

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 10TH APRIL, 2019

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

SUPPLEMENTARY AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
4.	<p><u>PLANNING APPLICATIONS (DECISION)</u></p> <p>To consider the Head of Planning's report on planning applications received.</p> <p>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 at http://www.rbwm.gov.uk/pam/search.jsp.</p>	3 - 8

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD PANEL UPDATE

Maidenhead Panel

Application No.: 18/03324/FULL
Location: Land To The West Of Mullberry
Coningsby Lane
Fifield
Maidenhead

Proposal: Rural workers dwelling
Applicant: Kendall Smith
Agent: Mr Jack Clegg
Parish/Ward: Bray Parish/Bray Ward

If you have a question about this report, please contact: Antonia Liu on 01628 796034 or at antonia.liu@rbwm.gov.uk

1. SUMMARY

- 1.1 The below sets out any consultations response and neighbour comments received after the writing of the Panel Report. In addition, further correspondence has been received from the agent.

It is recommended the Panel grants planning permission with the conditions listed in Section 12 of the main report with the additional in section 3 below

2. ADDITIONAL COMMENTS

Comments from interested parties

- 2.1 An additional letter from an interested party has been received, who has previously written in.

Comment	Where in the report this is considered
The proposal does not fall under any of the exceptions to inappropriate development in the Green Belt.	Para. 9.2 – 9.7, 9.26 – 9.39 of the main report.
Harmful to openness of the Green Belt	
No Very Special Circumstances demonstrated	
Size of the dwelling is far larger than necessary for an 'essential worker dwelling'.	

Comments from consultees

2.2

Consultee	Comment	Officer Response
Ecology Officer	Considering the extent of works and habitat affected (grassland) it is unlikely	Noted and conditions recommended.

	that amphibians, reptiles, bats, breeding birds and other notable wildlife will be adversely affected subject to conditions relating to a suitable wildlife-friendly lighting scheme, mitigation in line with the submitted method statement and biodiversity enhancements; and informatives relating to breeding birds.	
Arboriculture Officer	Verbally advised of concern over the detrimental impact to the 3 oak trees on Cannon Lane subject to TPO ref: 001/2019 as the access passes through the root protection area (RPA) which is the minimal area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability and where the protection of the roots and soil structure is treated as a priority.	<p>The TPO is not yet confirmed but is active and a material consideration under this application. However, the proposed access is the same as the access approved under 18/02510/FULL, considered prior to the TPO, and there so are no relevant conditions. The same access could therefore be implement and built access as shown. The same access without the passing bay has also been approved under 17/03579/FULL, 17/03580/FULL and 17/03581/FULL.</p> <p>Given the planning history of the site, extant permission, and fall-back position it is recommended that it would be difficult to defend a reason for refusal on these grounds. It is recommended that if minded to approve, condition is included to secure tree protection.</p>

Other Correspondence

2.4 The agent has sent in further correspondence, summarised below:

Comment	Officer Response
<p>The red outline on the site plan for this application extends around the application site as required by RBWM validation team, namely the already permitted entrance, track and passing place.</p> <p>The true application site area for this rural workers dwelling does not include nor needs to include the already permitted entrance, track and passing place because we are not applying for planning permission for the entrance, track and passing place and hence this application's site area is solely for the proposed dwelling and does not extend anywhere near any trees.</p>	<p>All applications need to indicate how the access is going to be achieved for the proposal to indicate how an occupier can access the development from the public highway. In this case, while the extent permissions are a material consideration, the application needs to be assessed on its own merits and there is no guarantee that any of the extant permission will be implemented.</p>

13. ADDITIONAL CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. No external lighting shall be installed until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the local

planning authority. The report shall include the following figures and appendices:

- A layout plan with beam orientation
- A schedule of equipment
- Measures to avoid glare
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of ecological importance

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with policy NR3 of the submitted Local Plan.

2. All works shall be carried out in accordance with the method statement detailed in Appendix F of the Extended Phase 1 Habitat Survey, Land North of Coningsby Farm, Fifield (Abricon Ltd, November 2017).

Reason: To ensure that protected species are safeguarded in line with wildlife legislation.

3. The dwelling hereby permitted shall not be occupied until the locations and specifications of biodiversity enhancements, to include bird and bat boxes, have been submitted and approved in writing by the council. The biodiversity enhancements shall be installed as agreed.

Reason: To incorporate biodiversity in and around the development in accordance with paragraph 175 of the NPPF.

4. Prior to commencement of works associated with the access and track hereby approved details of measures to protect the trees subject to TPO ref: 001/2019 shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE**

Maidenhead Panel

Application No.:	18/03646/FULL
Location:	Maidenhead United Football Club York Road Maidenhead SL6 1SF
Proposal:	Extension to the existing South stand, including the installation of pods; erection of new North East stand; erection of new two storey changing facility with ancillary uses, and installation of replacement floodlights.
Applicant:	Mr Adams
Agent:	Mr Philip Neaves
Parish/Ward:	Maidenhead Unparished/Oldfield Ward
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

1. SUMMARY

- 1.1 The Lead Local Flood Authority has advised that subject to a condition being imposed to secure details of a surface water drainage scheme, they have no objection.
- 1.2 On further discussions with Environmental Protection regarding the use of the floodlights. Whilst they advise that a planning condition should be imposed to restrict the hours of use of the floodlights, it is not considered that such a condition would meet the tests for imposing conditions as set out in the National Planning Policy Framework. An additional condition is recommended to ensure that all existing floodlights are removed prior to the first use of the proposed floodlights.

It is recommended the Panel grants planning permission with the conditions listed in Section 12 of the main report with the additional conditions in section 3 below

2. Comments from Consultees

2.1

Comment	Officer response	Change to recommendation ?
Lead Local Flood Authority advises that they have no objection provided that a condition is imposed to secure details of a surface water drainage scheme to be submitted for approval by the LPA prior to the construction of the buildings.	Noted, a condition is recommended in section 3 of this update report.	No.
Environmental Protection consider a condition should be imposed to ensure the hours of use for the floodlighting are controlled. They would be satisfied with a latest time of 11pm to turn the lights off. The reason they think such a condition is	This is accepted, however, the existing floodlights do not have restrictions through planning to be turned	No

needed is to protect occupiers of residential properties of the future residential development adjacent to this site.	off. The proposed flood lights would not have a greater significant impact on light spill than the existing floodlights, and as such it would it is not considered that it would be reasonable (one of the tests that has to be met in the NPPF) for the LPA to impose such a planning condition on the new floodlights.	
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3. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. Prior to the construction of the buildings (this includes the seating stands) hereby approved, a surface water drainage scheme for the development, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include:

- Full details of all components of the proposed surface water drainage system including proposed surface levels, construction details, dimensions, locations (including the locations of any outfalls from the site), gradients, invert levels and cover levels.
- Supporting calculations confirming compliance with the Non-Statutory Technical Standards for Sustainable Drainage Systems. The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason - To ensure compliance with the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

2. Prior to the first use of the floodlights hereby approved, the existing floodlights shall have been removed from the site.

Reason: To ensure the development has an acceptable appearance, and has an acceptable impact on neighbouring residential amenity.