

NOTICE
OF
MEETING



MAIDENHEAD DEVELOPMENT CONTROL PANEL

will meet on

WEDNESDAY, 16TH MARCH, 2016

at

7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL,

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT CONTROL PANEL

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

SUBSTITUTE MEMBERS

COUNCILLORS STUART CARROLL, PAUL BRIMACOMBE, DAVID BURBAGE,
CARWYN COX, MOHAMMED ILYAS, ASGHAR MAJEED, MARION MILLS,
MJ SAUNDERS, HARI SHARMA AND ADAM SMITH

Karen Shepherd
Democratic Services Manager
Issued: Tuesday, 8 March 2016

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 – 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

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.

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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 last meeting.		5 - 8
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning and Development's 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. http://www.rbwm.gov.uk/web/dc_public_apps.htm		9 - 146
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		147 - 150

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.

MAIDENHEAD DEVELOPMENT CONTROL PANEL

17.02.16

To listen to audio recordings of this meeting, go to:
http://www.rbwm.gov.uk/web/meetings_audio_recordings_august2015.htm

PRESENT: Councillors Clive Bullock, Gerry Clark, David Coppinger, Maureen Hunt, Richard Kellaway (Chairman), Derek Sharp, Derek Wilson (Vice-Chairman) and Leo Walters.

Officers: Alan Brier (Tree Officer), Tony Carr (Traffic & Road Safety Manager), Andrew Fletcher (Rights of Way Officer), Jenifer Jackson (Borough Planning Manager), Shilpa Manek, Susan Sharman (Senior Planning Officer) and Matthew Tucker (Solicitor - Shared Legal Solutions)

Also Present: Councillor MJ Saunders

48/15 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Simon Dudley, Philip Love and Ms Claire Stretton.

49/15 DECLARATIONS OF INTEREST

None Received.

Councillor MJ Saunders was in attendance at the meeting. Councillor Saunders is a member of Cookham Parish Council and Cookham Society.

50/15 MINUTES

RESOLVED: That the Part I minutes of the meeting of the Maidenhead Development Control Panel held on 20 January 2016 be approved.

51/15 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.

15/02564/FULL Land between Lightlands Lane and Strande View Walk and Strande Lane Cookham Maidenhead	<p>Construction of a log cabin for occupation by an agricultural worker in connection with the operation and management of an egg laying poultry farm to be established on the holding for a temporary period of 3 years.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be REFUSED. The Application was refused on the grounds outlined in the Planning Officer's report.</p> <p>(Speakers: The Panel was addressed by Andy Silver, objector, Mr Scarf, objector, Cookham Society, Cllr</p>
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	Christine Doyle, objector, Cookham Parish Council and Cllr MJ Saunders, objector, Ward Member).
15/02565/FULL Land between Lightlands Lane and Strande View Walk and Strande Lane Cookham Maidenhead	Erection of one purpose built poultry shed elevated on a raised platform for the keeping of up to 1750 egg laying chickens including a separate integral egg packing room at one end of the building. The PANEL VOTED UNANIMOUSLY that the application be REFUSED. The Application was refused on the grounds outlined in the Planning Officer's report. (Speakers: The Panel was addressed by Andy Silver, objector, Mr Scarf, objector, Cookham Society, Cllr Christine Doyle, objector, Cookham Parish Council and Cllr MJ Saunders, objector, Ward Member).
15/02567/FULL Land between Lightlands Lane and Strande View Walk and Strande Lane Cookham Maidenhead	The erection of one purpose built poultry shed elevated on a raised platform for the keeping of up to 1750 egg laying chickens. The PANEL VOTED UNANIMOUSLY that the application be REFUSED. The Application was refused on the grounds outlined in the Planning Officer's report. (Speakers: The Panel was addressed by Andy Silver, objector, Mr Scarf, objector, Cookham Society, Cllr Christine Doyle, objector, Cookham Parish Council and Cllr MJ Saunders, objector, Ward Member).
15/02749/FULL Land between Lightlands Lane and Strande View Walk and Strande Lane Cookham Maidenhead	The erection of a general purpose portal framed agricultural storage building for the keeping of hay and straw and a bulk feed storage hopper. The PANEL VOTED UNANIMOUSLY that the application be REFUSED. The Application was refused on the grounds outlined in the Planning Officer's report. (Speakers: The Panel was addressed by Andy Silver, objector, Mr Scarf, objector, Cookham Society, Cllr Christine Doyle, objector, Cookham Parish Council and Cllr MJ Saunders, objector, Ward Member).
15/03707/FULL Gordons Supermarket 17 – 19 Gordon Road Maidenhead SI6 6BS	Alterations to ground floor retail unit and the conversion of upper floors to provide 2 x residential units with associated parking. The PANEL VOTED UNANIMOUSLY that the application be APPROVED. The Application was approved subject to the conditions in the Borough Planning Manager's report.

52/15 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions.

The meeting, which began at 7.05 pm, ended at 7.45 pm

Chairman.....

Date.....

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Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Maidenhead Panel

16th March 2016

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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

Item No.	1	Application No.	15/02081/FULL	Recommendation	REF	Page No.	11
Location:	Land Adjacent To Weir Sound Lock Avenue Maidenhead						
Proposal:	Construction of detached dwelling						
Applicant:		Member Call-in:	N/A		Expiry Date:	2 September 2015	
<hr/>							
Item No.	2	Application No.	15/02107/FULL	Recommendation	REF	Page No.	27
Location:	Land To The North of Longlea Fifield Road Fifield Maidenhead						
Proposal:	Re-location of Phoenix gym club including building ,access, car parking and landscaping.						
Applicant:	Mrs Bushell- Phoenix Gymnastics Club	Member Call-in:	Cllr David Coppinger		Expiry Date:	31 March 2016	
<hr/>							
Item No.	3	Application No.	15/02135/FULL	Recommendation	REF	Page No.	53
Location:	Land South of Horwoods Yard Green Lane Maidenhead						
Proposal:	Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping						
Applicant:	Desborough Bowling Club	Member Call-in:	N/A		Expiry Date:	18 March 2016	
<hr/>							
Item No.	4	Application No.	15/03388/OUT	Recommendation	PERM	Page No.	79
Location:	Woodlands Farm Spring Lane Cookham Dean Maidenhead SL6 9PN						
Proposal:	Outline application with all matters reserved: Erection of 3 x detached dwellings.						

Applicant: Mr Simmonds- The Simmonds Partnership **Member Call-in:** Cllr M J Saunders **Expiry Date:** 17 March 2016

Item No. 5 **Application No.** 15/03901/FULL **Recommendation** PERM **Page No.** 95
Location: Former Stiefel Laboratories (Ireland) Ltd Whitebrook Park 68 Lower Cookham Road Maidenhead
Proposal: Construction of a new part two/three storey office (use class B1) building with associated landscaping, tree works and car parking following demolition of existing buildings

Applicant: The Royal London Mutual Insurance Society Limited **Member Call-in:** N/A **Expiry Date:** 31 May 2016

Item No. 6 **Application No.** 15/04201/VAR **Recommendation** PERM **Page No.** 115
Location: All Saints CE Junior School Westborough Road Maidenhead SL6 4AR
Proposal: Construction of 2 storey building to form 4x additional classrooms, two court sports MUGA with parking on site as approved under planning permission 15/00620 without complying with condition 2 (external surface materials) to change the materials to be used.

Applicant: The Royal Borough Windsor And Maidenhead **Member Call-in:** Not applicable **Expiry Date:** 21 March 2016

Item No. 7 **Application No.** 16/00098/FULL **Recommendation** PERM **Page No.** 121
Location: 1 Cannon Down Cottages And Land At 1 Cannon Down Cottages Maidenhead Road Maidenhead
Proposal: Two storey rear extension at No. 1 and 1x new attached dwelling with associated works.
Applicant: Mrs Constable **Member Call-in:** Cllr M J Saunders **Expiry Date:** 10 March 2016

Item No. 8 **Application No.** 16/00395/FULL **Recommendation** PERM **Page No.** 133
Location: Land And Buildings To Rear of Oakley Green Lodge Oakley Green Road Oakley Green Windsor SL4 4PZ
Proposal: Erection of 3 x dwellings, with garages and curtilages, with access alterations, parking, landscaping and ancillary works following demolition of existing buildings and hardstanding
Applicant: Mr And Mrs Bennett **Member Call-in:** Not applicable **Expiry Date:** 8 April 2016

Appeal Decision Report Page No. 147

Planning Appeals Page No. 149

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 1

Application No.:	15/02081/FULL
Location:	Land Adjacent To Weir Sound Lock Avenue Maidenhead
Proposal:	Construction of detached dwelling
Applicant:	
Agent:	Mr Daniel Morris - JSA Planning
Parish/Ward:	Maidenhead Riverside Ward
If you have a question about this report, please contact: Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is for a new house on garden land to the east of the house known as 'Weir Sound', following the subdivision of the plot.
- 1.2 The site lies in a high risk flood area as a result of the River Thames. The proposal fails the Sequential Test as it has not demonstrated to the satisfaction of the Local Planning Authority that the development could not be located in areas with a lower probability of flooding. The proposal also fails the Exception Test as it would not provide wider sustainability benefits to the community that outweigh flood risk and does not demonstrate safe access and egress from the site, resulting in an unacceptable risk to the health and safety of the occupants during a flood event, and an increased burden on the emergency services and during a time of flood.
- 1.3 Due to the narrowness of the plot and scale of the proposed house, the development would result in an incongruous pattern of development that would also be a cramped form of development, representing poor design to the detriment of the streetscene and wider character of Lock Avenue. The limited opportunity for planting, particularly on the boundaries which is an important feature in the area, and harm to the existing hedgerow to the front of the site would be detrimental to the streetscene and wider character of the locality.
- 1.4 The siting of the new house and its height would result in an unacceptable level of overlooking to the nearby property of 'Taumead' as there would not be an adequate separation distance and the existing boundary landscaping cannot be relied upon to mitigate the impact.

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 site lies within a high risk flood area. The proposal fails to comply with the Sequential Test, the Exceptions Test and that it would occupiers of the house would not be safe for the lifetime of the development taking into account the vulnerability of the users.
2.	Unacceptable level of overlooking to the detriment of the living conditions of the occupiers of 'Taumead'.
3.	Cramped form of development with limited opportunities for planting and the creation of an opening in a mature hedge. For these reasons, the proposal would not assimilate well with the existing character and appearance of the area.

2. REASON FOR PANEL DETERMINATION

- The Borough Planning Manager and the Lead Member of Planning consider that it would not be appropriate to use delegated powers in this instance.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises of garden land to the east of 'Weir Sound', a two storey dwelling on Lock Avenue. Lock Avenue is characterised by detached residential dwellings set in large plots, and the houses feature a mix of architectural design but predominately traditional in style. Many of the houses on Lock Avenue have tall hedgerows along their front boundaries with a grass verge to the front. The overall character is spacious and verdant. The River Thames lies approximately 95m to the east, and the site lies in Flood Zone 3.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
14/02991/PDXL	Single storey rear extension no greater than 8.00 m depth, 3.8m high and an eaves height of 3.6m	Prior Approval Required - 05.11.2014
14/03015/CPD	Certificate of lawfulness to determine whether a proposed two storey rear and single storey side extension on both sides of dwelling is lawful	Approved - 03.10.2014
14/02237/CPD	Certificate of lawfulness to determine whether a proposed outbuilding is lawful	Approved - 25.07.2014
14/00190/CPD	Certificate of lawfulness to determine whether a proposed single storey outbuilding is lawful	Approved - 03.02.2014
96/29852/FULL	Single storey front extension and garage extension	Approved - 06.03.1996

- 4.1 The proposal is for a new, two-storey, detached dwelling to be sited to the east of the existing house at Weir Sound, together with associated landscaping. The proposed plot would measure approximately 9m in width and 32m in depth, and the house would be sited approximately 7m back from Lock Avenue. The proposed house would feature a crown roof and measure approximately 9m in height, 13-16m in depth, and 12.5m in width. To the front, a drive is proposed with an area of hardstanding for 2 on-site car parking spaces.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 10 (Meeting the challenge of climate change, flooding and coastal change).

Royal Borough Local Plan

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

	Within settlement area	High risk of flooding	Highways/Parking issues
Local Plan	DG1, H10, H11	F1	T5, T7, P4

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

- Interpretation of Policy F1 – Area Liable to Flood
- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:
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

- RBWM Strategic Flood Risk Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Flood Risk
- ii Character of the Area
- iii Impact on Neighbouring Amenity
- iv Impact on Highway Safety and Parking Provision
- v Other Material Considerations

Flood Risk

Sequential Assessment

6.2 The site wholly within the 1% Annual Exceedance Probability (AEP) (1 in 100 year) plus 20% allowance for climate change flood extent. This is classified by the National Planning Policy Framework (NPPF) and the associated National Planning Policy Guidance (NPPG) as flood zone 3 and as having a 'high probability' of flooding from rivers. In accordance with paragraphs 101 to 102 of the NPPF the proposed residential development must successfully pass a flood risk sequential test in order to direct development to the lowest risk areas of flooding first, before land in the medium (FZ2) and high (FZ3) probability of flooding classifications. The applicant has undertaken a sequential assessment of alternative sites uses the most recent version of the Council's SHLAA (January 2014) to identifying potential housing sites but only within the settlement boundary of Maidenhead and neighbouring settlements such as Cookham. While the 2014 SHLAA is the most up-to-date source of data with the limited study area it has not been demonstrated that there are no alternative preferable sites in respect of flooding available within the whole of the Borough. The proposal therefore fails the Sequential Test.

Flood Risk

- 6.3 Given that the proposal has failed the Sequential Test it is not necessary to consider the proposal further in respect of flooding. However, for completeness, the requirements of the Exception Test have been assessed. To pass the Exception Test it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a SFRA; and a site-specific Flood Risk Assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.
- 6.4 In this respect it is considered that the submitted Flood Risk Assessment (FRA) fails to clearly demonstrate that the development can provide appropriate safe access and egress with a 'very low' hazard rating. Consequently there would be an unacceptable risk to the health and safety of the occupants during a flood event, contrary to paragraph 103 of the NPPF. Furthermore, the additional new house would place additional people at risk during a flood event, contrary to policy F1 which states that in an area liable to flood a proposal should not increase the number of people or properties at risk from flooding. It is also noted that NPPG states that the emergency services are unlikely to regard developments that increase the scale of any rescue that might be required as being safe. This position is supported by a recent appeal decision at 'Four Gables', 62 Lower Cookham Road, dated 3 February 2016, which is attached at Appendix E.
- 6.5 The FRA states that a 'safe refuge' for all occupants within the new dwelling, supplemented by a 'Flood Risk Management Plan' will be provided. However, it is considered unlikely that occupiers would be able to stay for a prolonged period due to lack of supplies (i.e. fresh drinking water and food) and the Environment Agency advises that generally in flood events some foul sewage networks may not function correctly due to capacity issues and/or their outlets/pumping stations

being offline. Consequently emergency services would be called up to move occupiers, especially those less able. Furthermore, a Flood Risk Management Plan would not guarantee that people would / could heed warnings to vacate or be aware of the time duration of flooding at the time of any warning and possibly decide to 'stay put' given that the scheme has been designed to be a dry and safe haven. Therefore, it is essential that a safe route of access and egress can be provided and maintained during flood events up to and including the 1% AEP plus 20% allowance for climate change flood event. The Environment Agency has objected on this basis.

- 6.6 In terms of floodplain compensation the new building will take up floodplain storage space. The applicant proposes construction of the new building over floodable voids and provision of level-for-level flood compensation through ground lowering and removal of an elevated pond. As a method of flood compensation use of floodable voids is considered to be unacceptable as there is no guarantee that the voids would remain unblocked during the lifetime of the development to ensure its effectiveness. However, if the building were solid (no voids) then there would still be an overall gain of approximately 17 cubic metres of floodplain storage due to the level-for-level flood compensation. The elevated pond area to be cleared and levelled to 24.03m AOD will provide level-for-level compensation for the upper level bands (24.03m AOD to 24.73m AOD), and lowering of an area on the adjacent land to 23.73m AOD, provides level-for-level compensation for the lower level bands. As such, it has been demonstrated that there would be no loss of floodplain storage up to the 1% AEP plus 20% allowance for climate change floodplain level. The finished floor levels of the proposed development would also be raised 300mm above the 1% AEP plus 20% allowance for climate change flood level, to ensure that the property would remain dry in the event of a flood.
- 6.7 In terms of wider sustainability benefits to the community that outweigh flood risk the FRA states the development would provide new housing within a desirable area, and would bring economic benefit as it will bring a vacant site into use, creating job opportunities for local buildings and trades. However, any economic benefit would be temporary so not a significant sustainability benefit and the need for housing is recognised but could be provided elsewhere in the Borough but notwithstanding this would not outweigh the risk to people due to the lack of a safe escape.
- 6.8 Overall the proposal is considered to fail a Sequential Test, and in respect of the Exception Test would result in an unacceptable risk to the health and safety of the occupants during a flood event, and would not provide wider sustainability benefits that would outweigh flood risk, contrary to the NPPF and Local Plan policy F1.

Surface Water Flood Risk

- 6.9 The submitted Flood Risk Assessment states that the appropriate drainage will be dealt with prior to commencement of any development. Had the application been recommended for approval, the details of any drainage mitigation to help in the event of a heavy period of rainfall would have been dealt with by condition.

Character of the Area

- 6.10 Lock Avenue comprises predominately by large detached houses sited within generous plots with ample spacing to the site boundaries. This contributes to the spacious character of the street, and allows for mature vegetation boarding the plots to flourish. The subdivision of the plot to accommodate the new dwelling would result in a plot that is narrower than the other plots on Lock Avenue, which is contrary to the prevailing pattern of development. The narrowness of the plot and the scale of the house would also result in limited spacing between the house and side boundaries and this is considered to result in a cramped appearance within the site. Furthermore, the lack of space between the house and western boundary in particular would not allow sufficient planting along this flank. It is noted that mature vegetation boarding the plots, including the side boundaries is characteristic of the street, contributing to its verdant character. As such, the proposal is considered unduly incongruous, to the detriment of the streetscene and wider character of Lock Avenue.

- 6.11 There are further concerns over the creation of the new access from Lock Avenue, and the impact that this would have upon the streetscene. The front boundary to the site is fairly well screened by high quality hedgerow, and the creation of the new access and associated hardstanding is likely to result in harm and potential loss of this hedge, which would have a harmful impact on streetscene.
- 6.12 Concerns have been raised by local residents over the siting of the house, which is out of line with Weir Sound to the west and Taumead to the east. However, there is no strong established building line on Lock Avenue, and it not considered that the siting is unduly obtrusive in this respect. However, overall, the proposal is still considered to be contrary to Local Plan policies DG1, H10 and H11 which seek high standards of design which would be compatible with character of the area, and paragraphs 56, 60, 61 and 64 of the National Planning Policy Framework.

Neighbouring Amenity

- 6.13 The proposed house would be sited further rearwards than Weir Sound and would extend approximately 10m further rearwards than the rear elevation of Weir Sound at a two storey height of approximately 9m at the ridge. However, the corner of the proposed house would just clip an approximate 45 degree line taken from the mid-point of the nearest ground floor rear window serving an orangery at 'Weir Sound' at a distance of approximately 15m. It is therefore not considered to result in an undue loss of light to or appear visually intrusive from this room within 'Weir Sound'. There is a flank first floor window on the east elevation at 'Weir Sound', serving a bedroom, which the proposed house partly extends across. However, the proposed house would not extend across the mid-point of this window and the bedroom is also served by a window on the rear elevation. It is therefore not the sole source of natural light, ventilation or outlook. As such, the amenity of this room is not considered to be unduly harmed. In relation the garden area, the proposal would introduce mass and bulk, resulting in a visual presence, but given the width and size of plot of Weir Sound the proposed house is not considered to appear visually overbearing when viewed from their rear garden to the detriment of its usability.
- 6.14 Taumead is sited approximately 17m further rearwards than the proposed house. This separation distance and oblique relationship is considered sufficient to mitigate any unreasonable loss of light to or visual intrusion when viewed from habitable rooms as a result of the proposal. In relation to amenity space, as with Weir Sound, the proposed house would introduce a visual presence when seen from the main garden area but given the width and size of plot at Taumead the proposed house is not considered to appear visually overbearing when viewed from their garden to the detriment of its usability.
- 6.15 Flank windows have been proposed at first floor level, but as these serve non-habitable rooms (a stairway and bathrooms) it is considered that direct views into neighbouring sites would be limited. If recommended for approval, this could have been secured by condition. Views from proposed ground floor rear windows would also be limited due to their height. However, the proposed first floor windows on the rear elevation, which would serve habitable rooms, are considered to introduce a level of overlooking into the main garden area of Taumead that would unduly erode their privacy. The existing garden at Taumead while to the front of the main house has a reasonable level of privacy as existing views towards Taumead and the main garden area from the existing house at Weir Sound is currently limited due to distances and angles. There is landscaping on the boundary but as the length of time planting would survive is unknown, it cannot be relied on to mitigate overlooking. As such, the proposal is considered contrary to Core Principle 4 of the NPPF which seeks to ensure a good standard of amenity for all.

Highway Safety and Parking Provision

- 6.16 Lock Avenue is a residential cul-de-sac, subject to a 30mph speed restriction, which connects surrounding highway network via a T-junction to the A4094 Ray Mead Road. The existing property, Weir Sound, would retain its two existing access points, while the new access point to the proposed house would be unrestricted, which is considered acceptable.

- 6.17 In relation to parking, the proposed layout shows 2 on-site parking spaces but there would be ample space within the site to provide the additional car parking space required to comply with the Council's parking standards. The submission and approval of a revised parking layout can be secured by condition if minded to approve.
- 6.18 A dwelling of this size and in this location could generate between 8 to 12 additional movements per day which is not considered to have a material impact on local roads.

Other Material Considerations

Sustainable design and construction

- 6.19 The Council has an adopted Supplementary Planning Document (SPD) setting out 12 criteria for developments to achieve in order to improve the sustainability performance. The SPD advises that over its lifetime, a sustainable building will cost less to build, heat and light than a conventional building thereby resulting in economic and environmental gains which will have direct impacts on the sense of well-being of the occupiers and society as a whole. Given that this is a minor development and that the measures would be unlikely to affect the appearance of the building, it is considered that such details could be secured by condition.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 The Community Infrastructure Levy Regulations 2010 (CIL Regulations) which came in force on the 6 April 2015, allows the Council to raise funds from developers undertaking new building projects in the borough to support and fund new **infrastructure that the Council and local communities may require**. Planning obligations may still be sought to mitigate local impact if they are still necessary to make the development acceptable in planning terms if directly related to the development and if fairly related to the scale and kind of the development. Where a development places additional pressure on local services and infrastructure, Policy IMP1 of the Local Plan requires such impacts to be mitigated. In this case due to the scale of development no planning obligations are sought in associated with this development.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

5 occupiers were notified directly of the application and the planning officer posted a statutory notice advertising the application at the site on 17 July 2015.

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

Comment	Where in the report this is considered
1. Harm to neighbouring amenity including loss of light and privacy, and visually overbearing to neighbouring residents	Para. 6.13 – 6.15
2. Incongruous to character of the street and visually prominent within the street scene due to its siting	Para. 6.10 – 6.12
3. Loss of existing front boundary hedge	Para. 6.11
4. Inadequate on-site parking, increasing pressure on on-street parking	Para. 6.17

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Environment Agency	Objects to the proposal due to the failure to demonstrate safe access and escape routes. Consequently there	Para. 6.3 – 6.8

	would be an unacceptable risk to the health and safety of the occupants during a flood event, contrary to saved policy F1 of the Royal Borough of Windsor and Maidenhead (RBWM) local plan (adopted 2003) and paragraph 103 of the National Planning Policy Framework (NPPF). No concerns raised were in relation to the finished floor levels and flood compensation scheme.	
Local Highway Authority	No objections subject to conditions relating to: <ul style="list-style-type: none"> - New access to be constructed before occupation - Parking spaces to be provided in accordance with approved plan Informatives: <ul style="list-style-type: none"> - HI04 (Highway Licence for new access) - HI06 (No damage to be caused to footways/verges) - HI07 (No damage to be caused to the highway) - HI029 (No building materials, plant, vehicles or equipment to be parked/stored on the public highway). 	Para. 6.16 – 6.18

9. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Proposed Site Layout
- Appendix C – Proposed Elevations
- Appendix D – Proposed Floor Plans
- Appendix E – Appeal Decision at ‘Four Gables’, 62 Lower Cookham Road

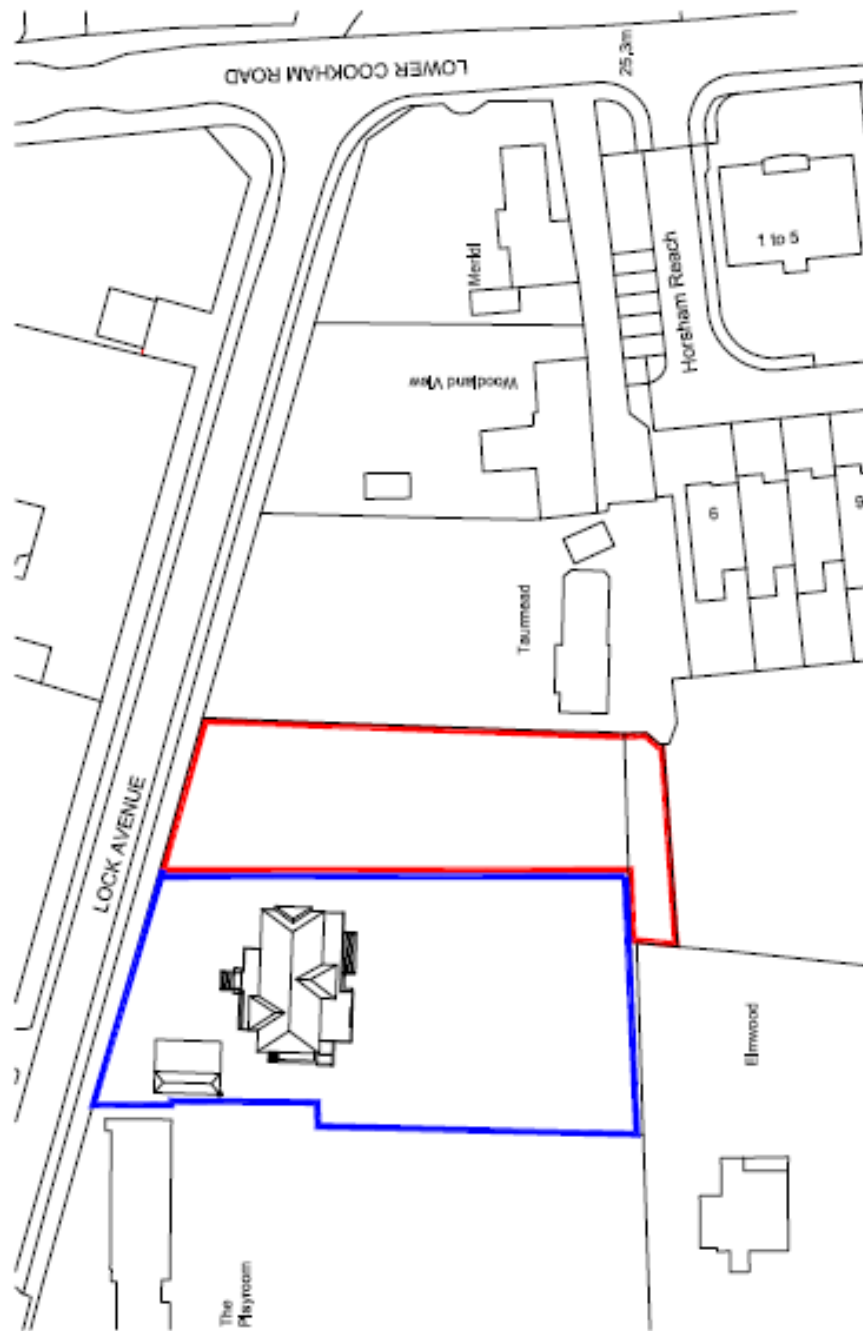
This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental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

In this case the issues have not been successfully resolved.

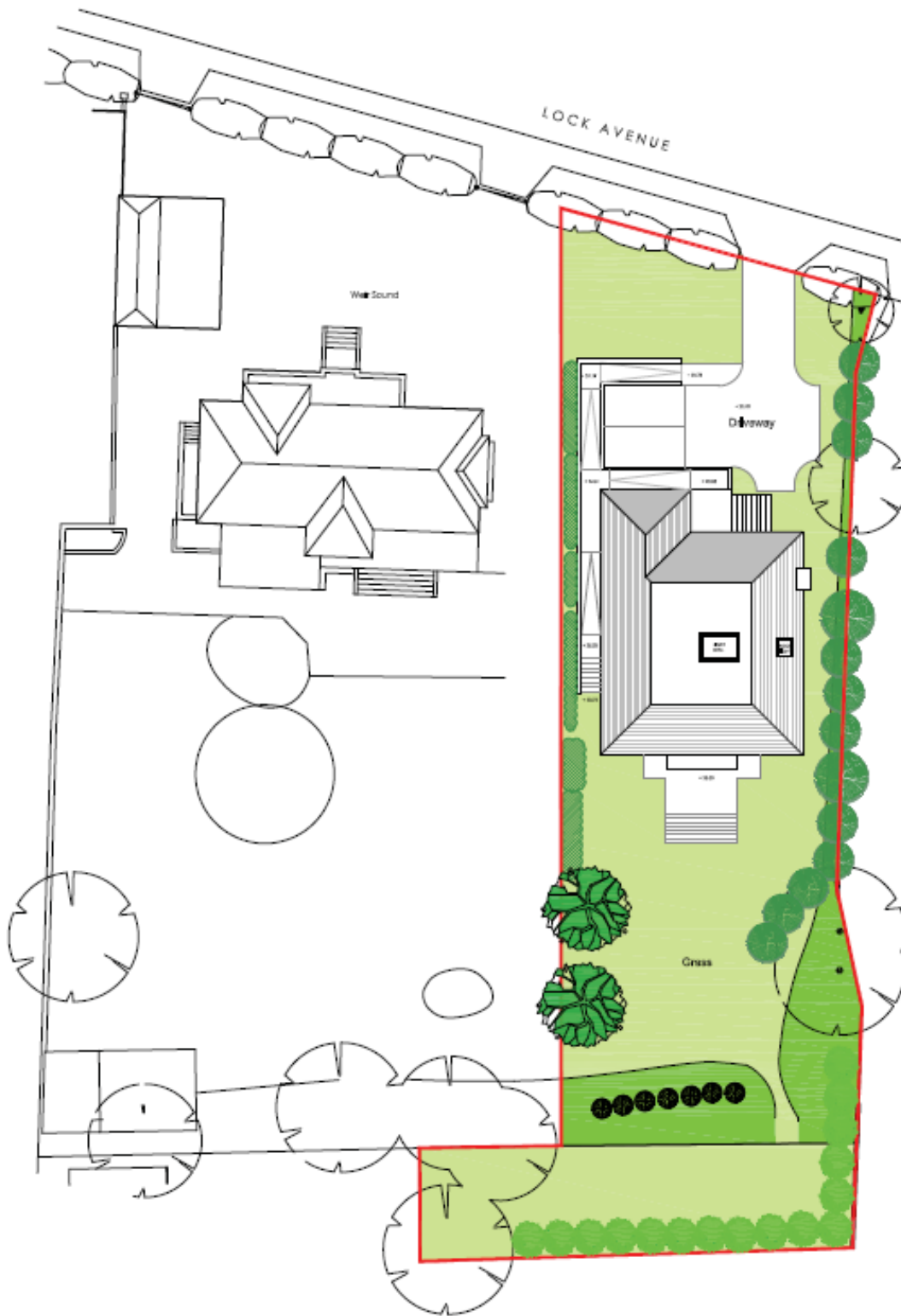
10. RECOMMENDED REASONS FOR REFUSAL

- 1 The application site lies within an area at high risk from flooding and the proposal fails the Sequential Test as it has not demonstrated to the satisfaction of the Local Planning Authority that the development could not be located in areas with a lower probability of flooding. The proposal also fails the Exception Test as it would not provide wider sustainability benefits to the community that outweigh flood risk and would not be safe for its lifetime taking account of the vulnerability of its users. The proposal is therefore contrary to saved Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and paragraph 103 of the NPPF.
- 2 Due to its siting, height and proximity to the shared boundary with 'Taumead' the new dwelling would represent an unneighbourly form of development that would cause an unacceptable level of overlooking and loss of privacy to the garden of this neighbouring property, to the detriment of neighbouring amenity. The proposal is therefore contrary to Core Principle 4 of the National Planning Policy Framework, and saved Policy H11 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003)
- 3 Due to the narrowness of the plot and scale of the proposed house, the development would result in an incongruous pattern of development that would also be a cramped form of development, representing poor design to the detriment of the streetscene and wider character

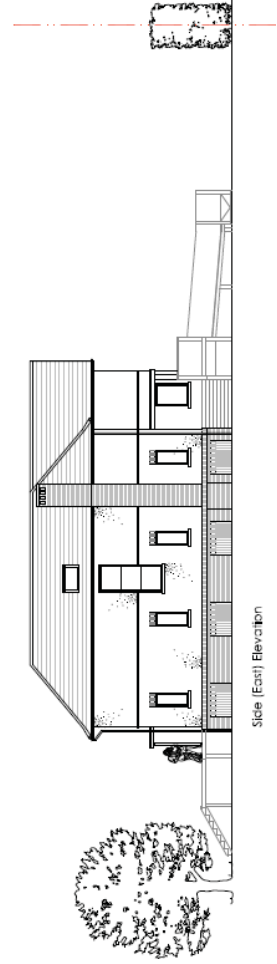
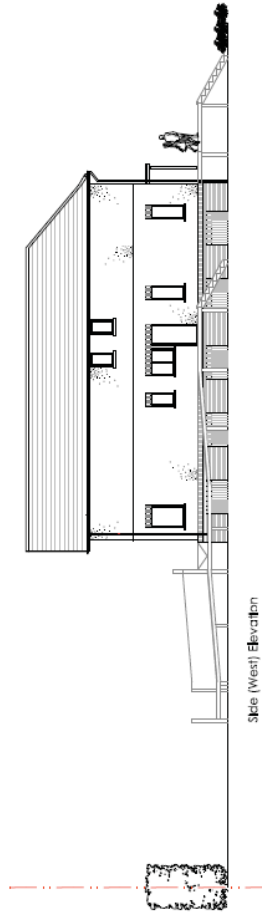
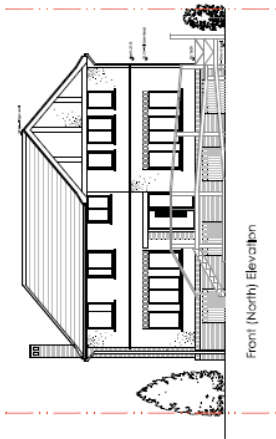
of Lock Avenue. The limited opportunity for planting, particularly on the boundaries which is an important feature in the area, and harm to the existing hedgerow to the front of the site would be detrimental to the streetscene and wider character of the locality. The proposals are contrary to Policies DG1, H10, H11 of The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted June 2003) and core planning principle bullet points 4 and 5, and paragraphs 56, 60, 61 and 64 of the National Planning Policy Framework.



APPENDIX A – LOCATION PLAN



APPENDIX B – PROPOSED SITE LAYOUT



APPENDIX C – PROPOSED ELEVATIONS



Appeal Decision

Site visit made on 29 December 2015

by **Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 February 2016

Appeal Ref: APP/T0355/W/15/3133609

Four Gables, 62 Lower Cookham Road, Maidenhead SL6 8JZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jackie Roberts against the decision of the Council of the Royal Borough of Windsor & Maidenhead
 - The application Ref 15/01667, dated 18 May 2015, was refused by notice dated 19 August 2015.
 - The development proposed is the conversion of existing annexe at 62 Lower Cookham Road, Maidenhead to independent semi-detached dwelling with rear extension, entrance porch and pitched roof.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The agent has confirmed that the appellant's name is Mrs Jackie Roberts and not Mr Jackie Roberts. I have therefore used this name in the banner heading.

Main Issue

3. The main issue is whether the proposal represents an acceptable form of development, having regard to national and local planning policies relating to development in areas at risk of flooding.

Reasons

Policy considerations

4. The site lies in a residential area in Flood Risk Zone 2 (medium probability of flooding) but is surrounded by land in Flood Risk Zone 3a (high probability of flooding). The Council's Strategic Flood Risk Assessment 2014 (SFRA) describes such an area as a 'dry island', and recommends that it is categorised as falling within the flood zone which encircles it, in this case Flood Risk Zone 3a. *Document 4: Exception Test* of the appellant's appeal statement shares the view of the Council; that the site is in Flood Risk Zone 3a.
 5. The National Planning Policy Framework 2012 (the Framework) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in areas at risk of flooding, it should be made safe, without increasing flood risk elsewhere. To achieve this, the Framework advocates a
-

Sequential Test to steer new development to areas with the lowest probability of flooding. If, after the application of the Sequential Test, it is not possible for development to be located in zones with a lower probability of flooding, an Exception Test can be applied comprising two elements:

- *It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a SFRA where one has been prepared; and,*
 - *A site-specific Flood Risk Assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.*
6. For a development to be permitted, both elements of the Exception Test must be passed, and it has to be demonstrated that, amongst other things, the development is appropriately flood resilient and resistant, including having safe access and escape routes where required, and that any residual risk can be safely managed.
 7. Policy F1 of the The Royal Borough of Windsor and Maidenhead Local Plan incorporating alterations adopted in 2003 (LP) seeks to prevent new residential development in areas liable to flood, which would increase the number of people at risk.
 8. The Council considers that the proposal does not need to pass the Sequential Test, but concludes that it fails the Exception Test.

The Sequential Test

9. The Framework states that local planning authorities should only consider development appropriate in areas at risk of flooding following the Sequential Test. The FRA of May 2015 accompanying the application, includes an assessment against the Sequential Test, concluding that there are no reasonably available sites with a lower probability of flooding that would be appropriate for the development proposed.
10. The assessment does not include any alternative sites. However, given the approach advocated in the Planning Practice Guidance (PPG) to the availability of alternative sites, as well as the scale of the proposal, and that it relates to the subdivision of an existing dwelling and plot of land, it would not be irrational to conclude that there is no reasonably available site appropriate for the proposed development with a lower risk of flooding than the proposed site. Notwithstanding the conclusion of the Council regarding the need for the Sequential Test, I consider that it has been passed.

The Exception Test

11. Regarding the first element of the Exception Test, while I appreciate that the proposal is in a residential area and I note the pressure for development in the wider area, the provision of one additional house does not amount to the level of wider sustainability benefit that would outweigh the flood risk.
12. With regard to the second part of the Exception Test, the Council points out that during a flood event, the dry island may be surrounded by flood water for a considerable time, and that future occupiers would be unlikely to have access

to medicines, food, water and utilities. The SFRA advises that it is essential that any future development within areas like this considers carefully the emergency response in the event of flooding. The PPG advises that the emergency services are unlikely to regard developments that increase the scale of any rescue that might be required as being safe.

13. There are no details provided in the FRA accompanying the planning application to demonstrate that the development would provide safe access and egress for people during a flood. On this basis, I am unable to conclude that the proposal would provide safe access and egress; it has therefore not been demonstrated that the proposal would be safe for its lifetime. The proposal thus fails both criteria of the Exception Test.
14. I acknowledge that the appellant's FRA suggests that the vulnerability of the occupiers of the independent dwelling proposed, likely to be a young, able couple or family, may be less than the vulnerability of the occupiers of the existing dwelling including the annexe, more likely to be occupied by older people. However, the size of a dwelling does not determine the age of its occupiers, which in any event, is a poor indicator of frailty or fitness. More significantly, the PPG does not distinguish between types of residential occupier – a dwelling is classed as 'more vulnerable' regardless of the age of its occupiers. Moreover, an independent house occupied by a family would be a more intensive living environment than the occupation of an annexe, with the potential for a greater number of visitors, trips, and access for servicing.
15. I have had regard to the appellant's reference to planning permissions for housing developments granted at 33 and 35 Lower Cookham Road, as well as the site of the Chef Peking restaurant on Ray Mead Road, with the implication regarding the Council's consideration of risk in the planning balance. However, as the first application concerned the redevelopment of a vacant gym and workshop and the latter the change of use from a restaurant, any parallels to this case are limited. Moreover, I have determined this proposal on its own merits.
16. I conclude that the proposal would represent an unacceptable form of development, having regard to national and local planning policies relating to development in areas at risk of flooding. It would conflict with the approach to managing flood risk as set out in the Framework, and would be contrary to policy F1 of the LP, where it accords with the Framework. Whilst it would provide a modest benefit of one additional house to local housing supply, this is outweighed by the unacceptable risk to future occupiers from flooding, which is in clear conflict with the policies of the development plan and with the Framework.

Conclusion

17. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 2

Application No.:	15/02107/FULL
Location:	Land To The North of Longlea Fifield Road Fifield Maidenhead
Proposal:	Re-location of Phoenix gym club including building ,access, car parking and landscaping.
Applicant:	Mrs Bushell- Phoenix Gymnastics Club
Agent:	Mr Jan Molyneux- Stephen Bowley Planning Consultancy
Parish/Ward:	Bray Parish
If you have a question about this report, please contact: Victoria Gibson on 01628 685693 or at victoria.gibson@rbwm.gov.uk	

1. SUMMARY

- 1.1 Amended Plans have been received which reduce the depth of the building from 47.5m to 42m, the width from 35m to 24m and the overall height from 14m to 10.25m. The number of car parking spaces has also been reduced from 121 to 84 and the building set into the site by a further 15m. A flood risk assessment, sustainable drainage system and a visual impact study have now also been submitted and their conclusions are discussed further in the report.
- 1.2 The proposed site is located within the Green Belt and the development proposed constitutes an inappropriate form of development in the Green Belt. Furthermore, it would reduce openness across the site. Inappropriate development in the Green Belt can only be considered acceptable if there are very special circumstances which clearly outweigh the Green Belt and any other harm. The case of very special circumstance (VSC) put forward by the applicant are primarily; the achievements/benefits of the club, the number and range of users, the constitutional requirement of the club to serve the Maidenhead catchment area and the lack of available alternative sites. These considerations are not considered to constitute VSC and therefore do not clearly outweigh the substantial weight given to harm caused through inappropriateness, the actual loss of openness to the Green Belt and the significant weight given to the lack of an acceptable sustainable drainage system which is discussed further below.
- 1.2 The building has been designed to appear as an agricultural building and as such would not appear visually at odds with its location. It will be partially screened and if viewed along Fifield Road or from the surrounding area will appear as an agricultural barn. The building would be sited 135m back from the front boundary of the site and would not appear overly prominent within the street scene. Any lighting will be conditioned so that it is appropriate for this semi rural location.
- 1.3 The site has been laid out to provide sufficient car parking, whilst the car parking area could be at odds with this countryside location it will be screened by landscape bunds and planting and therefore the harm from its visual impact is considered to be low. Landscaping has also been incorporated within the site to break up the expanse of hardstanding. The proposal is therefore not considered harmful to this countryside location. The access provided is considered acceptable and highways raise no objections. This proposed location so close to the existing site also means that a significant number of the users are already using the adjoining highway network and therefore the displacement of traffic is kept to a minimum.
- 1.4 The proposal would not have a detrimental impact on ecology or trees subject to the scheme being constructed in accordance with the recommendations of the ecology report and the necessary conditions.

- 1.5 The gym would operate from 9.00 – 21.00 Monday to Friday and 9.00 – 18.00 Saturday and Sunday. The building would be constructed to prevent noise pollution of an unacceptable level emanating from the building. The car park has been sited so that the closest car parking space would be approximately 37 metres from the side boundary of the neighbouring Longlea Nursing Home with a footpath and tree belt intervening. Given these distances and the hours that the gym would be operating it is not considered to have a detrimental impact on the occupiers of the nursing home. The siting of the building and its design also means that there would be no loss of light or privacy to the occupiers of this adjacent nursing home.
- 1.6 Flooding is a serious issue for local residents; whilst this site is not sited within the flood plain numerous residents have highlighted it as a local issue. The Council as Lead Local Flood Authority has raised an objection to the scheme and recommends the development for refusal on this ground.

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 is inappropriate development which is, by definition, harmful to the openness of the Green Belt and conflicts with one of the purposes of including land in the Green Belt. There are no ‘Very Special Circumstances’ to justify this inappropriate development and the harm identified below.
2	An adequate sustainable drainage system has not been secured and as such it has not be demonstrated that the proposal would not increase the risk of flooding.

2. REASON FOR PANEL DETERMINATION

- The Borough Planning Manager and Lead Member for Planning consider that it would not be appropriate to use delegated authority in this instance due to the level of public interest in this item.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is rectangular in shape and sited on the east side of Fifield Road. Currently the site has no means of access and comprises of arable farmland. An intact hedgerow is present along the southern boundary of the site. The western boundary of the site is comprised of young broad-leaved plantation woodland. To the north, east of the site is the continuation of the arable field. To the south of the site lies the small settlement of Fifield. The site abuts Longlea which is a nursing home.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is for the construction of a new gymnastics building, access, car park area and associated landscaping. The building would be approximately 42 metres deep and 24 metres wide with an overall height of 10.25 metres. 84 car parking spaces would be provided.
- 4.2 The gym would provide a replacement home for Phoenix Gymnastics Club which currently rents a building within Water Oakley Farm. The landlords have received planning permission for its demolition and redevelopment for residential purposes and therefore the club is obliged to relocate. The building would fall in a Class D2 use.
- 4.3 There is no relevant planning history for the site however the following applications have previously been submitted for a replacement gym building on the Water Oakley site, currently occupied by the applicant.

Ref.	Description	Decision and Date
05/02734/OUT	Outline application for the erection of a replacement gymnasium with associated access and car parking	Permitted 01.11.2006

09/02247/OUT	Renewal of planning permission 05/02734 Outline application for the erection of a replacement gymnasium with associated access and car parking)	Permitted 03.03.2010
12/03120/OUT	Renewal of planning permission 05/02734 (Outline application for the erection of a replacement gymnasium with associated access and car parking) renewed under permission 09/02247/OUT	Permitted 11.02.2013

4.4 It should be noted that the section 106 agreement under the 2012 application secured support for the applicant in remaining on site and in searching for a new site.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework

- Chapter 2 Ensuring the Vitality of Town Centres (sequential test for main town centre uses)
- Chapter 4 Promoting Sustainable Transport
- Chapter 7 Promoting Healthy Communities
- Chapter 9 Green Belt
- Chapter 11 Conserving and Enhancing the Natural Environment

5.2 Royal Borough Local Plan

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

	Green Belt	Character Issues	Highways /Parking issues
Local Plan	GB1, GB2,	DG1,	T5, P4

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

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:

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 Landscape Character Assessment - view at: http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at: http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Public Rights of Way Improvement Plan - view at: http://www.rbwm.gov.uk/web/prow_improvement_plan.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether the development constitutes an appropriate form of development in the Green Belt and impact on openness;
- ii Impact on the character and appearance of the area;

- iii Highways;
- iv Impact on neighbouring amenities;
- v Flooding;
- vi Sustainability and Town Centre Uses;
- vii Ecology.
- viii Other Considerations; and
- iv Planning Balance.

Whether the development constitutes an appropriate form of development in the Green Belt and actual impact on openness.

- 6.2 The fundamental aim of Green Belt policy, as set out in paragraph 79 of the NPPF, is to keep 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. On the point of indoor sport the Local Plan policy is identical.
- 6.3 The gym is inappropriate development in the Green Belt and, by definition, harmful to its openness and it would also conflict with one of the purposes of Green Belt namely “to assist in safeguarding the countryside from encroachment.” In addition, the physical presence of a substantial building and presence of parking will result in an actual reduction in openness on the site. The proposals are contrary to Policy GB1 of the Local Plan and NPPF. It could only be approved, if there are ‘Very Special Circumstances’ (VSC) that clearly outweighs the harm to the Green Belt cause by inappropriateness and any other harm. 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.

Impact on the character and appearance of the area

- 6.4 The proposed building has been designed to have the appearance of an agricultural building so that it assimilates well in views with the character and appearance of the area. It was suggested that the building be timber clad, however, size and sections of the building would make this excessively heavy. Whilst the building would be set back behind the existing building line of Fifield Road this is considered acceptable given the agricultural appearance of the barn and how it would read as being part of the rural character of the adjacent fields rather than comprising part of the residential character of Fifield Road.
- 6.5 By setting the building back approximately 135 metres from the front boundary of the site it also prevents the building from appearing overbearing within the street scene. All planting along the boundaries is to remain apart from the small area required to make way for the access. The access has also been carefully sited to the north of the development to minimise views of the car park. A detailed landscaping scheme including bunds has also been proposed which would substantially screen the car parking area and minimise any harm to the character and appearance of the area. Lighting would also be controlled by condition if the application was to be recommended favourably in order to prevent harm to the rural character of the area.
- 6.6 With regard to impact on trees the west boundary of the site is a mature shelter belt (planted approximately 15-20 years ago) comprising of mixed native species such as hawthorn, black thorn alder, oak, spindle etc. An established mixed native hedgerow interspersed with mature trees aligns the southern boundary and public footpath beyond.
- 6.7 The proposed entrance to the gym will require the loss of a tapered section of the mature shelter belt (27m at its widest point, 10m at narrowest point) and 2 'B' category trees in order to create a new entrance in to the site. The oak and alder trees are early mature and are not important in context of the wider landscape. Their removal is unlikely to be visible beyond the immediate

vicinity and their loss is mitigated by the presence of established trees within and adjacent to the application site. The gym and associated parking are situated well outside the root protection areas (RPA's) of retained off-site trees so the arboricultural impact is limited to the western boundary. As such the proposal would not have a detrimental impact on trees and would not cause harm to the character and appearance of the area in this regard.

- 6.8 A landscape and visual impact statement has been submitted with the application. The site and its surrounding landscape were assessed during October 2015. A total of sixteen viewpoints were selected to represent residents of Fifield and its surroundings; along with users of adjacent roads and public rights of way which surround the site. The visual impact assessment identified a total of four viewpoints with significant visual effects, representative of users of public rights of way (including footpaths) adjacent to the site which have direct views and road users looking into the site through the new access on Fifield Road. Following mitigation measures, vegetation growth and weathering, the residual visual impacts (15 years to establish) would not remain significant. For the remaining receptors, the report concluded that once a successful mitigation strategy has been implemented, the views of the development will be difficult for the casual viewer to distinguish the development from the surrounding existing development in the area. The potential landscape character effects would be considered minor/negligible i.e. not significant. With regard to impact on the character and appearance of the area the proposal complies with Local Plan Policy DG1 and GB2 and would accord with Core Planning Principle 7 and other parts of the NPPF which requires development to respond to local character.
- 6.9 Objectors have also raised the issue that it is not only the building and car park that would be harmful to the semi rural nature of the area but also the increase in the traffic coming through the village. In assessing this issue the existing location of the club needs to be taken into account, (see Appendix A) all traffic travelling currently to the gym from the south is likely to already be coming through the village. The traffic coming from the north along the A308 will turn into Fifield Road and will not need to go through the village. Notwithstanding this, the trip generation proposed is not considered to be so intensive to result in significant harm to the semi rural character of the area, or result in unacceptable pollution or vibration levels.

Highways

- 6.10 Fifield Road is a local distributor road that provides an alternative link between the A308 Windsor Road and the B3024 Forest Green Road. The site is situated in an area where the vehicular speeds are de-restricted (60mph). However, approximately 50m south of the proposed access Fifield Road reverts to a 30mph speed limit. The road is unlit and offers limited pedestrian opportunities along the majority of its length.
- 6.11 The applicant proposes constructing a priority junction off Fifield Road. To comply with current standard the new access would need to provide visibility splays of 2.4 x 215m in both directions. Referring to the *Proposed Site Access* plan the site can achieve the splays to the right (north) of the access. However, to the left, the new access can only provide splays of 2.4 x 150m, primarily due to the alignment of the road.
- 6.12 The Highway Authority is prepared to take a pragmatic approach and accept a departure from their current standard given the close proximity of the 30mph speed limit, and for most part the sightlines are across the 30mph speed limit. This approach appears justified and is supported by the Local Planning Authority. The provision of the new access would need to be secured by way of a S278 Agreement between the applicant and the Authority should the application have been recommended favourably.
- 6.13 The parking criterion for a Class D2 (assembly and leisure) development is assessed on an individual basis and should reflect the needs of the particular use. In this submission the applicant proposes a 40% reduction in the floor area compared to the original application, together with the omission of the school bus parking spaces and a 30% reduction in the overall number of car parking spaces.
- 6.14 Having considered the reduction in floor area of the building and a lesser reduction in the sites parking provision, the Highway Authority conclude that the parking is sufficient to accommodate

the activities on the site. Furthermore the revised site and landscaping plan does allow vehicles to enter, manoeuvre and exit the site in a forward manner.

- 6.15 The applicant stated in the Transport Assessment that the proposal has the potential to generate between 626 and 1246 vehicular trips per day. This transport statement was based on the original scheme and has not be amended to take into account the reduced building area. The higher figure represents the worst case scenario; all the classes and session being full. The peak commuter traffic periods is defined as the one-hour period of time with the highest volume of traffic. For the am peak period this occurs between 8 a.m. and 9 a.m. and, for the pm this is between 5 p.m. and 6 p.m.
- 6.16 Using the worst case scenario figures with **no allowance** given to the reduction in the floor area the building or the reduction in the site parking provision, the proposal would lead to 10 vehicles during the am peak period and 75 during the pm peak period. The highest movement of traffic occurs between 6 pm and 7 p.m. Between this period 55 vehicles arrive at the start of the hour with 83 departing an hour later. The Highway Authority’s recent traffic count along Fifield Road between 22nd January 2016 and the 7th February 2016 showed that vehicular activity varies considerably during both peak periods. See Table below:

Date	AM Peak Period 08:00 – 09:00	PM Peak Period 18:00 – 19:00
23 January 2016	83	73
24 January 2016	43	61
25 January 2016	331	17491
26 January 2016	327	19389
27 January 2016	325	198
28 January 2016	329	171
29 January 2016	278	169
30 January 2016	87	80
31 January 2016	34	66
1 February 2016	319	190
2 February 2016	358	197
3 February 2016	405	190
4 February 2016	301	188
5 February 2016	257	176
6 February 2016	88	70
7 February 2016	48	67

- 6.17 Given the variance in vehicular activity across Fifield Road during the peak periods, the impact of an additional 10 to 75 movements would be imperceptible. The worst case scenario figure of 1246 trips does not mean that there will be this number of vehicles descending upon the area at one specific time. Vehicles will arrive and depart between 08:00 and 22:00. Furthermore, it is unlikely that the routes to and from the site would change significantly. Drivers will continue to travel either from the east and west of the Borough via the A308 or from the south via Fifield Road.
- 6.18 Based upon the National Planning Policy Framework development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. There are no structural or design defects on Fifield Road or in the surrounding highway network which would exacerbate or lead to a worsening of highway safety. Whilst the visibility splay would be slightly below standard the area most affected is within a 30mph zone and the harm to highway safety would not be severe.

Impact on Neighbouring Amenities

- 6.19 There are no neighbouring properties on three sides of the application site. The only neighbour lies to the south and comprises of Longlea Nursing home.
- 6.20 Given the siting of the proposed building over 30 metres from the side boundary of the nursing home and corner to corner over 80 metres away and with the retained intervening tree screen the

proposed building would not result in loss of light or privacy for the occupiers of the nursing home. Nor would the building have an overbearing impact. The main impact of the proposal would be the noise and general disturbance from the car parking area. The nearest car parking space would be over 40 metres from the side boundary and the hours of use of the gym could be controlled. For these reasons the impact is not considered to be significant.

- 6.21 The Council's environmental protection officer raises no objections and subject to conditions should the application be considered favourably.

Flooding

- 6.22 The site does not lie within the flood plain however the issue of local flooding has been raised by a large number of residents. Furthermore, as the proposal constitutes a major form of development the applicant is required to submit a sustainable drainage system and a flood risk assessment (FRA) in order to prevent any increase in surface water run off from the site and/or increase in flood risk. The Lead Flood Authority originally raised objections. As a result of this a revised scheme has now been submitted as well as a flood risk assessment.
- 6.23 The FRA states that the overall surface water flood risk to the site is 'very low', despite the western area of the site shown to be at 'low' to 'high' risk. This assessment is based on the two ditches either side of Fifield Road. The eastern bank of the eastern ditch provides a 400mm freeboard, which the FRA states will serve to prevent surface waters from entering the western part of the site. The FRA states that surface water flooding in the locality of the site would be restricted to Fifield Road itself, with waters flowing downslope to the north. The FRA also states that there is a small ditch along the southern boundary, which it notes will restrict surface water flows that may enter from off-site to the south.
- 6.24 The Lead Local Flood Authority has confirmed that it cannot be assumed that these ditches are excluded from the Environment Agency Risk of Flooding from Surface Water mapping. Nor can it be assumed that the ditches would deal with the volume of surface water runoff generated during a 'medium' or 'high' risk event within the vicinity of the site and hydraulic modelling would be required to demonstrate this. Detail must be provided on how the risk of surface water flooding shown to affect the western area of the site will be managed without impacting on neighbouring properties or the function of the proposed drainage arrangements.
- 6.25 The surface water drainage strategy states that runoff will be discharged to ground; however infiltration tests have not been undertaken for the site. It is recognised that the intention is to direct runoff eastwards, where clays give way to sand and gravel; however evidence is not provided within the FRA to demonstrate that this scheme is viable. If discharge to ground is not viable for the site, surface water runoff will need to be directed to the surrounding ditches. If this is the case, the high surface water flood risk will need to be considered. It is also noted from the plans provided that the SuDS features located in the west of the site, adjacent to Fifield Road, lie within an area of 'low', 'medium' and 'high' risk of surface water flooding associated with a flow route through the site. The surface water drainage strategy states that it is assumed that run-off from external source areas will not enter the site. Given that there is insufficient evidence submitted with the FRA to support the change in surface water flood risk for parts of the site from 'high' to 'very low', it cannot be assumed that surface water from offsite will not flow onsite and will not impact on the SuDS features in this area. The flood risk associated with the new access over the existing drainage ditch will need to be assessed to demonstrate that flows within the ditch will not be restricted. This assessment needs to be submitted in support of the planning application in order to demonstrate that the proposed development will not increase flood risk.
- 6.26 In the absence of this information the development does not comply with paragraph 103 of the NPPF as it has not been demonstrated that the proposed development would not increase flood risk.

Impact on the vitality of Town Centres

- 6.27 One of the objectives of the NPPF is ensuring the vitality of town centres and Annex 2 of the NPPF identifies the uses that are to be located in such centres based on the town centre first approach. The current Development Plan is silent in respect of the locational approach for leisure

uses and it does not allocate suitable sites for such uses. The NPPF states that Local Planning Authorities should allocate suitable sites to meet the scale and type of retail, leisure, commercial and other uses needed in town centres.

- 6.28 Annex 2 refers to “more intensive” sport and recreation uses as being considered a town centre use. It is debatable as to whether the development could be described as intensive however should the development be considered a town centre use then it is for applicant to demonstrate that there would not be any sequentially preferable sites. An impact assessment on both town centres is not however necessary given the size of the development proposed.
- 6.29 The applicant has carried out an intensive site search for town centre sites, edge of centre sites and accessible out of town sites. However this site is the only site that is available to the club and given their 3 year search and the number of sites investigated it is considered that compliance with the sequential test has been demonstrated and that there is not an available site within the town centre, edge of town centre or a preferable site closer to the town centres of Windsor and Maidenhead.

Ecology

- 6.30 An extended phase 1 Habitat Survey was submitted with the application, this survey was carried out in the optimum period April - September. The report confirms that there were no signs of badgers identified within the site. With regard to bats seven trees present within the hedgerow along the southern boundary of the site were assessed as having a low-moderate roosting suitability for bats and are classified as Category 2 tree (trees with no obvious potential, although the tree is of a size and age that elevated surveys may result in cracks or crevices being found: or the tree supports some feature with limited potential for roosting bats.) All of these are pedunculated oak trees with ivy present that may be hiding potential cracks within the trees. All other trees present within the site are classified as Category 3 trees (trees with no potential to support bat roosts).
- 6.31 The hedgerow and broad-leaved plantation woodland provides suitable habitat for foraging and commuting bats. In addition there are areas of woodland directly linked with the hedgerow along the southern boundary of the site which are considered to provide good quality foraging habitat. The field boundaries would not be affected by the proposals with the exception of the access road from the west and therefore connectivity would be retained around the site. In addition additional planting is proposed to be undertaken to the north and west of the building which would provide additional foraging and commuting features for bats.
- 6.32 There is one water body present on the site, a narrow ditch within the north-west corner of the site. At the time of the survey this ditch contained very little water and was considered to provide sub-optimal habitat for water voles. As there are no other suitable waterbodies within close proximity of the site it is considered highly unlikely that this species or great crested newts would occur on the site.
- 6.33 The majority of the site provides sub-optimal habitat for dormice in the form of arable fields, grassland and young broad leaved plantation woodland. However, the intact hedgerow along the southern boundary of the site does provide suitable habit for dormice but no evidence of dormice or their nests were identified during the survey.
- 6.34 There are three records of grass snake (reptiles) dated from 2001 and 2008 returned from Bray Pit approximately 1.5km to the north west of the site. Grass snakes are know to travel fairly long distance (up to 2km) however it is considered likely that any reptiles present within the locality will stay within the River Thames corridor that provides much more suitable habitat. No potential hibernation areas for reptiles were identified on the site during the visit.
- 6.35 In conclusion the survey works identifies that the site supports small areas of suitable habitat for breeding birds, possibly reptiles and roosting bats. The proposals are not to impact any trees that are suitable for roosting bats and recommendations have been put in place to ensure that any nesting birds or reptiles that may pass through affected areas of the site are not harmed.

Providing that all the recommendations are undertaken, as detailed in the report the proposals are not considered to have a negative impact on any designated sites, habitats or species within the site or the locality.

Other Considerations

- 6.36 The Local Plan policy R8 seeks to encourage the provision of recreational development except where such development would result in significant environmental or highway problems or where it would conflict with other policies in the plan. The proposal would not result in significant highway problems but would conflict with Green Belt policies and could increase flood risk as described above. Additionally, Policy R14 of the Local Plan states that developments should be resisted that detract from the user's enjoyment of this route. The Public Rights of Way Officer considers that the proposals are acceptable. The proposed building would be, at its closest point, 32m from the edge of the PRoW. Given this distance and the existing screening along this part of the footpath closest to the site the users of the footpath enjoyment would not be harmed.
- 6.37 Objectors have raised the issue that the housing scheme at Water Oakley should not have been approved because of the loss of this sporting facility. Reference has also been drawn to the fact that Sports England has confirmed that if it had been consulted on that previous application it would have objected. There are policies contained both within National and Local Policy which seeks to protect recreational uses. However in this instance Phoenix Gym only had a personal permission to change the use of the agricultural barn to gym. At anytime therefore the owners could have served notice on the gym and then its lawful use would have returned to an agricultural use. On this basis planning policy could not prevent the loss of this sports facility.
- 6.38 Objections have been raised regarding harmful impact on house prices in the area; this is not a material planning consideration. Furthermore the amount of time for residents to comment on the application is in accordance with the Council's Procedures, statutory requirements and has been carried out in the same way as all planning application that the Council deals with.
- 6.39 Numerous other sites have been put forward by local residents, however if these landowners are not on board then these alternative sites cannot be secured.
- 6.40 Residents have stated that no environmental report was submitted with the application. An ecology report was submitted with the application but has to be kept as sensitive information because of the identification of protected species. The Council's ecologist report is however a public document.
- 6.41 There are no proposals for the gym to have a drinks license. Furthermore, there is no evidence to suggest that local business would suffer as a result of this proposal.
- 6.42 The siting of the building has been chosen to avoid any adverse impact on minerals available within the area. A letter of clarification was submitted with the application from M Lowe a Director of Summerleaze landowner and owners of the mineral rights, confirming that the proposal would not sterilise future mineral extraction as the Club would be located on a barren area of clay rather than gravel.
- 6.43 It has been claimed by one resident that not many of the residents of Fifield would benefit from this facility. Whether this is the case or not does not outweigh the benefits to the large number of current users.
- 6.44 With regard to the concern raised regarding the water pipe that runs through the site this is not a material planning consideration in the determination of this application. However it can be confirmed that the water main is at a depth which will not be affected by the construction of the Gym nor during its operation.

Planning Balance and the Case of Very Special Circumstance.

6.45 As stated in National Planning Policy and in the Borough Local Plan planning permission can only be granted for inappropriate development if there is a case of very special circumstances that clearly overcomes the harm to the Green Belt and any other harm. It has been concluded that the development constitutes an inappropriate form of development which is harmful by definition and substantial weight needs to be given to this harm. Significant weight also has to be given to the actual physical reduction in openness across this site and the failure of the application to demonstrate that the proposal would not increase flood risk through the implementation of an adequate sustainable drainage system.

The Case Of Very Special Circumstances (VSC) put forward by the applicant and reproduced below.

- 1. Apart from borough leisure centres we have the highest footfall of over 1000 children from 8 weeks to 18 years participating in gymnastics every week.*
- 2. Phoenix an established and revered community asset has been providing quality gymnastics to the local community for over 35 years.*
- 3. The proposed site at Fifield Road allows the club to stay within the centre of the Royal Borough just a few hundred yards from our current site and will minimise any disruption/loss of members.*
- 4. At the Planning Control Meeting on 9th April 2014 planning permission was granted for the redevelopment of the club's existing site. Councillors were asked to confirm their support for the club in their search for an alternative location, which they unanimously did.*
- 5. Section 106 monies from Water Oakley development of £167,000 has been allocated to Phoenix rather than social housing. This was passed by the Development Control Panel.*
- 6. The National Planning Policy Framework states " Existing open spaces, sports and recreational buildings and land, including playing fields, should not be built on" By allowing the Water Oakley development the Council have forced the closure and demolition of the club and the need for the very special circumstances to relocate.*
- 7. After extensive searching over many years this has been the only viable site that has become available due to the lack of extensive industrial warehousing incorporating the square footage needed and or the cost of land in the borough. See attached at appendix D details of potential sites.*
- 8. The site is not suitable for mineral extraction, being where the underlying sand and gravel runs out.*
- 9. The site is immediately adjacent to existing buildings on the edge of Fifield and as such would not be prominent within the rural area.*
- 10. The proposed development would be substantially landscaped to screen the building and car parking.*

Keys to our Success

- A thirty five year history and an excellent reputation for high quality teaching*
- Competitive pricing*
- Experienced coaching and management team*
- Strong personal relationships with participants*
- Strong community ties and partnership liaisons e.g Get Berkshire Active, local*

schools, home schooling parent body, corporate support 3 mobile.

Membership

We have a very robust membership and anyone taking part in gymnastics is required to become a member of the national governing body, British Gymnastics. Parents and carers automatically become members of Phoenix Gymnastics Club when their children enrol which gives them voting rights at AGMs and for their thoughts and ideas for taking the club forward to be heard. Any member who wishes to assist the club in any capacity especially within their professional expertise has the ideal environment in which to add value. Membership currently stands at weekly participants of 750 members with weekly Play gym (under fives with parent carers) walk-in of 300+

Phoenix Gymnastics wants every child in the borough to be able to access all and every level of British Gymnastics disciplines creating a sporting habit for life.

Gymnastics has been shown to be an ideal sport for children in developing both physical and mental skills including core strength, confidence, cooperation, coordination and concentration. Learning these critical skills and gaining a love for sport at an early age benefits all children and their future life.

2015 A Beginning or an End

Phoenix provides not just floor based classes but all aspects of gymnastics and our fully equipped gym includes a full size floor, vaults, bars, beams, running and tumble tracks which all gymnasts utilise in developing their skills and confidence.

The relocation of Phoenix Gymnastics Club will ensure that many more children will be able to enjoy a healthy, active childhood in a better-equipped facility. With nearly one third of children in the UK under 15 suffering from obesity, physical activity and participatory sports are essential.

The Club will close permanently on 9th October 2015 due to the demolition of our current building to make way for housing, unless we have secured a new site and received planning permission.

We believe that the details provision in this statement show that Phoenix Gymnastic Club exhibits the very special circumstances required for such a development to be considered acceptable in the Green Belt.

Planning Officer's Assessment of the Very Special Circumstances.

- 6.46 The club has been aware of the need to move for approximately 3 years and has undertaken an extensive search to try and find new premises. The club will need to close down on 9th October 2015 if an alternative site cannot be found. A site search has looked at over 50 sites, but due primarily to the demand for housing in the Borough this has restricted opportunities for the gym to find an alternative site.
- 6.47 Phoenix Gymnastics Club is a significant recreational facility within the local area with up to 1000 users per week and the club is held in high esteem and has provided professional coaching to many thousands of children of all abilities in the local community for 35 years. The benefit of this for all those children to their overall wellbeing and future generations is important and the social benefits of the facilities and the contribution it makes to sustainable development (of which there is a presumption in favour of) is given some weight. The successes of this club, its importance and their achievements are noted but do not amount to VSC.
- 6.48 Whilst some weight can be afforded to the case of VSC it is not considered that these benefits outweigh the substantial weight that has to be given to the harm through the inappropriateness of the development, and the significant weight given to the actual physical reduction in openness of

the Green Belt from the presence of the building and car parking area and the harm caused through the lack of an adequate sustainable drainage system.

Conclusion

- 6.49 A compelling case for 'VSC' has not been made by the application and neither is one obvious for other reasons. In accordance with Paragraph 88 of the NPPF substantial weight is afforded to the harm to the Green Belt and significant weight is attached to the other harm which has been identified in respect of the failure of the application to demonstrate that the proposal would not increase flood risk. The proposal is considered acceptable with regard to impact on the character and appearance of the area, impact on the PRoW, highway safety, vitality of town centres, neighbouring amenity, trees and ecology. The application is recommended for refusal.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

9 occupiers were notified directly of the application.

The application was advertised in the Maidenhead & Windsor Advertiser 16th July 2015.

The planning officer posted a statutory notice advertising the application at the site 10th July 2015.

A petition with **1,125 signatures** supporting the application has been received.

In total 479 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	This club offer young people of all abilities the chance to compete and fulfil their dreams. The club generates community spirit and is an asset to the community.	6.45
2.	It would be devastating if such a lovely team of people that have run it for the last 35 years didn't get to continue the excellent work they do.	"
3.	I support this application because it will allow for the access and continuation of excellent sporting facilities for the local community and young people.	"
4.	I believe the Phoenix Gym is vital to the needs of people who want to carry out a sport especially following the Olympics.	"
5.	This will be a brilliant new venue for children in the area to enjoy for many years to come.	"
6.	This is a great proposal offering a new well planned amenity to the local area.	"
7.	Phoenix Gym is a popular and successful gymnastics club which benefits both individuals and the local community. Their dedicated staff has enabled the club to compete commendably at regional and national events and the move to a modern and better equipped site can help ensure it excellent reputation. The proposed building is more attractive than the one at the current site and can be more energy efficient. As the two sites are relatively close to each other I do not see the relocation of the club as having any major impact on the local area. I would not wish to see such a valuable asset for the youth of the Borough disappear due to the lack of a new home when the current building is being demolished.	"

8	The existing gym is so busy and cramped to have a new gym would be amazing.	“
9.	Phoenix gym has been a wonderful community asset over the years. It is rare to have such a unique sporting facility available to us and it is imperative that the future of the club is secured. On a personal note, Phoenix has given out daughter an opportunity to shine in something she is truly passionate about. It has given her confidence to try new things in all areas of her life. So many young people have had the same privilege – to experience at all levels within a supportive community. We are very excited at the prospect of new facilities to ensure more families have the chance to experience what we have.	“
	It is time this valuable gym found a permanent home It is a popular and well visited centre providing many local children with both gymnastic classes and a play gym for the younger ones.	“
10.	It is vital that a club like this is maintained as an Olympic legacy.	“
11.	Excellent community sporting resource. Has been invaluable for my children. It will offer a great opportunity for children in the borough.	“
12.	If the club was to close I would be lost as I absolutely love gymnastics, I know for a fact that all my friends and people that I go to gym with will feel the same as it means a lot to them also.	“
13.	Close to 1000 children attend the gym, if the planning does not go through it would be a disaster for the club, employees, and gymnasts. The site proposed has a great access and the plans enable a considered sensitive aesthetically and environmentally driven development of the plot.	“
14.	Given the current demand and waiting list at the Club, the opportunity for more children of the Borough to enjoy the play gym, build confidence, improve fitness and have fun expending energy in a high quality and safe environment can only be extremely positive for the Borough.	“
15.	The new development will mean more children having a great opportunity, more employment prospects for young adults. It will help other youngsters like myself with learning and even physical disabilities and no doubt give future children a refuse in similar ways it gave me.	“
16.	The Borough would be worse off without the facility.	“

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

Comment		Where in the report this is considered
1.	The site will increase the flooding problems in the area	6.22 – 6.26
2.	The proposed development would result in disturbance to the residents of Longlea Nursing Home due to the large car park sited immediately next to the home. Residents would be disturbed 7 days each week till late into the evening by floodlighting and noise from cars arriving and leaving the site. This would impact residents' health and well being.	6.19 - 6.21
3.	The development would result in the total desecration of the quiet ambience of the whole village. The Phoenix Gym already has in excess of 700 members plus 300 juniors and they want a purpose built unit to encourage more members. This equates to increasing the	6.9

	volume of traffic in our village to more than twice what it is already and most of this traffic will happen after school time and after work which will mean a high volume of traffic late into the evening.	
4.	Farmglade own all the land now from Oakley Court Hotel up to Monkey Island which is almost half of the smallest piece of greenbelt land between Windsor and Maidenhead so why can't they build the gymnasium on the site of the old Brayfield Farm where there is ample space to put it without spoiling our village.	6.37-6.39
5.	The volume of water coming from the roof would add to an already overflowing ditch in Fifield Road causing excess flooding. The ditch is quite deep and will take a large volume of water but the problem lies in the underground pipe which carries the water to the Thames not being able to cope.	6.22 – 6.26
6.	Properties in the area would be devalued	6.38
7.	The site is in the Green Belt	6.2 – 6.3
8.	Fifield Road is a small road used by many horse riders, many of which are learner. Significant increases to traffic levels would cause an already dangerous road to become more unsafe and potential for serious accidents would be significantly increased. The local road system already struggles to cope with a dearth of roundabouts, properly enforced speed limits blind bends and poor sight lines.	6.10– 6.18
9.	Given that there are lots of brownfield site available locally these should be used instead and this would be in accordance with the Governments priorities.	6.39
10.	There has been no environmental impact report submitted with application	6.40
11.	The flood report contains errors; it states that the building would be built on sand gravel which would help water drain away when in fact the owner reports that the proposed development area is clay which would prevent water from draining away. The independence of this report is therefore questioned.	6.22-6.29
12.	It is understood that the Borough Council should have previously identified an alternative site for Phoenix Gym to relocate prior to granting planning permission for housing on the current Phoenix Gym site. A gross failure of due process.	6.37
13.	The timing of this application is also highly suspicious. One must question the short time frame to submit objections as a potential tactic by RBWM to minimise them.	6.38
14.	Local businesses such a Fifield pub would suffer from reduced trade due to potential customers being put off by the level of congestion caused by increased traffic levels along Fifield Road and this would impact upon the local economy.	6.41
15.	The size and scale of the proposed development (approximately 45m x 35m and 14 metres high) is not in keeping with the area and the further tarmacking of 140 car parking spaces and coach bays will further increase congestions and water run off.	6.4 – 6.9
16.	Major light and noise pollution in the Green Belt.	6.6. and 6.
17.	I see no reason why the gym should need to move	6.4
18.	It seems that no attempt has been made to carry out a traffic study to understand the existing movements and what adding the estimated massive hourly vehicle movement might do to the area.	See Applicants Highway Statement
19.	The proposal would have a negative impact on the nursing home as	6.19 – 6.20

	the size of the building would cut out daylight and would be overbearing	
20.	The Fifield area is a semi rural quiet village and this proposal would harm that character. The proposal is of an industrial scale and would have an urbanising impact.	6.4 – 6.9
21.	Very few of the residents of Fifield will benefit from the proposal.	6.43
22.	The sequential test is not robust and there is no Environmental Report.	6.27 – 6.29
23.	If it is intended for the gym to have a drinks license it will cease a lot of disturbance for the nursing home and the people of Winkfield.	6.41
24.	The proposed site is farmed land and recently the margins planted with trees to mitigate the impact on any future gravel extraction. As such the area is a haven for wildlife and is a peaceful place. The effect of the proposed development in respect of flora and fauna, noise or light pollution does not seem to have been worthy of consideration by the applicant.	6.30 – 6.35
25.	Harm to the Public Right of Way adjoining the site.	6.4 – 6.9
26.	The proposed increase in traffic would cause pollution problems in the area there would also be safety problems as there are no footpaths along the Fifield Road.	6.10-6.18
27.	Increase in vibration to the houses adjacent to the speed humps. Also there is a weight restriction on heavy vehicle which should impact on coach access.	6.9

Statutory consultees

Consultee	Comment	Where in the report this is considered
Local Lead Flood Authority	<p><u>Original Plans</u></p> <p>The brief Sustainable Drainage Statement provided on behalf of the applicant states that the proposed site is set on underlying sands and gravels and as such is free draining land suitable for a SuDS scheme. The geological map would however suggest that the underlying geology is London Clay with no superficial deposits.</p> <p>The Sustainable Drainage Statement also states that the site is surrounded by deep, free running ditches, which dry up during the summer indicating that they have ample capacity for further surface water runoff if necessary. The ditch running parallel with Fifield Road is however known to respond rapidly to rainfall and flooding has been experienced on the ditch network, both upstream and downstream of the proposed development. It is therefore important that adequate provision is made for the disposal of surface water and insufficient detail has been provided to demonstrate that the proposed development will comply with the non statutory technical standards for sustainable drainage (dated March 2015). The applicant should therefore be asked to submit additional information demonstrating that the proposals comply with the non statutory technical standards for sustainable drainage.</p>	6.22 – 6.29

	<p>If the planning application is to be determined as submitted without the applicant being given the opportunity to submit additional information it is recommended that the application be refused.</p> <p><u>Amended Plans/Information</u></p> <p>Additional Information Required</p> <p>Raises an objection.</p> <p>In order to remove this objection it is recommended that the following information is submitted with the planning application:</p> <ol style="list-style-type: none"> 1) An assessment of the surface water flood risk to the western area of the site, with details of suitable mitigation where appropriate. 2) Results of intrusive ground investigations demonstrating seasonal variation in the depth of the groundwater table, infiltration rates determined in accordance with BRE Digest 365 and areas of ground contamination, including Made Ground. 3) Evidence to show that the drainage scheme has been designed to account for the areas of low, medium and high risk of surface water flooding associated with a flow route through the west of the site. 4) If discharge to ground is proved not to be viable, demonstration that discharge to a surface water body is viable including evidence demonstrating that the RBWM agree in principal to the plans. 5) If discharge to a surface water body is proved not to be viable, demonstration that discharge to the main sewer network is viable including evidence demonstrating that the sewerage undertaker agrees in principal to receiving additional surface water contributions to its network. 6) Demonstration that the new site access over the existing drainage ditch will not restrict flows in the ditch. 7) Details of the maintenance and / or adoption proposals / agreements for the development covering every aspect of the proposed drainage system. <p>Without this information the application is recommended for refusal</p>	
<p>Bray Parish Council</p>	<p><u>Original Plans</u></p> <p>Recommended for refusal on the following grounds:- Over development in the Green Belt GB1- In appropriate basic design DG1- Increase in traffic on a busy and dangerous road- Impact on flooding in an area that has experienced and been subject to major flooding p and unneighbourly - Negative impact on a public right of way</p> <p><u>Amended Plans/Information</u></p> <p>Do not believe special circumstances have been proven.</p>	<p>All of report</p>

	<p>Recommended for refusal on the following grounds;</p> <p>GB1 – Unacceptable use and development in the Green Belt,</p> <p>GB2 – Unacceptable development,</p> <p>DG1 - Design Guidelines,</p> <p>F1 - Impact on flooding in an area that has experienced and been subject to major flooding problems in recent years,</p> <p>- Intrusive and unneighbourly,</p> <p>- Negative impact on a public right of way, -</p> <p>Increase in traffic on a busy and dangerous road.</p>	
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Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Oakley Green and Fifield Residents Associations	<p><u>Original Plans/Information</u></p> <p>The relocation of the Phoenix Gym is of great important not only to the Royal Borough but also to British Gymnastics. We are enormous supporter of this Club and therefore this application needs to be carefully considered.</p> <p>We also need to take into consideration the responses from local Residents in Fifield and the fact that this site is in the Green Belt.</p> <p>We therefore somewhat sadly conclude that we are unable to support this application for these reasons</p> <ol style="list-style-type: none"> 1) The site is within the Green Belt and is also green field. 2) The proposed site is next to a nursing home and hence there is a likelihood of potential noise and loss of privacy due to light pollution. 3) The site is located close to near bends on a road which carries a fair amount of traffic and near to a riding school catering for young riders. 4) The generated traffic would cause further congestion at the junction with Fifield Road and A308. Although the Highways report indicates that this is not the case we believe that this would be a consideration. 5) The lack of support for this application by the residents of Fifield. <p>We believe that there must be more sites within the Borough that have not been considered and that every effect should be made to relocate this important Club.</p>	All of report
Oakley Green, Fifield and	<u>Original Plans/Information</u>	All of report

<p>District Community Association</p>	<p>The Phoenix Gymnastics Club is a very popular facility and does great work. As a measure of its increasing popularity the club has a membership of over 750 and plans to expand. Some local residents use the facility and see it as an asset to the area. The comments below are not against the Club and what it is delivering but describe the concerns that local residents have about relocating it from a brown field site to a green field site in Fifield and the associated adverse impacts of such a move.</p> <ol style="list-style-type: none"> 1) Location and Planning Policy – the site is in the Green Belt and the Very Special Circumstance does not outweigh the harm when potential elements of harm are considered. 2) Neighbours – harmful impacts due to noise and light pollution. 3) Scale – the building is much bigger than any of the neighbouring buildings. 4) Road traffic and safety – Fifield Road is heavily used, there are tight bends immediately to the south by the entrance to the nursing home and this has been the scene of accidents in the past. 5) Flooding – residents are concerned about the potential to make flooding worse because of the huge amounts of water run off from the Gymnasium roof and car park. 6) Noise and Light Pollution – the external lighting and level of noise from the car park will harm the amenities of occupiers of the care home and the north part of the village. 7) Archaeology – archaeological remains may be damaged by ground disturbance for the proposed new gym club and associated works. 8) Ecology – the proposal would result in the loss of some trees and in addition such a busy and active site will adversely affect the local flora and fauna. 9) Sports England have confirmed that <p><u>Amended Plans Information</u></p> <p>The amended Water Management Plan does not seem to have changed and proposes that all this water can be dealt with by using 3 ephemeral pools and a sub-base under the car parking areas. Several figures are quoted to claim that the capacity of this system is vastly over provided. It claims that water will all be fed slowly to a final attenuation pond from where it will gradually dissipate into the ground. What it does not mention or appear to allow for is the point made early in this process by RBWM's own Flood Risk Manager that when these ponds are most needed they will be half full of water already severely diminishing their effective capacity. From local experience there's a lot of water simply disappearing into the ground, If it isn't led away where is it? Yet we are asked to believe that no water will leave</p>	
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	<p>the site ... it will all be held within it and dissipated into the ground below it. One cannot help but to wonder how?</p> <p>The proposed western SUDs pond as it is currently designed and offered if put into practice would have the crown of the 1.2 m diameter pipe intruding into it to some degree - perhaps by as much as 0.3 m. We are only amateurs, but it surely cannot be right to have such a glaring potential problem at the outset ? At the very least surely the layout of the site will need to be reconsidered</p>	
PRoW Officer	<p>A public footpath (FP 51a Bray) runs alongside the southern boundary of the application site accessed from Fifield Road and there are a number of other public rights of way in the vicinity of site (see attached extract from the Definitive Map of Public Rights of Way.</p> <p>As noted in the Landscape and Visual Impact assessment, the proposed development would be visible from these public rights of way in particular FP 51a both during the construction state and to a lesser extent during the operational stage.</p> <p>However bearing in mind the screening provided by existing vegetation and by the proposed landscaping of the development site I do not consider that the adverse impact of the development on views from the public rights of way network would be sufficient to justify an objection on public rights of way grounds.</p>	
Environmental Protection	No objection subject to conditions regarding noise and contamination. Amended Plans no change.	Noted
Tree Officer	No objection subject to conditions. Amended Plans no change.	6.6 – 6.8
Ecology	No objection subject to conditions. Amended Plans no change.	6.30 – 6.35
Sport England	<p>It is understood that the site where the Club is located currently has been granted planning permission for a housing development. If Sport England had been aware of the application for the development of the Club's existing site, then Sport England would have objected as paragraph 74 of the NPPF requires existing sports facilities to be protected from development or replaced. The Club is an important local sports facility and its future depends upon finding an alternative site. It is understood that this is a Green Belt site and has only been selected because of an absence of suitable alternatives. The Club's new building has been designed to be sympathetic to its location whilst providing the space the Club will need for sport.</p> <p>The proposal is therefore considered to be in accord with Objective 3 of Sport England's policy. This being the case, Sport England offers its support to this application.</p>	6.37

Berkshire Archaeology	Therefore the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed new gym club and associated works. This is a development of reasonable scale (1.4 ha) on previously undeveloped land, bar the construction of the water pipeline. In view of this partial disturbance to the site, Berkshire Archaeology would recommend that a condition requiring a programme of archaeological investigation is attached, should planning consent be granted. Amended Plans no change.	Noted.
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9. APPENDICES TO THIS REPORT

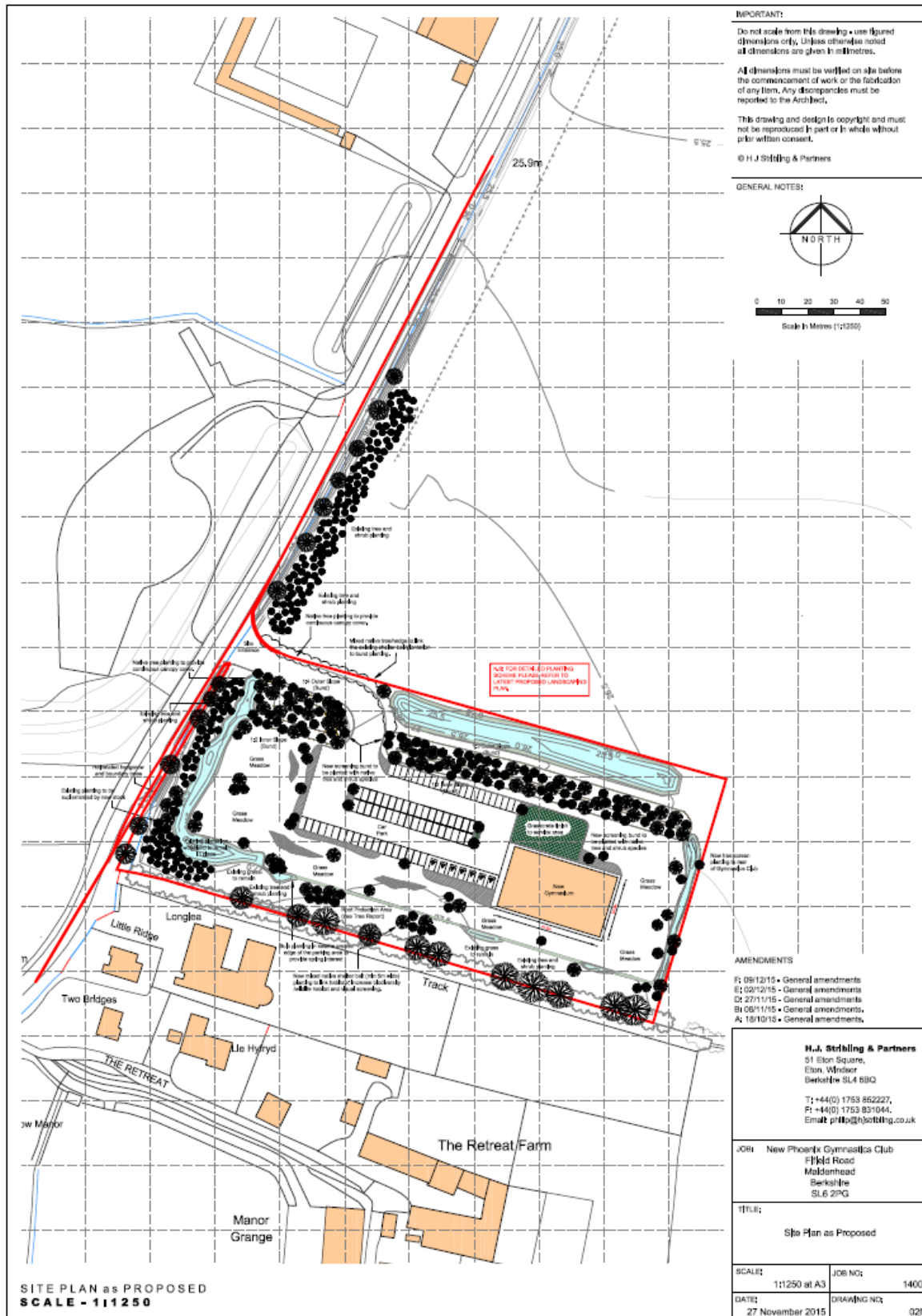
- Appendix A – Site Location
- Appendix B – Amended Site Layout
- Appendix C – Amended Landscaping
- Appendix D – Amended Elevations

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 NPPF.

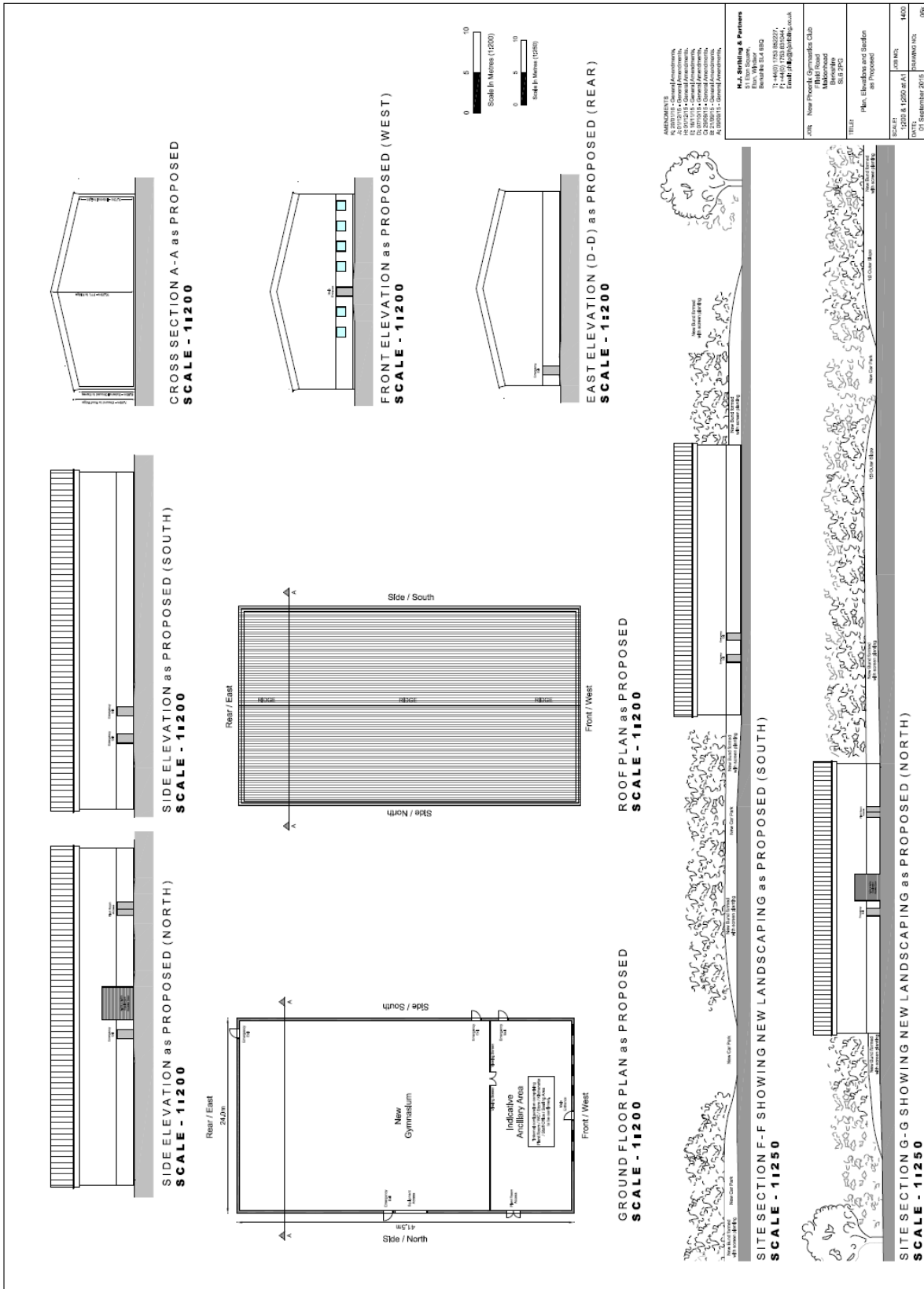
In this case the issues have not been successfully resolved.

- 1 The proposal constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. Furthermore the siting of the new building combined with its additional height and resulting bulk, would reduce the openness of the Green Belt. The proposal is therefore contrary to Policies GB1 and GB2(A) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations adopted June 2003) and Paragraph 89 of the NPPF as the Local Planning Authority does not consider that very special circumstances have been demonstrated that clearly outweigh the substantial weight that has to be given to the Green Belt harm and the other harm referred to in reason 2.
- 2 The application fails to secure an acceptable sustainable drainage system and as such it cannot be demonstrated that the proposal would not increase flood risk. The proposal is contrary to paragraph 103 of the NPPF.

Appendix B



Appendix D – Amended Site Plan



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 3

Application No.:	15/02135/FULL
Location:	Land South of Horwoods Yard Green Lane Maidenhead
Proposal:	Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping
Applicant:	Desborough Bowling Club
Agent:	Mr Kevin Scott
Parish/Ward:	Oldfield Ward
If you have a question about this report, please contact: Daniel Gigg on 01628 796044 or at daniel.gigg@rbwm.gov.uk	

1. SUMMARY

- 1.1 Full planning permission is sought to re-locate the Bowl's Club facility from York Road in Maidenhead Town Centre, to an out-of-centre location in the Green Belt at Green Lane at the South East edge of the settlement of Maidenhead. The Bowl's Club building will incorporate both indoor and outdoor bowl's greens and club facilities containing two bars, a dance floor and kitchen facilities. The building will be located in the southern part of the site and the parking will be in the northern part.
- 1.2 The application site lies in the Green Belt. The proposed building would be inappropriate development in the Green Belt for which there are no 'Very Special Circumstances' ('VSC') to justify the substantial harm to the Green Belt. The applicant considers that a compelling part of its 'VSC' case is that the re-location of the Bowl's Club will free up part of the York Road Opportunity Area which is an allocated site for mixed use development in the Maidenhead Town Centre Area Action Plan. However, there is nothing to suggest that the site being vacated would result in the in a rejuvenation scheme coming forward that would benefit the vitality and viability of the town centre. The other part of the VSC case relates to the provision of a facility of International standard and that approval has been given for a housing development at a nearby site in the Green Belt. No evidence has been put forward to justify that the facility will be of an international standing and the nearby site was for a different type of development and a specific case of VSC was made that cannot be repeated for this development. In terms of consideration of other harm – this being a requirement of Green Belt policy in the National Planning Policy Framework – significant weight should be afforded to the conflict with national and local planning policies and supplementary planning advice as set out below.
- 1.3 The building is proposed in a countryside location which has a rural feel from its verdant character. The development will lead to the early demise of a TPO-protected off-site Veteran Oak Tree which is a principal landscape feature. In addition, the siting, scale and materials of the building along with associated paraphernalia and noise from comings and goings would be harmful to the important characteristics of the area. In addition, the siting and scale of the building combined with the extensive parking area will erode the openness of the Green Belt.
- 1.4 A Bowl's Club is considered to be a 'main town centre use'. The proposed development would be sited in an out-of-centre location. In the absence of information from the applicant to demonstrate whether there would be sequentially preferable locations and impact assessments, the proposals could impact on the vitality of the Borough's main town centres.
- 1.5 The applicant has not provided sufficient evidence to demonstrate whether there will be sufficient capacity on roads and of junctions in the vicinity of the site. In addition, there are some constraints and pressures experienced on Green Lane from a highways perspective which will

be added to as a result of this development which could lead to conflicts with all highways' users. Such conflicts could not be overcome through the applicant's suggested traffic management measures for Green Lane or the level of traffic reduced because a Travel Plan is unlikely to positively influence the amount and type of non-vehicle modes traffic to and from the site.

- 1.6 The site lies in a high risk flood area as a result of the River Thames. The applicant has failed to adequately demonstrate whether there are any sequentially preferable locations to site this development. Notwithstanding this, the building is proposed to be raised on pillars and with voids to ensure the free flow of water and so as not to reduce the capacity of the floodplain. The applicant has provided amended plans to show the size of the voids to satisfy the request from the Environment Agency (EA). The EA has been re-consulted and their advice will be reported in the update to Panel. In terms of 'flash flooding' from heavy periods of rainfall, the applicant has not demonstrated that the proposal would incorporate acceptable sustainable drainage measures to reduce such potential flood risk.
- 1.7 In terms of other harm, this relates to: the applicant has not carried out bat surveys in respect of the Veteran Oak tree so there could be an impact on this protected species; the siting and scale of the building will detract from enjoyment of users of the Green Way; and, until the precise vehicle trip rate is established the impact on associated infrastructure cannot be assessed and specialist advice obtained as to whether any mitigation would be required.
- 1.8 Such is the substantial and significant weight of harm identified that the scheme would require a very significant and compelling case of 'VSC'. As set out in paragraph 1.2 of this summary, no such 'VSC' has been made or is apparent.
- 1.9 The NPPF also requires a balancing exercise of benefits against harm. As this is a re-location of an existing facility that has not been proven to be a facility of international standing, there is not a benefit from a sporting point of view and there are no other apparent benefits to re-locating this facility to the Green Belt.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):	
1.	The proposal is inappropriate development which is, by definition, harmful to the Green Belt and conflicts with two of the purposes of including land in the Green Belt. But notwithstanding the harm by its inappropriateness, it will also physically reduce the openness of the Green Belt by reason of its proposed siting and because it will be a substantial building with a dominance of parked vehicles. There are no 'Very Special Circumstances' to outweigh both this inappropriate development and the harm identified below.
2	There will be harm to the character and appearance of the countryside as a result of the siting, scale and materials of the building along with associated paraphernalia and noise.
3	Premature demise of a Veteran Oak Tree which is a principal landscape feature and covered by a Tree Preservation Order. Its loss would be harmful to the character and appearance of the area.
4	It has not been demonstrated that the proposed out of centre location for this 'main town centre use' is sequentially acceptable and that it would not have a harmful impact on the vitality of town centres.
5	It has not been demonstrated to the satisfaction of the Local Planning Authority that the additional traffic would have an acceptable impact on the capacity of the roads and junctions in the vicinity of the application site. In addition, as a result of the siting and operations of the barrier into the development, the restricted widths of part of the highway, the lack of detail on the bridge strengthening and that the traffic management measures proposed would not be workable, the development would result in harm to the safety and convenience of all highway users.

6	The site lies within a High Risk area of flooding from The River Thames. The applicant has failed to satisfactorily demonstrate whether there are alternative sites at a lower flood risk.
7.	The proposal would increase flood risk from surface water, in the absence of evidence to the contrary.
8.	Impact on bats that may be roosting in the Veteran Oak Tree, in the absence of evidence to the contrary.
9.	The development will detract from the enjoyment of the Green Way.
10.	The proposals fail to make provision for infrastructure improvements directly related to the development.

2. REASON FOR PANEL DETERMINATION

- The Borough Planning Manager and the Lead Member of Planning consider that it would not be appropriate to use delegated powers in this instance due to the level of public interest in the item.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is roughly triangular in shape and approximately 1.6ha in size located to the South East of Maidenhead Town Centre. The site lies to the East of Green Lane. Green Lane is accessed off the junction of Forlease Road/Stafferton Way (Link Road).
- 3.2 Green Lane serves some residential properties, allotments and a waste transfer station. At the end of the road, vehicular traffic is precluded from accessing the public open spaces of Braywick Nature Reserve/Braywick Park. Only pedestrians and cyclists can gain access into these public open spaces from Green Lane. A footpath that runs to the south of the York Stream links Green Lane to Stafferton Way.
- 3.3 A chain link fence and chestnut pale fencing runs along the majority of the western boundary and primarily in front of, but also straddling the boundary, is a mix of hedges, overgrown scrub and ivy and there are some trees. There are gaps in the vegetation which give clear views into the site from the adjoining public footpath. Beyond this boundary is Green Lane which has hedges and trees along its length and for this section is mainly laid to a gravel track so has a less formal feel – this is the pedestrian and cycle route into Braywick Nature Reserve/Braywick Park. Further west is allotments and the sewage treatment works. The southern boundary is a mix of hedges/trees, with gaps in the vegetation that give views from the adjoining public footpath. Beyond the southern boundary is the Braywick Nature Reserve which contains footpaths, one of which borders with the application site. The Nature Reserve contains a mix of vegetation primarily trees. The eastern boundary is a mix of hedges and trees. Beyond this is the York Stream and the further to the east are houses and to the South East is Oldfield Primary School. To the North of the site is the waste transfer station which has a metal fencing on the boundary with the application site.
- 3.4 On the whole the site has a verdant feel but it has been colonised with planting that is commonly found with disturbed ground. There are a mix of grasses, scrub, hedges and shrubs. The land is higher on the Green Lane side and there appears to be a gradual slope downwards from North to South to the middle of the site before rising slightly to the South boundary. The South West corner of the site has an untidy appearance with some dumped materials.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 Planning permission is sought to re-locate the existing Maidenhead Bowl's Club from York Road in Maidenhead Town Centre to Green Lane.
- 4.2 The site will be accessed from the North West corner with an entry and exit via a barrier system. The northern part of the site taking up nearly half of the site will be parking for 106 cars and two

spaces for coaches. The spaces at the edge of the site will be accessed via a one way route and these spaces are proposed to be perpendicular to the boundaries. The remainder of the spaces are proposed to be located in the centre of the car park. They will be accessed off the one way system and are proposed to be arranged in three rows. A Turning head is proposed in the South West corner off Green Lane.

- 4.3 The club building will be located to the south of the car park. The ground floor is proposed to be raised up and contains voids to allow for the passage of water in a flood event. Amended plans showing the size of the voids was submitted during the course of considering the application. Pedestrian access into the building is via steps or ramps that are located in front of the building.
- 4.4 The coverage of the overall structure will take an 'L' shaped form. As a result of the voids the ground floor is raised up. This raised platform varies in height – it will be at its lowest at the Green Lane end of the site (being 0.2m above ground level) and will be at its highest on all other sides (being around 1.4m to 1.6m). On the Western side of the structure will be a building. The building will contain at ground floor the entrance lobby, the 8 rinks indoor green and the changing facilities plus clubhouse facilities with seating and bar and kitchen. The first floor will have a dance floor with a raised stage, a bar and kitchen along with toilets. The longest section (excluding the platform) is proposed to be around 66m. At its widest the building will be nearly 45m. The tallest part of the building that will contain the two floors of clubhouse facilities will be a flat roof; it will be 10m above ground level when viewed from the east and 8.6m above ground when viewed from the West. The rest of the roof of the building is proposed to be pitched, which will then step down by around 0.3m. Around the building is the platform for access.
- 4.5 On the eastern side on the raised structure will be an outdoor bowling green that will have a fence around its edge to a height of 1m, meaning that it will be raised up from the ground level to a height of 2.4m. This part will be nearly 28m in length by 38m in width. To the north of the outdoor bowling green will be a detached building (the green keeper's store and toilets) on the raised part of the structure that will be 5m in length and 11m in width. It will be nearly 6m in height when viewed from the north.
- 4.6 The raised section is proposed to be cream blockwork with metal grilles over the opening. The Southern elevation will be a mix of metal panels predominantly green and grey, and some wood cladding. All other elevations will be a mix of horizontal cladding to the walls of a mix of green, grey and silver metals. There will also be some render to all elevations. The fascia, capping and trim will be a grey colour.
- 4.7 There is no relevant planning history for this site.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework: 'Introduction – Core Planning Principles; Section 2 'Ensuring the vitality of town centres'; Section 4 'Promoting Sustainable Travel'; Section 7 'Requiring good design'; Section 9 'Protecting Green Belt Land'; Section 10 'Meeting the challenge of climate change, flooding and coastal change'; and, Section 11 'Conserving and enhancing the natural environment'.

Royal Borough Local Plan

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

	Green Belt	High risk of flooding	Protected Trees	Highways /Parking issues
Local Plan	GB1, GB2,	F1	N6	DG1, T5, P4

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

- Planning Obligations and Developer Contributions
- Interpretation of Policy F1 – Area Liable to Flood
- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:

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 Landscape Character Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Strategic Flood Risk Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Public Rights of Way Improvement Plan - view at:
http://www.rbwm.gov.uk/web/prow_improvement_plan.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Green Belt;
- ii Character and appearance of the area;
- iii Vitality of town centres;
- iv Flooding;
- v Highway safety and convenience;
- vi Living conditions of neighbouring properties;
- vii Ecology;
- viii Other matters; and,
- ix Planning Balance.

Green Belt

6.2 The fundamental aim of Green Belt policy, as set out in paragraph 79 of the NPPF, is to keep 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. This paragraph refers to one exception as provision of appropriate facilities for outdoor sport as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Although the Local Plan pre-dates the publication of the NPPF, Policy GB1 adopts a broadly similar approach to national policy. On the point of outdoor sport the Local Plan policy is identical except that it requires such facilities to be 'essential', so in this regard the NPPF is more up-to-date.

6.3 The proposals are not considered to be an outdoor sports facility because a significant part of the development is for indoor bowl's contained within a building. The bowl's club is inappropriate

development in the Green Belt and, by definition, harmful to its openness and it would also conflict with two of the purposes of Green Belt namely 'to check the unrestricted sprawl of large built up areas' and 'to assist in safeguarding the countryside from encroachment. In addition, the physical presence of a substantial building and presence of parking will result in an actual reduction in openness on the site. The proposals are contrary to Policy GB1 of the Local Plan and NPPF. It could only be approved, if there are 'Very Special Circumstances' (VSC) that clearly outweighs the harm to the Green Belt cause by inappropriateness and any other harm. 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.

Impact on the character and appearance of the area

- 6.4 The application site lies in the countryside and this area has a rural feel with its verdant features from the mix of planting including individual trees and belts of trees on the South and East boundaries.
- 6.5 Green Lane is partially in the settlement of Maidenhead and the suburban form is evidenced by the townscape of houses and roads. The application site lies at the edge of the built up area of Maidenhead, so travelling along Green Lane there is a noticeable change from suburbia into the countryside. Within the immediate part of this countryside there are lawful buildings and uses which are visible to differing degrees dependent on where they are viewed from both within and outside of the countryside. Such buildings are Oldfield Primary School which lies to the South East of the site, the sewerage treatment works to the West and the waste transfer station to the North.
- 6.6 The plans for the scheme show that the existing planting buffer of hedges and trees will be retained and enhanced around the site. However, this will not be sufficient to mitigate the size of the building. The size of the building in public views along Green Lane would be highly noticeable given its siting very close to Green Lane, being just 1m away from it. The apparent size of the building will be re-enforced by the metal cladding which is the main material because of its colours, size of panel and overall extent across the external facades of the building. In addition, the extensive amount of hardstanding for parking and turning, including the emergency vehicle turning area, that all together will take up nearly half of the site will be very obvious from views at the vehicular entrance into the site and along The Green Way, along with the associated paraphernalia such as fencing, barriers and lighting. The proposals will be an alien form of development in this countryside location. In addition, there would be additional noise in the countryside as a result of the comings and goings of users of the facility which would be harmful to the rural character.
- 6.7 The verdant character of the area is as a result of a number of on-site and off-site trees. The trees on the site are subject to a Tree Preservation Order (TPO), as is an off-site Oak tree that lies to the West of the Green Lane track. A total of 7 on-site trees are proposed to be removed due to their structural and physiological condition. There is no objection to the loss of these trees provided they are replaced to ensure continuity of tree cover. If the application had been recommended for approval, then a condition would have been used to secure this.
- 6.8 The off-site Oak tree is considered by Tree Officers to be a veteran one, although the applicant disagrees. The siting and size of the building will mean that the building will result in an incursion into the tree's root protection area and that it would have a branch overhang that would conflict with the roof of the building. This would result in the early demise of a veteran tree. The loss of this significant tree would result in harm to the character and appearance of the area.
- 6.9 The proposals are considered to be contrary to Local Plan policies DG1 and GB2, and is contrary to Core Planning Principle 7 which requires development to conserve the natural environment and other parts of the NPPF which require developments to respond to local character (paragraph 58) and integration of new development into the natural environment (paragraph 61). Further, National Planning Policy states that planning permission should be refused for developments affecting such trees unless the need for, and benefits of, the development in that location clearly outweigh that loss.

- 6.10 One of the objectives of the NPPF is ensuring the vitality of town centres and Annex 2 of the NPPF identifies the uses that are to be located in such centres based on the town centre first approach. The current Development Plan is silent in respect of the locational approach for leisure uses and it does not allocate suitable sites for such uses. The NPPF states that Local Planning Authorities should allocate suitable sites to meet the scale and type of retail, leisure, commercial and other uses needed in town centres.
- 6.11 Annex 2 refers to indoor bowling centres being within the class of main town centres uses under the heading of 'leisure, entertainment facilities the more intensive sport and recreation uses'. The proposal is for both indoor and outdoor bowling centre. It is considered that the development is a main town centre use. However, the applicant disagrees with Officer's classification of the use in main town centre use terms and instead suggests that "...this is a clear reference to tenpin bowling. This is certainly much closer to other uses listed in this Annex 3 definition such as bars, pubs, night clubs etc. The list is preceded by the phrase 'the more intensive sport and recreation uses'...". Annex 2 does not contain an explicit reference to ten pin bowling but instead to indoor bowling centres which the proposal is for. The nature of the indoor bowling activity is considered to be an 'intensive sport'. It is a use that falls within Class D2 'Assembly and Leisure' of the Use Classes Order which includes uses such as swimming baths, skating rinks, gymnasiums and other areas for indoor and outdoor sports or recreations not involving motorised vehicles or firearms.
- 6.12 The application site is considered to be out of centre because it is neither within nor at the edge of the commercial boundary as identified in the Maidenhead Town Centre Area Action Plan and commercial boundary as identified in the Proposals Map to the Local Plan. As the Development Plan is considered to be out of date in terms of policy on leisure uses in town centres, it is for the applicant to demonstrate that there would not be any sequentially preferable sites and to carry out an impact assessment on both town centres. The applicant has been given the opportunity to provide both assessments but as they consider that the bowls club is not a 'main town centre use' they have advised that they will not provide the required information. In the absence of this information, the proposal is contrary to paragraphs 26 and 27 of the NPPF. Central Government is committed to a town centre first approach and ensuring the vitality of such centres. A bowls club would be very likely to support the vitality of the Borough's town centre's particularly Maidenhead if there is a sequentially preferable site to the proposed out of centre location.

Flooding (fluvial and surface water)

- 6.13 The proposed development would be located within flood zone 3a (FZ3) which is land considered as having a high probability of flooding from rivers.

Sequential Assessment

- 6.14 National planning policy seeks to direct development to the lowest risk areas of flooding first, before considering land in the medium (FZ2) and high (FZ3) probability of flooding classifications. The applicant has carried out a sequential assessment of alternative sites requiring a 1.6ha area of land in Maidenhead. A Borough wide assessment was requested by Planning Officers but the applicant advises that the Bowl's Club has locational requirements to remain in the Maidenhead area. However, the locational requirements of the club would not be a material consideration and therefore the search should be Borough wide given that protecting the high risk areas of flooding from development is vital. This over-rides the locational requirements of the private club. In addition, it has not been clearly justified why a 1.6ha site is required because, for example, parking could be provided under the building thereby reducing the site size requirement.
- 6.15 Notwithstanding the lack of a Borough wide sequential assessment and consideration of smaller sites, the applicant has discounted the following sites:

- Town Centre sites for the reason that the applicant considers that there are a lack of suitable sites, competing land uses/economic factors and availability; and,
- Sites outside of the town centre area as identified in the Strategic Flood Risk Assessment and Edge of Settlement Sites Review are being or are likely to be promoted for housing and

employment by developers or are established employment sites. The applicant also states that there are economic factors in this as well.

- 6.16 In terms of the town centre locations – which is the preferred location for vitality reasons, as set out above – there is no evidence to suggest that the site could not remain in the town centre as part of a mixed use development. No record of discussions has been provided with other owners of land within the town centre as to whether it would be feasible to re-provide this sport's facility. For the other sites, the same is true in that they have been discounted primarily because they are likely to be promoted for other uses but there is no evidence of discussions with those owners.
- 6.17 It is not considered that a satisfactory sequential assessment has been provided and therefore based on paragraph 102 of the NPPF, the application cannot be permitted. As the proposal is for a 'Less Vulnerable' use based on National Planning Guide definitions, the Exceptions Test is not required to be considered as the use is compatible with the flood risk classification of FZ3.

Fluvial Flood Risk

- 6.18 The new building will take up floodplain storage space. The applicant proposes voids to mitigate the loss of floodplain storage because compensation through lowering of other land within, or nearby, the site would not be possible because this site is not on the edge of the floodplain. Compensation can only be provided at the edge of the floodplain where it is possible to reduce the level of land to allow displaced flood waters to fill a void.
- 6.19 The applicant has provided amended plans in response to the points raised by the Environment Agency that the plans do not show the dimensions of the voids and the proposed finished floor level to ensure in the event of a flood (taking into account climate change) such waters could pass under the building and that there would be sufficient floodplain storage. The EA has been consulted and any response will be provided in the update.
- 6.20 The EA has objected to the application on the grounds of loss of floodplain storage unless the Local Planning Authority is satisfied with the use of appropriate sized voids. The supporting text to Policy F1 of the Local Plan and the associated SPG on flood risk state that voids should not be used to mitigate the space lost within the floodplain because voids can become blocked. However, in this case, the building will be in single management and therefore it makes it much easier to ensure that voids will remain open. Had the application been recommended for approval, then management of the voids would have been secured through an obligation in a legal agreement. This is separate to the requirement to pass both elements of the Sequential Test as required by paragraph 102 of the NPPF.
- 6.21 With regards to the development being safe which is a requirement of Policy F1 of the Local Plan and the NPPF, sufficient warning of a flood event could be provided to ensure that users would not be at the site during such times. Such an approach is acceptable for a non-residential use. In addition, it should be noted that the finished floor level would be above the flood level which means that water would not inundate the building during a flood.
- 6.22 Provided that the EA raise no objection to the size of the voids, the proposals in terms of fluvial flooding comply with Policy F1 and paragraph 103 of the NPPF.

Surface Water Flood Risk

- 6.23 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 rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface.
- 6.24 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 submitted Flood Risk Assessment fails to demonstrate that the proposal complies with technical standards

and no detail has been provided in respect of future management of any acceptable SuDS scheme that may come forward. The proposal is contrary to paragraph 103 of the NPPF.

Highway safety and convenience

Impact on the capacity of the road network

- 6.25 The Transport Statement claims that there will be an additional 180 vehicle trips per day on the highway network and predicts a negligible impact on the highway network with particular reference to the Green Lane and Forlease Road junctions with the Stafferton Way Link Road.
- 6.26 The applicant's Transport Consultant has provided data from the existing Bowls Club security door entry system to substantiate the likely vehicle trip rate. However, the data only relates to the number people accessing the club but does not provide details of the number of person trips and mode of travel used. Furthermore, if useful data based on current trips had been provided it would need to be adjusted to take into account the improved bowls club facility based on, for example, playing times and the number of competitions/events. The data provided is insufficient to justify the daily trip rate and furthermore junction analysis would need to be provided. In the absence of this information, the true impact of the new development on the local highway network is not known. It is not then possible to determine whether there would be a requirement for any mitigation measures. The proposal fails to comply with paragraph 32 of the NPPF.

Layout, access, manoeuvring and visibility within and outside of the application site

- 6.27 It has been demonstrated that the required visibility of 2.4m by 33m in both directions on exiting the site can be achieved on Green Lane. The layout within the development is acceptable in terms of parking spaces for cars and coaches, servicing and internal access.
- 6.28 Outside of the site, there is potential for a number of conflicts between highway users. The first stretch of Green Lane is just about wide enough for two cars to pass and there is a pavement on one side. Beyond the last house, the road narrows and there is a single track bridge beyond which is an un-made track that terminates at the entrance to Braywick Nature Reserve. Green Lane serves about 8 dwellings, a waste transfer station and allotments. In terms of the waste transfer station, this generates a number of lorry movements carrying skips and lorries frequently have to park on Green Lane while waiting for other lorries to leave the yard. Such lorries also reverse into the site for operational reasons. Also, part of the road does not have parking restrictions so is subject to on-street parking by others using the town centre and the train station. This road is also used by walkers and cyclists who access Braywick Park/Nature Reserve and for those people using the public right of way along the York Stream. The immediate area around the York Stream is expected to get busier with people as a result of the 'Maidenhead Waterways' development which is currently being built.
- 6.29 On stretches of Green Lane, particularly the bridge, there would be a conflict between pedestrians, cyclists and vehicles. The applicant proposes to control this by priority working over the bridge through giving way to on-coming traffic from the north. A waiting lane is also proposed. Furthermore, the applicant suggests the use of a banksman to direct traffic to minimise conflicts. Strengthening of the bridge would also be required.
- 6.30 The suggested management of the traffic over the bridge would not be a workable solution and particularly given that it is not known whether there would be capacity within the highway to manage waiting traffic. Furthermore, the use of a banksman to direct traffic on a highway would not be legal. No details of the strengthening of the bridge have been provided – which in itself may require planning permission so would need to be covered in the application red line boundary – so it is not known whether the bridge could physically support the increased level of traffic.
- 6.31 In addition, no swept path analysis has been provided for coaches on the part of Green Lane from the Link Road to the bridge over the York Stream. Also, coaches exiting Green Lane and turning left onto the Stafferton Way Link Road would conflict with oncoming traffic. Furthermore, a coach trying to turn left into Green Lane would be unable to do so if there is waiting traffic on Green Lane.

- 6.32 In terms of traffic gaining access into the site, a barrier is proposed to prevent unauthorised parking. The Highways Officer has requested that should planning permission be granted that the Council would have the right to remove the barrier should congestion problems on the single track bridge arise over operations of the barrier. Such an intervention would not be possible as the application needs to be assessed based on the submission.
- 6.33 The Highways Officer considers that sustainable travel initiatives such as car sharing secured through a Travel Plan could help reduce the volume of traffic. However, some modes of alternative travel such as walking and cycling are unlikely to be attractive given the constraints of the highway network and the conflicts of highway users that have been identified. A Travel Plan for this development is unlikely to positively influence the amount and type of non-vehicle modes of traffic. It would have a very limited highway benefit for the proposals.
- 6.34 For the reasons that the true trip rate generation of the development is not known, that there are concerns over the siting and operations of the barrier into the development, the restricted widths of parts of the highway, the lack of detail on the bridge strengthening and that the traffic management measures would not be workable, there would be harm to highway safety and convenience on Green Lane and on the other nearby roads. The proposal conflicts with Policy DG1 of the Local Plan and paragraph 32 of the NPPF.

Living conditions

- 6.35 The NPPF seeks to secure a good standard of living for existing and future occupants of land and buildings. Residential properties lie to the north, north east and east of the site. These properties are over 50m away from the building, so at that distance there would not be any harm to living conditions in terms of outlook, light or overlooking. The development will result in additional traffic movements but it is not considered that such noise would be discernible against background levels. Furthermore, given the separation distances it is not considered that there would be any significant noise and disturbance to the neighbouring residential properties from vehicles in the parking area and the general comings and goings throughout the day. For this reason, a Noise Impact Assessment has therefore not been requested from the applicant. The waste transfer station lies immediately to the north of the application site but given the commercial nature of that use, this proposal will not have a harmful impact upon it.

Ecology

- 6.36 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). The applicant has submitted field surveys and assessments of the habitat within and outside of the site to demonstrate that the proposals will not harm existing habitats and they outline opportunities for biodiversity enhancement.
- 6.37 The survey confirms that the land within the site has been disturbed from previous activities such as the dumping of waste, which has resulted in colonisation of vegetation such as nettle, hogweed, ivy and grasses, along with some areas of scrubland and groups of shrubs. On the boundaries of the site, the predominant vegetation is a mix of unmanaged hedges and trees. The flora species on the site are not of a significant ecological value.
- 6.38 The main species of fauna identified by the applicant's ecologist as having a habitat on the site that will be affected by the development is reptiles, notably slow worms. To ensure a continuing habitat on this site, it is proposed to retain the undeveloped area for this species. Any reptiles will be captured and re-located into an appropriate fenced off part of the undeveloped area. In terms of other protected species, the field survey identified that several trees on the fringes of the site offer potential roosting places for bats but as the trees would be retained there would not be any destruction of their habitat. However, the Tree Officer has confirmed that one significant off-site tree, a veteran oak (tree T9), would have its roots damaged by the proposals and as such this tree would have an early demise. This tree has been identified as having potential for bats and as such in the absence of a detailed survey the loss of the tree could result in a loss of an irreplaceable habitat for bats contrary to the requirements of paragraph 118 of the NPPF and core planning principle bullet point 7. In addition, National Planning Policy states that planning permission should be refused for developments affecting Veteran trees unless the need for, and

benefits of, the development in that location clearly outweigh that loss; this is assessed in the 'Planning Balance' part of the report.

- 6.39 In terms of mice, voles, birds, hedgehogs and stag beetles on the site, there will be some loss of habitat for these species but the remaining area of the site will be specifically enhanced for these and other species. No other species were identified as having potential to be present on the site.
- 6.40 In addition, 10m buffers are proposed to be retained around the edge of the site and a sensitive lighting scheme will further ensure that the site continues to be a place for foraging and 'commuting' fauna.
- 6.41 Other than the potential impact on bats that may be roosting in the veteran oak tree which is outside of the site, there will not be any harm to habitats outside of the site within 2km of it (the Braywick Local Nature Reserve, Green Corridor Local Wildlife Site, the Bray Meadows Site of Special Scientific Interest, The Gullett and South Lodge Pit Site of Special Scientific Interest) provided pollution from dust, noise and light is controlled during construction, along with the retained and enhanced landscaped buffer.
- 6.42 The applicant proposes to enhance the natural environment through planting native species within the site and a long-term management plan. These enhancements will be beneficial to wildlife so this complies with the NPPF (Core planning principle bullet point 7 and paragraph 109) and the legal requirement set out in Section 40 of the Natural Environment and Rural Communities Act 2006.

Other Matters

Green Way

- 6.43 To the West of the site is the Green Way which is an important recreational route. Policy R14 of the Local Plan states that developments should be resisted that detract from the user's enjoyment of this route. Public Rights of Way Officer considers that on balance that the proposals are acceptable. While the Officer's comments are noted, the building will be very long, high and close to this recreational route and as such it is considered that it will be imposing along this stretch of the Green Way. The proposed development will therefore detract from the enjoyment of this route.

Private recreation facilities

- 6.44 While Local Plan policy R8 is generally supportive of development for public or private recreation, this support does not extend to development would that would result in significant environmental or highway problems, or where it would conflict with any other policies of this plan. The explanatory text for policies R7 and R8 notes that new facilities must have particular regard to environmental effects in the Green Belt, and that new buildings should be of a scale and design sympathetic to the character of the area. As set out in this report there would be significant environment and highway problems and there is conflict with other policies of the plan.

Sustainable design and construction

- 6.45 The Council has an adopted Supplementary Planning Document (SPD) setting out 12 criteria for developments to achieve in order to improve the sustainability performance. The SPD advises that over its lifetime, a sustainable building will cost less to build, heat and light than a conventional building thereby resulting in economic and environmental gains which will have direct impacts on the sense of well-being of the occupiers and society as a whole. No details have been provided on this which is disappointing because sustainability should be an integral part of the design and as a number of supporters believe that the building will be "environmentally friendly".

Archaeology

- 6.46 The site is in an area within the Middle Thames Valley which is rich in prehistoric and Roman remains. However, as the site was previously subject to archaeological investigation in the late 1980s and no remains were found, there is no further requirement in respect of this matter. The proposals accord with Policy ARCH2 of the Local Plan.

Contamination

- 6.47 Had the application been recommended for approval, then conditions would have been recommended covering contamination given historical uses close to the application site to comply with Policy NAP3 of the Local Plan.

Dust and lighting

- 6.48 The Environmental Protection Officer has requested details of dust management and lighting to be submitted in order to protect living conditions. In terms of lighting, the separation distances would be sufficient to ensure that there would not be any harm. With regard to dust, this would not be considered to be a reasonable requirement given that the duration of construction would not be excessive for a scheme of this size. The proposals comply in this regard with Policy NAP3 of the Local Plan.

Associated infrastructure

- 6.49 Where a development places additional pressure on local services and infrastructure, Policy IMP1 of the Local Plan requires such impacts to be mitigated. It is not clear what the precise impact will be on the local highway network because trip rates and junction analysis has not taken place. In the absence of this, a holding objection is raised.

The Planning Balance

Very Special Circumstances (VSC)

- 6.50 The applicant has put forward the following case for 'VSC' that is required as referred to in paragraph 6.3:
- the proposals will deliver sports facilities in the Borough of an international standard close to the town centre;
 - the same case of VSC as applied to the redevelopment of the former Park and Ride site in Maidenhead (Ref. 14/03765) can be applied, which is: in accordance with the emerging Local Plan Spatial Strategy; provisions of residential development in close proximity to the town centre assisting in securing a sustainable balance between homes and jobs; conserves special quality of environment of wider town centre which requires a viable population and housing; focuses development on urban areas; supports the settlement hierarchy by supporting growth and viability of town centre; location close to the town centre; and, contribution to town centre regeneration;
 - Freeing up the existing bowl's club site which occupies a key location of the York Road Opportunity Area (YROA).
 - The Council (in its capacity of owner of land in the YROA) is currently advancing plans for the area and at this stage the applicant does not consider it would be helpful to submit an application while this process is still underway. But the fact that the applicant is pushing the proposal for the relocation of the Club in the absence of a Masterplan for the OA is a considerable benefit to the regeneration process and will add considerable certainty and momentum.

- If permission is granted, the applicant would then own the existing Bowl's Club site which would significantly increase the likelihood of it being redeveloped given the applicant's record in redeveloping the Chapel Arches Area.

- 6.51 The YROA will make an important contribution to the rejuvenation of Maidenhead Town Centre when it is redeveloped. The YROA is allocated for a mixed use development in the Maidenhead Town Centre Area Action Plan. The AAP policies do not refer to re-location of the bowl's club and as such it has not been demonstrated firstly whether such a facility could be re-built on the site.
- 6.52 It is unclear how the re-location of the site to the Green Belt would result in rejuvenation benefits for Maidenhead town centre that could amount to 'VSC'. The applicant has been advised previously by Planning Officers that an application for the redevelopment of the OA should be submitted alongside an application for the re-location of the bowl's club to a Green Belt site. The delivery of the two developments would then be tied together by a legal agreement to ensure that each one were built in parallel. There is no evidence to suggest that the site being vacated by the Bowl's Club would result in the guarantee that a scheme would come forward. A site could be sold on by a developer or it may be land-banked to be developed at a future stage. The uncertainty over and the Council's lack of ability to security any control as to what could happen to the site for taking forward the rejuvenation of the town centre weighs heavily against allowing the new development in the Green Belt.
- 6.53 There is no evidence in the submission to prove that the new facility would deliver a sport's facility of international standard. In addition, no body representing sporting activities has expressed support such as Sports England. There is no evidence to suggest that a facility of international standard is needed in this locale.
- 6.54 The planning permission for the former Park and Ride site was for a housing development. The case made there is very different and specific to that development. It cannot be repeated for a bowl's club. Indeed 'VSC' must only ever relate to the specifics of an individual development.

Conclusion

- 6.55 A compelling case for 'VSC' has not been made by the application and neither is one obvious for other reasons. In accordance with Paragraph 88 of the NPPF substantial weight is afforded to the harm to the Green Belt and significant weight is attached to the other harm which has been identified in respect of the character and appearance of the area, ecology, highway safety and convenience, the recreational route of the Green Way, flooding, vitality of town centres and sustainable design and construction. It should be noted that such is the substantial and significant weight of harm identified, the scheme would require a very significant and compelling case for 'VSC'. Such a case has not been made and neither is one apparent.
- 6.56 The NPPF also requires a balancing exercise of benefits against harm. As this is a re-location of an existing facility that has not been proven to be a facility of international standing, there is not an evidenced benefit from a sporting point of view and there are no other apparent benefits to re-locating this facility to the Green Belt. There are not any evidenced benefits that would outweigh the harm.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

16 occupiers were notified directly of the application.

The application was advertised in the Maidenhead & Windsor Advertiser on 20th August 2015.

The planning officer posted site notices advertising the application at the site on 25th August 2015

35 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	The move is long overdue as parking, disabled facilities and cramped changing facilities are a real issue. The building needs major repairs and is not fit for purpose. The club suffers because of this. It is losing members to other clubs.	This is not a relevant material consideration in the determination of the application.
2.	This is an opportunity for the club to move to a 'state of the art' new building for bowling, which will meet international standards, especially for disabled and wheelchair visitors and out the Club and Maidenhead on the international map. It will also be more environmentally friendly.	6.45 & 6.50
3.	Support disadvantaged people such as blind bowlers and people with learning difficulties, as well as being a social hub for many players	Noted but this is a re-location of a facility so there would be no change.
4.	This is a long established club with both indoor and outdoor greens.	This is not a relevant material consideration in the determination of the application.
4.	The move to Green Lane will then mean that the site will become available for the regeneration of Maidenhead town centre.	6.48 -6.49
5.	A brand new bowls club in Maidenhead may bring in money to the town with new bowlers and visitors. It will also reduce the traffic in the centre of Maidenhead.	6.25 – 6.34
6.	Important place for socialising and supporting better health of people.	Noted but this is a re-location of a facility so there would be no change.

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

Comment		Where in the report this is considered
1.	The proposed building is inappropriate development in the Green Belt so the applicant needs to demonstrate that there are Very Special Circumstances (VSC) which clearly outweigh the harm caused to the Green Belt and any other harm.	6.2 – 6.3
2.	The case for VSC is limited to five very brief bullet points and appears to be based primarily on the emerging Local Plan and intention to allocate the land out of the Green Belt. However, the Local Plan has not progressed to a stage yet where it can be considered to carry any significant weight in the decision making process.	6.47 – 6.53
3.	The development will cause harm to the openness and the purposes	6.2 – 6.3

	of including land in the Green Belt simply by the volume of building and associated works involved.	
4.	There are no VSC which outweigh the harm, which according to paragraph 88 of the NPPF attracts substantial weight.	6.47 – 6.53
5.	Endorse the concerns of the Council's Highways Officer.	6.25 – 6.34
6.	The development involves in excess of 3000sqm of new building which according to Central Government advice would require a full traffic impact assessment and not the Transport Statement (TS) submitted by the applicant.	This is only advice from Central Government but notwithstanding this there are concerns in respect of highway matters as set out in paragraphs 6.25 – 6.34.
7.	The access to the site is constrained by its width and layout as well as the existing uses it serves including a waste transfer station, allotments and a number of residential properties along the lane. The extra traffic on Green Lane will be significant and add an extra 180 vehicle movements per day. Accommodating a coach is another factor which adds to the traffic issues. There is no assessment within the Transport Statement with regard to existing users of the road or recognition of the activities arising from the waste transfer station. The TS is not a robust assessment of the highway implications of the development.	6.25 – 6.34
8.	The proposed development could impact on the future viability of the waste transfer business. The bridge on Green Lane provides for single file traffic and the entrance gates flanked either side of the yard will reduce visibility and result in Heavy Goods Vehicles idling on the highway. The operators of the waste transfer business have committed to reducing this in their Noise Management Plan which has been agreed with RBWM.	This is not a relevant material consideration.
9.	The Environmental Protection Officer refers to a condition for a Noise Impact Assessment to be submitted. This should be a pre-decision requirement as the implications of noise generation need to be determined before planning permission is issued.	6.35
10.	Such leisure uses should be subject to a sequential assessment to establish whether there are sequentially preferable sites.	6.10 – 6.12
11.	The Green Belt should not be built on under any circumstance. This is a loophole that is being taken advantage of, so that developers can build houses on the old site and make an obscene amount of money. Soon be living in a concrete jungle where Slough, Cookham, Maidenhead and Windsor are all merged together with no green in between. Protect these areas for future generations.	6.2 – 6.3 6.2 – 6.3 & 6.47 – 6.53
12.	Building here and surrounding the site with high weld mesh fencing will adversely affect the openness of the Green Belt as the site is currently an undeveloped field. There will be a material intensification of the level of activity on the site due to the increased number of vehicles on the site. Currently it is a quiet place used by allotment holders along with users of the Green Way and current business. The bowls club needs to relocate due to the redevelopment of the current site but these are not VSCs – they could relocate to other non-Green Belt site such as urban parks. The	6.2 – 6.9

	proposals are contrary to both local and national planning policy relating to Green Belt.	
13.	The site is a quiet lane. It is accessed by a one way bridge which is unsuitable to take a regular 9 tonne coachload of visitors and potentially dangerous due to sightlines and cyclists being unaware of the danger. Intensification would give serious concerns for road safety contrary to both local and national planning policy.	6.25 – 6.34
14.	The impact of noise and disturbance as well as habitat loss maybe addressed in the Ecology report but it is not available to view. The site is home to both protected and priority species as well as being used by less common declining species. There may be red listed species on the site. There are certainly slow worms which have been adversely affected by the new school building. Must assume that there is no provision to increase biodiversity on the site. The development is contrary to both national and local planning policy.	6.36 – 6.42
15.	Increased pedestrian/vehicular conflict due to increased vehicular movements through the Green Way would detract from user's enjoyment. Use of the one way bridge by 9 tonne coaches would create danger to current users. Construction activities would also cause disturbance. The proposed development is contrary to local planning policy.	6.43 6.36 – 6.42
16.	Conflict of vehicles and the road is too narrow for 2 way traffic.	6.36 – 6.42
17.	Health hazard being located close to a historic land fill and close to the town's sewage plant.	6.47
18.	The traffic is pretty regular with skip lorries and people accessing the allotments so can't see how the tight single lane bridge would cope with a substantial increase in numbers.	6.25 – 6.34
19.	Works would need to take place outside of breeding season.	6.36 – 6.42
20.	Given the level of traffic in the area and parked vehicles would make access extremely difficult particularly when taking into account the Stafferton Way bypass.	6.25 – 6.34
21.	The extended facilities within the club will cause significant disruption to the residents of Green Lane particularly at weekends.	6.35
22.	Challenge whether the bridge could handle the increased traffic flow.	6.25 – 6.34

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

Comment		Where in the report this is considered
1.	No objection to the proposed development but respectfully request every effort be made to maintain and/or establish trees and/or bushes along the full length of the eastern boundary. This will enhance the site and preserve the outlook from the houses at Chalgrove Close.	6.4 – 6.9

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Object, as the proposals no not clearly demonstrate that they will not impede flood flows and/or reduce storage	6.13 – 6.22

	capacity thereby increasing risk of flooding on site and/or elsewhere.	
Lead Local Flood Authority	The proposal fails to demonstrate that the development will comply with the non-statutory technical standards for sustainable drainage.	6.23 – 6.24

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
RBWM Highways Officer	The supplemental transport note from the applicant does not fully address the queries and issues raised by the Highways Officer. Outstanding matters relate to the operation of the proposed priority working over the bridge, including access to the site and Horwoods Yard access/operations; potential conflict with pedestrian/cyclists, on-street parking, and suitability of Green Lane for use by coaches and trip generation/impact on Green Lane.	6.25 – 6.34
RBWM Environmental Protection Officer	Recommend conditions covering contamination, noise, dust management and lighting.	6.35 & 6.47 – 6.48
RBWM Ecologist	<p>Some habitat for reptiles will be lost but the slow worms could translocated to another area within the site. Such mitigation could be secured by condition.</p> <p>There is potential for the development to directly and indirectly affect the Braywick Park Local Nature Reserve, Greenway Corridor Local Wildlife Site and the Braywick Meadows from disturbance and pollution. A Construction Environmental Management Plan secured by condition to cover construction activities to prevent pollution events is recommended.</p> <p>There are several trees that have the potential to support roosting bats. If any trees are to be directly affected then further survey work will be required. In addition, a lighting strategy to minimise disturbance to this protected species will be required.</p> <p>Habitats for birds, hedgehogs and stag beetles should be protected and replaced where required. This could be secured by condition.</p> <p>Ecological Enhancements which would be beneficial to wildlife could be secured through a condition.</p>	6.36 – 6.42
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust	The proposed development will result in loss of habitat used by the protected species (bats and reptiles) so it is essential that the management of the retained buffer area is enhanced, managed and secured to achieve a net gain in biodiversity through effective enhancements.	6.36 – 6.42

	<p>The development is also adjacent to the York Stream and an area of deciduous woodland with the adjacent Local nature reserve. Deciduous woodland and Rivers are both Habitats of Principle Importance.</p> <p>If the council is minded to grant permission, the following conditions are recommended:</p> <ol style="list-style-type: none"> 1) Landscape and Ecological Management Plan; 2) Reptile Mitigation Plan; 3) Lighting; and, 4) Construction Environmental Management Plan. 	
RBWM Tree Officer	<p>The principal landscape trees within and adjacent to the site are subject to a Tree Preservation Order. There will be an incursion into the root protection area (RPA) of a veteran Oak Tree and the building will be located too close to its canopy which will result in leaf loss and multiple large pruning wounds.</p> <p>The proposals will lead to incursions into RPAs. In accordance with the British Standard (BS5837:2012), all structures should be located outside of the RPA of a retained tree unless there is an overriding justification. No such justification has been provided to support the application. In addition, the fact that tree branches and roots have to be removed to facilitate the development provides the inappropriate juxtaposition between the building and the tree.</p> <p>In addition, no details have been provided of proposed services which could affect the trees.</p> <p>Soft landscaping is limited and no details of new landscaping is proposed to assess how it will integrate into the site and the surrounding landscape.</p>	6.7 – 6.9
RBWM Public Rights of Way Officer	<p>It is not considered that the building or the security fencing along the boundary with Green Lane would have any adverse impact on the local public rights of way network because the hedgerow will be retained. The vehicular access to the car park will be from the northern point of the site which will minimise the length of the Green Way that will be subject to additional vehicle movements. On balance, the proposal would not have a significant adverse impact.</p>	6.43
Berkshire Archaeology	<p>The site is in an area which is believed to have been previously undeveloped and within the Middle Thames Valley which is an area rich in prehistoric and Roman remains. The site has potential to contain as yet unidentified buried archaeological remains.</p> <p>However, the site was previously subject to archaeological investigation in the late 1980s. No archaeological remains were found. In this case, a condition to secure further investigation is not required.</p>	6.46

Maidenhead Civic Society	<p>This is another example of erosion of the Green Belt and follows the recent construction of Oldfield School on Bray Road and is ahead of the potential relocation of the Magnet Leisure Centre to Braywick Park.</p> <ul style="list-style-type: none"> □ The site is a discreet section of designated Green Belt with limited visual impact on the buffer between Maidenhead and Bray. □ Poor access over a substandard bridge. □ The proposal is driven by the need to relocate the bowls club to free up the existing site in the York Road Opportunity Area. □ The area is primarily given over to parking and the bowls areas with associated function space. The only area of green is the outdoor bowls. □ There is scope for much more than limited planting and more landscaping is necessary to soft the visual impact of the functional building which has little visual appeal. □ A substantial area of development within the floodplain alongside 'The Cut'. 	<p>6.2 – 6.3</p> <p>6.25 – 6.34</p> <p>6.47 – 6.53</p> <p>Noted.</p> <p>6.6</p> <p>6.13 – 6.22</p>
Maidenhead Waterways	There should be no conflict with future public access to the streamside so withdrawn that concern.	Noted.

8. APPENDICES TO THIS REPORT

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

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 NPPF.

In this case the issues have not been successfully resolved.

9. RECOMMENDED REASONS FOR REFUSAL

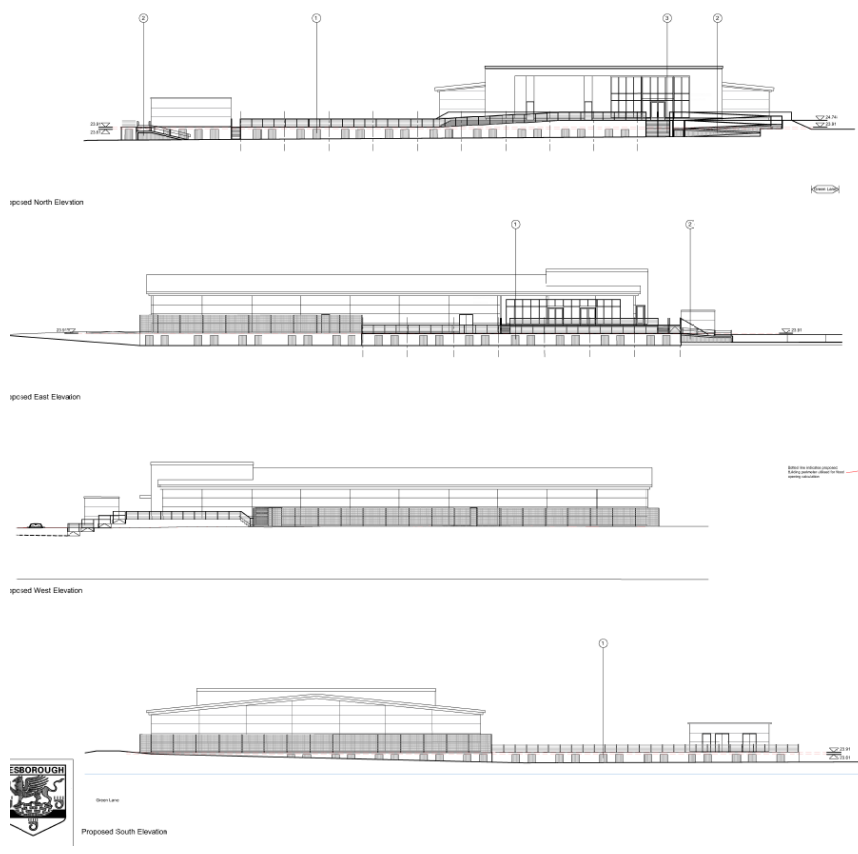
- 1 The proposed development is inappropriate development in the Green Belt and therefore by definition harmful to openness. But notwithstanding this, it will also physically reduce the openness of the Green Belt by reason of its proposed siting and because it will be a substantial building with a dominance of parked vehicles. The proposal would result in substantial harm to the openness of the Green Belt and two of the purposes of including land in the Green Belt, these being 'to check the unrestricted sprawl of large built up areas' and '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 the provisions of saved Policies GB1 and GB2A) of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and paragraphs 80, 87, 88 and 89 of the National Planning Policy Framework (NPPF).
- 2 The combined siting, scale and materials of the building along with the extent of hardstanding and associated paraphernalia of fencing, car park barriers and lighting will result in an alien form of development in this countryside location. In addition, there would be additional noise in the countryside as a result of the comings and goings of users of the facility which would be harmful to the rural character of the area. The proposals are contrary to Policies DG1 and GB2 of the

Local Plan and Core Planning Principle Bullet Point 7 and paragraphs 58 and 61 of the National Planning Policy Framework.

- 3 A Veteran Oak Tree lies to the West of Green Lane. This tree is a principal landscape feature that contributes to the character and appearance of the area and is protected by a Tree Preservation Order. The building will encroach into the tree's root protection area resulting in severance of roots and the siting of the building will result in branch overhang that will result in conflicts that could lead to the pressure to prune. The proposals will be contrary to Policies DG1 and GB2 of the Local Plan and Core Planning Principle Bullet Point 7 and paragraphs 58, 61 and 118 of the National Planning Policy Framework.
- 4 The proposed development is a main town centre use. It has not been demonstrated through the submission of sequential assessment and impact assessment that the proposed location for the proposed development is acceptable in this out of centre location. In the absence of the aforementioned assessments the proposals would impact on the vitality of Maidenhead and Windsor Town Centres. The proposals are contrary to Core Planning Principle Bullet Point X and paragraphs 26 and 27 of the NPPF.
- 5 It has not been demonstrated to the satisfaction of the Local Planning Authority that the additional traffic would have an acceptable impact on the capacity of the roads and junctions in the vicinity of the application site. In addition, as a result of the siting and operations of the barrier into the development, the restricted widths of part of the highway, the lack of detail on the bridge strengthening and that the traffic management measures proposed would not be workable, the development would result in harm to the safety and convenience of all highway users. The proposals are contrary to Policy DG1 of the Local Plan and paragraph 32 of the NPPF.
- 6 The application site lies within an area at high risk from flooding from the River Thames and the proposal fails the Sequential Test as it has not demonstrated to the satisfaction of the Local Planning Authority that the development could not be located in areas with a lower probability of flooding. The proposal is contrary to paragraph 102 of the National Planning Policy Framework.
- 7 The submitted Flood Risk Assessment fails to demonstrate that the proposal complies with national technical standards and no details 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.
- 8 The proposal will lead to the early demise of the off-site Oak Tree referred to in reason for refusal number 3. The tree has potential to be a bat roost. In the absence of bat surveys, the proposal could harm this protected contrary to Core Planning Principle Bullet Point 7 and paragraph 118 of the NPPF.
- 9 The siting and scale of the building will result in an imposing development along the recreational route of the Green Way. The proposal will detract from enjoyment of the route which would be contrary to Policy R14 of the Local Plan.
- 10 The proposals fail to make provision for infrastructure improvements directly related to the development. The proposal fails to accord with the Supplementary Planning Document on Infrastructure and Amenity Requirements and Local Plan Policies IMP1 and T6.

Appendix A

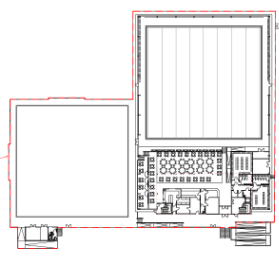




- Key**
1. 1m wide flood flow eorainings with vertical bars at 100mm c/c in/fif
Top of flood openings set at 23.61m+OD (100yr + CC Flood level)
 2. Open sided access ramp with vertical bars at 100mm c/c in/fif
 3. Open sided access ramp with vertical bars at 100mm c/c in/fif
- Note:**
Existing ground levels along western perimeter are above 23.61m+OD (100yr + CC flood level)

MAIDENHEAD

Total proposed building perimeter	320m
Area of perimeter	665m ²
Linear flood openings @ 1m wide each	
North Elevation	22
South Elevation	24
East Elevation	23
West Elevation	9
Total linear flood openings	88m



Proposed Building Plan
Scale 1:500 @ A1



PLANNING

CHC Chelmsford Borough Council

Chelmsford Borough Council
Planning and Building

Project Name	Chelmsford Borough Club
Project Address	Chelmsford, Essex
Project Reference	CH2/15/1118/PL07
Project Status	Approved
Project Date	15/05/2015

Appendix C



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 4

Application No.:	15/03388/OUT
Location:	Woodlands Farm Spring Lane Cookham Dean Maidenhead SL6 9PN
Proposal:	Outline application with all matters reserved: Erection of 3 x detached dwellings.
Applicant:	Mr Simmonds- The Simmonds Partnership
Agent:	Mr Matt Taylor- JSA Architects Ltd
Parish/Ward:	Cookham Parish

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

1. SUMMARY

- 1.1 The application seeks outline planning permission, (as opposed to full planning permission), for three detached dwellings following the removal of stables, commercial units and associated buildings from the site. As this is an outline application, the main consideration is whether the principle of the proposed development is acceptable with details relating to appearance, means of access, landscaping and layout to be dealt with under a later reserved matters application.
- 1.2 The application site is in the Green Belt where limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), is appropriate development provided it would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development (paragraph 89 NPPF).
- 1.3 In this case it is considered that the previous agricultural use has sufficiently 'moved on' to other uses such that it is reasonable to describe the site as 'previously developed'. The applicant has provided information that demonstrates that the proposal would reduce the amount of built volume, footprint and floor space on the site compared to the existing development. Subject to a restriction on the height of the dwellings to be no higher than the existing buildings on site, together with conditions in relation to site levels and removal of domestic permitted development rights, the proposal would not have a greater impact on the openness of the Green Belt than the existing development. In addition, the proposal would not be contrary to any of the five purposes of the Green Belt. For these reasons the proposal is considered to be appropriate development in the Green Belt.
- 1.4 As the application site exceeds 0.5 hectare an element of affordable housing is sought in compliance with Policy H3 of the Local Plan. This is to be secured by way of a S106 agreement.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure the affordable housing in Section 7 of this report and with the conditions listed in Section 10 of this report.
2.	To refuse planning permission if an undertaking to secure the affordable housing in Section 7 of this report has not been satisfactorily completed by 1st April 2016 for the reason that the proposed development would not be accompanied by associated affordable housing.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Cllr. MJ Saunders in light of the scale and impact of this

application and the related community comments received to date by RBWM Planning.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Woodlands Farm is located on the eastern side of Spring Lane, close to its junction with Church Lane in Cookham Dean. The farm extends to approximately 25 hectares and was previously a dairy, then poultry farm. The application site itself is 0.79 hectares and is occupied by 31 stables let on a livery basis. In addition various redundant single storey farm buildings have been converted to offices and storage space with associated parking. The remaining land is mainly laid to grass to provide grazing for the liveried horses. Two larger buildings are located to the centre of the developed area of the site and provide all weather manege and hay store together with a residential flat above.
- 3.2 The site is located in the Green Belt and in an Area of Special Landscape Importance. It is positioned on higher ground than the surrounding open fields and countryside to the east and south. Access is provided off Spring Lane. The site abuts the curtilage of St. Johns House to the west, Woodlands Farm House and Woodlands Farm Cottages to the north.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
342/49	Reconstruction of farm house and conversion of barn to dairy and cowshed.	Approved 30.11.49
6547/65	Erection of cattle yard and Dutch barn.	Approved 28.07.65
428065	Conversion of two agricultural buildings to light industrial and storage.	Approved 19.08.94
99/33564	Renewal of 428065.	Approved 09.04.99
00/36112	Change of use of Building B to light industrial unit and storage.	Approved 15.02.01.
01/36542	Change of use of former stables to garage.	Approved 19.03.01.
03/40262	Construction of replacement hay and implement store with ancillary staff accommodation above and tractor store.	Approved 18.12.03.
04/01332	Variation of condition 1 of 99/33564 to allow change of use of Building A to general B1 and B8.	Approved 17.12.04.

- 4.1 The proposal seeks outline planning permission with all matters reserved for the erection of three detached dwellings, following the demolition the existing buildings and removal of hard standing.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Sections 9.

Royal Borough Local Plan

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

	Green Belt
Local Plan	GB1, GB2.

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

- Sustainable Design and Construction

- Planning for an Ageing Population
- Cookham Village Design Statement: Relevant policies G4.4, Section 6 and G9.1 and G9.2.

More information on these documents can be found at:

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 Landscape Character Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 As this is an outline planning application, the key issue for consideration is whether the principle of the proposed development is acceptable. Issues relating to appearance, means of access, landscaping and layout would be considered as part of a reserved matters application.

6.2 Policy GB1 of the Local Plan sets out the types of development that are considered appropriate in the Green Belt. The proposal does not fall within any of these types but this Policy has to some extent been superseded by the lists of types of appropriate development set out in paragraphs 89 and 90 of the National Planning Policy Framework (NPPF), and this is material to the consideration of the application. Specifically, paragraph 89 of the NPPF explains that limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), 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, is not inappropriate development in the Green Belt.

6.3 Annex 2 of the NPPF explains that the definition of previously developed land excludes land that “is or has been occupied by agricultural buildings.” However, this definition has created issues of interpretation at appeal because the vast majority of all land in the UK would have been agricultural at one point or another. If applied literally, this definition would have the effect of preventing almost all claims under that section of Paragraph 89 of the NPPF. Given the Government’s drive to provide more housing such a literal approach could not have been the intention of the clause when drafted.

6.4 In assessing this application, officers looked at other appeal decisions and of particular interest is the decision in the case of *Ilsom Farm*, in which the Inspector considered the definition of previously developed land in some detail:

“It appears to me that the definition is intended to address the circumstances where agricultural buildings stand on a site or have been demolished. The agricultural use of the appeal site was first replaced by the stonemasonry use in 1990 and there have been subsequent planning permissions, including for B1 use. The site has therefore been used continuously (with planning permission) for non-agricultural purposes for many years, notwithstanding that the former agricultural buildings have been reused. These factors lead me to conclude that the use of the site has genuinely ‘moved on’ from its agricultural origins and that it is reasonable to define the appeal site as PDL. Accordingly its effective reuse can be encouraged in accordance with Paragraph 17 of the Framework and this is a material consideration which attracts significant weight.”

6.5 This approach requires the local planning authority to assess the proximity of the agricultural use as a matter of fact, and it is clearly possible for a site to ‘move on’ beyond being considered to have had an agricultural use, for the purposes of the NPPF. The *Ilsom Farm* case went back to 1990 with the appeal decision being made in 2013.

- 6.6 In the consideration of this application officers have adopted a similar approach in assessing whether it is reasonable to define the site as previously developed land. The factors that were weighed up in making this assessment included:
- 1) Whether the agricultural buildings have been re-used for another purpose.
 - 2) Whether the agricultural use of the land has been replaced by a different use.
 - 3) Whether any different use was granted planning permission.
- 6.7 Having regard to the planning history set out in section 4 of this report, legal advice provided and further clarification from the applicant regarding the hay making part of the operation, officers are of the opinion the site has moved on from its agricultural origins and constitutes previously developed land.
- 6.8 Having established the site is PDL, an assessment of the impact of the proposed development on the openness of the Green Belt, together with the purposes of including the land within it, when compared to the existing development, has to be made.
- 6.9 The applicant's agent has provided the following volume calculations:

	Existing (to be demolished)	Proposed (3 dwellings combined) each arranged over two floors with basement - indicative	Difference
Volume	8701.09 m ³	6118.10 m ³	-2582.99 m ³ = 30% reduction
Floorspace	2494.12 m ²	1696 m ²	-798.12 m ² = 32% reduction
Footprint	2358 m ²	851.6 m ²	-1506.4m ² = 64% reduction

- 6.10 From the figures outlined above it can be seen that in terms of total volume of building, floorspace and footprint, the indicative development would be significantly less than that of the existing. However, an assessment of scale including the heights of the proposed development against the existing also needs to be undertaken in order establish whether the proposal would harm the openness of the area.
- 6.11 As an outline application has been submitted the applicant is not required to submit detailed elevations of the proposed dwellings. However, paragraph 11.2 of the submitted Planning Statement indicates that "the proposed dwellings are likely to be full two-storeys in height, with basement accommodation." The agent has also advised that illustrative elevations indicate a maximum height of 8.5m with a partial basement that could add another circa 2.8m to the south-eastern elevation.
- 6.12 The highest existing building on the site has a ridge height of 7.35m, with the majority of the other buildings being only single storey. If the proposed three dwellings each had a height as indicated (8.5m plus basement of 2.8m at the rear) the scale and bulk of the proposed development would far exceed the existing, irrespective of volume and footprint, and this would have a greater impact on the openness of the Green Belt, as well as potentially harming the character and appearance of the area. It is important to stress however that, while the proposal is for three detached dwellings, the agent's reference to two-storeys in height and basement are indicative. As such, in order to ensure the openness of the Green Belt is preserved, it is recommended that a planning condition be attached to any approval limiting the height of each dwelling to 7.35m when taken from any point of the natural (existing) ground level, (notwithstanding the levels indicated on the submitted plans).
- 6.13 With regard to preserving the purposes of the Green Belt, the main issue in this case is to safeguard the countryside from encroachment (the other purposes not being relevant here). The indicative layout shows the proposed development will remain within the existing building lines on the site. Provided this is suitably conditioned and domestic permitted development rights removed, it is considered that the proposal would safeguard the countryside from encroachment.

- 6.14 In terms of other criteria covered in Policy GB2 and DG1 of the Local Plan, the proposal will not lead to a material intensification in the level of activity on the site, as the vehicle movements associated with three family dwellings would be significantly less than for the existing livery business and commercial units. The dwellings would also be some distance away from the nearest residential properties and therefore unlikely to cause harm to the amenities of neighbours.
- 6.15 With regard to the loss of the stables and loss of the commercial units there are no local or national planning policies that specifically seek to protect these other than if they are local services and community facilities in villages such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. As this is a privately owned site none of these community 'exceptions' are applicable to the application.
- 6.16 In summary, subject to planning conditions that include restricting the height of the dwellings, retaining the levels of the site and removing domestic permitted development rights, the proposal is considered appropriate in the Green Belt, with the character and appearance of the countryside, which is within an Area of Special Landscape Importance, also protected.

Other Material Considerations

- 6.17 The application is supported by an Ecological Assessment and Bat Survey Report (Aspect Ecology, September 2015) and this has been examined by the Council's ecologist. The ecologist has advised that if the Local Planning Authority is minded to approve the application, conditions relating to a sensitive lighting strategy, vegetation removal and protective measures for breeding birds, the provision of nest boxes and biodiversity enhancements, together with gaps at the base of the fencing to facilitate the movement of wildlife, should be imposed.
- 6.18 The site is located in an Area of Special Landscape Importance. Policy N1 of the Local Plan advises that proposals which would detract from the special qualities of that landscape will not be permitted. In particular the Council will resist proposals that would (i) adversely affect both long distance and local views within these areas; (ii) result in the loss of tree cover and hedgerows or adversely affect the ecological value of the area; and/or (iii) adversely affect the formal landscape features and their settings. As the only consideration for this application is whether the principle of the proposed development is acceptable, with the exception of the ecological impact the other issues for assessment will be the subject of a reserved matters application.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 The application site is 0.7 hectares and, as such, in line with Policy H3 of the Local Plan a proportion of the scheme should be for affordable housing. In this case, an off-site contribution of £191,889 is being sought.
- 7.2 The impact of the proposal on local infrastructure and services would be limited due to its location and scale. As such, it is not appropriate to seek any further S106 contributions under this application.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

4 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 5th November 2015.

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

Comment		Where in the report this is considered
1.	How could this be allowed? Does it mean anyone with a spare bit of land can put in outline planning permission? If this is allowed it would make a total mockery of the Village Plan.	6.2 – 6.16
2.	Horse ownership in the area is not on the decline. The equine community is as strong as ever. The few livery yards in the area have long waiting lists. Many people are devastated at the thought of losing this yard. If Woodlands Farm closes I may not be able to keep my horse as there is not enough stabling elsewhere.	6.15
3.	The bat survey should be investigated as residents report a sizeable bat population on the site. There are many birds and bats in the area with a huge house martin and swallow population that breed on site every year. The loss of their breeding site will affect their survival as a species.	6.17
4.	Lack of proper consultation. There appears to have been no real consultation with residents.	Section 8 neighbour notifications and site notice.
5.	Loss of local employment. If the application is approved these businesses will have to relocate or close down. These businesses contribute to the local economy.	6.15
7.	The Green Belt should be preserved and protected at all costs	6.2, 6.3
8.	The livery business at Woodlands Farm is extremely viable. There is a great demand for stables in the area. It would be a significant loss to Cookham	6.15
9.	The proposal will cause harm to wildlife habitats.	6.17
10.	Will lead to an increase in traffic congestion.	6.14
11.	Loss of a leisure facility that would be harmful to children's educational experiences of nature.	6.15
12.	Views of Cookham would be significantly harmed.	6.11, 6.18
13.	No bat report or ecological report has been submitted.	As these relate to protected species the information is not made public. 6.17
14.	The three-storey buildings will detract from the Green Belt and Area of Outstanding Natural Beauty.	6.11, 6.12.
15.	Will increase light pollution in the countryside.	6.17
16.	There is a shortage of good premises for local businesses and this will remove some. The existing businesses on the site could well move out of the area or close down altogether.	6.15
17.	This is inappropriate development in the Green Belt,	6.16
18.	Will result in loss of access to the site to enjoy views of the countryside from.	This is private property.
19.	Will harm a local catering business due to the loss of critical income if the businesses have to relocate.	6.15
20.	Letter from local child aged 7 – would like to be able to keep a horse at	6.15

	the stables when she grows up. (Representation includes a drawing by the writer of horses grazing on the hills and photographs of 'Snow' the pony and 'Fluffy' the foal.)	
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Statutory consultees

Consultee	Comment	Where in the report this is considered
Cookham Parish Council	Objection The proposed development does not conform to Para 89 of the NPPF as the site should not be considered as 'previously developed land'.	6.2 – 6.7
	Concerns also exist regarding ecology and Highways (access/egress) issues.	6.17 6.14
	Inappropriate loss of industrial and leisure	6.15

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objections. Recommends informatives relating to dust and smoke controls, together with hours of construction be attached to any approval.	Noted.
The Cookham Society	Contrary to paragraph 89 of the NPPF and Policy GB1 of the Local Plan. If approved all farm buildings would be able to claim that the site represent acceptable development under paragraph 89 of the NPPF, which would be disastrous for the Green Belt.	6.1 – 6.7
	The assertion by the applicant that the livery is not thriving is questioned, and the paddocks are unlikely to be waterlogged as claimed. Refurbishment of the buildings has not been adequately considered. Do not agree with officer's interpretation of 'previously developed land'.	6.15

9. APPENDICES TO THIS REPORT

•	Appendix A - Site location plan
•	Appendix B – Existing site plan
•	Appendix C – Proposed site plan

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 NPPF.

In this case the issues have been successfully resolved.

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 An application for the approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission
Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 2 The development shall commence within two years from the date of approval of the last of the reserved matters.
Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 No development shall commence until details of the existing ground levels (against OD Newlyn) measured at regular intervals across the site have been submitted to the Local Planning Authority. No changes shall be made to the existing levels of the site.
Reason: In the interest of the visual amenities of the area. Relevant Policies Local Plan GB2, N1
- 4 No part of the development shall be higher than 7.35 metres above the original natural ground level of any part of the site where it is immediately adjacent to the proposed dwellings.
Reason: To protect the openness of the Green Belt and in the interest of the visual amenities of the area. Relevant Policies Local Plan GB2, N1.
- 5 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.
- 6 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: The site is in the Green Belt and an Area of Special Landscape Importance and whilst the development subject to this permission complies with the relevant policies further development would be unlikely to do so, Relevant Policies - Local Plan GB1, GB2, N1.
- 7 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected on the site without planning permission having first been obtained from the Local Planning Authority.
Reason: To ensure the location, form, design and materials are appropriate for the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 8 Within one month of the substantial completion of the development the buildings shown to be removed on the approved plans, 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,
- 9 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy GB2.
- 10 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in

writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan GB2.

- 11 No development shall commence until details of any proposed external lighting including specification of the lights, LUX levels and operational times) 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 and thereafter shall be operational.

Reason: In order to protect the character of the Green Belt. Relevant Policy - Local Plan GB2.

- 12 No development shall take place until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. The development shall be carried out and subsequently retained and maintained in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

- 13 No dwelling shall be occupied until details of the location of a water butt of at least 120L internal capacity to be installed to intercept rainwater draining from the roof of each dwelling has been submitted to and approved in writing by the Local Planning Authority and subsequently provided at each dwelling. The approved facilities shall be retained.

Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and to comply with Requirement 4 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

- 14 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for the parking of vehicles of site operatives and visitors, the loading and unloading of plant and materials and the storage of plant and materials used in constructing the development.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

- 15 No part of the development shall be occupied until vehicle parking and turning space has been laid out and surfaced in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be kept available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

- 16 No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.

- 17 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to

encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

- 18 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, 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, without the prior written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 19 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 20 No development shall commence until details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. The design of any means of enclosure around the site and between plots should include a gap at the base to facilitate the movement of wildlife through the site into adjacent areas. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area and in the interests of biodiversity. Relevant Policies - Local Plan DG1, NPPF paragraph 109.
- 21 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 22 No development shall commence until a sensitive lighting strategy has 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 order to protect bats by ensuring lighting from the development is directed away from ecologically sensitive areas. Relevant Policy - NPPF Paragraph 125.
- 23 No clearance of the site (including demolition) shall be undertaken during 1st March and 31st August inclusive (the bird nesting season). Should this not be possible, any vegetation and/or suitable features to be removed should first be checked by a suitably qualified ecologist in order to determine the location of nests prior to removal. Any active nests should be cordoned off and protected until the end of the nesting season or until the birds have fledged (as recommended in

the submitted Ecological Assessment and Bat Survey Report, (Aspect Ecology, September 2015)

Reason: In order to protect bird nesting habitats. Relevant policy - NPPF, Paragraph 109.

24 No development shall commence until full details of biodiversity enhancements have been submitted to and approved in writing by the council. Biodiversity enhancements shall include but not be limited to: details of swallow nest boxes, other nest box designs and bat boxes, schedule of native species planting and retained trees and provision of log piles. The biodiversity enhancements shall be retained thereafter in accordance with the approved details.

Reason: To accord with the paragraph 109 of the NPPF.

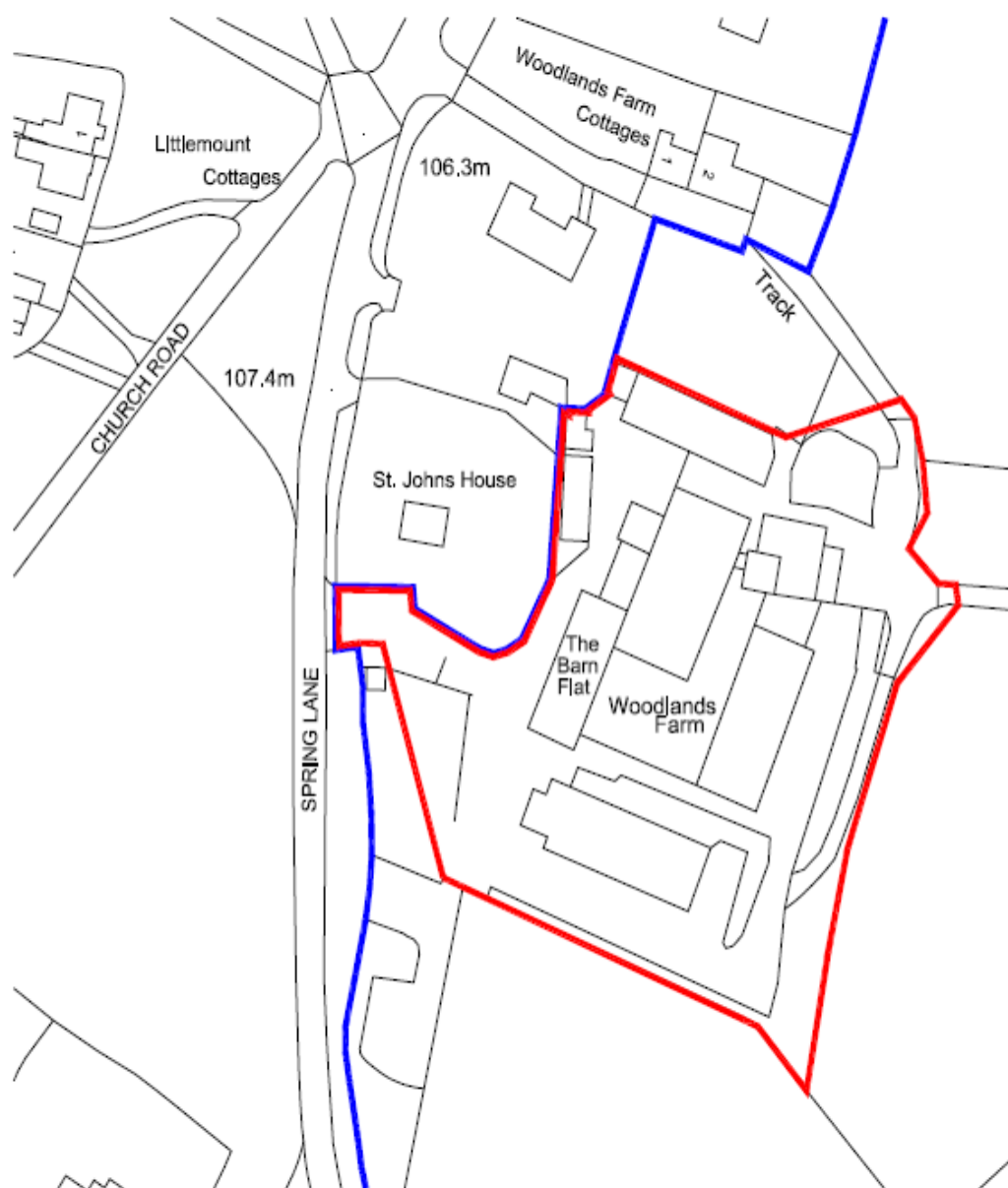
25 No development shall commence until an invasive non-native species method statement full is submitted to and approved in writing by the council. The method statement shall include measures for the containment, control and removal of these species. The measures shall be implemented as approved.

Reason: To accord with the paragraph 109 of the NPPF.

26 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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APPENDIX A



APPENDIX C – PROPOSED SITE PLAN

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 5

Application No.:	15/03901/FULL
Location:	Former Stiefel Laboratories (Ireland) Ltd Whitebrook Park 68 Lower Cookham Road Maidenhead
Proposal:	Construction of a new part two/three storey office (use class B1) building with associated landscaping, tree works and car parking following demolition of existing buildings
Applicant:	The Royal London Mutual Insurance Society Limited
Agent:	Ms Amy Lee -WYG
Parish/Ward:	Maidenhead Riverside Ward
If you have a question about this report, please contact: Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

- a. The proposal is for is to demolish the existing buildings and erect a part two-storey, part three storey office (use class B1) with associated car parking, landscaping and tree works. Consent for the scheme had previously been granted permission under 09/02484/FULL and 12/03074/FULL.
- b. The preferred location for office development would be within the town centre to support its vitality and viability, however, the applicant has submitted an assessment of sequentially preferable sites both within and at the edge of the town centre and there are no available, suitable or viable sites in a sequentially preferable location. In terms of impact on the vitality of Maidenhead town centre, it is unlikely to be detrimental. There is also an identified need for additional office development within the Borough
- c. The application site lies within an area of high probability of flooding. The proposal is considered to pass a sequential test which demonstrates that there are no available, suitable or viable sites in a sequentially preferable location. The submitted Flood Risk Assessment demonstrates that the proposed development does not increase flood risk elsewhere and is safe over its lifetime, and a number of sustainability measures have also been considered and incorporated into the design of development. An acceptable Sustainable Drainage System has been proposed that meets national technical standards.
- d. The proposed development would not be overly prominent or intrusive when viewed from Lower Cookham Road or the Thames footpath to the east as the trees act as a significant barrier to views. On higher land above the Thames from the woodland within the grounds of the Cliveden Estate, views would be from a significant distance so there would be not significant impact. In general the design and materials are conventional for an office building and therefore not considered overly incongruous.
- e. The nearest neighbouring properties are at no. 4 and 5 Islet Park Drive. The separation distance and oblique angles is considered to sufficiently mitigate any undue visual intrusion, loss of light and loss of privacy as a result of the proposal.
- f. Comments from the Local Highway Authority are still pending and any comments received shall be reported in an update. However, it is considered that the layout of the internal access road, the number and size of the car parking bays, the reversing distance for cars from the parking spaces are acceptable. In terms of the main access from Whitebrook Business Park onto the A4094 the visibility splays are adequate.

- g. Ecological surveys have been undertaken at this site in 2009 and 2012 in support of the two previous applications. During an inspection survey undertaken in 2015 it was concluded that the building supported bat roosts and emergence survey was recommended within the ecologists report to update the 2012 surveys, to be carried out between April and September inclusive. It is recommended that this survey is undertaken prior to a decision to ensure compensatory roosts of sufficient size and appropriate to the species can be accommodated at the site within the proposed development. There are no objections to the scheme in relation to breeding birds, badgers and bio-diversity enhancements.
- h. The original planning permission for this site in 2009 and the 2013 renewal were granted subject to a S106 legal agreement securing contributions towards highways/public transport, leisure, public art / heritage, economic development, air quality and securing a Public Footpath Creation Agreement between the Council and adjacent landowners for the missing link of the footpath between Lower Cookham Road and the Thames Path National Trail. The applicant has confirmed that they are willing to undertake a deed of variation in this respect.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission subject to: no substantive objection to the proposal being received from the Highway Authority; on the satisfactory completion of an up-to-date dusk emergence and dawn return to roost bat survey on the buildings within the site with details and approval of suitable bat mitigation strategy where appropriate; an undertaking to secure a deed of variation of the S106 under planning permission 12/03074/FULL; and, the conditions listed in Section 9 of this report.
2	To refuse planning permission if a substantive objection to the proposal is made by the Highway Authority and Ecologist and has not been resolved by 31 May 2016, an undertaking to secure a deed of variation of the S106 under planning permission 12/03074/FULL has not been satisfactorily completed by 31 May 2016 for the reason that the proposed development would not be accompanied by associated infrastructure improvements.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager 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 lies within the eastern side of Whitebrook Business Park, which is on the north eastern extremity of the settlement of Maidenhead. On the site is a predominately 2 storey brick built building with a single storey element attached to the north elevation of the building. In addition to the main building, on the northern boundary is a former stable building, storage building and enclosures containing plant equipment. The majority of the car parking can be found to the west of the main building with some parking to the east. There are two vehicular access points into the site from the shared driveway into the Business Park from Lower Cookham Road.
- 3.2 The northern boundary of the site is marked by a 1.8m high close boarded fence beyond which is a belt of trees approximately 10-12m wide and then a flat plain of fields. The eastern boundary is marked by a 1.8m high chain link fence beyond which is a sports field, a belt of trees, the river and then a wooded hillside forming part of the Cliveden Estate. To the south of the application site are residential properties and a car park that serves the remainder of the business park. To the north is a 2 storey building occupied by Hitachi and other buildings that form part of the business part and beyond these is Lower Cookham Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
12/03074/FULL	Construction of a new part two/three storey office (B1 use class) building with associated landscaping, tree works and car parking following the demolition of existing buildings (renewal of planning permission 09/02484)	Approved – 05.02.2013
09/02484/FULL	Construction of a new part two/three storey office (B1 use class) building with associated landscaping, tree works and car parking following the demolition of existing buildings	Approved – 24.11.2009
09/00376/FULL	Construction of three storey office (B1 use class) building with associated landscaping and car parking following demolition of existing buildings	Refused – 29.05.2009

- 4.1 The proposal is to demolish the existing buildings and erect a part two-storey, part three storey office (use class B1) with associated car parking, landscaping and tree works.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 2 (Ensuring the vitality of town centres), 7 (Requiring good design), 10 (Meeting the challenge of climate change, flooding and coastal change) and 11 (Conserving and enhancing the natural environment).

Royal Borough Local Plan

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

	Within settlement area	High risk of flooding	Protected Trees	Highways/Parking issues
Local Plan	DG1, E10, NAP3	F1	N6	T5, P4

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

- Planning Obligations and Developer Contributions
- Interpretation of Policy F1 – Area Liable to Flood
- Sustainable Design and Construction

More information on these documents can be found at:
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
- RBWM Strategic Flood Risk Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of the development;
- ii Flooding;
- iii The impact on the character of the area;
- iv Impact upon the living conditions of occupiers of neighbouring properties;
- v Highway matters;
- vi Other material considerations

Principle of development

- 6.2 The application site is considered to be out of centre as it is neither within nor at the edge of the commercial boundary as identified in the Maidenhead Town Centre Area Action Plan or the commercial boundary as identified in the Proposals Map to the Local Plan. One of the objectives of the NPPF is ensuring the vitality of town centres and the NPPF directs office development to town centres to ensure their vitality. The current of the Local Plan is silent in respect of the locational approach for office uses and it does not allocate suitable sites for such uses. The NPPF advises that Local Planning Authorities should apply a sequential test to planning applications for town centre uses that are not within existing centres and not in accordance with an up-to-date plan, and for development over a threshold of 2,500sqm such as this an impact assessment on the town centre would be required. The application is accompanied by a sequential test which updates the sequential test documents submitted under 09/02484/FULL and 12/03074/FULL, and includes a town centre impact assessment.
- 6.3 The Sequential Test demonstrates that a review has been undertaken of a number of sites within Maidenhead town centre, at its edge and out of centre to establish whether there are any other sequentially preferable sites that are suitable, available and viable. As there is demand for office space in Maidenhead, as demonstrated by the Borough's Employment Land Review (ELR), a Borough wide assessment is not considered necessary in this case. The assessment shows that there are no alternative sites suitable, available and viable in a sequentially preferable location. On this basis the sequential test is passed.
- 6.4 In terms of the impact on Maidenhead town centre, the main consideration is the cumulative impact of a number of office developments outside the town centre. In this respect, the most recent study (Annual Monitoring Review 2011) indicated that while 8,482sqm (GEA) was completed in Maidenhead town centre only 300sqm (GEA) was delivered in the rest of the borough (excluding Windsor town centre). Given the overall limited amount of out of town office development, the cumulative effect of the proposal and existing out of town office development on viability and vitality of Maidenhead town centre is unlikely to be detrimental.
- 6.5 In the Borough's ELR from 2009 shows that there is an identified supply requirement for 85,300sqm of office floorspace up to 2026. The emerging ELR is also indicating there is a requirement for a further supply of office floorspace. The proposal would provide a net addition of 3847sqm which will assist in meeting the quantitative demand. In addition office demand has focused on new and good second hand space and the ELR notes that older stock is not in as high demand. The new office building would therefore go to meeting qualitative demand.

Flooding

Sequential Assessment

- 6.6 The application sites is located within the 1% Annual Exceedance Probability (AEP) (1 in 100 year) plus 20% allowance for climate change flood extent. This is classified by the National

Planning Policy Framework (NPPF) and the associated National Planning Policy Guidance (NPPG) as flood zone 3 and as having a 'high probability' of flooding from rivers. National planning policy seeks to direct development to the lowest risk areas of flooding first, before considering land in the medium (FZ2) and high (FZ3) probability of flooding classifications. A sequential assessment for the site shows that no available sites have been identified within Flood Zone 1 and 2 that could accommodate the proposal within the Borough. The sequential assessment also notes that the NPPG, Table 3: 'flood risk vulnerability and flood zone compatibility' confirms that offices fall into the 'less vulnerable' category and so this development is not considered inappropriate in this flood zone. The proposal is considered to pass the sequential test.

Flood Risk

- 6.7 The application includes a Flood Risk Assessment (FRA) to demonstrate that the proposed development does not increase flood risk elsewhere and is safe over its lifetime. In this case there will be an increase in the amount of built form compared to the existing situation and the applicant proposes flood compensation. Level for level floodplain compensation is the preferred method of mitigation and it requires land on the edge of the floodplain and above the 1% AEP plus 20% allowance for climate change flood extent to be achievable. The site of the proposed development is fully located within the 1% AEP plus 20% allowance for climate change flood extent. It is therefore considered volumetric compensation to be acceptable. The volume of floodplain storage gained by the scheme is greater than the volume lost by the increase in built footprint caused by the development consequently there will be no increase in flood risk to the surrounding area. In terms of the development being safe over its lifetime flood risk arises from water entering the site from the south. The modelling data in the submitted Flood Risk Assessment shows that if flooding occurs it will therefore occur slowly and with several days' notice. The modelling also shows that the site is not at risk of flooding in an event less extreme than 1 in 50, while the building floor level and utilities will be resilient or above flood level even in an extreme 1 in 100 year event with climate change allowance (in excess of the 60 year lifetime of a commercial development). A number of sustainability measures have also been considered and incorporated into the design of development, which would improve the Borough's stock of sustainable office development.
- 6.8 The Environment Agency raises no objections subject to condition 22 requiring that the approved development is carried out in accordance with the approved FRA including the mitigation measures detailed within the FRA prior to occupation.

Sustainable Drainage

- 6.9 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 rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface. Since April 2015 Local Planning Authorities have assumed responsibility for SuDS. A Drainage Design Report has been submitted and the details within are considered adequate, meeting the national technical standards, and the Local Lead Flood Authority has raised no objection on this basis. Condition 19 is recommended to secure the approved SuDS and future management to accord with paragraph 103 of the NPPF.

Impact on the character of the area

- 6.10 The NPPF states that the government attaches great importance to the design of the built environment as good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Local Plan policy E10 states that in considering planning applications for business development the Local Planning Authority should have regard to the layout of the site, the design, scale and materials of the building should be appropriate for the area in which they are located, and should not result in an undesirable intensification. DG1 states that the design of new buildings should be compatible

with the scale, height, lines and materials of adjacent properties, where appropriate should include landscaping schemes, and harm should not be caused to the character of the surrounding area through development which is cramped or which result in the loss of important features that contribute positively to the area.

- 6.11 The proposed offices would be arranged over three floors within 2 wings (east and west) off a central atrium. The atrium will be approximately 15m in height and the 2 wings would be approximately 13m in height. The west wing would be approximately 47 in length and 18 wide, while the east wing would measure approximately 41m in length and 18m in width. The west, east and north of the building will have a predominately glazed curtain wall with clear glass. The blank parts of the west, east and north elevations will be constructed of silver anodized aluminium louvers and ceramic tile rain screen panelling finished in a deep blue colour. The south elevation will be glazed to the atrium with the wings of the building having blank facades of ceramic tiles cladding in a deep blue accented with a vertical cream 'coach lines'.
- 6.12 Beyond the northern and eastern boundary of the site is countryside that forms part of the Green Belt. The existing belt of trees some 10m deep just beyond the northern boundary of the application site contributes to the undeveloped 'soft' edge of the settlement which is characteristic to both sides of Lower Cookham Road and the rural character of the Green Belt in general. The west wing of the proposed building would be sited further west and to the south compared to the existing building, and would be visible through the thinner parts of the tree belt, but it is not considered to be overly prominent or intrusive when viewed from Lower Cookham Road as the trees act as a significant barrier to views from this vantage point. Control of any artificial lighting emitting from the predominately glazed building can be controlled by condition 13 to ensure no light pollution and thereby visual intrusion in this respect. The development would also be screened from the Thames footpath to the east of the site by a dense belt of trees. On higher land above the Thames the building would be visible from the woodland, which lies within the grounds of the Cliveden Estate, but at a distance and it would be seen in the foreground of the Hitachi building. In addition, there is an opportunity to plant a hedge and native trees along the eastern boundary, which would enhance the parkland setting. These factors are considered to weigh in favour of the replacement development and can be secured by condition 5.
- 6.13 The footprint of the building is considered to be proportionate to the plot and therefore would not be cramped within the site. In addition to the demolition of the unsightly clutter of plant spaces and stables on the northern boundary the outlook into the site from the Green Belt will be greatly enhanced, opening even greater space around the building from within the site. In general the design and materials are conventional for an office building and therefore not considered overly incongruous.
- 6.14 Overall, the proposal is not considered to harm the visual amenities of the adjoining, undeveloped countryside or result in overdevelopment. The proposal therefore accords with the NPPF and policies E10 and DG1 of the Local Plan.

Impact upon neighbouring properties

- 6.15 Core principle 4 of the NPPF seeks to ensure that development achieves a good standard of amenity for existing and future occupants of land and buildings. Local Plan policy E10 states that the layout of sites and the design and scale of any building should not be unneighbourly. It is considered that the proposal complies with this policy in relation to the nearest neighbouring properties at no. 4 and 5 Islet Park Drive.
- 6.16 The nearest parts of the building to these neighbouring properties are the atrium and east wing. The atrium is fully glazed but given the separation distance of approximately 45m to the rear facing windows and 20m distance to the rear boundary of these neighbouring properties, together with the oblique angle, it is considered that there will be no unreasonable level of overlooking. The south elevation of the east wing, which faces these neighbours, would be blank with plant rooms behind the wall. However, it is recommended that rights to inset windows be removed by condition 17. The top floor of the eastern wing of the building has also been moved backwards in part from a perpendicular position by 13.5 degrees so that the outlook for future office workers will be north easterly and away from the properties on Islet Park Drive.

- 6.17 The nearest part of the building is 13m in height and given the separation distance from the properties on Islet Park Drive, is not considered to result in any unreasonable loss of light or visual intrusion.
- 6.18 External lighting can be controlled through condition 12 of any planning permission.

Highway matters

- 6.19 Comments from the Local Highway Authority are still pending and any comments received shall be reported in an update. Vehicles would enter and exit the site via an existing access off Lower Cookham Road and through the Hitachi car park. Car parking is provided at a ratio of 1 space per 35 m² of floor space totalling 223 spaces with 11 allocated disabled parking spaces located immediately outside the main entrance. 60 cycle parking are provided immediately within the entrance gate, at a ratio of 1 space per 10 employees.
- 6.20 The layout of the internal access road, the size of the car parking bays, the reversing distance for cars from the parking spaces is considered acceptable. In terms of the main access from Whitebrook Business Park onto the A4094 the visibility splays are adequate. Condition 26 is recommended so that the part of the access road in the southern part of the site shown to be restricted for emergency and service vehicle access is only used and retained for such. The total number of car parking spaces is 202, which equates to 1 space per 37sqm of office floorspace. This meets the maximum level recommended for this site, which is located in an area of poor accessibility according to the Council's Parking Strategy. A total of 11 of the 202 spaces will be for disabled persons, which is to the required standard. It is recommended that the level of car parking be reduced by 5% over 4 years from first occupation and that land be landscaped and the landscaping retained in perpetuity to encourage sustainable travel methods, which can be secured by condition 25. A total number of 10 motorcycle parking spaces and 60 cycle parking spaces are proposed, which are considered acceptable and can be secured with condition 24.

Other Material Considerations

Ecology

- 6.21 Ecology surveys had been undertaken at this site in 2009 and 2012 in support of the two previous applications. In 2009 a bat survey did not reveal any bats emerging or returning to roosts at the site. An updated bat survey in 2012 recorded Soprano Pipistrelle bats emerging from building B1b confirming roosts within the building. During an inspection survey undertaken in 2015 it was concluded that the building supported bat roosts and emergence survey was recommended within the ecologists report to update the 2012 surveys, to be carried out between April and September inclusive. It is recommended that this survey is undertaken prior to a decision to ensure compensatory roosts of sufficient size and appropriate to the species can be accommodated at the site within the proposed development. There are no objections to the scheme in relation to breeding birds, badgers and bio-diversity enhancements.

Trees

- 6.22 There are a number of trees on site. A revised tree protection plan is required to take into account changes in tree condition and to accord with the revised BS5837. An arboriculture method statement including tree retention and protection plan, and landscaping scheme should be secured by condition 5, 6, 20 and 21.

Archaeology

- 6.23 The application site covers approximately 1.2ha which has large areas of undeveloped land within it. It also lies within an area of archaeological potential. The proposed development will provide for works that would impact on currently undeveloped areas of the site that have the potential to contain buried archaeological remains. It is considered that these impacts can be mitigated by an appropriate programme of archaeological work. In view of the previous impacts on parts of the site, such work can be achieved post-determination should the scheme be permitted. This is in accordance with Paragraph 141 of the NPPF which states that local planning

authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. Condition 9 is therefore recommended.

Sustainable design and construction

6.24 The Council has an adopted 'Sustainable Design and Construction' Supplementary Planning Document which seeks to improve the sustainability performance of buildings and spaces through their construction and subsequent use and is a material consideration in the assessment. The SPD makes clear that applications submitted without any evidence of how issues of sustainability have been considered and appropriate actions taken risk being refused. The submitted Sustainability and Energy Report outlines that how sustainable design measures have been considered and incorporated into the development and compliance can be secured by condition 11.

S106 Deed of Variation

6.25 The original planning permission and the 2013 renewal were granted subject to a S106 legal agreement securing contributions towards highways/public transport, leisure, public art / heritage, economic development, air quality and securing a Public Footpath Creation Agreement between the Council and adjacent landowners for the missing link of the footpath between Lower Cookham Road and the Thames Path National Trail. The applicant has confirmed that they are willing to undertake a deed of variation in this respect.

Contaminated Land

6.26 The site lies within an area of contaminated land. To comply with policy NAP3 it is recommended that condition 16 is attached to any permission including the submission and approval of a scheme of remediation and its implementation, including the reporting of unexpected contamination and long term monitoring and maintenance.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

21 occupiers were notified directly of the application. The application was advertised in the Maidenhead & Windsor Advertiser on 10.12.2015. The planning officer posted a statutory notice advertising the application at the site on 22.12.2015.

1 letter were received supporting the application, summarised as:

	Comment	Where in the report this is considered
1.	East Berks Ramblers supports the proposal on the basis of the proposed improvements of a public right of way along the northern boundary of the site, linking Lower Cookham Road to the Thames Path.	Para. 6.25

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	No objection subject to conditions.	Para. 6.23
Environmental Protection	No objection subject to condition.	Para. 6.26

Ecology	<p>Bats - Without further information on the population of bats on site that it is possible to accommodate compensatory roosts of sufficient size and appropriate for the species at the site within the proposed development. Further information, which should include up-to-date dusk emergence and dawn return to roost surveys on the buildings within the site, should be provided to the Local Planning Authority prior to the determination of this application. The surveys should be undertaken at the appropriate time of year. In addition, details of a suitable mitigation strategy should also be provided.</p> <p>Badgers – The setts were re-surveyed in 2015 and were recorded as being disused. The applicant’s ecologist has recommended that the setts should be re-surveyed prior to construction commencing, which can be secured by condition.</p> <p>Breeding Birds - The trees, shrubs and hedgerows on site have the potential to support breeding birds. The applicant’s ecologist has provided information with regards to timing of vegetation removal and protective measures with regards to breeding birds, which should be secured by condition.</p> <p>Bio-diversity – the application presents opportunities to incorporate features which would be beneficial to wildlife, which can be secured by condition.</p>	Para. 6.21
Environment Agency	No objection subject to conditions	Para. 6.7 – 6.8
Arboriculture Officer	It is likely that there would be no objections but an up-to-date tree survey and tree protection plan would need to be submitted, along with indicative planting, so as to take into account any changes in tree condition and to accord with the revised BS5837. Conditions applied under 09/02484 in relation to trees and landscaping would need to be revised in relation to the revised BS5837.	Para. 6.22

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Floor Plans
- Appendix C – Proposed Elevations

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 NPPF.

In this case the issues have not been successfully resolved.

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 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1
- 3 The development shall be carried out and maintained in accordance with the details of slab levels as shown on drawing no. PL_015 Rev B; PL_016 Rev A; PL_020 Rev A; and, PL_021 Rev A.
Reason: In the interests of the character and appearance of the area, and to prevent an increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity. . Relevant Policy - Local Plan DG1 and F1
- 4 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the approved scheme.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 5 No development shall take place until full details of soft landscape works, including a hedge and native trees along the eastern boundary, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 6 No development shall take place until a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years have been submitted to and approved in writing by the Local Planning Authority. The plan shall cover any areas of existing landscaping, including woodlands, and all areas of proposed landscaping within and outside of the application site, and shall be implemented as approved.
Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Polices - Local Plan DG1.
- 7 If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan or longer if agreed in the Landscape Management Plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written approval to any variation.
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.
- 8 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected on the east facing boundary of the application site without planning permission having first been obtained from the Local Planning Authority.
Reason: To ensure the location, form, design and materials are appropriate for the character and appearance of the area. Relevant Policies - Local Plan DG1 and GB2.
- 9 No development shall take place, other than demolition to ground level, until the applicant or

their agents or successors in title have secured the implementation of a programme of archaeological work, which may comprise more than one phase of investigation, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority.

Reason: The site lies in an area of archaeological potential, particularly in relation to the prehistoric and Roman settlement and land use of this part of the Thames Valley. The potential impacts can be mitigated by a programme of archaeological work in accordance with national and local planning policy. Berkshire Archaeology would be pleased to discuss an appropriate programme of archaeological work with the applicant or their archaeological consultant. It is likely that an initial phase of exploratory investigation will be required to establish the archaeological potential of the site and to enable an informed mitigation strategy to be agreed. This may involve a further phase of investigation prior to the commencement of development. The applicant is therefore advised to provide for such an eventuality in their programme and to seek appropriate advice on the potential duration and resources required

- 10 No development, including any demolition works, shall take place until a Site Waste Management Plan confirming how any demolition and construction waste arising from the development will be recovered and reused on the site or on other sites, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plan.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with Requirement 11 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

- 11 The development shall be carried out and maintained to achieve a reduction in its annual energy demand and Carbon Dioxide emissions through the use of low and zero carbon technologies as specified in the 'Planning Sustainability Report and Energy Statement' by MTT/Sustain dated 17.11. 2015.

Reason: To ensure that the development would include a reduction in energy demand and to comply with Requirements 2 and 3 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

- 12 No external lighting shall be installed on the building or within the site unless it is in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; such details shall include location, height and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior approval in writing of the Local Planning Authority.

Reason: To prevent light pollution of the surrounding area and to protect the character and appearance of the adjoining Green Belt. Relevant Policy - Local Plan Policy E10 and GB2.

- 13 A motorised blind shall be installed and maintained to screen the top floor of the northern facing elevation of the building and shall be under control of a light sensor that will close when ambient external light levels drop at dusk and will not permit the blind to open until ambient light levels rise at dawn.

Reason: To protect the character and appearance of the adjoining Green Belt. Relevant Policies - Local Plan E10 and GB2.

- 14 The noise levels on the southern boundary of the site and the boundaries with nos 4 and 5 Islet Park Drive shall not at any time as a result of this development exceed Laeq 55dBA when measured over any 15 minute period.

Reason: To protect the amenities of the area. Relevant Policy Local Plan NAP3.

- 15 Details, including acoustic specifications, of all plant associated with air moving equipment, compressors, generators or plant or equipment of a like kind to be installed within the site, shall be submitted to and approved by the Local Planning Authority before installation.

Reason: To protect the residential amenities of the area. Relevant Policy Local Plan E10 and NAP3.

- 16 Unless otherwise agreed by the Local Planning Authority, development other than that required

to be carried out as part of an approved scheme of remediation must not commence until requirement 27 to 30 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until requirement 30 has been complied with in relation to that contamination.

27. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

a survey of the extent, scale and nature of contamination;
an assessment of the potential risks to:
human health,
property (existing or proposed) including buildings, crops, livestock, adjoining land,
groundwaters and surface waters,
ecological systems,
archaeological sites and ancient monuments;
an appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11'.

28. A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

29. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

30. In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of requirement 27, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of requirement 28, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with requirement 29.

31. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same shall be submitted to the Local Planning Authority for written approval. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and

maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

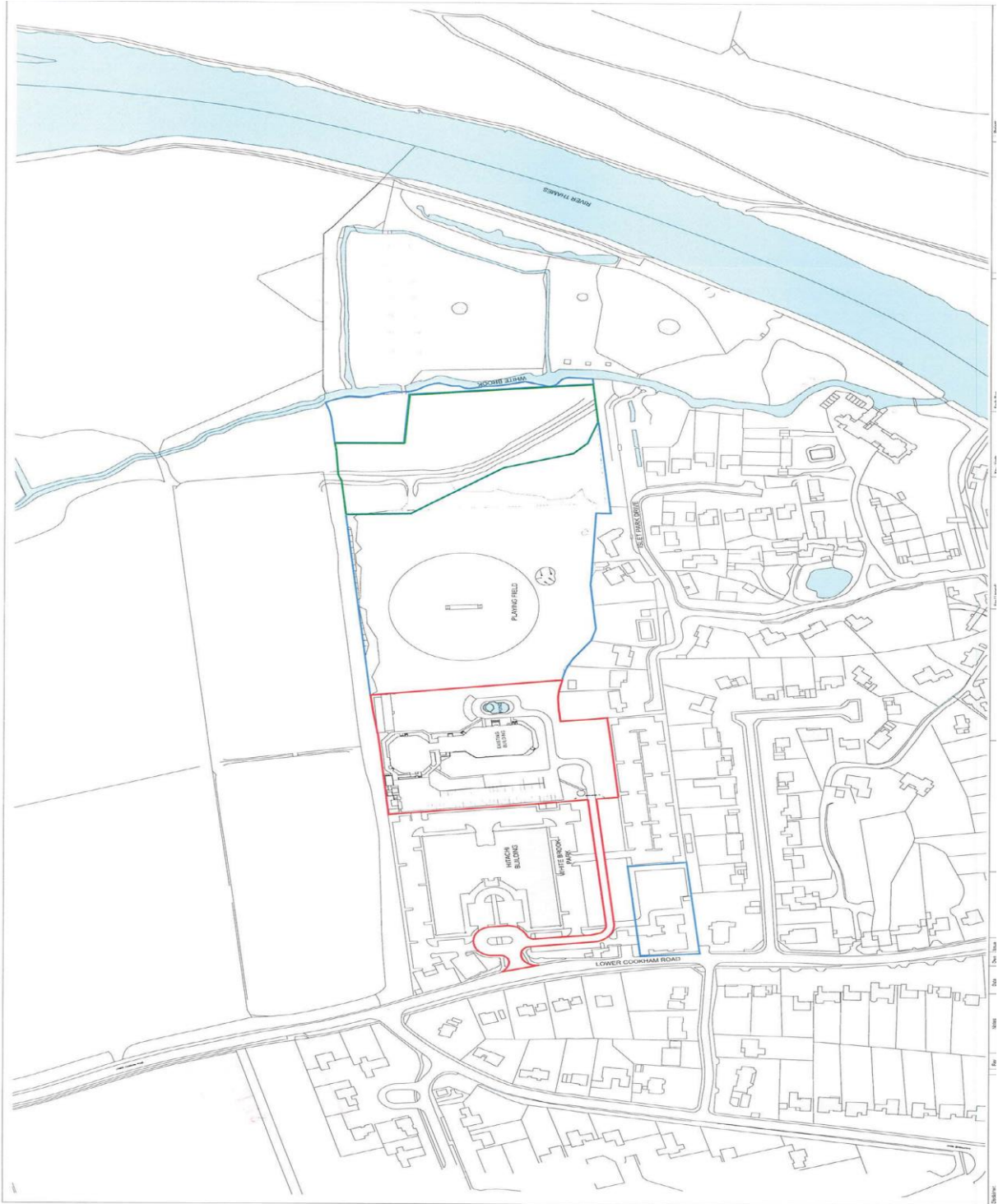
Reason: For requirement 26 to 31: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.

- 17 Notwithstanding the provisions of Section 55 of The Town and Country Planning Act 1990 (as amended), no window or opening, other than those shown on the approved drawings shall be inserted in the south-facing elevation of the east wing at first floor level or above.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policy: Local Plan - E10.
- 18 The flat roof area of the building hereby approved shall not be used as a balcony, roof garden or similar amenity area without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy in the interests of the residential amenities of the neighbouring properties. Relevant Policy: Local Plan - E10.
- 19 The development shall be carried out and maintained as specified in 'Surface Water Drainage Design Report' by Reuby and Stagg Ltd dated 20.11.2015 including the maintenance arrangements of proposed drainage system which shall be followed throughout the lifetime of the development.
Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system in accordance with the National Planning Policy Framework. (NPPF)
- 20 With regard to the protection of trees to be retained on the site: a) No development or other operation (including site clearance) shall commence on the site until a scheme (herein called the Approved Arboricultural Method Statement) that provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including details of arboricultural supervision during construction works, has been submitted to, and approved in writing by, the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme. b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Arboricultural Method Statement are in place on site. c) The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the local planning authority has first been sought and obtained.
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies: Local Plan - DG1, N6.
- 21 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 5837. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.
Reason: In the interests of the visual amenities of the area. Relevant Policies: Local Plan - DG1, GB2, N6.
- 22 The development permitted by this planning application shall be carried out in accordance with

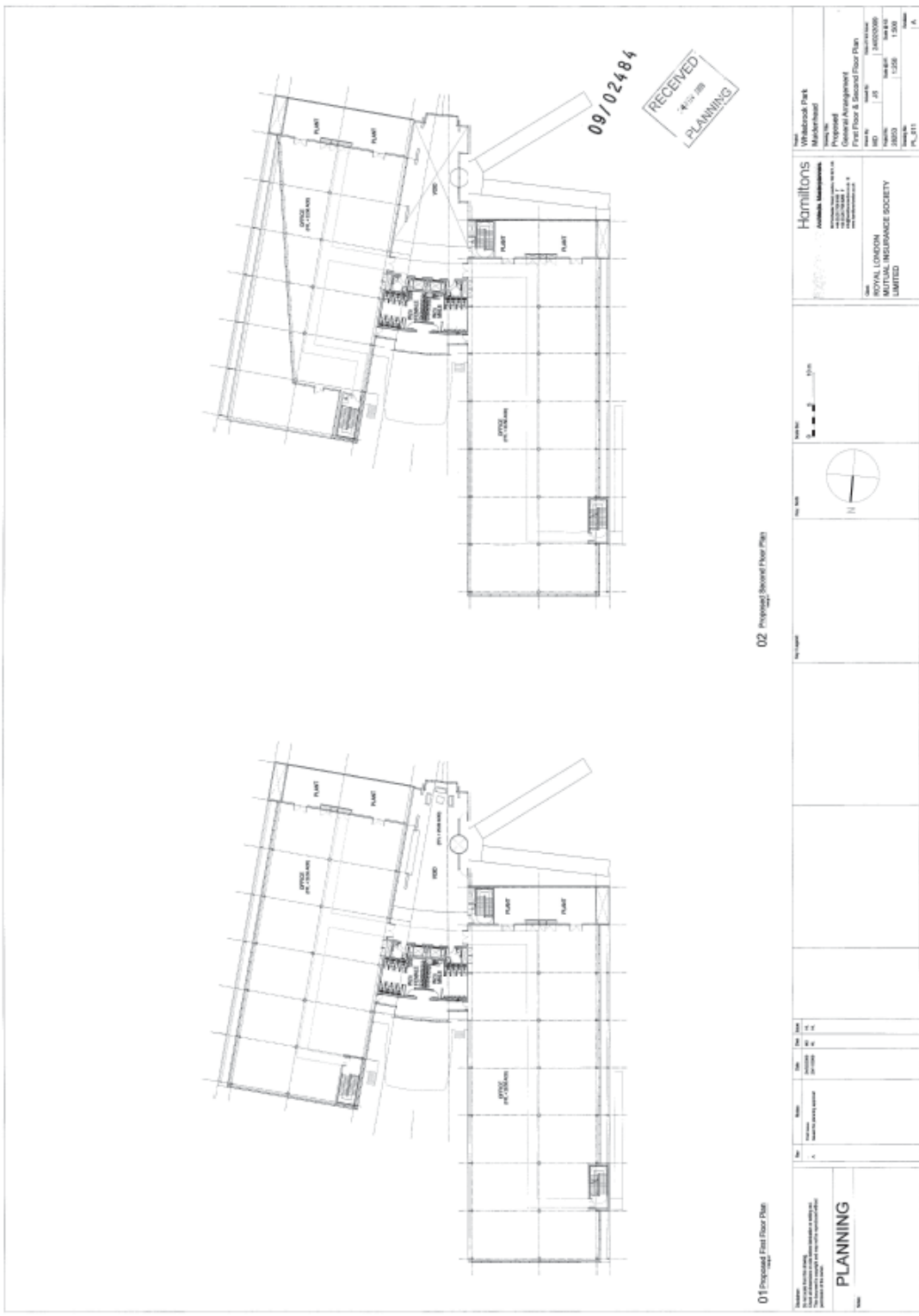
the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA: 145 metres cubes of compensatory flood plain storage will be provided as shown in drawing reference: SK-02 dated 6 November 2015 included in Appendix 2 of the FRA, and finished floor levels will be set at least 300 millimetres (mm) above 1% Annual Exceedence Probability (AEP) plus 20% allowance for climate change flood extent. The mitigation measure(s) shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure that the proposed development does not increase flood risk onsite or elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants. This is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and saved policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted 2003).

- 23 No development shall take place until a Construction 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 has been submitted to and approved in writing by the Local Planning Authority. 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. Relevant Policy: Local Plan - T5.
- 24 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies: Local Plan - T7, DG1.
- 25 The number of car parking spaces shall be reduced to 190 by the end of the third year following first occupation of the office and the land used for car parking that is surrendered shall be landscaped in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented within the first planting season following approval of the landscaping details.
Reason: To encourage alternative modes of travel to and from the site and in the interests of air quality. Relevant Policies: Local Plan - NAP3, T7(5) and Section 4 of the NPPF - Promoting Sustainable Transport (March 2012).
- 26 The part of the access road in the southern part of the site shown to be restricted for emergency and service vehicle access purposes shall only be used and retained as such in accordance with the approved drawings.
Reason: To protect the amenities of adjoining occupiers. Relevant Policies: Local Plan - E10, NAP3.
- 27 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.



APPENDIX A – LOCATION PLAN

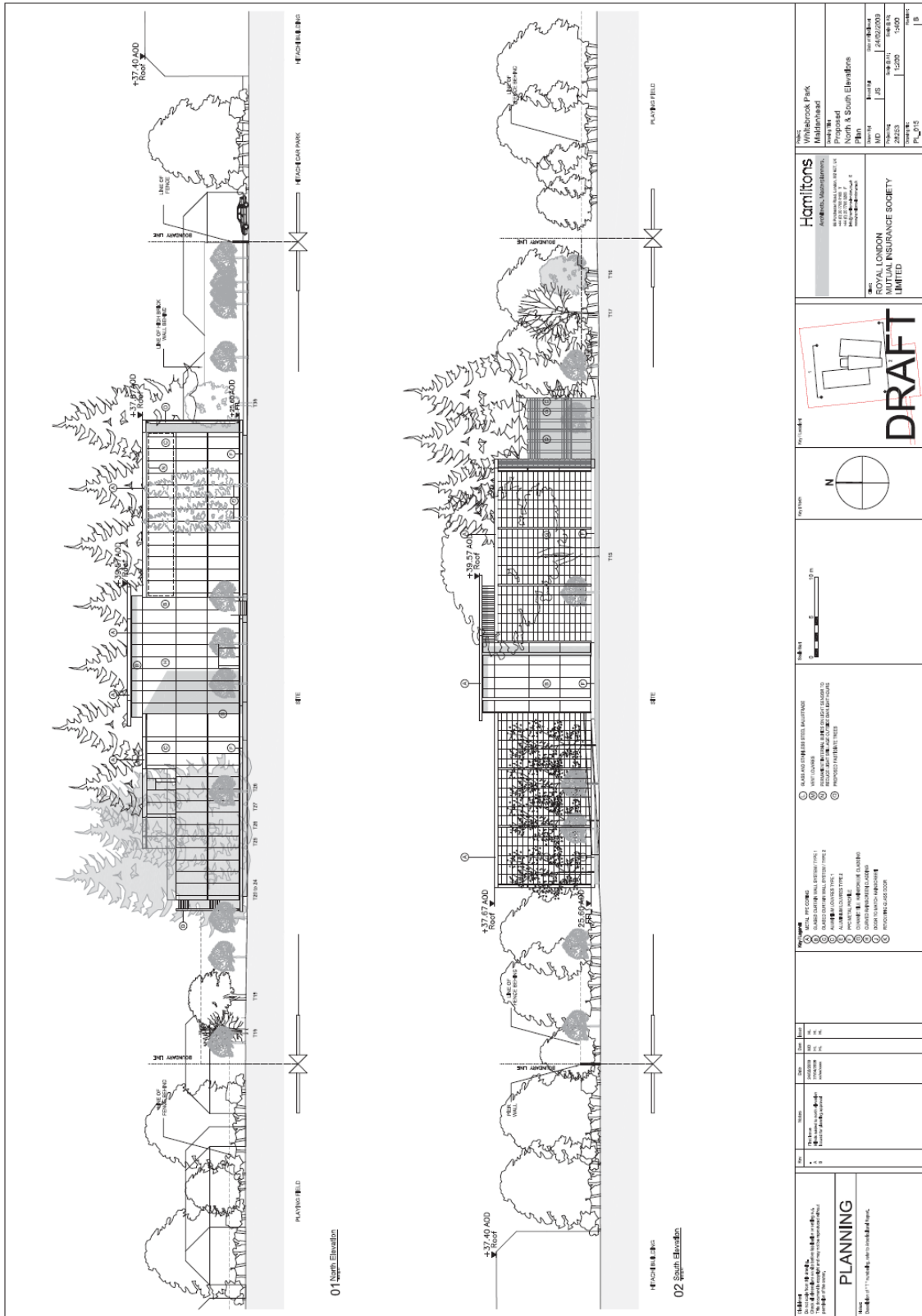


01 Proposed First Floor Plan

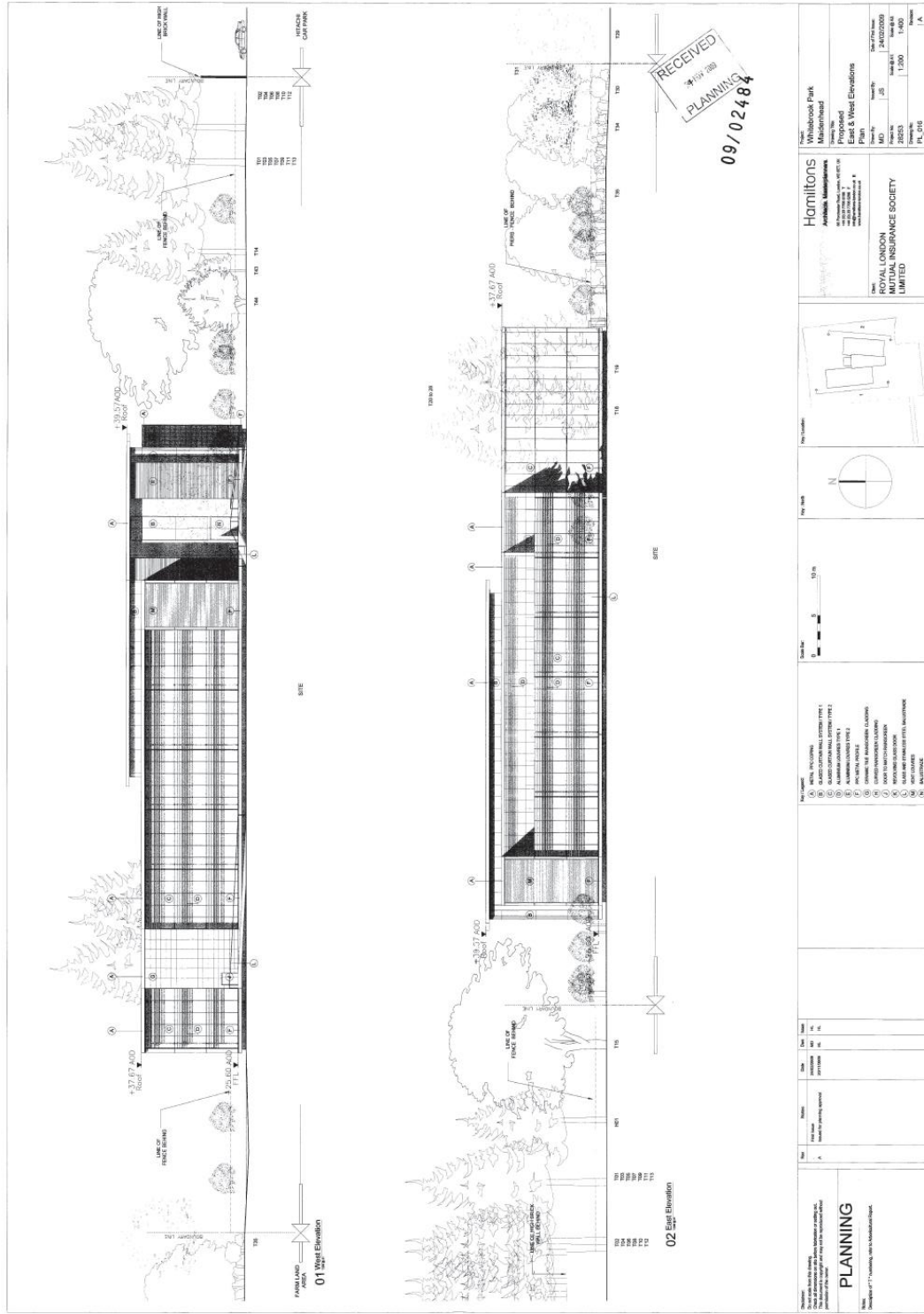
02 Proposed Second Floor Plan

<p>01 Proposed First Floor Plan</p> <p>Scale: 1/4" = 1'-0"</p> <p>DATE: 09/02/84</p> <p>BY: [Signature]</p> <p>PLANNING</p>		<p>02 Proposed Second Floor Plan</p> <p>Scale: 1/4" = 1'-0"</p> <p>DATE: 09/02/84</p> <p>BY: [Signature]</p> <p>PLANNING</p>	
<p>Hamiltons</p> <p>Architects, Manchester</p> <p>100-102 Market Street, Manchester, M1 1PL</p> <p>ROYAL LONDON MUTUAL INSURANCE SOCIETY LIMITED</p>		<p>Whitebrook Park</p> <p>Manchester</p> <p>Proposed</p> <p>General Arrangement</p> <p>First Floor & Second Floor Plan</p> <p>NO: 100</p> <p>DATE: 09/02/84</p> <p>SCALE: 1/4" = 1'-0"</p> <p>NO. OF SHEETS: 1/3</p> <p>THIS SHEET: 1/3</p>	

APPENDIX B – PROPOSED FLOOR PLANS



<p>PLANNING</p> <p>Approved for Planning: 24/02/2009</p> <p>Approved for Building: 24/02/2009</p> <p>Approved for Highways: 24/02/2009</p> <p>Approved for Flood: 24/02/2009</p> <p>Approved for Air Quality: 24/02/2009</p> <p>Approved for Noise: 24/02/2009</p> <p>Approved for Other: 24/02/2009</p>		<p>ROYAL LONDON MUTUAL INSURANCE SOCIETY LIMITED</p>	
<p>Hamiltons</p> <p>Architects, Manchester</p> <p>100-102 Market Street, Manchester, M1 1PL</p> <p>0161 275 1234</p> <p>www.hamiltons.co.uk</p>		<p>ROYAL LONDON MUTUAL INSURANCE SOCIETY LIMITED</p>	
<p>PROJECT INFORMATION</p> <p>Project Name: Whitebrook Park</p> <p>Client: Whitebrook Park</p> <p>Proposed: North & South Elevations</p> <p>Phase: M1</p> <p>Drawn By: J.S.</p> <p>Checked By: J.S.</p> <p>Date: 24/02/2009</p> <p>Scale: 1:500</p> <p>Sheet: 15 of 15</p>		<p>Scale</p> <p>0 5 10</p>	
<p>Notes</p> <p>1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE STATED.</p> <p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p> <p>3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p> <p>4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p> <p>5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p>		<p>North Arrow</p> <p>N</p>	
<p>Legend</p> <p>○ 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE STATED.</p> <p>○ 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p> <p>○ 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p> <p>○ 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p> <p>○ 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.</p>		<p>Scale</p> <p>0 5 10</p>	



<p>Site Name: Whitbrook Park Location: Maidenhead Proposed: East & West Elevations</p>		<p>Client: ROYAL LONDON MUTUAL INSURANCE SOCIETY LIMITED</p>	
<p>Drawn: JOS Date: 28/03/2008</p>	<p>Checked: JOS Date: 28/03/2008</p>	<p>Scale: 1:500</p>	<p>Sheet: A</p>
<p>Hamitons Architects & Planners 100 High Street, Maidenhead, SL6 1AA Tel: 01628 742000 Fax: 01628 742001 Email: info@hamitons.co.uk</p>			
<p>Scale: 1:500</p>		<p>North Arrow</p>	
<p>Site Plan</p>		<p>Section Line</p>	
<p>PLANNING</p>			

APPENDIX C – PROPOSED ELEVATIONS

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 6

Application No.:	15/04201/VAR
Location:	All Saints CE Junior School Westborough Road Maidenhead SL6 4AR
Proposal:	Construction of 2 storey building to form 4x additional classrooms, two court sports MUGA with parking on site as approved under planning permission 15/00620 without complying with condition 2 (external surface materials) to change the materials to be used.
Applicant:	The Royal Borough Windsor And Maidenhead
Agent:	Mr Phil Grover - Thomson Roddick And Laurie
Parish/Ward:	Boyn Hill Ward
If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks to vary condition 2 of 15/00620, specifically to not surface the multi-use games area (MUGA) in a grass green colour but in porous black macadam.
- 1.2 As an alternative to painting the surface grass green, (which would make the surface impermeable and require regular re-application) a planting scheme along the western boundary has been agreed between the Education Department and affected local resident from Denham Close. The details of this scheme have been approved by the Planning Authority as part of the details required for condition 10 (relating to biodiversity enhancements).
- 1.3 With the additional boundary planting, the porous black macadam is considered acceptable and would not harm the visual amenities of the area.

It is recommended the Panel grants planning permission subject to the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager 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 off Westborough Road in an area which is predominately residential but with some local shops near by. The main pedestrian and vehicular access is from Westborough Road. All Saints School was originally built in the 1970's and is a single storey building for some 240 mixed gender pupils aged 7 – 11 years.
- 3.2 The site is bounded on three sides by residential properties with the Bath Road (A4) running parallel to the northern boundary.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
------	-------------	-------------------

15/03057/CONDIT	Details required by conditions 7 (Travel Plan), 10 (Biodiversity enhancements), 12 (Sustainable drainage)	Approved 11.02.16
15/00620/FULL	Construction of a two storey building to form 4 additional classrooms, a two court sports MUGA with additional parking on site.	Approved 13.07.15.
14/01531/FULL	Erection of single storey detached	Approved 14.07.2014
05/00738/FULL	Erection of a timber pergola	Approved 25.05.2005

- 4.1 The application seeks to vary condition 2 of 15/00620, specifically to not surface the multi-use games area (MUGA) in a grass green colour, but in porous black macadam.
- 4.2 Details required in relation to pre-commencement conditions 7, 10 and 12 of 15/00620 have been approved and the MUGA has already been constructed together with the approved classrooms.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Sections 7 and 8.

Royal Borough Local Plan

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

	Within settlement area
Local Plan	DG1, CF2

- 5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:
- Sustainable Design and Construction.

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issue for consideration is whether the use of porous black macadam on the approved MUGA instead of a grass green coloured surface would be harmful to the visual amenities of the area.
- 6.2 The previous application (15/00620) was considered by the Development Control Panel on 8th July 2015. The Panel was addressed by a local resident from Denham Close, immediately to the west of the school site, as well as the Headmistress for the school. Concerns were raised by the local resident about the proposed appearance of the MUGA so, with the headmistress's agreement, the Panel included a stipulation in the condition covering materials that the surface of the MUGA be a grass green colour.
- 6.3 Construction of the MUGA and classrooms proceeded during the summer break following the Panel meeting. However, it was found that painting the surface would make it impermeable and would require frequent repainting, which would be expensive for the school and not cost-effective. It would have also meant that the development would be contrary to condition 5 of the permission, which requires the MUGA surface to be made of porous materials.
- 6.4 In order to address the concerns of the local residents, planning and education officers met with the person concerned to agree an alternative approach. This resulted in additional planting being proposed along part of the western boundary of the school, where it lies adjacent to properties in

Denham Close. The planting scheme in this location was submitted as part of the details required for condition 10 (relating to biodiversity enhancements) and has recently been approved.

6.5 Overall, with the additional planting along the western boundary, it is not considered that the use of porous black macadam instead of grass green paint on the surface of the MUGA harms the visual amenities of the area.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

56 occupiers were notified directly of the application.
The planning officer posted a statutory notice advertising the application at the site on 7th January 2016

1 letter of objection has been received, summarised as:

	Comment	Where in the report this is considered
1.	Concerned about the increasing parking problems associated with this school.	This was considered under 15/00620. This application is only concerned with the surface of the approved MUGA.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – indicative layout drawings

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 been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1 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.

2 The first floor windows in the east elevation of the extension shall be of a high level type with a cill level that is a minimum of 1.7m above the finished internal floor level and the window type shall not be altered without the prior written approval of the Local Planning Authority.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers Relevant Policies - NPPF Core Principle.

- 3 No further window(s) shall be inserted at first floor level in the east elevation of the building without the prior written approval of the Local Planning Authority.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - NPPF Core Principle.

- 4 The hard surface of the MUGAs shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Requirement 5 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

- 5 The MUGAs hereby permitted shall only be used for school activities and only operate between the hours of 08:30 hours and 18:30 hours on Mondays to Fridays and at no time on weekends, Bank or Public Holidays.

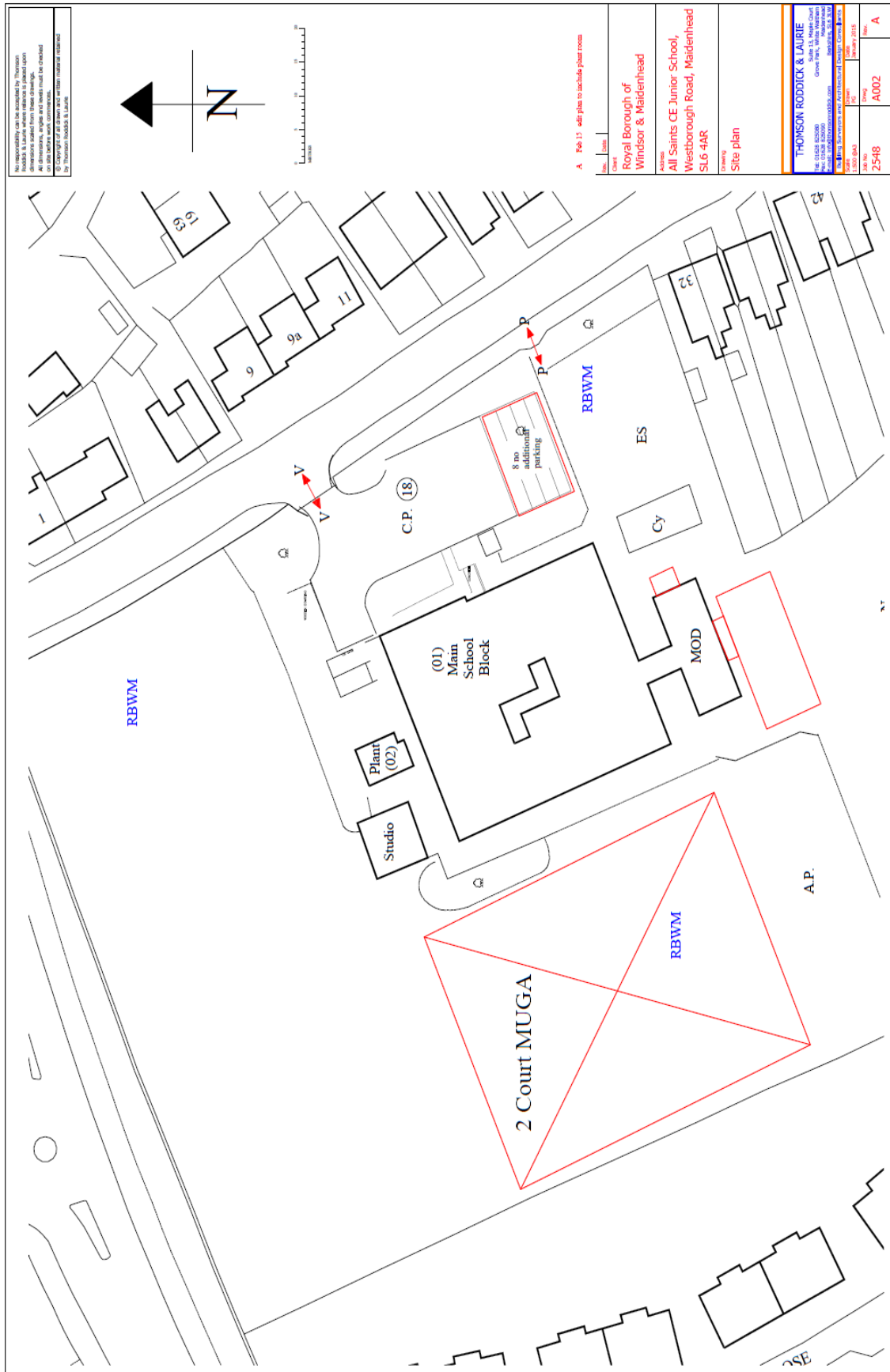
Reason: To protect the amenities of adjoining occupiers. Relevant Policies - Local Plan NAP3.

- 6 No floodlighting shall be used, installed or erected within or around the approved MUGAs at any time.

Reason In the interests of the residential amenities of surrounding occupiers. Relevant Policies - Local Plan DG1.

- 7 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.



APPENDIX B – INDICATIVE LAYOUT

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 7

Application No.:	16/00098/FULL
Location:	1 Cannon Down Cottages And Land At 1 Cannon Down Cottages Maidenhead Road Maidenhead
Proposal:	Two storey rear extension at No. 1 and 1x new attached dwelling with associated works.
Applicant:	Mrs Constable
Agent:	Mr Richard Drabble
Parish/Ward:	Cookham Parish

If you have a question about this report, please contact: Diane Charlton on 01628 685699 or at diane.charlton@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposal is for a 2 storey rear extension to an existing house and a new end terrace house, in the urban area of Cookham. The proposal is considered to respect the character of the area and the street scene. It would not harm the amenities of the neighbouring properties nor raise any highway objections. The proposal complies with the policies of the development plan.

It is recommended the Panel grants planning permission subject to the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Saunders, only if the recommendation is to grant approval, for the reason that the Parish Council and neighbouring residents have raised concerns about inadequate spacing relative to the boundary and compliance with VDS 6.8.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is an end terrace house with a wide side garden, situated on the outskirts of Cookham. The site backs on to the railway.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is for a new two bedroom house to be added to the terrace, and for the existing house to have a rear extension which would match the rear extension of the proposed house.
- 4.2 There is no relevant planning history for the site.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Sections 17, 58 and 64.

Royal Borough Local Plan

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

	Within settlement area	Highways /Parking issues
Local Plan	DG1, H10, H11	T5, P4

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

- Sustainable Design and Construction
- Cookham Village Design Statement

More information on these documents can be found at:

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 Townscape Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i the principle of a new dwelling;
- ii the design of the proposed new dwelling and of the proposed rear extension to the existing house;
- iii impact on neighbours; and
- iv parking and highway safety.

Principle of development

6.2 The site to the side of an end terrace house does not lie in the Green Belt, and therefore its use to meet housing need is considered appropriate and in accordance with The National Planning Policy Framework (NPPF). The site itself is sufficiently large to accommodate a modest size dwelling, with adequate amenity space and space for parking on the frontage.

Design

6.3 The design of the new house and of the extension to the existing house is considered to be acceptable. The new house would be added to the terrace, and although it would be 0.7m wider than the existing houses, this difference is considered to be almost imperceptible, and would not harm the rhythm of the terrace. The design and detailing would largely match that of the other houses in the terrace. The rear extension would complement the design of the original house, and would not harm the character of the area. The new house would be in keeping with the character of the area, and the other houses in the terrace. There would be a gap of 1m to the side boundary, and given the wide gap within the adjoining site to the house 'Sidings', there would be no terracing effect. The proposal is therefore considered to comply with Local Plan Policies H10, H11, DG1 and the design considerations under H14.

- 6.4 The Cookham Village Design Statement, which is a Supplementary Planning Document, has relevant guidance, and is a material consideration. Guidance G6.1 requires that the size of proposed buildings and their plots must be considered in relation to their context. New buildings should sit comfortably in their surroundings. The width of frontage, depth and height of a proposed building should be in keeping with the other buildings in the area. A new building should respect the general building line/ set back from the road and the spacing of buildings which characterise the area. It is considered that the proposal complies with this guidance, in that the new house would match the terrace to which it would be attached.
- 6.5 The roof would harmonise with the rest of the terrace, in accordance with Guidance G6.2. The materials would match the rest of the terrace, in accordance with Guidance G6.3 and it would adhere to Cookham's built-colour palette, in accordance with Guidance G6.5.
- 6.6 Guidance G6.8 was referred to by Councillor Saunders when he called this application to Panel, and states that development should be designed to provide gardens and green space. The spacing of buildings should follow the pattern of buildings in the immediate and nearby area. As a normal minimum the gap between a building and the property boundary should be no less than 1.5m. In this case, the house would have a rear garden. The new end terrace house would follow the pattern of the rest of the terrace which does not have spaces between the houses, and in this instance the gap of 1m to the side boundary which is proposed is considered acceptable because it is a terrace house, and because there is a wide gap within the adjoining site to the nearest house to the South. The spacing proposed is in keeping with the character of the area, so the normal minimum of 1.5m in the guidance is not necessary in this instance, as there would be no harm.
- 6.7 Guidance G6.9a states that extensions should be subordinate in scale, should not result in an overbearing appearance or unneighbourly impact, and should sympathetically reflect the design of the original building. In this case, the proposed extension to the existing house is considered to comply with this guidance.
- 6.8 Guidance 6.10 relating to terraced properties states that the visual integrity of traditional cottage terraces must be protected in the following ways: No building in advance of the façade, except for porches, front lobbies and bay windows where such a feature already exists in the terrace. All additions should be proportionate, and sympathetic in style and use of materials. The proposal is considered to comply with this guidance.
- 6.9 Guidance 6.11 relating to the primacy of the original states that where there is general uniformity, new building designs or extensions should match the style of other buildings in the terrace or area. The proposal is considered to comply with this Guidance.
- 6.10 Guidance G6.16 states the car parking in all new developments should be sufficient for residents and their visitors. Car parking should be arranged discreetly, avoiding visually dominant hard-standings at the front of houses and providing adequate screening at boundaries. In this case, the proposed hard standings would comply with the Council's Parking Strategy. Although they would be at the front of the existing and proposed house, this is unavoidable given the amount of space available, and would be normal for this type of terraced house.

Impact on neighbours

- 6.11 The neighbouring terrace house 2 Cannon Down Cottages has a single storey extension to the rear. The proposed two storey rear extension would be 1m from the boundary, and would not project beyond a line drawn at 60 degrees from the nearest first floor rear window, nor would it project beyond a line drawn at 45 degrees from the nearest ground floor window. Consequently the proposal complies with the guidance in Appendix 12 of the Local Plan concerning house extensions, and is not considered to cause loss of light to the neighbouring property. The roof over the extension would be hipped, thus reducing further any possible impact on the neighbouring house and its garden.

- 6.12 With regards the neighbouring house to the South, Sidings, the proposed new house would be situated due North of that property, so would not cause any loss of light or direct sunlight. The gap of 1m to the side boundary, and 2.7m for the rear extension, is considered adequate to prevent any adverse impact on that property. There would be no side windows to cause any overlooking of the neighbour. The proposal is not considered to cause any loss of amenity to Sidings.

Parking and highway safety

- 6.13 There would be two parking spaces for the existing house and two for the proposed house, and as they would each be two bedroom houses, this complies with the Council's Parking Strategy. The new access is acceptable, it would not cause an adverse impact on highway safety.

Other Material Considerations

- 6.14 Berkshire Archaeology has advised that there are potential archaeological implications from the proposal as evidenced by Berkshire Archaeology's Historic Environment Record. Less than 50m to the south-east of the application area is the site of the former 'Strande Castle Gravel Pit', while further south is the site of the former 'Prior's Gravel Pit'. Rescue excavations at both pits recorded Late Iron Age and Romano-British settlement evidence. In the wider Cookham area there are important Bronze Age monuments and Iron Age and Roman remains. Paragraph 141 of the National Planning Policy Framework states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.' A programme of archaeological work should therefore be required by condition.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

4 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 15th January 2016.

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

Comment		Where in the report this is considered
1.	Loss of light.	6.11, 6.12
2.	Right of access for bins across land will result in having to go through 2 gardens not 1.	Not a material planning consideration.
3.	Overdevelopment and cramped. Only 1 metre to boundary. Terracing effect.	6.2 – 6.10
4.	Overbearing on Sidings	6.12
5.	New access onto busy road	6.13

Statutory consultees

Consultee	Comment	Where in the report this is considered

Cookham Parish Council	Objection Does not comply with VDS Guidance 6.8 – spacing to boundary	6.6
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Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objection subject to informatives.	Informatives added
Highways	No objection, subject to conditions and informatives.	6.13 Conditions and informatives added. (see conditions 6, 7 and 8 in section of 9 of this report.)
Archaeology	A watching brief should be conditioned.	Condition added.(see condition 5 in section 9 of this report.)

8. APPENDICES TO THIS REPORT

- (i) Appendix A - Location plan
- (ii) Appendix B - Block Plan
- (iii) Appendix C - Floor Plans
- (iv) Appendix D - Elevations

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.

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 The materials to be used on the external surfaces of the development shall match those of the existing building unless first otherwise agreed in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 No development shall take place until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary

Planning Document. The development shall be carried out and subsequently retained and maintained in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

- 4 No window(s) shall be inserted at first floor level in the flank elevations of the extension and the dwelling without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14, H11.
- 5 No development shall take place within the area of archaeological interest until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the continued preservation in situ or by record of any finds made in this area of archaeological interest. Relevant Policies - Local Plan ARCH2, ARCH4.
- 6 No part of the development shall be occupied until the extended access serving no. 1 Cannon Down Cottages has been constructed in accordance with the approved drawing. The access shall thereafter be retained.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 7 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
- 8 No part of the development hereby permitted shall be occupied until the access has been surfaced with a bonded material across the entire width of the access for a distance of at least five metres measured back from the highway boundary.
Reason: To avoid spillage of loose material onto the carriageway which could adversely affect conditions of highway safety. Relevant Policies - Local Plan T5.
- 9 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.

Informatives

- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
- 2 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 3 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 4 No builders materials, plant or vehicles related to the implementation of the development should

be parked/stored on the public highway so as to cause an obstruction at any time.

- 5 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
- 6 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.
- 7 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.

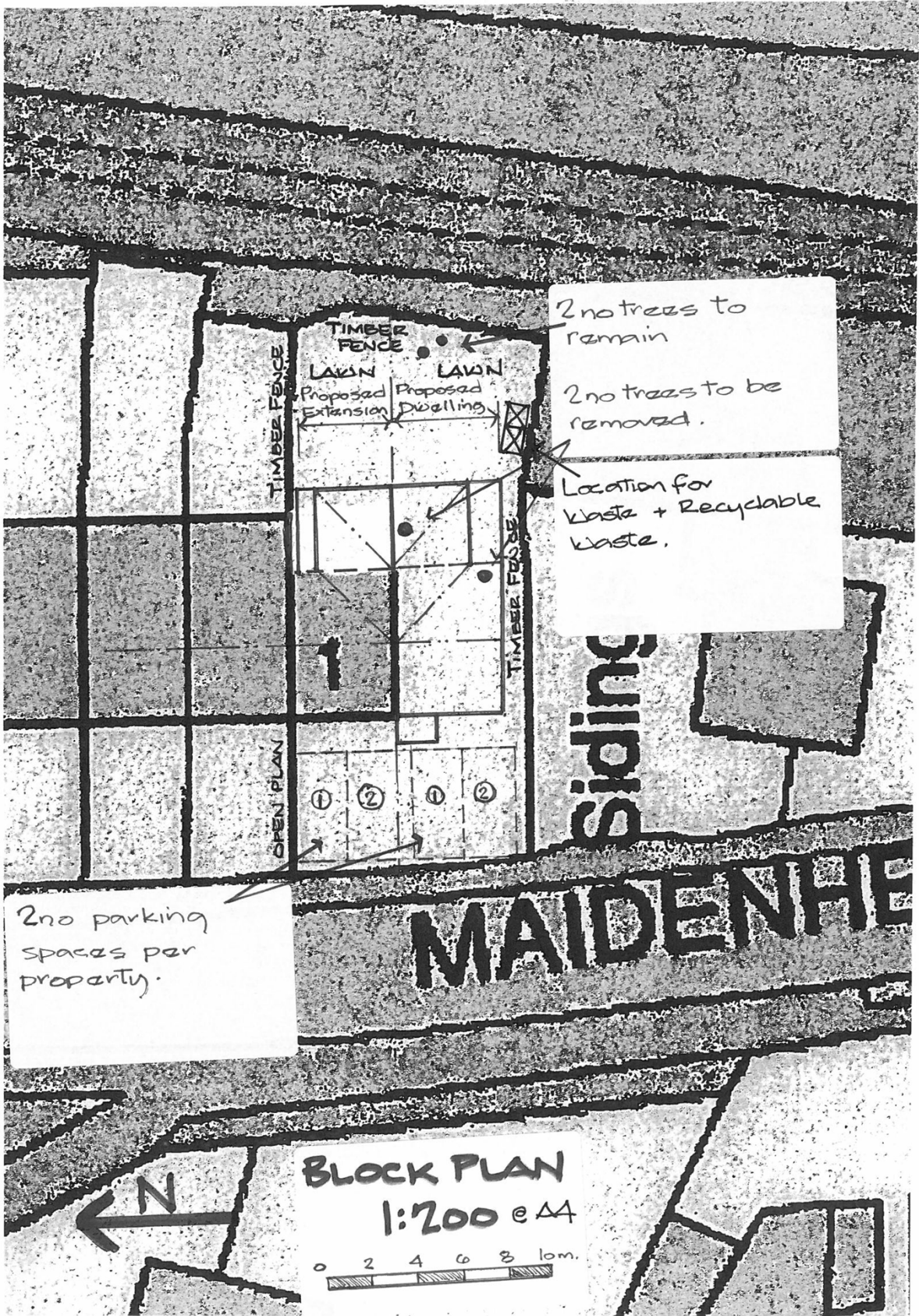
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1. Cannon Down Cottages, Maidenhead Road, Maidenhead, SL6 9EA

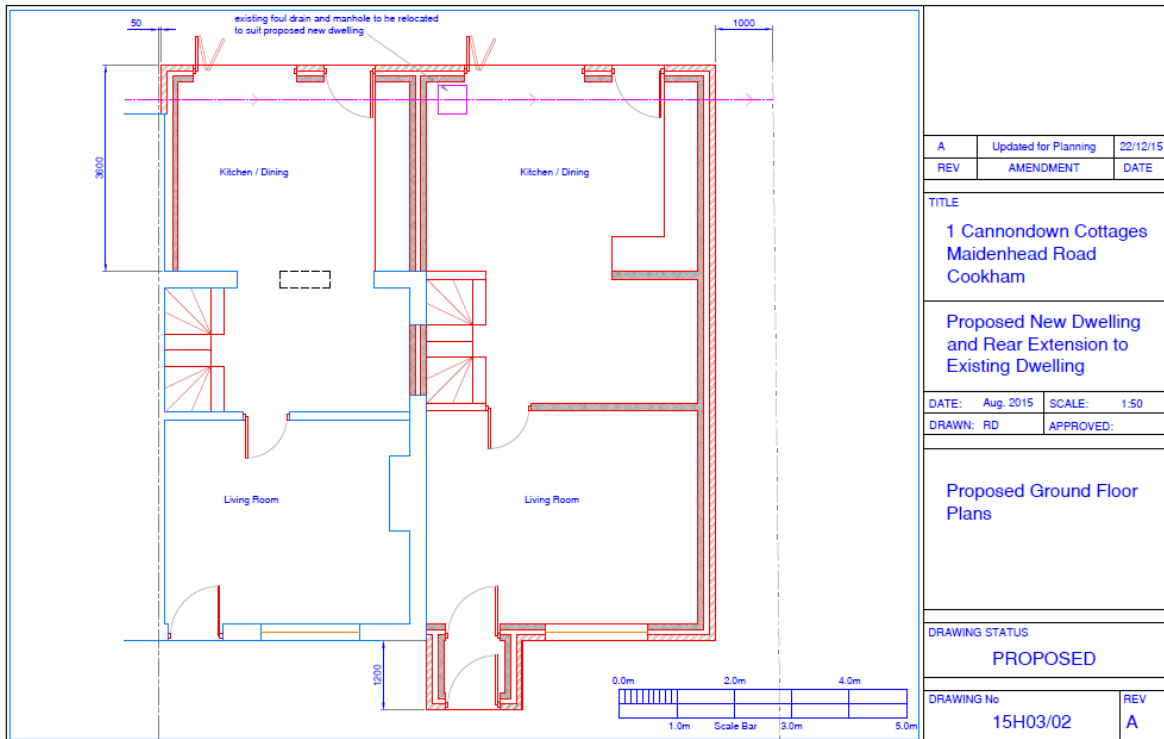
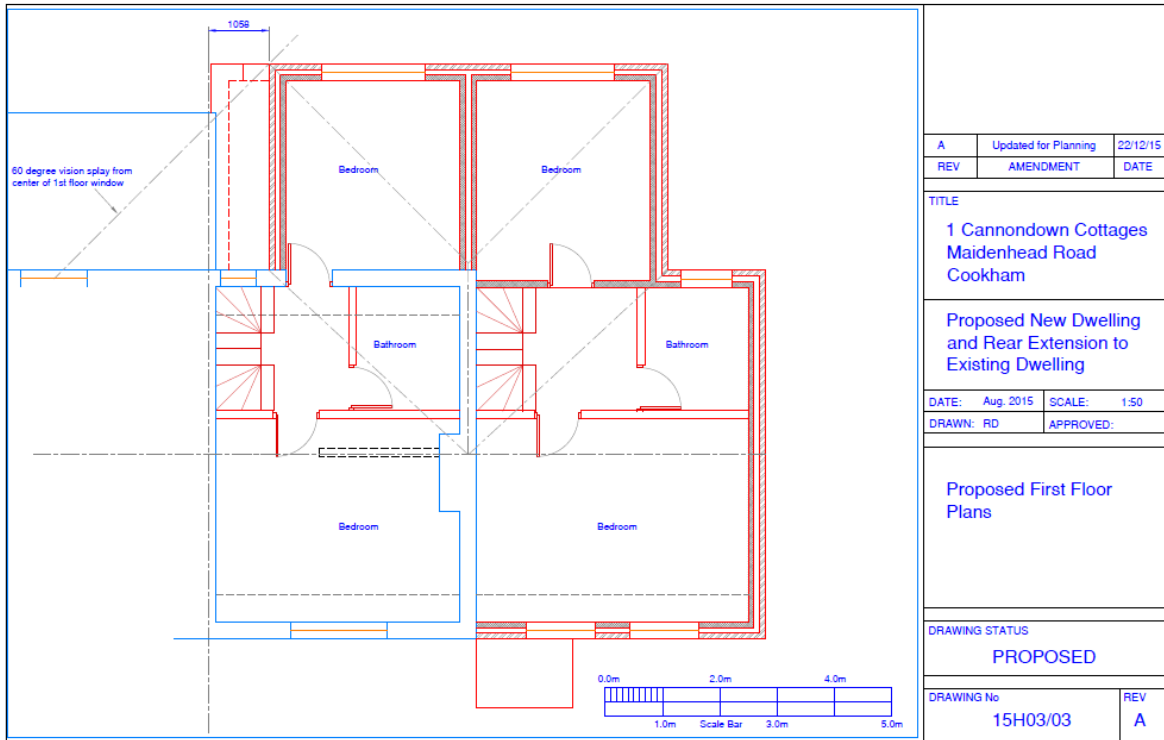


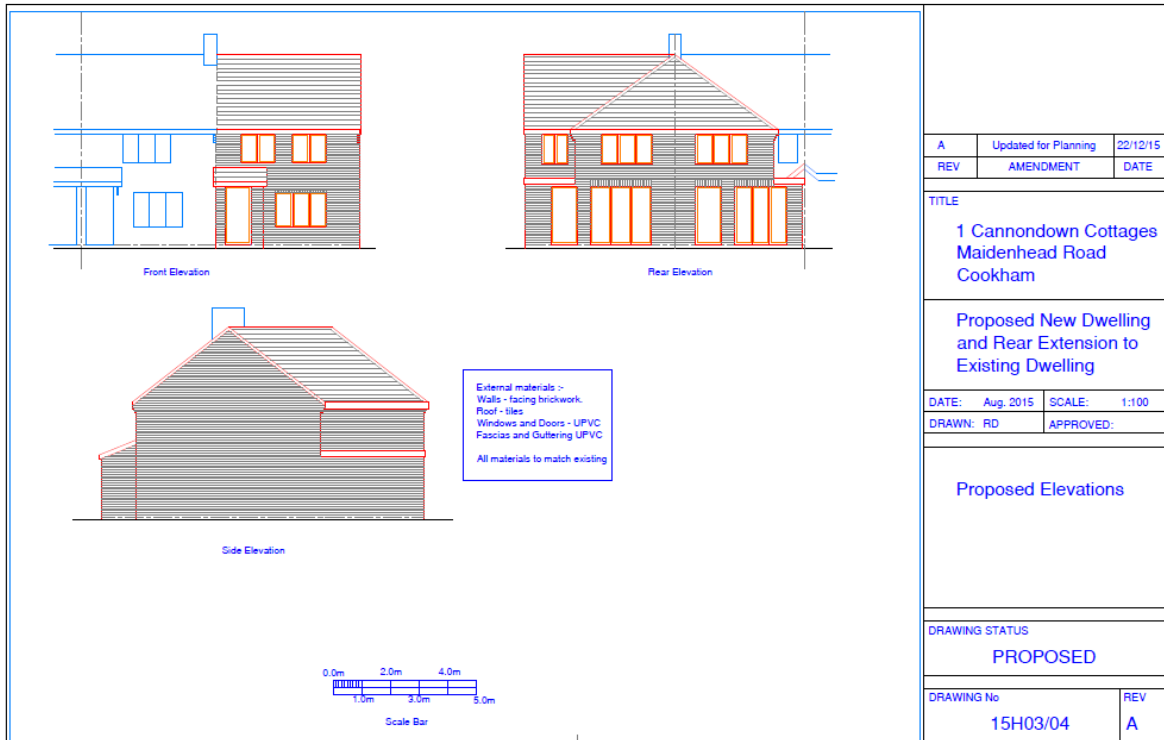
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Appendix A



Appendix B





Appendix D

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 8

Application No.:	16/00395/FULL
Location:	Land And Buildings To Rear of Oakley Green Lodge Oakley Green Road Oakley Green Windsor SL4 4PZ
Proposal:	Erection of 3 x dwellings, with garages and curtilages, with access alterations, parking, landscaping and ancillary works following demolition of existing buildings and hardstanding
Applicant:	Mr And Mrs Bennett
Agent:	Mr M Carter - Carter Planning Ltd
Parish/Ward:	Bray Parish
If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks planning permission to redevelop an existing commercial site in the Green Belt to provide three detached houses and garages. The proposal would not have a greater impact on the openness of the Green Belt nor be contrary to any of the purposes of the Green Belt. The principle of the proposed development is therefore acceptable.
- 1.2 In addition, the individually designed three houses on spacious plots would be in keeping with the character and appearance of the residential development in the area. Having regard to the separation distances involved, it is not considered that the proposal would harm the living conditions of any neighbours.
- 1.3 There are no objections from the Highways Authority, but advice from the Council's Ecologist is awaited and will be reported at the Panel meeting.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission subject to there being no objections from the Council's Ecologist and with the conditions listed in Section 10 of this report.
2	To refuse planning permission if it has not been sufficiently demonstrated that protected species and/or their habitats would not be harmed by the proposal.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager 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 on the south side of Oakley Green Road, to the rear of Oakley Green Lodge. It is approximately 0.5 hectares, roughly rectangular in shape and currently occupied by a company that supplies articulated lorries, (mainly to overseas customers). There are a number of commercial buildings of varying sizes that cover about 1527 sq.m of the site with several articulated lorries parked on the remainder of the land. A mature hedge encloses the site along the majority of the eastern boundary, an earth bund of about 3m high encloses the site to the south, there is residential fencing/boundary screening to the west, and a boundary fence

between Oakley Green Lodge and the site. There is separate vehicular access to the site from Oakley Green Road.

3.2 Open fields lie to the east and south, while residential properties are sited to the north and west. The site is located in the Green Belt.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
00/35313	Change of use of part of the barn for the fabrication of timber displays for exhibitions and part for repairs and servicing of motor vehicles	Approved 31.10.00
00/35347	Certificate of Lawfulness for the storage, servicing repair and resale of commercial vehicles and the siting of an associated office building on the site and 2 steel container used for storage.	Approved 06.03.03.
12/01948	Extension to existing access road and revised entrance with new gate. New brick walls and piers.	Approved 04.09.12.
14/03994	Erection of 6 x dwellings with garages and curtilages, with access alterations, parking, landscaping and ancillary works.	Refused 22.04.15

4.1 The proposal involves redeveloping the site to provide three traditional style detached houses and garages.

4.2 The house proposed for plot 1 would be approximately 16.4m wide, 10m deep and have a maximum ridge height of 8m. The house proposed for plot 2 would be approximately 14m wide, 11m deep with a maximum ridge height of 7.8m. The house proposed for plot 3 would be approximately 24.5m wide, 13m deep and 7.7m high. The houses proposed on plots 1 and 2 would each be served with a detached double garage, while the larger house on plot 3 would have a detached triple garage.

4.3 It should be noted from the planning history above, that a previous application for 6 houses on the site (reference 14/03994) was refused on four grounds. Two of these related to harm to the Green Belt caused by the sprawl of the development and its greater impact on the openness of the Green Belt, one ground related to the design and layout of the scheme (considered to be too suburban for this location) and another related to potential harm to protected bats. Following this refusal, the applicant sought pre-application advice from officers to overcome these objections. The submitted proposal is broadly as agreed with officers at the pre-application stage.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework, Section 9

Royal Borough Local Plan

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

	Green Belt
Local Plan	GB1, GB2

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

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of development and Green Belt issues;
- ii The impact of the proposal on the character and appearance of the area;
- iii The impact on the living conditions of neighbours;
- iv Highway and parking issues; and
- v Ecology.

The principle of development and Green Belt issues

- 6.2 The application site is currently used for commercial purposes. However, as it does not have a specific designation in the Local Plan, there is no objection to the loss of this use to residential.
- 6.3 The application site is also located in the Green Belt. Paragraph 89 of the NPPF sets out the types of new buildings that are not considered inappropriate in the Green Belt and these include buildings involved in the complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and does not conflict with the purposes of including land within it than the existing development.
- 6.4 The application site is brownfield land and, as such, the principle of the proposal is acceptable subject to an assessment of its impact on the openness and purposes of the Green Belt. In this case, the floor area of the existing buildings on site total 1358m², while the total existing volume is 4128m³. By comparison, the floor area of the proposed buildings totals 1267m² while the total proposed volume of development would be 4078m³. The proposal therefore involves a reduction in built footprint and volume on the site. In addition, none of the three dwellings would exceed 8m in height, (the maximum height of existing buildings being 8.02m) and there would be generous gaps between each of the three houses. A large number of lorries currently parked on the land would also be removed from the site as a result of the proposal. Taken together, it is considered that these elements would ensure that the proposal would not have a greater impact on the openness of the Green Belt than the existing development.
- 6.5 In terms of whether the proposal would conflict with the purposes of the Green Belt, the application site is well contained by established boundaries and none of the proposed dwellings would project further into the Green Belt than existing. As such, it is not considered that the proposal would lead to encroachment in the countryside. Furthermore, it would not conflict with the other purposes of the Green Belt such that it would not result in the unrestricted sprawl of large built-up areas, the merging of neighbouring towns, harm to the setting and special character of historic towns, or prevent urban regeneration.
- 6.6 Overall, it is not considered that the proposal would harm the Green Belt.

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

- 6.7 The area is characterised by large dwellings in generous sized plots backing on or lying adjacent to open fields. The previously refused scheme (14/03994) involved six new houses and was considered to be very suburban in its layout, design and form. The houses would have been sited on much smaller plots than the surrounding pattern of development and would have detracted from the character of the area.
- 6.8 The current proposal involves three individually designed houses set within more spacious plots that are more compatible to the prevailing character of the area. As such, it is not considered that the proposed development would harm the character and appearance of the area.

The impact on the living conditions of neighbours

- 6.9 Open fields lie to the east, south and west of the site. The nearest neighbouring property to the proposed development would be 'Tanglewood' sited to the north-west approximately 25m from its closest point with the house on Plot 1. The first floor rear of Plot 1 would face the rear garden of 'Tanglewood', but would not look directly into any windows on this property nor the private amenity space immediately to its rear. Given the separation distance between the properties it is not considered the property on Plot 1 would cause direct loss of privacy to 'Tanglewood'. The new houses proposed on Plots 2 and 3 would not lead to any loss of privacy issues as they would be at least 50m from the nearest neighbours.
- 6.10 The scale and siting of the proposed houses, together with the distances separating them from the neighbours means that the development would not appear overbearing. In addition, given the orientation of the sun and the positions of the proposed houses the development would not cause any loss of sunlight to the neighbours.
- 6.11 The proposal would result in the removal of a fairly unneighbourly use from the land; the current use involves frequent movements into, around and out of the site by articulated lorries, which are quite noisy and create fumes. The redevelopment of the site as proposed would result in a form of development that would be far more sympathetic to the living conditions of neighbours.

Highway and parking issues

- 6.12 The site has the benefit of an existing access point via a crossover about 10m wide which tapers down to 5.0m to the gated access road. Visibility is unrestricted in each direction at the junction with Oakley Green Road and is considered to be sufficient to serve the level of residential development which is currently proposed.
- 6.13 Plots 1 & 2 (5 beds) and Plot 3 (6 beds) are all to be provided with double or triple garaging and surface parking space on driveways to more than comply with the requirements of the Council's parking standards. Additionally, the site layout plan Drawing. No 13-P895-10 makes provision for on-site turning space for use by service/delivery vehicles.
- 6.14 The proposed residential development is likely to generate between 32 and 48 vehicle movements per day. This represents a reduction in the number of daily vehicle movements that has in the past been generated from the commercial use of this site (the Transport Statement submitted in respect of the previous proposal for 6 dwellings on this site quoted 84 daily vehicle movements, 34 of which were heavy goods vehicle movements).
- 6.15 The Highway Authority raises no objections to the application subject to conditions in respect of a construction management plan and parking and turning to be provided prior to occupation. (conditions 8 and 9 respectively).

Ecology

- 6.16 As the proposal involves the removal of buildings from the site, a bat survey has been submitted with the application. At the time of writing, the Council's Ecologist's has yet to provide advice on this, but it is expected that this will be available to report on the day of the Panel.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 The impact of the proposal on local infrastructure and services would be limited due to its location and scale. As such, it is not appropriate to seek S106 contributions under this application.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

10 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 25th February 2016.

1 letter of support has been received, summarised as:

Comment	Where in the report this is considered
1. From the neighbours at Willow Court Farm – Fully support the application. For three houses only, that are attractive and well designed. This residential proposal will benefit this Green Belt location and we would be happy to see the application approved.	Noted.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Bray Parish Council	Comments awaited.	To be reported at Panel.
Highway Authority	No objections subject to conditions.	6.12 – 6.16

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Environmental Protection	Recommends informatives in respect of hours of construction, dust and smoke controls to be attached to any approval.	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site layout
- Appendix C – Plot 1 Floor plans and elevations
- Appendix D – Plot 2 Floor plans and elevations
- Appendix E – Plot 3 Floor plans and elevations
- Appendix F – Site section and proposed garages

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 been successfully resolved.

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 No development shall take place until details of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1.
- 3 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1, GB2.
- 4 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: The site is in the Green Belt and whilst the development subject to this permission complies with the Green Belt policy further development would be unlikely to do so, Relevant Policies - Local Plan GB1, GB2, DG1.
- 5 No development shall commence until details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1, GB2.
- 6 Within one month of the substantial completion of the development the buildings shown to be removed on the approved plans, shall be demolished in their entirety and all materials resulting from such demolition works shall be removed from the site. In addition, the use of the land for parking shall cease and all vehicles removed from the site, other than those associated with the approved residential development.
Reason: To prevent the undesirable consolidation of development on the site having regard to its Green Belt location. Relevant Policies - Local Plan GB1, GB2, DG1.
- 7 The measures set out in section 3 of the Design, Access and Sustainability Statement accompanying the application shall be implemented in accordance with the statement prior to the first occupation of any unit, unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of the development.
Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Council's SPD on 'Sustainable Design and Construction.'
- 8 No part of the development shall be occupied until vehicle parking and turning space has been

provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

- 9 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 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. Relevant Policies - Local Plan T5.

- 10 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.

- 11 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, 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, without the prior written approval of the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

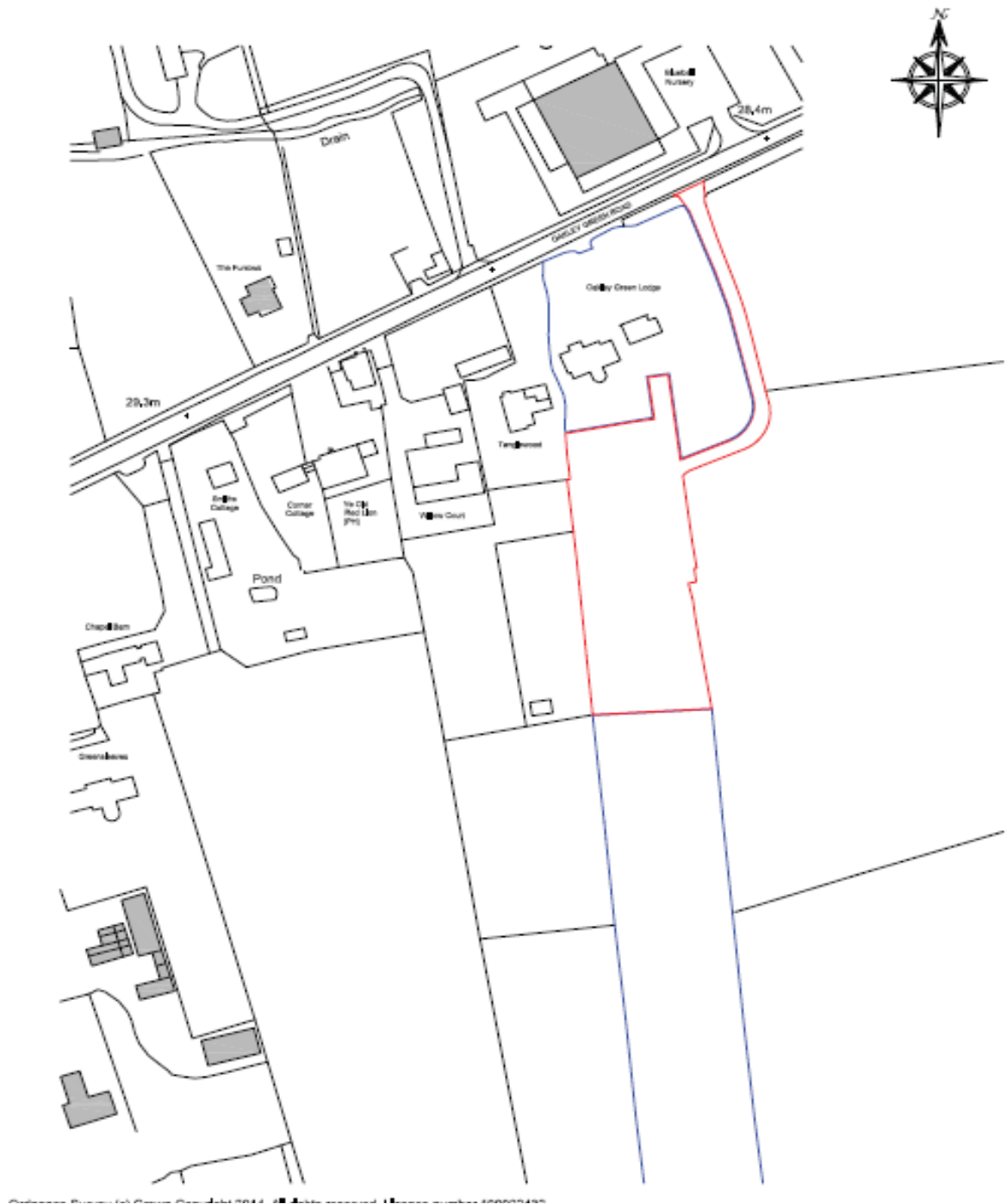
- 12 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

- 13 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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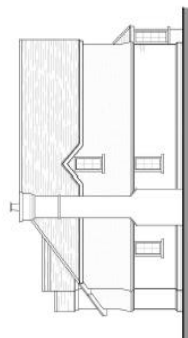
APPENDIX A – LOCATION PLAN



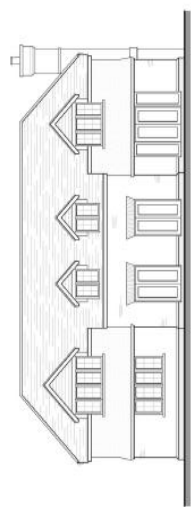
APPENDIX B – PROPOSED SITE LAYOUT



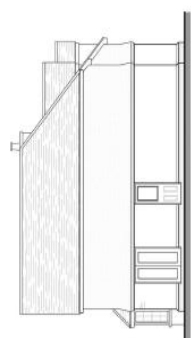
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

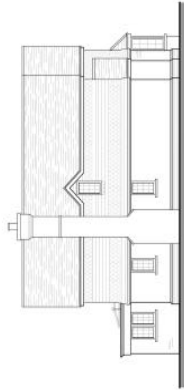


GROUND FLOOR
TOTAL GFA - 317sqm

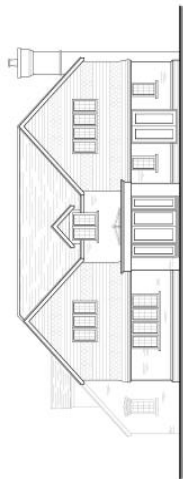
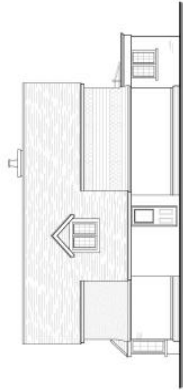


FIRST FLOOR

NO	A	REV	TO: 02/16	RESCALED SIDE ELEVATION	
PLANNING SUBMISSION					
 ASCOT DESIGN Architecture 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000					
GLOBAL - COMMERCIAL EXPORTS LTD OAKLEY GREEN LODGE, OAKLEY GREEN, WINDSOR					
PLOT 1 PROPOSED FLOOR PLANS & ELEVATIONS					
Scale	1:100 @ A1	Date	JAN 16	Sheet	F.B.
Project No	13 - PB95 - 11		Rev	A	



FRONT ELEVATION



SIDE ELEVATION

REAR ELEVATION

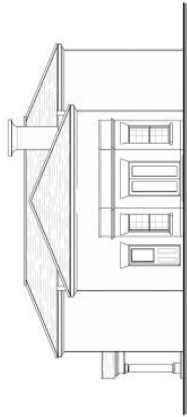
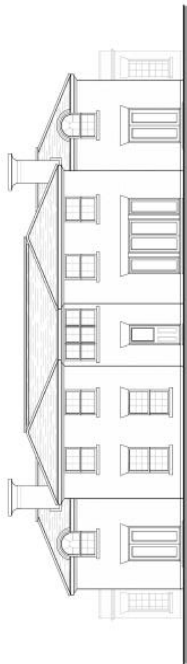
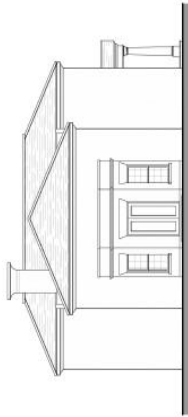


FIRST FLOOR



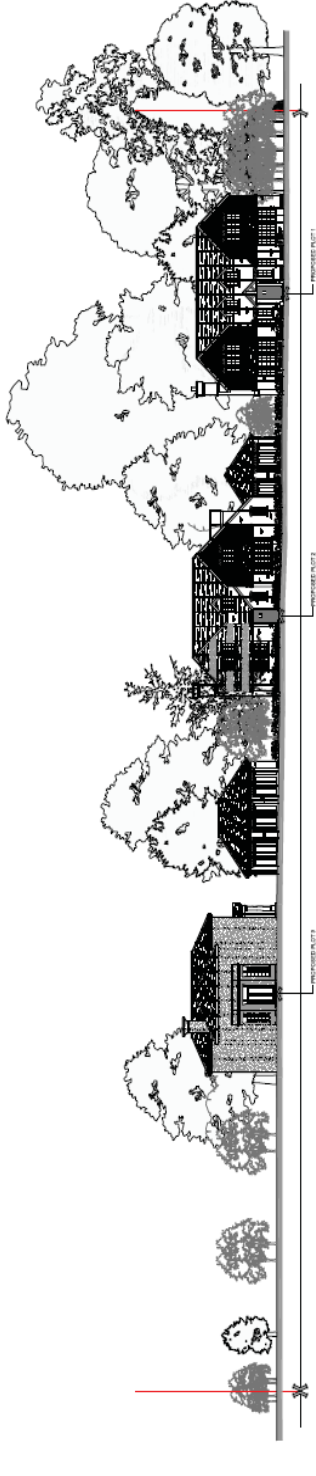
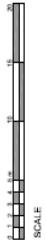
GROUND FLOOR
TOTAL AREA - 204sqm

<p>PLANNING SUBMISSION</p> <p>ASCOT DESIGN Architecture</p> <p>Belvedere House, 20 High Street, Ascot, Berkshire, SL5 2NY Tel: 01494 202027 Fax: 01494 202028 www.ascotdesign.co.uk</p>	
<p>Client:</p>	<p>GLOBAL COMMERCIAL EXPORTS LTD</p>
<p>Project Site:</p>	<p>OAKLEY GREEN LODGE OAKLEY GREEN, WINDSOR</p>
<p>Project Title:</p>	<p>Plot 2 Proposed Floor Plans & Elevations</p>
<p>Scale:</p>	<p>1:100 @ A1</p>
<p>Date:</p>	<p>JAN 16</p>
<p>Drawn:</p>	<p>F.B</p>
<p>Checked:</p>	<p>A</p>
<p>13 - P199E - 12</p> <p>The copyright in this document and any other material contained herein is the property of Ascot Design Partnership LLP</p>	

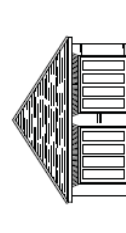


PLANNING SUBMISSION	
<p>ASCOT DESIGN Architecture Raffles House, 100, 101 & 102, Colindale Avenue, London, NW9 1NU Tel: 0208 8882277 Fax: 0208 8882278 Email: info@ascotdesign.com</p>	
<p>GLOBAL COMMERCIAL EXPORTS LTD OAKLEY GREEN LODGE, OAKLEY GREEN, WINDSOR</p>	
<p>PLOT 3 PROPOSED FLOOR PLANS & ELEVATIONS</p>	
Scale:	1:100 @ A1
Client:	JAN 16
Project No:	13 - PB95 - 13
<p><small>This document is for plot 3 only. It is not to be used for any other plot.</small></p>	

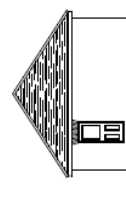
APPENDIX E – PLOT 3



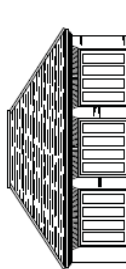
STREET SCENE A-A



FRONT ELEVATION



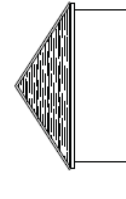
SIDE ELEVATION



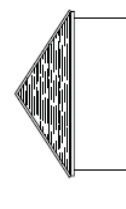
FRONT ELEVATION



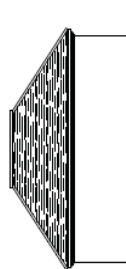
SIDE ELEVATION



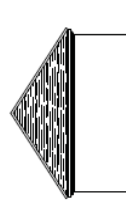
REAR ELEVATION



SIDE ELEVATION



REAR ELEVATION



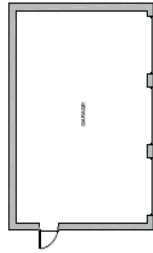
SIDE ELEVATION

FLOTS 1 & 2




FLOOR PLAN
TOTAL GEA = 630sqm

FLOT 3



FLOOR PLAN
TOTAL GEA = 630sqm



DATE	11/01/14	DESCRIPTION	PLANNING SUBMISSION
DATE	11/01/14	DESCRIPTION	PLANNING SUBMISSION
 ASCOT DESIGN Architecture 19 Forest Road, Oakley Green, Windsor, SL4 1JH Tel: 01753 634444 Fax: 01753 634445 www.ascotdesign.co.uk			
CLIENT	GLOBAL COMMERCIAL EXPORTS LTD		
PROJECT	OAKLEY GREEN LODGE, OAKLEY GREEN, WINDSOR		
DATE	SITE SECTION AND PROPOSED GARAGES		
DATE	11/01/14	BY	JAN 18
DATE	13/01/14	BY	14
<small>This drawing is the property of Ascot Design Architecture and is not to be used for any other project without the written consent of Ascot Design Architecture.</small>			



Appeal Decision Report

6 February 2016 - 7 March 2016

MAIDENHEAD

Appeal Ref.: 15/00060/REF **Planning Ref.:** 15/00551/VAR **Plns Ref.:** APP/T0355/W/15/3131329

Appellant: Mr David Edmondson **c/o Agent:** Mr Graham Fisher GF Planning Limited 1 Woodlands Avenue London E11 3RA

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

Description: Removal of condition 4 (Permitted Development) of planning permission 413546

Location: **Winterbourne Berries Road Cookham Maidenhead SL6 9SD**

Appeal Decision: Allowed **Decision Date:** 6 February 2016

Main Issue: The National Planning Policy Framework indicates that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The Planning Practice Guidance also sets out these six tests and further states that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. Also the blanket removal of freedoms to carry out small scale domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity. The Inspector concluded that the effect of removing condition 4 on (1) the character and appearance of the area; (2) the Green Belt; and (3) Flooding would not be harmful and the exceptional circumstances sufficient to withhold permitted development rights do not exist.

Appeal Ref.: 15/00085/REF **Planning Ref.:** 15/01761/FULL **Plns Ref.:** APP/T0355/D/15/3136441

Appellant: Mr Papazoglou **c/o Agent:** Mr Allen Watson Buttery And Watson Berry House 78 Altwood Road Maidenhead Berkshire SL6 4PZ

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

Description: Construction of garage/garden machinery store

Location: **Hurst Place Bradcutts Lane Cookham Dean Maidenhead SL6 9AA**

Appeal Decision: Dismissed **Decision Date:** 26 February 2016

Main Issue: The erection of a domestic garage/garden store does not fall within any of the categories of development listed in Saved Policy GB1 or paragraph 89 of the Framework. As such it would be inappropriate development which is, by definition, harmful to the Green Belt. The scale of the proposal would be such that it would erode the openness of the Green Belt. It is accepted that the loss of openness would be unlikely to affect the Green Belt outside the boundary of the site, nonetheless, there would be a loss of openness. No very special circumstances have been demonstrated.

Appeal Ref.: 15/00090/REF **Planning Ref.:** 15/01659/FULL **Plns Ref.:** APP/T0355/W/15/3132937

Appellant: Mr Christopher Robinson- Elite Homes Ltd **c/o Agent:** Mr Ian Sowerby Bell Cornwall LLP
Oakview House Station Road Hook Hampshire RG27 9TP

Decision Type: Committee **Officer Recommendation:** Application Permitted

Description: Erection of 2 x 3 bed semi detached and 2 x 4 bed detached dwellings.

Location: **4 - 7 Woodlands Park Road Maidenhead**

Appeal Decision: Allowed **Decision Date:** 1 March 2016

Main Issue: When the limited visual impact from the public highway, roof profiles of Plots No 1 and 2 which would allow space and an area of sky to be seen between the two properties, further set back on the site allowing for more forecourt space, and the context to other development the surrounding area, especially to the adjacent Park Lodge Close development, then the proposal would not result in a cramped form of development. The development would therefore not be contrary to Royal Borough of Windsor and Maidenhead Local Plan Policies H10 and H11 and the National Planning Policy Framework (the Framework) Core Planning Principle 4. Whilst the additional dwelling would cause extra traffic movements, given the relatively minor increase in traffic movements, no objections from the Council's Environmental Health Officer and blank flank walls to No 4 and 5, then these extra traffic movements would not cause undue noise and disturbance to the residents of No 4 and 5. Turning to the impact of proposed Plot No 1 on adjacent properties causing loss of light and privacy; the Inspector found that Plot 1 would have the same relationship to the adjacent dwellings in particular No 8 Park Lodge Close, as the previously unimplemented planning permission, which the Council found to be acceptable. Therefore, the development does not harm the amenities or living conditions of the adjacent properties due to increased use of the access way, and would not be contrary to Royal Borough of Windsor and Maidenhead Local Plan Policies H10 and the National Planning Policy Framework (the Framework) Core Planning Principle 4.

Appeal Ref.: 15/00093/REF **Planning Ref.:** 15/01432/FULL **Plns Ref.:** APP/T0355/D/15/3139758

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

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

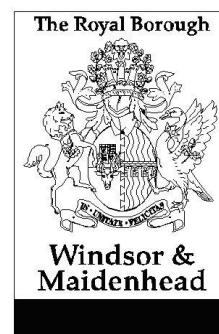
Description: 3 storey side extension and second storey front extension following hip to gable roof extension and enlargement of existing roof with the addition of 1 front dormer and 2 rear dormers to facilitate loft conversion. Addition of roof lantern to existing single storey rear extension and amendments to fenestration

Location: **29 Ray Mill Road West Maidenhead SL6 8SA**

Appeal Decision: Dismissed **Decision Date:** 23 February 2016

Main Issue: Due to the bulk, mass and height of the proposed extension it would overwhelm the existing property which would be unsympathetic to the host and unbalance the terrace. Together with the proposed materials, it would draw the eye and appear as a discordant feature in the street scene and relate poorly to its surroundings. It would also erode the existing gap between the terrace and the adjacent semi-detached dwellings, which would harm the distinctiveness of the street in this regard. This is contrary to the NPPF and Local Plan policy DG1. The proposal would fail to meet the adopted Parking Strategy 2004 for 3 off-street parking spaces for a dwelling with 4 or more bedrooms, increasing the pressure for on-street parking in the vicinity which would unacceptably exacerbate existing parking problems in the vicinity to the overall detriment of highway and pedestrian safety, contrary to Local Plan policy P4.

Planning Appeals Received
5 February 2016 - 7 March 2016



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 www.planningportal.gov.uk/pcs Should you wish to make comments in connection with an appeal, please use the Plns 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

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

Parish/Ward: White Waltham Parish
Appeal Ref.: 16/00013/REF **Planning Ref.:** 15/02906/FULL **Plns Ref.:** APP/T0355/W/16/3143249
Date Received: 5 February 2016 **Comments Due:** 11 March 2016
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 2 detached dwellings served by existing vehicular access, following demolition of existing buildings
Location: **White Waltham Garage Waltham Road White Waltham Maidenhead SL6 3SG**
Appellant: Mr B Glister - White Waltham Garage Ltd **c/o Agent:** Mr Christopher Arden Christopher Arden Chartered Architects 11 Galton Road Ascot Berkshire SL5 0BP

Parish/Ward:
Appeal Ref.: 16/00016/REF **Planning Ref.:** 15/02252/FULL **Plns Ref.:** APP/T0355/W/15/3140382
Date Received: 12 February 2016 **Comments Due:** 18 March 2016
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 4 x 2 bed and 5 x 1 bed flats following demolition of existing dwelling
Location: **23 Braywick Road And Land To The Rear Providing Access From Greenfields Maidenhead**
Appellant: Mr Simon Davies - SSIDEWLLP **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB

Parish/Ward: Bray Parish
Appeal Ref.: 16/00017/REF **Planning Ref.:** 15/03644/FULL **Plns Ref.:** APP/T0355/D/16/3143634
Date Received: 12 February 2016 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Construction of new garage with first floor games room
Location: **Lorien Brayfield Road Bray Maidenhead SL6 2BN**
Appellant: Mr And Mrs R Williams **c/o Agent:** Mr Patrick Arthurs APD Planning Consultants Bines Farmhouse Bines Road Partridge Green Horsham RH13 8EQ

Parish/Ward:
Appeal Ref.: 16/00020/REF **Planning Ref.:** 15/01966/FULL **Plns Ref.:** APP/T0355/W/16/3142751
Date Received: 18 February 2016 **Comments Due:** 24 March 2016
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 10 dwellings 3 x 1 bed units and 7 x 2 bed units following demolition of property including outbuilding.

Location: Diwa 2 Norfolk Road Maidenhead SL6 7EE
Appellant: Mr And Mrs A Dhendsa **c/o Agent:** Mr Paul Butt Paul Butt Planning Ltd 8 Hyde Copse Marcham Abingdon Oxfordshire OX13 6PT

Parish/Ward: Cookham Parish
Appeal Ref.: 16/00022/REF **Planning Ref.:** 15/01060/FULL **Plns Ref.:** APP/T0355/W/15/3140926

Date Received: 18 February 2016 **Comments Due:** 24 March 2016
Type: Refusal **Appeal Type:** Written Representation

Description: Change of use from A3 (restaurant) to C3 (residential).

Location: **Cookham Tandoori High Street Cookham Maidenhead SL6 9SL**

Appellant: Mr B Islam **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

Parish/Ward: Cookham Parish
Appeal Ref.: 16/00023/REF **Planning Ref.:** 15/01323/FULL **Plns Ref.:** APP/T0355/W/15/3141078

Date Received: 22 February 2016 **Comments Due:** 28 March 2016
Type: Refusal **Appeal Type:** Written Representation

Description: Change of use of ancillary outbuilding to single dwelling.

Location: **Dean Farm Alleyns Lane Cookham Maidenhead SL6 9AE**

Appellant: Mr Patrick Noone **c/o Agent:** Mr Vincint Verster Vail Williams LLP 550 Thames Valley Park Drive Reading RG6 1RA

Parish/Ward: Waltham St Lawrence Parish
Appeal Ref.: 16/00029/REF **Planning Ref.:** 15/03531/LBC **Plns Ref.:** APP/T0355/Y/16/3142400

Date Received: 4 March 2016 **Comments Due:** 8 April 2016
Type: Refusal **Appeal Type:** Hearing

Description: Consent to convert existing barn to a dwelling with ancillary landscaping works

Location: **Paradise Farm Twyford Road Waltham St Lawrence Reading RG10 0HL**

Appellant: Mr B Palmer-Page **c/o Agent:** Mr Martin Crook MSC Planning Ltd 259 Amersham Road Hazlemere High Wycombe Buckinghamshire HP15 7QW

Parish/Ward: Waltham St Lawrence Parish
Appeal Ref.: 16/00030/REF **Planning Ref.:** 15/03528/FULL **Plns Ref.:** APP/T0355/W/16/3142397

Date Received: 4 March 2016 **Comments Due:** 8 April 2016
Type: Refusal **Appeal Type:** Hearing

Description: Conversion of existing barn to a dwelling with ancillary landscaping works

Location: **Paradise Farm Twyford Road Waltham St Lawrence Reading RG10 0HL**

Appellant: Mr B Palmer-Page **c/o Agent:** Mr Martin Crook MSC Planning Ltd 259 Amersham Road Hazlemere High Wycombe Buckinghamshire HP15 7QW