for its context.
- 6.10 The impact of the development on the privacy and outlook of existing residences is considered to be acceptable. No rear or side-facing windows on upper floors are proposed unless the distance from the new building to other existing property is sufficient to preclude direct intrusion. An existing side (south-east) facing upper floor window on number 21 Mercia Road would look onto the blank side wall of a new house on plot 1 of the site, but it appears that this window serves a bathroom, so the loss of aspect from, and of some light to it is not considered to be sufficiently damaging to the amenity of that property to warrant a refusal of the scheme. Ground floor openings on this side elevation of no. 21 are already screened by a 1.8 m high close boarded fence that runs back from the footpath along this side boundary. Although there would be room to set the new house on plot 1 back, to allow more light to reach this side elevation of no.21, this would interrupt the common building line along this side of Mercia Road that the proposed housing on plots 1, 2 and 3 follow.
- 6.11 The palette of materials for the buildings and for the hard boundary treatments are considered to be acceptable. Red brick, render and flint work for the walls, with grey tiles for the roof, and white PVC windows are proposed, with 1m or 1.8m high railings or close boarded fencing (in addition to hedges) for garden definition. This palette of materials is evident in other buildings in the vicinity, and the recommended condition 3 would enable the Council to secure details, with samples, of the precise materials specifications to meet the high design standards expected in policies DG1 and H10 of the Local Plan.
- 6.12 The landscaping proposals for the development now show a greener edge to the scheme, on principal public frontages, than was initially proposed. The orientation of the house on plot 3 has been amended to enable a similar tree to replace the lost mature specimen in this general location – a River Birch to replace a Silver Birch. More tree and shrub planting than is currently in place will sit between the new buildings and the northern edge of Brill Green, and additional planting is also proposed for the Lock Lane frontage.
- 6.13 For the privacy and security of the residents of Brill House railings with hedging will front the scheme onto Brill Green and along Lock lane. Front gardens to the family housing on plots 1 to 7 will not be fenced (although the tree planting will provide visual interest), with private enclosed amenity space at the rear, overlooked by kitchen windows and half glazed back doors. The upper floors of both the family housing and the supported living units will enable supervision of the car parking area to the rear of properties. The scheme has been developed to incorporate “Secured by Design” principles.

- 6.14 Adequate proposals for dealing with surface water drainage within the site have been submitted, and no objection is raised to the scheme in terms of sewerage infrastructure capacity. Subject to the safeguards outlined by condition or by informative (where other relevant legislation or regulation is appropriate) the development, during its demolition, construction and occupancy stages is considered to be acceptable in terms of its impact on the amenity of the locality.

### **Highways and movement**

- 6.15 Adequate car parking provision is shown within the site to meet the Council's standards for this size and number of new residential units (7 houses will have 2 spaces each), and for the parking for staff and visitors to the supported living block (7 spaces). None of the residents of the supported living units will be able to drive. The re-development of the site is considered likely to result in an increase in traffic, but not that such an increase would cause danger or inconvenience to other highways users or nearby householders. The proposed creation of a vehicular access from Mercia Road and the closure of that onto Lock Lane would be acceptable.
- 6.16 Cycle parking is shown in secure lockable sheds in the gardens of each of the houses. No cycle parking provision is deemed to be necessary for the residents of the supported housing units, although it would be appropriate to include facilities for staff and visitors to park cycles when travelling to the site. Condition 11 addresses this matter.
- 6.17 Refuse and recycling collection vehicles will be able to load waste from the site conveniently. The bin store arrangements shown next to the former Lock Lane entrance have been subject of specific comment from residents whose back gardens abut the bin store location. The agent has supplied plans showing an alternative position for the bin store, to avoid potential disturbance to existing neighbours.
- 6.18 With regard to access to the property, therefore, the scheme enables safe and convenient movement to the buildings, and would improve on the former traffic flow position for Lock Lane residents. Pedestrian and cycle access to the site is acceptable. On compliance with the suggested conditions (including that relating to the management of construction traffic) the proposal is considered to accord with Policies H10, T5, T7 and DG1 of the Local Plan.

### **Ecology**

- 6.19 As the proposed scheme would involve the loss of established roof areas, the existing structure has been inspected for bat habitation. The submitted report noted that while the structure had moderate potential to host a bat population, no evidence of bat activity was found. The proposed development offers the opportunity to enhance the natural local environment by providing bat and bird boxes within the new buildings, and the recommended condition addresses this matter. As noted above, for their contribution to the character and biodiversity of the area, some existing trees will be retained, and more new specimens planted, to encourage wildlife into this redevelopment.

### **Other Material Considerations**

#### Housing Land Supply

- 6.20 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.21 It is considered that this scheme would have at least a neutral effect on the provision of accommodation for the Borough's residents in terms of population numbers, even though the number of dwelling units *on this site* would be reduced. It is the view of the Local Planning

Authority that the socio-economic benefits of the new range and specialist nature of the dwellings proposed would weigh in favour of the development.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's adopted CIL Regime and Charging Schedule the proposed development appears not be CIL liable, as the floor area of the proposed buildings does not exceed that of the current building. In any event, the applicant has submitted the required forms including the assumption of liability for payment.

## 8. CONSULTATIONS CARRIED OUT

### Comments from Interested Parties

- 8.1 The occupiers of 22 properties adjoining or near to the site were notified directly of the application on its first submission. On the receipt of amended plans, the same neighbours, together with all those who had commented on the initial submission, were notified.

The planning officer posted a statutory notice advertising the application at the site in August 2016.

39 comments (by letter, email and on-line comment) were received raising the following objections to the initial submission:

Comment	Where in the report this is considered
The building should not be sited further forward than the existing Brill House to retain the rural setting and street scene of Lock Lane and Brill Green	Para 6.7
Loss of provision for elderly residents of Cox Green	Para 6.4
Brill House is within an Area of Significant Character	Para 6.7.
Any development at the rest of the site should be back from the edge of Brill Green	Para 6.7
The building on the western side of the land should be set back from the pavement with gardens in front to mirror the other buildings;	Para 6.7 and 6.12
The proposal would exacerbate existing parking, traffic and safety problems;	Paras 6.15 – 6.16
Overdevelopment of the Green;	Para 6.7
Pressure on existing drainage system and collection of refuse;	Paras 6.14 and 6.17
Increase in the size of the buildings would have a detrimental impact on the overall look of the lane;	Para 6.9
Increase in the height and mass of the buildings;	Para 6.9
No private amenity space;	Para 6.13
Brill Green is protected by a covenant and the building is sited on land which is not in the applicant's ownership and loss of public open space;	Para 6.2
Not a sympathetic development and the houses lack interest and character;	Paras 6.7 - 6.13
Loss of amenity from the flank window;	Para 6.10
The screening of the boundaries of any development to ensure that it does not adversely impact on the surrounding area;	Para 6.11
Inadequate parking provision and loss of lay-by parking	Para 6.15 and 6.18
Detrimental to the street scene as the frontage of the building would be further forward than much of the current building	Paras 6.7 and 6.112
The proposal would increase crime, anti-social behaviour and theft in the area;	Para 6.13

A petition has been received with 293 signatures objecting to the loss of trees on the Lock Lane frontage.

The following comments have been received in support of the scheme:

Full support for the provision of housing for people with learning difficulties	Para 6.4
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In response to the amended plans, 4 comments were received, raising the following objections

Comment	Where in the report this is considered
While moving back housing units 4-7 is a slight improvement, this is not enough to overcome previous objections.	Para 6.7
Location of bin store will cause nuisance and disturbance to residents whose back gardens abut the site	Para 6.17
The bin store should be closer to the main road access for ease of collection	Para 6.17
The scheme still does not address loss of older person's housing	Para 6.4
Have the Trees Officer comments been considered?	Paras 6.8, 6.8 and 6.12
How will demolition and construction traffic be managed?	Para 6.18
Will the social housing units be subject to right to buy?	Para 6.6
Please can residents be assured that Brill Green will remain available for community use	Para 6.2
Increased parking area will cause disturbance and nuisance (noise and fumes) to the enjoyment of back gardens in Stratford Gardens	Para 6.15
Increase in the height and mass of the buildings;	Para 6.9
Brick and flint doesn't fit in with surrounding houses	Para 6.11

### Statutory and other consultees

In response to the initial submission, the following comments were received:

Consultee	Comment	Where in the report this is considered
Parish Council	The Parish Council has no objection in principle to the redevelopment of the site subject to the following:	
	All units to have hip end roofs to reduce the visual bulk of the development	Para 6.9
	Housing to be social rental instead of shared equity (to ensure retention of affordable housing stock locally);	Para 6.6
	Working times conditions to minimise disruption to the neighbouring properties;	Para 6.18
	Appropriate conditions relating to contractor parking during construction to minimise disruption to neighbouring properties;	Para 6.18
	No construction traffic/equipment to be placed on the Brill Green Open Space (to ensure facility remains available and undamaged);	Para 6.18
	Housing Solutions undertake an ongoing obligation to inform all new tenants of the community activities that take place on the Brill Green Open Space (to ensure tenants are aware of the pre-existing situation);	Noted
Tenancy agreements for supported living units to stipulate no car policy (to ensure no on-street parking occurs due to the absence of on-site provision);	Para 6.15	

	<p>Conditions relating to the retention of all on site parking (to ensure such provision is available at all times);  All trees removed during redevelopment to be replaced on site with suitable species and;  A condition restricting the indefinite use of the building containing 5 x 1 bed flats and 1 x 6 HMO to accommodation for adults with learning disabilities (to ensure that such a provision is maintained and available)</p>	<p>Included in conditions Para 6.12</p> <p>Included in conditions</p>
Highway Authority	<p>The site's car parking provision is considered to be acceptable, as is the cycle parking provision for the houses. No proposals are given for cycle parking for the assisted living units, although space is available on site for this.</p> <p>The refuse storage provision and access for its collection have been subject of consultation with the Council's Waste Management Team.</p> <p>The introduction of a supported living block plus the 7 residential dwellings, replacing the existing 28 bedroom sheltered accommodation raises no highway safety or traffic related issues. Whilst it is appreciated that the proposal may lead to an increase in vehicular traffic, there are no defects in the highway network to suggest that it cannot be accommodated within the surrounding area. No objections are raised subject to the attachment of conditions to any planning permission granted, to cover specification for the new access road, construction management plan to control traffic, materials storage etc.; provision of all car and cycle parking as shown on plan and the stopping up of the Lock Lane access when the new Mercia Road access is opened.</p> <p>The proposed works on the highway would need to be secured by way of a S278 Agreement (Highways Act 1980).</p>	<p>Paras 6.15 – 6.18 and conditions and informatives.</p>
Environmental Protection	<p>Suggest conditions and informatives to address matters of noise, dust and smoke control.</p>	<p>Para 6.14 and recommended conditions and informatives</p>
Lead Local Flood Authority	<p>The application submitted does not contain any details of how the surface water will be managed and there is no evidence to back up the statement in the application form that the development does not increase flood risk to the surrounding area. Therefore until this information has been submitted, objections would be raised on surface water drainage grounds.</p>	<p>Para 6.14 and recommended conditions and informatives</p>
RBWM Trees Officer	<p>I have no objection to the loss of the silver birch (T12) and the apples (T13 and 14) due to the condition of these trees. However I am concerned that the location of plots 1,2 and 3 will result in a significant loss of open space on the frontage with Mercia Road and that there will be no scope to undertake any replacement tree planting on this boundary. As discussed I am also concerned at the proximity of units 4, 5, 6 and 7 to the boundary with Cox Green. Very little space has been provided to access these properties and any tree planting undertaken on the northern boundary of the green would significantly overshadow these properties. Due to the proximity of units 4, 5, 6 and 7 to the boundary with Cox Green very little space is available for replacement planting. The 5 trees shown to be planted on this boundary therefore have to be a comparatively small species (Amelanchier</p>	<p>Paras 6.7, 6.8, 6.12 and 6.13 and recommended conditions and informatives</p>

	Ballerina). Amelanchier is an attractive small tree however it would be beneficial if more space were available to enable the establishment of larger trees on the boundaries of the site that would provide a greater benefit to the area. Consequently, the scheme fails to adequately provide a layout that enables space for suitable landscaping and replacement tree planting. I therefore recommend refusal of the application under N6, and DG1.	
RBWM Ecologist	From the bat surveys carried out at the site and the inspection of the building it is concluded that the building has moderate potential for bat roosts, but none were evident. Indications were observed of the use of the building by nesting House Sparrows. Conditions and informatives are recommended to avoid harm to protected wildlife and to enhance the potential for the development to provide future habitat.	Para 6.19
Thames Water	No objection with regard to sewerage infrastructure capacity.	Para 6.18

In response to the further consultation on amended plans, the following comments were received:

Consultee	Comment	Where in the report this is considered
Parish Council	Re-iteration of previous comments, and All units to have Dutch hip end (reduced hips) roofs rather than gable ends to reduce the visual bulk of the development Housing to be social rented instead of shared equity (to ensure retention of affordable housing stock locally) and that in accordance with Policy H03 of the emerging Local Plan a condition is requested requiring the affordable housing to remain affordable	Para 6.9  Paras 5.6 and 6.6
Highways Authority	No objection subject to recommended conditions and informative.	Paras 6.15 – 6.18 and included in recommended conditions
Environmental Protection	No further comments	Noted
Local Lead Flood Authority	The additional information submitted resolves the earlier issues raised. No objection to approval of the scheme if in accordance with the approved surface water drainage system and its maintenance.	Para 6.14 and recommended conditions and informatives
RBW M Trees Officer	Comments awaited	To be subject of Panel Update
RBW M Ecologist	No further comments	Noted
Thames Water	No further comments	Noted

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – site layout, landscaping
- Appendix C – Floor plans and elevation drawings

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Prior to the commencement of any works of demolition or construction a management plan, showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan will also include details of the phasing of the demolition and construction work, including a specific timetable for the laying out of any temporary access route onto the site for vehicles to negate use of the access point on Lock Lane. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic, and of the protection of the amenity of residents in the vicinity of the site. Relevant Policies - Local Plan T5 and guidance contained within the NPPF 2012.
- 3 No development shall commence on the site until full specifications and samples of the materials to be used in the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - DG1 and H10 of the Local Plan and guidance contained within the NPPF 2012.
- 4 No part of the development hereby approved shall be occupied until an access to the site from Mercia Road as indicated on the approved block plan has been constructed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.  
Reason: To secure an appropriate standard of development in the interests of the safety and convenience of all users of the highway network in the vicinity of the site. Relevant policy T5 and DG1 of the Local Plan and guidance contained within the NPPF 2012.
- 5 The development hereby permitted shall be completed in accordance with one of the options for surface water storage and drainage indicated on drawing referenced ICS-2321 05 P02, received at RBWM on 09.12.2016 and shall be maintained thereafter in accordance with a maintenance regime for it which shall have been submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the site.  
Reason: To ensure the protection of the water environment, and to minimise the risk of flooding in the locality. Relevant policies - DG1 and F1 of the Local Plan, and guidance contained within the NPPF 2012.
- 6 No development shall take place and no clearance of existing materials or vegetation on the site shall commence until the protective measures set out in the Arboricultural Survey and Planning Integration Report by Quaife Woodlands referenced AR/3285/rgB Rev B received at RBWM on 09.12.2016 shall have been completed in accordance with that document. No felling or other works to any trees on or overhanging the site, or any other trees that may be affected by the development, shall commence until a full Arboricultural Method Statement, in accordance with the requirements of BS5837 2012 detailing all works to retained trees on the site or affected by the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved AMS.  
Reason: To ensure the protection of important vegetation on or bordering the site which contributes to the character and appearance of the area in accordance with national and local planning policy as set out in Policies DG1, N6, N7 and H10 of the Local Plan and guidance contained within the NPPF 2012.

- 7 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access from Mercia Road being first brought into use, in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and of the amenities of the area. Relevant Policies - Local Plan T5, DG1 and guidance contained within the NPPF 2012.
- 8 The development shall be completed in accordance with the details set out on drawing referenced BRH 01 Rev D received at RBWM 09 December 2016, within the first planting season following the first occupation of the first dwelling unit on the site, unless otherwise agreed in writing by the Local Planning Authority. The landscaping of the site shall be so retained thereafter. Any trees or plants that die, are damaged or are removed within 5 years of their planting shall be replaced with another of the same or similar species, size and planting density, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To secure an appropriate finish for the development, in the interests of the biodiversity resource, the setting of Brill Green, and the character and appearance of the area. Relevant policies DG1, H10, N4 and N6 of the Local Plan, and guidance contained within the NPPF 2012.
- 9 No development shall be commenced on the site until details of the height, design, materials and timetable of installation or construction of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.  
Reason: To secure an appropriate standard of development, in the interests of the security and privacy of existing and future residents of the area, and of its character and appearance. Relevant policies: DG1 and H10 of the Local Plan and guidance contained within the NPPF 2012.
- 10 No dwelling on the site shall be occupied until the car parking for its residents or staff has been laid out and finished in accordance with the approved details shown on drawing referenced 217 PD03 Rev P4 received at RBWM on 06 February 2017. The car parking shall be so retained for this purpose for the duration of the occupation of the site.  
Reason: To secure an appropriate standard of car parking on the site, in the interests of the safety and convenience of all users of the highway network in the area. Relevant policies DG1, H10 and P4 of the Local Plan, and guidance contained within the NPPF 2012.
- 11 No dwelling on plots 01 - 07 on the site shall be first occupied until the cycle parking for it, within a secure shed as shown on the approved drawing referenced 217 PD03 Rev P4 received at RBWM on 06 February 2017 has been provided. Prior to the first occupation of any part of the block containing five flats and one 6-person house cycle parking for staff shall be provided within the site in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be so retained for the duration of the occupation of the development.  
Reason: To secure appropriate facilities within the site to encourage the use of un-powered modes of transport, in the interests of the sustainability of the development and the protection of the environment. Relevant policies- DG1, H10 and T7 of the Local Plan and guidance set out in the NPPF 2012
- 12 No development on the site shall be occupied until the refuse and recycling storage facilities for it have been provided in accordance with the details shown on drawing referenced 217 PD03 Rev P4 received at RBWM on 06 February 2017. These facilities shall be so retained for the duration of the occupation of the development.  
Reason: To secure appropriate waste management facilities for the development, in the interests of its sustainability and its impact on the environment. Relevant policies - RBWM Sustainable Design and Construction SPD 2009 and guidance contained within the NPPF 2012.
- 13 The five one-bedroomed flats and one six-bedroomed house included in this development shall be occupied only by persons with learning disabilities, or by staff members employed in their care.  
Reason: To restrict the occupation of the building to persons with special needs in the interests of securing an appropriate mix of dwellings throughout the District to meet identified housing



needs. Relevant policies - H7 and H8 of the Local Plan and guidance contained within the NPPF 2012

- 14 No development on the site shall be first occupied until bat and bird boxes have been fitted into or onto the fabric of the buildings in accordance with a scheme of details which shall have first been submitted to and approved in writing by the Local Planning Authority. These bat and bird boxes shall be retained and kept available for use for the duration of the occupation of the development.  
Reason: To secure an appropriate degree of habitat enhancement for the development in the interests of the biodiversity resource of the area. Relevant policies - N3 and H10 of the Local Plan and guidance contained within the NPPF 2012.
- 15 In the event of any contamination of soil or groundwater within the site being discovered during its development the Local Authority shall be contacted immediately. No further demolition, archaeological investigation or construction activities shall continue on the site until such time as a procedure for addressing the contamination is agreed upon with the Local Authority in consultation with appropriate regulating bodies. In this event, development shall only continue if in accordance with the agreed procedure. Reason: To ensure the control of surface or underground waters in accordance with Policy NAP4 of the Royal Borough of Windsor & Maidenhead Local Plan 1999 (incorporating Alterations adopted 2003) and of the NPPF 2012.
- 16 No development shall take place on the site, including any demolition, until details of the existing and proposed finished ground floor levels of the development, in reference to a fixed datum point in the vicinity of the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.  
Reason: To ensure a satisfactory visual relationship between the development and neighbouring buildings, and in the interest of securing safe and convenient access to the development for all users. Relevant policies - DG1 and E10 of the Local Plan, and guidance contained within the NPPF 2012.
- 17 The development shall be carried out in accordance with the plans, documents and reports listed as approved at the end of this notice.  
Reason: To clarify the development permitted.

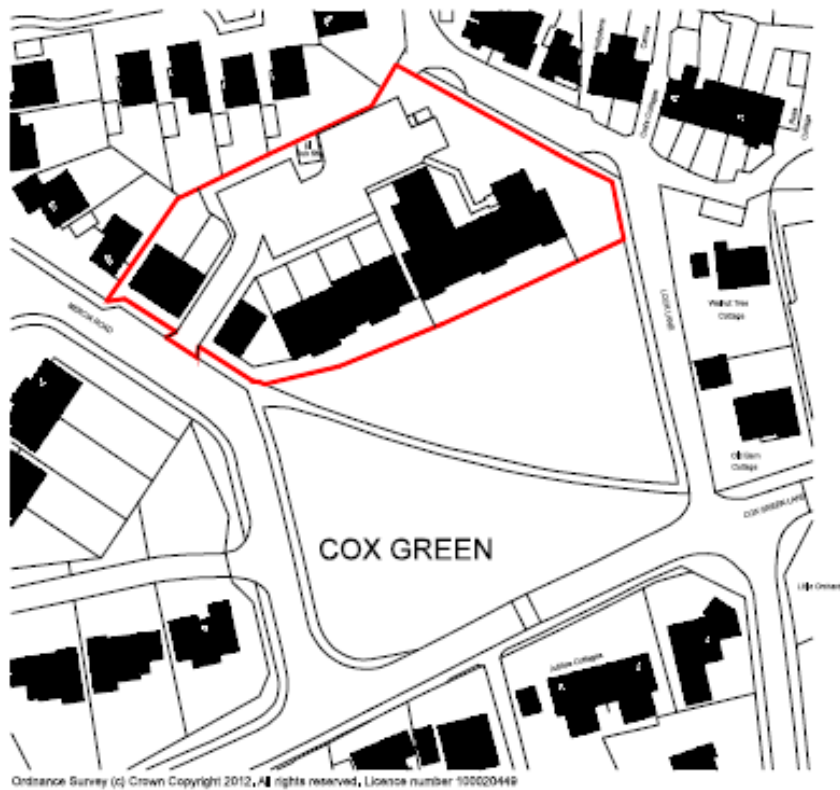
### **Informatives**

- 1 The applicant is reminded that before development commences it will be necessary to enter into an agreement with the Highway Authority under Section 278 of the Highways Act 1980 in relation to the creation and construction of a new vehicular access from the site onto Mercia Road and the stopping up of the existing access onto Lock Lane.
- 2 The applicant is reminded that no works of clearance of vegetation or demolition of buildings on the site shall take place within the period of 1st March to 31st August to avoid disturbance to wildlife during the bird breeding season.
- 3 In the event of the discovery of bats within the building or in the garden vegetation all work will stop immediately and the applicant shall not recommence until the site has been inspected and any bats found shall have been evacuated from the site by a qualified bat handler, in accordance with an agreed programme of work approved by the RBWM Ecologist.

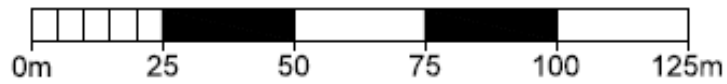
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# Appendix A Site Location Plan

43



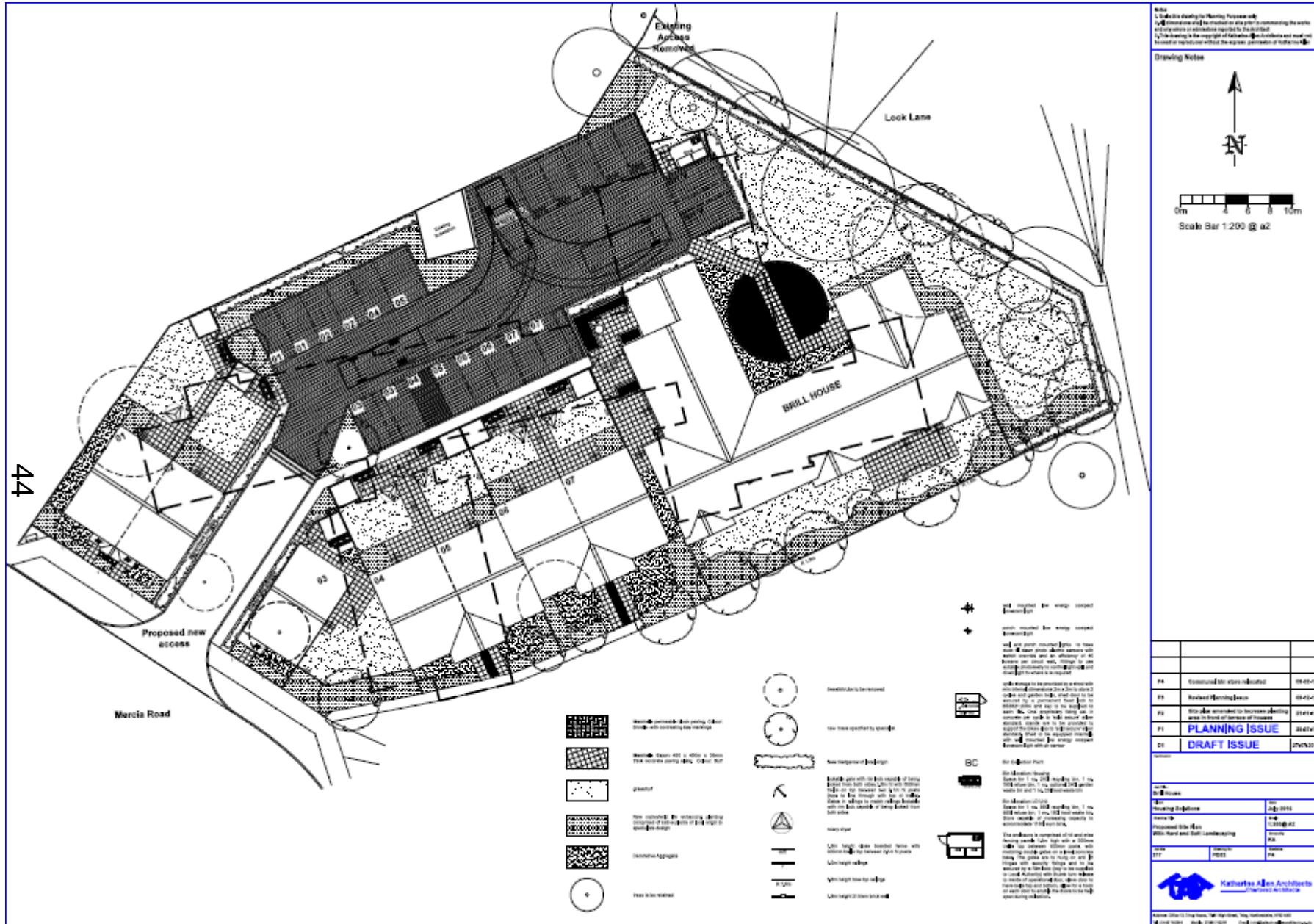
Ordnance Survey (c) Crown Copyright 2012. All rights reserved. Licence number 100020449



Scale Bar 1:1250 @ a4

01	Communal bin stores relocated	19/02/2011
02	notified planning issues	28/02/2011
01	<b>PLANNING ISSUE</b>	28/07/2011
01	<b>DRAFT ISSUE</b>	27/07/2011
<p>DATE: 28/07/2011</p> <p>PROJECT: SMALL HOUSES</p> <p>ISSUE: HOUSING SOLUTIONS</p> <p>DATE: JULY 2011</p> <p>ISSUE NO: PROPOSED BLOCK PLAN</p> <p>SCALE: 1:1250 @ A4</p> <p>DATE: 28/07/2011</p> <p>PROJECT: POB2</p> <p>ISSUE: 01</p>		
 <p><b>Katharine Allen Architects</b> Chartered Architects</p> <p>Address: Office 11, The Arcade, 121 High Street, Brighton, BN1 1AB Tel: 01323 735551 Fax: 01323 735552 Email: info@katharineallen.co.uk</p>		

# Appendix B Site Layout and Landscaping



**Notes:**  
 1. This drawing is for Planning purposes only.  
 2. Dimensions and quantities are given in millimetres unless otherwise stated.  
 3. This drawing is the copyright of Katerina Design and must not be used or reproduced without the express permission of Katerina Design.

**Drawing Note**

North Arrow

Scale Bar 1:200 @ a2  
 0m 2m 4m 6m 8m 10m

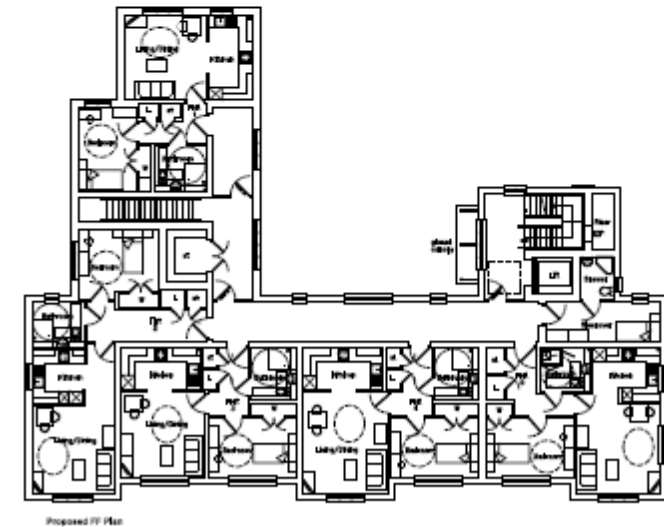
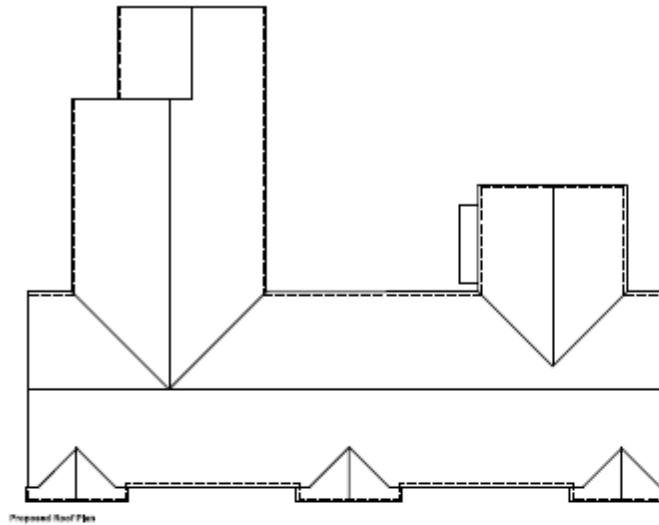
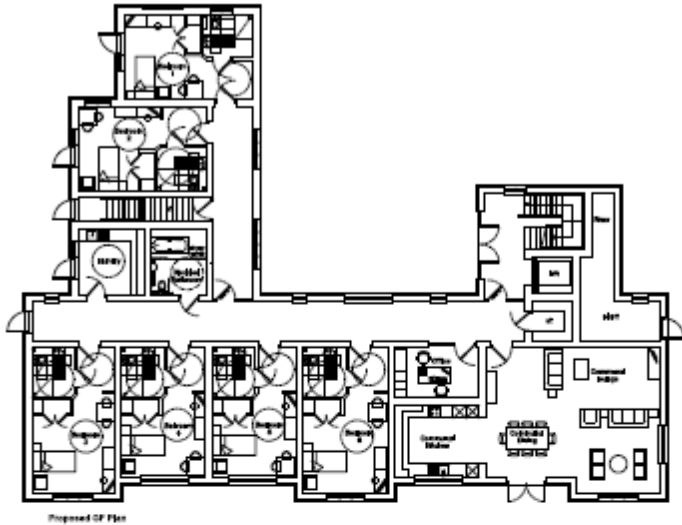
F4	Groundstone rubble	18/4/17
F5	Redwood flooring	18/4/17
F6	Stone tiles specified to be used in front of house	18/4/17
F7	<b>PLANNING ISSUE</b>	18/4/17
D1	<b>DRAFT ISSUE</b>	18/4/17

**Client:** Katerina Design  
**Project:** 1001  
**Date:** 18/4/17  
**Scale:** 1:200 @ A2  
**Drawn by:** Katerina Design  
**Checked by:** Katerina Design  
**Approved by:** Katerina Design

Katerina Design Architects  
 1001  
 1001

# Appendix C Floor Plans and Elevations

45



### Accommodation Schedule

Room/Flat	Area m <sup>2</sup>	Area ft <sup>2</sup>
Bedroom 1	23,5	253
Bedroom 2	22,9	246,5
Bedroom 3	25,7	276,5
Bedroom 4	23,7	255
Bedroom 5	23,7	255
Bedroom 6	26,5	285
Laundry	9,4	101
Bathroom	7,8	84
Communal	65	700
Plant	12,7	137
Office	9	97
Flat 1	47,7	513
Flat 2	55,5	597
Flat 3	48,4	521
Flat 4	51,7	556
Flat 5	51	549
Sleeperover	12,7	137

**Notes**  
 1. This drawing is for planning purposes only.  
 2. Dimensions are checked on site prior to commencing the works and any errors or variations reported to the architect.  
 3. This drawing is the copyright of Katherine Allen Architects and used with the permission of the applicant without the express permission of Katherine Allen Architects.

### Drawing Notes



Rev	Description	Date
01	Set 1: Bedroom, kitchen & flat 1 alterations completed, pending final width increases	16/05/18
02	Final Room schedule to match alterations approved in Set 1	16/05/18
03	<b>PLANNING ISSUE</b>	16/05/18
04	<b>DRAFT ISSUE</b>	16/05/18

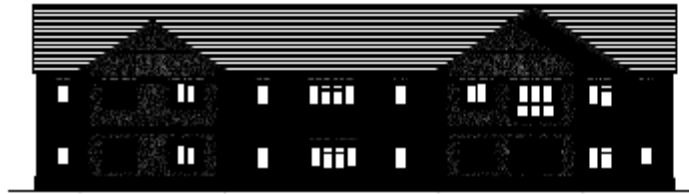
Katherine Allen Architects	
Project No:	1049/2018
Proposed Works:	Proposed Works Accommodation for Adults with Learning Disabilities
Client:	NSA
Site:	POBT
Scale:	A1



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Elevation A



Elevation B



Elevation C



Elevation D

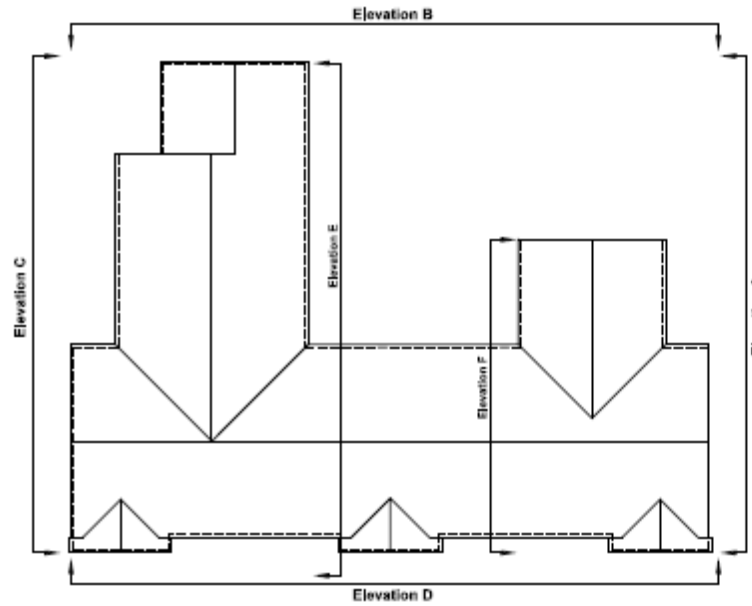
46



Elevation E



Elevation F



Proposed Elevations  
041 House

Note:  
1. All drawings are for Planning purposes only.  
2. All dimensions are to be checked on site prior to commencing the work and any errors or omissions reported to the architect.  
3. The drawings are the copyright of Katherine Allen Architects and must not be used or reproduced without the express permission of Katherine Allen Architects.

Drawing Notes



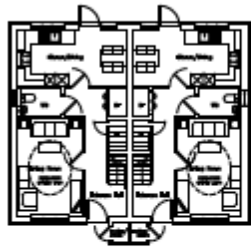
Scale Bar: 1:100 @ A1

Rev	Description	Date
01	Set 1 business window to look alternative exterior window to front with increased	16/05/18
02	exterior glazing added	16/05/18
03	<b>PLANNING ISSUE</b>	16/05/18
04	<b>DRAFT ISSUE</b>	16/05/18

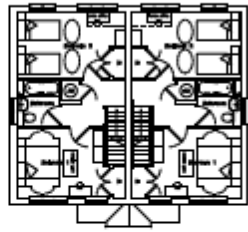
K&A Plans	
Author	16/05/2018
Working Title	041 House
Project	16/05/2018
Proposed Elevations, Accommodation for Architects Learning Studio 041	16/05/2018
Scale	1:100
Sheet	01



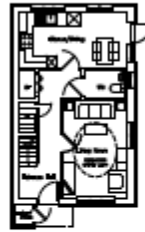
Katherine Allen Architects  
Chartered Architects



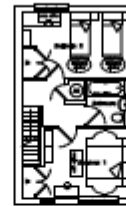
Proposed OP Plan



Proposed FP Plan



Proposed OP Plan



Proposed FP Plan



Proposed Front Elevation



Proposed Flank Elevation



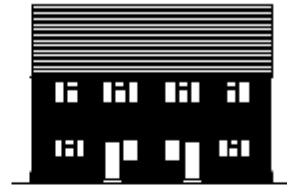
Proposed Front Elevation



Proposed Flank Elevation



Proposed Flank Elevation



Proposed Rear Elevation



Proposed Flank Elevation



Proposed Rear Elevation

Proposed Plans and Elevations  
2 Bedroom Semi Detached Dwelling

Proposed Plans and Elevations  
2 Bedroom Detached Dwelling



Street Elevation  
(Marric Road)

- Notes
1. Refer to drawing for Building Footprint only.
  2. All dimensions shall be checked on the site to determine the extent and any errors or omissions reported to the Council.
  3. The drawing is the copyright of Katherine Allen Architects and must not be used or reproduced without the express permission of Katherine Allen Architects.

Drawing Notes



Scale Bar: 1:100 @ A1

Accommodation Schedule

2 x 2B4P House	
m <sup>2</sup>	m <sup>2</sup>
86	925
1 x 2B4P House detached	
m <sup>2</sup>	m <sup>2</sup>
85	925

01	revised drawing for planning	16-16-19
02	revisions planning submit	16-06-19
03	<b>PLANNING ISSUE</b>	16-07-19
04	<b>DRAFT ISSUE</b>	17-05-19

Project Name		Date	
2 x 2B4P House		July 2019	
Working Institution		Date	
Katherine Allen Architects		17/06/2019	
Project Title		Location	
Proposed Plans and Elevations 2 Bed 4 Person Dwelling		NSW	
Scale	Project No	Date	
1:100	15000	19/06/19	



Address: 10/11, Ting Street, Pitt Head, Pitt Head, NSW 2569  
 Tel: 02 9333 1111 Email: kate@kateallen.com.au kate@kateallen.com.au





**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 March 2017

Item: 4

<b>Application No.:</b>	16/02814/FULL
<b>Location:</b>	Land At BCA And Bordered By Main Buildings To North And Dellars Copse To South Burchetts Green Road Burchetts Green Maidenhead
<b>Proposal:</b>	Development of a care village comprising of a 50 bedroom care home, village care and wellbeing centre, 26 assisted living units, 82 independent living units, landscaping, parking and associated new access drive
<b>Applicant:</b>	Berkshire College Agriculture
<b>Agent:</b>	Mr D Bond
<b>Parish/Ward:</b>	Hurley Parish/Hurley And Walthams Ward
<b>If you have a question about this report, please contact:</b> Victoria Gibson on 01628 685693 or at victoria.gibson@rbwm.gov.uk	

**1. SUMMARY**

This report demonstrates that the quantum of development proposed exceeds what is necessary to carry out the stated repairs and enhancements of the heritage assets and clear the colleges debt taking into accounts the costs associated with providing the development and allowing the developer a fair profit.

- 1.2 Fundamentally, the Very Special Circumstances put forward do not clearly outweigh the harm to the Green Belt and the other harm identified and there is not a case of public benefits which would outweigh the significant (less than substantial) harm to the heritage assets that are considered to be of national importance. Also, the applicant's assessment of the Heritage Asset and the Conservation Management Plan are considered wholly inadequate and the proposal fails to meet the tests for enabling development. Furthermore there is no evidence contained with the application to confirm that failure to approve this application would impact the educational opportunities for young people.
- 1.3 The development would also result in harm to the character and appearance of the area and result in an unacceptable loss of trees. Furthermore, it has not been demonstrated that the development would not increase the risk of flooding in the area or that it's impact on ecology and biodiversity can be adequately mitigated. These harms are not considered to be significantly and demonstrably outweighed by the socio- economic benefits of the scheme.
- 1.4 With regard to the issues raised in paragraph 1.3 the applicant has submitted more technical data in relation to these matters. This will be assessed and the conclusions reported in the Panel Update Report.
- 1.5 A site location plan, site layout plan, floor plans and elevations are attached at **Appendix A and B.**

<b>It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):</b>	
<b>1.</b>	<b>Substantial harm to the Green Belt through i) inappropriate development, ii) significant loss of openness by reason of the developments scale and siting iii) contrary to one of the main purposes of the Green Belt i.e. to protect the countryside from encroachment. There are no 'Very Special Circumstances' to outweigh this harm and the harm identified below.</b>

2.	<b>Failure to adequately assess the Heritage Asset and significant harm (less than substantial) to the setting of the Listed Building and the Historic Garden given the developments size, siting and poor design which is derived by moving the vernacular architecture of the village so that it stands cheek-by-jowl with the refined architecture of the principal house and clearly misunderstands the significance of the house and its landscape setting. This harm is not outweighed by public benefits. Furthermore the proposal fails to meet the tests of enabling development.</b>
3.	<b>Harm to the character and appearance of the area as a result of the siting, scale and layout of the buildings and new access road along with associated paraphernalia which would have a harmful urbanising affect at odds with the both the rural undeveloped character of the area and the character of the cluster of built form within it which makes up the college.</b>
4.	<b>The proposal would result in the loss and the potential loss of trees which are considered important landscape features and are covered by a Tree Preservation Order. Their loss would be harmful to the character and appearance of the area.</b>
5.	<b>It has not been demonstrated that the proposed development would not cause harm to the two adjacent wildlife sites, priority habitat area or protected species namely great crested newts and bats.</b>
6.	<b>The proposal would increase flood risk from surface water, in the absence of evidence to the contrary.</b>

## 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Kellaway given the amount of public interest and irrespective of the recommendation of the Head of Planning.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 BCA is an extensive and largely open site in the Green Belt relatively close to the north-western margins of Maidenhead. The nearer of two local villages to it is Burchett's Green which sits due south-east of the College campus at a distance of about 0.5 km
- 3.2 Within the greater BCA site the development envelope including much of the campus area covers about 6.8 hectares of land. It has a length of about 690 metres due north to south, and a maximum east to west width of about 175 metres.
- 3.3 Hall Place, the principal College administration building, is a Grade 1-listed structure, and there are a number of other structures and statuary around the site which are also protected by individual listing.
- 3.4 The BCA site is also crossed by public rights of way, and an extensive part of it, centred on the impressive Lime tree avenue approach from Burchetts Green Road, has been designated as Historic Parkland by English Heritage.
- 3.5 The area of land, which is the subject of this proposal, is located in the north eastern corner of a larger field, which is currently used for grazing and an activity area known as "High Wires". Previously the field had been developed as a short golf course as part of the college's green-keeping course and this previous development is still evident from the condition of the land. The site lies alongside BCA's main campus. The applicant has advised that the current use is to be relocated to the north. The applicant considers this would be better related to other educational facilities planned to the north of the development envelope strip.

- 3.6 The manor of Hurley existed before the Norman invasion in 1066, when it was granted to Geoffrey de Mandeville, who founded Hurley Priory adjacent to the River Thames. Hall Place (also known as La Halle or The Hall), a recognisable estate in the 13th and 14th centuries, was assigned to the Priory in 1372. It was among the Priory's possessions at the Dissolution in 1536. The estate was then variously owned in the 16th and early 17th centuries.
- 3.7 In 1690 Sir Jacob Bancks, a Swedish diplomat who took English nationality, purchased the estate. According to the Victoria County History of Berkshire (VCH), the house he lived in until his death in 1724 was substantially larger than the present building: a sale plan of 1725 is mentioned in VCH and in Oswald (1938) but no source given. The purchaser was Richard Pennel, who sold the estate in 1728 to William East, a London lawyer who was then renting Kennington Manor, a former royal palace in south London.
- 3.8 East pulled down the old Hall Place and built the main house visible today. The house and its extensive estate (1,121 acres) remained in his family until the death of Sir Gilbert East in 1828, when it passed to a nephew East George Clayton, who took the name East. Sir Gilbert Augustus Clayton East (d. 1925) was responsible for several alterations to the house and its adjacent buildings. By then consisting of some 3,000 acres, the estate remained in the ownership of the Clayton East family until the Second World War, when it was requisitioned by the government and used by the Trinidad Leaseholds Oil Company. The house and 1,025 acres of the estate were compulsorily purchased by the Ministry of Agriculture in 1943. It was sold in 1948 to Berkshire County Council for the establishment of the Berkshire Institute of Agriculture (484 acres, renamed Berkshire College of Agriculture in 1968) and the separate Grassland Research Institute (541 acres). Adaptation of the college's estate for teaching purposes brought about further changes to the existing buildings and landscape as well as new buildings to meet educational needs.

### Heritage Assets

#### **Listed buildings**

The College's estate contains the following listed buildings:

- Hall Place, 1728-1735, described as extended and altered in 20th century, Grade I (listed 1955)
- Garden Cottage, 17th-century, rebuilt 18th century, extended mid 19th century, Grade II (listed 1987)
- Stable Block, described as 18th-century, Grade II (listed 1987)
- Wall and Gate Piers, early 18th-century, Grade II (listed 1987)
- Bee House, late 19th-century, restored in 1976, Grade II (listed 1987)
- Statue 45 metres south of the Main House, early 18th-century, Grade II (listed 1987 –Urn and statue missing when garden was registered in 2004)
- Statue 500 metres north of the Main House, early 18th-century, Grade II (listed 1987)  
Adjacent to the eastern avenue, near the entrance from Burchett's Green Road, are late 18th-century Applehouse Farmhouse, its stables and its barn all separately listed at Grade II.

Other buildings are listed by virtue of falling within the curtilage of Hall Place.

#### **Historic landscape**

Hall Place Garden was added to the Register of Parks and Gardens at Grade II in 2004. Additionally a small section of the south-western boundary of the estate borders the small and compact Burchett's Green Conservation Area, which was last appraised in 2008. The Conservation Area includes Hall Place Lane, which formed the village drive and entrance into the estate. Four listed buildings front the Lane, including The Dower House, which was used by several members of the families living in Hall Place.

#### **4. BACKGROUND INFORMATION REGARDING BERKSHIRE COLLEGE OF AGRICULTURE (BCA)**

- 4.1 The college offers a variety of further and higher education courses for students aged 16 and over. Historically BCA has concentrated on providing land based and agriculture study programmes, however its curriculum has adapted over time to provide a wider range of courses including sport and leisure, public services, animal management, equestrian studies, art and design, motor vehicles, hair and beauty, floristry, childcare, horticulture and foundation studies including provision for learners with profound and multiple learning difficulties. As of February 2016 there were 1,570 students enrolled on courses.
- 4.2 BCA experienced a 23% rise in new 16-18 enrolments in between 2011 and 2015, applications for full time courses for 2015-2016 are currently projected to be 2% ahead of the previous year. The BCA Strategic Plan identifies a small but steady level of growth in student numbers over the next 5 years.
- 4.3 There are 307 (245 FTE) members of staff currently employed at the college and 55 working in other on-site businesses for example Busy Bees nursery. The applicant advises that most members' of staff are employed on permanent or fixed term basis which allows for continuity of educational quality in meeting the needs of the students.
- 4.4 The number of students attending the college is steadily increasing and as a result its catchment area has grown beyond the Maidenhead Area, including High Wycombe, Thame, Henley, Reading, Bracknell and West London. The importance of BCA is reinforced by the limited number of other further education opportunities available locally. There is only one other college within the borough offering further education East Berkshire College.

##### BCA Future Status

- 4.5 BCA has recently undergone a significant period of major investment of £21m over 8 years which was considered by the applicant essential to upgrade existing dated facilities and provide a high quality education offer for the increase in student numbers seeking to attend the college. The applicant advises that the investment has been funded through government capital grants (about 30%), by disposal of assets on the periphery of the estate and by £6m of long term borrowing from Lloyd's PLC. BCA has been placed and remains under Financial Notice of Concern by the Skills Funding Agency (SFA) since November 2013.
- 4.6 A 3 year financial model submitted by the applicant indicates that through careful planning and management the college can return to a satisfactory health rating in 2015-2016 and a good rating for 2016-2017. The targeted growth in student numbers to achieve 1,600 full time equivalent students by 2019-2020 will mean that the college's revenue would represent a sustainable economic position whereby assets can be maintained into the future. Whilst these measures will allow for the completion of the existing campus development projects and a restructure of the balance sheet, they will not clear down the existing debt profile. In addition there is an ongoing requirement to undertake essential repairs and maintenance of the Grade 1 Hall Place and grounds as identified in the Heritage Assessment and draft Conservation Management Plan which are all discussed further in this report. It is clear that the college has not been managing the heritage assets and damage to buildings has been the result.
- 4.7 The applicant is therefore presenting the case that other sources of funding are necessary to ensure the long term stability of the college and preservation of important Heritage Assets. Allowing development to 'enable the restoration and maintenance of Heritage Assets' is a well

accepted practice in planning law and supported in national planning policy as Enabling Development. This part of the proposal forms a valid part of the decision making progress and is discussed in full later in the report and concluded upon in the planning balance.

- 4.8 With regard to clearing the colleges existing debt profile the most substantial asset of BCA is the estate itself and the applicant is advancing the case that parts of the estate will need to be released in order to pay down the remaining debt and that this approach is consistent with Central Government Policy and the announcement by the Skills Funding Agency to all further education and sixth form colleges that they are to identify surplus land and dispose of it in order to improve their financial health (see **Appendix C** for full letter). The Government is therefore encouraging colleges to make better use of existing assets. In the context of BCA that is its estate.
- 4.9 Whilst the government is encouraging colleges to make better use of existing assets this is not a green light to allow development that does not accord with planning policy and/or to create an asset where there isn't one. This land is heavily constrained and therefore in real terms it's potential as an asset is limited. (The college has sold off £4 million worth of assets already primarily consisting of staff houses which have been sold to private owners.)
- 4.10 The Department of Education has also produced a report, 'Thames Valley Area Review' which is one of 40 local area reviews to be completed by March 2017 covering all general further education and sixth form colleges in England. The report promotes the merger of BCA with either The Henley College or Abingdon and Witney College. It states that a partnership between 2 colleges would create a stable and viable institution with the potential for greater efficiencies and the development of better progression routes for learners. Whilst the Department of Education report concludes that BCA is not independently viable, plans are explored in this document to secure its future and this appears at odds with the appellant's submission that in all likelihood the college would be sold and broken up. A further update as to where the college is with regard to a merger will be reported in the Panel Update.
- 4.11 In the determination of a planning application the Local Planning Authority is required under planning law to assess a proposal against the relevant Development Plan policies unless there are material considerations which indicate otherwise. Planning Practice Guidance advises that "planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations".
- 4.12 The college's financial situation and the Government's Introduction of an insolvency regime for Higher Education establishments is considered to constitute a material consideration as the repercussions could impact the education use of the land which is in the public interest. However, when assessing financial matters as a material consideration it is necessary to assess precisely who the said benefits accrue to, and attribute weight accordingly.

## 5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY (LAST 5 YEARS)

Ref.	Description	Decision and Date
12/01848	Erection of four temporary teaching buildings [8 classrooms] in the same location as for the 2008 consent [08/00582].	A.13.11.2012
12/02994	Replacement Sports Hall.	A. 31.01.2013
13/00858	Second Biomass energy Centre.	A.09.05.2013
13/00860/	Works to underpin curtilage-listed wall and provide new pipeline run beneath it.	A.09.05.2013
13/00876	End extensions to existing menège, with second less wide menège adjacent to it, surround fencing, access	A. 13.06.2013

	gates and landscape [tree] planting.	
13/01233	3No. box cabins to provide temporary changing facilities whilst new Sports hall is constructed.	A.25.06.2013
13/01397	2No. additional temporary teaching facilities located as 12/01848 above.	A. 18.06.2013
13/01926	New single storey 'Animal Care Facility' building.	A 4.07.2013
13/02036	Construction of a 2-storey detached teaching building to become the 'Technology Research Centre' (TRC).	A 27.09.2013
13/02265	Construction of a replacement Sports Hall	A 17.10.2013
13/03326	Erection of a temporary lambing marquee	A 16.01.2014
14/02172	Two single storey dog kennels.	A 25.09.2014
15/04083	Erection of temporary marquee	A 19.01.2016
15/03976	Notification to determine whether prior approval is required for an agricultural poly tunnel.	R 29.12.2015
16/02697	Erection of a polytunnel.	A 11.10.2016

The above table covers the most recent history of the site for the BCA campus as a whole. There is no relevant planning history directly relevant to the application site as denoted under this application other than the change of the use of the land to a golf course in 1990.

- 5.1 A number of alternative development options have been considered on the BCA estate. These include office, residential and retail uses. Although these represent high value uses, they also result in high impacts, particularly in terms of traffic. A comparative matrix of alternative use options put forward by the applicant is set out below.

Use	High Value	Low Impact Traffic	Synergy with College	Conservation
Garden Centre	N	N	Y	Y
Golf Course	N	N	N	Y
Agriculture	N	Y	Y	Y
B1 Office	Y	N	Y/N	Y
B2 Units		N	Y/N	X
B8 Storage	N	N	N	X
Educational Uses	N	N	Y	Y
C3 Residential	Y	N	N	Y
A1 Retail	Y	N	Y/N	X
C2 Care Village	Y	Y	Y	Y

Please note that Officers do not agree with the conclusions of this table with regard to the Conservation impact of the alternative developments.

- 5.2 Based on the above assessment the applicant considered that a care village with low traffic movements was considered the most compatible.

#### Proposed Development

- 5.3 The proposed development as a care village will be a C2 Use comprising a range of elderly accommodation for people requiring care, ranging from a Care Home where full time care is required, through Assisted Living Units (ALUs) where a larger degree of care is required, to Independent Living Units (ILUs) where a limited amount of care is provided, but still required. A

condition would be attached to any planning consent to ensure that the care village was occupied as a C2 use.

- 5.4 The accommodation is so designed to give prospective residents a variety of living options comprising 82 ILUs, 26 ALUs and a 50 bed Care Home, all with use of the Village Care Centre.

The accommodation is comprised of:

<b>The ILUs will comprise:</b>	
Bungalows	The 'Bungalows' will be single storey units with ridge heights of up to 7.0m
Cottages	These are chalet-bungalows, meaning that they are single storey buildings, with an additional bedroom at first floor level, but entirely designed within the roof void by the addition of a dormer window. Ridge heights will be up to 8.8m.
Maisonettes	These would be two storey buildings. The ground floor unit would have front door access directly off the ground, and the upper floor units (usually two) will be accessed by way of shared lift and stair. Overall ridge height 10m.
Apartments	In some blocks the roof void will be used to provide additional units on a second floor level. As with the cottages, this will not result in additional height, the accommodation only manifesting through roof dormers. Overall ridge height 10m.
<b>ALU's will comprise:</b>	
Apartments	Which make up the first and second floors of the Village Care Centre and are principally for individuals who have a higher dependency for care
<b>Care Home will comprise</b>	
50 care bedrooms.	The Care Home will comprise a building of two floors. The ridge height will be at a maximum of 9.5m above ground floor level. The building would have a width and depth of approximately 50m.
<b>The Village Care Centre will comprise</b>	
The Village Care Centre will comprise administration and reception areas, a restaurant with private dining area, cafe, bar, snooker room, delicatessen, hairdresser and nail bar, and a cinema. In addition, a Wellness Centre will include a pool, sauna and steam rooms, jacuzzi, studio/gym and changing rooms, along with treatment rooms. These facilities will not be able to be accessed by the general public.	This building will be two and a half and three storeys, with a maximum ridge height that would not exceed 12.2m with the pool being within a single storey extension. The centre has an overall width of 75m and depth of 48m.

- 5.5 The buildings are to take on a 'traditional' appearance with cues influenced by the existing heritage buildings on the estate, neighbouring villages, and reflective of the local, varied vernacular of buildings, which adopt a variety of forms and shapes and have been articulated with bays, gables, dormers, balconies etc. all of which serve to add interest and variety.

- 5.6 Access to the care village will be via the existing drive from Burchett's Green Road and then via a new drive as shown in drawing number 65035-TS-002 which will turn south from the main drive about 550m from the college gates. This will then turn west and connect to the existing internal road which runs south from Hall Place and serves the sports hall car parking and Busy Bees

nursery. The new drive will be used by the Busy Bees nursery and will enable the separation of vehicle and pedestrian movements by staff and students of BCA from those related to the nursery and the care village. The new drive will require a reconfiguration of the sports hall and nursery car parks.

- 5.7 The existing sports hall car park is a mix of surface finishes and the existing markings are faded. It currently operates with a one-way loop in conjunction with the drive along its eastern side. It provides about 65 spaces although due to the sub standard size of the spaces and faded line markings this number is unlikely to be achieved. The revised car park layout would provide 53 spaces including 2 for disabled users which is akin to what can currently be provided on site.
- 5.8 Changes will also be made to the car park serving the Busy Bees nursery to avoid the use of the access drive for informal parking which currently takes place. The nursery has 16 parking spaces at present although a number of these are hatched and are used as a drop off area. The new layout will provide 15 parking spaces and 4 drop-off spaces. There are no planning conditions attached to previous decisions which would restrict the changes to the existing car parking arrangements. No new hardstanding would be created rather it is a re organisation of spaces on existing hardstanding area. Within the care village 164 car parking spaces would be provided.
- 5.9 A central island is also proposed opposite the main access to BCA which will provide a pedestrian crossing point and encourage cars to turn left towards the A4130/A404. It is also proposed to relocate the bus layby further north from its current position
- 5.10 New groups of trees would be planted to try and filter the views of the Care Village from the Chiltern Way public footpath route to the south. With a view to enhancements of the historic landscape setting the applicant proposes the reinstatement of the southern lime tree avenue with the removal of existing young trees and replacement with semi-mature lime trees. Furthermore, the replacement of the older oak trees with lime trees along the avenue, as and when the oaks die or need be replaced on safety grounds would be carried out. Further replacement trees will be considered to replace the poor quality Battle of the Nile trees as part of the parkland restoration.
- 5.11 Within the proposed site itself, standard, extra-heavy standard and semi-mature trees will be planted to soften the built form and help to assimilate the buildings into the surrounding landscape. Beech hedges will be incorporated to delineate between private and semi-private spaces. The new buildings will be surrounded by a landscaped area, (outside the red line) which will include a recreational walking path, new trees and wildflower meadow areas. A metal estate railing will demarcate the Village boundary.

## 6. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 6.1 National Planning Policy Framework

Sections 4 Promoting Sustainable Transport,  
 Section 6 Delivering a wide choice of high quality homes,  
 Section 7 Requiring Good Design,  
 8 Promoting Healthy Communities,  
 Section 9 Protecting Green Belt Land,  
 Section 11 Conserving and Enhancing the Natural Environment,  
 Section 12 Conserving and Enhancing the Historic Environment.

### Royal Borough Local Plan

6.2 The main strategic planning considerations applying to the site and the associated policies are:

Green Belt	Housing Design	Conservation and Listed Buildings	Highways and Parking	Trees and Ecology
GB1 and GB2	DG1,	LB2, HG1	P4, T5	N6 N9



These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### **Hurley and the Walthams Neighbourhood Plan (2015-2030)**

- 6.3 This neighbourhood plan has been through an examination (Jan 2017). The examiners report has been received and the next stage is for the Council to issue a decision notice on the plan before conducting a referendum. Given that this plan is a considerable way through the plan making process some weight can now be made to its policies.

The main policies that apply to this proposal are as follows:

ENV1 – Sustainable Development

ENV2 – Climate Change, Flood and Water Management

HUR1 – Housing schemes in Hurley

HUR2 – Berkshire College of Agriculture (Examiner recommends that this policy is deleted)

GEN2 – Quality Design

T1 – Accessibility and Highway Safety

### **Other Local Strategies or Publications**

- 6.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **7. EXPLANATION OF RECOMMENDATION**

- 7.1 The key issues for consideration are:

- Whether the development constitutes an appropriate form of development in the Green Belt and impact on openness;
- Impact on Heritage Assets and the case for Enabling Development;
- Impact on the character and appearance of the area including trees;
- Highways;
- Impact on Public Rights of Way;
- Impact on neighbouring amenities;
- Sustainable Drainage;
- Ecology;
- Sustainability;
- Viability Assessment;
- Other Considerations; and
- Planning Balance.

### **Whether the development constitutes an appropriate form of development in the Green Belt and impact on openness**

- 7.2 The fundamental aim of Green Belt policy, as set out in paragraph 79 of the NPPF, is to prevent urban sprawl by keeping land permanently open. Paragraph 89 of the NPPF indicates that with some exceptions, the construction of new buildings is inappropriate development in the Green Belt. Although the Local Plan pre-dates the publication of the NPPF, Policy GB1 adopts a broadly similar approach to national policy.

- 7.3 The care village and all of the associated development, access and parking is inappropriate development in the Green Belt and, by definition harmful. It is also considered to cause harm to openness and it would conflict with one of the purposes of Green Belt namely “to assist in safeguarding the countryside from encroachment.” (as described by Paragraph 80 of the NPPF).
- 7.4 The National Planning Framework makes it clear that one of the essential characteristics of Green Belt is openness. The physical presence of a collection of buildings consisting of a building envelope approximately 180m long by 120m deep reaching an overall height maximum of 12.2m together with the presence of 164 parking spaces would result in a significant physical reduction in openness across the site.
- 7.5 The proposals are contrary to Policy GB1 and GB2 (A) of the Local Plan and NPPF paragraphs 89 and 90. The NPPF states that inappropriate development should not be approved except in very special circumstances. ‘Very Special Circumstances’ (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The NPPF also indicates that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The applicant has made a case for VSC and this is considered at the end of the report under the ‘Planning Balance’ after consideration of all the other issues, including whether there is any other harm.

### **Impact on Heritage Assets and the case for Enabling Development**

- 7.6 The NPPF requires that, *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”*
- 7.7 The Conservation Officer’s comments set out in detail the significance that they consider should be given to the Heritage Assets and why. In summary, it is considered that Hall Place (Grade I listed building) and the historic landscape (Grade II) both have national significance, with the historic landscape also forming part of the setting of the Grade I listed asset. Furthermore the setting of the historic park also includes the environment and landscape beyond the park. The importance of the heritage asset is at the highest level. In terms of the NPPF this means that the local authority is justified in requiring a high level of detail in assessing the significance of the heritage assets and their setting.
- 7.8 The applicant’s Heritage Assessment is a long document, heavily illustrated and spaced. The main sources for this assessment appear to be: two *Country Life* articles dating to 1938; a sequence of historic maps; and direct observation and professional judgements of the author.
- 7.9 The vast majority of the document is devoted to the history and description of the assets. One page is devoted to significance (Page 33). The Heritage Statement seems to consider ‘setting’ only in terms of views, and only to consider as significant the views that are available from the public domain. The NPPF defines setting as, “The surroundings in which a heritage asset is experienced....” (A copy of NPPF, Annex 2, Glossary, Setting of a heritage asset - is attached at **appendix D**). Experiencing a heritage asset can take many forms. It is not confined to views of the heritage asset by members of the public from the public domain. Many of the nation’s most significant heritage assets are not accessible to the general public (large parts of Windsor Castle for example). This does not diminish their significance as heritage assets. Heritage assets are ‘experienced’ by visitors, people who work and/or live there, and in the case of BCA by students. The purpose of conservation is that they will also be experienced by future generations.
- 7.10 The Heritage Statement does not assess significance at a level of detail appropriate to the asset’s significance. Whilst there is no universally accepted scale of significance, in a case such as this where the assets are complex, the significance very high and the proposed development is very extensive, such a level of detail is justified. The Heritage Statement’s approach to ‘setting’ is too limited, concentrating on publicly available views rather than ‘The

surrounding in which the heritage asset is experienced”. In terms of the Heritage Asset’s physical presence, when dealing with views in the Heritage Statement, these tend to be thought of as view cones rather than as a whole visual experience. The physical works/repairs proposed to the Listed Building set out in the Heritage Statement would remedy the lack of maintenance but would not then be supported by any detailed programme of ongoing maintenance. In conclusion initially there would be a benefit to the physical presence of the building but it has not been demonstrated that this would be maintained.

7.11 During the pre application process the applicant was advised to prepare a Conservation Management Plan. Such a plan would normally be intended to inform all stakeholders as to the policies that would be adopted to secure the future of the heritage assets and to assist in both strategic and day-to-day decision making; it would not be unusual for an estate of this size and significance yet such a plan has not been properly prepared.

7.12 The document prepared for BCA does not follow best practise and in fact only appears to differ from the Heritage Statement in so much as it omits the sections on Proposals and on Heritage Planning Policy and Guidance; substituting three pages containing sections on Issues and Opportunities, and Heritage Strategy. The ‘strategy’ consists of catching up with essential backlog maintenance and also proposes a set of landscape enhancements. The short section on ‘Planned Maintenance’ lists eight items referred to as “The proposed maintenance work could include the following...” Under the heading ‘Landscape Enhancements’ a similar list of seven items has the same non-committal introduction. The Plan rightly identifies urgent maintenance issues. However, this is not by any definition a plan or a strategy that recognises the significance of the heritage assets (setting and physical presence) or the scale of the programme necessary to preserve and enhance them. The list of proposed works can be found at **Appendix E**.

7.13 The NPPF also places considerable weight on high quality design with paragraph 56 stating, “*The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*” The Design and Access Statement describes the appearance of the new development as follows: “*The buildings are to take on a ‘traditional’ appearance with cues heavily influenced by the existing heritage buildings on the estate, neighbouring villages, and reflective of the local, varied vernacular. The design has been significantly informed by the submitted Heritage Assessment in this respect. The buildings, which adopt a variety of forms and shapes as described previously, have been articulated with bays, gables, dormers, balconies etc., all of which serve to not only add interest and variety, but to break up scale to present a scheme that will be wholly ‘domestic’ in feel.*”

7.14 This description of the design and style of the proposed buildings is entirely accurate. However, in the context of a gentleman’s country house in a parkland setting, this design is entirely inappropriate. One of the main purposes of the park is to put distance between the polite architecture of the house and the vernacular buildings of the village. The main house at Hall Place is a high-status country residence. It deploys many of the elements of classical architecture, but in a restrained manner. Internally, the status of the owner is signalled by the size and arrangement of the rooms and their elaborate decoration. Externally this message is conveyed by means of distance, space, a formally arranged landscape and approach roads. The NPPF also advises at paragraph 58 that “*Planning policies and decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation..*” To, in effect, move the vernacular architecture of the village so that it stands cheek-by-jowl with the refined architecture of the principal house is to misunderstand the significance of the house and its landscape setting. As such this is not considered to represent good design and fails to comply with the NPPF, the Local Plan and the emerging neighbourhood plan.

7.15 When assessing a proposals impact on heritage assets the NPPF states that,

Para 132	<i>When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should</i>
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	<i>be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification....</i>
Para 133	<i>Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss....</i>
Para 134	<i>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.</i>

- 7.16 The grade I listed house at Hall Place is the most significant heritage asset impacted by the proposed development. Whilst there is no direct impact on the fabric of the building considerable harm would be caused to the setting of the house in its designed landscape. Setting cannot be reduced to a series of publicly available 'views'. Setting is concerned with the surroundings in which the building is experienced.
- 7.17 Space and distance are key elements of the way in which Hall Place is experienced. The scale of the development and its proximity to the principal heritage asset is harmful. The vernacular references in the design are inappropriate for this location. Harm would be caused to the formal approaches to the house. Traffic along the west drive will be diverted by a new road across open land. There is the potential for further harm caused by lighting and signage. Harm will be caused to the approach along the south avenue where the sense of space will be lost by the presence of the new development cutting off visual access to the parkland south and west of the house.
- 7.18 The setting will also be significantly harmed when experienced from the land south and west of the house. Those viewing the house from the land to the west will be aware of the presence of this large development to the right of the house. Those viewing the house from the southwest (near the Battle of the Nile trees) will be conscious of the close proximity of the proposed development.
- 7.19 In several documents the applicants make references to mitigating harm by the planting of screening trees. The partially hiding of the development behind trees is not considered in this instance to mitigate the harm given the scale of development proposed. If the development blocks a view or eliminates a space, planting trees will neither restore the view nor recreate the sense of space.
- 7.20 Harm has already been caused to the principal heritage asset by previously approved development on the site. Because of this the harm caused by the proposed development must be considered as a further extension of that harm rather than as an intrusion on an unspoilt landscape and setting of a Grade I listed building. The applicants draw attention to the recently built sports centre and describe the site of the proposed development as degraded land. Officers do not accept this argument. The scale of the proposed development is many orders of magnitude greater than the sports hall. (180m wide and 120m deep) The damage to the landscape caused by the golf course and high rope facilities is minor and could easily be reversed. In summary the proposed development would represent a **high level of harm (less than substantial)** to the setting of a **heritage asset of high significance**.
- 7.21 Whilst the setting of Hall Place and the separately Registered Park and Garden overlap, they are not the same thing. Harm would be separately caused to the historic park. A large area of the park would be built on, effectively causing this portion of the park to lose all significance. Further harm would be caused to the park as the development would cut off the land east of the house from the land west of the house. The Battle of the Nile Trees are a significant element in the registered park. The development would cause harm to the setting of these trees. The development would be in close proximity to the trees and thus compromise the sense of space

around them. In summary, the development would cause **major harm (less than substantial)** to a heritage asset of **moderate-high significance**.

7.22 Substantial harm, as defined by the NPPF is a very high test that may not arise in many cases. It is the equivalent of demolition, the almost total loss of significance. This is fairly easy to apply to a small scale heritage asset, such as a listed cottage. Either the cottage exists, or it does not. For more extensive heritage assets such as conservation areas or landscapes it is possible to envisage significance being totally lost from a key element without the loss of the entire heritage asset. In the case of the proposed development, the main harm is to the setting of a Grade I listed building and more directly to a Grade II registered park and garden. These heritage assets have already suffered a degree of harm from developments associated with the college. The proposed development represents very significant further harm. This does not pass the very high test of Substantial Harm. Nevertheless, the harm to the heritage assets is high. This view is also supported by Historic England.

7.23 The applicant has made the case that part of the proposed development is required as a form of Enabling Development to secure the future conservation of a heritage asset. Paragraph 140 of the NPPF states, *“Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.”* The NPPF is brief but it makes clear that enabling development is intended to secure the future conservation of a heritage asset; and that the local authority must balance the benefits for the heritage asset against the dis-benefits of departing from policy.

7.24 The first element of this test should be an objective assessment.

- i. Is there a plan in place that will sustain the future of the heritage assets?
- ii. Have the costs of securing the heritage assets been identified?
- iii. Have funds sufficient to meet those costs been secured from the developer?

As indicated above (Conservation Management Plan), point i) is not met. A Conservation Management Plan should be drawn up to an appropriate standard. Without an appropriate plan point ii) cannot be met. The scale of the work has not been appropriately identified and as such the Council cannot be convinced that the funds raised will secure the future viability of the heritage asset. Point iii) is addressed in the viability section of this report.

7.25 If the applicant has not demonstrated that the development will secure the future of the heritage assets then the council does not need to undertake the balancing assessment of benefits and dis-benefits as the application has fallen at the first hurdle. However Historic England goes further in outlining seven criteria, failure to meet **any one of which**, it says, should result in refusal of the application.

7.26 Enabling development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:

- a. it will not materially harm the heritage values of the place or its setting
- b. it avoids detrimental fragmentation of management of the place
- c. it will secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose
- d. it is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid
- e. sufficient subsidy is not available from any other source
- f. it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests
- g. the public benefit of securing the future of the significant place through such enabling development decisively outweighs the dis-benefits of breaching other public policies.

7.27 The current application fails in most if not all of these criteria:

- a. It will materially harm the heritage values of the place and its setting
- b. Selling off a large part of the registered park will fragment the management of the place
- c. It has not been demonstrated that the development will secure the long-term future of the place
- d. The funds are being sought largely to resolve the problems of the present owner (i.e. structural debt)
- e. There is little or no evidence that other sources of funding have been sought to secure the future of the heritage assets let alone exhausted. (There is ample evidence of numerous unsuccessful schemes to secure the future of the college, which is not the same thing.)  
On the criteria outlined above based on the NPPF and Historic England's guidance this proposal fails to meet the minimum criteria for enabling development.
- f. It has not been demonstrated that the harm would be outweighed by public benefits.

7.28 If the Council were to be convinced that the proposed development would secure the conservation of the heritage asset it would then have to weigh the disbenefits of the proposal against the public benefits. Historic England's view is that the only public benefit that is envisaged in the NPPF as justifying enabling development, that would otherwise be contrary to established policy, is the public benefit of securing the future of the heritage asset.

The applicant takes a different view. They identify a number of public benefits including:

- Securing the future of BCA (*Officer Comment: educational services are not necessarily under threat*)
- Securing the future of the heritage assets (*Officer Comment: the Conservation Management Plan does not adequately secure the future of the asset.*)
- Providing a care home facility in the Borough (*Officer Comment: there are other opportunities on less constrained sites to provide a care home facility, not just here.*)
- Educational synergies with the college for students and apprenticeships. (*Officer Comment: There is no legal mechanism proposed or in place to ensure that students from the college get opportunities in the care home. Furthermore the skill sets the care home is looking for may not be available at the college and there are also other opportunities in the Borough for work placements.*)

7.29 This report has set out the significance of the heritage assets and the potential harm arising from the proposed development. In balancing the harm to the heritage assets and the disbenefits of setting aside other established policies it is clear that a public benefit has not been demonstrated. To conclude the proposal does not constitute enabling development for the purposes of the NPPF

7.30 The proposals do not comply with the NPPF or Historic England's guidance for enabling development. There is no evidence of a long term plan and thus no evidence that this scheme will secure the future of the heritage assets.

7.31 It is recommended that the college urgently commission a thorough Conservation Management Plan. This will provide a significance-led plan for the future of the heritage assets. In seeking funding to conserve and enhance the heritage assets the college will discover that most grant-making bodies will insist that such a plan should be in place and the council should regard this as a first step before approving enabling development. Urgent repairs are indeed necessary. This goes far beyond not being able to finance an appropriate level of ongoing maintenance. It has been reported that students have destroyed the Nelson statue and the listed sculpture of a cherub, rather disingenuously described in the Heritage Assessment as a Grade II listed plinth. Also important gates and a sundial have been lost. It must be recognised that income secured for educational purposes cannot be diverted for the purposes of maintaining the heritage assets; and the priority of the senior management must be focused on educational outcomes. Nevertheless, the heritage assets are capable of generating an income, (e.g. the top floor of the house is currently being let to an outside organisation) however this income is used to service the college debt.

## **Highways**

- 7.32 Burchett's Green Road is a single carriageway which is subject to a 40mph speed limit and a 7.5T weight limit for traffic heading in a southerly direction. The carriageway is bounded on both sides by footways, which on the western side terminates at the college access. The footway on the east continues to head south towards the village. On the approach to Burchett's Green Village the road is subject to a 20mph speed limit that is further reinforced by speed tables.

## **Access**

- 7.33 The college benefits from an access off Burchett's Green Road measuring 4.5m wide and bounded on both sides by a grass verge. It is understood that the college advises drivers to turn left and head north towards the A4130/A404. With this development this advice is further reinforced by the introduction of a central island which has a further benefit of providing a pedestrian crossing point for those wishing to head south along the eastern footway.
- 7.34 Plan [65035-TS-003] shows the bus bay relocated further north from its current position. In highway terms the central island raises no concerns and will indeed improve pedestrian movements in the immediate vicinity. These works can be secured by the applicant entering into a Section 278 agreement with the Highway Authority. An integral part of the S278 is the safety audit which will identify potential road safety problems that may affect any users of the highway and suggest measures to eliminate or mitigate those problems.
- 7.35 Access to the care home is via a new drive that joins the college access at a distance of about 550m from the college gates, and heads south, before turning west to connect onto an existing internal road. The new drive provides an alternative route for the existing nursery (Busy Bees) and the sports hall car park. The design of the new drive complies with the Highway Authority's standard.

## **Parking Requirements**

- 7.36 *Existing and Proposed parking arrangement*

The sports hall has between 60 and 65 spaces. The layout is revised to provide 53 spaces including 2 disabled spaces. Busy Bees nursery has 16 spaces with a number being used as a drop-off area. The development provides the nursesey with 15 parking spaces, plus 4 drop-off spaces. The care village comprises a 50 bed care home, 26 Assisted Living Units and 82 Independent Living Units, plus 70 to 75 FTE employees.

The following summary explains in highway terms the difference between the 3 class uses.

- 1 Care Home - residents that are not independently mobile.
- 2 Assisted Living – residents that are not fully independent and require a varying degree of nursing care.
- 3 Independent Living – residents who are capable to live independently, but for whom some assistance may be helpful.

- 7.37 For the Care Home and Independent Living Units (ILU) the parking requirements are assessed on the C2 and C3 use respectively. Unfortunately, the Borough does not have a specific standard for Assisted Living. However, the Highway Authority is willing to accept Assisted Living being assessed as a C2 use. The table below compares the development parking provision against the Borough Standard.

Use Class	Borough's maximum Parking Standard	The Development Parking Provision
C3 (ILU's)	82	82
C2 (Care Home and ALU's)	95	82

Total Parking	177	164
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7.38 It should also be noted that the parking provision for under the ALUs use are excluded from the calculation. Based on the above the scheme exhibits a parking shortfall of 13 spaces. However, given that the development provides mini buses to shuttle staff to and from Maidenhead Railway Station and other points in the local area, and is also available to residents for both regular trips and ad-hoc journeys, the Highway Authority concludes that the development's parking provision is acceptable.

### **Cycle and Motorcycle Provision**

7.39 The applicant proposes a provision of 8 cycle spaces and 4 motorcycle parking spaces. The 8 spaces have been derived from the Borough's standard set at 1 cycle space per 10 employees and apply to the 75 FTE employees. The applicant is advised that the cycle spaces must be accommodated in a secure storage facility. This can be covered by a suitably worded planning condition.

### **Refuse Provision**

7.40 The submission includes a plan [65035-SK-013 Rev B] showing the manoeuvres of a typical refuse vehicle. Unfortunately, it's unclear from the plans what size vehicle was used in this assessment. The applicant is advised to seek confirmation from the Borough's Waste Management Authority on the size of vehicles currently employed in the area. Further details on this matter will be reported in the Panel Update.

### **Traffic and Highway Implication**

7.41 The planning application is accompanied by a Transport Statement which is supported by the following details:

- ☐ Public Transport Information
- ☐ TRICS Care Home, Sheltered Accommodation and Retirement Flats Trip Rates
- ☐ Burchett's Green Road Traffic Flow Data
- ☐ BCA College Traffic Flows & Access Turning Flows
- ☐ Draft Travel Plan
- ☐ Census Data

7.42 With reference to the Burchett's Green Road Traffic Flow Data, automatic traffic counts were installed in early December 2015 to determine the level of traffic flow on Burchett's Green Road. The results revealed that the daily traffic flows along this section of Burchett's Green Road ranges between 5,900 and 6,000 movements. During the *am* and *pm* peak periods (08:00 to 09:00 and 17:00 and 18:00) the average flows are 674 and 648 respectively. Presently, the college and nursery account for 37% of the daily flows along Burchett's Green Road. However, during the *am* and *pm* peak periods the flows account for 72% and 67% of the traffic flows.

7.43 An analysis of the turning movements at the BCA access show that 83% of the traffic entering the college approaches from the A404, and when leaving the site during the *am* and *pm* peak periods, between 87% and 86% turn left towards the A404. An interrogation of TRICS revealed that the proposal has a potential to generate 288 vehicular movements per day, which equates to 23 trips during the *am* and *pm* peak periods. In order to determine the origin of the journeys to BCA the applicant has used the Census 2011 data to compile the following table:

<b>Journey from Home Summary</b>	<b>Driving a car or van</b>	<b>% Distribution</b>
Maidenhead	895	42%
Slough	241	11.3%
Windsor	148	6.6%



Ascot	24	1.1%
Bracknell	122	5.7%
Wokingham	177	8.3%
Reading	93	4.4%
Marlow	146	6.8%
High Wycombe	233	10.9%
Henley	54	2.5%
Total	2133	100%

- 7.44 By using the Census Area Maps and Google Maps the applicant predicts that a large majority of the car journeys to and from BCA are likely to use the A404. The results also show that between 4.8% and 10% of drivers travelling from Wokingham area are likely to split their journeys between the A404 and Burchett's Green Road, via the A4 Bath Road. In numerical terms this equates to 14 and 28 cars trips per day. The Highway Authority accepts the approach taken to assess the development's impact on the highway network. Paragraph 32 of The National Planning Policy Framework states, "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*"
- 7.45 The scheme could potentially lead to a 4.9% increase in vehicular trips, or in numerical terms 288 trips per day, which is not a significant increase in vehicular activity. It should be noted that in determining the additional trips per day, no allowances have been made for the proposed mini buses or that staff will be able use the buses provided by BCA for students. As mentioned earlier the applicant also proposes the introduction of a central island to reinforce the advice given to drivers to turn left when leaving the site. In highway terms the traffic increase does not warrant the reconfiguration of the access, but does provide a benefit for pedestrians wishing to use the eastern footway.

**Impact on the character and appearance of the area.**

- 7.46 The general landscape character of the area encompasses the landscapes under intensive arable cereal production in the central area of the Farmed Chalk Slope landscape type within the Royal Borough. It is a rural managed landscape with contrasting elements. The expansive open arable landscapes are contained in the wider landscape by irregularly shaped woodland areas and belts resulting in distant but wooded horizons. Sitting within this landscape are the former Grassland Research Institute, Hall Place College (BCA) and Stubbings House all of which have substantial land holdings in this landscape area, relating to the farmstead estates referred to above.
- 7.47 The Landscape Impact Assessment confirms that the application site is likely to be valued for its openness, its trees and its historic interest. Overall, the landscape quality of the Site is assessed as medium due to the detracting features of the rough ground with bare soil patches, the high ropes facility and adjoining large sports centre. The land to the east and west of the site is however considered to have a high to very high landscape quality and value. The character and quality of the north western section of the Estate is again heavily affected by the College buildings, which include barns, workshops and animal enclosures, and is assessed as being of medium to high landscape quality.
- 7.48 The site lies within 500m of ancient woodland and Dellars Copse, which is within the grounds of Hall Place and closer to the southern boundary of the site, may be ancient woodland. As part of a desk top survey, Dellars Copse, was recorded by Thames Valley Environmental Records Centre as probably ancient. It is classified as WB36 lowland mixed deciduous woodland. The 'Tree protection plan on site layout' shows the proposed scheme will infringe a number of root protection areas, due to driveways, vehicle parking spaces and footpaths. These include: Lime no.142, London plane no.118, 20 trees of alternating species of Cherry, Italian alder no. 115 and Lime nos. 89 and 88.
- 7.49 Furthermore the proposal would result in the loss of two recently planted Lime trees on the west side of the avenue (these are too small to be recorded on the tree survey). These trees were planted to restore part of the avenue and the planting was required by way of a condition in

connection with the planning permission for the relatively new sports hall. (Semi-mature Lime, no. 78 and the mature Oaks, nos. 66, 64, 59, 54 and 52.)

- 7.50 The avenue trees can be classed as 'A' category, they are a principal landscape feature, along with the London plane no. 118. Their significance and their maturity means it is not acceptable to install new hard surfacing within their root protection areas. It is not appropriate to install hard standing underneath the crown spreads of the existing avenue trees, e.g. no. 59, or future crown spreads of the younger trees. This is because in the case of Lime, honey dew will fall onto vehicles, but the fall of general tree debris will also give rise to pressure to prune.
- 7.51 Further tree loss includes Oak no. 27, one tree from no. 11, 2 trees from no. 10, and trees, nos. 6, 7, 8 and 9. Other than the removal of the Oak, no. 27, officers have no objections to this – the trees are mainly non native and are not growing in historical positions.
- 7.52 The natural topography of the site is undulating, with a significant fall to the south west into a small copse of trees. Details of levels, existing and proposed need to be shown on a layout plan. These should be contoured so it's easy to see where the levels change. Level changes may create undesirable impacts including harm to root protection areas.
- 7.53 There will be issues to do with shading and reduced outlook from windows, particularly between the spinney no. 39 and the southern elevation of the Care Home. This will result in pressure to fell or detrimentally prune trees. This may also arise when the younger avenue trees and other planting matures. The installation of underground services and drainage runs can also cause extensive harm to trees. Given the size of the development and its location some distance from any public road, it is anticipated that excavations will be significant, which could result in tree loss.
- 7.54 The new access arrangements to relocate the bus bay and footway may have an impact on off-site trees. The tree survey will need to incorporate these trees. Whilst some new planting to restore the landscape as shown on historic maps is welcome (this is outside the application site), the density of planting should be kept low to avoid it working against the 'parkland' character. Planting should closely resemble the tree positions shown on those historic maps e.g. circa 1870's.
- 7.55 Given that the important landscape features of this area are noted as being its openness, trees and historic quality and that the proposed development causes harm to each of those qualities due to its size, siting and urbanising impact including the new access road, the proposed development is considered harmful to the character and appearance of the area.
- 7.56 The proposal would also be contrary to Local Plan policy DG1 which states that the design of new buildings should be compatible with the established street façade having regard to the scale, height and building lines. This proposed development would have a built envelope of approximately 180m by 120m of fairly dense development whereas the existing development is more loosely knit. The proposal would result in a stark contrast and result in a development at odds with the prevailing character. Policy DG1 also advises that harm should not be caused to the character of the surrounding area through development which is cramped or which results in the loss of important features which contribute to that character. As previously confirmed openness and trees are key features and these would be lost.

### **Impact on Public Rights of Way**

- 7.57 There are a number of public rights of way in the vicinity of the application site. **(See Appendix F)** The closest public right of ways to the application sites are Footpath 30 Hurley (part of the "Chiltern Way-Berkshire Loop"), which is approximately 100m to the south, and Footpath 18 Hurley which passes close to the route of the proposed new access road. There are also more distant views of the site from Footpath 17, to the west.
- 7.58 The Landscape and Visual Impact Assessment submitted with the application includes an assessment of the impact of the proposed development on views from these public rights of way and other public view points. The Assessment concludes that the impact on views from the

Footpath 30 (The Chiltern Way) would be “Moderate adverse, becoming slight as the new vegetation matures” and the impact on views from Footpath 18 would be “Slight adverse”. The Rights of Way Officer is broadly in agreement with this assessment.

#### Footpath 30 Hurley

The buildings comprising the care village would be visible from part of Footpath 30 Hurley, from a distance of approximately 100m at the closest point. However, the view would be partially screened by existing and proposed vegetation, and the buildings would only impact upon views from a relatively short section of the footpath.

#### Footpath 18 Hurley

The proposed site access road around the edge of “Five Trees Field” would be visible from the section of Footpath 18 Hurley that runs south-eastwards from the main BCA access drive, with the entrance to the access road being directly adjacent to the entrance to the public footpath.

- 7.59 Vehicles using this new access road would have an adverse impact on the setting of this section of the public footpath, both in terms of visual and noise disturbance, although partially screened by the existing tree belt alongside “Five Trees Field”. The level of disturbance could however be significantly reduced if the new access road was reduced to a single lane as part of a one-way only arrangement with vehicles accessing the site from the new road and leaving via the existing internal access road, as recommended in the Highways Officer’s comment.

#### Footpath 17 Hurley

The application site is sufficiently distant from this footpath such that there would be only minimal impact on views.

- 7.60 Overall, it is considered that whilst there would be some adverse impact on views from public footpaths 30 and 18, the magnitude of these impacts would not be sufficiently severe as to justify an objection to the application on public rights of way grounds. However, consideration should be given to minimising the impact of the proposed new access road on Footpath 18 by incorporating a one-way arrangement as noted above. This has been discussed with the applicant but it is an aim of the College to segregate movements associated with college activities and non-college activities where possible across the site.

### **Impact on existing neighbouring occupiers’ amenities and the future occupiers of the care home.**

- 7.61 The NPPF seeks to secure a good standard of living for existing and future occupants of land and buildings. The proposed care home would be sited over 300m away from the nearest residential property outside of the BCA campus site. At this distance the proposal would not result in any loss of amenity by virtue of overbearing impact, loss of light or privacy. The residential properties on the Campus are also far enough away so that there would be no detrimental impact.

### **Sustainable Drainage**

- 7.62 A Ministerial Statement from December 2014 confirms the Government’s commitment to protecting people from flood risk. This Statement was as a result of an independent review into the causes of the 2007 floods which concluded that sustainable drainage systems (SuDS) were an effective way to reduce the risk of ‘flash flooding’. Such flooding occurs when rain water rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface.
- 7.63 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development. The applicant has submitted a plan showing numerous soakaways. Whilst no objection is raised to the use of infiltration methods to dispose of surface water no evidence has been submitted to demonstrate that infiltration is viable. If this method is to be used infiltration testing must be carried out to demonstrate that the soakaways are adequately sized. A maintenance regime for the drainage proposals also need to be submitted. Until satisfactory further information has been received the

proposal is not acceptable as it has not been demonstrated that the proposal would not increase the risk of flood risk elsewhere as such the proposal is contrary to paragraph 103 of the NPPF.

## Ecology

- 7.64 In terms of the NPPF, protecting and enhancing the natural environment forms part of 'Environmental Role' dimension of 'Sustainable Development' and is one of the Core Planning Principles (bullet point 7).

### Designated Sites

- 7.65 Ashley Hill Forest and Dellars Copse Local Wildlife Site (LWS) lies within 200m of the proposed development. No assessment of the impact of the proposed development on the LWS has been undertaken. Given the type of development and the distance from the LWS, there may be a detrimental impact on the LWS through increased recreational pressure, pollution and run off. These impacts have not been discussed and appropriate mitigation provided.

### Habitats

- 7.66 The entire site is listed as the priority habitat wood-pasture and parkland. Wood-pasture and parkland are mosaic habitats valued for their trees, especially veteran and ancient trees, and the plants and animals that they support. Grazing animals are fundamental to the existence of this habitat. Wood pasture and parkland is listed in Section 41 as being a Habitat of Principal Importance for the Conservation of Biodiversity in England as required under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. Priority habitats are further protected by the NPPF, which states that '*council policies should, 'promote the preservation, restoration and re-creation of priority habitats.... the council should have regard for conserving this habitat'. Information on the effect of the development on this priority habitat has not been provided. This should be addressed prior to the determination of this application in order for the Local Planning Authority to assess the impact of the development on this priority habitat and to ensure mitigation is appropriate and proportionate. Paragraph 118 states that "local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*

- *If significant harm 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....."*

- 7.67 No information on the effect of the development on this priority habitat has been provided and no mitigation forms part of the proposal. This should be addressed prior to the determination of this application in order for the Local Planning Authority to assess the impact of the development on this priority habitat and to ensure mitigation is appropriate and proportionate.

### Bats

- 7.68 All buildings and trees on site were assessed for their potential to support roosting bats. The buildings were all considered unsuitable to support bats due to their construction and therefore no further survey is deemed necessary. Four trees on site (Trees TN2-5 within the ecology survey) were recorded as having some potential roosting features for bats. The ecologists report states that the trees with bat potential are to be retained. However, having consulted the arboricultural report for the site, it appears that Tree TN4 (numbered T53 within the arboricultural report) is to be removed. The applicant's ecologist has recorded this tree as having moderate potential to support roosting bats. Confirmation as to whether or not this tree is to be removed as part of the proposed development is being sought from the applicant and will be reported in the Panel Update sheet. If the tree is to be removed, further survey to establish the presence/absence of roosting bats should be undertaken prior to the determination of this application. The surveys should be undertaken following best practice guidelines, at an appropriate time of year. Appropriate mitigation strategies may be required following the results of the further surveys and these should be provided as part of the planning application.

### Great Crested Newts

- 7.69 No ponds were recorded within the application site boundary, however four ponds were recorded within 500m of the site. The four ponds were subject to a Habitat Suitability Index survey and all were assessed to have a poor suitability to support great crested newts. The pond locations have not been provided within the ecology report and therefore it is unclear as to which waterbodies have been surveyed. In addition, having consulted the council's GIS database, it appears that there are more waterbodies (ditches and ponds) within 500m of the proposed development than the four listed and it is unclear why these waterbodies have not been assessed. The closest ponds are within approximately 120m and 200m of the proposed development and are not separated from the proposed development by any barriers. There are areas of grassland, woodland and scrub within 500m of the ponds, some of which is within the proposed development which would provide suitable hibernating, foraging and refuge habitat for great crested newts. Great crested newts could be using the proposed development area for foraging and dispersal, if present.
- 7.70 In addition, there is a record of great crested newt presence on the National Biodiversity Network Gateway website within a 1km grid square immediately north of the proposed development, increasing the likelihood of great crested newts being within the local area. Great crested newts receive full legal protection under the Conservation of Species and Habitats Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). This makes it illegal to deliberately injure, kill, capture or disturb a great crested newt, or to damage, destroy or obstruct any places used for shelter and protection. Natural England's standing advice states "*Survey for great crested newts if there's a pond within 500 metres of the development, even if it only holds water some of the year; the development site includes refuges (e.g. log piles or rubble), grassland, scrub, woodland or hedgerows*" Further survey work needs to be undertaken on the four ponds already assessed and any other waterbody within 500m of the proposed development in order to establish the presence/absence of great crested newts from the waterbodies. Appropriate mitigation strategies may be required following the further surveys and these should also be provided to the local planning authority.

### Badgers

- 7.71 No badger setts were recorded on site although an inactive outlier sett was recorded to the south of the site (outside the application boundary). The sett was assessed as currently being used by rabbits and no evidence of badgers was recorded on the site. Badgers are protected under the Protection of Badgers Act 1992, which makes it illegal to willfully kill, injure or take a badger or attempt to do so, or to recklessly damage, destroy or obstruct access to any part of a badger sett. The applicant's ecologist has provided recommendations within the ecology report to safeguard badgers during and after development. These include creation of a 10m buffer zone around the inactive sett, raising of fences or cutting holes in fences to allow movement of badgers and other species across the site, pipework and excavations covered at night and new landscape planting to provide additional food resource for badgers.
- 7.72 A condition could secure the recommendations with regards to safeguarding badgers within the ecology report. In addition, as badgers are mobile animals, it is recommended that the entire site and a 30m buffer around the site, including the outlier sett, is subject to a walkover for badgers prior to the commencement of development and any signs or setts recorded. If the outlier sett is deemed active or newly excavated holes discovered, a suitably qualified ecologist should be contacted for advice and the appropriate mitigation organised. The results of the walkover survey for badgers and appropriate mitigation/ licences, if required, should be provided to the council for approval prior to any approval being granted.

### Breeding Birds

- 7.73 The vegetation on site has the potential to support breeding birds. Breeding birds, their eggs and active nests are protected under the Wildlife and Countryside Act 1981, as amended. The applicant's ecologist has provided recommendations for the protection of breeding birds including timing of vegetation removal outside the breeding bird season (which spans from March to August inclusive). These recommendations are considered acceptable.

#### Biodiversity Enhancements

- 7.74 Paragraph 109 of the NPPF states that: "*The planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*". In addition, Section 40(1) of the Natural Environment and Rural Communities Act 2006 states that "The public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".
- 7.75 The application site provides opportunities for biodiversity enhancement for species found within the local area following development. These include installation of bird boxes (barn owl, swift, house sparrow boxes within new buildings or onto retained trees), installation of bat boxes and tubes within new buildings or on to suitable retained. The biodiversity enhancements which are to be incorporated within the proposed development should be detailed within an ecological management plan. Details should include locations, types, establishment and management of each enhancement and these could be secured by planning condition.

#### Sustainability

##### Economic, social and environmental considerations

- 7.76 The proposed site is over 5km from its nearest railway station. There are 2 Bus services 238/239 which operate between Maidenhead and BCA Monday to Friday calling four times per day. On Monday, Wednesday and Friday it operates as service 239 and travels to Henley on Thames. On Tuesday and Thursday it operates as route 238 and terminates at Bisham village. On Saturdays it operates twice each way between Maidenhead and Henley via Burchett's Green and Hurley. These services call at the bus stops adjacent to the college access and some enter the college site.
- 7.77 In addition to the public bus service, the applicant has confirmed that BCA College operates 18 bus routes for students covering a wide area around the college including the main towns and several mainline railway stations, including Reading, Slough and Maidenhead providing access to and from all major residential areas. Details of these are provided at Appendix E. Officers give limited weight to the provision of this service as the working patterns of the care village staff and the bus times which fit the college's student's working day do not tally with the shift patterns of the care village. The site is not considered to be in a sustainable location served by good public transport.
- 7.78 The proposed care home would provide economic benefits in staff employed in the care village and during the construction process. The applicant has also referred to the fact that 307 members of staff are currently employed at the college and 55 working in other on site businesses for example Busy Bees. The jobs created by the care village weigh in favour of the development. There is no evidence at present that the number of staff at the college would significantly change as a result of the refusal of this application and therefore this inference does not weigh in favour of the scheme.
- 7.79 There are a number of further economic and social benefits with regard to the provision of the care village as it has been evidenced that there are benefits of allowing older people to remain independent, while living in a retirement community with onsite support services and strong links into the wider community. It is questioned however given the fairly remote location of this care village how strong the links into the wider neighbourhood would be. From 2012 to 2015 the Extra Care Charitable Trust commissioned Aston University to undertake a study at the benefits for

older people of living in a retirement community with onsite support services and strong links into the wider neighbourhood. Keys findings of this research included the following:

- Residents experienced a significant reduction in the duration of unplanned hospital stays from 8 days to 14 days, to 1 to 2 days.
- Routine GP appointments for residents fell 46% after a year
- NHS costs for residents were cut by 38% over 12 months compared with their costs when they first moved in.

7.80 As described above there are socio-economic benefits attributed to the scheme however as detailed in early sections of this report the proposal would result in substantial and significant environmental harms namely, impact on the Green Belt, Heritage Assets of National Importance, character and appearance of the area, trees, ecology and possible surface water drainage issues and therefore the development is not considered to constitute sustainable development.

### **Viability Assessment**

7.81 The applicant is putting forward the case that this quantum of development is required in order to create a land value which would allow the college to cover its debt and for repairs to be made to the Listed Buildings and enhancements to the landscape.

7.82 On this basis the Local Planning Authority needs to be satisfied that the quantum of development is acceptable to achieve this. The District Valuers (DVS) have assessed the submitted viability report produced by James R Brown and Co Ltd (JRB) on behalf of the applicant. A summary of their assessment is as follows:

#### **1) Development Value**

7.83 JRB has derived their values by analysis of comparable units for the ILU's and ALU's who appear to have used asking prices gathered from Rightmove for their data as well as data from an area wide study for CIL purposes. They have also used a comparable method for the Care Home valuation. For the ILU's and ALU's JRB have used a flat rate and have looked at asking price comparable in Taplow (Cliveden Gages), Beaconsfield (St. Mary's Court) and Windsor (Connaught Court). The Connaught Court comparable which is closest to the adopted average is however a not completed transaction in an older property which will not benefit from a new build premium. Instead DVS has reviewed all recent sales of new build property within as close a proximity to the subject site as possible. Any connected party sales, or sales that appear to be to companies or on the fulfilment of mortgage obligations to lending bodies etc. or any that appear to be as part of any property exchange agreement have been stripped out. It is also important to consider all of the evidence without being selective, and to consider unit type and facilities (it is very important also to consider the facilities on offer at each of the schemes in comparison to those proposed here).

7.84 The majority of sales evidence in the suggested comparable schemes used by JRB is historic. The sales evidence for Cliveden Gages is mostly from 2014. Connaught Court also has sales reaching back to 2007. Consideration has also been given to Kestrel Court and Reed Court in Maidenhead however these developments do not offer the facilities and superior location offered by the proposed scheme at BCA. On this basis it is this valuer's opinion that the adopted psf may be a little low given what is proposed and a slightly higher rate has therefore been adopted.

7.85 In regards to the 50 bed Care Home JRB have adopted a value of £4,999,951 based upon analysis of comparable sales (equates to some £100,000 per bed). It is noted that the fees achieved, and therefore overall value, will be very dependent upon the level of care provided - and there is little detail in regards to this at the proposed scheme at present (which is not unusual due to its only outline nature). It is suggested however that based upon recent sales evidence of care homes in the local area the JRB figure is too low.

7.86 Considering the location and access to facilities in the 'hub' that will be available a value for the proposed Care Home of some £7.5m (£150,000 per bed) has been adopted. In their appraisal JRB have included Ground Rents of £510,000 (108 units at £250 pa capitalised at 5% less purchaser costs). DVS have seen comparable evidence of nearby similar properties and indeed the comparable schemes suggested by JRB which suggest that higher ground rents could easily be achieved.

**a) Gross Development Value (GDV):**

	<b>JRB</b>	<b>DVS</b>
<b>ILU's and ALU's</b>	£53,583,920	£54,099,150
<b>Care Home</b>	£4,999,951	£7,500,000
<b>Ground Rents</b>	£510,000	£1,017,360
<b>Totals</b>	<b>£59,093,871</b>	<b>£62,616,510</b>

**2) Development Costs**

**a) Build and Abnormal Costs:**

7.87 JRB have adopted a flat rate build cost against all types in their appraisal of £186.35 psf. This figure is as seemingly advised by BCIS of £150 psf (some £1,615 psm) - the exact reference to the BCIS insert in the report is unclear in terms of whether it is a median, mean rate etc. They have then added externals at 15%, a 5% contingency and abnormal costs of £984,730 (£175,070 for abnormal foundations, £435,000 for drainage, highways and services and £374,660 for landscaping). The JRB build cost is therefore £28,887,610 as stated in their report and £28,894,127 in their appraisal (difference due to area differences only).

7.88 As agreed on other cases DVS have adopted a current upper quartile BCIS 5 year rate for sheltered accommodation factored to Berkshire due to sample size. The adopted rate is £1,680 psm (£156 psf). A 5 year rate has been used as this is correct to reflect up to date Building Regulation requirements which a default figure may not, and used an upper quartile rate to reflect the quality of product that is suggested by the scheme and in order to attract the values adopted. On this basis the base build cost is some £24,200,400.

7.89 To that DVS has added 10% for external costs and service connections after considering the scheme plan and bearing in mind the abnormal sums accepted elsewhere for landscaping and such. The 10% allowance is in fact higher than that agreed on other such care schemes which are 'densely' fitted to the site and are normally in the range of 5-7.5% externals. In regards to the abnormal costs having reviewed the evidence and following the site inspections The sums proposed of £175,070 for abnormal foundations and £374,660 for the landscaping works which are unusual due to the Listed nature of the site in parts are accepted. The detailed costings for the other abnormal elements have not been provided but having considered the report by WYG they are accepted.

**b) Contingency:**

7.90 As above JRB have included a contingency of 5%. DVS has adopted the same rate as reasonable for a scheme of this nature and size. On a like for like basis the JRB build costs in their appraisal are £28,894,127 and DVS's are negligibly higher at £28,985,429 which is primarily due to the current BCIS build rate.

**c) Professional Fees:**

7.91 JRB have included 10% for professional fees. DVS would comment that a fee allowance of between 8-10% would not be unreasonable on a scheme such as the one proposed. Given the bespoke nature of the scheme and its specific challenges 10% has been adopted as a reasonable rate based on the information provided so far.

**d) Section 106 Costs and CIL:**



- 7.92 JRB have included a CIL assumption of £2,400,000. DVS has adopted a rate of £240 psm of GIA as set out in the Council's adopted CIL charge schedule. Which make the figures £3,457,200. The DVS calculation therefore far in excess of JRB's.

**e) Sale and Marketing Fees:**

- 7.93 JRB have adopted 1.5% for marketing fees, agents fees at 1.75% and a legal fee of £270,000. DVS agree these marketing and agents rates are reasonable but have adopted legal fees of 0.5%.

**f) Finance costs:**

- 7.94 JRB have calculated their interest at a debit rate of 6.75% and a credit rate of 0.5% to which they have added a finance facility fee of 1.5%. DVS has adopted a 7% debit rate inclusive of fees as reasonable in the current market for such a scheme, and warranted here due to the challenges of the type of development and the location. However a credit rate of 2%, as is currently agreed in other viability cases has been included.

**g) Developers Profit:**

- 7.95 In their report JRB have suggested a developer return of 20% on GDC is appropriate. This is equivalent to 16.67% on GDV. DVS suggest that different profit rates pertain to different levels of risk - and this is also surely guided by market conditions present at the time of appraisal. In a lower risk environment as at present where there is high demand and a lack of supply it seems perverse therefore to suggest that a higher profit which is directly linked to risk should be sought when in fact the risk is lower. DVS would also comment that there is a need to be clear about the basis upon which developer's profit is quoted and measured. House builders tend to talk of profit gross of the cost of design fees, marketing, and finance. DVS make separate deductions in their appraisals for design fees, marketing and finance.
- 7.96 In modelling the development viability appraisal and having considered other agreed viability cases I have adopted a slightly higher 17.5% of GDV. I am of the view that in the light of evidence available and our own experience of development appraisals this level of developers return represents a 'competitive return' in this case, as described in paragraph 173 of the NPPF.

**h) Development Programme:**

- 7.97 JRB's cash flow suggests a 2 month lead in period, 24 month build and 12 month post completion sales period. Following our experience on other schemes DVS have adopted the same lead in and build programme. The sales period may be ambitious but on the assumption that it is based on their market research of latent demand I have adopted the same.

**i) Land Value:**

- 7.98 Following various appeal cases it is well established that viability assessments are carried out in order to calculate the residual land value that the scheme can afford which is then compared to the Market Value of the site in accordance with the RICS guidance notes September 2012. As this is an enabling development scheme however the target residual land value should be that returned which is enough to fill the conservation gap of some £7.25m.

**Overall assessment and Recommendations on Viability:**

- 7.99 Our fully open market appraisal for the scheme as described and reflecting the specified unit mix results in a residual land value of some £10.931m which is significantly above the required £7.25m hurdle.

**Other Material Considerations**

## Debt Issue of BCA

- 7.100 The college's financial situation and the Government's introduction of an insolvency regime for Higher Education establishments is considered to constitute a material consideration as the repercussions could impact the educational use of the land which is in the public interest. When assessing financial matters as a material consideration it is necessary to assess precisely who the said benefits accrue to, and apply weight accordingly.
- 7.101 There is no evidence presented in the application to confirm that the college would close if it became insolvent nor is there any evidence to demonstrate that the educational requirements of this college could not be met by another college, albeit outside of the borough. Whilst the reduction of the debt would benefit the creditors and mean that the existing management structure of the college could be retained these are not matters which are in the public interest. On this basis this consideration is given limited weight as a consideration in favour of the development.

## Archaeology

- 7.102 The site lies within an area of archaeological potential. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 141 of the NPPF and local plan policy. The field evaluation should take the form of an archaeological trial trenching exercise and this will determine if any areas of archaeological interest are present and if further investigation of these areas, either prior to or during construction, are merited. Subject to a condition requiring the applicant to implement a programme of archaeological field evaluation in accordance with a written scheme of investigation approved by the Local Planning authority no objection would be raised.

## **8. PLANNING BALANCE**

- 8.1 Paragraph 14 of the NPPF states "at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

For decision-taking this means

- approving development proposals that accord with the development plan without delay; and
  - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when against the policies in the Framework taken as a whole; or
  - specific policies in the Framework indicate development should be restricted (i.e. land designated as Green Belt; designated heritage assets...)
- 8.2 In accordance with guidance contained in the NPPF there are three separate balancing exercises which need to be undertaken in this particular case.
132. Whether the very special circumstances which would clearly outweigh the harm to the Green Belt and any other harm;
133. Whether the less than substantial harm of a designated asset would be outweighed by the public benefits of the proposal;
134. Whether the other adverse impacts identified in the report would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole in establishing whether the proposal represents sustainable development.

## Green Belt Balancing

- 8.3 It has been demonstrated that in accordance with national policies this form of development in the Green Belt is inappropriate development which should not be approved except in very special circumstances. It is concluded that the harm caused by the proposal by reason of inappropriate development, the harm to the Green Belt through loss of openness and the conflict with one of the purposes of the Green Belt through encroachment into the countryside should be afforded substantial weight against the development.
- 8.4 Furthermore the proposal is contrary to GB1 and GB2 A) however only limited weight is given to this policy conflict as the policies are out of date in respect to this proposal in accordance with paragraph 49 of the NPPF.
- 8.5 The proposal would also cause significant harm (less than substantial) to the setting of a Grade I Listed Building and a Historic Garden (Grade II) and does not constitute enabling development given the inadequacies of the Conservation Management Report and given the quantum of development proposed. The heritage assets are considered significant and of national importance. The harm would be significant and this is afforded significant weight against the development.
- 8.6 The proposal would also cause harm to the character and appearance of the area by virtue of the siting, scale and layout of the buildings and new access road along with associated paraphernalia which would have a harmful urbanising affect at odds with the both the rural undeveloped character of the area and the character of the cluster of built form within it which makes up the college. This weighs against the development and is given significant weight.
- 8.7 The proposal also fails to demonstrate that it would not cause harm to priority habitat wood-pasture and parkland, the neighbouring Ashley Hill Forest and Dellars Copse Local Wildlife Site or detrimentally impact protected species (Bats and Great Crested Newts) this also weigh significantly against the development.
- 8.8 Lastly no evidence has been submitted to demonstrate that the proposal would not increase the risk of flooding through increased surface water and this is given significant weight against the development.

### *Very Special Circumstances (VSC)*

- 8.9 The NPPF advises that “ Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.” The applicant has put forward the following case for ‘VSC’ (see table below). Officers have assessed each in turn and then carried out a balancing exercise as required.

1.	<p>Delivering funding for essential repairs to the listed Hall Place.</p> <p><b><i>Officer Comment: The proposal would provide money for essential repairs but does not secure the future maintenance of the assets. Neither does the proposal constitute Enabling Development as set out in policy. Additionally this benefit is not exclusive to this particular scheme. The benefit of this consideration is therefore given limited weight. .</i></b></p>
2.	<p>Delivering an enhancement programme to the registered park and gardens on the Estate</p> <p><b><i>Officer Comment: The main landscape enhancements consist of reinstating the missing limes to the south avenue, restore the historic tree planting, replant with mature trees the missing or decaying Battle of the Nile Oak trees. These benefits are given limited weight given the harm the buildings would have on the setting of the Battle of the Nile Oak trees.</i></b></p>

3.	<p>Development on land that is surplus to the operational requirements of the college, consistent with Central Government Educational Policy.</p> <p><b>Officer Comment: consistency with this particular policy has very little effect in planning terms and is therefore afforded no weight in the assessment of VSC.</b></p>
4.	<p>Securing a source of funding to ensure the long term stability of the college.</p> <p><b>Officer Comment: the applicant cannot confirm that the college would close if permission was not granted.</b></p> <p><b>Furthermore the Department of Education has confirmed that, “in the event that a college become insolvent in the future, a new regime will be introduced to ensure that learners will be protected.” and “We will ensure that disruption to their studies is avoided or minimised as far as possible.</b></p> <p><b>Until there is some certainty as to the impact upon the land use i.e. the provision of education officers consider that this consideration does not constitute Very Special Circumstances.</b></p>
5.	<p>Helping to secure the long term future of an important further education institution essential for the young adults and children with special needs of the borough and surrounding area, which also delivers important economic benefits.</p> <p><b>Officer Comment: as point 4.</b></p>
6.	<p>Securing the future of a significant local employer, this also delivers important economic benefits.</p> <p><b>Officer Comment: There is no evidence before the Local Planning Authority to confirm that the college will close if planning permission is not granted. On this basis whilst there are benefits in respect of employment and important local economic benefits associated with the college it is not clear how the refusal of this scheme would impact these benefits. As such, officers do not consider that this consideration constitutes Very Special Circumstances in this case.</b></p>
7.	<p>Meeting the specific needs for the elderly in a unique, comprehensive care village development, confirmed in the Carterwood Report.</p> <p><b>Officer Comment: there are strong social and economic benefits associated with the provision of this type of development, however in this instance these benefits can only be afforded limited weight as it has not been demonstrated that there are not other sites where this need could be met.</b></p>
8.	<p>Making a contribution towards a significant 5 year housing land supply deficit. (Hunston)</p> <p><b>Officer Comment: this is afforded significant weight.</b></p>
9.	<p>Relevant policies for the supply of housing are out of date (East Cheshire).</p> <p><b>Officer Comment: the proposal has been assessed with regards to the policies that are considered up to date in the plan and the NPPF. This is not therefore a consideration which could constitute VSC.</b></p>
10.	<p>Provides a unique use that will include vocational training and apprenticeship opportunities for BCA students, creating in part, an educational related use on the site.</p> <p><b>Officer Comment: this is afforded limited weight; whilst the uniqueness of the opportunity weighs in the balance, on the basis of the information submitted it is</b></p>

	<b><i>difficult to assess the extent to which this would occur. There are other institutions where students can receive vocational training and no evidence has been presented to demonstrate that there is a shortfall.</i></b>
11.	<p>A use that generates comparatively low traffic movements comprising a compatible use with the surrounding area and the community's aspirations to preserve the tranquil character of the area, in particular at Burchetts Green (see submitted Transport Statement).</p> <p><b><i>Officer Comment: It is not considered that this proposal comprises a compatible use with the surrounding area as detailed in section 7 of this report whilst the use of the Care Village generates comparatively low traffic movements this is not considered a benefit that can be afforded more than limited weight.</i></b></p>

- 8.10 This set of considerations are not considered to clearly outweigh the harm to the Green Belt and the other harms identified and therefore a case of Very Special Circumstances has not been made.

**Heritage Balancing**

- 8.11 This report has clearly set out that there would be significant (less than substantial) harm to the setting of the Grade 1 Listed Building and to the registered historic garden. Weighing in favour of the development is the fact that there would be the 1.6 million pounds that would be available for works to the Listed Building. There are also the public benefits (social and economic) associated with the provision of the care village. Given the quantum of development proposed (which far exceeds what would be required to generate the 1.6 million) the benefits are not considered to outweigh the harm identified. As such the proposal does not pass the "paragraph test" set out in the NPPF.

**Whether the other adverse impacts identified in the report would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole in establishing whether the proposal represents sustainable development.**

- 8.12 It has been demonstrated that the proposed development would cause the following additional harm:

Harm to the character and appearance of the area as a result of the siting, scale and layout of the buildings and new access road along with associated paraphernalia which would have a harmful urbanising affect at odds with the both the rural undeveloped character of the area and the character of the cluster of built form within it which makes up the college.
The proposal would result in the loss and the potential loss of trees which are considered important landscape features and are covered by a Tree Preservation Order. Their loss would be harmful to the character and appearance of the area.
It has not been demonstrated that the proposed development would not cause harm to the two adjacent wildlife sites, priority habitant area or protected species namely great crested newts and bats.
The proposal would increase flood risk from surface water, in the absence of evidence to the contrary.

- 8.13 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. Furthermore there are other socio-economic benefits associated with the provision of the care home. However, it is the view of the Local Planning Authority that the socio-economic benefits of the development would be significantly and demonstrably outweighed by the adverse impacts

noted above arising from the scheme proposed, contrary to the adopted local and neighbourhood plan policies, all of which are essentially consisted with the NPPF, and to the development plan as a whole.

## **Conclusion**

8.14 Importantly it has been concluded that the quantum of development proposed exceeds what is necessary to carry out the required repairs and enhancements of the heritage assets, clear the colleges debt taking into accounts the costs associated with providing the development and allowing the developer a profit. In accordance with the NPPF there are specific policies in the framework as detailed in this report which indicate that development should be restricted. Fundamentally, the Very Special Circumstances put forward do not clearly outweigh the harm to the Green Belt. Additionally there is not a case of public benefits which would outweigh the significant (less than substantial) harm to the heritage assets that are considered to be of national importance and lastly the harm to the character and appearance of the area, trees, possible flooding and ecology are not significantly and demonstrably outweighed by the socio- economic benefits of the scheme.

## **9. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

9.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The applicant has submitted the required forms including the assumption of liability for payment on the net increase in gross internal floor space. The required CIL payment for the proposed development would be £3,457,200. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

## **10. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

The planning officer posted a statutory notice advertising the application at the site on 23<sup>rd</sup> September 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 29<sup>th</sup> September 2017

159 letters (of which at least 48 are from employees of the College letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Investment into the area creating new jobs and opportunities.	7.78
2.	Secure college for the future, benefiting learners.	7.10,7.101
3.	Vocational work experience and opportunities for the students that could have work placements in the care home.	8.9
4.	Opportunity for local elderly.	7.79
5.	Help in the upkeep of the Grade 1 Listed Building and restoration of heritage asset.	7.6 – 7.31
6.	College provides fantastic facilities for the student	Noted
7.	Safe guard existing jobs and restore the college's finances.	7.100, 7.101
8.	A new care village will maintain the grounds beautifully	7.6 -7.31
9.	A new care village is needed in Maidenhead	8.9
10.	This will prevent the requirement to merge with a larger institution	7.100 – 7.101
11.	The care village provides increased natural surveillance for BCA	Noted
12.	It will reduce traffic in the area.	7.32 – 7.45
13.	Care village has benefits to the community with regard to reduced hospital stays, reduced visits to GP and improves quality of life for the elderly.	7.79
14.	The proposal would provide high quality accommodation in a beautiful	Noted

	setting	
15.	The college may lose its independence	7.100 – 7.101
16.	Merging with a larger provider could result in asset stripping and jobs may be lost.	7.100 – 7.101

48 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Harm to the Green Belt and inappropriate development in the Green Belt. The government advises that any harm to the Green Belt should carry substantial weight.	7.3 – 7.5
2.	Harm to a grade 1 Listed Building and its estate.	7.6 – 7.31
3.	The BCA campus is zoned for education and this is how it should remain. A care village is out of keeping with the educational campus.	7.46 – 7.56
4.	When has financial mismanagement considered justification for the flouting of basic planning principles?	4.9
5.	The transport data accompanying the application appears questionable.	7.32 – 7.45
6.	The location is not sustainable as it is not close to amenities or public transport	7.76 – 7.77
7.	Concerned about increase in traffic using Hall Place drive which already seems to be at its maximum capacity during peak hours.	7.32 – 7.45
8.	There is inadequate protection for the village from increased traffic, especially new the school and further traffic presents a serious risk to the children in the village and also to those attending school.	7.32 – 7.45
9.	Hurley and the Walthams Neighbourhood Plan had no notification from RBWM during its 4/5 years of working on its NP and all the evidence obtained in the process of producing its emerging NP was for the BCA site to remain exclusive to education.	Not a material planning consideration
10.	RBWM has not informed the local community properly about this planning application so please defer this application until that proper process has taken place.	Consultation has been carried out in accordance with Council procedure
11.	The BCA site is being considered for school expansion which is undoubtedly a more suitable fit.	-
12.	If the application is approved please make sure that the environment plan and the travel plan is sound and covered by a secure legal agreement.	This would be a secure by a legal agreement
13.	It is not so long ago that we were being told that there was not enough demand for the elderly care home industry and the nursing home in Apple Hill Hurley had to be reclassified against much local opposition.	-
14.	There is already far too much traffic passing through the village throughout the day and the increased traffic from the proposed Care Village would be unacceptable. Just trying to get out of our drive in the rush hour can be a challenge in its self.	7.32 – 7.45
15.	There is only one bus available and with no local shops within walking distance I cannot see how this can be a viable proposition.	7.76
16.	Proposal represents over development.	7.46 – 7.56
17.	Should the college fail to be viable in the future what would stop another damaging proposal from being approved if this application is approved it would set a precedent.	Each application considered on its own merits

18.	The care home is not strictly speaking a care home because the level of care for residents has a very low threshold at 1 hour per day. The project is in fact a private residence and of no benefit to the wider community.	5.3
19.	Proposal would be harmful to local wildlife.	7.64 – 7.79
20.	The degraded grassland adjacent to the proposed area is excellent for the prey of the owls that are seen at BCA.	7.64 – 7.79
21.	Emails have been sent to all the staff and students telling them to support the application. It was done in a way that made it seem like day to day administration of being part of the college, not as a decision that should be considered. I believe all support resulting from this email should be disregarded.	Not a material planning consideration

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Historic England	Objection	7.6 – 7.31

### Other consultees

Consultee	Comment	Where in the report this is considered
Highways Officer	No objection subject to conditions.	7.32 – 7.45
Conservation Officer	Objection	7.6 – 7.31
Rights of Way Officer	No objection subject to conditions	7.57 – 7.60
Lead Local Flood Authority	Objection	7.62 – 7.64
Berkshire Archaeology	No objection subject to conditions	7.102
Access Forum	Objects to the vehicular entrance point at the junction of Hurley Footpath 18 as this is considered dangerous.	7.57 – 7.60
Bisham Parish Council	<p>Objects to the proposal for the following reasons;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> That the “special circumstances” cited are not significant enough to overcome Green Belt Policy</li> <li><input type="checkbox"/> That the traffic ingress and egress at the main drive already has an impact on local residents, and the increased volume will exacerbate this.</li> <li><input type="checkbox"/> That the location itself is an inappropriate site for Older People, based on the local infrastructure</li> <li><input type="checkbox"/> There is a concern that the applicant is seen as “deserving” due to the circumstances, and this could have a prejudicial effect on the outcome.</li> </ul> <p>If you would like any further information, please feel free to contact me on the details above.</p>	<p>7.2 – 7.5</p> <p>7.32 – 7.45</p> <p>7.76</p>
Hurley Parish Council	Objects to the proposal as it is contrary to the emerging Neighbourhood Plan and is inappropriate development in the Green Belt.	7.2 – 7.5



- Appendix A -Site location plan and site layout
- Appendix B - Plan and Elevation drawings
- Appendix C -Letter from Education Funding Agency dated 4<sup>th</sup> February 2016
- Appendix D - NPPF, Annex 2, Glossary
- Appendix E - Schedule of works to be carried out to the Heritage Assets
- Appendix F - Plan showing Public Rights of Way.

## 12. REASONS RECOMMENDED FOR REFUSAL

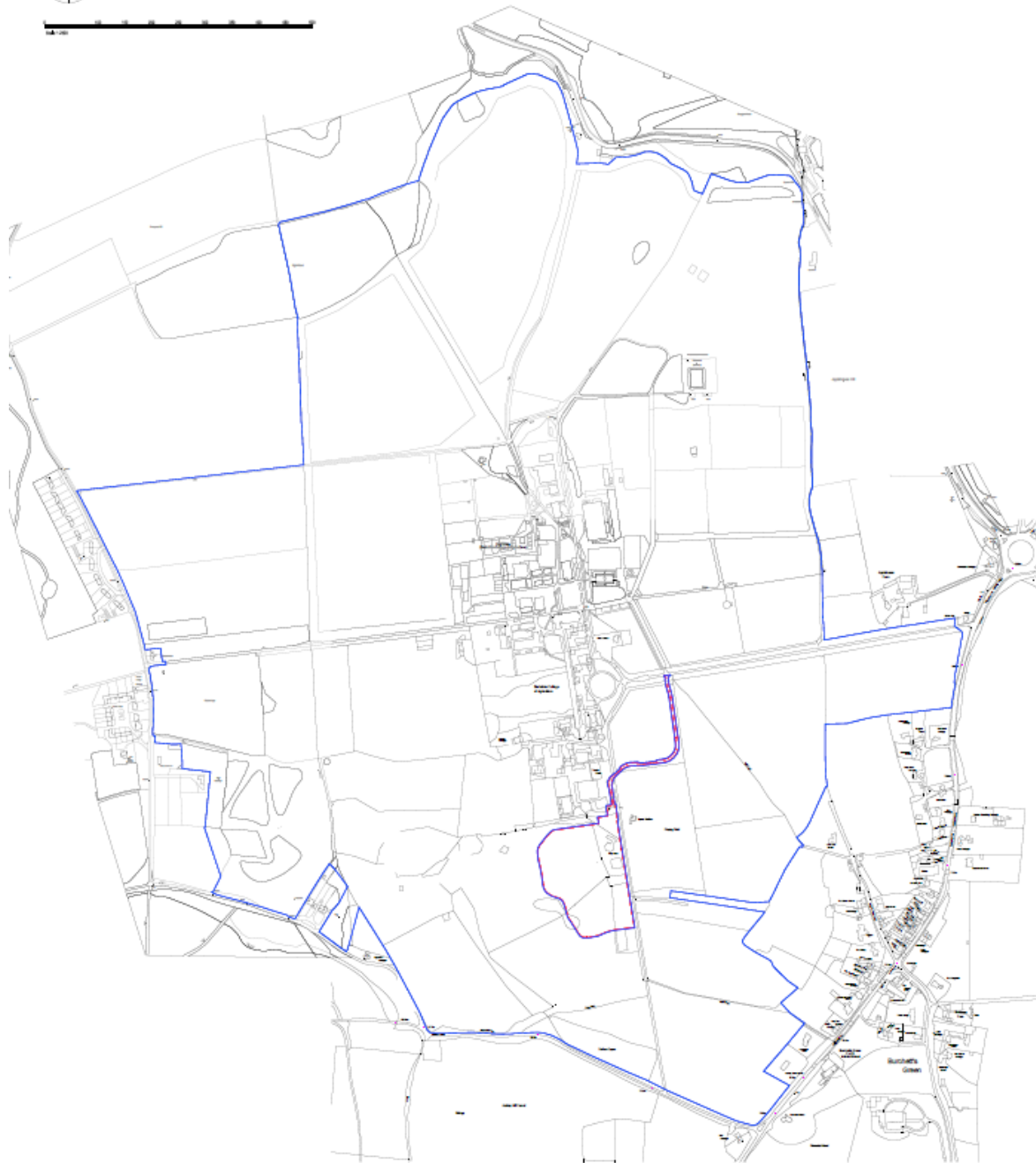
- 1 The proposed development is inappropriate development in the Green Belt and therefore by definition harmful to openness. Notwithstanding this, it will also physically reduce the openness of the Green Belt by reason of the developments proposed scale and siting. The proposal would result in substantial harm to the openness of the Green Belt and one of the purposes of including land in the Green Belt, namely 'to assist in safeguarding the countryside encroachment'. There are no 'Very Special Circumstances' to outweigh the substantial harm to the Green Belt and the other significant harm which is identified below. The proposals are contrary to paragraphs 80, 87, 88 and 89 of the National Planning Policy Framework (NPPF) and the provisions of saved Policies GB1 and GB2A) of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003).
- 2 The applicant has failed to adequately assess the Heritage Asset and has not submitted an adequate Conservation Management Plan. The proposal fails to constitute enabling development and would cause significant harm to the setting of the Grade 1 Listed Building and the Grade II Historic Garden given the developments size, siting and poor design which is derived by moving the vernacular architecture of the village so that it stands along side the refined architecture of the house and its landscape setting misunderstanding the significance of the house and its landscape setting. This harm is not outweighed by public benefits. The proposal is contrary to Core Planning Principle Bullet Point 10, Paragraphs 128, 132, 134, 140 of the National Planning Policy Framework (NPPF) and the provisions of saved policy LB2 and HG1 the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and emerging policy Gen2 of the Hurley and the Walthams Neighbourhood Plan (2015-2030).
- 3 The proposed development would cause harm to the character and appearance of the area as a result of the siting, scale and layout of the buildings, the amount of hardstanding including the new access road and the associated paraphernalia including car parking and lighting, all of which would have an urbanising affect at odds with both the rural undeveloped character of the area and the character derived from the cluster of built form which forms the college. The proposal would be contrary to Core Planning Principle Bullet Point 5, paragraphs 56, 58, 61 and 64 of the National Planning Policy Framework (NPPF, the provisions of saved policy DG1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and emerging Policy Env1 and Gen2 of the Hurley and the Walthams Neighbourhood Plan (2015-2030).
- 4 The proposal would result in the loss and the potential loss of trees which are important landscape features and are covered by a Tree Preservation Order. Their loss would be harmful to the character and appearance of the area. The proposals will be contrary to Core Planning Principle Bullet Point 7 and paragraphs 61 and 118 of the National Planning Policy Framework and the provisions of saved policies DG1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and emerging Policy Env1 and Gen2 of the Hurley and the Walthams Neighbourhood Plan (2015-2030).
- 5 It has not been demonstrated that the proposed development would not cause harm to the priority habitat area, two adjacent wildlife sites, or protected species namely great crested newts and bats. The proposal would be contrary to Core Planning Principle Bullet Point 7 and paragraph 118 of the NPPF and the provisions of saved policy N9 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and emerging Env1 of the Hurley and the Walthams Neighbourhood Plan 2015-2030.

- 6 The submitted Flood Risk Assessment fails to demonstrate that the proposal complies with national technical standards and no detail has been provided in respect of future management of any acceptable Sustainable Urban Drainage System scheme that may come forward. The proposal is contrary to paragraph 103 of the NPPF and emerging Env2 of the Hurley and the Walthams Neighbourhood Plan (2015-2030).

# Site Location Plan



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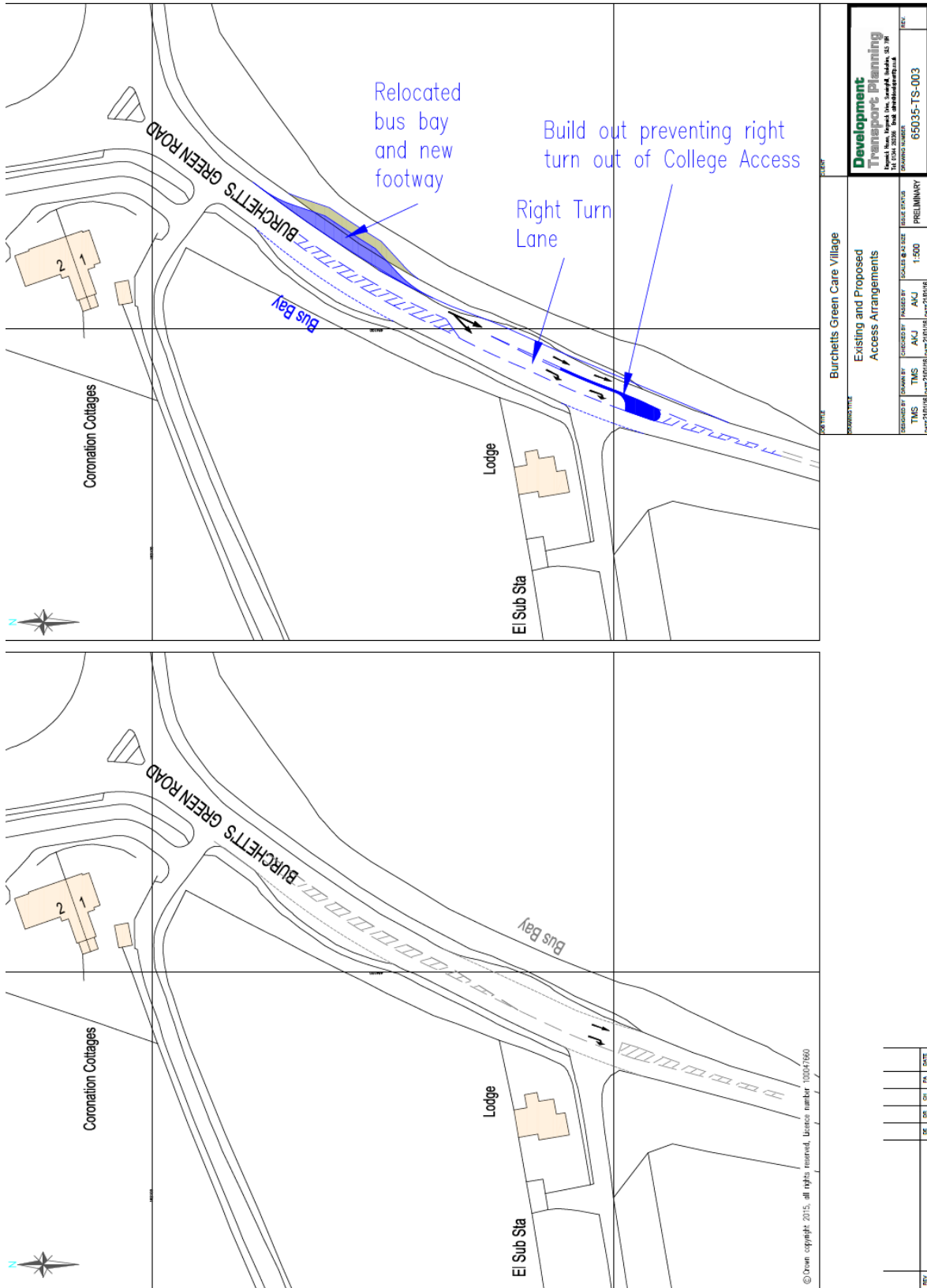


<b>PRC</b> PROJECTS & SERVICES CONSULTANTS	
Project Name BKA Estate, Kursh's Green Phase 1 Site Location Plan	Project No. 1007
Date of Issue 10 Aug 2013	Author PRC
Scale 1:2000	Date 10 Aug 2013
No. 1007	Rev. 001
Revision 001 10 Aug 2013	Author PRC

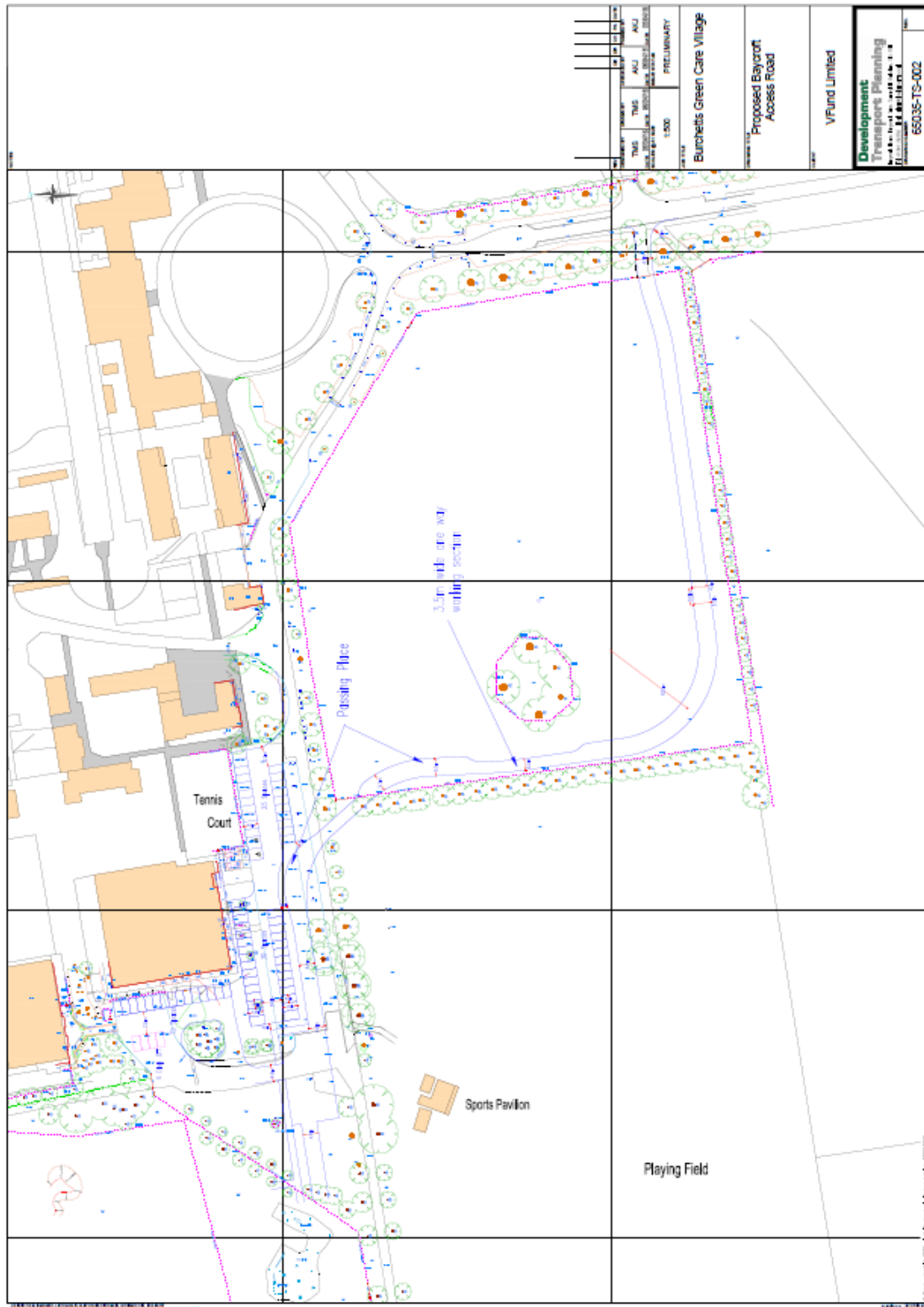
# Site Layout



# Proposed and Existing Access Arrangements



# New Access Road



# A selection of Plan and Elevations

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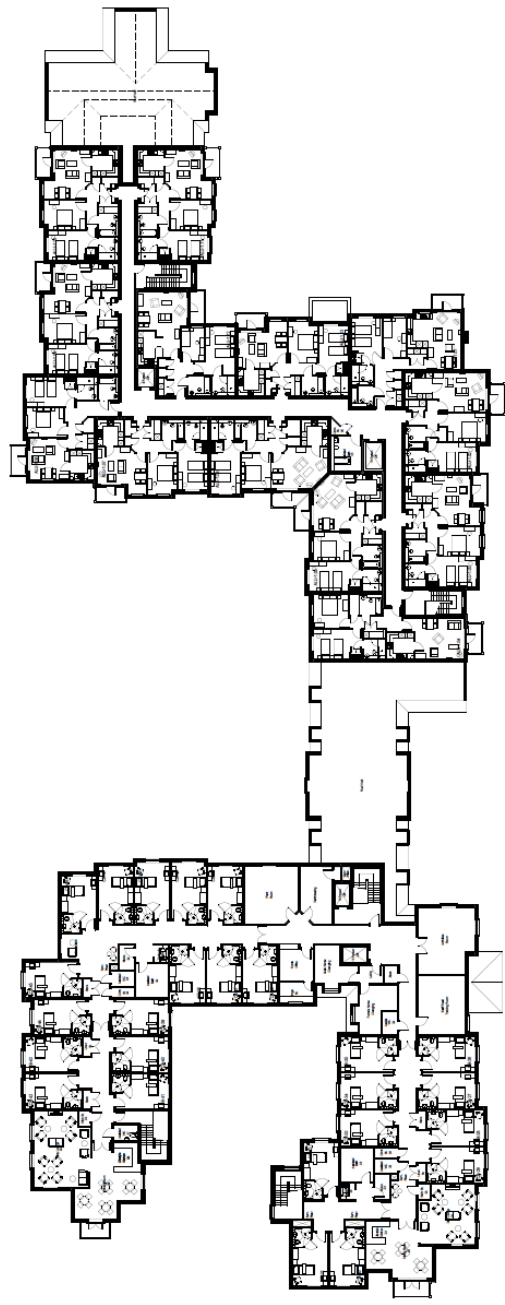
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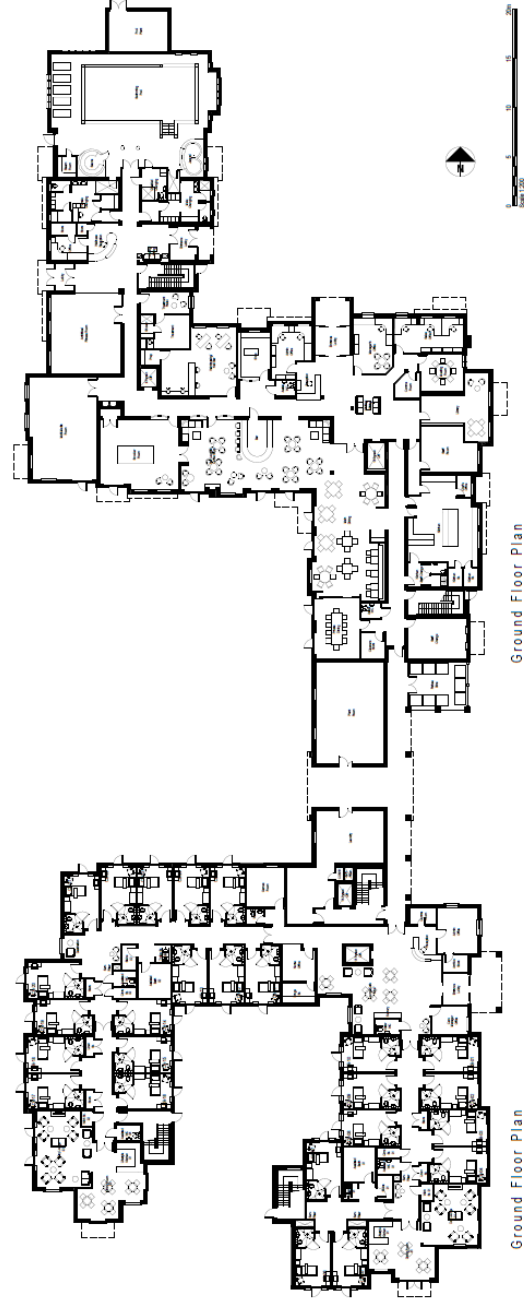
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First Floor Plan  
VILLAGE CARE CENTRE

First Floor Plan  
CARE HOME



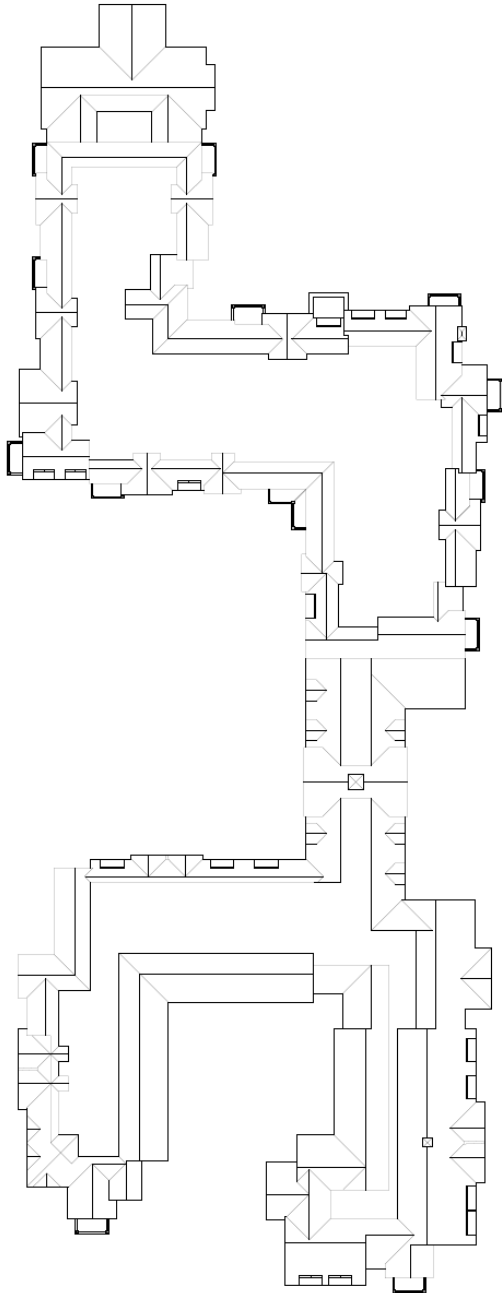
Ground Floor Plan  
VILLAGE CARE CENTRE

Ground Floor Plan  
CARE HOME

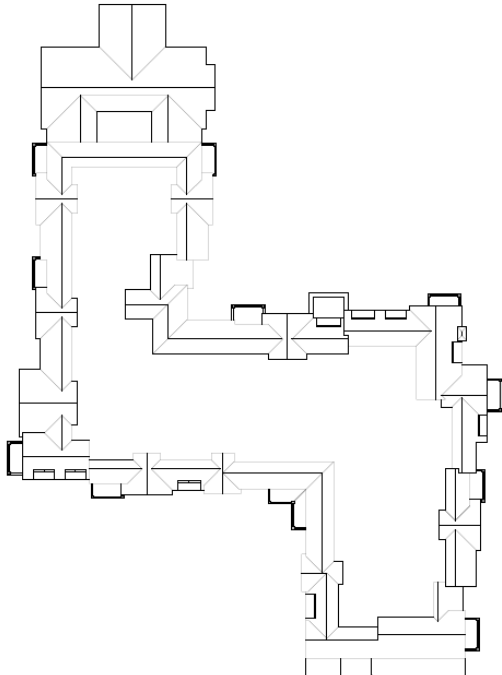
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 DATE: 01/07/2016  
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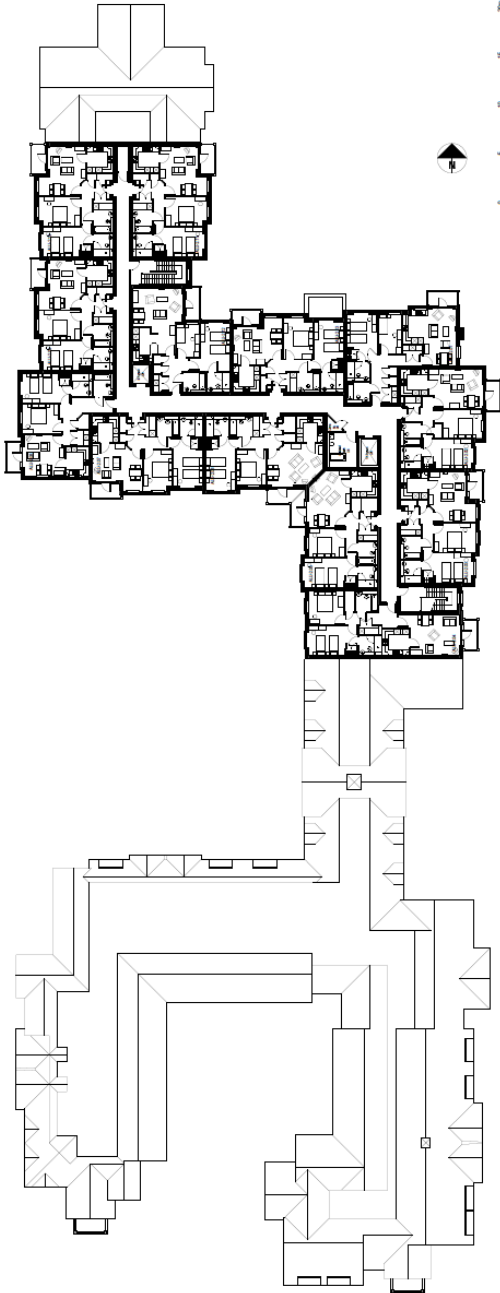
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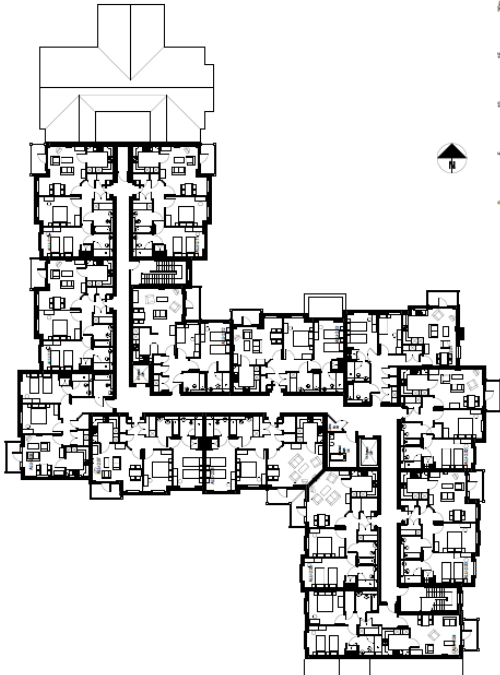
Roof Plan  
**CARE HOME**



Roof Plan  
**VILLAGE CARE CENTRE**



Second Floor Plan  
**CARE HOME**



Second Floor Plan  
**VILLAGE CARE CENTRE**





# Floor Plans Block A

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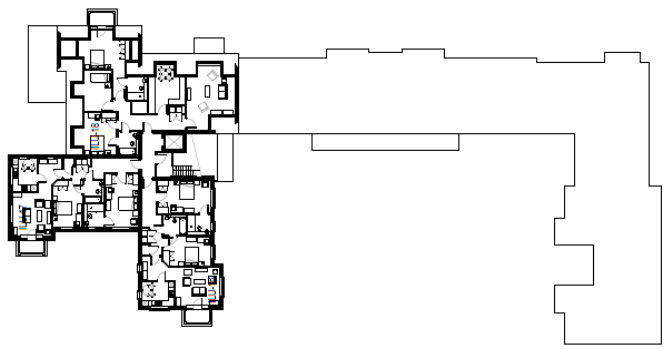
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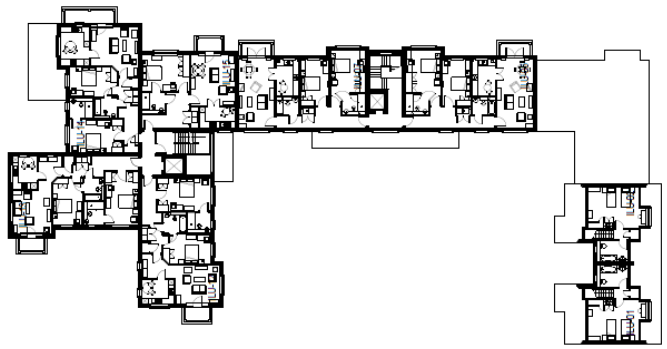
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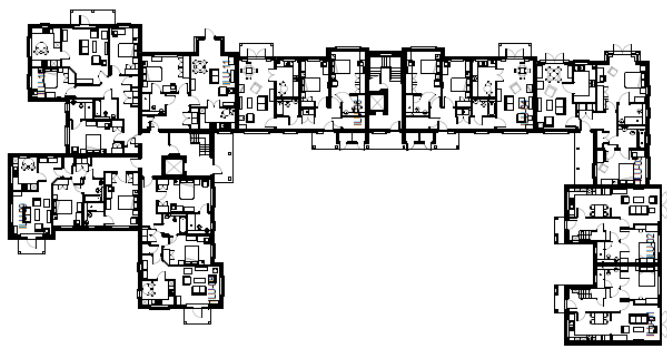
Working  
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Second Floor Plan



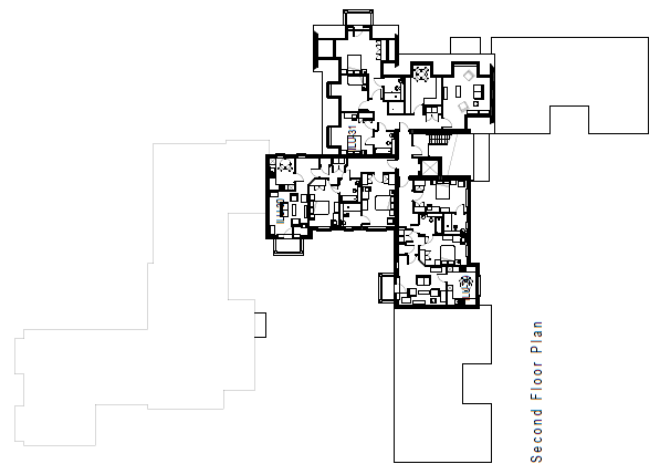
First Floor Plan



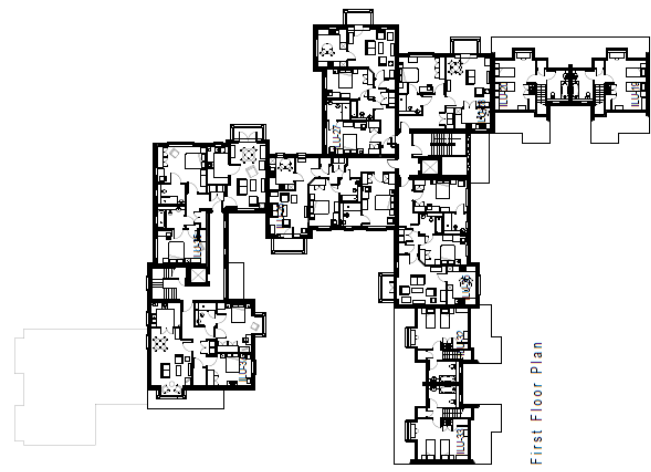
Ground Floor Plan

# Floor Plans Block B

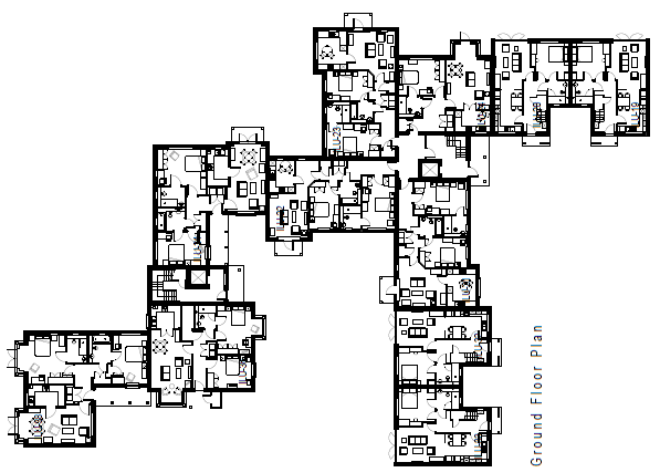
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Second Floor Plan



First Floor Plan



Ground Floor Plan

**PRC**

**Client:** BSA & BANCROFT  
**Project:** Proposed Retirement Village  
**Location:** 1037 PL 006 A  
**City:** Perth  
**State:** Western Australia  
**Country:** Australia  
**Scale:** 1:200  
**Date:** July 2016  
**Drawn by:** PL 006 A  
**Checked by:** PL 006 A  
**Approved by:** PL 006 A

**Architect:** PRC  
**Address:** 1037 PL 006 A  
**City:** Perth  
**State:** Western Australia  
**Country:** Australia

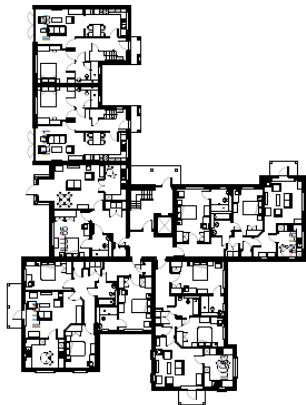
**Office:**  
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 Brisbane  
 Melbourne  
 Sydney  
 Gold Coast  
 Adelaide  
 Darwin  
 Hobart  
 Auckland  
 Christchurch  
 Dunedin  
 Wellington  
 Auckland  
 Christchurch  
 Dunedin  
 Wellington



# Floor Plans Blocks E, F and G

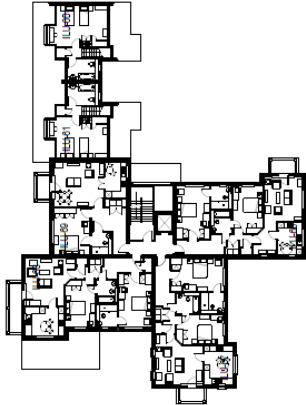
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Client: SOA BANCROFT  
Project: SOA Bancroft Village  
Location: SOA Bancroft, Boston  
Drawing: Floor Plans  
Date: July 2015  
Scale: 1/8" = 1'-0"  
Author: PRC  
Checked: PRC  
Approved: PRC

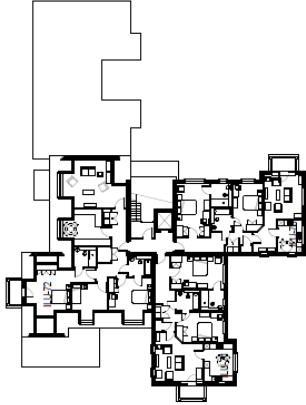


Ground Floor Plan

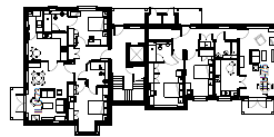
BLOCK E



First Floor Plan

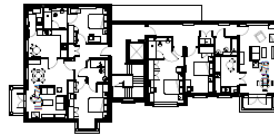


Second Floor Plan

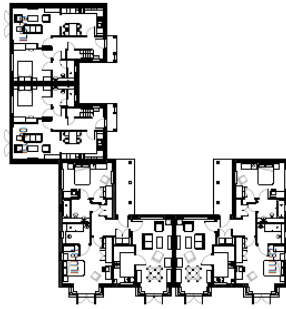


Ground Floor Plan

BLOCK F

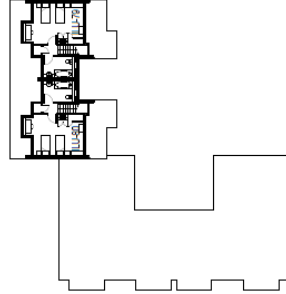


First Floor Plan



Ground Floor Plan

BLOCK G



First Floor Plan

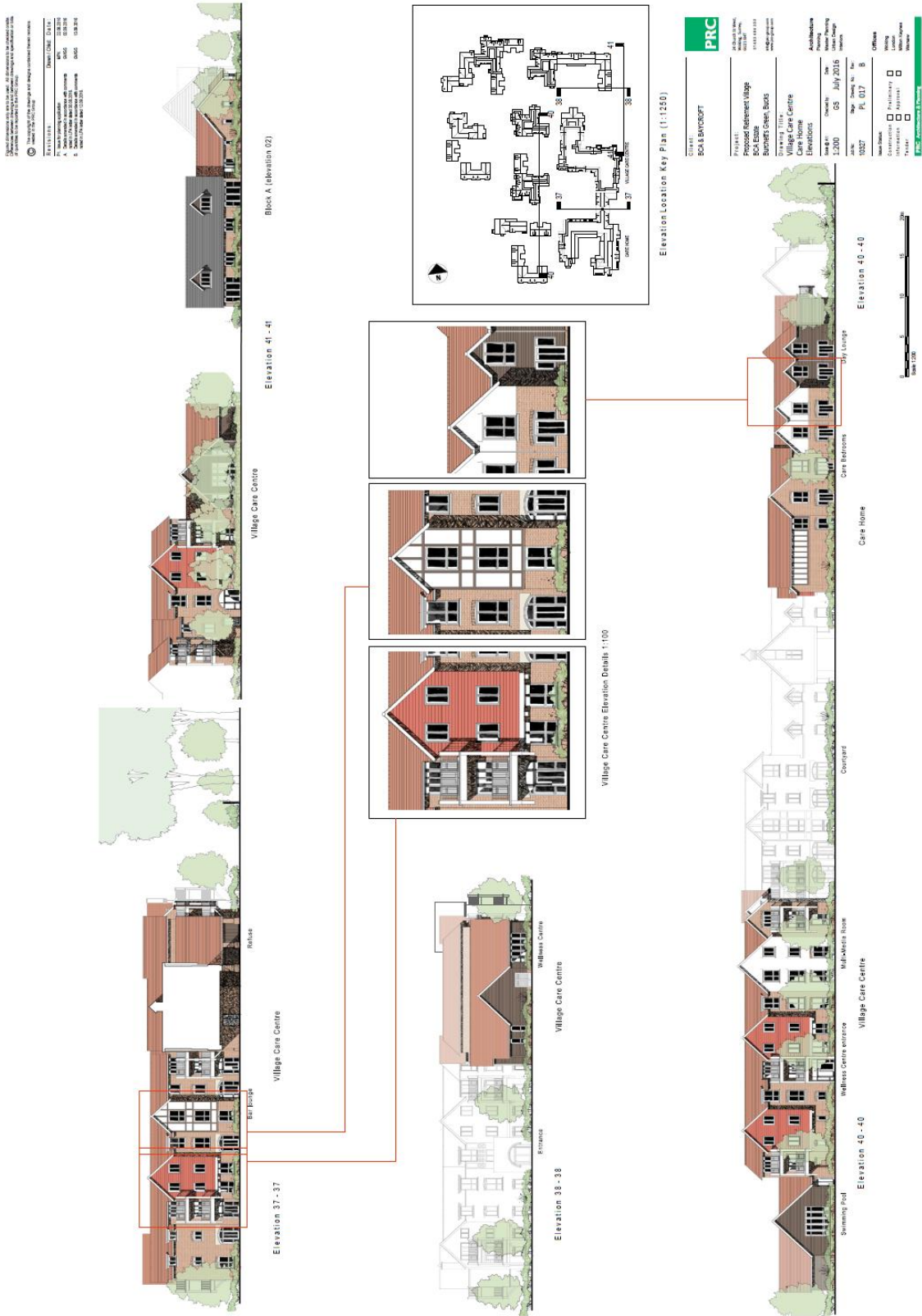
**PRC**  
PROFESSIONAL REGISTERED CONSULTANTS  
100 STATE STREET, SUITE 200  
BOSTON, MA 02109  
TEL: 617.552.1234  
WWW.PRC-CONSULTANTS.COM

Client: SOA BANCROFT  
Project: SOA Bancroft Village  
Location: SOA Bancroft, Boston  
Drawing: Floor Plans  
Date: July 2015  
Scale: 1/8" = 1'-0"  
Author: PRC  
Checked: PRC  
Approved: PRC

Scale: 1/8" = 1'-0"  
North Arrow  
Graphic Scale: 0' 10' 20' 30'

# Selection of Care Village Elevations

## Care Home Elevations



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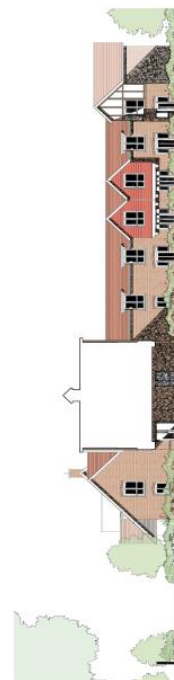
10. The architect is not responsible for the construction of the building or for the safety of the building or for the safety of the building.



Elevation 35 - 35



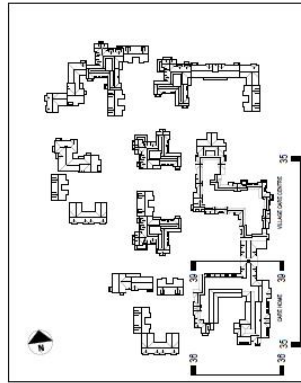
Elevation 36 - 36



Elevation 39 - 39



Development Elevational Treatment Typical Details  
1:100



Elevation Location Key Plan (1:1200)

<b>CLIENT</b>	BCA & BAYCROFT
<b>PROJECT</b>	Proposed Retirement Village Barnhill, Co. Wick Barnhill, Co. Wick Village Care Centre Care Home Elevations
<b>ARCHITECTURE</b>	PRC 1200 65 July 2016 10000 10000 10000 10000
<b>DATE</b>	10/03/17
<b>SCALE</b>	PL 015 B
<b>OFFICE</b>	10000 10000 10000 10000



# Elevations Block A

SCOTT BAYCROFT  
 License No. 122225  
 State of Pennsylvania

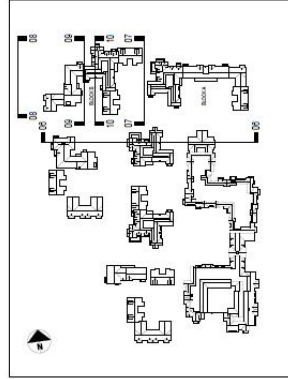


Elevation 06-06

ILU Block B - Plots 19-38

Elevation 06-09

ILU Block A - Plots 01 - 18



Elevation Location Key Plan (1:1250)



Elevation 07-07

ILU Block B - Plots 19-38



Elevation 08-08



Elevation 08-09

ILU Block B - Plots 19-38



Elevation 10-10

SCOTT BAYCROFT  
 License No. 122225  
 State of Pennsylvania

**PRC**  
 PROJECT: Regency Vidge  
 304 BUCKLE  
 BURNETT CREEK, BUCKS  
 DRAWING TITLE: ILU Blocks A & B Elevations

DATE: 12/20/20  
 SCALE: AS SHOWN  
 DRAWN BY: PA 0122  
 CHECKED BY:

APPROVED BY:



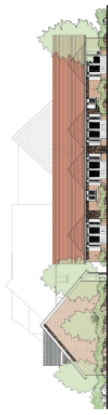
Elevations Block C

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PROJECT: Proposed Retirement Village  
 CLIENT: BKA Estate  
 ARCHITECT: BKA Estate  
 DATE: July 2015  
 DRAWING NO.: 15007  
 SHEET NO.: 15007-15015



Elevation 15-15

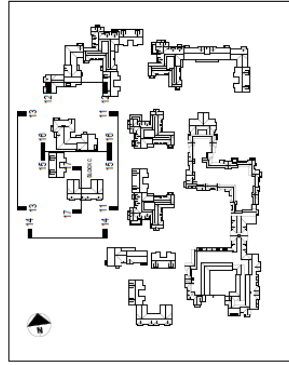


Elevation 14-14



Elevation 13-13

ILU Block C - Plots 39-48



Elevation Location Key Plan (1:1200)



Elevation 11-11

ILU Block C - Plots 39-48



Elevation 16-16

ILU Block C - Plots 39-48



Elevation 12-12



Elevation 17-17



**PRC**  
 PROFESSIONAL REGISTERED CIVIL ENGINEER  
 11111 15th St, NW  
 Seattle, WA 98148  
 TEL: 206.465.1111  
 FAX: 206.465.1112  
 WWW.PRCENGINEERING.COM

**CLIENT:** BKA ESTATE

**PROJECT:** Proposed Retirement Village  
 BKA Estate  
 BORNHEIM GREEN, BLDG  
 BORNHEIM GREEN, BLDG

**DRAWING TITLE:**  
 ILU BLOCK C  
 ELEVATIONS

Sheet No.	Quantity	Date
15007	05	July 2015
15007	01	PL 013
15007	01	B

**APPROVED:**  
 (Signature)  
 PRC ENGINEERING, INC.

**DATE:** 15007

**SCALE:** 1/8" = 1'-0"

**NOTES:**  
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO FACE.  
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## Appendix C – Letter from Education Funding Agency



BERKSHIRE COLLEGE OF AGRICULTURE, THE (BCA)  
Hall Place  
Burchetts Green Road  
Burchetts Green  
Maidenhead  
Berkshire  
SL6 6QR

4 February 2016

Dear Ms May

### **Area Reviews, Property Disposal and Free Schools**

I am writing to all further education and sixth-form college principals with regard to the disposal of surplus property assets.

I am aware that a number of colleges have identified surplus land/accommodation for disposal in the near future and are also reporting potential surplus sites as part of Area Reviews. I welcome the active and responsible way in which you are undertaking strategic assessments of your training provision and continuing to strive for improved financial health and high-quality training.

Ideally, colleges will make disposal decisions as part of the Area Review process, which is designed to help you determine collectively what accommodation is needed to meet learners' and employers' current and future needs. However, I understand it may make sense to proceed with some disposals before the Area Review formally starts – if this is the case, I would hope that colleges would consult locally beforehand to ensure a site is no longer needed.



If you are planning to dispose of surplus property assets there are other government policies which might give rise to an interest in purchasing the land. In particular, you will be aware of the government's objective to create at least 160,000 new homes during this Parliament and to establish 500 new free schools by 2020. Please note, in particular, that the EFA is seeking to acquire appropriate land/accommodation for the provision of free schools, for instance to meet the growing demand for primary places. With this in mind, if you are intending to dispose of any surplus property assets in the near future, I encourage you to liaise with the Free Schools Capital division in EFA as part of your marketing strategy. I know that some colleges have already successfully used the EFA to dispose of surplus land but I want to make sure all of you are aware that this is an option.

The Free Schools Capital team is aware of the need for colleges to demonstrate best value when disposing of property and is willing to acquire suitable surplus sites/accommodation at market value.

The EFA will also consider sale and leaseback options to facilitate the relocation of existing learners to alternative college accommodation.

Examples of sites/accommodation of interest to the EFA include the following:

- Surplus college sites or parts of surplus sites.
- Leasehold properties with D1 (non-residential) use. Typically the EFA is looking for accommodation with a minimum term of 25 years. However, given the increasing need for free schools to open in temporary accommodation, the EFA may also be interested in short-term leases (usually up to 24 months).
- Vacant buildings on existing college sites – on either a freehold or leasehold basis. The EFA has a good track record of working with colleges to ensure key issues such as access, security and safeguarding are addressed without having a detrimental impact on the operational needs of the college.

- Surplus sites/accommodation which may have encumbrances, such as restrictive covenants that limit the use of the site to education use. This includes sites that have benefited from public investment and that may retain clawback conditions. In the case of property assets with potential SFA clawback restrictions, the EFA is willing to explore opportunities with the SFA to minimise the need for clawback given the continued education use of the assets.

If your college has surplus accommodation and you would like to discuss your site with the EFA's Property Team, please contact Catherine Davies, Regional Team Lead ([catherine.davies@education.nsi.gov.uk](mailto:catherine.davies@education.nsi.gov.uk) or 07460 413 516).

Yours sincerely,



Peter Lauener

Chief Executive  
Education Funding Agency

## Appendix D – NPPF Annex 2 Glossary – Setting of a Heritage Asset

### **Safeguarding zone**

An area defined in Circular 01/03: Safeguarding aerodromes, technical sites and military explosives storage areas, to safeguard such sites.

### **Setting of a heritage asset**

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

### **Shoreline Management Plans**

A plan providing a large-scale assessment of the risk to people and to the developed, historic and natural environment associated with coastal processes.

### **Significance (for heritage policy)**

The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

### **Special Areas of Conservation**

Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

### **Special Protection Areas**

Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.

### **Site investigation information**

Includes a risk assessment of land potentially affected by contamination, or ground stability and slope stability reports, as appropriate. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 (2001) Code of Practice for the Investigation of Potentially Contaminated Sites). The minimum information that should be provided by an applicant is the report of a desk study and site reconnaissance.

### **Site of Special Scientific Interest**

Sites designated by Natural England under the Wildlife and Countryside Act 1981.

### **Stepping stones**

Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

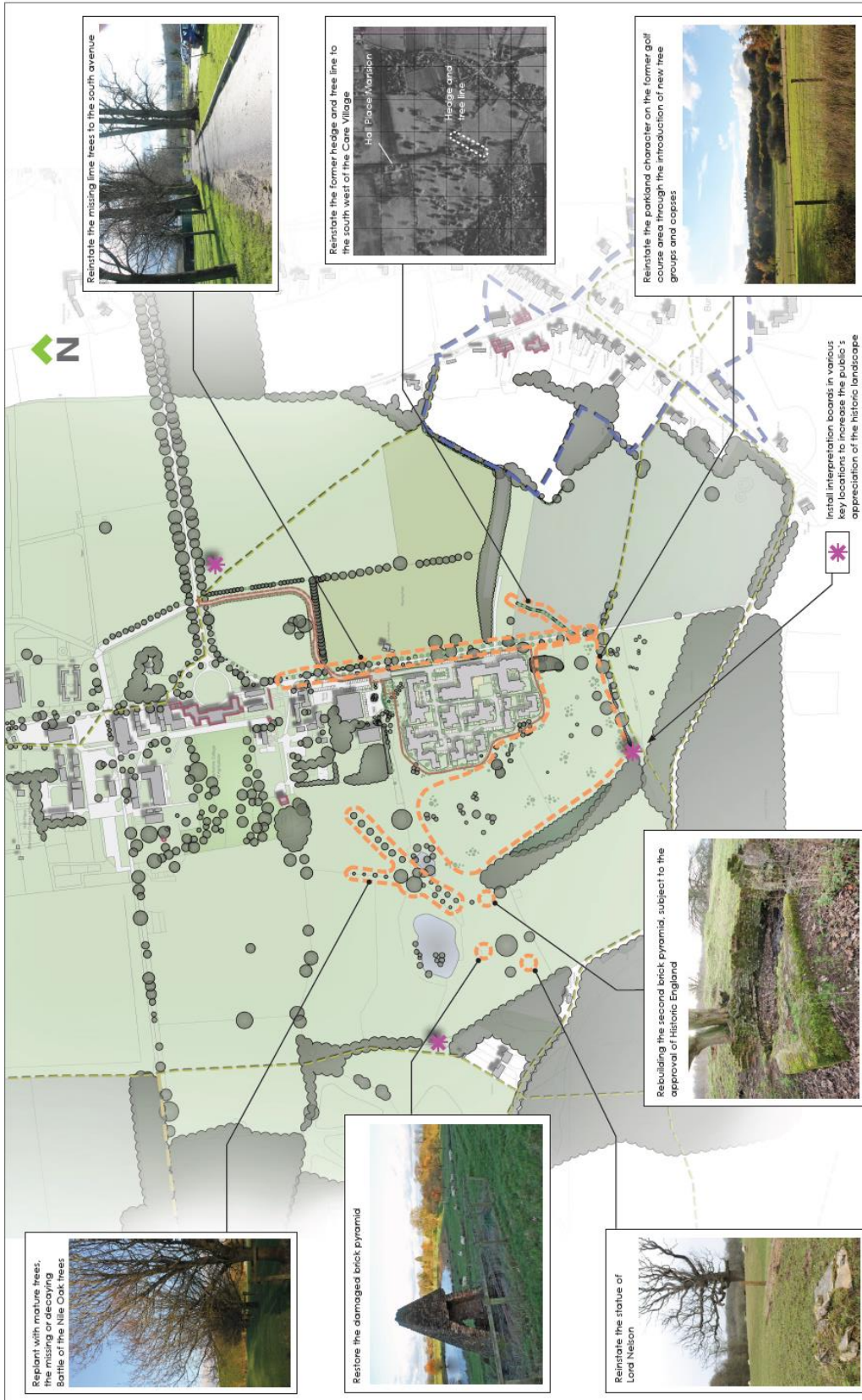
## Appendix E – Schedule of works to be carried out to the Heritage Assets extract from Heritage Statement

It is intended that the short fall in funds necessary to carry out these repairs will be provided by proposals to develop a new care village on the southern part of the site. For further details of the proposed development see the reports and drawings that accompany the Listed Building/Planning Application for this scheme. The priority of the repairs is to make the buildings weather tight. It is proposed that the funds provided by the development could be used for the following repair work: {

- Completely re-roof the south wing of Hall Place including repairs to the timber rooflight. The work will also include carrying out any necessary investigation and repair to the roof structure.
- Conserve and repair, as necessary, the plaster and paintwork to the ceiling in the Jacob Bancks Room.
- Undertake investigation into the condition of the ceiling in the William East Room and carry out the necessary stabilisation as required.
- Investigate the condition of the timber structure to the first and second floors, as described in the Planned Preventative Maintenance Schedule.
- Carry out localised repairs to the main roof and parapet gutters to Hall Place. This work will include investigating the condition of the roof structure and signs of dry rot in areas where water ingress has occurred. Internally, walls and ceilings affected will be repaired as required.
- Carry out substantial repairs to the various roofs over the north wing. This work will include investigating the condition of the roof structure and signs of dry rot in areas where water ingress has occurred. Internally walls and ceilings will be repaired as required.
- Investigate the dampness and possible outbreak of dry rot in the basement area identified in the Building Survey Report. Carry out the alterations to reduce the dampness and repair any damage. }
- Repair the timber clock tower to the Stable Block.
- Carry out essential repairs to the brickwork, particularly any decay to the chimneys.
- Carry out essential repairs to the windows.

- Undertake essential repairs to stone parapet copings, banding and windows sills.
- Carry out repairs to the stone steps to the main front entrance and the entrance to the south wing.
- Investigate the current means of escape and fire detection, and upgrade as necessary.



# Historic Landscape Improvements



<p>Divis Barns, High Street, Ashwell, Hertfordshire SG7 5NT</p> <p>01462 743647 ashwell@csaenvironmental.co.uk csaenvironmental.co.uk</p> <p><b>CSA</b> environmental</p>	<p><b>Project</b> Land at BCA Estate, Burchett's Green Road, Maidenhead</p>	<p><b>Date</b> August 2016</p>	<p><b>Drawing No.</b> CSA/2776/113</p>
	<p><b>Drawing Title</b> Potential Heritage Enhancements within the Registered Park and Garden</p>	<p><b>Scale</b> @ A3 M5</p>	<p><b>Rev</b></p>
	<p><b>Client</b> Berkshire College of Agriculture and Baycroft Care Home &amp; Senior Villages</p>	<p><b>Drawn</b> GD</p>	<p><b>Checked</b> SG</p>

**Appendix F – Plan Showing Public Rights of Way around the Site**



Public Rights of Way		Extract from Definitive Map of Public Rights of Way	
Scale: 1:6,500			
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**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 March 2017

Item: 5

<b>Application No.:</b>	16/03461/FULL
<b>Location:</b>	Ockwells Country Park Ockwells Road Maidenhead
<b>Proposal:</b>	Change of Use of land from agricultural/grazing to Public Open Space.
<b>Applicant:</b>	Mr Mist
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Cox Green Parish/Cox Green Ward
<b>If you have a question about this report, please contact:</b> Alex Jelley on 01628 796046 or at alex.jelley@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 The proposals would represent an inappropriate form of development within the Green Belt, by virtue of its inappropriateness there is substantial harm. Notwithstanding this harm by reason of its inappropriateness there is no physical harm to openness. The applicant has demonstrated that there are Very Special Circumstances that outweigh the substantial harm – being that the proposals would improve accessibility into the Green Belt and deliver a form of recreational facility that plays a beneficial role within the community. No concerns are raised by consultees in relation to the proposals – and they are considered to accord with all relevant policies.

**It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.**

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site consists of approximately 35 hectares of agricultural land to the south west of Maidenhead, located adjacent to Thrift Lane and adjoining Ockwells Country Park – which is a RBWM owned public open space. The site is characterised by minor waterways, ponds, open countryside and woodland. It is within Flood Zones 2 and 3.
- 3.2 Historically the land was utilised by the owners of Thrift Wood Farm – though agricultural uses associated with that farm have recently ceased (and the farm buildings are subject to residential development interest).

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The proposal is to change the use of the land from agricultural to Country Park – combining it with the existing park to deliver one with an area of 53 hectares. This would be managed as public open space by RBWM, enabling a greater degree of access into the green belt for the general public. At this stage no physical works are proposed on the land.
- 4.2 The site benefits from a clear planning history.

**5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

*National Planning Policy Framework*

- 5.1 Section 9 of the NPPF deals with matters related to the Green Belt – including development proposed within it. Green Belt seeks to ensure against urban sprawl by ensuring that no development takes places that would decrease the openness and character of the countryside.
- 5.2 Section 10 of the NPPF deals with matters relating to flood risk and climate change. It establishes a set of criteria by which local planning authorities should determine planning applications and seeks to ensure that development does not result in increased flood risk either within or without the application site.
- 5.3 Section 11 of the NPPF deals with matters relating to the natural environment – including biodiversity and ecology considerations. It seeks to ensure that new development does result in a net loss of biodiversity and, where possible, that a positive contribution is made to improving the natural environment. Specifically, paragraph 109 states that “*the planning system should contribute to and enhance the natural and local environment by...recognising the wider benefits of ecosystem services...[and] and minimising impacts on biodiversity and providing net gains in biodiversity where possible.*”
- 5.4 Paragraph 118 suggests that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.

*Royal Borough Local Plan*

- 5.5 The main strategic planning considerations applying to the site and the associated policies are:

Development in Green Belt	Highways and Parking	Trees	Ecology	Recreation	Flood Risk
GB1, GB2	P4, T5	N6	N7, N9	R8, R14	F1

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

**Supplementary planning documents**

- 5.6 Supplementary planning documents adopted by the Council relevant to the proposal are:

- The Interpretation of Policy F1 (Area Liable to Flooding) 2004
- Parking Strategy 2004

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

**6. EXPLANATION OF RECOMMENDATION**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that local planning authorities (LPA) determine planning applications in accordance with an up to date Development Plan and in conjunction with the National Planning Policy Framework (NPPF) and Guidance (NPPG). The key issues for consideration are:

- i Green Belt
- ii Flood Risk
- iii Highways
- iv Ecology

### *Green Belt*

- 6.2 Policy GB1 of the Local Plan suggests that changes of use within the Green Belt could be considered as 'not inappropriate' forms of development. The NPPF, however, supersedes the Local Plan and does not reference changes of use as being a 'not inappropriate' form of development. This was further established in *Fordent Holding Limited v Secretary of State 2103* where the Inspector concluded that the effect of Paragraph 90 of the NPPF was that "*all material changes of use were by definition inappropriate development and ought not to be permitted in the absence of very special circumstances.*"
- 6.3 Paragraph 81 of the NPPF sets out those matters that could be taken into account when determining whether any very special circumstances had been established. It refers to the benefit from using Green Belt for outdoor recreational facilities – as this enables a greater degree of access to open space for people living within urban areas. It also refers to the need to maintain the characteristic openness of the Green Belt. Policy GB1 and GB2 of the Local Plan further back this approach up, by establishing local criteria for developments within the Green Belt to adhere to.
- 6.4 The applicant has demonstrated the benefit to existing communities of this sort of recreational facility, as well as highlighting that the opportunity to extend the existing country park in this fashion enables the creation of the enhanced recreational facility to take place in a way that would not normally occur. The new land will benefit from the facilities available within the existing park (i.e. parking, toilets, etc.). As a result of this the proposals would accord with the scope of Paragraph 81 with respect to maintaining the characteristic openness of the Green Belt and the public benefits derived from the scheme would clearly overcome the harm to the Green Belt. As such there are Very Special Circumstances in this case and the proposed change of use is considered acceptable. A condition should be attached to any approval requiring details of any new paths, bins, lights, benches, or other types of structure so as to ensure that the quantum and design of each respects the need to maintain the openness of the site and wider Green Belt.

### *Flood Risk*

- 6.5 The proposals are for the change of use of the land, and not for any physical development on it. The site falls within Flood Zone 2 and 3, and there is a stream that runs through it on a rough east-west trajectory. The applicant has submitted a Flood Risk Assessment that details how the proposed country park would function in conjunction with the existing Country Park in relation to the management of flood risk. Given that the proposals do not involve any physical development, it is considered that it would not impact on flooding either within or without the site. Though increased accessibility by the public means that more people would come to use land within Flood Zones 2 and 3, this can effectively be managed by appropriate signage. Any flooding of the site would be predictable, and as such it is reasonable to assume that risk from flooding could be avoided. Furthermore, the benefits to the community from the proposed recreational space, along with potential biodiversity enhancements, are considered to outweigh any concerns... The Local Lead Flood Authority was consulted on the application and had no objection to it. As such it is considered that the proposals are in accordance with Policy F1 of the Local Plan.

### *Highways*

- 6.6 The existing Country Park benefits from a suitable form of access to the highway network, as well as appropriate internal arrangements re manoeuvring and parking. The change of use of this land, and its combination with the existing park, will not alter those arrangements no resultant in a development that would require an improved access arrangement. The Highway Authority was consulted on the application and had no objection to it. As such it is considered that the proposals are in accordance with Policies T5 and P4 of the Local Plan, as well as the Parking Strategy SPG.

### *Ecology and Trees*

- 6.7 According to the applicant, an ecological survey of the site has indicated those parts of it with ecological value as well as habitats and those areas with the potential to support protected species. The applicant has outlined how they intend to develop a masterplan for the enhancement of the site's ecological value, as well as how access for the public is to be upgraded. The ecology team was consulted on the proposals, and have indicated that they have no objection. As such, and subject to a condition requiring details of the ecological survey and master plan, it is considered that the proposals would accord with the requirements of Policies N6, N7 and N9 of the Local Plan.
- 6.8 The Tree Team has indicated that a tree survey has been undertaken which, alongside the approach proposed regarding a masterplan, leads them to have no concerns regarding the proposed change of use. As per the discussion above ecology a condition will be attached to any approval requiring full details to be submitted to, and approved by, the local planning authority prior to any development taking place.

### *Land Contamination*

- 6.9 The Environmental Protection team was consulted on the application and raised no objection to it having checked the contaminated land database. It is considered that the proposals do not pose any threat from an environmental health perspective.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

20 occupiers were notified directly of the application. No responses were received.

The planning officer posted a statutory notice advertising the application at the site on 28/11/2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 24/11/2016.

### **Statutory consultees**

Consultee	Comment	Where in the report this is considered
Highways	No Objection	Paragraph 6.6
Environmental Protection	No Objection	Paragraph 6.9
LLFA	No Objection	Paragraph 6.5

### **Other consultees**

Consultee	Comment	Where in the report this is considered
Ecology	No Objection	Paragraph 6.7
Trees	No Objection	Paragraph 6.8

## **8. APPENDICES TO THIS REPORT**

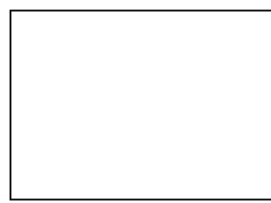
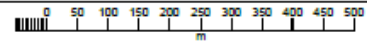
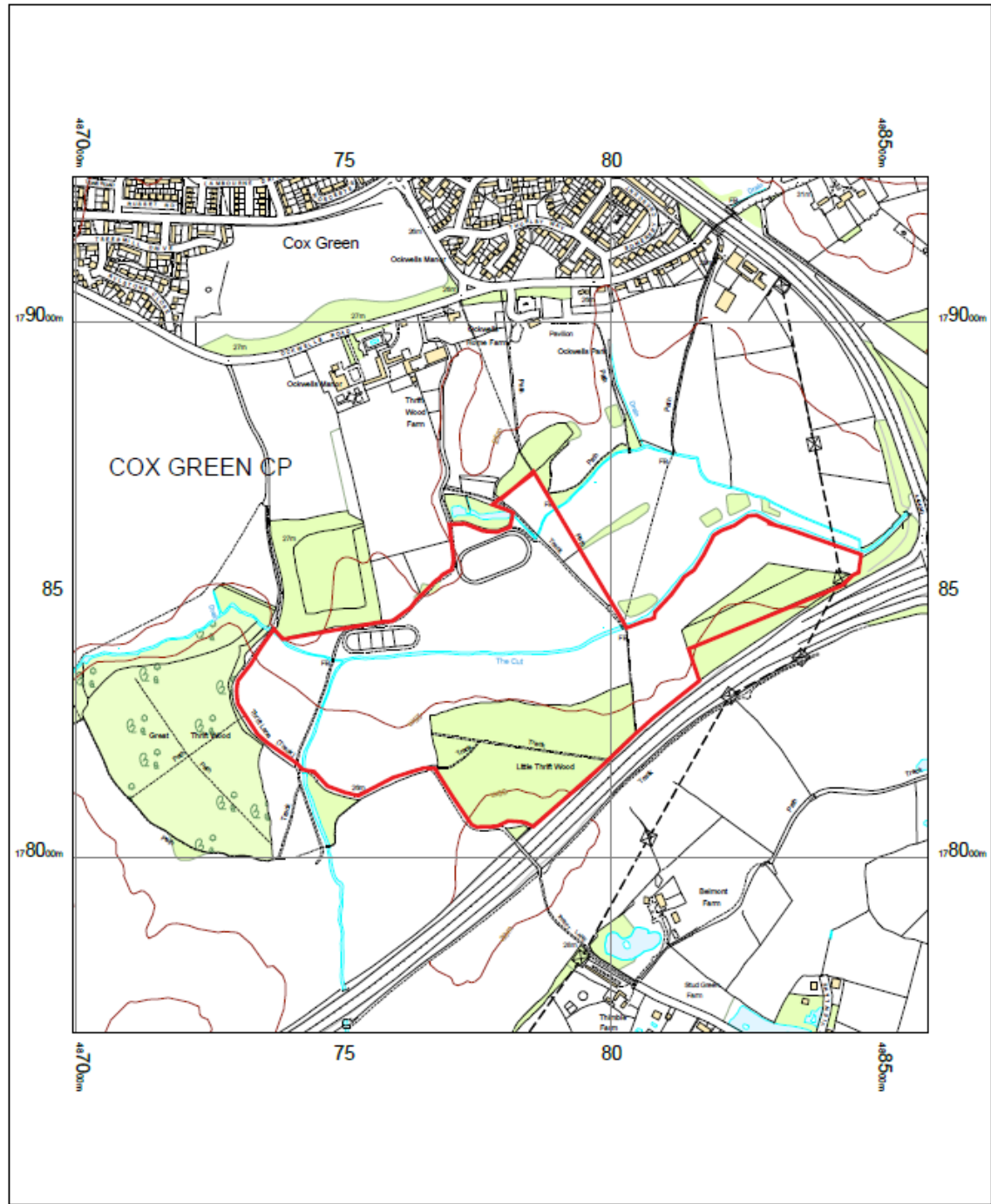
- Appendix A - Site location plan and site layout

## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Prior to the commencement of the use hereby permitted, a masterplan shall be submitted to and approved in writing by the local planning authority. This document shall specify all physical alterations proposed on the site, how the ecological survey, tree survey and flood risk assessment have been incorporated into the management plan. The development shall only be carried out in accordance with the approved details.  
Reason: To ensure that the development is in accordance with adopted Policies.
- 3 Prior to the commencement of the use hereby permitted, an ecological survey shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.  
Reason: To ensure that the development is in accordance with Policy N9 of the Local Plan.
- 4 Prior to the commencement of the use hereby permitted, a tree survey shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.  
Reason: To ensure that the development is in accordance with Policy N6 and N7 of the Local Plan.
- 5 The development hereby approved will be undertaken in accordance with the submitted Flood Risk Assessment.  
Reason: To ensure that the development is in accordance with Policy F1 of the Local Plan.

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Appendix A – Site Location and Layout Plan



OS VectorMap Local - Landplan Style  
 21 December 2016, ID: BLJT-00588963  
[www.planningapplicationmaps.co.uk](http://www.planningapplicationmaps.co.uk)  
 1:10000 scale print at A4, Centre: 487792 E, 178471 N  
 ©Crown Copyright Ordnance Survey. Licence no. 100051661







**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 March 2017

Item: 6

<b>Application No.:</b>	17/00142/FULL
<b>Location:</b>	Newlands Girls School Farm Road Maidenhead SL6 5JB
<b>Proposal:</b>	Two storey extension to existing science block with associated alterations and glazed roof over existing courtyard adjacent to the library.
<b>Applicant:</b>	Ms Pfeiffer - RBWM
<b>Agent:</b>	Mr Abraham Laker - Ingleton Wood LLP
<b>Parish/Ward:</b>	Maidenhead Unparished/Pinkneys Green Ward
<b>If you have a question about this report, please contact:</b> April Waterman on 01628 682905 or at <a href="mailto:april.waterman@rbwm.gov.uk">april.waterman@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 Full planning permission is sought for works to increase the teaching space and improve the circulation arrangements for the school. The development would marginally extend the building beyond its current footprint but not its overall envelope, and would have no material impact on any private or public interests outside the boundaries of the school.

**It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.**

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended: the Council itself is the applicant, and therefore such decisions can only be made by the Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 Newlands School is a campus development (with sports facilities) on the western edge of Maidenhead, accessed from Farm Road to the north, and surrounded on all sides by residential development.
- 3.2 The building stock of the School comprises single, two and three storey blocks, including flat roofed design, in a landscaped setting of lawns and some tree planting.
- 3.3 A semi-mature twin stemmed Maple (6m high), and a mature Horse chestnut (17m high), both in fair condition, stand towards the eastern boundary of the campus, which, together with hedging on the boundary, provide some green cover between the school buildings and the residential properties whose rear gardens back onto the site to the east. Within the enclosed courtyard a mature apple tree has been planted in memory of a former pupil. This tree is on poor condition.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

Ref.	Description	Decision and date
13/01553/FULL	Replacement swimming pool with enclosure and hanging rooms	Permitted 29.08.2013
10/01447/FULL	Single storey modular building	Permitted 19.08.2010
08/02071/FULL	New pedestrian access gate and footpath	Permitted 16.10.2008
07/01164/FULL	Single storey extension to the Design and Technology building	Permitted 01.06.2007
03/41222/FULL	Construction of new single storey Music block	Permitted 04.03.2004

- 4.1 The development comprises the roofing over of an internal courtyard adjacent to the library, to provide additional break-out and individual learning space for students, and the construction of a two storey extension in the junction of the science wing with the main school block, to provide two additional classrooms and a first floor corridor link.
- 4.2 The new roof to the courtyard would show a pair of asymmetrical pitches, with roof lights, and surrounding flat roofing, for drainage and to accommodate the new roof within an irregularly shaped space. The scheme would not disturb the fabric of the adjoining three storey teaching block.
- 4.3 The proposed two storey science wing extension would fit into, but not fill, a three-sided courtyard on the eastern side of the school complex. Its new walls would either abut or stand away from existing rooms (three classrooms and a reprographics room) on the ground and first floors such that only the reprographics room would become internal to the building, and need to “borrow” natural light from an adjoining corridor.
- 4.4 No alterations to parking facilities are proposed.
- 4.5 The application has been accompanied by numerous reports, including an Arboricultural Assessment, a Daylight Analysis, a Surface Water Management Plan, an Asbestos Survey, and an Ecological Assessment. Where appropriate, findings and recommendations of these various reports are outlined in the later sections of this report, and feature in the recommended conditions.

**5. MAIN STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

- 5.1 Of relevance to this application are paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 7 (Requiring good design), 8 (Promoting healthy communities) and 11 (Conserving and enhancing the natural environment) of the NPPF 2012.
- 5.2 The scheme is considered to comprise sustainable development, for which there is a simple presumption in favour expressed in the NPPF. There are no material considerations that indicate otherwise.

**Royal Borough Local Plan**

- 5.3 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking	Trees
DG1, CF2,	P4, T5	N6

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

**6. EXPLANATION OF RECOMMENDATION**

- 6.1 The key issues for consideration are:
  - i The principle of the development, to enhance the community facility.
  - ii The impact of the design of the proposal on the host building and the locality.

- iii Trees and ecology
- iv Surface water management
- v Highways and accessibility
- vi Other matters

### **Principle of development**

- 6.2 Permission is sought to expand and enhance the teaching and social facilities for the school, for the benefit of a retained (not increased) number of students and staff. This application encompasses early projects that have been programmed within an overall masterplan strategy for the School, which are intended to address some of the issues identified such as internal circulation matters and insufficient classroom accommodation.
- 6.3 Policy CF2 of the Local Plan supports proposals for the improvement of existing community facilities which meet the needs of local residents, provided that adequate access and parking provision is made, and suitable facilities and access are provided for people with disabilities. The scheme fulfils these requirements, and in principle is acceptable.

### **Design**

- 6.4 The proposed design of the roofing for the internal courtyard is suitable for its location (it will not be visible from outside the building), and will not reduce the amount of natural light reaching the adjoining areas (currently with windows onto the courtyard) to an unacceptable degree. The apple tree that currently stands in the centre of this courtyard will be lost, but its condition is poor and its service as a memorial to a former pupil can be continued either in the planting of a replacement tree elsewhere in the grounds, or by another means (such as dedication/naming of the new space itself).
- 6.5 The two storey extension for additional classrooms reflects the design of its host structure, and would fit with the scale and proportions of this part of the building. The adjoining classrooms, corridors and reprographics room will all continue to perform their respective functions, with the scheme preserving or creating acceptable arrangements for their outlook, natural and artificial light levels and access for all building users.
- 6.6 Although of two storeys, the proposed classrooms would be of a sufficient distance from the boundary of nearby residential development not to cause problems of overlooking of, or interruption to the open outlook from the rear gardens of homes on Roseleigh Close.
- 6.7 The extension would partly infill a relatively small enclave within the existing framework of the rectilinear spread of building blocks, and would not encroach into the open space around the outer edges of the campus. The proposal would therefore represent an economic use of space, and would improve and make safer the flow of student and staff "traffic" within the building by relieving the bottleneck of a ground floor route between two and three storey wings of the school.

### **Trees and ecology**

- 6.8 The Arboricultural Assessment submitted with the application identifies two trees to the east of the two-storey extension (a Maple and a Horse Chestnut) as being in fair condition, each with a further life expectancy in excess of 10 years. In particular, the Horse Chestnut is an important feature in the school grounds, and it should be retained. The report recommends crown lifting, as an essential work necessary to remove or reduce a hazard. The recommended conditions seek to ensure that this work is carried out in addition to ensuring that appropriate tree protection measures are put in place for both trees prior to construction works commencing.
- 6.9 The ecological survey of the building and grounds that would be affected by the development found no incidence of wildlife (bats, birds or other protected species), and only low suitability of the site for such habitat. No further surveys are recommended, although as usual informatives

are recommended to advise how the unexpected discovery of any protected species or habitat during works should be dealt with.

### Surface water management

- 6.10 The site lies in Flood Zone 1. The surface water drainage proposals for the two storey extension comprise a new soakaway in the eastern landscaped area of the school campus. Existing gullies will be utilised for the collection of rainwater from the new roof over the enclosed courtyard, piped to an existing private drainage system. The scheme is considered to be acceptable in terms of its arrangements for drainage, and impact on the water environment in the area.

### Highways and accessibility

- 6.11 The development scheme seeks to enhance facilities for the existing site users, not to provide capacity for an increase in the student body or staff complement. There are no additional parking requirements prompted by the development, therefore.
- 6.12 As noted above, the scheme will improve the pedestrian routes in and around the campus.

### Other matters

- 6.13 An asbestos survey has been carried out of the areas of the school to be disturbed by the development. The report notes eight incidences of asbestos, with all but one categorised as very low risk. The remaining incidence represents a low risk. Removal (by licenced contractor where necessary) is recommended. The demolition and construction works, and any Construction Management Plan (including waste management) will need to be carried out with reference to the recommendations in the submitted report.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The proposal is not liable for CIL.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

No occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 27<sup>th</sup> January 2017.

1 letter was received commenting on the application, summarised as:

Comment		Where in the report this is considered
1.	Two storey extension appears to be well set back from the visible corner of the science block from resident's rear garden, so no objection.	6.6
2.	Disappointed that the school did not notify local residents of their building plans	-

### Consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	The proposals will be some distance from the adopted highway (in excess of 100m) within the existing school buildings.  It is stated within the Design and Access Statement there	6.11-6.12

	<p>is to be no increase in Pupil or Staff numbers The existing vehicle and cycle parking is to be retained. No alterations to the vehicle / pedestrian accesses onto the adopted highway. There is ample space within the site curtilage for material delivery / storage.</p> <p>Given the above there will be no highway objections to the proposals as presented.</p> <p>Please accept this email as the highway response.</p>	
Lead Local Flood Authority	Comments awaited	
RBWM Arboricultural Officer	Comments awaited	
Environmental Protection	<p>I refer to the above-mentioned full planning application and would recommend that, should planning permission be granted, the following informative be attached to the consent notice.</p> <p>Dust Control Informative (Non-Standard) The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities</p> <p>Smoke Control Informative (Non-Standard) The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice. The applicant should be aware the permitted hours of construction working in the Authority are as follows:</p>	

	Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays.	
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## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Prior to the commencement of any works of demolition or construction a management plan, showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved or as may be agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic, and of the protection of the amenity of residents in the vicinity of the site. Relevant Policies - Local Plan T5 and guidance contained within the NPPF 2012.
- 3 No development shall take place and no clearance of existing materials or vegetation on the site shall commence until details in accordance with BS5837:2012, of measures to prevent damage to the trees marked as T48 and T49 on the Arboricultural Assessment referenced 95/1058/7/14/2016 by Harrison Arboriculture dated October 2016, have been submitted to and approved in writing by the Local Planning Authority. The details will describe measures to protect these trees from harm arising from construction and or storage activities on the site, within a schedule and timetable of operations. The development shall be carried out in accordance with the approved schedule and timetable.  
Reason: To ensure the protection of important vegetation on the site which contributes to the character and appearance of the area in accordance with national and local planning policy as set out in Policies DG1 and N6 of the Royal Borough of Windsor & Maidenhead Local Plan (incorporating Alterations adopted 2003) and in the NPPF 2012.
- 4 Prior to the first occupation of the development hereby permitted the recommended works to the Horse Chestnut tree marked as T49 set out within the Arboricultural Assessment referenced 95/1058/7/14/2016 by Harrison Arboriculture dated October 2016 shall be implemented.  
Reason: In the interests of the visual amenities of the area and the safety of all users of the site. Relevant Policies - DG1, N6 and CF2 of the Local Plan and guidance contained within the NPPF 2012.
- 5 Any works of opening up and demolition on the site shall be carried out in accordance with the measures and safeguards set out in the Amicus Environmental Asbestos Survey referenced 11862 dated 15.09.2016 for the handling and disposal of asbestos.  
Reason: In the interests of the safety of all users of the site. Relevant Policies - guidance contained within the NPPF 2012.
- 6 The development shall be completed in accordance with the details of surface water drainage as set out in the Ingleton Wood Surface Water Management Plan referenced 85191 dated 06.01.2017 and shall be so retained thereafter.  
Reason: In the interests of the appropriate management of the water environment. Relevant Policies - Guidance contained within the NPPF 2012.

- 7 No development shall commence on the site until full specifications and samples of the materials to be used in the external surfaces of the buildings and hardsurfacing areas hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - DG1 of the Local Plan and guidance contained within the NPPF 2012.

### **Informatives**

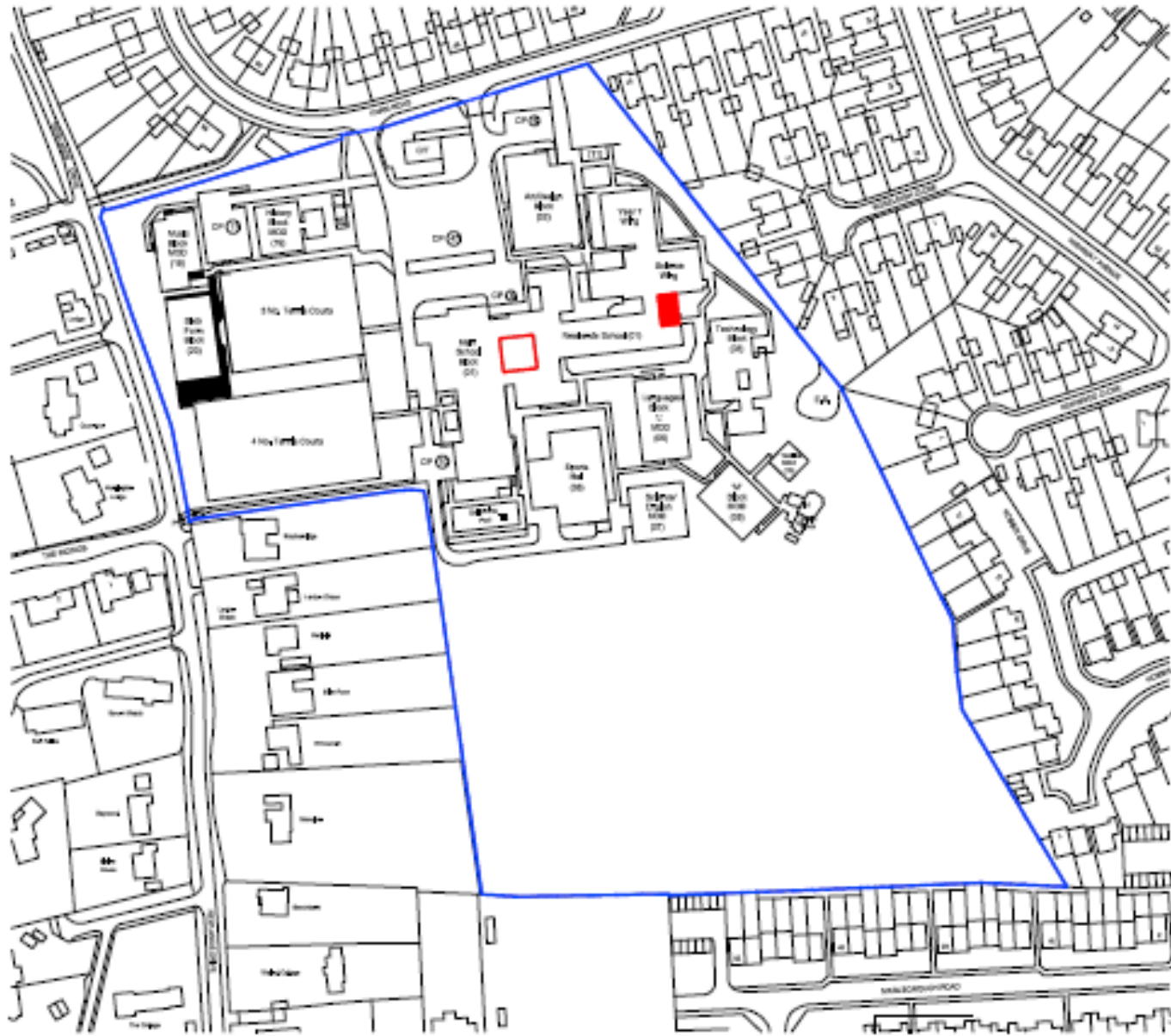
- 1 The applicant and its contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and its contractor should ensure that all loose materials are covered up or damped down by a suitable water device, ensure that all cutting/breaking is appropriately damped down, ensure that the haul route is paved or tarmac before works commence and is regularly swept and damped down, and ensure that the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities. The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases it is expected that the contractor will inform the Environmental Protection Team before burning on 01628 683538 and follow good practice. The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays.
- 2 The applicant is reminded that no works of clearance of vegetation or demolition of buildings on the site shall take place within the period of 1st March to 31st August to avoid disturbance to wildlife during the bird breeding season. In the event of the discovery of bats within the building or in the garden vegetation all work will stop immediately and the applicant shall not recommence until the site has been inspected and any bats found shall have been evacuated from the site by a qualified bat handler, in accordance with an agreed programme of work approved by the RBWM Ecologist.
- 3 On the removal of the apple tree in the enclosed courtyard, the applicant is encouraged to make alternative provision, within the school or its grounds, for the memorial function that this tree performed, to mark the evolution of the school and maintain its social and community history.
- 4 Details required for the areas of new paving for pedestrian links indicated on the approved drawings should comprise porous materials, bedded in a suitable substrate to protect any tree roots (especially those just under the ground surface) from compaction or drought.

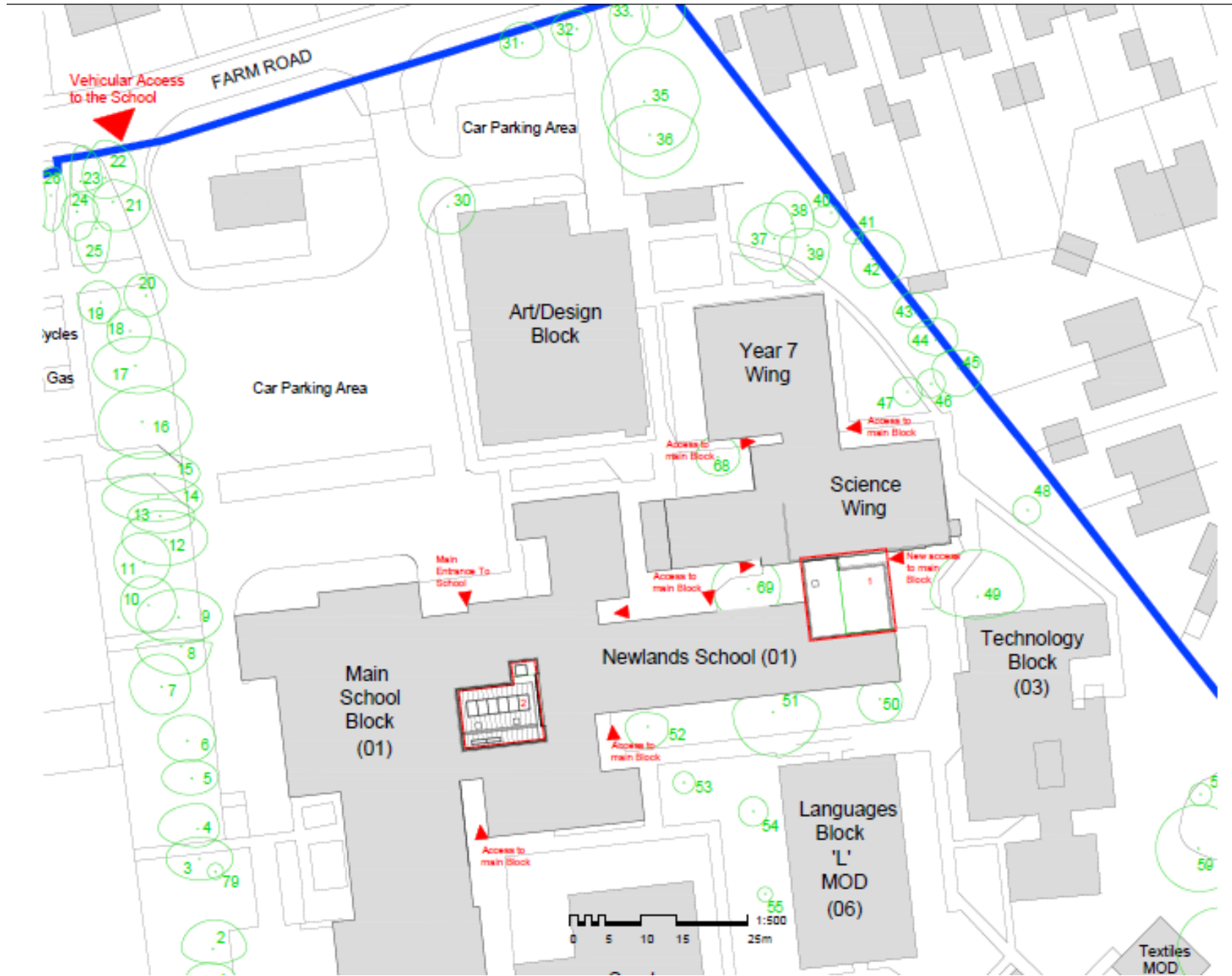
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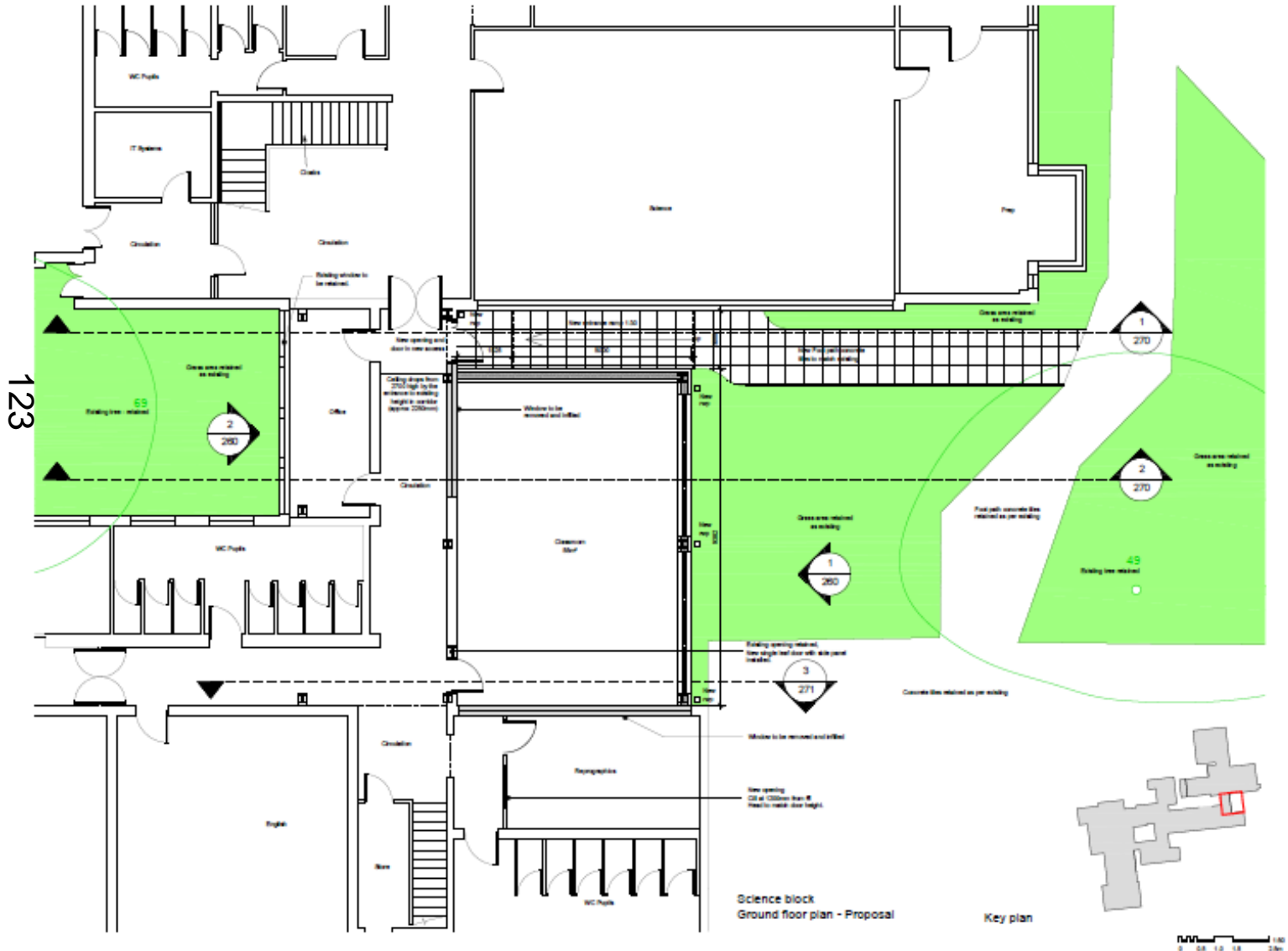
# Appendix A Location plan and layout

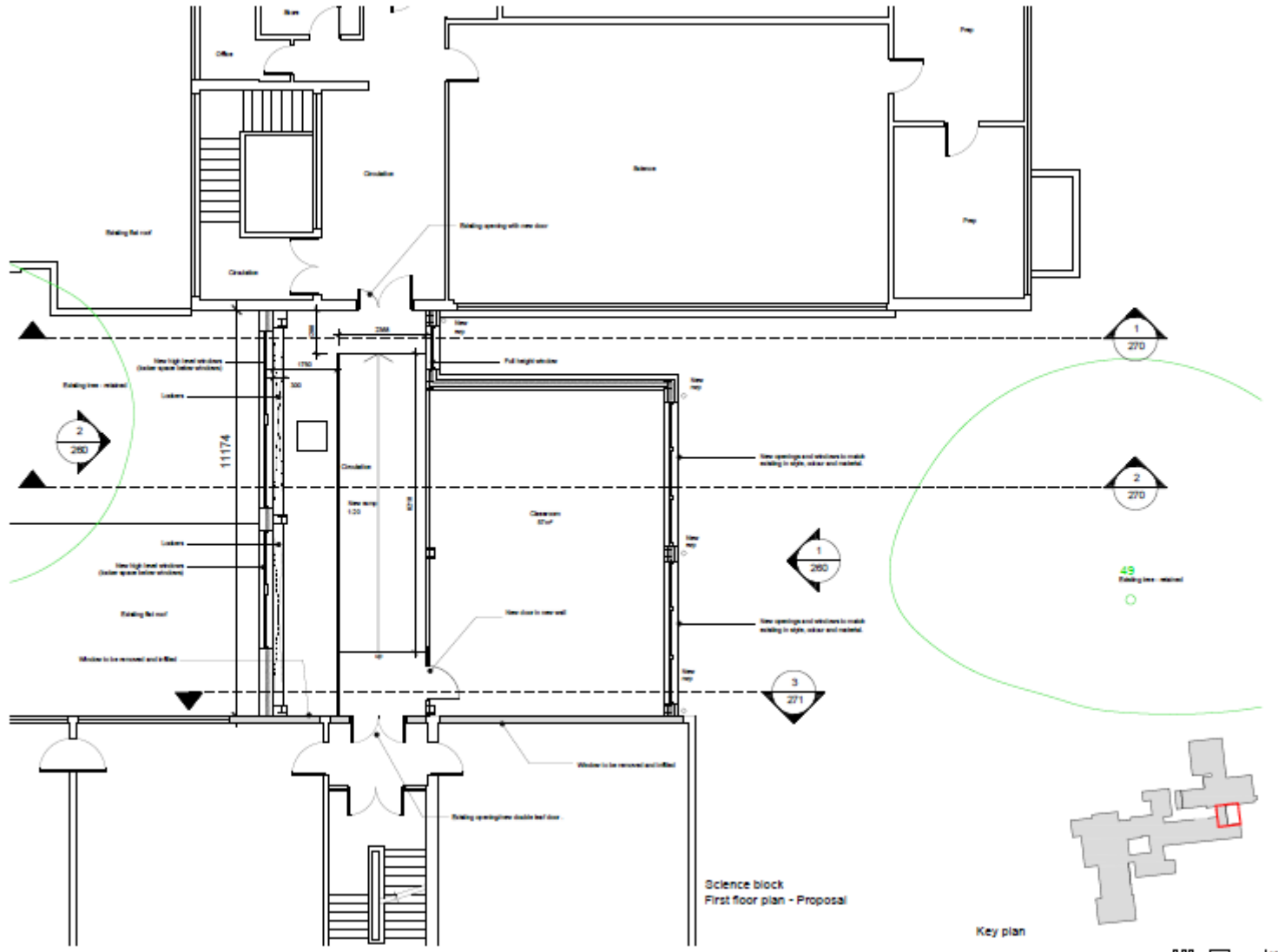
121





# Appendix B Floor plans and elevations

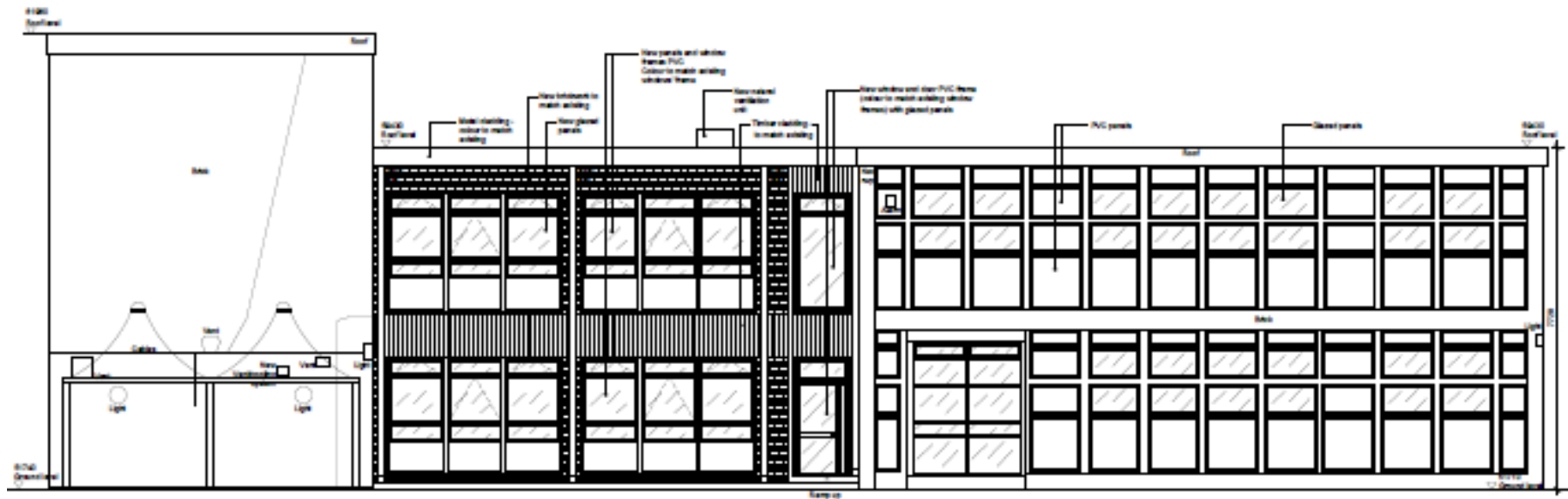




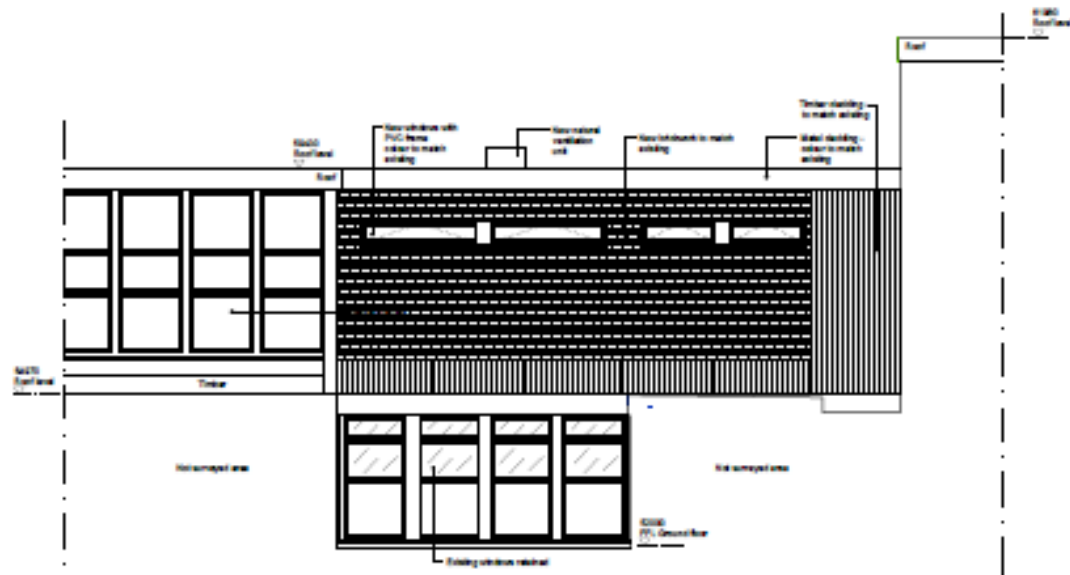
Science block  
First floor plan - Proposal

Key plan



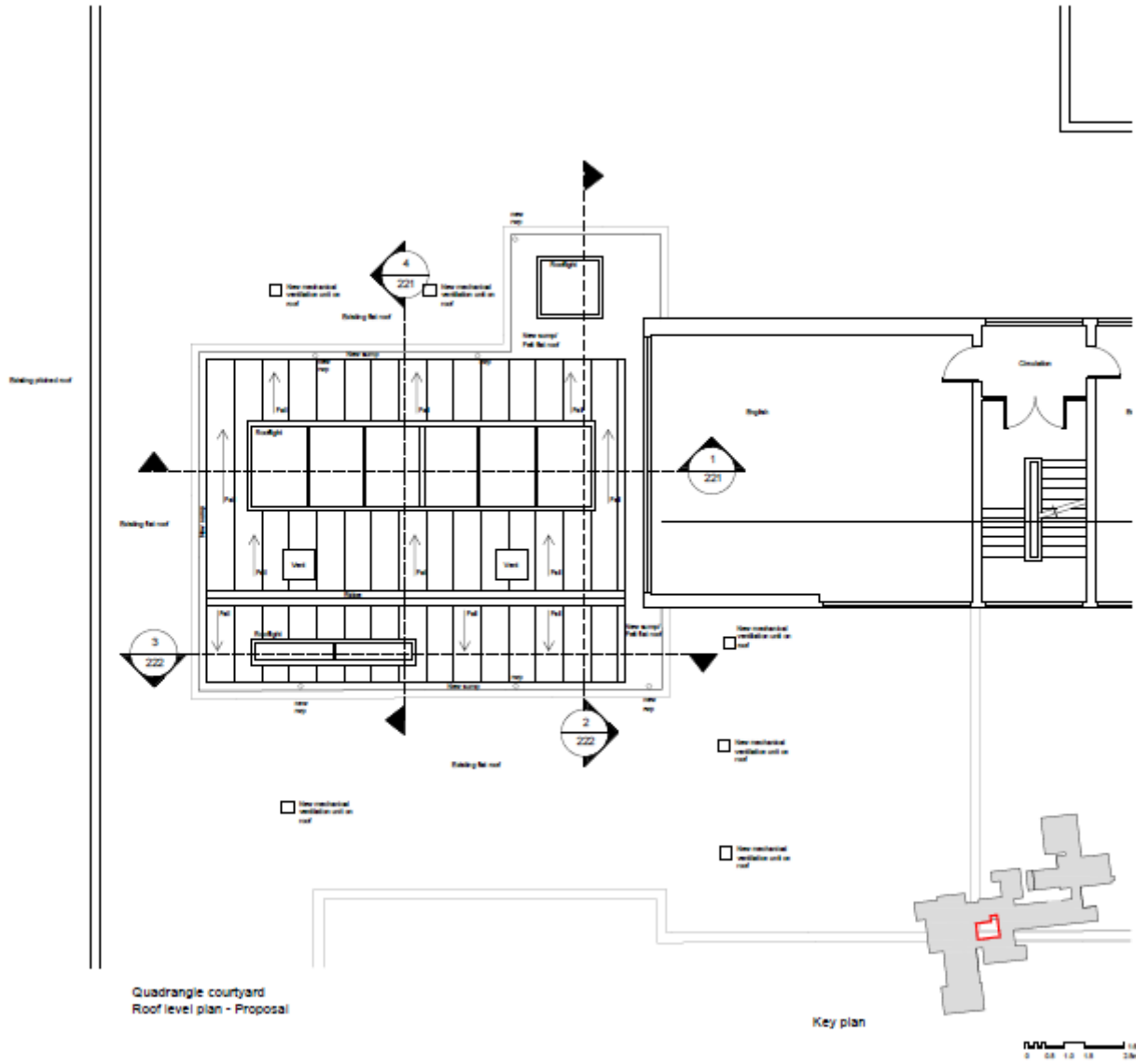


1 - Science block. Front Elevation - Proposal



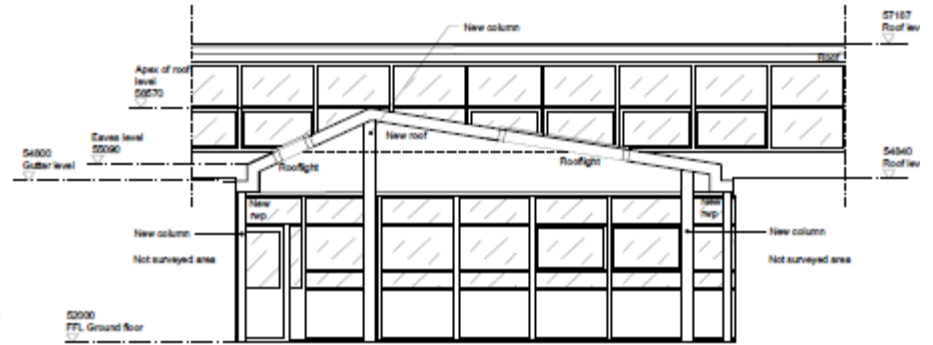
2 - Science block. Rear Elevation - Proposal







1 - Section - Quadrangle proposal



4 - Section - Quadrangle proposal

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2 - Section - Quadrangle proposal





**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 March 2017

Item: 7

<b>Application No.:</b>	17/00357/FULL
<b>Location:</b>	Hérons Court Terrys Lane Cookham Maidenhead SL6 9RR
<b>Proposal:</b>	Construction of a new three storey dwelling following the demolition of existing dwelling and outbuildings.
<b>Applicant:</b>	Ms Scott
<b>Agent:</b>	Mr Paul Norman
<b>Parish/Ward:</b>	Cookham Parish/Bisham And Cookham Ward
<b>If you have a question about this report, please contact:</b> Antonia Liu on 01628 796697 or at <a href="mailto:antonia.liu@rbwm.gov.uk">antonia.liu@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The proposed new dwelling within the Green Belt, while a replacement, would be materially larger than the existing house and therefore represents inappropriate development, which by definition would be harmful to the Green Belt.
- 1.2 Due to its height, form, mass and bulk it would also result in the actual loss of openness across the site representing an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt namely 'to assist in safeguarding the countryside from encroachment', and be unduly harmful to the open and rural character of Area of Special Landscape Importance and the locality in general. Furthermore the form and design of the proposed house would be incongruous with character of the area, to the detriment of visual amenity.
- 1.3 A case of Very Special Circumstances has not been made by the applicant that clearly outweighs the harm by reason of inappropriateness and any other harm to justify the development.

**It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):**

1.	The proposal represents inappropriate development in the Green Belt which is by definition harmful to its openness and would conflict with one of the purposes of the Green Belt, and the applicant has failed to demonstrate that any very special circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reasons for refusal.
2.	Due to its scale, height, form, mass and bulk the proposal would result in actual loss of openness across the site to the detriment of the representing an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt, and together with the design, which fails reflect and reinforce local character, would unduly harm the visual amenity of the locality.

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Kellaway if Head of Planning is to refuse the application to consider the appropriateness of scale and design as a replacement building in the Green Belt.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises of a large detached dwelling and a number of ancillary outbuildings, including a garage building with a residential flat above, greenhouse and stables. The site lies outside the recognised settlement boundary of Cookham in the Green Belt, and within an Area of Special Landscape Importance.
- 3.2 To the west lies a railway line, to the east lies the neighbouring property known as The Meadows (formally known as Fiveways), to the north the neighbour known as The Paddocks and to the south, on the opposite side of Terrys Lane, are residential properties along Poundfield Lane.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

#### 4.1

Ref.	Description	Decision and Date
5923/64	Horse Box.	Approved – 27.6.1964
6725/65	Extensions.	Refused – 24.11.1965
7849/68	3 Stables.	Approved – 27.5.1968
96/30720	Residential dwelling in garden to replace flat at Herons Court.	Refused – 5.12.1997
14/00609	Part two part single storey rear extension with new front porch and associated alterations.	Approved - 07.04.2014
14/03999	Erection of a detached dwelling following demolition of existing garage and annex and creation of new vehicular access.	Refused – 11.03.2015
16/01236/FULL	Erection of new detached dwelling following demolition of existing dwelling and buildings	Refused – 13.07.2016

- 4.2 The proposal is for a new detached dwelling following the demolition of an existing dwelling and ancillary buildings within the site excluding the existing garage with residential annex above. This application follows the previous refusal for a new replacement dwelling (ref: 16/01236/FULL). The main changes in this application includes alterations to the form and scale of the main house, and removal of the more ornate detailing. The in/out access arrangement previously proposed has also been replaced with a single access from the private lane to the east.

### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 6, 7, 9 and 11.

#### Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Highway and Car parking
Local Plan	GB1, GB2, GB3, N1, DG1, H8, H9, H10, H11	T5, P4

- 5.3.1 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Cookham Village Design Statement
- Landscape Character Assessment

More information on these documents can be found at:  
[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

## Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Green Belt
- ii Design and Appearance.
- iii Impact on Neighbours.
- iv Highway Safety and Parking.
- v Other Material Considerations.
- vi Planning Balance and the Case of Very Special Circumstances.

### Green Belt

#### Appropriate Development

6.2 The site lies within the Green Belt with the fundamental aim to keep land permanently open as set out in paragraph 79 of the NPPF and paragraph 89 states that the construction of new buildings is inappropriate development in Green Belt with some exceptions. One of the exceptions includes the replacement of a building provided that the new building is in the same use and not materially larger than the one it replaces. In this case, while the proposed house a replacement building in the same use, the new building is considered to be materially larger and therefore constitutes inappropriate development within the Green Belt. The footprint of the original house measures approximately 215 square metres with a volume of approximately 1093 cubic metres, while the proposed house would measure approximately 332 square metres with a volume of approximately 3168 cubic metres. This represents an increase of approximately 129% in footprint and approximately 90% in volume. Paragraph 87 of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and, when considering any planning application, paragraph 88 of the NPPF states that substantial weight is given to any harm to the Green Belt.

6.3 It is acknowledged that the proposal includes the demolition of a number of buildings and *Tandridge District Council v Secretary of State for Communities and Local Government* established that when interpreting 'building' for the purposes of paragraph 89 of the NPPF, 'building' can refer to either a singular or multiple structures on a site. However, paragraph 2.1.25 in the supporting text of Local Plan policy GB3, which is largely consistent with the NPPF, specifically states that the calculation of replacement floor areas will exclude the area of existing outbuildings which are not part of the living accommodation of the original dwelling unless there are Very Special Circumstances (VSC). As the planning process is a plan led system, the weight that should be given to Local Plan policy GB3 is significant and considered to outweigh case law.

#### Purpose and Openness Character of Green Belt

6.4 Paragraph 79 of the NPPF states the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Greenbelt are their openness and their permanence. In line with this, Local Plan policy GB2 states that permission will not be granted for development if it would have a greater impact on the openness of the Green Belt or purposes of including land in the Green Belt. As inappropriate development in the

Green Belt the proposal would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'.

- 6.5 In terms of actual openness the proposed house is considered to be materially larger than the existing house on the site in terms of footprint and volume. Height, form, mass and bulk are also taken into consideration when assessing the impact on openness. In this instance it is considered that the prominent two-storey gables on the front (south-east) elevation, measuring some 9.5m in height and 7m in width and incorporating two-storey-bay windows measuring approximately 1.2m in depth and 4.7m in width, adds significant mass and bulk to the building. The ridge of the roof to the single-storey wing measures approximately 7.1m in height and project above the eaves of the two storey element, adding significant and disproportionate bulk and mass. Overall the increase in scale, outlined in paragraph 6.2, together with the height, form and resultant bulk would have a greater actual and visual presence on the site and would materially erode the open character of the Green Belt. The loss of the existing outbuildings is not considered to sufficiently mitigate the loss of openness as a result of the new house. Notwithstanding Local Plan policy GB3 which specifically states that the calculation of replacement floor areas will exclude the area of existing outbuildings, even taking the outbuildings to be lost into account the proposed dwelling would still be materially larger. The overall volume increase would still be approximately 853 cubic metres, which could represent an 77.7% increase. Furthermore, the outbuildings are single storey and low level and therefore have a significantly lesser impact.
- 6.6 In accordance with paragraph 88 of the NPPF the harm caused by reason of the encroachment into the countryside and loss of openness should be given substantial weight.

### **Design and Appearance**

- a. Core Principle 4 of the NPPF is to always seek to secure high quality design. Paragraph 60 of the NPPF goes on to state that while decisions should not attempt to impose architectural styles it is proper to seek to promote or reinforce local distinctiveness, while paragraph 64 states that planning permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions. Local Plan policy DG1 states that harm should not be cause to the character of the surrounding area through development which results in the loss of important features that contribute to the character, policy H10 requires new residential development to enhance the existing environment, and policy H11 resists new development that would introduce a scale that would be incompatible with or cause damage to the character of the area. The Cookham Village Design Statement (VDS) Supplementary Planning Document (SPD) which describes the character and setting of Cookham's 3 settlements and provides detailed guidance is also relevant.
- b. There is no objection to the loss of the existing house and outbuildings which are not of any particular historic or architectural merit and it is acknowledged that the house and outbuildings are in poor condition. There is also no objection in terms of density as the proposal is for a replacement dwelling. While the proposed house is large and substantial it is not considered to be disproportionate or cramped within the plot being offset from the boundaries and with over 1,500 square metres of amenity space. However due to the height, scale, form, mass and bulk the proposed house would result in loss of openness which is significantly over and above the existing situation. Cookham High Street Conservation Area states that the western end of the conservation area comprises of open spaces to the north and west The Pound and predominately agriculture in nature. This openness provides an important contrast to the built areas of the village and helps enforce the semi-rural nature of the settlement edge. Located at the fringe of the conservation area and the settlement edge, it is considered that the overly dominant house would erode this openness to the detriment of the character of the area as described. As such, the proposal would fail to meet the aims and objectives of the NPPF, Local Plan policies DG1, H10 and H11, as well as policies G.6.1 and G6.4 of the Cookham VDS. For new buildings the Cookham VDS states that the permissible size of buildings must relate to their context. The most important criterion is they should not appear to be over-dominant or to possess too great a mass vis-à-vis their surroundings, whether that may be neighbouring buildings or the open countryside.
- c. Harm to the character of the locality and streetscene would be further exacerbated by its architectural design increasing the prominence of the building. The Cookham VDS states that for

new development involving several dwellings it is important that new development should relate in a vernacular manner to the appearance of the neighbouring parts of Cookham. While the proposal involves a single replacement dwelling rather than several dwellings, given the aim to visually integrate new development harmoniously, this guidance is considered applicable. The site also lies within an Area of Special Landscape Importance and the Council's Landscape Character Assessment identifies that settlement within this landscape is variable, but a key characteristic is the vernacular style of traditional building forms. The proposal is considered to be unduly sympathetic to the character of the locality by reason of its symmetrical form, unrelieved linear lines and uniform features which is contrary to the variations in heights, individual elevations and irregular features on neighbouring properties which suggest spontaneity or historic accident. Furthermore, the proposal incorporates decorative features including colonnades, balconies, and contrasting stone dressing, which are contrary to the prevailing aesthetic as described. Together with the erosion of openness of the area, the proposal is considered to result in a development that would draw the eye and appear as a stark, discordant and dominant feature that would relate poorly to its surroundings.

### **Impact on Neighbours**

- 6.10 The relationship of the proposed house with adjacent neighbours at Paddocks to the north, Fiveways to the east, and Dawn Chorus and Fox Hollow to the south are considered acceptable given the separation distances. The nearest part of the proposed house to Paddocks would be the garage wing, which is sited approximately 14.5m from the shared boundary and over 30m from the house at Paddocks. In relation to Fiveways, the two properties are separated by a shared private drive and there would be a distance of over 50m between the buildings. Dawn Chorus and Fox Hollow are located on the opposite site on Terrys Lane with over 30m between buildings. As such it is considered that there would be no unreasonable loss of light, visual intrusion or loss of privacy to occupiers of these neighbouring properties.

### **Highway Safety and Parking**

#### Access and Visibility

- 6.11 The proposal involves the construction of a new access to the east of the site off a private road, which the principle elevation of the main house will front onto. The access would provide good visibility when exiting the site onto the private track. The proposal also seeks to retain the existing access to the south of the site onto Terrys Lane to serve the garage/annex building. As this would introduce a degree of independency from the main dwelling, if approved it is recommended that an informative is attached to advise that planning permission is required if the garage/annex building is used as a separate independent dwelling as this would constitute a material change of use.

#### Vehicle Parking and Cycle and Refuse Storage

- 6.12 In accordance with Local Plan policy P4 and the Council's adopted parking standards a 6 bedroom dwelling would require 3 parking spaces. It is considered that there is sufficient room to accommodate 6 spaces on site on proposed hardstanding and within the proposed garage. The plan shows that there is enough room to accommodate cycle and refuse storage.

#### Vehicle Movements

- 6.13 The construction of a 6 bedroom dwelling has the potential to generate between 12 – 24 vehicle movements per day, which is not considered to significantly over and above the existing situation. The proposal is therefore not considered to be unduly impactful on local highway infrastructure.

### **Other Material Considerations**

#### Trees

- 6.14 A good tree cover is present on the site itself as well as adjacent sites, with many semi-mature and mature trees of both native and exotic origin characterising the local area. The applicant has submitted an Arboriculture Report which includes a tree survey, arboriculture impact assessment

and tree protection measures, which demonstrate an acceptable impact on trees as a result of the development in accordance with Local Plan policy N6.

### Ecology

- 6.15 At the time of writing comments from the Council's ecologist are still outstanding. These will be reported in the Panel Update Report.

### **Planning Balance and the Case of Very Special Circumstances**

- 6.16 The NPPF states that inappropriate development is by definition harmful to the Green Belt, and should not be approved except in very special circumstances (VSC). Therefore the main issue is whether the harm by reason of inappropriateness and any other harm are clearly outweighed by other considerations which would amount to very special circumstances necessary to justify the development. Substantial weight is given against the development by reason of its inappropriateness, conflict with the purpose of the Green Belt, and harm to openness.
- 6.17 The applicant has also put forward the case of enhancement to openness and to the countryside character of the Green Belt as the new dwelling would be less conspicuous than the existing development as the dwelling would be re-sited centrally on the plot away from Terrys Lane and therefore reducing any visual impact from the public highway / footpath. It would also remove a collection of outbuildings that are located around the site, with one consolidated building at the centre of the site. However, for the reasons in paragraphs 6.6 and 6.9 - 6.10 it is considered that the design of the new dwelling would be visually prominent and would erode openness in comparison to the existing house and outbuildings. It is therefore not considered that a case for VSC has been made by the applicant.
- 6.18 The NPPF also requires a balancing exercise of benefits against harm. The acceptability of the scheme in terms of impact on neighbours, highways, trees cannot be considered to outweigh the substantial harm to the Green Belt in respect of its inappropriateness, openness and purpose, or the moderate harm to the character of the countryside and locality. This is because the scheme is required to comply with the Development Plan; compliance with the plan cannot constitute a benefit of the proposal.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

5 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 14.02.17.

2 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	The houses on Terrys Lane vary in style and scale, and the design of this house is in keeping with the neighbourhood.	Para. 6.8 – 6.10
2.	Existing house is in poor condition and design of new house will be an improvement.	Para. 6.8 – 6.10

### **Other Consultees**

Consultee	Comment	Where in the report this is considered
Local Highway Authority	No objection subject to conditions relating to the provision of parking in accordance with approved	Para. 6.12 – 6.14

	details.	
Arboriculture Officer	No objections subject to conditions relating to tree protection, tree retention/replacement and landscaping scheme	Para. 6.15

## 8. APPENDICES TO THIS REPORT

- ⊙ Appendix A - Site Location Plan and Site Layout
- ⊙ Appendix B - Proposed Plans and Elevations
- ⊙ Appendix C – Refused Proposal under 16/01236/FULL

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have not been successfully resolved.

## 9. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposal represents inappropriate development in the Green Belt which is by definition harmful to the Green Belt, and the applicant has failed to demonstrate that Very Special Circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reasons for refusal. The proposal is therefore contrary to paragraph 87, 88 and 89 of the National Planning Policy Framework (2012) and saved Policies GB1 and GB3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003).
- 2 Due to its scale, height, form, mass and bulk the proposal would result in actual loss of openness across the site to the detriment of the representing an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt, and together with the unsatisfactory design, which fails to relate to and reinforce local character, would unduly harm the visual amenity of the locality. This is contrary to Paragraph 60, 79 and 80 of the National Planning Policy Framework (2012) and saved Policy GB1, GB3, GB2 (a), DG1, H10, H11 and N1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations adopted June 2003), and the Cookham Village Design Statement 2013.

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Appendix A – Location Plan and Site Layout



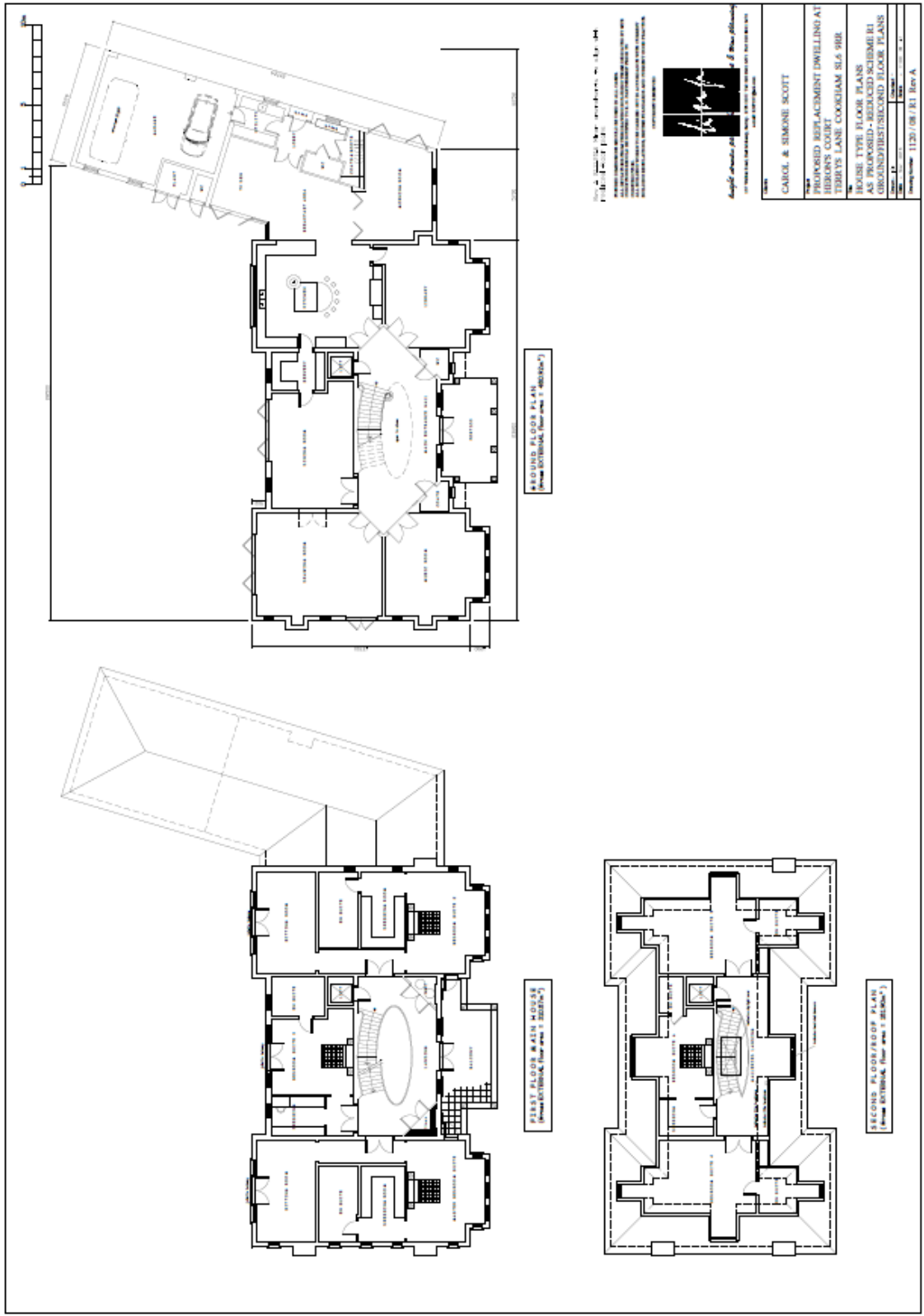
© Crown copyright and database right 2016. Ordnance Survey 100018817

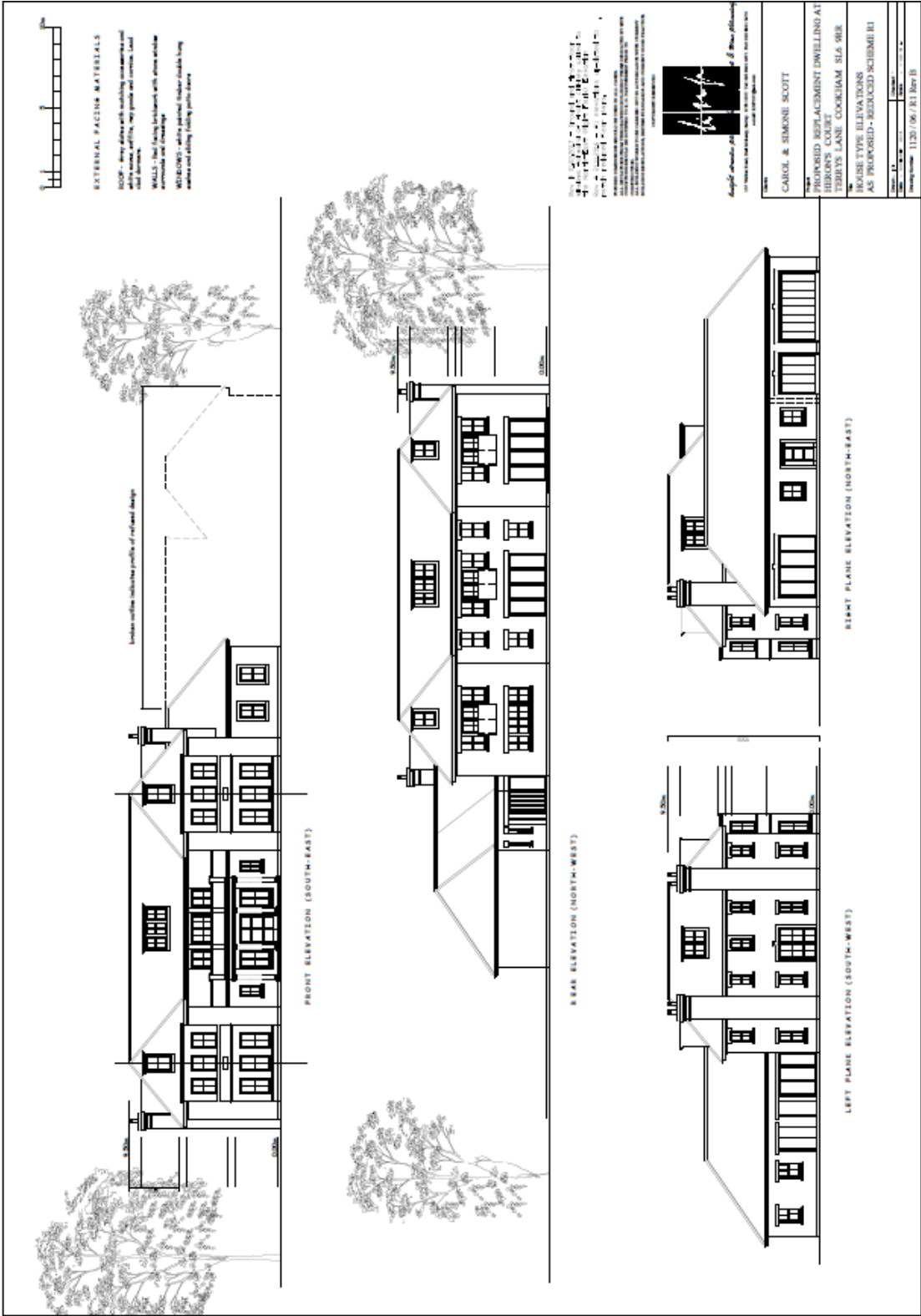
Scale @ A4 1:1,250

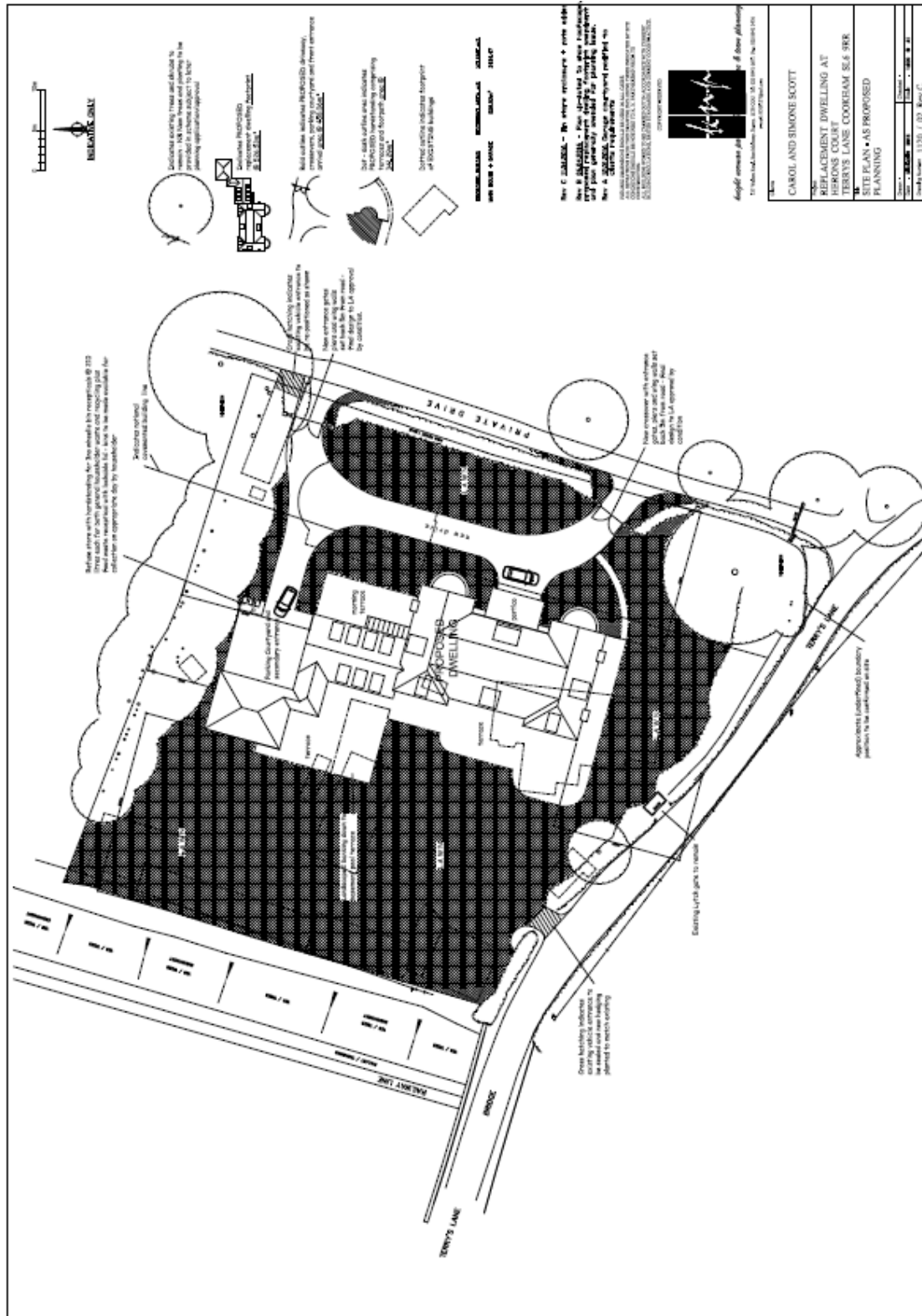




Appendix B – Proposed Plans and Elevations

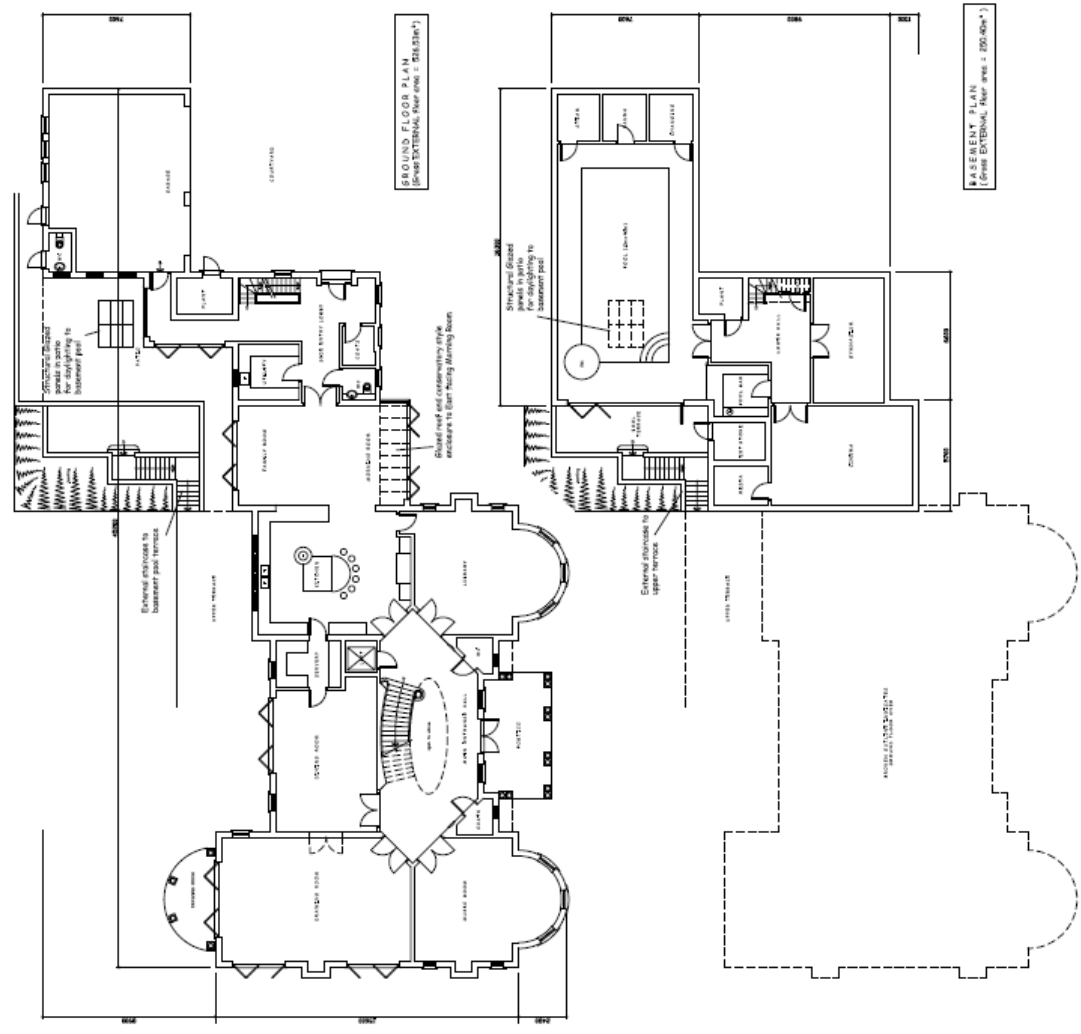








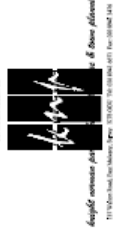
INDICATIVE ONLY



GROUND FLOOR PLAN  
[Gross External Floor area = 238.51m<sup>2</sup>]

BASEMENT PLAN  
[Gross External Floor area = 290.00m<sup>2</sup>]

Rev A 2024-2025 Point cloud laser scan and photogrammetry as shown on right hand elevation

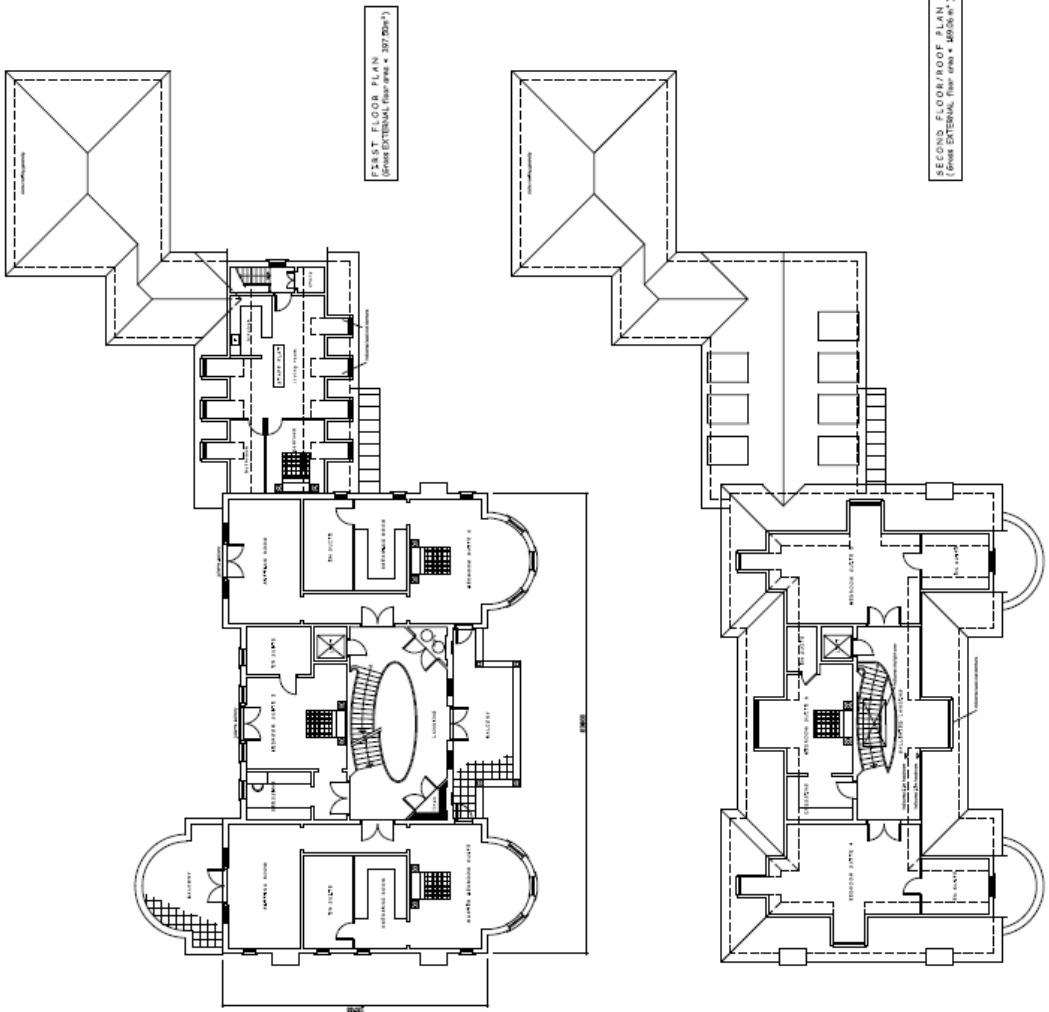


Example exterior point cloud scan showing photogrammetry

Author	CAROL & SIMONE SCOTT
Client	PROPOSED REPLACEMENT DWELLING AT HERONS COURT, HERRYS LANE, COOKHAM, SL6 9RR
Project	HOUSE TYPE FLOOR PLANS AS PROPOSED BASEMENT & GROUND FLOOR
Scale	1:100
Date	11/20/05
Rev	A



INDICATIVE ONLY



FIRST FLOOR PLAN  
(Gross External Floor Area = 397.20m<sup>2</sup>)

SECOND FLOOR PLAN  
(Gross External Floor Area = 80.00m<sup>2</sup>)

See if 2014/2015 Price floor plan attached to show the corrected height to the actual unit by 100mm. For floor slabs, floor area increased by a standard 2mm which no bearing area & position to be shown same. It corrected to show the floor slab area and the floor area corrected to show the floor area.

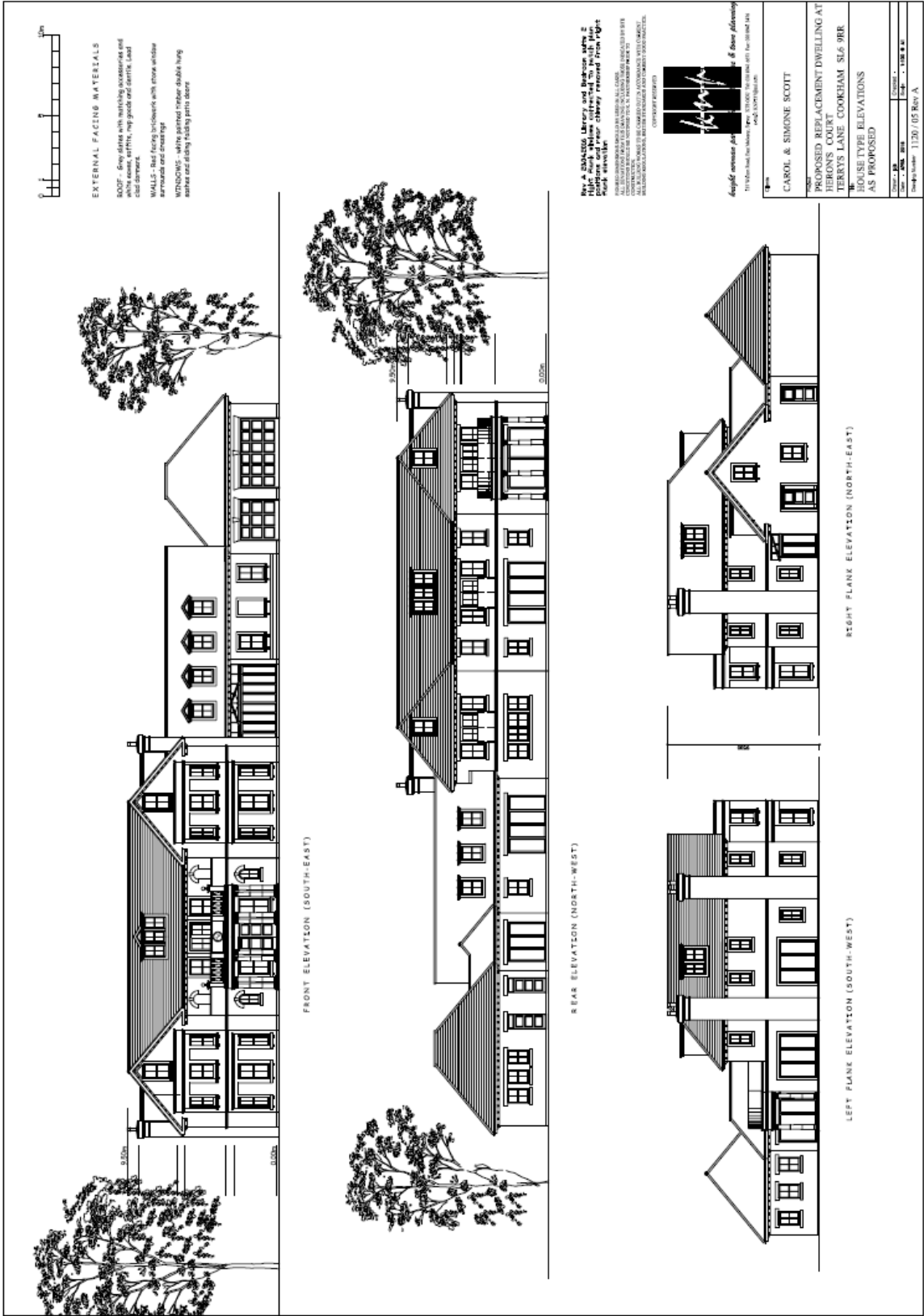
ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.  
DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

CONTRACT NUMBER:



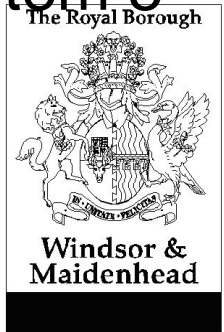
Carol & Simone Scott Architects  
111 Victoria Road, Melbourne, VIC 3000. Tel: 03 9488 0011 Fax: 03 9488 0044  
www.carolandsimone.com.au

PROJECT	CAROL & SIMONE SCOTT
PROPOSED REPLACEMENT DWELLING AT	HERONS COURT
TERRYS LANE COOKHAM SLS 98R	
HOUSE TYPE FLOOR PLANS	AS PROPOSED
FIRST & SECOND / ROOF	
DATE	11/02/15
SCALE	1:100 & 1:20
DRAWN BY	1120 / 04 Rev B





## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE



### Planning Appeals Received

**4 February 2017 - 3 March 2017**

#### MAIDENHEAD

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

**Enforcement appeals:** The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email [teame1@pins.gsi.gov.uk](mailto:teame1@pins.gsi.gov.uk)

**Other appeals:** The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email [teamp13@pins.gsi.gov.uk](mailto:teamp13@pins.gsi.gov.uk)

**Ward:**  
**Parish:**  
**Appeal Ref.:** 17/60017/NONDET    **Planning Ref.:** 16/02349/OUT    **PIns Ref.:** APP/T0355/W/17/3166400  
**Date Received:** 7 February 2017    **Comments Due:** 14 March 2017  
**Type:** Non-determination    **Appeal Type:** Written Representation  
**Description:** Outline application (access) with other matters reserved for the erection of 8 No. detached two storey dwellings with access, parking and amenity space following the demolition of 2 No. existing dwellings.  
**Location:** **20 And 24 Braywick Road Maidenhead**  
**Appellant:** Mr Jake Collinge

**Ward:**  
**Parish:** Waltham St Lawrence Parish  
**Appeal Ref.:** 17/60020/REF    **Planning Ref.:** 16/02179/FULL    **PIns Ref.:** APP/T0355/D/16/3164963  
**Date Received:** 16 February 2017    **Comments Due:** Not Applicable  
**Type:** Refusal    **Appeal Type:** Householder  
**Description:** Erection of swimming pool and building with part basement following demolition of existing outbuildings  
**Location:** **Great Martins Martins Lane Shurlock Row Reading RG10 0PN**  
**Appellant:** Mr D Brownlow **c/o Agent:** Mr Mark Carter Carter Planning Limited 85 Alma Road Windsor SL4 3EX

**Ward:**  
**Parish:** Cookham Parish  
**Appeal Ref.:** 17/60021/ENF    **Enforcement Ref.:** 16/50445/ENF    **PIns Ref.:** APP/T0355/C/16/3164340  
**Date Received:** 17 February 2017    **Comments Due:** 31 March 2017  
**Type:** Enforcement Appeal    **Appeal Type:** Written Representation  
**Description:** Appeal against the Enforcement Notice, siting of a metal container without planning permission.  
**Location:** **Land Between Lightlands Lane And Strande View Walk And Strande Lane Cookham Maidenhead**  
**Appellant:** Mr Samuel Driver **c/o Agent:** Mr Sam Eachus Kernon Countryside Consultants Ltd Greenacres Barn Purton Stoke Swindon Wiltshire SN5 4LL

**Ward:**  
**Parish:**  
**Appeal Ref.:** 17/60023/REF    **Planning Ref.:** 16/02663/FULL    **PIns Ref.:** APP/T0355/W/17/3168222  
**Date Received:** 28 February 2017    **Comments Due:** 4 April 2017

**Type:** Refusal **Appeal Type:** Written Representation  
**Description:** Installation of 2 x air conditioning units (retrospective)  
**Location:** **Barn Office Sheephouse Farm Sheephouse Road Maidenhead SL6 8HJ**  
**Appellant:** Mr Peter Prior - Summerleaze Ltd **c/o Agent:** Ms Jan Molyneux Molyneux Planning 38 The Lawns Brill Aylesbury Buckinghamshire HP18 9SN

**Ward:**  
**Parish:**  
**Appeal Ref.:** 17/60024/REF **Planning Ref.:** 16/02742/FULL **Plns Ref.:** APP/T0355/D/17/3168355

**Date Received:** 2 March 2017 **Comments Due:** Not Applicable  
**Type:** Refusal **Appeal Type:** Householder  
**Description:** Two storey side extension, first floor rear extension, alterations and extensions to roof to facilitate loft conversion to habitable accommodation with side and rear dormers and amendments to chimney and fenestration

**Location:** **29 Ray Mill Road West Maidenhead SL6 8SA**  
**Appellant:** Mr Peter Dines Hersom 29 Ray Mill Road West Maidenhead SL6 8SA

**Ward:**  
**Parish:** Hurley Parish  
**Appeal Ref.:** 17/60025/REF **Planning Ref.:** 16/02359/FULL **Plns Ref.:** APP/T0355/W/17/3167166

**Date Received:** 2 March 2017 **Comments Due:** 6 April 2017  
**Type:** Refusal **Appeal Type:** Written Representation

**Description:** Erection of detached dwelling  
**Location:** **Land At Beckfords Warren Row Road Warren Row Reading**  
**Appellant:** Mr And Mrs R McGow **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle GU34 4NB

# Appeal Decision Report

4 February 2017 - 3 March 2017

The Royal Borough



Windsor &  
Maidenhead

## MAIDENHEAD

**Appeal Ref.:** 16/60084/ENF      **Enforcement Ref.:** 16/50256/ENF      **Plns Ref.:** APP/T0355/C/16/3 157195

**Appellant:** Mr Samuel Driver **c/o Agent:** Mr Tony Kernon Kernon Countryside Consultants Greenacres Barn Purton Stoke Swindon Wiltshire SN5 4LL

**Decision Type:** Enforcement Notice      **Officer Recommendation:**

**Description:** Appeal against the Enforcement Notice, without planning permission the erection of a building.

**Location:** **Land Between Lightlands Lane And Strande View Walk And Strande Lane Cookham Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 21 February 2017

**Main Issue:** The Inspector concluded that the development alleged as the breach of planning control is development requiring planning permission under S57 of the Act. No such permission has been granted and it is no part of the appellant's case that it is deemed to be granted by the GPDO. The appeals on Grounds B and C therefore fail. The time for compliance of 14 days is also upheld by the Inspector.

---

**Appeal Ref.:** 16/60105/REF      **Planning Ref.:** 16/02235/FULL      **Plns Ref.:** APP/T0355/D/16/3162229

**Appellant:** Mr Glenn Draper Mount Lodge Spring Lane Cookham Dean Maidenhead SL6 6PW

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Erection of detached car port.

**Location:** **Mount Lodge Spring Lane Cookham Dean Maidenhead SL6 6PW**

**Appeal Decision:** Dismissed      **Decision Date:** 24 February 2017

**Main Issue:** The Inspector concluded that the proposal would represent inappropriate development in the Green Belt that would reduce openness and very special circumstances necessary to justify the proposal do not exist.

---

**Appeal Ref.:** 16/60109/REF      **Planning Ref.:** 16/02536/FULL      **Plns Ref.:** APP/T0355/D/16/3162433

**Appellant:** Mr Asheed **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5ET

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Part two/part single storey side and part two/part single storey rear extensions following demolition of conservatory and outbuildings.

**Location:** **27 Redriff Close Maidenhead SL6 4DJ**

**Appeal Decision:** Dismissed      **Decision Date:** 13 February 2017

**Main Issue:** The Inspector did not find that the proposal would result in harm to the living conditions of neighbouring occupiers or provide inadequate parking. However the Inspector found that these neutral factors have no bearing on his conclusion that the proposal would harm the character and appearance of the host dwelling and result in detrimental effects on the street scene.

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**Appeal Ref.:** 17/60002/REF      **Planning Ref.:** 16/02515/FULL      **Plns Ref.:** APP/T0355/D/16/  
3165153

**Appellant:** Mr M Aslam **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Two storey front, side and rear extensions, first floor rear extension, rear dormer and 2 No. side roof lights to facilitate a loft conversion and alterations to fenestration

**Location:** **8 Chiltern Road Maidenhead SL6 1XA**

**Appeal Decision:** Dismissed      **Decision Date:** 23 February 2017

**Main Issue:** The Inspector found that the proposed front gable, fenestration detailing and rear dormer would result in material harm to the character and appearance of the area. The proposal as a result would conflict with policies H14 and DG1 of the Local Plan. The Inspector did not find any material harm to the living conditions of the neighbouring properties.

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