

MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 22ND JANUARY, 2020

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

SUPPLEMENTARY AGENDA

PART I

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD PANEL UPDATE

Maidenhead Panel

Application No.:	19/00063/FULL
Location:	Stevens Yard Kimbers Lane Farm Oakley Green Road Oakley Green Windsor SL4 4QF
Proposal:	Extension to existing maintenance building and showman's store
Applicant:	Mr Stevens - PWS Rides Ltd
Agent:	Mr Philip Watts
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 Clarification provided on the lawful use of the land and Enforcement Notice, and amended condition recommended.
- 1.2 Additional representations have been received which are reported below.

There is no change to the recommendation in the main report.

2. ADDITIONAL INFORMATION

Lawful Use of the Site and Enforcement Notice

- 2.1 The lawful use of the site is as reported in paragraph 3.1 of the main report with the exception of the stationing of caravans for residential purposes.
- 2.2 For clarity the Enforcement Notice, reported in paragraph 5.2 of the main report, is for:

Without planning permission the material change of use of the land to a change of use from a mixed use comprising a dwellinghouse, outbuildings and hardstanding used for the purposes of maintenance and storage of travelling showpersons' equipment, and ancillary repair, including ancillary parking of lorries, rides and caravans and use of the paddock for equestrian purposes

to;

a mixed use comprising a dwellinghouse, outbuildings and hardstanding used for the purposes of maintenance and storage of travelling showpersons' equipment, and ancillary repair, including ancillary parking of lorries, rides and caravans and use of the paddock for equestrian purposes and car repairs and associated car storage

Amended Condition

- 2.3 With regard to the Enforcement Appeal at the site, it is recommended that Condition 4 in section 13 of the main report is amended to:

Prior to commencement of development hereby approved, the building shown to be removed on drawing ref: 753 501 shall be demolished in its entirety and all materials resulting from such demolition works shall be removed from the site. Reason: To prevent the undesirable consolidation of development on the site having regard to its Green Belt location. Relevant Policies - Local Plan GB1, GB2

- 2.4 This amendment is recommended as it may not be possible to remove the subject building within 1 month of completion. The amended condition removes potential conflict in terms of timescales for any outcome of the Enforcement Appeal.

Comments from Interested Parties

- 2.5 An additional letter has been received, written on behalf of 2 properties (Willow Farm and The Bothy), objecting to the amended scheme. The content reiterates concerns previously raised and covered in the main report:

Comment	Officer response
The extension would turn the existing building into a permanent structure, whereas retrospective permission was granted subject to dismantling on any future sale of the land on which it stands, so should be seen in the context of it being a temporary structure.	<p>Planning permission for the existing building was granted under 11/00537/FULL which was subject to the condition below. A corresponding condition has been recommended for the proposal thereby ensuring the same outcome when the building is no longer required.</p> <p><i>The new shed hereby approved shall be used only for the storage of funfair rides and equipment used/owned by travelling show people who live at this application site and for the ancillary repairs of such rides and equipment. The building shall be completely removed from the application site when it is no longer required for such purposes.</i></p> <p><u>Reason:</u> <i>In the interests of the amenities of neighbouring properties, and to safeguard the Green Belt from inappropriate uses. Relevant Policies Local Plan GB1, GB2, DG1.</i></p>
The proposal would double the size of the current building and turn the area into even more of an industrial complex which is already incongruous to the residential nature of the area and farmland.	<p>The proposal would result in a larger building, but would be comparable with a 50% increase, which is generally considered to be a proportionate addition and taking into account an additional allowance following the demolition of an existing building on site. This is considered acceptable in terms of Green Belt and character of the site and locality.</p> <p>There is no change of use or character. The proposed development is sited within the envelope of developed land where the lawful use is for purposes of maintenance and storage of travelling showmen's equipment; ancillary repair and parking of lorries, rides and caravans; use of the paddock for equestrian purposes; and use for the stationing of caravans / mobile homes.</p>

	There would be some intensification of use, but due to the size of the proposed building it is not considered that the increase in activity that the building would facilitate would result in undue noise and disturbance, which can be restricted by condition, that would justify refusal.
Restrictions on the existing use are ignored on a continuing basis, resulting in an unacceptable situation.	Refusal of this planning application on the basis of non-compliance of conditions on previous consents, or potential non-compliance with the proposed development would be unreasonable behaviour. The Enforcement process is the most appropriate way of dealing with non-compliance with approved details.

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

Maidenhead Panel

Application No.:	19/02698/FULL
Location:	Cancer Research UK 101 High Street Maidenhead SL6 1JX
Proposal:	Change of use of the first floor from A1 use to C3 residential use, first and second floor rear extension, changes to external finish and a new second floor with mansard roof to create 4no.self contained flats.
Applicant:	Mr Taylor
Agent:	Mr Graham Gray
Parish/Ward:	Maidenhead Unparished/St Marys
If you have a question about this report, please contact: Tony Franklin on 01628 796155 or at tony.franklin@rbwm.gov.uk	

1. SUMMARY

- 1.1** In paragraph 9.17 of the report reference is made to a condition to ensure that the rear facing windows in the first and second floors of the proposed extension be fitted with obscure glass and fixed shut. This should be correctly referenced as condition 7 and is copied in section 3.1 of this report below.
- 1.2** Representations have been received from the owners/occupiers of 3 Nicholsons Lane to the rear (south) of the site and these are reported at section 2.1 of this update report below.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of the main report with the additional condition in section 3 below.

2. ADDITIONAL INFORMATION

Comments from Interested Parties

- 2.1** Four letters of objection have been received, all from persons associated with 3 Nicholsons Lane to the rear (south) of the site, summarised as:

Comment	Officer response	Change to recommendation?
Problems with management of joint use of (pedestrian) access by the existing occupants of 101 High Street with the freehold owners at 3 Nicholsons Lane. Additional development would prejudice the ability of the restaurant to operate into the future. Further access rights will not be granted.	This is not a material planning consideration but a civil matter between the parties concerned.	No.
The entrance is part of the listed building and contains floor tiles and exposed brickwork	This access is and is proposed to remain the	No.

which could be damaged by the building works and increased use.	only independent access to the rear of these commercial buildings and is already intensively used. It is not considered that its use by 4 residential units would threaten the fabric of the building. Brickwork and tiles could be temporarily protected if necessary during building works. The Conservation Officer has raised no objection to the application.	
Poorly thought out and impractical proposed bin and cycle storage that could attract vermin to the rear of the existing restaurant premises.	The Highways Authority are satisfied with the proposed bin and cycle storage arrangements.	No.
Disputed ownership of rear yard area, which is currently used to enable ventilation of kitchen area.	This is not a material planning consideration but a civil matter between the parties concerned.	No.
Overlooking of and loss of light to existing flats to the rear at 3 Nicholsons Lane. Development would appear overbearing and is an overdevelopment of the site.	See paragraphs 9.16 to 9.17 inclusive of Panel report.	No.

3. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 3.1** 7. The first and second floor living room windows in the south elevation of the extension shall be of a permanently fixed, non-opening design and fitted with obscure glass and the windows shall not be altered.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.

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

Maidenhead Panel

Application No.:	19/03067/OUT
Location:	Field Adjacent To North West Corner of Grove Business Park Waltham Road Maidenhead
Proposal:	Outline application for access, appearance, layout and scale only to be considered at this stage with all other matters to be reserved for an agricultural barn.
Applicant:	Mr & Mrs Smith
Agent:	Mr Jack Clegg
Parish/Ward:	White Waltham Parish/Hurley And Walthams
If you have a question about this report, please contact: Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk	

1. SUMMARY

- 1.1 West London Aero Club has confirmed that White Waltham Airfield Ltd have no objection to the proposal.

There is no change to the recommendation in the main report.

2. ADDITIONAL INFORMATION

Comments from Interested Parties

- 2.1 additional comments received, summarised as:

Comment	Officer response	Change to recommendation?
White Waltham Airfield Ltd have no objection to this size and type of non-residential building.	Noted	No

