

NOTICE
OF
MEETING
**MAIDENHEAD AREA DEVELOPMENT
MANAGEMENT PANEL**

will meet on

WEDNESDAY, 16TH OCTOBER, 2019

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL,

TO: MEMBERS OF THE MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS DONNA STIMSON (CHAIRMAN), LEO WALTERS (VICE-CHAIRMAN), GURPREET BHANGRA, PHIL HASELER, MAUREEN HUNT, CHRIS TARGOWSKI, JOHN BALDWIN, MANDY BRAR, GEOFF HILL, JOSHUA REYNOLDS AND HELEN TAYLOR

SUBSTITUTE MEMBERS

COUNCILLORS DAVID CANNON, STUART CARROLL, GERRY CLARK, ANDREW JOHNSON, ROSS MCWILLIAMS, GURCH SINGH, CLIVE BASKERVILLE, SIMON BOND, CAMPO, JON DAVEY AND NEIL KNOWLES

Karen Shepherd – Head of Governance - Issued: Date Not 8 October 2019

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 or contact the Panel Administrator **Shilpa Manek** 01628 796310

Accessibility - Members of the public wishing to attend this meeting are requested to notify the clerk in advance of any accessibility issues

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. Do not re-enter the building until told to do so by a member of staff.

Recording of Meetings –In line with the council's commitment to transparency the public part of the meeting will be audio recorded, and may also be filmed and broadcast through the online application Periscope. If filmed, the footage will be available through the council's main Twitter feed @RBWM or via the Periscope website. The audio recording will also be made available on the RBWM website, after the meeting.

Filming, recording and photography of public Council meetings may be undertaken by any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>To receive any apologies for absence.</p>	
2.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>To receive any declarations of interest.</p>	9 - 10
3.	<p><u>MINUTES</u></p> <p>To confirm the part I minutes of the meeting of 21st and 28th August 2019.</p> <p><u>PLANNING APPLICATIONS (DECISION)</u></p> <p>To consider the Head of Planning's report on planning applications received.</p> <p>Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by access the Planning Applications Public Access Module at http://www.rbwm.gov.uk/pam/search.jsp</p> <p><i>APP = Approval</i> <i>CLU = Certificate of Lawful Use</i> <i>DD = Defer and Delegate</i> <i>DLA = Defer Legal Agreement</i> <i>PERM = Permit</i> <i>PNR = Prior Approval Not Required</i> <i>REF = Refusal</i> <i>WA = Would Have Approved</i> <i>WR = Would Have Refused</i></p>	11 - 20
4.	<p><u>18/03725/FULL - LAND WEST OF OAK TREE FARM, GAYS LANE, MAIDENHEAD</u></p> <p>Proposal: Relocation of Maidenhead Target Shooting Club from Braywick Park including creation of car park, erection of clubhouse and toilets, shooting stands, bunds, fencing, landscaping and planting with access off Green Lane.</p> <p>Recommendation: REFUSED</p> <p>Applicant: The Chairman Martin Bicknell</p> <p>Member Call-in: NA</p>	21 - 58

	Expiry Date: 23 October 2019	
5.	<u>19/00942/FULL - 70 - 72 HIGH STREET, MAIDENHEAD</u> Proposal: Change of use and extension to the upper floors from ancillary retail use to form 8 apartments, alteration and extension of the ground floor retail unit with roof terrace over, alteration and extension of first and second floor, and construction of a block of 18 apartments with new pedestrian access. Recommendation: PERMIT Applicant: Mr Devine Member Call-in: NA Expiry Date: 23 October 2019	59 - 88
6.	<u>19/01156/OUT - MOOR FARM ASCOT ROAD HOLYPORT MAIDENHEAD</u> Proposal: Outline application for a covered roof to the existing manege with all matters reserved. Recommendation: Refusal Applicant: Mr Frankham Member Call-in: N/A Expiry Date: 18 October 2019	89 - 102
7.	<u>19/01623/FULL CRUCHFIELD MANOR ASCOT ROAD WARFIELD BRACKNELL</u> Proposal: Conversion of the southern wing of the existing stable block to ancillary residential accommodation including alterations to fenestration to the coach house. Recommendation: Permit Applicant: Mrs Brunander Member Call-in: N/A Expiry Date: 22 October 2019	103 - 116
8.	<u>19/01624/LBC - CRUCHFIELD MANOR ASCOT ROAD WARFIELD BRACKNELL</u> Proposal: Consent to convert the southern wing of the existing stable block to a dwelling and internal and external alterations to the coach house. Recommendation: Permit Applicant: Mrs Brunander	117 - 128

	<p>Member Call-in: N/A</p> <p>Expiry Date: 22 October 2019</p>	
9.	<p><u>19/01855/FULL - 51 GREAT HILL CRESCENT MAIDENHEAD</u></p> <p><i>Proposal: New front porch and single storey side/rear extension.</i></p> <p>Recommendation: Permit</p> <p>Applicant: Mrs Dhillon</p> <p>Member Call-in: Cllr Carroll</p> <p>Expiry Date: 13 September 2019</p>	129 - 138
10.	<p><u>19/01865/FULL - ST EDMUND CAMPION CATHOLIC PRIMARY SCHOOL ALTWOOD ROAD MAIDENHEAD</u></p> <p><i>Proposal: Single storey extension to existing nursery.</i></p> <p>Recommendation: Permit</p> <p>Applicant: Alma Powell</p> <p>Member Call-in: N/A</p> <p>Expiry Date: 18 October 2019</p>	139 - 144
11.	<p><u>19/02043/FULL - LAND NORTH OF BRAY WATERSPORTS MONKEY ISLAND LANE BRAY MAIDENHEAD</u></p> <p><i>Proposal: Construction of a swan rehabilitation and care centre with associated works.</i></p> <p>Recommendation: Refuse</p> <p>Applicant: Wendy Hermon</p> <p>Member Call-in: N/A</p> <p>Expiry Date: 24 September 2019</p>	145 - 162
12.	<p><u>19/02104/FULL - 1 LONSDALE CLOSE MAIDENHEAD</u></p> <p><i>Proposal: First floor side extension and the sub division of the property into two separate dwellings with new boundary treatment, hardstanding and 2 no. bike stores</i></p> <p>Recommendation: Refuse</p> <p>Applicant: Mr Akhtar</p> <p>Member Call-in: Cllr ChrisTargowski</p> <p>Expiry Date: 11 October 2019</p>	163 - 174
13.	<p><u>ESSENTIAL MONITORING REPORTS (MONITORING)</u></p>	175 - 182

To consider the Appeals Decision Report and Planning Appeals Received.

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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' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they 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 the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) 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 licence 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.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

Public Document Pack Agenda Item 3

MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 21 AUGUST 2019

PRESENT: Councillors Donna Stimson (Chairman), Leo Walters (Vice-Chairman), Gurpreet Bhangra, David Cannon, Phil Haseler, Chris Targowski, John Baldwin, Mandy Brar, Geoff Hill, Joshua Reynolds and Helen Taylor

Officers: Tony Franklin, Shilpa Manek, Sean O'Connor and Susan Sharman

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Johnson. Councillor Cannon substituted at the Panel.

DECLARATIONS OF INTEREST

Councillor Stimson declared a personal interest for item 3 as taken part in discussions at a previous application. Councillor Stimson was attending the meeting with an open mind.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 6th August 2019 be approved.

PLANNING APPLICATION - ITEM 1 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 1</p> <p>18/02550/FULL</p> <p>23-33 York Road Maidenhead</p>	<p>Redevelopment of the site to provide 53 apartments, comprising 23xstudio flats, 25x 1 bed flats and 5x 2 bed flats, and associated landscaping following demolition of the existing buildings.</p> <p>A motion was put forward by Councillor Stimson to permit the application as per Officers recommendation subject to the additional conditional conditions proposed in section 3 of the Panel Update. This was seconded by Councillor Hill.</p> <p>A named vote was taken and ten councillors voted for the motion (Baldwin, Bhangra, Brar, Cannon, Haseler, Hill, Stimson, Targowski, Taylor and Walters). Councillor Reynolds voted against the application.</p> <p>It was agreed to APPROVE the application.</p> <p>(The Panel were addressed by Mr Kevin Scott, Applicant's Agent)</p>
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PLANNING APPLICATION - ITEM 2 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 2</p> <p>18/03523/FULL</p> <p>Magnolia Cabin Fishery Road Maidenhead SL6 1UP</p>	<p>Replacement Outbuilding (Retrospective)</p> <p>A motion was put forward by Councillor Hill to refuse the application, in contrary to the Officers recommendation.</p> <p>A second motion was put forward by Councillor Reynolds to permit the application as per Officers recommendation. This was seconded by Councillor Cannon.</p> <p>Councillor Taylor then seconded the first motion that had been made by Councillor Hill.</p> <p>A named vote was taken for the second motion by Councillor Reynolds as this had been seconded first. Seven Councillors voted for the motion (Baldwin, Bhangra, Cannon, Haseler, Reynolds, Stimson and Targowski). Three members voted against the motion (Hill, Taylor and Walters) Councillor Brar abstained from voting.</p> <p>It was agreed to APPROVE the application.</p> <p>The first motion therefore fell.</p> <p>(The Panel were addressed by Dr Barrie Mair, Objector, Councillor Jackie Phillips, Bray Parish Council and Mrs Jade Lock, Applicant)</p>
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PLANNING APPLICATION - ITEM 3 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 3</p> <p>18/03692/FULL</p> <p>Boulters Lock Car Park And Land Rear of 9 To 6 Horsham Reach Lower Cookham Road Maidenhead</p>	<p>New hardstanding and landscaping to provide 39 additional car parking spaces and 16 new cycle parking spaces. [Amendments: amended site layout, revisions to ecology report, sequential test]</p> <p>A motion was put forward by Councillor Targowski to permit the application as per Officers recommendation. This was seconded by Councillor Hill.</p> <p>A named vote was taken and eight councillors voted for the motion (Bhangra, Cannon, Haseler, Hill, Stimson, Targowski, Taylor and Walters). Councillor Brar voted against the application and Councillors Baldwin and Reynolds abstained from voting.</p> <p>It was agreed to APPROVE the application.</p> <p>(The Panel were addressed by Ms Lidjia Honegger, Applicant's Agent and Jonathan Baker)</p>
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PLANNING APPLICATION - ITEM 4 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 4 19/00051//FULL Tudor House And Half Acre Waltham Road White Waltham Maidenhead</p>	<p>Demolition of the existing buildings and the construction of 12 residential units comprising a mix of 6 flats (4 x 2-bed and 2 x bed sits) in one building and 6 x4-bed houses. [<i>amendment to description to reduce No. of units and alterations to design and scale of buildings</i>]</p> <p>A motion was put forward by Councillor Haseler to refuse the application as per Officers recommendation. This was seconded by Councillor Taylor.</p> <p>A named vote was carried out.</p> <p>It was Unanimously agreed to REFUSE the application.</p> <p>(The Panel were addressed by Mr Paul Butt, Applicant Agent)</p>
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ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the Appeal Decision Reports and the Planning Appeals received.

The meeting, which began at 7.00 pm, finished at 8.20 pm

CHAIRMAN.....

DATE.....

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MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

28.08.19

PRESENT: Councillors Donna Stimson (Chairman), Leo Walters (Vice-Chairman), Gurpreet Bhangra, Phil Haseler, Andrew Johnson, Chris Targowski, John Baldwin, Mandy Brar, Geoff Hill, Joshua Reynolds and Helen Taylor.

Officers: Tony Franklin (Planning Officer), Jenifer Jackson (Head of Planning), Antonia Liu (Planning Officer), Shilpa Manek (Clerk) and Sean O'Connor (Senior Lawyer - Shared Legal Solutions)

Also Present: Councillors Simon Bond, Stuart Carroll and Ross McWilliams

33 APOLOGIES FOR ABSENCE

There were no Apologies for Absence were received.

34 DECLARATIONS OF INTEREST

Councillor Haseler declared a prejudicial interest in all five applications. Councillor Haseler had been involved in Cox Green Says No since 2007. Councillor Haseler would speak for up to five minutes and then take no part in debate or voting. Councillor Haseler would leave the Members and sit in the public gallery.

Councillor Taylor declared a personal interest in all items as she had friends and family that lived on Farmers Way. Councillor Taylor was attending the meeting with an open mind.

35 PLANNING APPLICATION - ITEM 2 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 2</p> <p>17/04018/FULL</p> <p>Claire's Court Senior Girls and Boys And Ridgeway Schools, The Thicket, Cannon Lane, Maidenhead</p>	<p>Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area.</p> <p>A motion was put forward by Councillor Targowski to permit the application, in contrary to Officers recommendation.</p> <p>A second motion was put forward by Councillor Hill to refuse the application as per Officers recommendation, subject to the amendments detailed in paragraph 2.2 of the relevant Panel Update report. This was seconded by Councillor Walters.</p> <p>A named vote was taken and nine councillors voted for the motion (Baldwin, Bhangra, Brar, Hill, Johnson, Reynolds, Stimson, Taylor and Walters). Councillor Targowski voted against the motion. Councillor Haseler did not vote.</p> <p>The first motion was not seconded.</p> <p>It was agreed to REFUSE the application subject to the amendments detailed in paragraph 2.2 of the relevant Panel Update report.</p> <p>(The Panel were addressed by Gill Alton and Andy McCoy, Objectors, Parish Councillor Ian Harvey, Cox Green Parish Council, Andy Black, Hugh Wilding and Gabby, in support. Also Councillors Ross McWilliams and Stuart Carroll addressed the Panel).</p>
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36 PLANNING APPLICATION - ITEM 1 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 1</p> <p>17/04026/OUT</p> <p>Ridgeway, The Thicket, Cannon Lane, Maidenhead SL6 3QE</p>	<p>Outline planning permission for the development of 2 new artificial grass hockey pitches, two artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial rugby pitch together with associated other recreation grass pitches.</p> <p>A motion was put forward by Councillor Hill to refuse the application as per Officers recommendation. This was seconded by Councillor Brar.</p> <p>A named vote was taken.</p> <p>It was Unanimously Agreed to REFUSE the application.</p> <p>(The Panel were addressed by Gill Alton and Andy McCoy, Objectors, Parish Councillor Ian Harvey, Cox Green Parish Council, David Taylor and James Wilding, in support. Also Councillors Ross McWilliams and Stuart Carroll addressed the Panel).</p>
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37 PLANNING APPLICATION - ITEM 3 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 3</p> <p>18/00130/OUT</p> <p>Ridgeway, The Thicket, Cannon Lane, Maidenhead, SL6 3QE</p>	<p>Outline application for layout, scale and mean of access only to be considered at this stage with all other matters to be reserved for 157 residential units.</p> <p>As there was no further update received from Highways, a motion was put forward by Councillor Walters to refuse the application as per Officers recommendation subject to delegated authority being granted to the Head of Planning to revise reason for refusal 3 in the event of an appeal to remove reference to highway mitigation works should it be established by the applicants and agreed by the Council that such works are not required. This was seconded by Councillor Hill.</p> <p>A named vote was taken.</p> <p>It was Unanimously Agreed to REFUSE the application subject to delegated authority being granted to the Head of Planning to revise reason for refusal 3 in the event of an appeal to remove reference to highway mitigation works should it be established by the applicants and agreed by the Council that such works are not required.</p> <p>(The Panel were addressed by Gill Alton and Andy McCoy, Objectors, Parish Councillor Ian Harvey, Cox Green Parish Council, Hugh Wilding and Elkie Lees, in support. Also Councillors Ross McWilliams and Stuart Carroll addressed the Panel).</p>
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38 PLANNING APPLICATION - ITEM 4 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 4</p> <p>17/04001/OUT</p> <p>Claire's Court School Senior Girls, 1 College Avenue, Maidenhead, SL6 6AW</p>	<p>Outline planning permission with means of access only to be considered at this stage with all other matters to be reserved for redevelopment of the existing school facilities and the erection of 53no. dwellings.</p> <p>A motion was put forward by Councillor Baldwin to refuse the application as per Officers recommendation, with the additional reason for refusal detailed under paragraph 3.1 of the relevant Panel Update report. This was seconded by Councillor Brar.</p> <p>A named vote was taken.</p> <p>It was Unanimously Agreed to REFUSE the application with the additional reason for refusal detailed under paragraph 3.1 of the relevant Panel Update report.</p> <p>(The Panel were addressed by Michael Varley, Objector, Hugh Wilding and Elkie Lees, in support and Councillor Simon Bond).</p>
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39 PLANNING APPLICATION - ITEM 5 (DECISION)

The Panel considered the Head of Planning 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.

<p>*Item 5</p> <p>17/04002/OUT</p> <p>Claire's Court School Senior Boys, Ray Mill Road East, Maidenhead, SL6 8TE</p>	<p>Outline application for access only to be considered at this stage with all other matters to be reserved for the redevelopment of the existing school facilities and the erection of 11 no. four and five bed detached private dwellings.</p> <p>A motion was put forward by Councillor Reynolds to refuse the application as per Officers recommendation. This was seconded by Councillor Baldwin.</p> <p>A named vote was taken.</p> <p>It was Unanimously Agreed to REFUSE the application.</p> <p>(The Panel were addressed by Hugh Wilding and Elkie Lees, in support).</p>
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The meeting, which began at 7.00 pm, ended at 9.40 pm

Chairman.....

Date.....

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Agenda Item 4

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 1

Application No.:	18/03725/FULL
Location:	Land West of Oak Tree Farm Gays Lane Maidenhead
Proposal:	Relocation of Maidenhead Target Shooting Club from Braywick Park including creation of car park, erection of clubhouse and toilets, shooting stands, bunds, fencing, landscaping and planting with access off Green Lane.
Applicant:	The Chairman Martin Bicknell
Agent:	Mr Mark Carter
Parish/Ward:	Bray Parish/Bray Ward
If you have a question about this report, please contact: Briony Franklin on 01628 796007 or at briony.franklin@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application is to facilitate the relocation of Maidenhead Target Shooting Club from its former site at Braywick Park in Maidenhead to land at Stroud Farm in Holyport. Planning permission is sought to erect a clubhouse, shooting ranges, a car park, a bund, fencing and associated landscaping. The site would be served by an access track from Green Lane, off Forest Green Road.
- 1.2 The site lies within the designated Green Belt. The proposed development does not fall within the list of specified exceptions for development set out in Paragraphs 145 or 146 of the National Planning Policy Framework (revised 2019) and therefore constitutes inappropriate development. The harm to the Green Belt is afforded substantial weight.
- 1.3 The proposal is considered to have an acceptable impact on the character and appearance of the site itself and the locality in general, residential amenity, the recreational and amenity value of the local public rights of way network, ecology, trees, landscaping and highway safety.
- 1.4 The NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances. It further explains that 'Very Special Circumstances' (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. A case of VSC is advanced by the applicant, which in summary comprises:
 - The lack of an available, alternative, suitable site and
 - The benefits to the community and sporting benefits
- 1.5 The VSC and the weight given to these are discussed within section ix of this report. It is not considered that VSC exist in this case that would outweigh the substantial harm to the Green Belt by reason of inappropriateness. The application is therefore recommended for refusal.

Subject to the views of the LLFA on the revised Sustainable Urban Drainage (SuDs) report it is recommended that the Panel REFUSES planning permission for the following summarised reason (the full reason is identified in Section 13 of this report):	
1.	The proposal constitutes inappropriate development in the Green Belt which is, by definition, harmful, would impact on openness and should not be approved except in very special circumstances. It is not considered that VSC exist in this case that would outweigh the substantial harm to the Green Belt by reason of inappropriateness.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.
At the request of Cllr Coppinger, if the recommendation is to grant permission, on the grounds that residents are very concerned about this proposal and it is essential that the decision is made in public so that objectors have the opportunity of presenting their case.
- At the request of Cllr Rayner, if the recommendation is to refuse the application, in the interest of residents.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site lies to the west of Gays Lane and Oak Tree Farm, a small complex of former agricultural buildings now operating as light industrial units. The site comprises a flat, open field which forms part of Stroud Farm. The site area measures 1.08 hectares in size. There is an existing farm entrance/track which comes off Green Lane, a public bridleway from Forest Green Road.
- 3.2 The site lies in quite an isolated position, approximately 300m from the nearest residential properties, at the northern end of Gays Lane and Langworthy Lane, properties to the west in Moneyrow and properties which lie to the south in Forest Green Road and Green Lane.

4. KEY CONSTRAINTS

- 4.1 The site lies within the designated Green Belt. There is a network of public footpaths which intersect the site and the site is situated close to Gays Lane, a public bridleway. There are ponds and ditches close to the site which provide habitat for Great Crested Newts. There are some mature trees and hedgerows close to the site.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 Maidenhead Target Shooting Club is a members only Club that provides all levels of target shooting for airguns and small bore rifles. The Club was founded in 1906 and is one of the oldest National Small Bore Rifle Association Clubs in the UK. The Club had been based at Braywick Park in Maidenhead since 1967, up until its closure earlier this year. The Club was required to vacate its former Council leased site due to proposals to redevelop the site for a special needs school with ancillary multi-use games area, landscaping and parking, which was permitted on the 18th July 2019 under planning permission 18/02601/FULL.
- 5.2 The Clubs former premises at Braywick Park were located in the Green Belt and provided 25 yard, 50 metres and 100 yard outdoor ranges and a 10 metre indoor range for air pistols and precision air rifle shooting. The facilities included a clubhouse measuring 18.6m by 7m with a covered firing point and included a small kitchen/seating area and reception/armoury area. As a Home Office approved Club, Maidenhead Target Shooting Club is limited to certain classes of guns which include an Air Rifle .177 or .22 calibre; an Air Pistol .177 or .22 calibre; Rim Fire Rifle .22 calibre/LR and HFT Air Rifle .177 or .22 calibre.
- 5.3 The Club has been searching for an alternative site and this application seeks planning permission to relocate the Club to land at Stroud Farm. The site measures approximately 120m in length by 60m in width. The proposal includes outdoor shooting ranges (2 x 25 yard firing ranges, a 50m and a 100 m firing range) and associated clubhouse building comprising a 10m indoor shooting range, kitchen and lounge area, office and toilets. The building would measure 20m by 15m and would have an eaves height of 2.5m and an overall ridge height of 4m. The building would be built using sheet material to give it the appearance of an agricultural building. A 20m long covered shooting point for the 100 yard shooting range is proposed. This structure would have a height of between 2.1m to 2.5m. A 15m long shooting point for the 50m shooting range is also

proposed on the northern end of the proposed clubhouse. The car park would provide 15 parking spaces located south of the building that would be finished in flint gravel. The existing farm track would need to be extended to serve the site and would be finished in tarmac road planings. A backstop measuring 45m wide and 5.5m in height is proposed to be sited at the northern end of the site. It would comprise timber railway sleepers with compacted soil and sand in front. A 2.5m high compacted soil bund is proposed to run down the middle of the site and would be planted with wildflowers. A green chain link fence 2.1m in height is proposed along the western perimeter of the site. Hedgerow and tree planting is also proposed around the perimeter of the site. The rest of the site would be left to grass. The external lighting would be the same as the former club lighting. It would comprise domestic security lights mounted on the shooting stands. They would face the range and spotlight the targets and would be used whilst members are present.

5.4 The operating hours for the shooting club have been confirmed to be:

Monday - closed

Tuesday – 9am-12 noon

Wednesday – 9am-12 noon and 7pm- 9pm

Thursday – closed

Friday – 9am–12 noon

Saturday – 9.30am – 4.30pm

Sunday – 9.30am – 4.30pm

5.5 Access for the site would be taken from the existing farm access off Green Lane. There is an existing farm track which runs around the perimeter of the field which would be extended to serve the new development. During the course of the application the positioning of the access road has been slightly amended. Rather than running diagonally across the field from the mid-point of the existing farm track it is to continue along the existing farm track to the point where it intersects the Bridleway, Gays Lane and then would run in a westerly direction to a point where the footpaths intersect. There would be no vehicular access to the site available from Gays Lane.

5.6

Reference	Description	Decision
17/02018/FULL	Change of use of land to facilitate the relocation of Maidenhead Target Club from Braywick Park including creation of car park, erection of clubhouse and toilets, shooting stands, bunds, fencing and associated landscaping and planting at Land at Stroud Farm and west of Gays Lane.	Withdrawn 21.8.17

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1,
Impact on Green Belt	GB1 & GB2
Highways and Parking	P4 & T5
Trees and Hedgerows	N6 & N7
Community Facilities	CF1 & CF2
Noise	NAP3
Rights and Way and Countryside Recreation	R14

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

- Section 2 – Achieving sustainable development
- Section 4 - Decision-making
- Section 6 - Building a strong, competitive economy
- Section 8 – Promoting healthy and safe communities
- Section 9 - Promoting Sustainable Transport
- Section 11 – Making effective use of land
- Section 12- Achieving well-designed places
- Section 13- Protecting Green Belt land
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.
- Section 15 – Conserving and enhancing the natural environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Development in the Green Belt	SP5
Sustainable Transport	IF2
Managing Flood Risk	NR1
Trees, Woodlands and Hedgerows	NR2
Nature Conservation	NR3
Artificial Light Pollution	EP3
Noise	EP4
Rights of Way and Access to the Countryside	IF5
Community Facilities	IF7

7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

7.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

7.3 Other Strategies or publications material to the proposal are:

- RBWM Parking Strategy

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

89 occupiers were notified directly of the application.

The planning officer posted three site notices advertising the application at relevant points around the site on the 11th and 29th January 2019 and the application was advertised in the Local Press on the 17th January 2019.

61 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	The Club brings benefits to the community for both young and old.	Paragraphs 9.75-9.88
2.	Noise – Air rifles and small bore rifles are used, not guns. There is no loud noises or explosions. They are much quieter and far less powerful than other rifles. The air rifle users all use moderators/ ‘silencers’ which are very effective. The sound does not carry and the resulting noise would not startle or even bother a horse or dog walker on the nearby footpaths or bridleways.	Paragraphs 9.20-9.38
3.	The noise generated by the Club would be nowhere near the level generated by local clay pigeon shoots or other shotgun.	9.20-9.38
4.	No noise complaints have been received at its Braywick site.	9.20-9.38
5.	MTSC is a small club with a small number of members run purely by volunteers and its very limited budget comes purely from the very reasonable membership fees and range fees. It is run as a small community of local people who welcome people from the local area and who help keep the facilities maintained and in working order.	9.75-9.88
6.	It provides a valuable community facility for young and old.	9.75-9.88
7.	There are never any traffic issues – people come and go during the day time and there should be no concerns about extra traffic.	9.45-9.55
8.	The club brings social and economic benefits to the Borough.	9.75-9.88
9.	The sound from the activity would be negligible.	9.20-9.38
10	The sympathetic design would blend into its surroundings and would maintain the openness of the Green Belt.	9.2 -9.15
11	The noise tests carried out found that there is no disruption or noise disturbance to users of the bridle path and the locality.	9.20-9.38
12	Provision of 15 car parking spaces will be more than adequate to serve the requirements of the members. For competitions the hard standing area in the farm yard close to the site entrance can be used.	9.45-9.55
13	Enhanced buffer planting, hedgerow and bunds will create a self-contained site. Buildings will be low level and hidden from view behind Oak Tree Farm.	9.9-9.15
14	The club is not a private club. It is open to anyone with an interest in the sport.	9.75-9.88
15	MTSC is a registered Disability Hub Club with British Shooting and has strong links with SportsAble.	9.75-9.88
16	Support from Local MP Theresa May to find an alternative site within RBWM.	9.75-9.88
17	MTSC is a long-standing sporting facility within the RBWM for over 100 years and is an important asset to the community	9.75-9.88
18	Olympians have and do use the club	9.75-9.88
19	Rifles have a very different sound footprint to shotguns	9.20-9.38
20	Site would have bunds, trees and fauna which would substantially reduce the sound.	9.20-9.38
21	The club is small and the number of active shooting members who train with any regularity is very small. The clubs previous site had a car park that could accommodate 12 cars and it was never an issue.	9.45-9.55

22	The clubs ability to accept more members is going to be limited as the number of shooting lanes will be less than the previous range.	9.45-9.55
23	The club will not be using flood lit lanes. They will use special LED lights that project a tight laser like beam onto the target face. They are not flood lights and they do not have any spill like ordinary lights have.	9.19
24	The buildings may have security lighting in keeping with the agricultural buildings on site at present.	9.19
25	The building will be in sympathy with the current agricultural units. It will be similar in height to the current buildings and will be set back behind a building.	9.9-9.15
26	The access to the site is via an entrance used by large agricultural plant and trailers. The traffic will not back up onto Forest Green Road.	9.45-9.55
27	The club will be accessed by a private lane and the users of the bridleway and tracks will not be affected.	9.39-9.44
28	The previous range was a haven for wildlife including deer, fox, rabbit, bats roosting etc.	9.62-9.70
30	After extensive exploration of the local area this is the only remaining option to guarantee the future of one of Maidenhead's longest established sporting institutions.	9.75-9.88
31	Members use air powered rifles or small cartridge rifles which have a distinctly reduced noise signature compared to their larger calibre relatives.	9.20-9.38
32	During the preparation of the technical reports no animals were spooked. The sound of small-bore rifles could not be picked up on the monitoring equipment set up adjacent to the kennels.	9.20-9.38
33	The traffic survey is based on actual attendance records which Home Office Approved clubs have to keep. Whilst MTSC has a healthy membership, members do not all shoot at the same time or on the same day. On competition day's people tend to come down, shoot the required targets and leave. In the unlikely event that more parking is required the hardstanding around the existing farmyard will be used. There will be no parking on the roads. The majority of competitions are postal based or internal and hence there will be no additional visitors.	9.45-9.55
34	Building will be alongside an existing barn and shielded from view.	9.9-9.15
35	The club supports the local Scouts in providing a safe and regulated environment for them to enjoy sport.	9.75-9.88

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

Comment		Where in the report this is considered
1.	Not a suitable location for a Shooting Club - Site is surrounded by bridleways and footpaths which are used extensively by horse riders, walkers and dog walkers. Noise would be detrimental to the wellbeing of the animals and the safety of riders and surrounding residents.	Paragraphs 9.20-9.38 and 9.39-9.44
2.	Shooting Club was previously located in Maidenhead Town Centre not in a rural location.	5.1
3.	Inappropriate development in the Green Belt. No very special circumstances exist. It will impact on openness of Green Belt and urbanise the rural area.	9.2 – 9.8
4.	Could set precedent for other development in the Green Belt.	9.8
5.	Additional traffic will be generated on Forest Green Road and surrounding roads.	9.45-9.55
6.	Finding nowhere else to build the shooting club does not amount to very special circumstances.	9.75-9.88
7.	They have been forced to move from their existing site by RBWM and therefore Council has a duty to find them a suitable site not within the Green Belt.	5.1

8.	The club should be allowed to remain at Braywick Park.	9.74
9.	Loss of wildlife habitat and hedgerows.	9.56-9.61
10.	Concerned that traffic will use Gays Lane to access the site if correct postcode is not used.	9.45-9.55
11.	The vehicular access will cross footpaths and bridleways with increased risk to pedestrians.	9.39-9.44
12.	Security lighting would be required and unacceptable light pollution would urbanise rural area particularly during the winter months.	9.19
13.	Remote location could attract criminal activity.	9.17
16.	Creation of new facilities could result in more visitors and an increase in Club members.	9.45-9.55
15.	Noise of guns would be intrusive for local people and wildlife.	9.20-9.38
16.	Parking concerns on competition days.	9.45-9.55
17.	Cars will cross much used public footpaths.	9.39-9.44
18.	Development will detract from the beauty, peace and tranquillity of the area.	9.20-9.38
19.	Site is located close to Old Beams Dog Kennels.	9.20-9.38
20.	The field and surrounding fields are prone to standing water and to build on it would exacerbate the situation.	9.71-9.73
21.	Club should be located at Braywick Park.	9.74
22.	Increase in impervious surface area with result in additional surface water run-off increasing load on local ditches and water courses.	9.71-9.73
23.	Safety bund, building and facilities are large and unsightly.	9.9-9.15
24.	Gay's and Langworthy Lane are unsuitable for increased volumes of traffic.	9.45-9.55
25.	There are a lot of equestrian establishments including livery yards, private yards and polo yards in and around Holyport who use the bridleways.	9.21
26.	Noise reports only give examples of level of noise for humans and not animals which are far more sensitive to noise. Horses are flight animals and unpredictable and unexpected noise could startle horses causing the rider to fall off.	9.20-9.38
27.	The application does not address the harm caused by the noise and light pollution to the local ecology which has a rich diversity of resident and migratory birds, bats and amphibians.	9.20-9.38
28.	The council is forcing them to move and has a responsibility to find them a suitable site,	9.74
29.	Site contains suitable habitats for Great Crested Newts.	9.62-9.70
30.	Forest Green Road is a 50mph road. Extra traffic entering and leaving Green Lane will add to existing potential hazard.	9.45-9.55
31.	Danger from ricochets and stray bullets	5.3
32.	Impact on local businesses including riding school and boarding kennels.	9.21
33.	It is not for the benefit of local residents.	9.75-9.88
34.	Noise assessment is flawed. The noise assessment by NSL's indicates that noise from the shooting range will be audible both internally and externally at all assessed noise sensitive receptor locations, contrary to Paragraph 180 of the NPPF.	9.20-9.38
35.	The proposal fails to preserve the openness of the green belt and is contrary to Local Plan policy GB1 and GB2 and paragraph 145 of the NPPF.	9.2-9.8
36.	The inability to find another suitable site is not sufficient reason to justify a building on this site. The applicant has failed to demonstrate that there are very special circumstances that would outweigh the harm to the Green Belt.	9.75-9.88
37.	The low attendance of MTSC members demonstrates that there is not significant demand for a facility in the local area and does not constitute 'Exceptional Circumstances' for the loss of Green Belt land.	9.75-9.88

38	Other site options have been ruled out on either financial or tenure basis which are not sufficient reason to justify the application as 'very special circumstances'.	9.75-9.88
39	Larger calibre rifles/pistols could be used at some point in the future and greater traffic problems may occur.	9.45-9.55
40	Do not agree with arbitrary conclusion that 58 dB would be a suitable 'target level' for the level of noise that would not cause harm or disturbance.	9.20-9.38
41	Proposal would have an adverse effect on the recreational and amenity value of a public right of way contrary to policy R14.	9.39-9.44
42	The area is currently susceptible to flooding and any new building could increase risk of even more run off from the hard surfaces.	9.71-9.73
43	Old Beams Kennels and Cattery (60 dogs and 50 cats) lies to the south of the site. Animals could suffer distress.	9.20-9.38
44	Ambient noise level of 30dB(a) will be exceeded on a daily basis. Proposal contrary to Policy GB2 and paragraph 123 of the PPG and should be refused on amenity grounds.	9.20-9.38
45	Not clear what the predicted membership will be and the related traffic and noise generation that this will bring.	9.45-9.55
46	Insufficient car parking for potential numbers using the site.	9.45-9.55
47	Shooting club in Marlow that members could use as they live outside Holyport.	9.85
48	Access road would be adjacent to Bridleway. Having vehicles drive up and down so close to the bridleway would be unsafe and dangerous to local horse riders and dog walkers.	9.39-9.44

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	<p>Comments were initially provided by the Council's Acoustic Specialist on the 8th March 2019. Following an independent noise report submitted by Noise Solutions Ltd (dated 22nd February 2019) on behalf of an objector and concerns raised about excessive noise from residents, a site visit was undertaken to assess the noise of rifles firing at the proposed site on the 9th April 2019. The findings are set out in the additional noise assessment comments dated 30th April 2019 and confirm that at no point was the sound found to be excessive and concluded that noise should not be used as a reason for refusal subject to the imposition of suitable conditions.</p> <p>For full details and analysis on noise and disturbance see section iii below.</p>	Paragraphs 9.20-9.38
Highways Officer	<p>Further clarification was obtained:</p> <p>The width of the internal road, between 4m and 6m is accepted</p> <p>Competitions are spread out over the day and do not usually result in large amounts of parking. Cars could be marshalled and double parked in the car park or overflow into adjoining fields and would not cause congestion on the highway. This is accepted.</p>	Paragraphs 9.45-9.55

	<p>The gates are now shown to be set back from Green Lane to enable a large vehicle to safely pull clear of the Lane to avoid any obstruction or vehicles having to wait on Forest Green Road.</p> <p>The Highway Authority offers no objection to the proposal and recommends conditions and informatives including a Construction Management Plan.</p>	
Tree Officer	<p>The new shooting club and car park is located away from trees and hedgerows and the proposed landscape plan should help to provide screening. There is no objection to the landscaping shown on plan 271/103 but a more detailed landscaping scheme and maintenance program will be required if the application is approved.</p> <p>A new roadway has recently been constructed adjacent to Gays Lane which is located within the minimum root protection area of the mature oak trees growing on the field boundary. The roadway is proposed to be extended to link with the proposed shooting club.</p> <p>It is recommended that the section of road located within the RPAs of retained trees be replaced with a more permeable surface. The proposed road extension should be sited to avoid any of the mature Oak trees. The loss of small sections of hedgerow will be compensated through the planting in other parts of the scheme.</p> <p>Further arboricultural information was requested and received. The details included in the Arboricultural Report state that the farm track will not be used for construction access to prevent compaction damage to the existing mature trees. Details of how the construction traffic will be restricted from using the access will need to be provided as part of the detailed protection measures if the application is approved.</p> <p>No objection to the revised proposals are raised subject to a suitable tree protection condition and landscape conditions.</p>	Paragraphs 9.56-9.61
Lead Local Flood Authority	<p>The submitted FRA and Drainage Statement has not adequately demonstrated that a suitable SUD's scheme is being provided and further information is requested.</p> <p>A further SuDs report has been submitted and the LLFA has been consulted.</p>	Paragraphs 9.71-9.73
Public Rights of Way Officer	<p>There are three Public Footpaths (Footpaths 26, 27 and 28 Bray) and one Public Bridleway (Gays Lane, Bridleway 44) in close proximity to the application site.</p> <p>These public rights of way provide links in a number of circular routes within easy walking distance of residential areas in this part of the borough, and are clearly very well-used.</p> <p>It is considered that the proposed development would have a significant adverse impact on the recreational and amenity value of these public rights of way, and the</p>	Paragraphs 9.39-9.44

	<p>development would therefore be contrary to saved Policy R14 of the current Borough Local Plan.</p> <p>The site of the proposed Target Shooting Club complex is directly adjacent to Public Footpath 26. Currently the views from these public footpaths are across open fields (save for the existing buildings at Oak Tree Farm) and the addition of the proposed Target Shooting Club building and associated infrastructure would significantly detract from the rural character of these views.</p> <p>The access road to the Target Shooting Club would cut across Public Footpath 26, close to its junction with Footpath 27: motor vehicles using this access road would significantly detract from the quiet tranquil nature of these footpaths, and the access road itself would add an extra area of hard surfacing out of keeping with the locality.</p> <p>The proposed access road would cross Public Footpath 28: vehicles using this access road would significantly detract from the quiet and tranquil nature of this footpath.</p> <p>The proposed Target Shooting Club and associated infrastructure, including the access road, would be clearly visible from Gays Lane (Public Bridleway 44 Bray); this would have a significant adverse impact on views from this very well used public right of way.</p> <p>It is considered that the proposed development would have a significant adverse impact on the recreational and amenity value of the local public rights of way network, contrary to saved Policy R14 and the application is recommended for refusal.</p>	
Ecology Officer	<p>The site comprises semi-improved grassland with hedgerows and bare ground and is bordered by a ditch and pond. The site is surrounded by habitat of good suitability for use by protected wildlife.</p> <p>It is recommended that the habitats advice given in Section 5.3 and the precautionary measures detailed in Section 5.4 of the ecology survey report is implemented and secured by planning condition.</p> <p>The site contains habitats suitable for use by Great Crested Newts and results indicate that the adjoining pond has been used by breeding GCN. Further surveys are required to be undertaken to determine the population size class and to inform a licence application to Natural England.</p> <p>Further GCN survey information was received.</p> <p>The Great Crested Newt Survey report details a mitigation plan that if implemented would ensure that GCN are not harmed and their favourable conservation status maintained. As such, if an appropriate condition is imposed, the proposal would be in accordance with planning policy in relation to this species.</p> <p>Summary:</p>	Paragraphs 9.62-9.70

	<p>The site hosts a population of GCN, may be used by a low number of reptiles, foraging badgers and nesting birds. However any adverse impact upon these species can be mitigated and subject to planning conditions to ensure that these species are not harmed (via the submission and approval of a Construction Environmental Management Plan and by obtaining a licence for development works affecting GCN) there are no objections to this application on ecology grounds.</p>	
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Consultees

Consultee	Comment	Where in the report this is considered
Bray Parish Council	<p>Recommended for refusal; No Very Special Circumstances have been demonstrated, GB1, GB2, F1 and P4.</p> <p>The proposed development by reason of scale, siting and mass would introduce a physical build where no building currently exists, just open fields. As such the proposal would be contrary to National Planning Policy Framework and would represent inappropriate development in the Green Belt which is by definition harmful to the openness of the Green Belt. The applicant has failed to demonstrate that there are any very special circumstances that would outweigh harm this application would have on the green belt, being unable to find another site does not override this NPPF Policy and approval would conflict with the surrounding land, which is agricultural.</p> <p>It is understood that land on which the proposed development sits is liable to flood and no information has been supplied by the applicant as to how this will be addressed.</p> <p>BPC feels there is insufficient on-site parking (only 15 provided for 130 private members) especially when competitions are held neither Green Lane nor Forest Green Road is suitable for parking. The entrance sits on an S – Bend and if cars are parked on or around the entrance it will be dangerous to other road users.</p> <p>The development is surrounded by bridle paths on both Green Lane and Gays Lane which are used by walkers, dog walkers and horse riders. There are many equestrian facilities in the area including Windsor Horse Rangers, a Charity for 180 children aged 8 to 18, who regularly use the bridle paths as they are it is a vital part of the areas riding network. The noise of guns going off is a major concern as horses can easily be spooked by this and it could deter horse riders not to use them and back onto the roads. Therefore, if this development is allowed it would be to the detriment of other users of the bridle paths.</p> <p>To date with this and the previous withdrawn application (17/02018/FULL) over 100 residents have written in to object.</p> <p>Additional comments received in response to revised site plan and additional information (received 14/8/19):</p>	<p>Paragraphs 9.2-9.8</p> <p>9.20-9.38</p> <p>9.75-9.88</p> <p>9.71-9.73</p> <p>9.45-9.55</p> <p>9.39-9.44</p>

	<p>Recommends refusal – BPC reiterates the previous recommendations for refusal and adds the following due to the application not demonstrating any very special circumstances – citing from Appeal Ref: APP/TO355/W/18/3206635 Les Lions Farm, Ascot Road, Holyport, SL6 2JB.</p> <p><i>17. I conclude on this issue that while facilities for outdoor sport would be appropriate, it would not preserve the openness of the Green Belt which is one of its essential characteristics, and its encroachment into the countryside would conflict with one of the purposes of including land within it. Accordingly, the proposal would not be one of the exceptions to the construction of new buildings in the Green Belt which should be considered inappropriate, placing it in conflict with paragraph 145b of the Framework and LP policies GB1 and GB2, where they are consistent with the Framework. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances.</i></p>	9.20-9.38
Sports England	<p>Sport England considers this proposal addresses an identified need for this facility type and has the potential to be of benefit to the development of shooting. We would wish to see this accorded an appropriate weight in the decision that is reached on this application.</p> <p>The proposal also fulfils the requirements under the National Planning Policy Framework paragraph 97 bullet point b) in that the sports facility is replaced due to the redevelopment of the site under planning application 18/02601.</p> <p>Sport England offers its support for this application.</p>	9.75-9.88

Others

Group	Comment	Where in the report this is considered
RBWM Access Advisory Forum	The Access Advisory Forum supports this application on the grounds that provision is made for disabled parking spaces and access to both indoor and outdoor ranges will be accessible to people with disabilities.	9.75-9.88
The Holyport Preservation Society	<p>Gays Lane in Holyport is a quiet bridleway which is enjoyed for leisure purposes by children, adults, dog walkers, cyclists and horse riders. It is a peaceful, tranquil and an entirely unspoilt area of Holyport. The location of a gun club in this area is entirely inappropriate for a number of reasons.</p> <p>This application is in the Green Belt and should be rejected on that point alone. There are no special circumstances that should lead to its approval. These are green fields and residents of Holyport want to protect them and our Green Belt.</p> <p>The majority of gun club users do not live in Holyport, so it is not a benefit for local residents. Although the application states that Gays Lane will not be used for vehicular access it is beyond dispute that the presence</p>	<p>Paragraphs 9.20 – 9.38</p> <p>9.39-9.44</p> <p>9.45-9.55</p>

	<p>of such a facility will bring traffic to this peaceful area. Traffic from club members and the ancillary needs of the establishment. This is not what residents and leisure users want.</p> <p>The use of guns, however discreet, however well and securely maintained and however well policed is simply utterly inappropriate here.</p> <p>The Holyport Preservation Society is entirely opposed to this application and urges councillors to reject it.</p>	
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9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i The Principle of the development in the Green Belt
- ii Impact on the character and appearance of the site itself and the locality in general
- iii Impact on the living conditions of surrounding properties, including noise and disturbance.
- iv Impact on the recreational and amenity value of the local public rights of way network.
- v Impact Highway safety and parking
- vi Impact on trees and landscaping
- vii Impact on Ecology
- viii Sustainable Drainage
- ix Other Material Considerations
- x The case for Very Special Circumstances

i The Principle of the development in the Green Belt

9.2 The principle planning consideration in this case is the appropriateness of the development within the Green Belt. The site is currently an open field which lies within the designated Green Belt and there is no built development on the site.

9.3 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (paragraph 133 of the NPPF). The five purposes of Green Belts include ‘c) to assist in safeguarding the countryside from encroachment’

9.4 Paragraphs 143 and 144 of the NPPF state that:

‘Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.’

‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.’

- 9.5 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:
'b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;'
- 9.6 Saved Local Plan policy GB1 provides a list of development which would be acceptable in the Green Belt which includes *'b) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it'*. Saved policy GB2 reinforces the qualifications on openness and purposes, stipulating that permission will not be granted for development if it would have a greater impact on the openness of the Green Belt, or the purposes of including land in it, than the existing development. Whilst policies GB1 and GB2 are not wholly consistent with the Framework Policy GB2 (a) is almost identical to that of the NPPF and is essentially compliant with the aims and objectives of the NPPF.
- 9.7 The proposal involves the change of use of the land for outdoor sport and recreation and includes associated facilities. The clubhouse building includes an indoor shooting range which would not be an appropriate facility for outdoor sport and recreation. The site is currently an open field and the proposal would involve the erection of a sizeable clubhouse building and other associated structures including the backstop, shooting shelters, perimeter fencing, car park and an extension to the access track. The proposal would also generate vehicle movements associated with the use. The proposal would not preserve the openness of the Green Belt, which is one of its essential characteristics. The provision of built structures on what is currently an open site would impact on spatial openness, and whilst in some views the structures would be viewed against the back-drop of the existing adjacent farm buildings, their size and spread across the site would also impact on the visual openness of the Green Belt. The resultant encroachment into the countryside would conflict with one of the purposes of including land within the Green Belt. Accordingly the proposal is considered to constitute inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). The proposal would be in conflict with paragraph 145 b) of the NPPF and Local Plan policies GB1 and GB2 where they are consistent with the Framework.
- 9.8 Each application must be considered on its own individual merits. The development must now be considered against all the relevant material considerations below and then further consideration needs to be given in the context of the VSC exerted by the applicant to establish if the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

ii Impact on the character and appearance of site itself and the locality in general

- 9.9 The design and appearance of a development and the impact it has on the character of an area is a material planning consideration. Paragraph 127 of the NPPF sets out the design principles expected of new developments and paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Saved Local Plan policy DG1 and emerging policy SP3 adopt a similar approach and set out design principles which are consistent with those of the NPPF.
- 9.10 The application has been accompanied by a Landscape and Visual Impact Statement to assist in the visual assessment of the proposal.
- 9.11 The site currently comprises a flat, open field and is rural in character and appearance. The site is visible from a number of public vantage points including the network of public rights of ways, to the south of the site. Other views are more distant and the site lies adjacent to a small complex of buildings at Oak Tree farm which helps to screen the site from the bridleway, Gays Lane to the east.

- 9.12 The main clubhouse building has been designed to have the appearance of an agricultural building and would be clad in sheet materials of a neutral colour (green or grey). The height of the building would not exceed 4 metres. The buildings and other structures would be fairly low in stature with the exception of the backstop which would be 5.5m in height and constructed with railway sleepers and soil and sand. This structure would be set well back within the site towards the northern end and only limited views of this structure would be available from the public domain. The other structures would include a 2.1m high chain link fence around the perimeter of the site, a car park and an extension to the existing access track.
- 9.13 The application has been accompanied by a comprehensive landscaping plan to help reduce the visual impact of the proposal. The site already benefits from some existing screening including an established hedgerow with individual trees along the eastern boundary. The hedgerow is proposed to be supplemented by native plants including Hawthorn, Wild Rose and Elder and trees including Hornbeam, Native Cherry and Field Maple. Views of the site from the east including Gays Lane would be somewhat limited given the amount of existing screening and the existing group of buildings at Oak tree Farm.
- 9.14 The site is more readily visible from the public footpath running close to the southern perimeter of the site and longer views are also available from the network of public footpaths and bridleways to the south and west of the site. A native hedgerow and numerous trees are proposed to be planted to include Field Maple, Hazel, Hawthorn, Holly Wild plum, Wild Rose, Elder and Wayfaring Tree to help screen the development.
- 9.15 A more detailed landscape scheme and a maintenance scheme would need to be secured by condition in the event of planning permission being granted to help mitigate the visual impact of the development on the rural character of the site itself and the locality in general. On balance, it is not considered that the proposed structures would appear unduly prominent or obtrusive or would be significantly harmful to the character and appearance of the site itself or the locality in general so as to warrant refusing the application on this basis. Overall it is considered that the proposal complies with paragraphs 127 and 130 of the NPPF, policy DG1 of the Local Plan and policy SP3 of the submission version of the Emerging Borough Local Plan.

iii Impact on the living conditions of surrounding properties, including noise and disturbance.

- 9.16 Paragraph 180 of the NPPF states *'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
- a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
 - b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
 - c) Limit the impact on light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'*
- 9.17 Local Plan policy NAP3 states that the Council will not grant planning permission for proposals likely to emit unacceptable levels of noise, smells or fumes beyond the site boundaries. Emerging policies EP3 and EP4 refer to light and noise pollution. Development proposals should seek to avoid generating artificial light pollution where possible and proposals that are likely to have a detrimental impact on neighbouring residents, the rural character of an area or biodiversity should provide effective mitigation measures. Development proposals that generate unacceptable levels of noise and affect quality of life will not be permitted. The Club has operated successfully for many years from its site at Braywick Park and there is no evidence that the site would attract any criminal activity.

Impact on light, outlook and privacy

- 9.18 The nearest residential properties are situated some 300m from the proposed site and it is not considered that the proposed development would have any adverse impact on the amenities of these properties in terms of light, outlook or privacy. Likewise it is not considered that the amount of vehicle movements generated by the proposal would result in an unacceptable level of noise and disturbance to these neighbouring properties.

Light pollution

- 9.19 The applicant has confirmed that the Club do not use flood lights. They use special LED lights that project a tight laser like beam onto the target face. The external lighting would be attached to the low level shooting shelters and would only be required during the winter months after dark. In the event that planning permission is granted further details of the external lighting including siting, design (Luminaire type and profiles, mounting height, angles and energy efficiency measures) to ensure no undue harm to the neighbouring amenity and rural character of the locality, could be secured by condition.

Noise and Disturbance

- 9.20 A significant number of the objections received to the application have referred to the potential noise and disturbance resulting from the proposed rifle ranges. The application has been accompanied by a Noise Report prepared by Michael Sugiura Acoustics Consultant. A Noise rebuttal in response to this report has been received from Noise Solutions Ltd dated 22nd February 2019 which was submitted on behalf of Mr Edward Butler of Primrose Farm, Langworthy Lane.
- 9.21 There is a considerable amount of concern raised by local residents to the impact the proposal would have on the living conditions of surrounding residents, commercial businesses including Old Beams kennels and cattery situated to the south of the site and the impact that it would have on the peaceful tranquillity of this countryside location and the enjoyment of the network of footpaths and bridle ways including Gays Lane which are well used by dog walkers, horse riders and walkers. There is concern that any sudden noise from the proposed shooting range could spook the horses and result in accidents.
- 9.22 The Planning Officer and the Council's Acoustic Specialist has undertaken its own exercise to assess the noise of the rifles on the proposed site and the findings are set out below. The assessment took place on the 9th April 2019, 3 Members of the MTSC were present together with their Acoustic Consultant, Michael Sugiura.
- 9.23 The rifles previously fired at Braywick Park and proposed to be fired at the proposed site would be air rifles and rim fire rifles. The rim fire rounds are 0.22 (5.6mm) calibre. These rounds are very small and the whole round is about the same size as a pound coin. A picture showing a rim fire casing fired by the rifle used is shown in Appendix E. The small size of the round means that there is only a small amount of explosive in the round. As a result there is only a small amount of energy, including sound energy, released by the explosion when the round is fired.

Nature of the Sound

- 9.24 When fired the air rifle sounds like a hiss from the air line on a lorry, but not as loud. It makes a pssst sound. The rimfire rifle produces a pop sound. The sound is not what you would expect from a gunshot from a shotgun. There is no bang and it is significantly quieter than a shotgun shot. The rifles being fired did not induce the shock that would be experienced standing so close to a shotgun. Rimfire rifles can be fitted with a moderator that reduce the volume of the sound when the gun is fired. Rimfire rounds and guns fire a round at less than the speed of sound so there is no sonic boom from the round. The unmoderated rimfire gun was the loudest noise so this was used to assess the sound impact of the gun fire.

Appropriate Noise Standards

- 9.25 There is no appropriate noise standard for the noise of a gun range. The Chartered Institute of Environmental Health (CIEH) 'Clay Target Shooting: Guidance on the Control of Noise' uses a shooting noise level (SNL) to assess the noise of shotgun shots. Whilst not totally appropriate, the methodology of using SNL was agreed as the best standard available with the applicant's Acoustic Consultant and the SNL in several locations, including the nearest property to the north on Gays Lane, was calculated. At some of the locations including the location nearest Old Beams Kennels on Forest Green Road, the SNL could not be calculated because the sound of the shots was too quiet due to distance attenuation.

Monitoring

- 9.26 The monitoring took place between 14:00 and 16:00 on the 9th April 2019. There was steady rain from 14:00 which stopped at about 15:00. The rain prevented the use of sound measuring equipment. Aircraft overhead were approaching from the west to land at Heathrow. The shots were fired in between the noise from aircraft overhead.
- 9.27 In terms of the existing noise environment the location is predominantly rural open fields and trees. There was the sound of passing traffic on Green Lane, Gays Lane and Forest Green Road. There was the sound of a tractor working the fields and dog walkers calling their dogs. The loudest and most disruptive noise in the location was the sound of aircraft overhead descending to land at London Heathrow Airport. Often the sound of these aircraft was so loud that they interfered with conversation.
- 9.28 The rounds were fired on the proposed site towards the north. The firing was arranged to take place in groups of 5 rounds at a time. A non-moderated rim rifle was used as this is the loudest rifle that would be fired.

Observations

- 9.29 As the distance from the shooters increased, the volume of the sound of the shots decreased. The sound of the shots was masked by the sound of aircraft and bird song. Bird song was not disturbed by the shooting. Apart from immediately behind the shooters, the sound of the shots was only noticeable if it was listened for. Conversation would have masked the sound and the sound would not have interfered with the conversation.
- 9.30 The table below shows the observations and a map is provided in Appendix E to show the numbered locations for the noise monitoring.

Number	Location	Observations	Predicted SNL
1	3m behind shooters	Pssst from air rifles Loud pop from unmoderated rim fire rifle Quieter pop from moderated rim fire rifle	90 dB (A)
2	South of Oak Tree farm, close to Gays Lane	All 5 shots heard, but only audible if listened for. Volume or nature of the sound unlikely to cause alarm such as startle horses.	61 dB(A)
3	Gays Lane parallel to shooters	All 5 shots heard, but only audible if listened for. Volume or nature of the sound unlikely to cause alarm such as startle horses.	
4	Nearest residential property on Gays Lane (North)	3 out of 5 shots heard. Sound masked by bird song, which continued unaffected by the shooting	53 dB(A)
5	South end of Gays Lane, junction with Green Lane	0 out of 10 shots heard	
6	Junction of footpath	3 out of 5 shots heard.	

	with Primrose Lane (west of site)		
7	Primrose Lane – approximately 100m north of kennels	2 out of 5 shots heard. No barking from dogs heard.	

Other Mitigation

- 9.31 The application includes a bund between the 50 and 100 metre ranges as well as a sand bund backstop to ‘catch’ the rounds. The sand backstop would reduce the noise in two ways. It would ‘catch’ the rounds in sand so there will not be the ‘thwack’ heard from the rounds hitting the wood. The backstop would also be a noise barrier reducing the noise heard by the residents to the north of Gays Lane.
- 9.32 The bund between the 50 and 100 metre ranges would act as an acoustic barrier. The bund and sand backstop would be acoustically soft surfaces that would absorb the sound reducing any echo effects. The club house would also act as a sound barrier reducing the noise heard to the east on Gays Lane.

Suggested Additional Measures to Reduce the Noise

- 9.33 The noise heard and the calculations in the acoustic report show that the noise of the gunfire would be acceptable.
- 9.34 Sound barriers such as grass bunds measuring 1.5m – 2m to the east and west of the firing range could be added to provide extra sound benefit and to screen the ranges, however the provision of these bunds are not required in order to make the development acceptable.

Noise from the internal range

- 9.35 Noise from gun shots from the firing range inside the club house can be controlled by acoustically treating the clubhouse and these details can be agreed by condition.

Conclusion

- 9.36 The applicant’s Acoustic consultant has calculated the worst case shooting noise level SNL at the nearest property, to the north of Gays Lane to be 53 dB(A) and this level is likely to be reduced by the sand backstop. This would be below the lowest observed adverse effect level (LOAEL) referred to in the Noise Policy Statement for England (NPSE) which is the level above which adverse effects on health and quality of life can be detected.
- 9.37 From the reports submitted and the sound of the shots heard, the sound impact of the proposed gun range would be below the LOAEL and noise pollution cannot be used as grounds to refuse the application. In the event of planning permission be granted conditions would however be required to restrict the types of rifles that could be fired, a scheme of sound insulation to attenuate the noise of shooting within the building, restriction on the opening hours and a noise level condition in order to protect the amenities of the surrounding properties and the character of the countryside.
- 9.38 On this basis the application is considered to comply with paragraph 180 of the NPPF, Local Plan policy NAP3 and emerging policies EP3 and EP4.

iv Impact on the Recreational and amenity value of the local public rights of way network.

- 9.39 There are three public footpaths (Footpaths 26, 27 and 28) and one public bridleway (Gays Lane, Bridleway 44) which lie in close proximity to the application site. A map showing the public rights of ways is provided in Appendix E. These public rights of way provide links into a number of circular routes within easy walking distance of residential areas in this part of the borough and are

well used. There are also a number of equestrian establishments in the vicinity of the site which use the surrounding bridleways.

- 9.40 Paragraph 98 of the NPPF states '*Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users...*' Local Plan policy R14 states that '*The Borough Council will safeguard and enhance the public rights of way network and recreational cycle routes.*' Emerging policy IF5 states that '*Development proposals will be supported provided that they protect and safeguard the existing rights of way network and do not adversely affect the recreational and amenity value of the existing rights of way network...*'
- 9.41 Many of the local residents and the Public Rights of Way officer have raised concern that the proposal would have a significant adverse impact on the recreational and amenity value of the surrounding public rights of way and consider that the development would be contrary to Local Plan policy R14. The Rights of Way officer has concluded that the proposal would significantly detract from the rural character of the views from these well used public footpaths and public bridleway, Gays Lane. In addition the access road would cut across Public Footpath 26, close to its junction with Footpath 27 and the existing access track crosses Public Footpath 28. He considered that motor vehicles using the access track would significantly detract from the quiet and tranquil nature of these footpaths. Photographs showing the site when viewed from Public Footpath 26 and 27 are included in Appendix E.
- 9.42 With the exception of the buildings at Oak Tree Farm, the current views from public footpaths 26 and 27 are across open fields and there can be no doubt that the proposal would alter the views from this network of public footpaths and bridleways. However as set out above in section ii, on balance, it is not considered that the proposal would appear unduly prominent or obtrusive or would be significantly harmful to the character and appearance of the site itself or the locality in general so as to warrant a refusal of the application on visual amenity grounds. Whilst the development would be visible from the adjoining footpaths and to a lesser extent the bridleway, Gays Lane, it is not considered that it would detract from the enjoyment of the adjoining public footpaths and bridleways to warrant refusing the application. Likewise the proposal would generate a low level of traffic activity and it is not considered that the amount of vehicle movements generated by the proposal would significantly detract from the quiet and tranquil nature of the footpaths and bridleway or make it unsafe for horse riders and dog walkers.
- 9.43 Many of the residents have raised concerns about the potential noise and disturbance that the proposal would have and its impact on the enjoyment of the adjacent bridleway and public footpaths which are well-used by horse riders and dog walkers. However under section iii set out above it has been adequately demonstrated that the proposal would not generate a level of noise and disturbance which would detract from the enjoyment of the public rights of way or have an adverse impact on the well-being of animals and the safety of the horse riders.
- 9.44 Overall it is not considered that the proposal would cause sufficient harm or have an adverse impact on the recreational and amenity value of the public rights of way sufficient to warrant a refusal. The proposal is considered to accord with Local Plan policy R14 and emerging policy IF5.

v Highway safety and parking

- 9.45 Local Plan Policy T5 expects new development proposals to comply with the Council's adopted highway design standards. Paragraph 109 of the National Planning Policy Framework (NPPF) sets out that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.46 The application has been accompanied by a Transport Statement.
- 9.47 The site is proposed to be accessed via the existing farm access off Green Lane, a public bridleway, close to its junction with the B3024 Forest Green Road. A farm track currently runs around the perimeter of the field to a point where it intersects Gays Lane. At this point the track is proposed to be extended in a westerly direction to serve the development.

- 9.48 The width of the internal access road has been confirmed to range between 4m and 6 m wide and given the nature of the use this width is considered acceptable. The alignment of the road enables the access onto Forest Green Road to achieve clear unobstructed views to both left and right.
- 9.49 The club currently has 130 members and opened 3 days a week (Tuesday, Wednesday and Friday) between 9am and noon and Wednesday evening between 7pm-9pm and at weekends. The traffic survey carried out in October 2018 shows that the club generated between 4 and 9 vehicle movements during its opening hours which are outside peak times. It is clear that the club generates an exceptionally low level of traffic activity. Therefore the Highway Authority has confirmed that the proposal would have no detrimental effect on the local highway network.
- 9.50 It is proposed to provide 15 parking spaces. The parking demand is estimated to be no more than 7 vehicles on a week day and 10 vehicles at the weekend. The proposed car park would be adequate to serve the parking demand for the day to day club activities. However the club holds 2 competitions per year in May and June. The applicant has confirmed that competitions are spread over the whole day with people attending at staggered times throughout the day. The competitions do not usually result in large amounts of parking however on competition days cars could be marshalled and double parked in the car park or could overflow into adjoining fields or on the existing hardstanding, close to the entrance to the site.
- 9.51 During the course of the application a resident of Green Lane raised concern that when the farm gates are closed/locked vehicles can block the entrance to Green Lane resulting in vehicles having to wait on Forest Green Road. The gates are now shown to be set back from Green Lane to enable a large vehicle to safely pull clear of Green Lane before the gates are opened and closed.
- 9.52 Parking for the disabled is to be provided and the building and site would be fully accessible to persons with impaired mobility and to persons with other disabilities. The Highway Authority has raised no objection to the proposal subject to appropriate conditions and informatives including a Construction Management Plan.
- 9.53 Some residents have referred to the potential for the use to intensify and the number of members to increase. The applicant has clarified that based on current club records only 9 people would use the ranges at any one time. If it is used to full capacity there could be 4 people using the indoor range and 10 people using the outdoor ranges, a total of 14 persons at any one time. The arrivals and departures of members are staggered. The applicant has also confirmed that the move is to facilitate the continuation of the club at the current membership levels and that there are no plans to increase membership or intensify the use of the site beyond the previous levels at Braywick Park. During its time at Braywick Park no campaign to increase membership was ever conducted. It is stated that the target shooting community is relatively small and specialised, it does not attract the same level of interest as some of the other shooting disciplines and there are no plans for the club to branch out into other disciplines. A condition could be imposed to restrict the use to particular rifles in order to limit its use.
- 9.54 The level of additional traffic generated by the proposed development would have an acceptable impact on the highway network. The shooting club would have limited opening times and this could be conditioned in the event of planning permission being granted. The arrivals and departures recorded by the club show that traffic activity is spread throughout the morning with no more than 4 or 5 cars arriving in any one hour.
- 9.55 On the basis of the information submitted it is considered that sufficient car parking would be provided and there would be no detrimental impact on the highway network or highway safety. The proposal complies with Local Plan policies P4 and T5.

vi Impact on trees and landscaping

- 9.56 Local Plan policy N6 requires applications to include a detailed tree survey, tree protection measures and an appropriate tree planting and landscaping scheme. Policy N7 requires the retention of hedgerows and will not permit development which would result in the loss of or threat to important hedgerows. Where hedgerow removal is unavoidable, replacement and improved planting will be required.
- 9.57 The proposed shooting club and car park are located away from existing trees and hedgerows. A planting plan and schedule, drawing number 271/104 provides tree and hedgerow planting around the perimeter of the site. The 2.5m high compacted soil bund in the middle of the site is to be seeded with wildflowers and the rest of the site, with the exception of the parking area, would remain as grass. The proposed landscaping and tree planting scheme should help to screen the development and no objection is raised to the landscaping scheme shown on drawing number 271/103 subject to more details and a maintenance program being provided. These can be secured by condition.
- 9.58 Additional tree information was provided during the course of the application in the form of a revised tree survey report, arboricultural implications assessment and protection recommendations (June 2019). A survey of the 10 trees that lie adjacent to the existing farm track has been carried out. The trees are located either in the verge at the side of the existing ditch or in the hedgerow between Gays Lane and the farm track. Drawing number 271/101 shows the positions, tree categories and the root protection areas (RPAs). It has been confirmed that construction vehicles would not use the existing farm track to avoid ground compaction within the RPA's. Details of how the construction traffic would be restricted from using the existing track would need to be provided as part of the detailed tree protection measures and this could be secured by condition. It would however be expected that access would be via Stroud Farm, situated to the north east of the site and not via Gays Lane.
- 9.59 The outer edge of the proposed east to west section of access road would be located at least 1.5m from the outer hedgerow alignment. The existing farm track is in regular use by heavy farm machinery and it is not considered that the additional vehicle movements generated by the shooting club would add significantly to ground compaction where the track passes across the tree RPAs and the trees should therefore be unaffected.
- 9.60 A small section of hedgerow would need to be removed to accommodate the access. However, new hedgerow planting is proposed around the perimeter of the site which would compensate for this loss.
- 9.61 Overall it is considered that the proposal complies with Local Plan policies N6 and N7.

vii Ecology

- 9.62 Paragraph 174 of the National Planning Policy Framework states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. Policy NR3 of the submission version of the emerging Borough Local Plan is consistent with the NPPF and sets out that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites.
- 9.63 The application has been accompanied by an Ecological Appraisal (July 2018) and a Great Crested Newts survey (May 2019). The survey was undertaken in the spring/summer of 2019 to determine the population size and the ecological constraints and opportunities in relation to GCN associated with the proposed development.
- 9.64 The application site comprises semi-improved grassland with hedgerows and bare ground and is bordered by a wet ditch and pond. The site is surrounded by habitat of good suitability for use by protected wildlife. Former farm buildings lie to the east, grassland and arable fields to the south,

north and west (connected by hedgerows), and woodland 230m north and west. The nearest protected species records are for pipistrelle bats located over 600m away.

Habitats

- 9.65 The site is bordered by native-species hedgerow on the eastern and southern boundaries and along the access road. The hedgerow constitutes a Habitat of Principal Importance under Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006 i.e. it is 'Priority Habitat' as per the NPPF. The tree officer has noted that a small section of hedgerow will need to be removed to accommodate the access. However, new hedgerow planting is proposed around the perimeter of the site which would compensate for this loss.

Fauna (excluding great crested newts)

- 9.66 The site contains some, albeit limited habitat that is suitable for use by reptiles particularly along the hedgerow and ditch and the vegetation on site is likely to be used by nesting birds and badgers may forage on the site. These species are unlikely to be adversely affected by the proposals and as long as a mitigation plan, such as that outlined in section 5.4 of the ecological report is implemented, the presence of these species/species groups should not be a constraint to the proposal. A condition requiring the submission and approval of a Construction Environmental Management Plan will be required in the event of planning permission being granted.

Great Crested Newts (GCN)

- 9.67 Six waterbodies within 500m of the site were surveyed for great crested newts GCN. All waterbodies hosted low numbers of GCN and as such, since GCN spend most of their lives on land within up to 500m of their breeding ponds, the proposals in the absence of mitigation, could adversely affect them.
- 9.68 The potential impacts upon the GCNs that could arise as a result of the proposals were identified and include:
- The potential for killing/injury of small numbers of newts
 - The potential for pollution of the waterbody adjacent to the site (SW1) and local ditch network in the absence of appropriate mitigation measures during construction.
 - The loss of low quality core terrestrial habitat for great crested newts
 - The creation of new higher quality terrestrial habitats (meadow, hedgerow and hibernacula).
- 9.69 The GCN survey report details a mitigation plan which if implemented would ensure that GCNs are not harmed and their favourable conservation status maintained. As such providing a condition is imposed which requires a licence for development works affecting GCNs to be obtained from Natural England and appropriate mitigation measures to be carried out, which could include a trapping and translocation process under license, no objection is raised to the application on ecology grounds.
- 9.70 The proposal accords with paragraph 174 of the NPPF and emerging policy NR3.

viii Sustainable Drainage

- 9.71 The site lies within Flood Zone 1. Paragraph 165 of the NPPF requires major development, such as this, to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would not be appropriate. A Flood Risk Assessment and Drainage Statement has been submitted along with a further SuDs report.
- 9.72 The Flood Risk Assessment states that the majority of the site is considered to be at a low risk of surface water flooding. However, the Risk of Flooding from Surface Water mapping actually indicates that the majority of the site lies within the medium risk envelope (equating to a risk of flooding in any given year of between 1% and 3.3%). Some of the residents have also referred to

standing water on the site and the surrounding fields and have raised concern that the development could exacerbate any flooding and increase run-off from the site.

- 9.73 In summary the latest SuDs report recommends that the optimum drainage solution for the site would be to discharge surface water into the drainage ditch adjacent to the eastern boundary of the site. SuDs features include a rainwater harvesting butt, shallow swales and attenuation basin to provide a minimum surface water attenuation volume of 56 cubic metres prior to discharging at a controlled rate to the drainage ditch. A shallow depression or swale is recommended adjacent to the proposed access road to intersect surface water runoff from this feature. The final views of the LLFA have been sought and a Panel Update is to be provided.

ix Other Material Considerations

Loss of community facility

- 9.74 Local Plan policy CF1 does not permit the loss of existing community facilities and buildings unless it is satisfied that there is no longer a need for them or an acceptable alternative provision is to be made elsewhere. The Maidenhead Target Shooting Club was required to vacate its former Council leased site due to proposals to redevelop the site for a special needs school with ancillary multi-use games area, landscaping and parking which was permitted on the 18th July 2019 under application number 18/02601/FULL. It was acknowledged in the consideration of that application that the proposal would result in the loss of a sporting and community facility. It was however concluded that the benefits of the proposal at Braywick Park would outweigh the conflict with policy CF1.
- 9.75 The relevant extract from the Panel report on 18/02601/FULL stated the following: -

Sports England has been consulted and have provided comments on the application. They note that the lease for the club has expired and that the club are in the process of trying to relocate. Regarding the proposed development Sport England also acknowledges the need for the school and the potential for links between the school and the various sports clubs at Braywick Park, including, Maidenhead Archers, SportAble and Maidenhead Rugby Club, which will add value to the experience of the pupils sporting lives and would be consistent with the Department of Media, Sport and Culture's and Sport England's strategies around young people. On this basis Sport England have raised no objections to the application. It is also noted that the school will be provided with its own multi use games area and will have use of the new Leisure Centre being developed on the site of the old driving range. The proposal conflicts with paragraph 97 of the NPPF, however this conflict is considered to be outweighed by other considerations. The existing target shooting club is considered to be a community facility. Policy CF1 of the RBWM Local Plan sets out that the loss of community facilities will not be supported unless there is no longer a need or an acceptable alternative provision is to be made elsewhere. Maidenhead Target Shooting Club is in the process of finding a new home, however, at the time of writing a new site has not been secured. There is some conflict with policy CF1 therefore, however, this is considered to be outweighed by the benefits that the proposed development would provide.

x The case for Very Special Circumstances

- 9.76 With reference to the exceptions listed in paragraphs 145 and 146 of the NPPF it is considered that the proposal would constitute inappropriate development in the Green Belt. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances (VSC). Paragraph 144 of the NPPF states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.77 The Courts have not defined 'very special', beyond confirming that the words must be given their ordinary and natural meaning as contained in R(Chelmsford BC) v First Secretary of State [2004] EWHC 2978 (Admin):

'The words 'very special' must be given their ordinary and natural meaning. Since the expression 'very special' is so familiar, any attempt at definition is probably superfluous, but for what it is worth, the Shorter Oxford English Dictionary tells us that special means:

Of such a kind as to exceed or excel in some way that which is usual or common; exceptional in character, quality or degree. The circumstances must not be merely special in the sense of unusual or exceptional, but very special'

9.78 The decision-taker has to exercise a qualitative judgment and ask whether the circumstances, taken together, are very special.

Harm to the Green Belt and Any Other Harm

9.79 In accordance with Paragraph 144 of the NPPF, any harm to the Green Belt in relation to inappropriateness, conflict with the purposes of including land within the Green Belt and harm to openness should be given substantial weight against the development. The proposal is considered to be inappropriate development in the Green Belt, and therefore, by definition, harmful to the Green Belt, is contrary to one of the purposes of the Green Belt to assist in safeguarding the countryside from encroachment, and would result in a reduction in both visual and spatial openness. Overall, this amounts to substantial weight against the proposal.

9.80 The applicant has put forward a case for VSC in the 'Supporting Statement on Town Planning Matters' containing 'Very Special Circumstances' and 'Very Special Circumstances' update December 2018 Search for Sites. A map has also been provided which identifies some of the various locations of the alternative sites looked at. A summary is provided below:

- Maidenhead Target Shooting Club is held in high repute within the shooting fraternity.
- MTSC provides high quality shooting facilities to a wide range of people.
- MTSC is a non- profit organisation set up to provide shooting facilities for the population in the area.
- It operates in partnership with Sportsable and is also registered as a Disability Hub Club with Shooting GB.
- It hosts shooting evenings for one of the local Scout troops.
- The Club is no longer able to operate at its existing site as a result of the Council's redevelopment proposals for Braywick Park.
- It has not been possible to find a suitable site within the Borough, outside the Green Belt. Most of the Borough is constrained by Green Belt, and other designations such as flood plain, Conservation Area etc. and a site within a built up area would be too close to residential uses.
- The Club is a very popular and successful club fulfilling one of the aims of the Olympic Legacy.
- It has the full support of the National Small-bore Rifle Association.
- The loss of the facility would result in a major gap in shooting facilities in the Borough.
- The proposal would incorporate significant landscaping provision to reduce the impact of the building on the surrounding area.
- The proposed site would not cause any harm through noise, ecological or highways impact or impacts on the amenities of neighbouring properties.
- Support received from Theresa May MP to find an alternative site within the Borough.

Lack of an available, alternative, suitable site

9.81 The key part of the applicants Very Special Circumstances (VSC) case is the lack of availability of alternative suitable sites. A sequential test has been undertaken to assess the suitability of potential sites. A suitable site is considered by the applicant to be one with sufficient space to accommodate equivalent facilities and in a rural or semi- rural location, not located near sensitive uses such as residential properties. The report concludes that all the alternative sites identified

are either unsuitable or unobtainable and that following an extensive search, the application site is the only site the Club has been able to progress.

- 9.82 A total of 26 alternative sites have been looked at, although not all of them are identified on the Ordnance Survey map provided. It would appear that all the sites identified within the Borough lie within the designated Green Belt. There are some sites which lie beyond the Borough boundary in Bourne End, Wokingham and Reading. The sites discounted were done so for a variety of reasons including:
- Outside the Borough
 - Necessary facilities could not be provided
 - Only short term lease/contract offered.
 - High rent
 - Conflict with other land users.
 - No communication/response – owners did not wish to proceed
- 9.83 After extensive efforts only one site was found to be potentially suitable and available at Stroud Farm (the application site) where the Club could lease the land for a suitable period of time. The Club contend that this is the only remaining option to secure the future of one of Maidenhead's longest established sporting institutions.
- 9.84 Having reviewed the alternative sites and the reasoning put forward there is concern that most of the sites have been ruled out for financial or tenure reasons and not for sound planning reasons. It is not considered that it has been properly demonstrated that other more suitable sites, for example on 'previously developed land' cannot be found. The lack of available alternative sites can only be given 'limited' weight in this instance. Whilst it is acknowledged that the club is relocating from another Green Belt site in Maidenhead, the former premises were tucked away and not readily visible. The proposed site is an open field and its visual impact on the openness of the Green Belt would be considerably greater.

The benefits to the community and sporting benefits

- 9.85 Sports England supports the application and considers that the proposal addresses an identified need for this facility and has the potential to be of benefit to the development of shooting.
- 9.86 By their own admission, Maidenhead Target Shooting Club is a relatively small club, with a small number of members. There is only a limited demand for the facility in the local area and whilst the Club welcomes people from the local area, a significant number of the members come from outside the Borough.
- 9.87 It is however acknowledged that the club has served the shooting community in Maidenhead for a considerable number of years and contributes to the local recreation facilities for the disabled and all ages, and contributes to the provision of sporting participation both within the Borough and the Southern Region. On this basis 'considerable' weight should be given to the sporting benefits of the proposal.
- 9.88 No weight can be given to the proposed improvements to landscaping or the fact that the proposal would cause no harm through noise, ecological or highways impact or impacts on the amenities of neighbours. Any economic benefits could also only be given 'limited weight'.
- 9.89 Overall it is not considered that the harm to the Green Belt is clearly outweighed by these considerations either individually or cumulatively. The proposal constitutes inappropriate development in the Green Belt and no Very Special Circumstances have been adequately demonstrated to outweigh the harm.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

The proposed development is not CIL liable.

11. CONCLUSION

The proposal is considered to constitute inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. This harm attracts substantial weight. The proposal would not preserve the openness of the Green Belt, which is one of its essential characteristics, and its encroachment into the countryside would conflict with one of the purposes of including land within the Green Belt. The benefits of the scheme put forward by applicant are not considered to outweigh the harm to the Green Belt and any other harm. Therefore, it is considered that VSC have not been adequately demonstrated to justify the proposal and the proposal is contrary to Local Plan Policies GB1 and GB2 (a), BLPSV policy SP5 and the guidance set out in Section 13 of the NPPF.

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Layout plans
- Appendix C - Elevation drawings
- Appendix D – Tree survey, protection and planting plans
- Appendix E - Photographs and maps
- Appendix F – Layout of former facilities at Braywick Park.

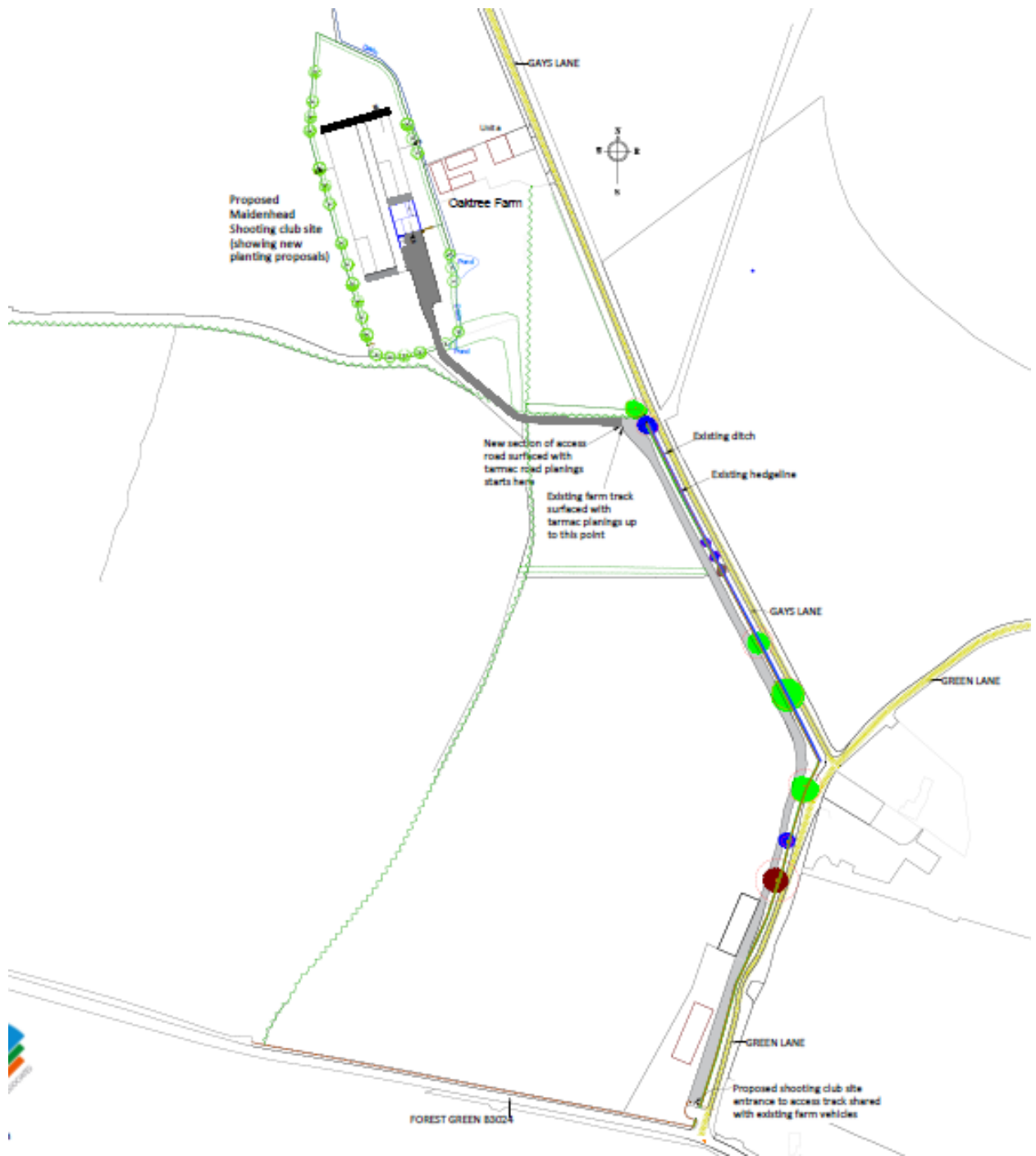
13. REASONS RECOMMENDED FOR REFUSAL

- 1 The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment', and would be harmful to the openness of the Green Belt. No Very Special Circumstances have been demonstrated that clearly either individually or cumulatively outweigh the harm to the Green Belt and any other harm. The proposal is therefore contrary to the provisions of saved policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policy SP5 of the Borough Local Plan Submission Version (2017), and paragraphs 133, 134, 143, 144 and 145 of the National Planning Policy Framework (2019).

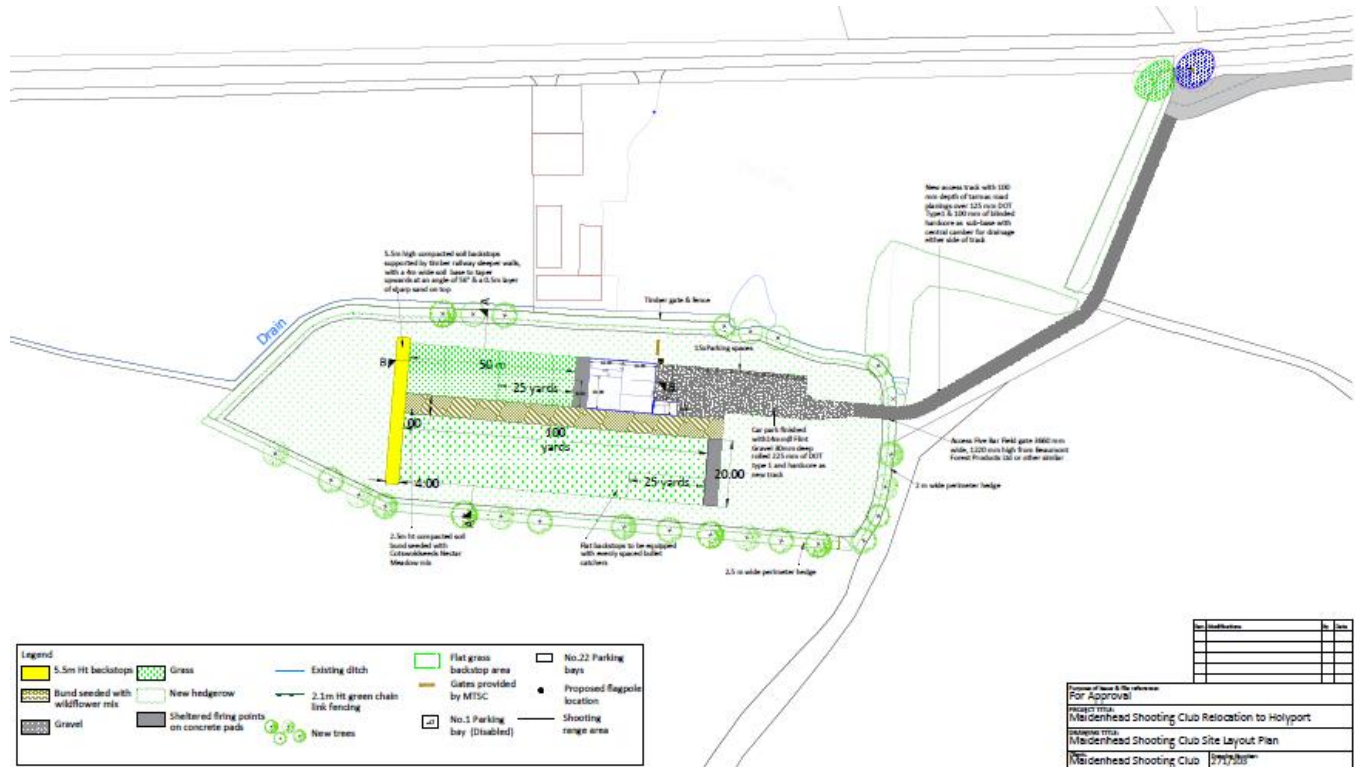
APPENDIX A – SITE LOCATION PLAN



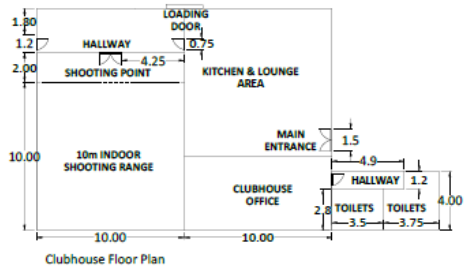
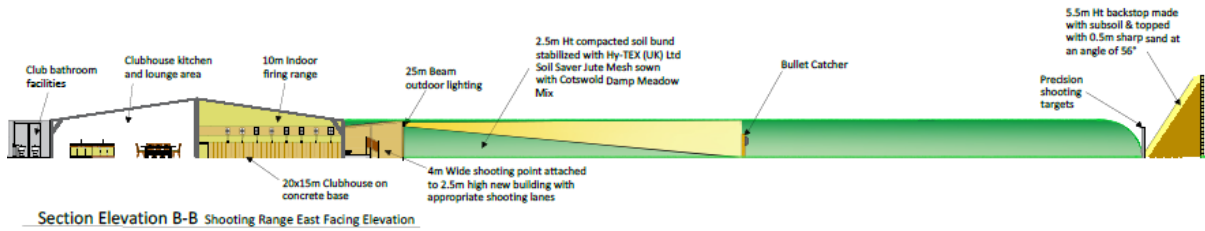
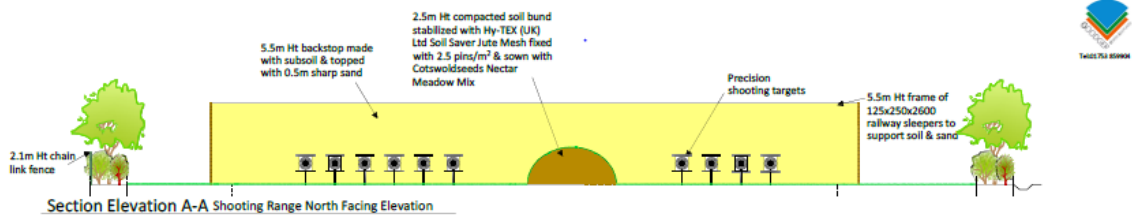
APPENDIX B – LAYOUT PLANS



SITE LAYOUT PLAN

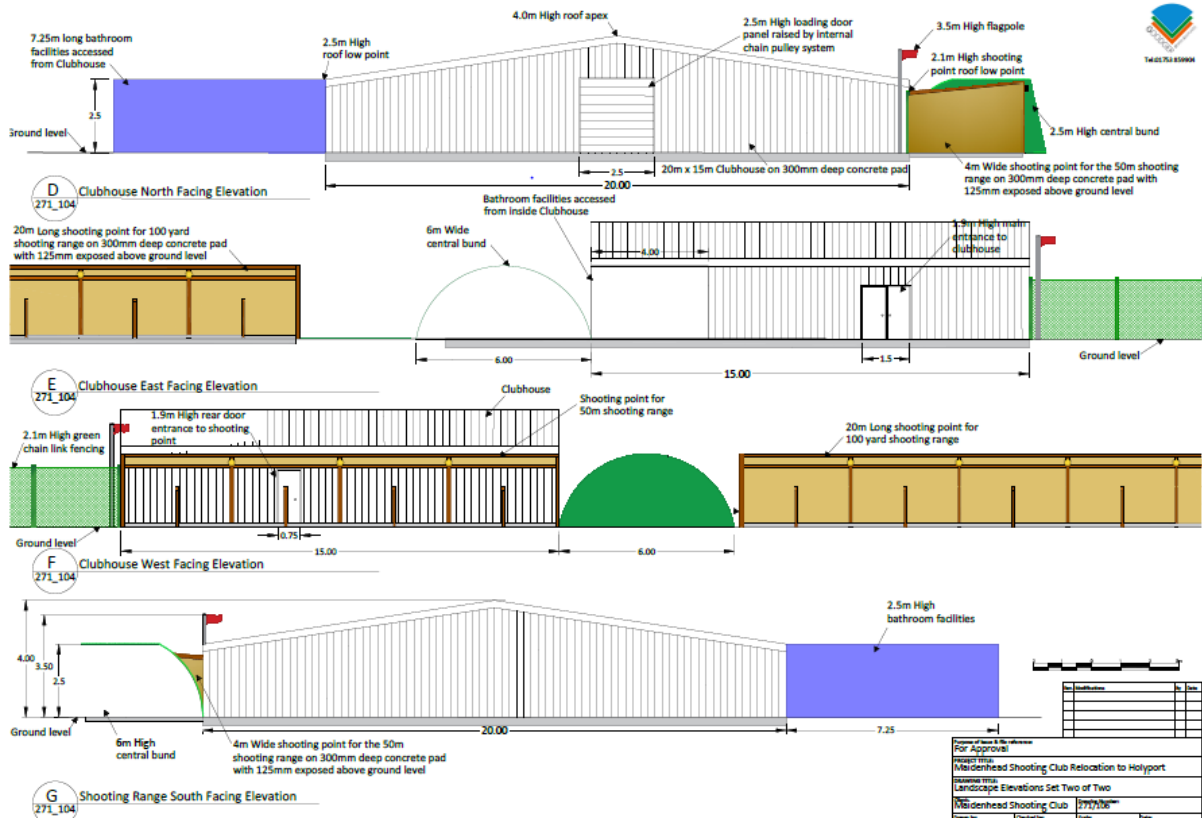


APPENDIX C – ELEVATIONS DRAWINGS

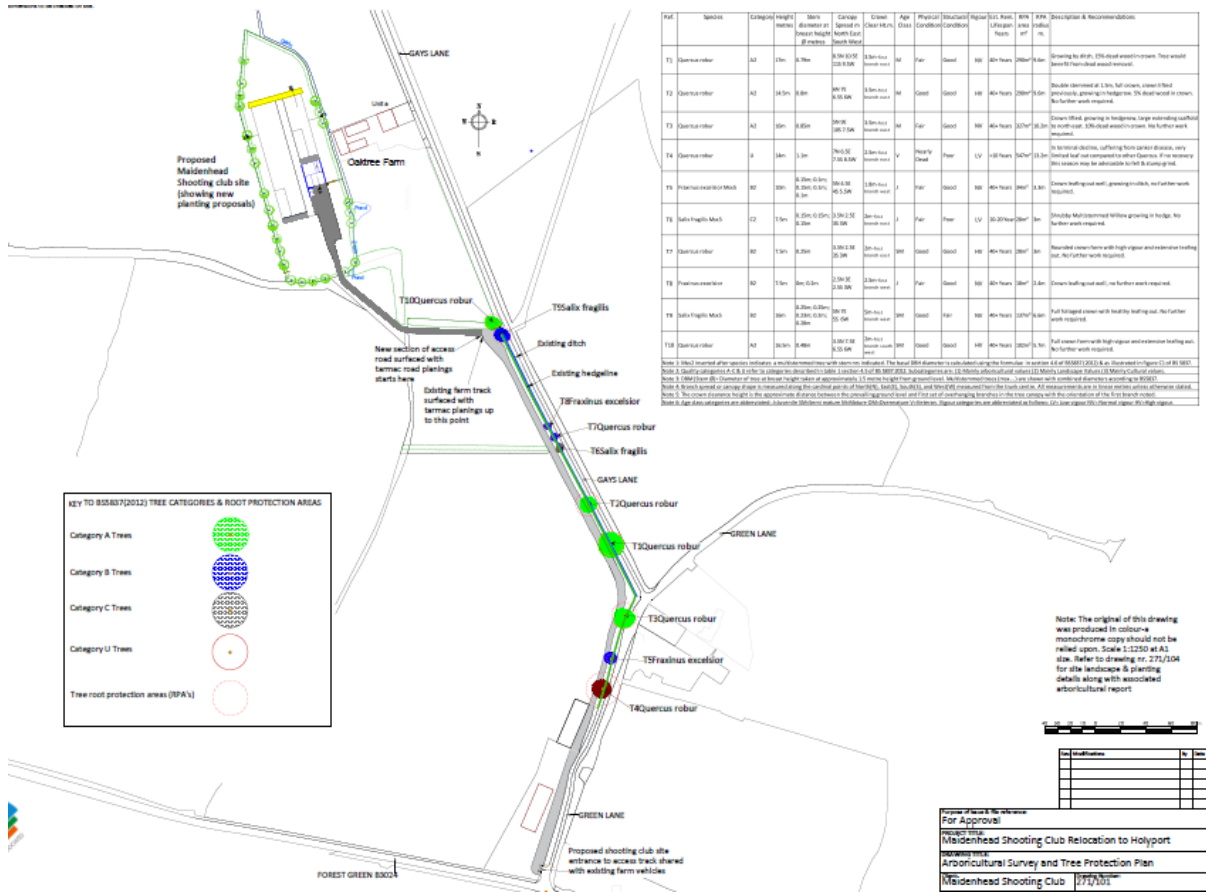


No.	Description	By	Date

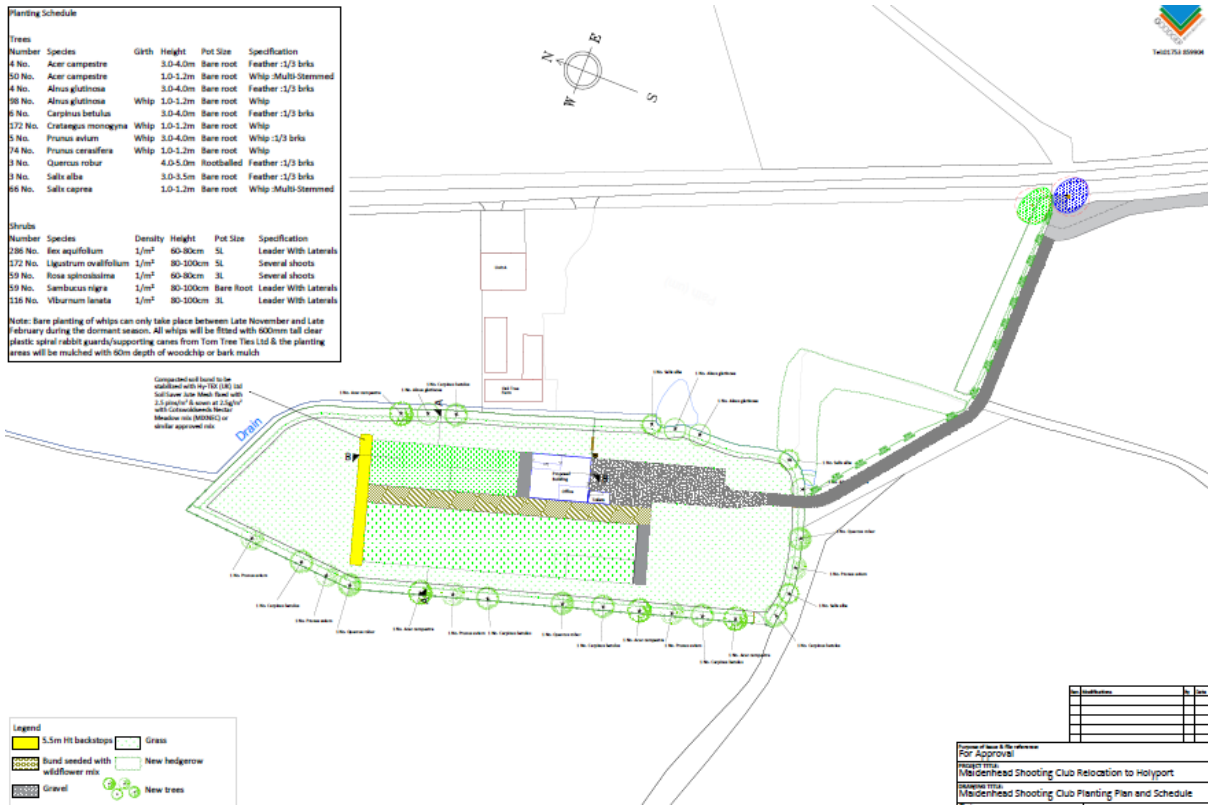
Checked by: [Signature]
 Project Title: Maidenhead Shooting Club Relocation to Holyport
 Drawing Title: Landscape Elevations Set One of Two



APPENDIX D – TREE SURVEY & PLANTING PLAN



PLANTING PLAN AND SCHEDULE



APPENDIX E – PHOTOGRAPHS & MAPS

Size of the round



Photo taken during the firing of rounds on the application site



Map showing numbered locations for noise monitoring

Neighbourhood Map



Extract from Public Rights of Way map



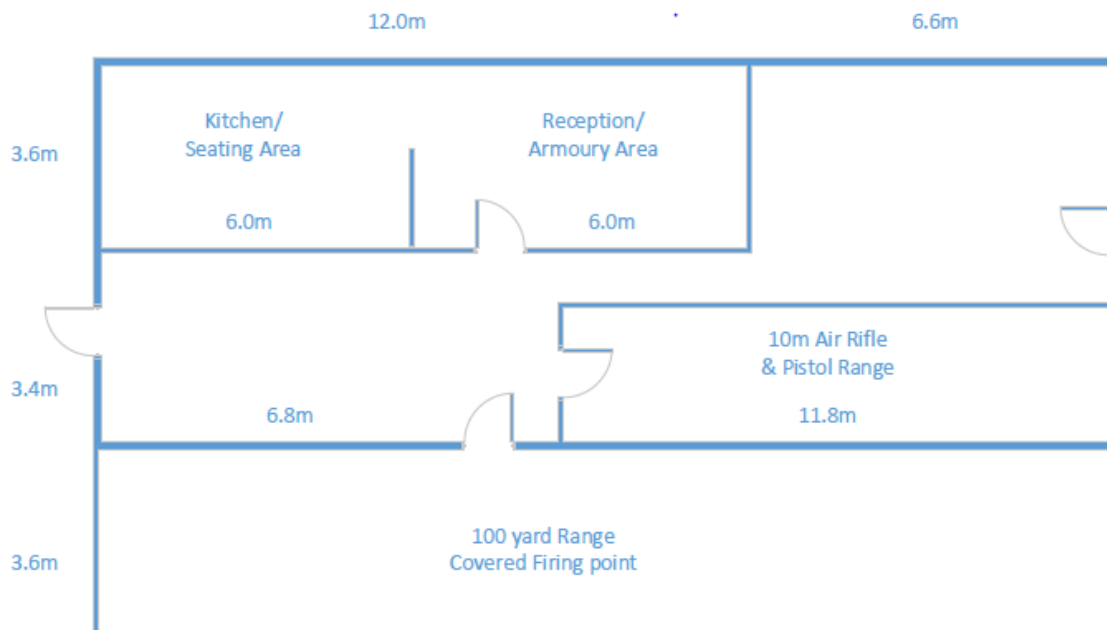
Photograph – application site viewed from Public Footpath 26



Site of proposed access road viewed from junction of Footpaths 26 & 27



APPENDIX F – LAYOUT OF FORMER FACILITIES AT BRAYWICK PARK



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Agenda Item 5

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 2

Application No.:	19/00942/FULL
Location:	70 - 72 High Street Maidenhead
Proposal:	Change of use and extension to the upper floors from ancillary retail use to form 8 apartments, alteration and extension of the ground floor retail unit with roof terrace over, alteration and extension of first and second floor, and construction of a block of 18 apartments with new pedestrian access.
Applicant:	Mr Devine
Agent:	Mr Paul Devine
Parish/Ward:	Maidenhead Unparished/Oldfield Ward
If you have a question about this report, please contact: Antonia Liu on 01628 796034 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application is for a change of use and extension to the upper floors of No. 70 and 72 High Street, Maidenhead from ancillary retail to residential to form 8 flats; the alteration and extension of the ground floor to form a single retail unit and alterations and extension; a roof terrace / courtyard over the ground floor providing approximately 245sqm of communal amenity space; erection of a 5 storey block fronting onto West Street accommodating 18 flats; and other associated development.
- 1.2 Overall the proposal would retain and adapt a retail unit, which would better meet the needs of retailers and be viable in terms of operation within the primary shopping area and town centre. The proposal would also provide additional housing on previously developed land in a sustainable location, and make more efficient use of under-utilised upper floors above shops.
- 1.3 It is not considered to result in harm to the significance of the heritage asset (Maidenhead Town Centre Conservation Area) or its setting, the streetscene when viewed from the High Street or West Street, or the character of the area including the skyline when viewed from the wider locality.
- 1.4 The scheme would have an acceptable impact on neighbouring residential amenity in terms of loss of light, visual intrusion and overlooking. Furthermore, the proposal would not harm air quality during the construction or operational phase.
- 1.5 It is considered that there would be no harm in terms of highway safety and the local highway infrastructure. No on-site parking is proposed, but given its sustainable location there are no objections in this respect.
- 1.6 The proposal is not considered to harm archaeology subject to a condition securing the approval and implementation of a written scheme of investigation.
- 1.7 A revised surface water drainage strategy has been submitted, and further comments from the Lead Local Flood Authority will be reported in an update along with an updated planning balance.

Subject to no substantive objection from the Lead Local Flood Authority, it is recommended the Panel GRANTS planning permission with the conditions listed in Section 13 of this report.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located within Maidenhead Town Centre and comprises of a mid-18th century, 3 storey, 4-bay building fronting onto Maidenhead High Street. There are 2 retail units on the ground floor with ancillary retail use on the upper floors. No. 70 is currently occupied by Savers while no. 72 was formally occupied by New Look but is now vacant. To the rear is a service area and single storey storage building with access from West Street serving the retail units.
- 3.2 Nos. 70-72 High Street are adjoined to the neighbouring properties on either side (no. 68 and 74 High Street). In general, there are no substantial gaps between the buildings on the High Street, and so the High Street is flanked by buildings of varying heights and facades, limiting views out to the north and south. West Street has historically provided servicing for the properties on the High Street and the south side of West Street is particularly dominated by parking and servicing areas. As such, there is a lack of frontage onto West Street.

4. KEY CONSTRAINTS

- 4.1 The site lies within the Maidenhead West Street Opportunity Area, Maidenhead Town Centre Conservation Area and designated as an important non-listed building. As part of the High Street the site lies within a primary shopping area and the existing building forms part of a primary shopping frontage. The site also lies within an Air Quality Monitoring Area.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal for consideration is for a change of use to the upper floors of the existing building from ancillary retail to residential to form 8 flats; alteration and extension of the ground floor to form a single retail unit, and the provision of a residential bin and cycle store; a roof terrace / courtyard over the ground floor providing approximately 245sqm of communal amenity space; alterations and extension to the first and second floor; and erection of a 5 storey building fronting onto West Street accommodating 18 flats. The breakdown of accommodation is as follows:

	No. of bedrooms	Floor Area	Private Amenity Space
<i>Ground Floor</i>			
Retail	N/A	535sqm	N/A
Residential Bin Store	N/A	39sqm	N/A
Residential Cycle Store	N/A	54sqm	N/A
<i>First Floor</i>			
Flat 1/1	1-bed flat	50sqm	Balcony, 5sqm
Flat 1/2	Studio flat	40.1sqm	N/A
Flat 1/3	1-bed flat	50.1sqm	Balcony, 5sqm
Flat 1/4	1-bed flat	51.4sqm	N/A
Flat 1/5	Studio flat	41.8sqm	N/A
Flat 1/6	Studio flat	44.8sqm	N/A
Flat 1/7	1-bed flat	52.8sqm	N/A
Flat 1/8	1-bed flat	50.7sqm	N/A
<i>Second Floor</i>			
Flat 2/1	1-bed flat	50sqm	Balcony, 5sqm
Flat 2/2	Studio flat	40.1sqm	Balcony, 5sqm
Flat 2/3	1-bed flat	50.1sqm	Balcony, 5sqm
Flat 2/4	1-bed flat	51.4sqm	Balcony, 5sqm
Flat 2/5	1-bed flat	51.6sqm	N/A
Flat 2/6	Studio flat	44.8sqm	N/A
Flat 2/7	1-bed flat	51.9sqm	N/A
Flat 2/8	1-bed flat	50.7sqm	N/A

<i>Third Floor</i>			
Flat 3/1	1-bed flat	50sqm	Balcony, 5sqm
Flat 3/2	Studio flat	40.1sqm	Balcony, 5sqm
Flat 3/3	1-bed flat	50.1sqm	Balcony, 5sqm
Flat 3/4	1-bed flat	51.4sqm	Balcony, 5sqm
<i>Fourth Floor</i>			
Flat 4/1	1-bed flat	50sqm	Balcony, 5sqm
Flat 4/2	Studio flat	40.1sqm	Balcony, 5sqm
Flat 4/3	1-bed flat	50.1sqm	Balcony, 5sqm
Flat 4/4	1-bed flat	51.4sqm	Balcony, 5sqm
<i>Fifth Floor</i>			
Flat 5/1	1-bed flat	53sqm	Balcony, 5sqm Terrace 8.2sqm
Flat 5/2	Studio flat	65sqm	Balcony, 5sqm Terrace 7.4sqm

- 5.2 No. 70 and 72 High Street have extensive planning history relating to the shop premises including alterations to the shop fronts and advertisement consents. A previous application for a change of use and extension to the upper floors from ancillary retail use to form 12 apartments, alteration and extension of the ground floor retail unit with roof terrace over, construction of a block of 20 apartment was submitted in 26 September 2017 and subsequently appealed for non-determination. The appeal was withdrawn from PINS and the current application submitted with a view of overcoming previous concerns in relation to overdevelopment and character.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Adopted Local Plan Policy
Character and appearance of area	DG1, H10, H11
Impact on Conservation Area	CA2
Housing Provision	H3, H6, H8, H9
Highways	P4, T5, T7
Trees	N6
Archaeology	ARCH2, ARCH3
Open Space	R3, R4

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Maidenhead Area Action Plan (MAAP) (2011)

Issue	MAAP Policy
Retail Use	MTC7
West Street Opportunity Area	OA2
Character and appearance of area	MTC2, MTC4
Housing Provision	MTC12
Highways	MTC14

These policies can be found at

https://www3.rbwm.gov.uk/info/200209/planning_policy/1344/maidenhead_town_centre_area_action_plan

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2- Achieving Sustainable Development
Section 4- Decision-Making
Section 5- Delivering a Sufficient Supply of Homes
Section 7- Ensuring the Vitality of Town Centres
Section 9- Promoting Sustainable Transport
Section 11- Making Effective Use of Land
Section 12- Achieving well-designed places
Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Retail Use	TR3, TR6
Character and appearance of area	SP2, SP3
Infrastructure	IF2, IF8
Housing Provision	HO2, HO3, HO5
Impact on Conservation Area	HE1
Trees	NR2
Air Pollution	EP2

7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

7.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- West Street Opportunity Area
- Planning Obligations and Developer Contributions

Other Local Strategies or Publications

7.3 Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Maidenhead Town Centre Conservation Area Appraisal
- Interpretation of Policies R2, R3, R4, R5 and R6
- Affordable Housing Planning Guidance

More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/201027/planning_guidance

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

9 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site on 17 April 2019 and the application was advertised in the Local Press on 18 April 2019. No letters were received.

Consultees

Consultee	Comment	Where in the report this is considered
Arboriculture Officer	No objections. There are no trees on-site or off-site that would be affected by the proposed development. It is noted that a roof terrace / courtyard is proposed over the ground floor, which would increase the greenery on site. Details of soft and hard landscaping should be secured by condition.	Noted and condition recommended.
Berkshire Archaeology	The site falls within an area of archaeological significance, and archaeological remains may be damaged by ground disturbance from the proposed development. Therefore, a condition is recommended securing a programme of archaeological works including a written scheme of investigation has been submitted to and approved by the local planning authority.	Para. 9.39 – 9.40 and condition recommended.
Conservation Officer	No comments received.	Noted.
Environmental Protection	No objection subject to conditions relating to a construction environmental management plan, contaminated land, and vehicle deliveries / collection; and informatives relating to dust and smoke control.	Noted and conditions and informatives recommended with the exception of a construction management plan and deliveries / collection, which are not considered to pass the test of necessity or reasonableness outlined in the NPPG. As such, alternatives are recommended (see conditions).
Highway Officer	No objection subject to conditions relating to a construction management plan, cycle parking provision as approved drawing, refuse and recycling provision in accordance with approved drawing, and stopping up of existing access and reinstatement of footway; and informatives relating to damage to footway and verges, damage to the highway, and no storage of equipment or materials on the public highway.	Para. 9.28 – 9.32 and conditions and informatives recommended.
Lead Local Flood Authority	An attenuating surface water discharge rates to 2l/s is considered acceptable in principle. However, there are concerns about the practicality of the attenuation provide within the blue/green roof and further clarity on the blue/green roof is required in addition to how	Further information is currently with the LLFA for comments, which at the time of writing have not been received. Any comments will be reported in an update.

	<p>exceedance or blockage is managed to prevent flooding from the blue/green roof.</p> <p>Further details are also required on the geocellular storage product and manufacturer, and how it will be utilised.</p> <p>Clarification is also required on the drainage system in West Street. The ultimate outfall of the surface water sewer system is not indicated on the water company's sewer records and so there are concerns that this system may actually be a highway drainage system consisting of a series of linked soakaways to which connection will not ultimately be permitted. Furthermore, the existing surface water drainage system layout, and the location of existing outfall/s from the site have not been confirmed.</p>	
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Others

Group	Comment	Where in the report this is considered
Access Advisory Forum	Supports the application as it will provide town centre apartments built to 'Lifetime Homes' standards.	Noted.
Maidenhead Civic Society	Raises concerns over the lack of vehicular pick up / drop off to the West Street frontage, which can be achieved by reducing the size of the roof terrace amenity space.	Para. 9.5
Thames Water	No objection subject to informative relating to public sewers crossing or close to the development, and sequential approach to the disposal of surface water.	Noted and informatives recommended.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Impact on Character, Including Maidenhead Town Centre Conservation Area
- iii Affordable Housing
- iv Highway Safety and Parking
- v Residential Amenity
- vi Air Quality
- vii Sustainable Drainage
- viii Archaeology
- ix Housing Land Supply

i Principle of Development

Residential Development

- 9.2 It is recognised that Maidenhead town centre represents a sustainable location to live, and in addition to contributing towards meeting local housing need an increase in residential units within Maidenhead town centre would bring more life into the area and help support local shops, services and facilities. As such, Local Plan policy H6 states that the Council will grant planning permission for the provision of additional residential accommodation within town centres. In particular, Local Plan policy H6 encourages the re-use and conversion of vacant upper floors in shopping areas to residential accommodation. Furthermore, MAAP policy MTC12, which also forms part of the Development Plan, states the new housing development will be supported throughout the town centre. It is considered that these policies should be given full weight due to their compliance with paragraph 85 of the NPPF which states that planning policies and decisions should support the role of town centres at the heart of local communities including the recognition that residential development plays an important role in ensuring the vitality of town centres, and paragraph 117(d) of the NPPF which states that planning decisions should promote and support the development of under-utilised land and buildings especially if this would help meet the identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops and building on or above service yards). Therefore, the new block of flats to the rear of the site and conversion/extension of the upper floors of the existing building from ancillary retail to residential are supported in principle. However, overall acceptability is subject to compliance with policies relating to impact on special character and appearance of the host as an important non-listed building and the wider conservation area; highway safety and parking; impact on neighbouring amenity; air quality; sustainable drainage; archaeology; and overall planning balance. These issues are assessed below.

Retail Development

- 9.3 In relation to Maidenhead town centre as a focal point for shopping facilities to serve the local community and its contribution to the vitality and viability of the area, MAAP policy MTC 7 seeks to maintain and enhance the town centre's role by supporting and enhancing retail activity. As a material consideration of significant weight BLPSV policy TR3 also seeks to support Maidenhead town centre as a primary shopping area and enhance retail activity.
- 9.4 In terms of current and future trends the Council's Retail and Town Centre Study (2015) notes that a key driver of change in retailing is the growth of internet shopping. To counter the challenges of internet shopping and to help maintain town centre health and prosperity there has been an increase in importance on the wider all-round experience for shoppers. For example, book stores including a coffee shop, beauty stores including make-over experiences, pharmacies offering basic medical services etc. To enable this, the Retail and Town Centre Study advises on the provision of larger, more flexible floor space. In this case the proposal intends to amalgamate the existing two ground floor units, which are relatively small in size measuring approximately 206sqm and 150sqm, to form one ground floor unit. The proposal also includes a rear extension, increasing the ground floor to provide approximately 542sqm. This is considered to create a larger, more flexible retail unit. Therefore, in line with the Council's Retail and Town Centre Study and in accordance with the aims and objectives of MAAP policy MTC7 there is no objection in principle to the amalgamation and extension of the ground floor retail use.
- 9.5 While the ground floor retail unit would be extended on the ground floor with the change of use of the upper floors to residential the proposal would represent an overall loss of approximately 249sqm of ancillary retail floorspace. Therefore, it should be considered whether the remaining retail unit would still be viable in terms of operation. An unviable retail unit in terms of operation would effectively result in the loss of a retail use to which there would be an objection in principle. In this respect, the Retail and Town Centre Study reports that retailers are also seeking more efficient space. This is a response to the growth of internet / click and collect shopping and decline in 'bulk' shopping. Together with advances in technology to better manage stock, in-town retail units do not necessarily need the same space traditionally required for storage; much of which is now surplus to requirements. In this context it is considered that adequate storage and

facilities could be sufficiently accommodated together with an adequate trading area within the proposed ground floor floorspace. In relation to servicing, refuse collection arrangements would remain the same with access to the proposed bin stores from West Street. For deliveries, Maidenhead High Street is a pedestrian zone from 10am to 5pm, but is open for delivery vehicles between 5pm to 10am the following day. On balance, it is considered that the proposal would not unduly compromise the viability of retail use in terms of operation.

- 9.6 As with the residential development, while the principle of the proposal is acceptable, overall acceptability is subject to compliance with policies relating to impact on special character and appearance of the host as an important non-listed building and the wider conservation area; highway safety and parking; impact on neighbouring amenity; air quality; sustainable drainage; archaeology; and overall planning balance. These issues are assessed below.

Comprehensive Development of West Street Opportunity Area

- 9.7 The site forms part of the West Street Opportunity Area, which MAAP policy OA2 has allocated for mixed-use led regeneration. MAAP OA2 goes on to state that comprehensive development of the West Street Opportunity Area is preferred but a phased approach may be appropriate provided the development is in line with the development and design framework and does not prejudice the future delivery of the opportunity area.
- 9.8 The development and design framework for the regeneration scheme is outlined in the West Street Opportunity Area SPD and includes 21,000sqm of office space, 310 residential dwellings and complementary leisure provision. The SPD goes on to advise that due to multiple landowners and the fragmented nature of potential sites on the south side of West Street it is expected that there would be a more gradual approach. As such, it is considered that the proposal for 26 flats is in keeping with the overall framework by contributing to the planned housing, and as infill development on the south side of West Street it would not prejudice the future delivery of the opportunity area.

ii Impact on Character, Including Maidenhead Town Centre Conservation Area

Density

- 9.9 The proposal will result in approximately 333 dwellings per hectare (dhp), which represents a high density development. MAAP policy MTC12 states that higher density housing will be appropriate in suitable locations and, as a material consideration of significant weight, BLPSV policy HO5 states the proposals for higher density residential schemes in sustainable locations in town centres will be permitted. The site is located in Maidenhead Town Centre which is a sustainable location and had been identified as an area for strategic growth. As such, this quantum of development is therefore acceptable in principle. However, balanced against this, Local Plan policy H11 states that schemes that introduce a scale or density of new development which would be incompatible and cause damage to the character of the area would be resisted and, while paragraph 118 of the NPPF states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes, paragraph 122 of the NPPF states that making efficient use of land should take into account the desirability of maintaining an area's prevailing character and setting and the importance of securing well-designed places.
- 9.10 Relevant design policies including Local Plan policy H10 and MAAP policy MTC4 require new development to display a high standard of design and where possible to enhance the existing environment, while policy DG1 states that harm should not be caused to the character of the surrounding area. Specifically relating to the West Street Opportunity Area, MAAP policy OA2 advises on design principles including the requirement for high quality architecture with active frontages to West Street, and buildings which enhance skylines and make a positive contribution to wider views with particular attention to neighbouring development including heritage assets, roof design and variations in building height. As a material consideration, which should be allocated significant weight, BLPSV policy SP2 states that new development should positively contribute to places in which they are located and larger development such as this (over 10 residential units) will be expected to be of high quality that fosters a sense of place, while policy SP3 outlines design principles which represent high quality design which new development is

expected to achieve. This includes preserving and enhancing the local character with regard to urban grain, layout, density, scale, bulk, massing, and materials; incorporating interesting frontages and design details to provide visual interest; provision of high quality soft and hard landscaping and amenity space; and to ensure no unacceptable harm to neighbouring amenity. Within Maidenhead town centre greater flexibility on building heights will be permitted. The Local Plan, MAPP and BLPSV policies are considered to be in line with paragraphs 124 and 130 of the NPPF which advise that high quality buildings and places is fundamental to what planning should achieve and permission should be refused for development of poor design that fails to take the opportunity for improving the character and quality of the area.

- 9.11 The Council is also required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area to accord with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Local Plan policy CA2 requires development to preserve or enhance the character or appearance of the conservation area by ensuring development is of a high standard of design and sympathetic to local character in terms of siting, proportions, scale, form, height, materials and detailing. As a material consideration, paragraphs 193 to 196 of the NPPF and BLPSV policy HE1, which should be given significant weight, states that the historic environment will be conserved and enhanced in a manner appropriate to its significance, and any harm to the significance of a heritage asset (whether designated or non-designated) or its setting will not be permitted without a clear justification to show that the public benefit of the proposal considerably outweighs any harm to the special interest.

Identified Character of the Area and Existing Building

- 9.12 The sites lie within the historic core of Maidenhead, as identified in the Council's Townscape Assessment, which forms part of the Maidenhead Town Centre Conservation Area. The Council's Townscape Assessment identifies the historic core as having a clear hierarchy of roads comprising of a main through-route (the High Street) with subsidiary roads leading off the principle streets (King Street, Queen Street, Market Street and White Hart Road). Key characteristics include buildings of human scale, typically 2 to 4 storeys in height, with variations in roofscape and frontages creating interest within the streetscene. Building frontages open directly onto the street, resulting in an active character.
- 9.13 In relation to the special interest of Maidenhead Town Centre Conservation Area, the significance differs from one street to the next as the town centre has developed piecemeal through the passage of time. However, aesthetically the character of the High Street consists predominantly of Victorian and Edwardian facades with remnants of earlier buildings behind the facades and some modern 20th century insertions. The service architecture along the High Street including a number of purpose built stables, inns, banks and shops illustrates the historic role of the High Street as an important stopping point for coaches on the Great West Road, and the variations can be attributed to the organic construction of buildings along the commercial main street of the town. In terms of scale and mass, the large majority of the built form within the conservation area is 2 to 3 storeys in height, which is typical of the eras in which they were built.
- 9.14 The site backs onto West Street which lies within the historic town fringe, as identified in the Townscape Assessment. Historically West Street has acted as a service road for the High Street premises and so the southern side of West Street is dominated by parking and servicing areas to the buildings fronting onto the High Street, with a lack of frontage onto West Street. On the northern side of West Street is a mix of development dominated by the BT Telecom Exchange which is a large scale, 7 storey, post-war building. To the west of the BT Exchange is an open surface car park (West Street Car Park) while to the east is the former Portland Arms public house and a Quaker Meeting House which are more domestic in scale at 2 storey. The eastern end of West Street comprises of modern hotel and office development, and the Grade II Listed United Reformed Church. Overall, the environment and experience of West Street is of a mixed, poor quality, and lifeless urban environment.
- 9.15 In terms of the existing building, while the existing ground floor shop front facing onto the High Street is 20th century, the first and second floors have largely retained their Victorian symmetry

and features including good quality sash windows and glazing bars. The rear has been altered extensively over the years, resulting in an ad-hoc and unsympathetic appearance.

Layout, Siting, Height and Scale

- 9.16 The proposal includes a ground, first and second floor rear extension to the existing building. The proposed ground floor would extend to the rear of the plot, measuring approximately 56sqm in depth. The first and second floor rear extension would result in a depth of approximately 20m from the High Street elevation. However, while the proposed depth at ground, first and second floor would be significant, it is not considered to be unduly harmful to the appearance of the host building. In the past there has been significant alterations to the rear of the existing building that make little reference to the proportions, and overall the proposal is considered to be more cohesive appearance. The proposed depth would not be appreciated when viewed from the High Street and Maidenhead Town Centre Conservation Area thereby preserving its special character. In relation to West Street, the proposed rear extension would not be discordant to its character given that a number of existing buildings on the south side of West Street also occupy the entire plot and extend to a similar depth at first and second floor if not deeper. Furthermore, in terms of views from West Street the new block of flats over the ground floor unit would effectively screen the first and second floor extension while the extent of the ground floor would not be appreciated.
- 9.17 Fronting onto West Street would be a new block of flats over the ground floor retail unit, which would be sited adjacent to the public highway, measuring approximately 18m in height to the 5th floor. This element would be a storey higher than the adjacent buildings but the 7m set back from the West Street Elevation would reduce its visual prominence and so it would not appear unduly incongruous within the West Street streetscene. The boundary line and consequently the rear elevation to this building is also stepped, which results in some visual interest and relief, and together with the set back of the top floor would also mitigate any undue visual overbearing impact to West Street.
- 9.18 The block of flats would be visible in medium-to-long views from Bad Godesberg Way and Castle Hill, but from medium-to-long distances the increase in height would be seen in the wider context of this part of Maidenhead, including Maidenhead Town Centre Conservation Area, which is characterised by a varied roofscape. In this context it is considered that the proposed increase in height and roof form would not be overly conspicuous and would contribute to the visual interest of the skyline.
- 9.19 In terms of views from the High Street and from within the conservation area, the Maidenhead Town Centre Conservation Area Appraisal states that significant tall building development has been granted within the town centre and tall schemes are anticipated in various areas within the town centre including the West Street Opportunity Area. These proposals have the potential to affect the character and setting of the conservation area and appropriate assessment should be made about how any given proposal would affect the significance of it. In this case there are no changes to the siting, height and scale of the building fronting onto the High Street thereby preserving the existing character of the High Street and Maidenhead Town Centre Conservation Area. The proposed building fronting onto West Street would not be readily perceived from the High Street due to its siting behind the existing building and the tight urban grain which would limit public vantage points where the proposed building could be seen from the High Street. Furthermore, it is considered that any glimpses would be seen in the context of a visually contained site. It is therefore considered that the new building would preserve the character of the High Street and the setting of Maidenhead Town Centre Conservation Area.

Architectural Detailing and Landscaping

- 9.20 A new shop front is proposed to the High Street frontage, which includes a new fascia across the whole frontage and the conversion of the doorway to no. 70 High Street into the shop window. The fascia is not materially different in siting, depth, width or height from other fascias in the vicinity, and would be generally in proportion to the shopfront and building on which it sits. It is advised that any signage would be subject to a separate advertisement consent. In terms of the removal of the doorway and conversion into the shop window to no 70, the replacement stall riser would be a continuation of the existing black stone while the new glazing would also be a

continuation of the existing timber framed window. It is considered that the resultant amount of glazing would not be ill proportioned. Overall these alterations are not considered to be incongruous to the character of the streetscene of the High Street, nor would it have an impact on the significance of the conservation area. The frontage onto the high street otherwise remains the same.

- 9.21 The architectural detailing of the rear extension to the existing building when viewed from the proposed courtyard is relatively simple with plain grey-buff brickwork and aluminium windows and therefore considered to be of a neutral and inoffensive appearance. The windows to the rear of the existing building would not replicate the siting, size and style of the existing windows on the front elevation. However, the siting of the windows are considered to result in a cohesive appearance, while their size is not considered to be disproportionate to the rear elevation. The style of windows are modern in appearance but there are no substantive objections to this. The inclusion and overall increase in the number of windows would also increase passive surveillance to the shared roof terrace / courtyard to deter anti-social behaviour.
- 9.22 While the proposed roof terrace / courtyard would not be visible from a public vantage point, it is considered that the introduction of soft landscaping would improve the appearance of the site which is currently dominated by built form and hardstanding.
- 9.23 The West Street Opportunity Area SPD aims to create a more lively and attractive environment along West Street. To help achieve this aim, the elevation of the new building fronting onto West Street includes two new pedestrian accesses, one to serve the retail unit and the other to serve the residential accommodation. There would also be windows and balconies serving the flats. This would potentially increase activity on West Street and passive surveillance which would help deter anti-social behaviour and create a more attractive environment. A further aim of the West Street Opportunity Area is to improve links from West Street and the High Street. With an access to the retail unit on West Street and the High Street, while this would not create a public through route that is accessible at all times, it is considered to improve links between West Street and the High Street.
- 9.24 Overall, the West Street elevation is modern in appearance, including full height aluminium framed windows and patio doors and recessed balconies with white render balcony reveals and grey metal railings set in grey buff brick. The top floor will finished in zinc colour cladding. There is no objection to the contemporary design and materials, which are considered to be in keeping with the more recent development to the east of West Street, while the colour pallet is considered to be reflective of West Street in general. The rear elevation, facing the roof terrace / courtyard, is similar in design and materials which is considered to be acceptable.

Summary

- 9.25 For the reasons above the proposal is considered to have no harm on the significance of the Maidenhead Town Centre Conservation Area or its setting and therefore acceptable in this respect. The proposal is not considered to result in harm to the streetscene when viewed from the High Street or West Street or character of the area when viewed from the wider locality, including medium to long distance views of the skyline.

iii Affordable Housing

- 9.26 For residential development sites of 0.5ha or over or schemes proposing 15 or more net additional dwellings, such as this, Local Plan policy H3 requires the provision of 30% of the total units provided on site as Affordable Housing. BLPSV Policy HO3 is given limited weight due to the extent of unresolved objections but for a scheme of this size would result in the same affordable housing requirement. On this basis 8 units should be affordable as part of this proposal.
- 9.27 A Viability Report has been submitted with the application to support the case that the proposed development would be unviable with an affordable housing contribution, which has been independently assessed. Valuations put forward by the applicant were adjusted by an

independent assessor and subsequently agreed. The proposed private residential valuation were provided by a local agent based on comparable evidence. However, due to differences in parking provision and sizes of the units, the value for the studio apartments and 1 bed units were increased. Acknowledging potential legislation to restrict grounds rents to a peppercorn (**zero financial value**) the yield was increased to produce a reduced rental value. In assessing costs, the majority of assumptions in the applicant's viability assessment are in line with the relevant benchmarks by Building Cost Information Services (BICS) of the Royal Institution of Chartered Surveyors (RICS) and therefore considered reasonable. There was a difference in opinion on profits (additional costs). A profit margin of 20% of private revenue was adjusted by the independent assessor to 17.5% as a standard assumption and subsequently agreed. In relation to the retail profit margin this was adjusted to 5% by the independent assessor. This is below a typical 15% level, but reflects that much of the ground floor existing structures are to be retained with comparatively limited expenditure in terms of demolition and rebuild. This was not agreed. However, based on the above the independent assessor concluded that the scheme would deliver a deficit. Therefore, it is considered that it had been demonstrated that the proposed scheme would not be able to make any contribution towards affordable housing.

iv Highway Safety and Parking

- 9.28 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, and policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. MAAP policy MTC14 states that where appropriate development should provide adequate parking facilities, including disabled parking spaces; cycle parking; and provision of electric vehicle charging points. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy. Given the lack of unresolved objections to policy IF2 it is considered that this policy should be afforded significant weight.

Access

- 9.29 Both sites currently benefit from having a vehicular access to the rear of the site off West Street which leads to a small parking and service area for both existing units, which would be lost as a result of the proposal to extend the built development up to the public highway. With the loss of the existing servicing area there is no objection in principle to the loss of the existing access and if minded to approve a condition is recommended to reinstate the footway along this section (condition 5).

Car and Cycle Parking

- 9.30 No on-site parking is proposed, but it is considered that the location could support a car-free development given the town centre is considered to be a sustainable location with good access to public transport and local services. Furthermore there are parking restrictions within the vicinity, such as double yellow lines, time limited parking bays and disabled bays to prevent any potential indiscriminate on-street parking to the detriment of highway safety.
- 9.31 The Council's adopted Parking Strategy states that cycle parking in town centres is encouraged by the Council and it should generally be provided at a ratio of at least 1 cycle parking space per residential unit. 36 cycle parking spaces are proposed on the ground floor for the residential development which would exceed this requirement. There is no objection to this as the facilities would encourage cycling.

Trip Generation

- 9.32 Given the car free nature of the proposed development it is considered that the vehicle trip generation would not unduly impact local highway infrastructure network and is therefore acceptable.

v Residential Amenity

- 9.33 Local Plan policy H11 states that in established residential areas development which introduces a scale or density that would cause damage to the amenity of the area would be resisted. As a material consideration of significant weight, BLPSV policy SP3 requires development to have an acceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight. As a further material consideration, paragraph 127 of the NPPF also states that planning decisions should ensure that development should achieve a high standard of amenity for existing and future users. However, this should be balanced against paragraph 123 of the NPPF which states that where there is an existing or anticipated shortfall of land for meeting identified housing need when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).
- 9.34 To the west of the application site is no. 74 High Street with residential units on the upper floors. However, the proposed extension to the existing building would not extend any further rearwards than the existing first and second floor and so would not have an impact on the residential units at no. 74 in terms of loss of light or visual intrusion that is significantly over and above the existing situation, nor introduce any direct views into habitable rooms. With regards to the new building to the rear this would be sited to the north-east and at a distance of at least 25m from the upper floors at no. 74 High Street. Given the standard angles and pathway of the sun and the separation distance, it is considered that there would be no undue harm relating to overlooking, visual intrusion or loss of light as a result of the new block of flats.
- 9.35 In terms the relationship between the proposed flats to the upper floor of the existing building and the new block of flats, there would be a separation distance of approximately 19m which is considered sufficient to mitigate any undue overlooking or visual intrusion. The new block of flats will be sited to the north and so there are no concerns over sunlight to the residential units on the upper floors of the existing building. In terms of daylight, however, the proposal would intrude through a 25 degree line when taken from the midpoint of the lowest window serving a habitable room and therefore daylight is likely to be affected. However, given the separation distance and the degree of intrusion through the 25 degree line it is considered that daylighting is unlikely to be reduced to such an extent that they would provide unacceptable living standards. Paragraph 123(c) of the NPPF states that authorities should take a flexible approach in applying guidance relating to daylight where they would otherwise inhibit making efficient use of a site as long as the resulting scheme would provide acceptable living standards.

vi Air Quality

- 9.36 The site lies within an Air Quality Management Area (AQMA) due to the exceedance of the air quality objectives with regard to the annual mean nitrogen dioxide particulate matter. Paragraph 181 of the NPPF requires planning decisions to sustain and contribute compliance with relevant limits and take opportunities to improve air quality or mitigate potential impacts from both the construction and operational phases.
- 9.37 In this instance it is considered that the main air pollutant for the area is caused by road traffic. An Air Quality Assessment has been submitted to support the application, which assesses the impacts of existing and future traffic levels during the operation of the development. In predicting concentrations, a conservative approach has been undertaken with an assumption of no improvements in the pollutant background concentrations or road transport emission factors, but with improvements to the traffic fleet it is likely that there would be some associated improvements in this respect. As such, the Air Quality Assessment is considered to be sufficiently robust. The Assessment concludes that nitrogen dioxide and particulate matter are predicted to be below the annual mean objectives and therefore the impact of the proposal on air quality is

acceptable. In relation to the construction phase, if minded to approve it is recommended that a Dust Management Plan, which can be included in a Construction Environmental Management Plan, is secured by condition (condition 8).

vii Sustainable Drainage

- 9.38 Paragraph 165 of the NPPF states that major developments such as this should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. A Surface Water Drainage Strategy (version: Final v.1.0) has been submitted with the application. Following a request for clarification from the Lead Local Flood Authority further information was submitted. At the time of writing comments from the Lead Local Flood Authority on the revised strategy are awaited. Any comments received will be reported in an update.

viii Archaeology

- 9.39 Local Plan policy ARCH3 states planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites of unknown importance unless adequate evaluation enabling the full implications of the development on archaeological interests is carried out prior to the determination of the application. This is supported by paragraph 189 of the NPPF which states that where a development site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.40 The site lies in an area of archaeological significance due to its location within the historic town of Maidenhead. Little is known of the archaeology of Maidenhead town centre as large parts were development in the 20th century without any archaeological investigation and opportunities for investigation on the High Street and West Street frontages are particularly rare. However, medieval deposits have been recorded to the rear of 1-3 High Street, No. 44 High Street and 66 High Street. In addition, excavations in West Street in 2014 and 2015 recorded a late 18th and early 19th century burial ground associated with the former West Street Congregational Chapel. It is therefore considered that there is a credible expectation that investigation may yield something of archaeological interest and if minded to approve a condition is recommended to secure a programme of archaeological work including a written scheme of Investigation to be submitted to and approved by the Local Planning Authority (condition 10). This is in line with Paragraph 141 of the NPPF which states developers should 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 their impact, and to make this evidence (and any archive generated) publicly accessible. In this instance it is considered that further archaeological investigation can be undertaken post-permission as there has been some previous development on the site.

ix Housing Land Supply

- 9.41 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 9.42 Footnote 7 of the NPPF clarifies that ‘out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).’

- 9.43 Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted the BLPSV for Examination in January 2018. The Borough Local Plan

Submissions Version sets out a stepped housing trajectory over the plan period (2013-2033) to meet the Boroughs Housing need. However, the BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply (5hr hls) is the 'standard method' as set out in the NPPF. At the time of writing, the Council is able to demonstrate 4.5 years of housing land supply. Therefore, for the purpose of this planning application the LPA currently cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

- 9.44 Footnote 6 of the NPPF (2019) clarifies that section d(i) of paragraph 11 of the NPPF (2019) is not applied where '*policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*'. This includes designated heritage assets and, in accordance with the NPPF, conservation areas are designated heritage assets. However, for the reasons set out in section ii the proposed development is not considered to result in any loss of or harm to the significance of the designated heritage asset from its alteration or its setting, and therefore while the proposed development falls within a '*protected area(s) or assets of particular importance*' there is no clear reason for refusing the proposed development on this basis. Accordingly the 'tilted balance' is engaged. The assessment of this and the wider balancing exercise is set out below in the conclusion.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The development is CIL liable, but the required CIL payment for the proposed development would be £0 per square metre.

11. PLANNING BALANCE AND CONCLUSION

- 11.1 Paragraph 11 of the NPPF sets out that the presumption in favour of sustainable development applies and with regard to section ix of this report it is considered that the 'tilted balance' should be applied. This sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 11.2 It is considered that the proposal would not result in harm in terms of the vitality and viability of the town centre, nor is it considered to result in harm to the significance of the heritage asset (Maidenhead Town Centre Conservation Area) or its setting. It is not considered to result in harm to the streetscene when viewed from the High Street or West Street or the character of the area when viewed from the wider locality. The scheme would have an acceptable impact on neighbouring residential amenity. It is considered that there would be no harm in terms of highway safety and the local highway infrastructure. No on-site parking is proposed, but given its sustainable location there are no objections in this respect. The proposal would not harm air quality during the construction or operational phase. The proposal is not considered to harm archaeology subject to a condition securing the approval and implementation of a written scheme of investigation. A revised surface water drainage strategy has been submitted, and further comments from the Lead Local Flood Authority will be reported in an update along with an updated planning balance.
- 11.3 Weighing in favour of the proposal is the provision of housing on previously developed land. Paragraph 118 of the NPPF goes on to state that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. Furthermore, paragraph 68 of the NPPF states that local planning authorities should support the development of windfall sites through policies and decisions and give great weight to the benefits of using suitable sites within existing settlements for homes. The site is considered to be a windfall site (sites not specifically identified in the development plan) and brownfield land within the town centre of an existing settlement. Such a site is considered to be suitable for housing, and the NPPF promotes development of such sites for housing. It is acknowledged that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.

11.4 On the basis of the above, the benefits of the proposal would demonstrably outweigh the harm of the proposal.

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Floorplans and Elevations

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

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

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

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

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

3 The development shall not be occupied 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.

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.

4 The proposed building shall be built to the ground levels and heights shown on the approved drawings ref: 234(21)101 Rev E, 234(21)102 Rev B, 234(21)103 Rev C, 234(21)104 Rev C, and 234(21)110 Rev E.

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

5 No part of the development shall be occupied until the existing accesses to the site of the development are stopped up and The footways and verges shall be reinstated in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and of the amenities of the area. Relevant Policies - Local Plan T5, DG1.

6 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. 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.

7 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. 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 cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.

8 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, dust management, 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 and the amenities of existing residents in the vicinity of the site. Relevant Policies - Local Plan T5 and paragraph 181

of the NPPF (2019).

- 9 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 DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' and should include a survey of the extent, scale and nature of contamination; as 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). Where remediation is necessary a remediation scheme must be prepared 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, and approved in writing by 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 approved remediation scheme must be carried out in accordance with its terms. 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. 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 must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Reason: 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.

- 10 No development shall take place/commence (other than demolition to ground floor slab level) until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and: 1. The programme and methodology of site investigation and recording. 2. The programme for post investigation assessment. 3. Provision to be made for analysis of the site investigation and recording. 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation. 5. Provision to be made for archive deposition of the analysis and records of the site investigation. 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. The Development shall take place in accordance with the Written Scheme of Investigation approved. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site lies within an area of archaeological potential; specifically it lies within the historic medieval town of Maidenhead. The condition will ensure the satisfactory mitigation of any impacts upon buried archaeological remains and advance understanding of their significance in accordance with national and local planning policy.

- 11 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 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.
- 2 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.
- 3 No builders materials, plant or vehicles related to the implementation of the development should

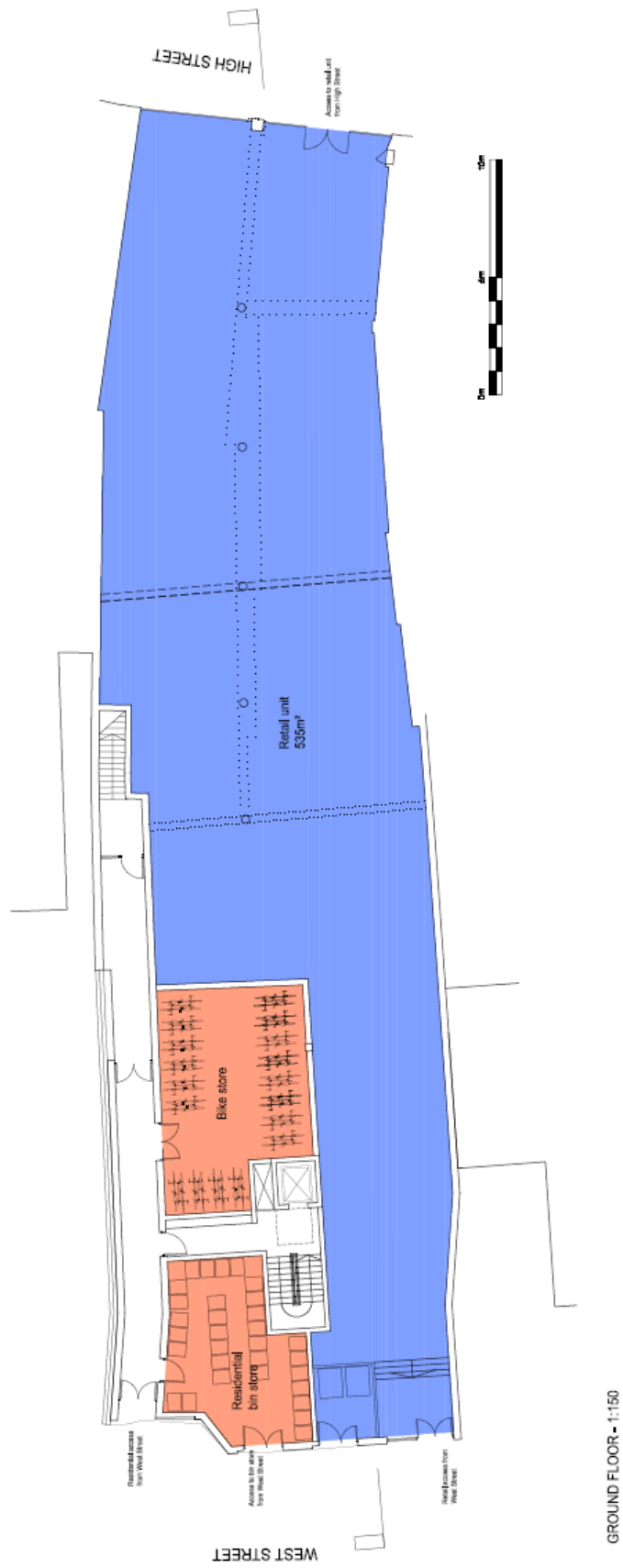
be parked/stored on the public highway so as to cause an obstruction at any time.

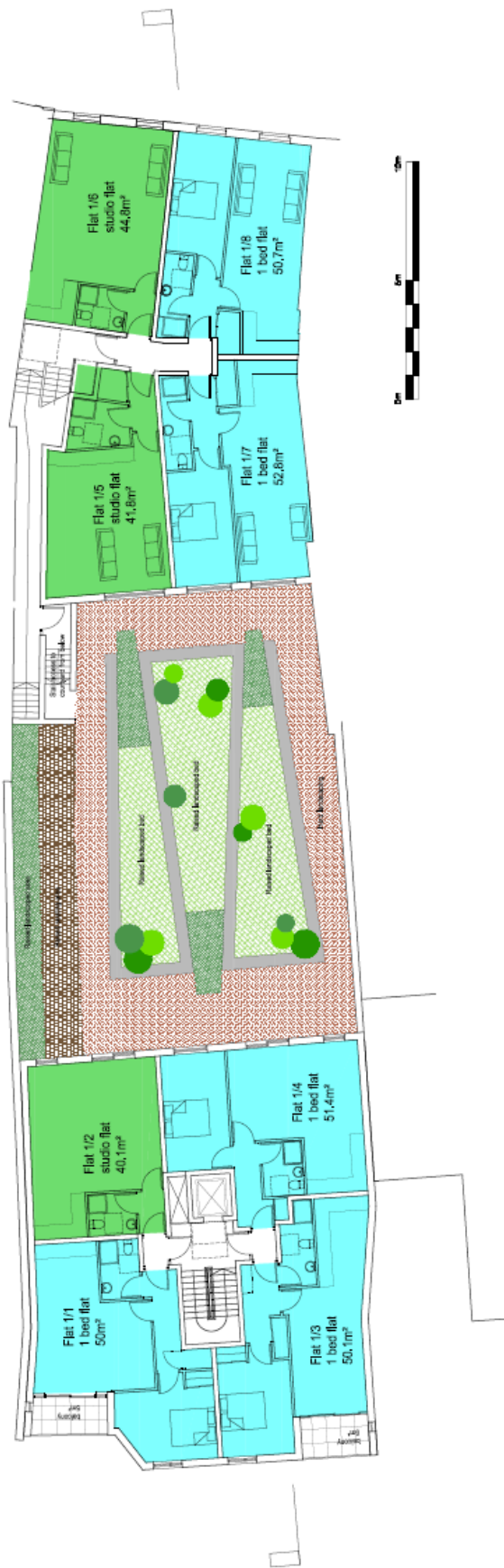
- 4 The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities. The 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.
- 5 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 68 3830 and follow good practice.
- 6 Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer: www.developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices
- 7 The applicant is advised to read guidance on working near or diverting Thames Water pipe: www.developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes.
- 8 In relation to the condition 10 it is advised that demolition should only be to ground level and if the floor slabs are to be removed, this process should be subject to archaeological monitoring. It is expected that the first stage of any programme of archaeological investigation will be exploratory test pits or trenches after demolition but prior to construction. A hiatus will therefore be required after demolition and prior to the commencement of construction work. If permission is granted, the applicant is therefore advised to ensure that their programme provides for sufficient time for a period of archaeological investigation after demolition but prior to the commencement of construction.

Appendix A – Site Location Plan



Appendix B – Proposed Floorplans and Elevations





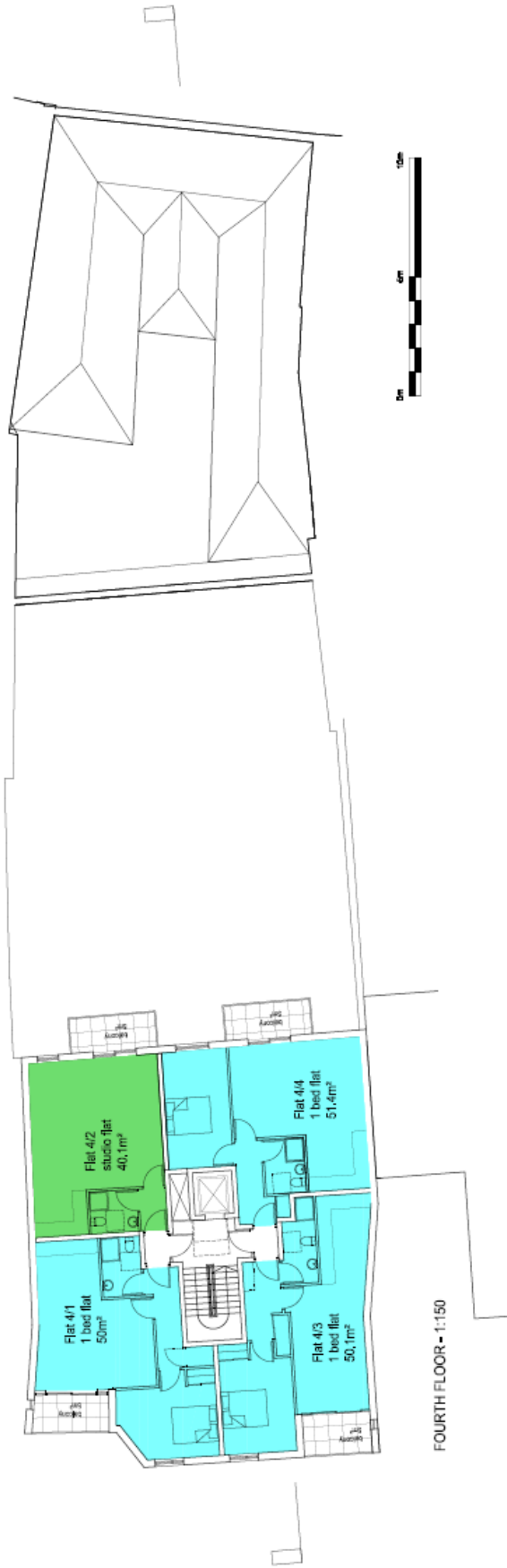
FIRST FLOOR - 1:150



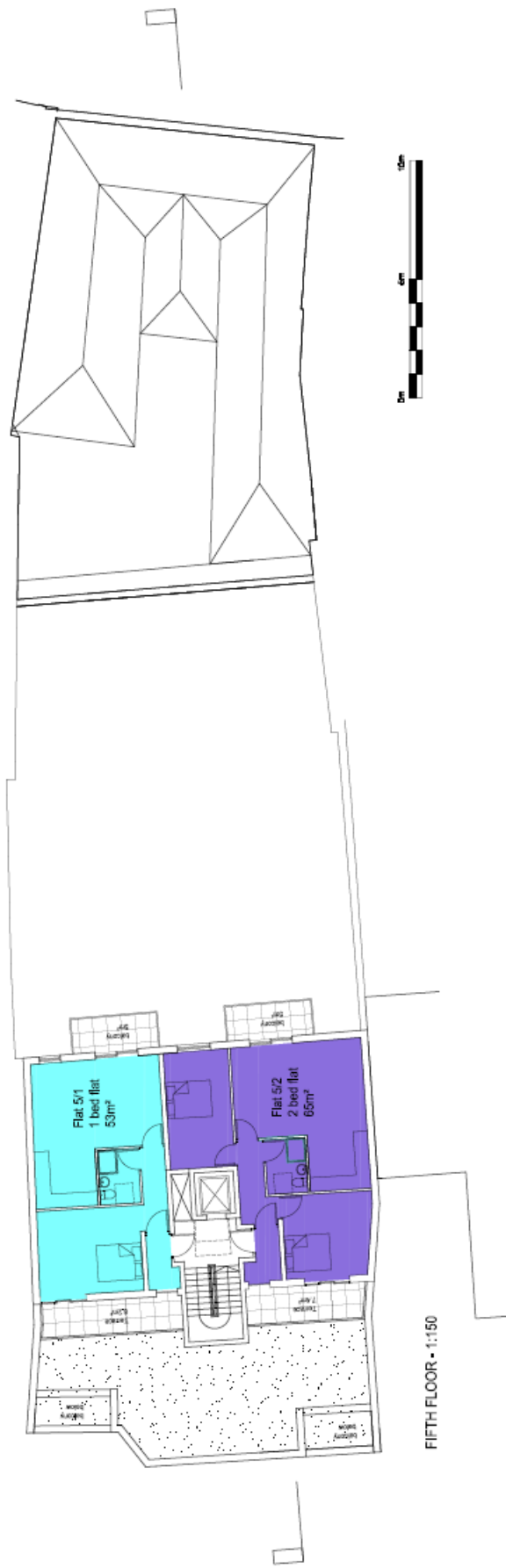
SECOND FLOOR - 1:150



THIRD FLOOR - 1:150

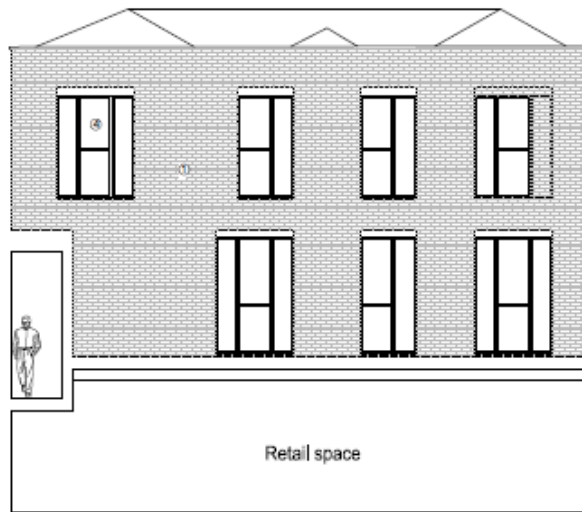


FOURTH FLOOR - 1:150





ELEVATION A
PROPOSED FRONT ELEVATION - 1:100



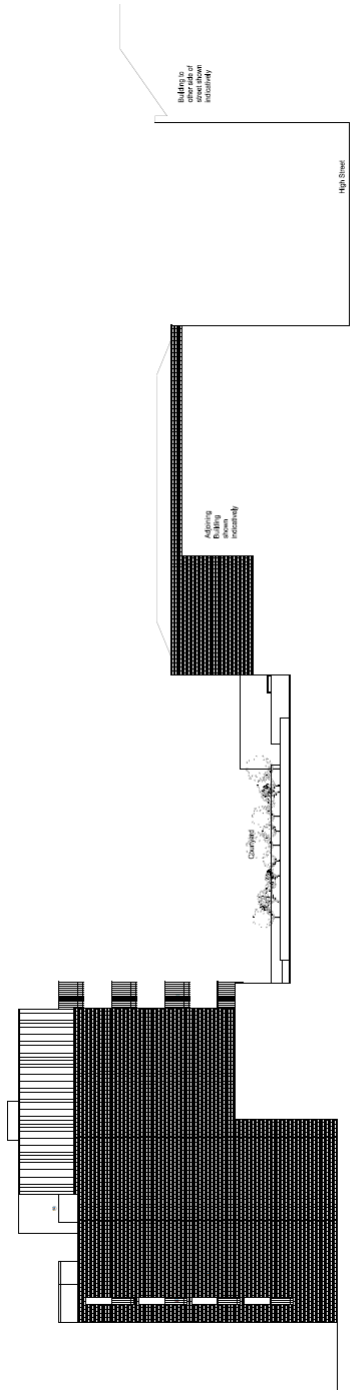
ELEVATION D
PROPOSED COURTYARD ELEVATION - 1:100



ELEVATION B
PROPOSED REAR ELEVATION - 1:100



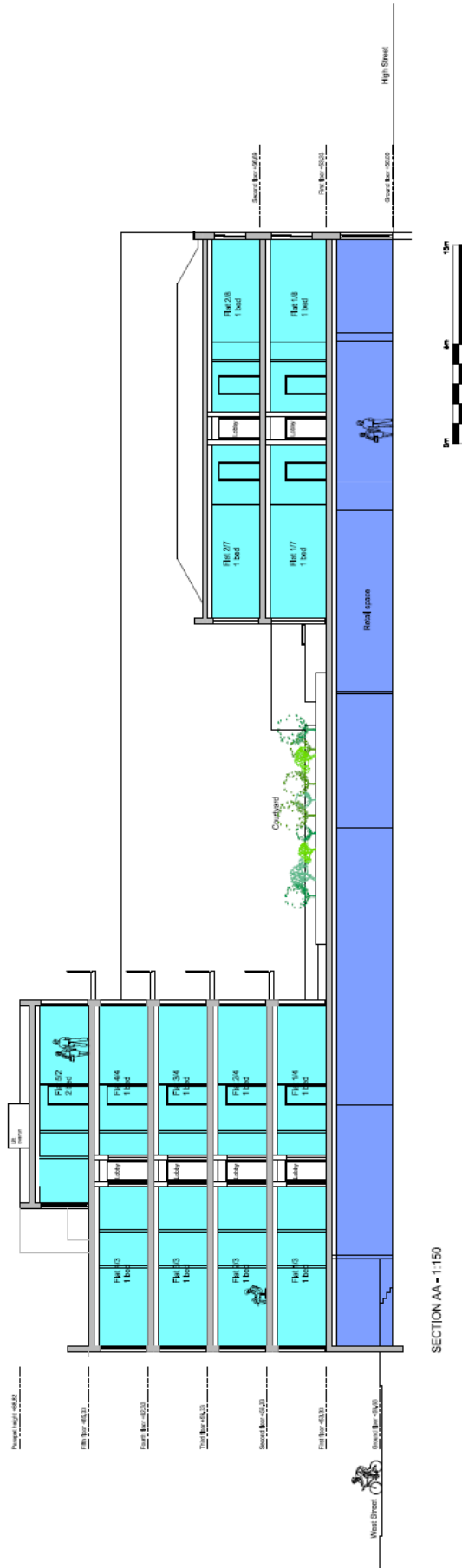
ELEVATION C
PROPOSED COURTYARD ELEVATION - 1:100



ELEVATION F - 1:150



ELEVATION E - 1:150



Agenda Item 6

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 3

Application No.:	19/01156/OUT
Location:	Moor Farm Ascot Road Holyport Maidenhead SL6 2HY
Proposal:	Outline application for a covered roof to the existing manege with all matters reserved.
Applicant:	Mr Frankham
Agent:	Mr Jack Clegg
Parish/Ward:	Bray Parish/Bray Ward
If you have a question about this report, please contact: Briony Franklin on 01628 796007 or at briony.franklin@rbwm.gov.uk	

1. SUMMARY

- 1.1 Outline consent has been applied for to erect a covered roof over an existing manege at Moor Farm, with all matters reserved. However following a site visit it has been ascertained that the manege no longer exists and planning permission would be required to reinstate it. The applicant has chosen not to amend the application to include the reinstatement of the manege and the application is therefore determined on the basis of the information submitted.
- 1.2 The proposed covered structure would measure 60m by 20m and would have an overall height of 5.5m. It would be open sided and the roof would be held up with 18 steel posts supporting a shallow pitched plasti-coated, steel clad roof. A post and rail fence is proposed to enclose the covered structure. The proposal would constitute inappropriate development in the Green Belt and no Very Special Circumstances exist in this case which would outweigh the harm to the Green Belt. In addition the structure would harm the heritage assets, the Holyport Conservation Area and the adjacent listed buildings. The site lies within Flood Zone 3 and has a high probability of flooding. The proposal fails the Sequential Test as it has not been adequately demonstrate that there is not a more appropriate site within Moor Farm with a lower probability of flooding.

Subject to the views of the Environment Agency it is recommended the Panel REFUSES planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):

1.	The proposal constitutes inappropriate development in the Green Belt and no 'Very Special Circumstances' have been demonstrated to outweigh the harm and any other harm.
2.	The proposal would be unsympathetic to the setting of the adjacent listed buildings and the Holyport Conservation Area and would be detrimental to the rural character and appearance of the site itself.
3.	The application site lies within Flood Zone 3 and has a high probability of flooding. The proposal has not adequately demonstrated that there are no other alternative sites within Moor Farm with a lower probability of flooding to accommodate the proposal. Consequently the proposal fails the Sequential Test. In addition insufficient information has been supplied to properly assess the impact of the proposal on the flow of flood water and the capacity to store flood water.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.
At the request of Cllr Walters, if the recommendation is to grant approval of the application, in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 Moor Farm lies on the edge of Holyport village and comprises an enclave of buildings in various uses including stables/equestrian, the selling and parking of cars, car repairs, residential, a gymnasium and storage. Moor Farm extends to 31.4 acres of land in total of which 27.93 acres is open paddock land. The application site is situated to the west of the enclave of buildings and is currently used to park/store cars. Whilst historically it would appear that there has been a manege on the site, there is currently now no evidence of the former manege, other than 4 posts with lights attached, and the land has been surfaced with hard-core.

3.2 Access to the site is via an existing driveway off Ascot Road, which serves the whole site.

4. KEY CONSTRAINTS

4.1 The site lies within the designated Green Belt and within the Holyport Conservation Area. The dwellings close to the site entrance are grade II listed. Moor Farm lies within Flood Zones 2 & 3.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 Outline consent is sought to erect a covered structure which would measure 60m by 20m and would have an overall height of 5.5m. It would be open sided and the roof would be held up with 18 steel posts supporting a shallow pitched plasti-coated steel clad roof. A post and rail fence would enclose the covered structure. The proposal is understood to be required in connection with the existing equestrian use of the site.

5.2 There is an extensive planning history relating to Moor Farm set out below. More recently an Enforcement Notice has been issued relating to unauthorised importation of soil, rubble and other materials for the purposes of raising of land levels, formation of bunds, the erection of two barns, the stripping of land to create earth bunds, formation of hardstanding and a change of use of the land for the parking/storage of vehicles.

5.3

Reference	Description	Decision
88/00292/FULL	Conversion of redundant farm barns to 3 self-contained holiday units	Permitted
90/00419/FULL	Change of use redundant storage barn into holiday home	Permitted
90/00420/FULL	Conversion of farm buildings to stables, one new stable block and manege	Permitted
92/00346/TEMP	Change of use of building to storage of new cars	Refused
93/00396/TEMP	Change of use of redundant livestock building to the storage of new cars	Permitted
94/00427/TEMP	Change of use of redundant livestock building to storage use (retrospective)	Permitted
95/00456/FULL	Change of use and conversion/alterations to disused research building into holiday accommodation	Refused
96/30019/CLU	For proposed use of building within B1 (b) Use Class.	Refused
98/33131/FULL	Replacement hay barn for hay storage	Permitted
02/39199/FULL	Conversion of stables to 3no. Residential units for holiday accommodation.	Permitted
03/40883/FULL	Extension of existing horse exercise arena.	Permitted.
03/40884/FULL	Replacement of an equestrian building (retrospective)	Permitted
05/02731/FULL	Construction of block of 6 stables following demolition of existing stable building.	Permitted

07/03209/FULL	Erection of block of six stables	Permitted
18/02881/FULL	Erection of barn (retrospective)	Refused. Appeal submitted.
18/02882/FULL	Erection of a barn (retrospective)	Refused. Appeal submitted.
18/03291/FULL	Temporary change of use for a period of six months from D2 (equestrian) to B8 (car storage)	Refused
18/03525/OUT	Outline application for replacement equestrian building following demolition of existing equestrian buildings.	Permitted
19/01172/FULL	Land restoration	Pending Consideration
19/01208/FULL	Noise abatement/screening bund along the northern boundary of the site	Pending Consideration

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Impact on Green Belt	GB1, GB2
Design in keeping with character and appearance of area	DG1
Conservation Area and Listed buildings	CA2 & LB2
Flooding	F1
Highways	P4 AND T5
Trees	N6

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (NPPF) (2019)

Section 13- Protecting Green Belt land

Section 14- Meeting the challenge of climate change, flooding and coastal change

Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Trees, Woodlands and Hedgerows	NR2
Sustainable Transport	IF2

7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following

this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

7.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- RBWM Interpretation of Policy F1

Other Local Strategies or Publications

7.3

- RBWM Parking Strategy
- Conservation Area Appraisal – Holyport (adopted July 2016)

More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

16 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 7th May 2019 and the application was advertised in the Local Press on the 9th May 2019.

No comments have been received.

Statutory consultees

Consultee	Comment	
Conservation Officer	<p>Significant conservation objections to the proposal.</p> <p>The proposed covered manege due to its size, height, design and materials would have a detrimental impact on the setting of the adjacent grade II listed properties and also on the wider setting of the Holyport Conservation Area. This harm would be considered as less than substantial, however, paragraph 194 of the NPPF advises that any harm or loss of significance of a designated heritage asset (including works within its setting) should require clear and convincing justification. This application does not appear to include any relevant justification for the works. Paragraph 196 of the NPPF also advises that when a development proposal leads to less than substantial harm to the significance of a designated heritage asset,</p>	See paragraphs 9.7-9.17

	<p>this harm should be weighed against any public benefits of the scheme. No such benefits have been identified in this case. This application would be contrary to Local Plan policies CA2, CA6 and LB2 and emerging policy HE1.</p> <p>Advice on the potential impact of the development on archaeological deposits would need to be sought from Berkshire Archaeology.</p>	
Highways	No objection.	Noted
Archaeology Officer	<p>The development proposals have the potential to impact on significant archaeology and any proposal will require assessment in order to determine what mitigation is required and what potential impact the development represents.</p> <p>No objection to the proposal on archaeological grounds providing a suitable condition is imposed</p>	Noted
Lead Local Flood Authority	No objection	Noted
Tree officer	No trees are affected and no comments required.	
Environment Agency	Comments awaited.	

Consultees

Consultee	Comment	
Parish Council	<p>Recommended for refusal</p> <p>Contrary to GB1 & GB2, a sizeable structure that affects the openness of the green belt.</p>	Noted

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Impact on the Green Belt
- ii Impact on the character and appearance of the site itself, the locality in general, the Conservation Area and setting of the listed buildings.
- iii Impact on the living conditions of the neighbouring properties
- iv Flood Risk
- v Highways/Parking
- vi The case for 'Very Special Circumstances'

i Impact on the Green Belt

9.2 The site lies within the designated Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

9.3 Paragraph 145 of the NPPF regards the construction of new buildings as inappropriate in the Green Belt and lists exceptions which include:

'b) the provision of appropriate facilities in connection with the existing use of land or a change of use for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;'

- 9.4 Local Plan policy GB1 sets out acceptable uses and development in the Green Belt which includes *'essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it'*. Policy GB2 does not allow new development within the Green Belt if it would a) have a greater impact on the openness of the Green Belt or the purposes of including land in it than an existing development on the site and b) harm the character of the countryside because of the scale, siting or design of the development or the materials employed or result in a material increase in the scale of development on the site. These policies are generally consistent with the NPPF.
- 9.5. The applicant contends that the covered manege is an appropriate facility required in connection with the existing equestrian use of the site and is therefore appropriate development in the Green Belt. Notwithstanding the fact that the manege no longer exists and planning permission would be required to reinstate it, it is not considered that a structure of the size proposed would preserve the openness of the Green Belt or assist in safeguarding the Green Belt from encroachment. On the contrary, it is considered that the proposal would impact on the spatial openness of the Green Belt and to a lesser extent on its visual openness as the structure would be viewed from certain vantage points against the backdrop of existing buildings on site.
- 9.6 The proposal is considered to constitute inappropriate development in the Green Belt and would be contrary to Local Plan policies GB1 and GB2 and the guidance set out in Paragraph 145 b) of the NPPF. Accordingly, the development must now be considered against all the relevant material considerations below and further consideration needs to be given as to whether any 'Very Special Circumstances' exists. Substantial weight is given to any harm to the Green Belt and 'VSC' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

ii Impact on the character and appearance of the site itself, the locality in general, the Conservation Area and setting of listed buildings

- 9.7 Local Plan policy DG1 sets out design guidelines and requires new buildings to be compatible in terms of the scale and height of adjacent properties and materials to be sympathetic to the traditional materials of the area.
- 9.8 Local Plan policy CA2 requires that any development will enhance or preserve the character and appearance of the Conservation Area and requires new buildings to be of a high standard of design sympathetic in terms of siting, proportions, scale, form, height, materials and detailing to adjacent buildings and the character of the area in general. Local Plan policy LB2 does not allow development which would adversely affect the setting of listed buildings.
- 9.10 Emerging policy SP3 requires development to respect and enhance the local, natural or historic character of the environment, paying particular regard to amongst other things scale, bulk, massing and materials. Emerging policy SP5 requires new equestrian development to be unobtrusively located and designed so that it does not have a significant adverse effect on the character of the locality, residential amenity, highway safety and landscape quality. Any new buildings should be located in or adjacent to an existing group of buildings and have minimal visual impact within the landscape.
- 9.11 The application site lies to the west of an enclave of buildings known as Moor Farm and is situated within the Holyport Conservation Area, identified as significant due to its green open spaces and rural atmosphere. The Conservation Area includes not only the historic core of the village, but also a number of historic farms, including Moor Farm. Moor Farm is centred on a 14th century

former Hall House. The setting of the farm contributes positively to the significance of the Grade II listed farmhouse (Moor Farm/ Elizabethan Cottage) and the Grade II listed converted barn, numbers 1-4.

- 9.12 The application has not included any assessment of the significance of the local heritage assets required under Section 189 of the NPPF.
- 9.13 It is considered that the proposed development, by virtue of its size, height, siting, design and materials would have a detrimental impact on the setting of the nearby grade II listed cottages, the listed farmhouse and the Holyport Conservation Area. The Barn, Beam Ends, Threshers and No.4 Ascot Road are cottages converted from a large, 16th century, former threshing barn which lie very close to the application site. Whilst there is some tree screening between the application site and the adjacent listed cottages it is not considered that the screening would adequately mitigate the visual impact of such a large structure in terms of the setting of the adjacent listed buildings. No Heritage Statement has been submitted to provide any justification for the proposal. The proposal results in less than substantial harm to the significance of the Heritage Assets and there is no public benefits which would outweigh the harm.
- 9.14 The proposed building would be set well back from Ascot Road, close to other buildings and would not be readily visible from the public realm. However there is concern that a building of the size proposed would be readily visible from within Moor Farm itself and from the neighbouring residential properties close to the entrance to the site and would have a detrimental impact on the rural character and appearance of the site.
- 9.15 The proposal, by virtue of its size, height, siting, design and materials would have a detrimental impact on the setting of the adjacent listed buildings and the Holyport Conservation Area and would be detrimental to the rural character and appearance of the site itself, contrary to Local Plan policies DG1, CA2 and LB2 and emerging policies SP3, SP5 and HE1 of the Borough Local Plan.

iii Impact on the living conditions of the neighbouring properties

- 9.16 In line with paragraph 127 of the NPPF it is necessary to ensure that development provides a high standard of amenity for existing occupiers. Emerging policy SP3 requires development to have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell, sunlight and daylight.
- 9.17 The proposed building would be sited approximately 10 metres from the rear boundary of the adjacent cottages and over 30m from the rear elevations of these cottages. The rear boundary is partially screened by trees and it is not considered that the proposed building would have an unacceptable impact on the living conditions of these properties in terms of light, outlook and privacy. Further details regarding lighting could be secure by condition in the event of planning permission being granted to safeguard against light pollution. The building would be sited in the same position as the former manege and it is not considered that the proposal would introduce an unacceptable level of noise and smell to these neighbouring properties.
- 9.18 The proposal would accord with the guidance set out in the NPPF and emerging policy SP3.

iv Flood Risk

- 9.19 Local Plan policy F1 states that within areas liable to flood, development will not be permitted unless it can be demonstrated that the proposal would not of itself, or cumulatively in conjunction with other development 1) impede the flow of flood water; or 2) reduce the capacity of the flood plain to store flood water; or 3) increase the number of people or properties at risk from flooding.
- 9.20 The application site lies within Flood Zone 3a which is land defined by the planning practice guidance as having a high probability of flooding. The property is understood to have the benefit of flood defences/bunds. The nearest main watercourse is the River Bourne which crosses the farm to the west of the site. The application has been accompanied by a Flood Risk Assessment (FRA).

- 9.21 The guidance in the NPPF requires development to be directed away from areas at highest risk of flooding. Paragraph 158 of the NPPF states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. A sequential test is required to be provided in this case. The FRA sets out (paragraph 4.1) that since the proposal is required to cover an existing manege this is the only location suitable. However given that the manege no longer exists further work to demonstrate that the proposed development cannot be located in an area with a lower risk of flooding is required and the proposal therefore fails the Sequential Test. In this instance the Exception Test is not required.
- 9.22 When determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere and the proposal needs to accord with the guidance set out in paragraph 163 of the NPPF. The views of the Environment Agency have been sought in terms of the proposals' impact on flooding and the surrounding area and any comments will need to be reported in an update. Notwithstanding that this application only relates to the covered structure, the reinstatement of the manege would need planning permission and no details have been supplied. It is however reasonable to assume that the reinstatement of the manege would constitute an engineering operation and would involve the installation of boards and re-surfacing works. In the absence of this information it has not been possible to properly assess the proposals impact on the flow of flood water and the capacity to store flood water.
- 9.23 It is a major application and a Surface Water Drainage Statement has been submitted in response to comments provided by the LLFA. The information provided is based on the existence of a manege and includes directing runoff from the roof into the manege and the LLFA has raised no objection on this basis.
- 9.24 The FRA sets out flood resilience measures in section 7.2.2. However the measures would not be required for this type of open structure.
- 9.25 The use of a flood emergency plan is considered sufficient for this type of development and would comprise the EA Flood Warning Direct Service Subscription. Safe egress to Flood Zone 1 is a 4 minute walk in a southerly direction on the Ascot Road.
- 9.26 Overall it has not been adequately demonstrated that the proposed development cannot be sited elsewhere within Moor Farm with a lower risk of flooding and therefore the proposal has failed the Sequential Test, contrary to the guidance set out in section 14 of the NPPF. Insufficient information has also been supplied to properly assess the impact of the proposal on the flow of flood water and the capacity to store flood water in accordance with Local Plan policy F1.

v Highways/Parking

- 9.27 Moor Farm is served by an existing vehicular access from the A330 Ascot Road. The access provides adequate visibility to the left and right. The proposal would be ancillary to the existing equestrian use and should not generate the need for additional vehicular movements. Car parking in association with the equestrian use on the site has been informal in the past and cars have parked around/adjacent to the buildings. The parking provision for equestrian uses is considered on an individual basis. The proposal would be used ancillary to the existing equestrian use and should not generate a requirement for additional parking. On this basis no objection is raised to the proposal on either highway or parking grounds and it accords with local plan policies T5 and P4 and emerging policy IF2.

vi The case for Very Special Circumstances

- 9.28 With reference to the exceptions listed in paragraphs 145 and 146 of the NPPF it is considered that the proposal would constitute inappropriate development in the Green Belt. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and

such development should not be approved except in Very Special Circumstances (VSC). Paragraph 144 of the NPPF states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.29 In support of the application the applicant has set out the reasons for requiring a covered roof as follows:

- To allow riding lessons and training to operate throughout the year
- Provide a cooler environment during hot weather.
- To enable the Manege surface to remain of consistent quality
- Contain any light pollution within the roof structure
- Poor access to bridleways

9.30 The existing equestrian use on the site is very low key and although outline consent has recently been granted to provide 19 stables this proposal has yet to be implemented. Whilst a covered manege may be a desirable, ancillary equestrian facility it is considered that only limited weight can be given to the benefits of the proposal and no VSC exists in this case to outweigh the harm to the Green Belt.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 The development is not CIL liable.

11. CONCLUSION

11.1 The proposal would not preserve the openness of the Green Belt, which is one of its essential characteristics, and its encroachment into the countryside would conflict with one of the purposes of including land within the Green Belt. Accordingly the proposal is considered to constitute inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. The benefits of the scheme put forward by the applicant are not considered to outweigh the harm to the Green Belt and any other harm. Therefore, it is considered that VSC has not been adequately demonstrated to justify the proposal and the proposal is contrary to Local Plan Policies GB1 and GB2, BLPSV policy SP5 and the guidance set out in Section 13 of the NPPF.

11.2 The proposal would result in less than substantial harm to the significance of the Heritage Assets and there would be no public benefit which would outweigh the harm. The proposal would also be detrimental to the rural character and appearance of the site itself and the proposal would be contrary to Local Plan policies DG1, CA2 and LB2 and emerging policies SP3, SP5 and HE1 of the Borough Local Plan.

11.3 It has not been adequately demonstrated that the proposed development cannot be sited elsewhere within Moor Farm with a lower risk of flooding and therefore the proposal has failed the Sequential Test, contrary to the guidance set out in section 14 of the NPPF. Insufficient information has also been supplied to properly assess the impact of the proposal on the flow of flood water and the capacity to store flood water in accordance with Local Plan policy F1.

12. APPENDICES TO THIS REPORT

- Appendix A - Location plan
- Appendix B – Elevation drawing
- Appendix C – Floor Plan & Roof Plan

13. REASONS FOR REFUSAL.

1 The proposal represents inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. It would conflict with one of the purposes of the Green Belt, namely 'to

assist in safeguarding the countryside from encroachment', and would be harmful to both the visual and spatial openness of the Green Belt. No Very Special Circumstances have been demonstrated that clearly either individually or cumulatively outweigh the harm to the Green Belt and any other harm. The proposal is therefore contrary to the provisions of saved policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policy SP5 of the Borough Local Plan Submission Version (2017), and guidance set out in Section 13 of the National Planning Policy Framework (2019).

- 2 The proposed development, by reason of its size, height, siting, design and materials would be unsympathetic to the setting of the adjacent listed buildings and the Holyport Conservation Area, resulting in less than substantial harm to these heritage assets. In this case the harm would not be outweighed by any public benefits. In addition the proposal would be detrimental to the rural character and appearance of the site itself. For these reasons the proposal is contrary to saved policies DG1, CA2 and LB2 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP5 and HE1 of the Borough Local Plan Submission Version (2017) and section 16 of the NPPF (2019).
- 3 The application site lies within Flood Zone 3 and has a high probability of flooding. The proposal has not adequately demonstrated whether there are reasonably available sites appropriate for the proposed development elsewhere within the site with a lower probability of flooding. Consequently the proposal fails the Sequential Test. In addition no information has been supplied relating to the reinstatement of the manege and it has not therefore been possible to assess the proposals impact on the flow of flood water and the capacity to store flood water. The proposal is therefore considered to be contrary to saved Local Plan Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003) and guidance set out in Paragraphs 155-165 of the National Planning Policy Framework (2019).

Informatives

- 1 The applicant is advised that the manege no longer exists on the site and planning permission would be required to reinstate it.

APPENDIX A – LOCATION PLAN

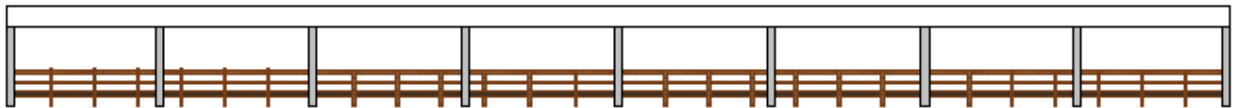


APPENDIX B – PROPOSED ELEVATIONS

Northern Elevation



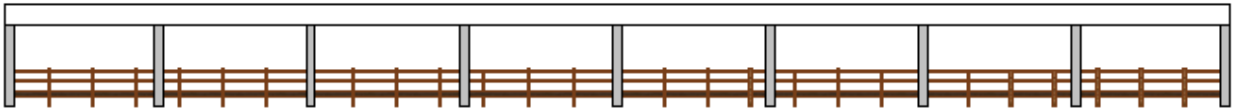
Eastern Elevation



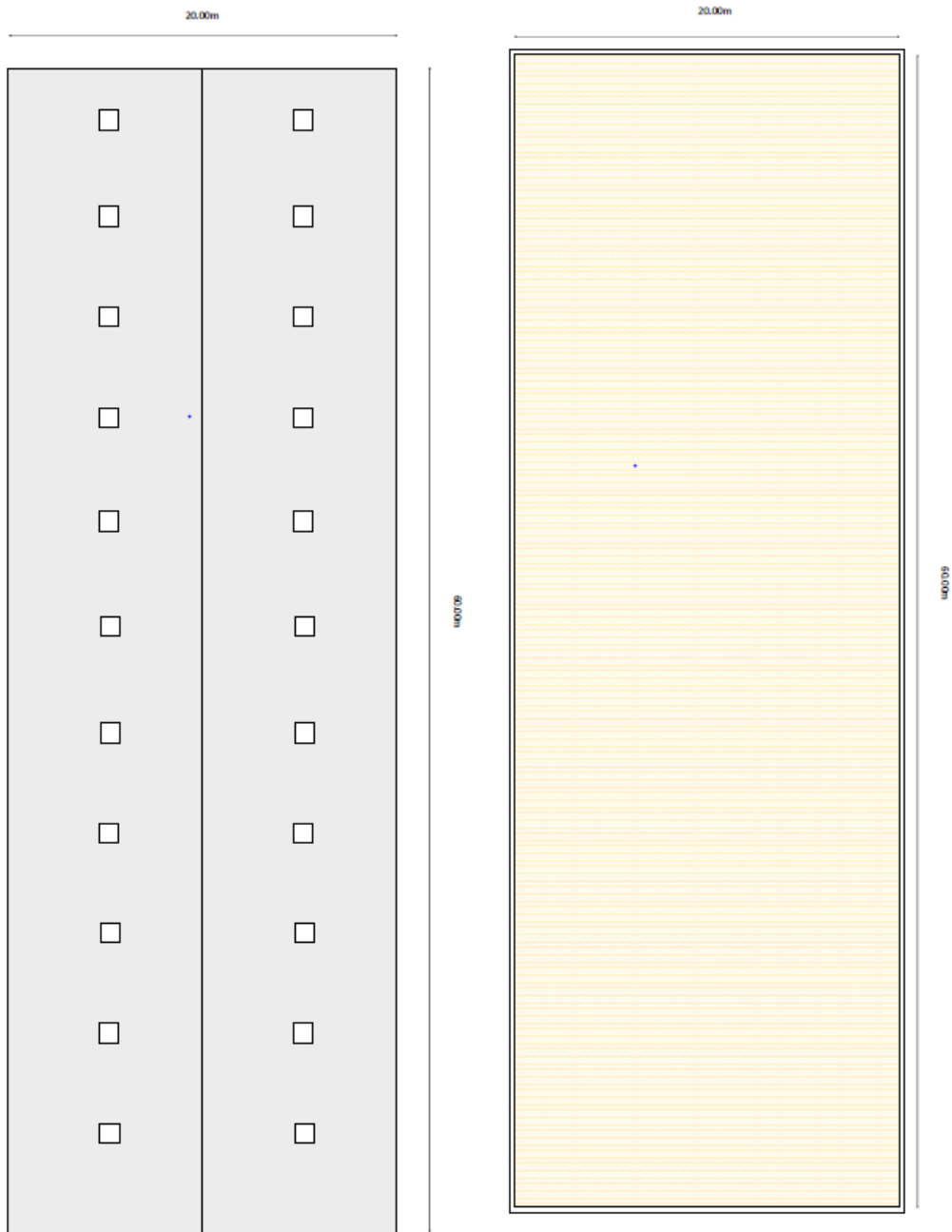
Southern Elevation



Western Elevation



APPENDIX C – FLOOR PLAN & ROOF PLAN



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16 October 2019

Item: 4

Application No.:	19/01623/FULL
Location:	Cruchfield Manor Ascot Road Warfield Bracknell RG42 6HJ
Proposal:	Conversion of the southern wing of the existing stable block to ancillary residential accommodation including alterations to fenestration to the coach house.
Applicant:	Mrs Brunander
Agent:	Mr Christopher Gregory
Parish/Ward:	Bray Parish/Bray
If you have a question about this report, please contact: Antonia Liu on 01628 796034 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is for the conversion of the southern wing of the existing stable block to ancillary residential accommodation including alterations to fenestration. The site lies within Green Belt, and the main Manor house is listed Grade II and so the existing stable block is considered to be curtilage listed.
- 1.2 The proposal is considered to be appropriate development in the Green Belt and would not result in harm to the openness of the Green Belt nor conflict with the purposes of including land within the Green Belt. It is also considered that the proposal would not result in harm to the special character and appearance of the original building, the setting of the Manor House, or the wider locality. In relation to the benefits of the scheme, while partially in use, the existing coach house and stable building is underutilised and it is considered that the proposal would better secure its long-term upkeep and thereby the longevity of the Grade II listed building.
- 1.3 The proposal is acceptable in respect of highway safety and parking with acceptable access and parking provision. There would be no harm to neighbouring amenity due to the significant separation distance from the nearest residential neighbours. There is no objection in respect of sustainable drainage.
- 1.4 On balance, it is considered that the proposal would comply with relevant planning policies and it is considered that any adverse impacts of the proposal are significantly and demonstrably outweighed by its benefits.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 12 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.
- At the request of Councillor Walters if the recommendation is to grant the application in the public interest

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site measures approximately 1.5ha and comprises of Cruchfield Manor, which is situated on the north side of Ascot Road. Cruchfield Manor is a large country house comprising of an 18th century core with extensive 19th and 20th century additions and alterations. The house is currently occupied and in good condition. Within the grounds are ancillary buildings including a single storey detached cottage, a coach house and stables with a hayloft and residential accommodation above, two barns, and a further stable block (northern yard). These ancillary buildings are located to the east of the Manor house and form a distinctive group. The ancillary

buildings are in partial use but all are in a reasonable condition. To the north and east of the Manor House is an extensive well-kept garden. To the south and east of the Manor house is a gravel driveway and parking area served by two vehicular accesses to the south and south-east. The wider surrounds comprises of agricultural land with some intermittent residential development.

- 3.2 It should be noted that the site straddles the boundary between the Royal Borough of Windsor and Maidenhead and Bracknell Forest. A section of the barn, part of the driveway and the two entrances to the south and south-east of the site therefore lies within Bracknell Forest Council.

4. KEY CONSTRAINTS

- 4.1 The site lies within the Metropolitan Green Belt, and Cruchfield Manor was added to the statutory list of buildings of special architectural or historic interest by the Secretary of State in 1972 and is Grade II listed (ref: 1312899). The ancillary buildings, including the existing coach house and stables block, are considered to be curtilage listed.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The applicant seeks planning permission for the conversion of the southern wing of the existing stable block to ancillary residential accommodation including alterations to fenestration to the coach house. The remainder of the building would be retained as stables and a storage barn.
- 5.2 The intention is for the family to live in the converted coach house and stable building while the Manor house is renovated and restored. Once the renovation and restoration works to the Manor house have been completed, the family will move into the Manor house with the converted coach house and stable building being used as staff accommodation.
- 5.3 In relation to the subject building relevant planning history is as follows:

Application Ref	Description of Works	Decision and Date
98/32839/FULL	Conversion of part of adjacent coach house into 2-bed dwelling	Approved – 17.08.1999
98/32837/LBC	Conversion of part of adjacent coach house into 2-bed dwelling	Approved – 18.08.1999

- 5.4 There is also an associated application for listed building consent for the conversion of the southern wing of the existing coach house and stable to ancillary residential accommodation including alterations to fenestration, ref: 19/01624/LBC which appears elsewhere on this agenda.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Appropriate Development in the Green Belt and impact on Openness	GB1, GB2, GB8
Design in keeping with character and appearance of area	DG1
Impact on Historic Environment	LB2
Trees	N6
Highways	P4, T5

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2 – Achieving Sustainable Development
Section 4 – Decision-Making
Section 9 – Promoting Sustainable Transport
Section 12 – Achieving Well-Designed Places
Section 13 – Protecting the Green Belt Land
Section 15 – Conserving and Enhancing the Natural Environment
Section 16 – Conserving and Enhancing the Historic Environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in the Green Belt and Impact on Openness	SP5
Design in keeping with character and appearance of area	SP2, SP3
Impact on Historic Environment	HE1
Impact on Trees and Nature Conservation	NR2, NR3
Highway Safety and Parking	IF2
Infrastructure	IF8

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

Other strategies and publications relevant to the proposal are:

- RBWM Parking Strategy

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

The planning officer posted a notice advertising the application at the site on 25 July 2019 and the application was advertised in the Local Press on 1 August 2019. No letters of representation either supporting or objecting to the proposal were received.

Consultees

Consultee	Comment	Where in the report this is considered
Arboriculture Officer	No objection subject to condition for tree protection measures to be submitted, approved and implemented.	Noted and condition recommended.

Conservation Officer	<p>No objection subject to conditions relating to additional details to be submitted and approved by the local planning authority relating to:</p> <ol style="list-style-type: none"> 1. Detailed design, construction, glazing and colour/ finish of the new windows and external doors to be submitted for approval at a scale of 1:10, 1:5 or the full size as appropriate 2. All windows to be traditionally constructed and of painted timber 3. All external rainwater goods and pipework to be of painted cast metal 4. Details of the design, construction and materials of the infill screens to the coach house internal arches and openings; and details of the new opening between the dining room and lounge at a scale of 1:10, 1:5 or the full size as appropriate 5. Manufacturer's details of the rooflights to be submitted 6. Details of the works to the floors at ground and first floor, including the floating floor construction and method of protecting brick floors 7. Details of new internal joinery at a scale of 1:10, 1:5 and to full scale as appropriate 8. Details of insulation to walls and roof structure and final finishes 9. Details of the location and external appearance of all new flues, vents and grills. 	<p>The conditions are recommended for the associated Listed Building Consent ref: 19/01624/LBC, which would have to be implemented if the works under this application are carried out.</p> <p>Furthermore, given the level of detail required, and as some relate to internal works which cannot be considered as part of the FULL application, the conditions are not considered to pass the test of reasonableness nor necessity for planning permission with the exception of:</p> <ol style="list-style-type: none"> 10. all windows to be traditionally constructed and of painted timber; 11. external rainwater goods and pipework to be painted cast metal; and 12. the location and appearance of any flues, vents and grills. <p>These conditions are recommended.</p>
Environmental Protection	<p>No objection subject to conditions relating to construction hours, collection during construction and demolition and animal waste; and informatives relating to dust control and smoke control.</p>	<p>Construction hours are normally included as an informative as noise and disturbance is dealt with under EP legislation. It is not considered that conditions relating to collections and deliveries, or animal waste would pass the tests of necessity or reasonableness. Informatives agreed and recommended.</p>
Highway Officer	<p>No objection subject to conditions relating to parking and turning to be submitted and approved, and informatives relating to damage to footway and verges, damage to the highway, incidental works licence and no storage of equipment or materials on the public highway.</p>	<p>Noted. Given that the existing parking area to the south and east of the Manor House measures approximately 960sqm, it is considered that more than sufficient parking to meet</p>

		requirements can easily be provided on site without a formal parking and turning area. The condition is not considered to pass the test of necessity.
Lead Local Flood Authority	No objection subject to appropriate surface water drainage provisions complying with Building Regulations.	Noted.
Parish Council	Delegates decision to Conservation Officer	See Conservation Officer comments above, and section ii of this report.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Green Belt
- ii Character and Appearance Including Impact on Special Character
- iii Highway Safety and Parking
- iv Neighbouring Amenity
- v Sustainable Drainage
- vi Planning Balance

i **Green Belt**

9.2 The existing coach house and stable building is sited with the Green Belt and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Development in the Green Belt should be regarded as inappropriate with some exceptions, which in relation to new buildings are outlined in paragraph 145, and for certain other development in paragraph 146 of the NPPF. For other development the following would not be inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location
- the re-use of buildings provided that the buildings are of permanent and substantial construction
- material changes in the use of land (such as changes of use for outdoor sports or recreation, or for cemeteries and burial grounds); and
- development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

9.3 Local Plan policies GB1 and GB3 and BLPSV policy SP5 also set out appropriate development in the Green Belt, however, the Local Plan was prepared in accordance with the cancelled PPG2: Green Belts while the BLPSV was prepared in accordance with the NPPF (2012). The NPPF is considered to be a more up-to-date expression of Government intent and is afforded significant weight as a material consideration. While the Development Plan comprises of the Local Plan, policies GB1 and GB3 are not entirely consistent with the NPPF and are not given full weight for the purposes of this assessment. Under transitional arrangements the BLPSV is assessed against the NPPF (2012) and therefore policy SP5 is considered to be consistent in this respect,

but due to unresolved objections policy SP5 should only be given moderate weight as a material consideration.

- 9.4 In this case, the proposal involves the re-use of an existing building. In terms of whether the existing building is of a permanent construction, while no structural information has been submitted, it was noted during a site visit that the buildings comprise of brick walls and floors, timber doors and windows, and tiled roofs all of which are in reasonable condition. In terms of whether the existing building is substantial, the existing building measures approximately 863sqm in footprint, with 947sqm of floorspace over two storeys with a maximum ridge height of 8m. The proposal is for the conversion of part of the existing building, comprising of 165sqm on the ground floor and 84sqm on the first floor. As such, the building is considered to represent a permanent and substantial structure that would enable conversion works without complete or major reconstruction, or extensions. The proposal would therefore be a genuine re-use of the building. In relation to preserving the openness of the Green Belt, alterations to facilitate the conversion would be contained within the existing built envelope. No extensions are proposed. Furthermore, as ancillary residential accommodation it is not anticipated that there would be additional fences demarcating a domestic curtilage or domestic paraphernalia associated with an independent dwelling that would detract from openness. It is therefore considered that the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt, including safeguarding the countryside from encroachment. For these reasons, it is considered that the proposal to convert the coach house, and stable building into ancillary residential accommodation would represent appropriate development in the Green Belt in accordance with paragraph 146(d) of the NPPF.

ii Character and Appearance Including Impact on Special Character

- 9.5 Local Plan policy DG1 states that new development should not cause harm to the character of the surrounding area through development which results in the loss of important features that contribute to that character. As a material consideration of significant weight, BLPSV policy SP2 states that new development should positively contribute to places in which they are located while policy SP3 outlines design principles which represent high quality design which new development is expected to achieve. This includes preserving and enhancing the local character with regard to urban grain, layout, density, scale, bulk, massing, and materials; incorporating interesting frontages and design details to provide visual interest; provision of high quality soft and hard landscaping and amenity space; and to ensure no unacceptable harm to neighbouring amenity. Local Plan policy DG1 and BLPSV policies SP2 and SP3 are considered to be in line with paragraphs 124 and 130 of the NPPF which advise that high quality buildings and places are fundamental to what planning should achieve and permission should be refused for development of poor design that fails to take the opportunity for improving the character and quality of the area.
- 9.6 With respect to the Planning (Listed Buildings and Conservation Areas) Act 1990 the applicable statutory provisions are: Section 16(2) which requires the local planning authority or the Secretary of State to have special regard to the desirability of preserving the building or its setting of any feature of special architectural or historic interest which it possesses when determining applications. Local Plan policy LB2 states that the Council will have special regard to the preservation of listed buildings and their setting. Local Plan policy LB3 states that the Council will also require that listed buildings are used for purposes which will secure their long-term future and which will preserve or enhance their special interest and character. As a material consideration, BLPSV policy H1 states that the historic environment including the heritage asset and their setting will be conserved and enhanced in a manner appropriate to its significance. Harm to the significance of a heritage asset or its setting will not be permitted without clear justification to show that the public benefit of the proposal considerably outweigh any harm to the significance or special interest of the heritage asset in question. As a further material consideration, paragraph 189 of the NPPF states that in determining applications the local planning authority should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. Paragraph 192 of the NPPF goes on to state that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Also of relevance, paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local

planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit that outweigh that harm or loss while paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefit of the proposal including securing its optimum viable use.

- 9.7 In this case, the change of use to ancillary residential would not be unduly out of keeping given the primary residential use of the site. It is also considered that while partially in use, the building is currently underutilised for garaging and storage and it is considered that the proposal would better secure its long-term maintenance and thereby its longevity. However, while planning permission was granted in 1999 to convert the southern wing of the existing building into a two bed dwelling (ref: 98/32837/LBC), this permission was not implemented and so the use has historically been as ancillary stable and barn buildings to the Manor House and its form and appearance to date has largely evolved as such. There is evidence that there has been a stable and barn buildings in this location since the early 19th century to serve the 18th century Manor House. It is therefore considered important that they retain their appearance externally as secondary agricultural / service buildings not only in the interests of the character of the building itself but also in the interest of the special character and setting of the Manor house. It is considered that any external alterations that would have a distinctly 'residential character' would be unacceptable.
- 9.8 As a conversion the building would largely retain its existing form although some external changes are required to facilitate residential use. A number of larger window openings and rooflights are proposed which would be atypical of an agricultural / service building, but overall their size and placement are well-considered and would not detract from the historic appearance. In terms of construction and materials, the new windows would be traditionally constructed and detailed, and made from timber. They would be double glazed, but the proposal comprises of slim glazing which is considered acceptable in this particular structure. The rooflights are conservation in style and construction, and would be visually discreet. The style and materials of the replacement rainwater goods are considered to be sufficiently traditional and in keeping with the character of the building. Overall, the external alterations would not cause harm to the special character and appearance of the original building, the setting of the Manor House, or the wider locality in general in accordance with Local Plan policies DG1, LB2 and LB3, BLPSV policy H1, and paragraphs 189, 192, 195 and 196 of the NPPF.

iii Highway Safety and Parking

- 9.9 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, and policy P4 requires all development proposals to accord with adopted car parking standards. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy. Given the lack of unresolved objections to policy IF2 it is considered that this policy should be afforded significant weight.
- 9.10 The site currently benefits from two vehicular accesses from the A330 Ascot Road. No changes are proposed to either access and both achieve the required visibility splays. The proposal is therefore considered acceptable in relation to highway safety.
- 9.11 No proposed parking layout has been submitted to demonstrate that sufficient parking can be provided on site. However, given that the existing parking area to the south and east of the Manor House measures approximately 960sqm, it is considered that more than sufficient space exists on site to provide the requisite parking.

iv Neighbouring Amenity

- 9.12 As a material consideration of significant weight, BLPSV policy SP3 requires development to have an acceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight. As a further material consideration, paragraph 127 of the NPPF also states that planning decisions should ensure that development should achieve a high standard of amenity for existing and future users.
- 9.13 The nearest residential neighbours at The Old Gatehouse to the west and Cruchfield Manor Farm to the east are sited over 88m from the coach house and stable building. The separation distance is considered to sufficiently mitigate any undue overlooking, loss of light or visual intrusion to neighbouring residential properties. It is considered that the proposal is also unlikely to result in undue noise and disturbance given that the proposal is for ancillary residential use.

v Sustainable Drainage

- 9.14 Paragraph 165 of the NPPF states that major developments such as this should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. As the entire site measures over 1ha in accordance with Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 this application would fall under the major development category. However, as the site is located in an area considered to be at low risk of surface water flooding, and the proposal is for a conversion and does not affect the building's footprint, it is considered that a sustainable drainage system would not be appropriate in this case.

vi Planning Balance

- 9.15 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 9.16 Footnote 6 of the NPPF (2019) clarifies that section d(i) of paragraph 11 of the NPPF (2019) is not applied where '*policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*'. This includes land designated as Green Belt and designated heritage assets. However, for the reasons set out in sections i and ii the proposed development is not considered to represent inappropriate development in the Green Belt nor result in any loss of or harm to the significance of the designated heritage asset and therefore while the proposed development falls within a '*protect area(s) or assets of particular importance*' there is no clear reason for refusing the proposed development on this basis. Accordingly the 'tilted balance' is engaged. The assessment of this and the wider balancing exercise is set out below in the conclusion.

10. CONCLUSION

- 10.1 Paragraph 11 of the NPPF sets out that the presumption in favour of sustainable development applies and with regard to section vi of this report it is considered that the 'tilted balance' should be applied. This sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

- 10.2 It is considered that a change of use of part of the existing coach house and stable building would not result in harm to the openness of the Green Belt nor conflict with the purposes of including land within the Green Belt. It would therefore be appropriate development in the Green Belt.
- 10.3 The change of use to ancillary residential would not be out of keeping with the primary residential use of the site, while the conversion would largely retain its existing form. In relation to the external alterations proposed that includes larger window openings, double glazing, rooflights, and replacement rainwater goods, these are well-considered and would not detract from the historic appearance of this agricultural / service building. As such, it is not considered that the proposal would harm the special character and appearance of the original building, the setting of the Manor House, or the wider locality.
- 10.4 The proposal would retain the two existing vehicular accesses to the site, which both achieve acceptable visibility splays. It would therefore not result in harm to highway safety. It is also considered that there is sufficient space on site to provide the requisite parking and so the proposal would not result in any additional on-street parking pressure.
- 10.5 The proposal would not result in any harm to neighbouring amenity in terms of overlooking, loss of light or visual intrusion given the significant separation distance from the nearest residential neighbours. Given the nature of the proposal as ancillary residential, together with the separation distance, it is also not considered to result in harm from undue noise and disturbance.
- 10.6 It is considered that the incorporation of a sustainable drainage system would be inappropriate in this instance, and so there would be no harm in relation to surface water flooding.
- 10.7 In relation to benefits of the scheme, while partially in use, the existing coach house and stable building is underutilised and it is considered that the proposal would better secure its long-term upkeep and thereby the longevity of this Grade II listed building.
- 10.8 On balance, it is considered that any adverse impacts of the proposal are significantly and demonstrably outweighed by the benefits of the proposal when assessed against the policies in the NPPF taken as a whole.

11. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Proposed Plans and Elevations

12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 Prior to any equipment, machinery or materials being brought onto the site an Arboricultural Method Statement and Tree Protection Plan specific to this scheme shall be submitted and approved in writing by the Local Planning Authority. The Tree Protection Plan and Arboricultural Method Statement shall be written in accordance with, and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction: recommendations. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any

excavation be made.

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

4 All windows shall be constructed from and maintained as painted timber.

Reason: In order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

5 All external rainwater goods and pipework shall be painted case metal and thereafter maintained as such.

Reason: In order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

6 Prior to their installation, details of the location and appearance of any new flues, vents and grills shall be submitted to and approved in writing by the Local Planning Authority. Such works shall thereafter be completed and maintained entirely in accordance with the approved details.

Reason: In order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

7 The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling.

Reason: Occupation as a separate unit of residential accommodation would result in an unsatisfactory living environment for occupiers of both the existing house and the new development.

8 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 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.

2 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.

3 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.

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 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. applicant should be aware the permitted hours of construction working in the Authority are as follows:

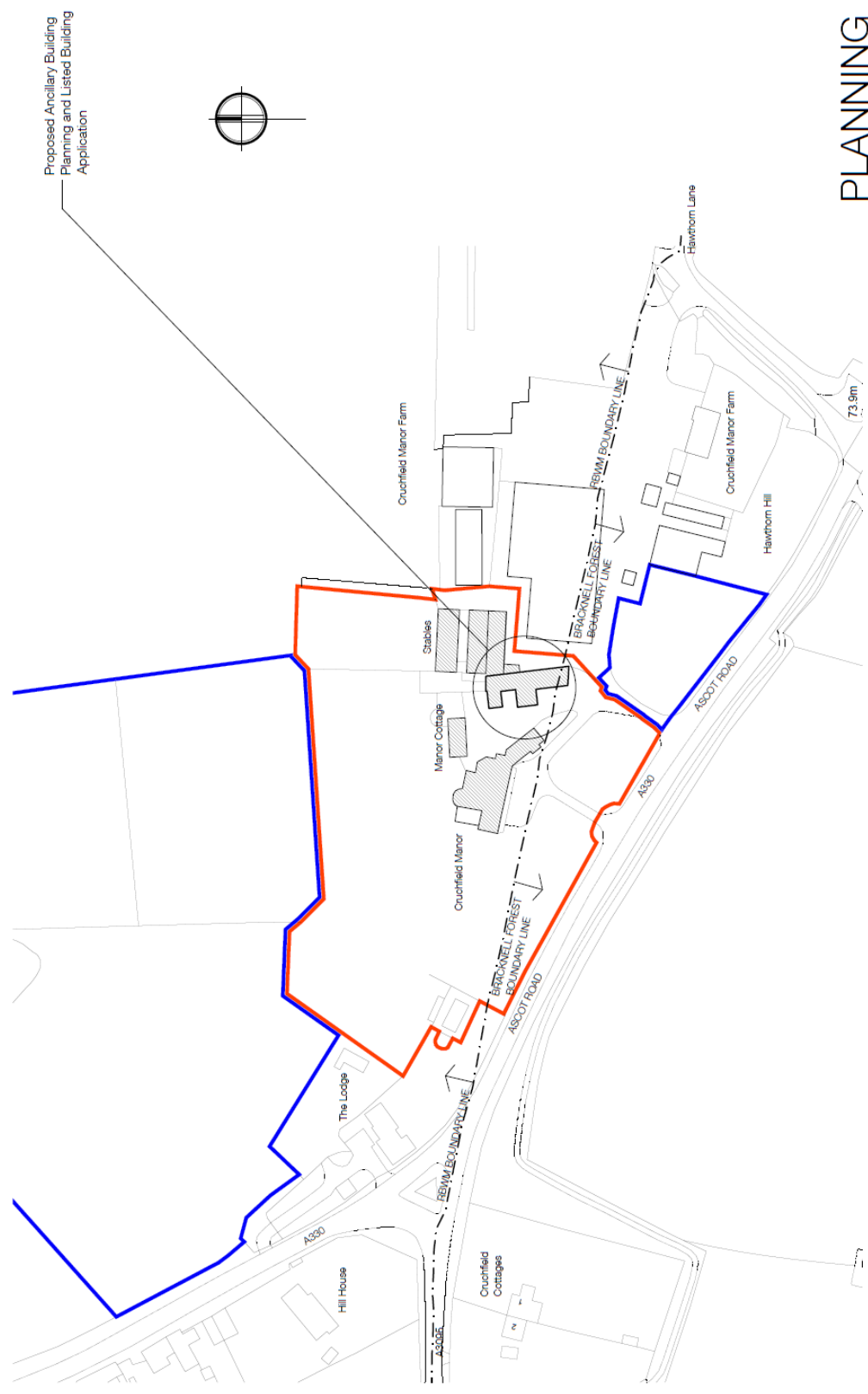
- Friday 08.00 - 18.00

08.00 - 13.00

working on Sundays or Bank Holidays.

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 68 3830 and follow good practice.

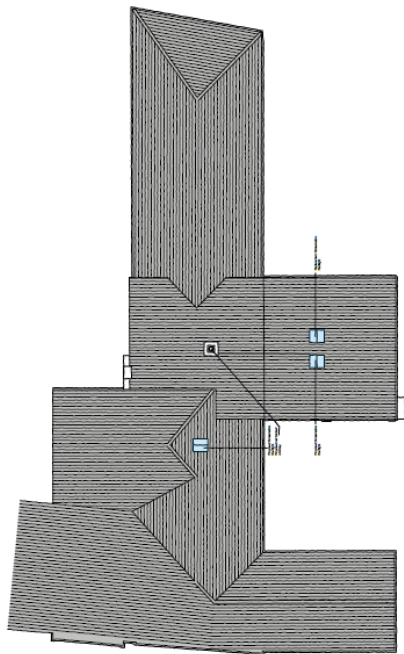
Appendix A – Site Location Plan



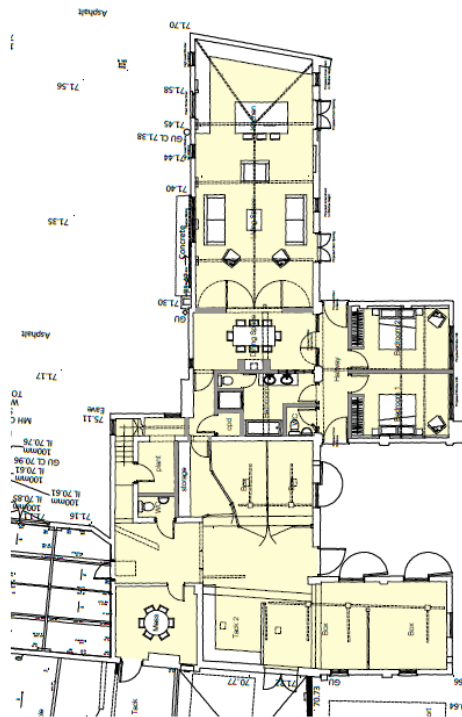
PLANNING

 <p>DANKSBADNELL CHARTERED ARCHITECTS 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000</p>	<p>Cruchfield Manor Proposed Site Plan 18-28-100 A 1:1250</p>	<p>24.03.2019</p>	<p>Cruchfield Manor Proposed Site Plan 18-28-100 A 1:1250</p>	<p>June 19</p>	<p>A3</p>
<p>SCALE 0 25 50 1:1250</p>	<p>KEY PLAN</p>	<p>REVISIONS A Site ownership boundaries corrected</p>	<p>DATE June 19</p>	<p>PAPER A3</p>	<p>SCALE 1:1250</p>

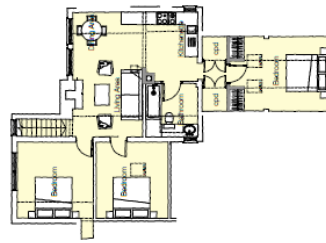
Appendix B – Proposed Plans and Elevations



Proposed Roof Plan
Scale 1:100



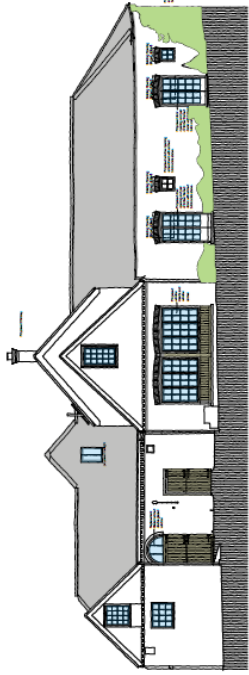
Proposed Ground Floor Plan
Scale 1:100



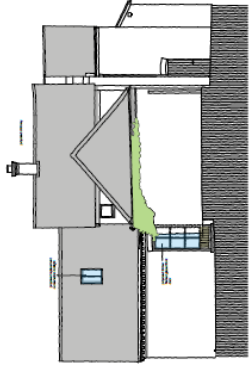
Proposed First Floor Plan
Scale 1:100

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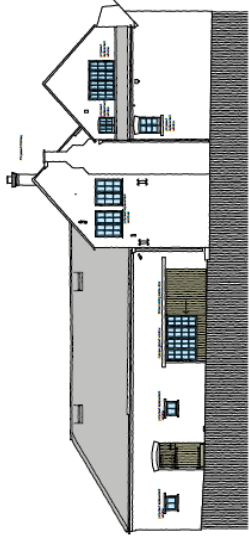
<p>D R M K S B O B M E L L ARCHITECTS INC.</p> <p>18-28-101 SCALE 1:100 DATE Feb'19 PROJECT AT</p>	<p>CLIENT Churchfield Manor OWNER Proposed Ground + First Floor Plan PROJECT 18-28-101 DATE Feb'19 SCALE 1:100 PROJECT AT</p>	<p>SCALE 1:100</p>
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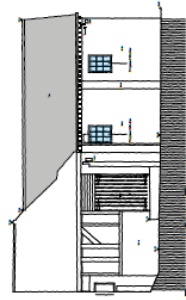
Proposed Front Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100

ancillary building

PLANNING

<p>SCALE</p> <p>1:100</p>	<p>NET PLAN</p>	<p>REVISIONS</p>	<p>DATE: 04/20/19 DRAWN BY: J. B. B. L.L. CHECKED BY: J. B. B. L.L. PROJECT: 19-03-102 SHEET: 113 SCALE: 1:100 DATE: Feb/19 MADE: AT</p>	
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MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 5

Application No.:	19/01624/LBC
Location:	Cruchfield Manor Ascot Road Warfield Bracknell RG42 6HJ
Proposal:	Consent to convert the southern wing of the existing stable block to a dwelling and internal and external alterations to the coach house.
Applicant:	Mrs Brunander
Agent:	Mr Christopher Gregory
Parish/Ward:	Bray Parish/Bray
If you have a question about this report, please contact: Antonia Liu on 01628 796034 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal seeks listed building consent to convert the stable to an ancillary dwelling with internal and external alterations to the building as a whole. There is no objection to the proposed change of use of the building to residential as it would secure its optimum viable use, which is in itself a public benefit. External and internal alterations are not considered to result in any harm to the listed building. Therefore, the proposal is considered to be in compliance with relevant policies and guidance.

It is recommended the Panel GRANTS listed building consent with the conditions listed in Section 12 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.
- At the request of Councillor Walters if the recommendation is to grant the application in the public interest

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site measures approximately 1.5ha and comprises of Cruchfield Manor, which is situated on the north side of Ascot Road. Cruchfield Manor is a large country house comprising of an 18th century core with extensive 19th and 20th century additions and alterations. The house is currently occupied and in good condition. Within the grounds are ancillary buildings including a single storey detached cottage, a coach house and stables with a hayloft and residential accommodation above, two barns, and a further stable block (northern yard). These ancillary buildings are located to the east of the Manor house and form a distinctive group. The ancillary buildings are in partial use but all are in a reasonable condition. To the north and east of the Manor House is an extensive well-kept garden. To the south and east of the Manor house is a gravel driveway and parking area served by two vehicular accesses to the south and south-east. The wider surrounds comprises of agricultural land with some intermittent residential development.
- 3.2 It should be noted that the site straddles the boundary between the Royal Borough of Windsor and Maidenhead and Bracknell Forest. A section of the barn, part of the driveway and the two entrances to the south and south-east of the site therefore lies within Bracknell Forest Council.

4. KEY CONSTRAINTS

- 4.1 The site lies within the Metropolitan Green Belt, and Cruchfield Manor was added to the statutory list of buildings of special architectural or historic interest by the Secretary of State in 1972 and is Grade II listed (ref: 1312899). The ancillary buildings, including the existing coach house and stables block, are considered to be curtilage listed. The buildings are considered to be significant due to their age, architectural quality, condition, and links with well-known historical figures / families such as the Cadbury family.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 In relation to the existing coach house and stable block the applicant seeks listed building consent to convert the stable to a dwelling with internal and external alterations to the building as a whole. For clarity, the proposed dwelling is to provide ancillary residential accommodation.
- 5.2 In addition to the change of use, works to the existing coach house and stable block includes:
1. New screeded concrete floor on the ground floor of the southern wing to form one new level over existing stepped concrete floor;
 2. New insulated timber floor over existing brickwork on the ground floor of the southern arm of the u-shaped core;
 3. Refurbishment of the existing timber floor on the ground floor to the rear (east) of the u-shaped core;
 4. Insertion of glazed crittal frame with door access within the right hand side bricked archway within southern arm of the u-shaped core between the proposed hallway and dining space;
 5. Insertion of 2 doorways and blockwork within the left hand side bricked archway within the southern arm of the u-shaped core between the hallway and separate WC and bathroom;
 6. Replacement timber framed, slim line, double glazed window units
 7. Enlargement of some existing openings;
 8. New glazed arched window above existing door to the proposed stable / tack room;
 9. All new rainwater goods in cast metal; and
 10. 2 new metal conservation rooflights and replacement metal conservation rooflight.
- 5.3 In relation to the subject building relevant planning history is as follows:

Application Ref	Description of Works	Decision and Date
98/32839/FULL	Conversion of part of adjacent coach house into 2-bed dwelling	Approved – 17.08.1999
98/32837/LBC	Conversion of part of adjacent coach house into 2-bed dwelling	Approved – 18.08.1999

- 5.4 There is an also an associated FULL planning application for the conversion of the southern wing of the existing coach house and stable to ancillary residential accommodation including alterations to fenestration, ref: 19/01623/FULL which is currently pending decision.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Impact on Listed Buildings and their Setting	LB2, LB3

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2)

National Planning Policy Framework Sections (NPPF) (2019)

Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Historic Environment	HE1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

The planning officer posted a notice advertising the application at the site on 25 July 2019 and the application was advertised in the Local Press on 1 August 2019. No letters of representation either supporting or objecting to the proposal were received.

Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Delegates decision to Conservation Officer	
Conservation Officer	No objection subject to conditions relating to additional details to be submitted and approved by the local planning authority relating to: <ol style="list-style-type: none">1. Detailed design, construction, glazing and colour/ finish of the new windows and external doors to be submitted for approval at a scale of 1:10, 1:5 or the full size as appropriate2. All windows to be traditionally constructed and of painted timber3. All external rainwater goods and pipework to be of painted cast metal	Para 9.1 – 9.12

	<ol style="list-style-type: none"> 4. Details of the design, construction and materials of the infill screens to the coach house internal arches and openings; and details of the new opening between the dining room and lounge at a scale of 1:10, 1:5 or the full size as appropriate 5. Manufacturer's details of the rooflights to be submitted 6. Details of the works to the floors at ground and first floor, including the floating floor construction and method of protecting brick floors 7. Details of new internal joinery at a scale of 1:10, 1:5 and to full scale as appropriate 8. Details of insulation to walls and roof structure and final finishes. 9. Details of the location and external appearance of all new flues, vents and grills. 	
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9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

i The impact on the listed buildings and its setting

i **The Impact on the Listed Building and Its setting**

9.2 With respect to the Planning (Listed Buildings and Conservation Areas) Act 1990 the applicable statutory provisions are: Section 16(2) when determining applications the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting and any feature of special architectural or historic interest which it processes.

9.3 Local Plan policy LB2 states that the Council will have special regard to the preservation of listed buildings and their setting and will only grant listed building consent for the alteration and/or extension of a building provided that the character of the building will not be adversely affected both internally and externally; requires any works or alterations to a listed building or buildings within their curtilage to make use of appropriate traditional materials and techniques and to be of a high standard of design; and ensure that development proposals do not adversely affect the grounds and/or setting of listed buildings. Local Plan policy LB3 states that the Council will also require that listed buildings are used for purposes which will secure their long-term future and which will preserve or enhance their special interest and character.

9.4 As a material consideration, BLPSV policy H1 states that the historic environment including the heritage asset and their setting will be conserved and enhanced in a manner appropriate to their significance. Harm to the significance of a heritage asset or its setting will not be permitted without clear justification to show that the public benefit of the proposal considerably outweighs any harm to the significance or special interest of the heritage asset in question.

9.5 As a further material consideration, paragraph 189 of the NPPF states that in determining applications the local planning authority should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. Paragraph 192 of the NPPF goes on to state that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Also of relevance, paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit that outweighs that harm or loss while paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated

heritage asset this harm should be weighed against the public benefit of the proposal including securing its optimum viable use.

- 9.6 A Heritage Statement has been submitted to support the proposal which describes the significance of the listed buildings on site. The conclusions of the Heritage Statement are considered to be thorough, well-considered, and evidenced and agreed by the Council's Principal Conservation Officer. In relation to the subject building, it should be noted that the Heritage Statement refers to the subject building as 'The Stables and Barns'.
- 9.7 There is no objection in principle to the conversion of the stables to residential use in listed buildings terms. While partially in use, the building is underutilised and it is considered that the proposal would better secure its long-term upkeep and thereby its longevity. However, while planning permission was granted in 1999 to convert the southern wing of the existing building into a two bed dwelling (ref: 98/32837/LBC), this permission was not implemented and so the use has historically been as ancillary stable and barn buildings to the Manor House and its form and appearance to date has largely evolved as such. There is evidence that there has been a stable and barn building in this location since the early 19th century to serve the 18th century Manor House. It is therefore considered important that they retain their appearance externally as secondary agricultural / service buildings not only in the interests of the character of the building itself but also in the interests of the special character and setting of the Manor house. It is considered that any external alterations that would have a distinctly 'residential character' would be unacceptable.
- 9.8 In this case, the external form and appearance would largely remain the same. A number of larger window openings and rooflights are proposed which would be atypical of a coach house and stable, but overall their size and placement are well-considered and would not detract from the overall agricultural / service appearance. It is also acknowledged that the existing windows provide limited natural light into the internal space which would be acceptable for a coach house and stable use but not so for residential. In terms of construction and materials, the new windows would be traditionally constructed and detailed, and made from timber. They would be double glazed, but the proposal comprises of slim glazing which is considered acceptable in this particular structure. If minded to approve it is recommended that details of the glazing (windows and French door) should be subsequently submitted and approved, which can be secured by condition. The rooflights are conservation in style and construction, and so would be visually discreet. The style and materials of the replacement rainwater goods are considered to be sufficiently in keeping with the character of the building.
- 9.9 In terms of internal alterations, the proposal retains features of special interest that include:
- 1 Sturdy timber trusses to the roofs of both barns
 - 2 Cast iron and timber boarded loose boxes and stalls
 - 3 Elements of tongue and groove boarding, mainly to the walls within the stables/tack room, at ground floor
 - 4 Wooden brackets for saddles/harness, metal hangers for tack and a metal ceiling hook, probably for a lamp, within the tack room
 - 5 two remaining fireplaces, one on each floor, the ground floor retaining its original simple timber surround
 - 5 Two brick arches, with metal pin hinges for double doors, within the garage area (these are part of the original frontage of the coach house)
- 9.10 In relation to flooring, the exposed brick flooring to the existing stable block is identified as a particularly fine feature and its retention is welcome. An insulated timber floor is proposed over the existing brick flooring to the southern arm of the u-shaped core, but given that the new timber flooring would comprise of a floating floor to retain the brickwork underneath this is considered to be acceptable. However, it is recommended that any approval is subject to a condition to secure details of the construction and method of protecting the brick floor underneath the floating floor (condition 9). The proposal also includes refurbishment of the existing timber floor to the rear of the u-shaped core, and as maintenance of historic fabric there is no objection to. A new screed concrete floor to form one new level over the existing stepped concrete floor to the southern wing. Given the existing concrete floor is of limited interest, there are no objection in this respect.

- 9.11 It is considered that the original layout of the building can also still be read. For new openings between structures these have been designed to read as single / double door openings rather than the removal of all or most of the dividing walls, which is acceptable. In terms of infilling, the existing carriage arches are considered to be particularly characterful historic and architectural features. The proposed critical glazing to form a doorway within the right hand side bricked archway would retain the brick arched character while providing the required room divide. The proposed doorway and wall to be inserted in the left hand side arch, would be recessed on both sides so that the archway can still be delineated. If minded to approve, it is recommended that details of the design, construction and materials of the infill screens to the coach house internal arches and openings are secured by condition.
- 9.12 The retention of the open space to full height within the barn is welcomed as the previous approval included a part mezzanine floor, which may have required alterations to the trusses.

10. CONCLUSION

- a) For the reasons above, it is considered that the proposal would not cause harm to the significance of the designated heritage asset, would preserve the special interest of the Grade II listed building, and would adapt the building to secure its long term maintenance and future upkeep. Overall, it is considered that the proposal would be in line with the all relevant policies and guidance.

11. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Proposed Plans and Elevations

12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The works/demolition shall commence not later than three years from the date of this consent.
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.
- 2 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.
- 3 Prior to the installation of the new windows and external doors and notwithstanding the approved drawings, the details of their design, construction, glazing, colour and finish shall be shown on a drawing at a scale of 1:10 or 1:5 to be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved details..
Reason: The submitted drawings are inadequate in these respects and further information is needed in order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 4 Prior to their installation, manufacturing details of the conservation rooflights shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be completed entirely in accordance with the approved details.
Reason: In order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 5 All windows shall be constructed from painted timber and thereafter maintained as such.
Reason: In order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 6 All external rainwater goods and pipework shall be painted case metal and thereafter maintained as such.
Reason: In order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 7 Prior to the installation of the infill screens to the coach house internal arches and openings, details of their design, construction and materials shown on a drawing at a scale of 1:10 or 1:5 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the

works shall be carried out entirely in accordance with the approved details.

Reason: The submitted drawings are inadequate in these respects and further information is needed in order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

- 8 Prior to the insertion of the new openings between the dining room and lounge, as shown on the proposed ground and first floor plan, ref: 18-28-101, details of their design and construction shown on a drawing at a scale of 1:10 or 1:5 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved details.

Reason: The submitted drawings are inadequate in these respects and further information is needed in order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

- 9 Prior to the works to the floor at ground and first floor level, including the floating floor, details of the construction and method of protecting the existing brick floor shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved details.

Reason: The submitted drawings are inadequate in these respects and further information is needed in order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

- 11 Prior to their installation, details of the location and appearance of any new flues, vents and grills shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved details.

Reason: In order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

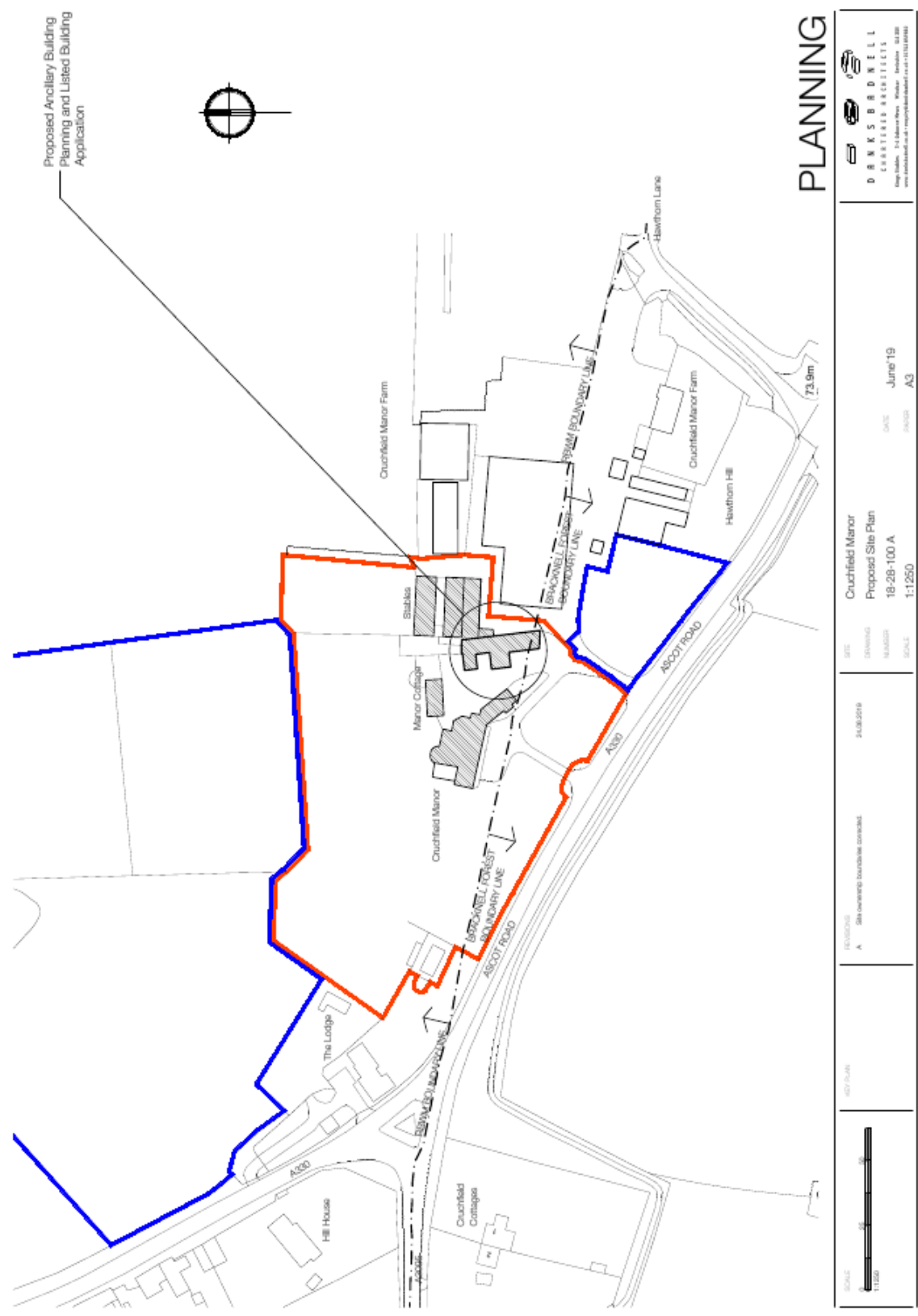
- 12 Prior to the installation of new internal joinery, detailed elevations and cross sections of any new internal joints at a scale of 1:10 or 1:5 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved details.

Reason: The submitted drawings are inadequate in these respects and further information is needed in order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

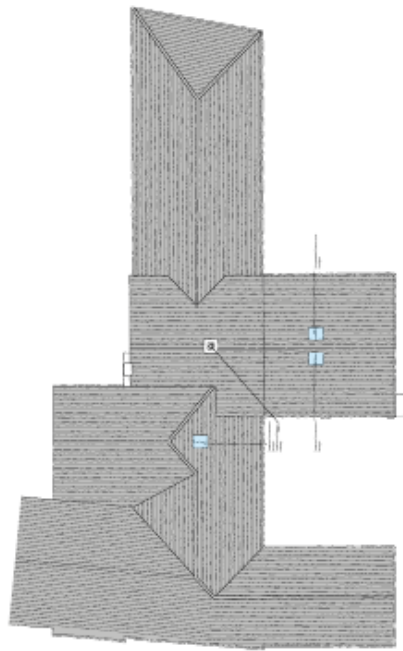
- 13 Prior to the installation of new insulation to walls and roof structure, manufacturers details, method of installation and cross sections of the insulation to walls and roof structure at a scale of 1:10 or 1:50 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved details.

Reason: The submitted drawings are inadequate in these respects and further information is needed in order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

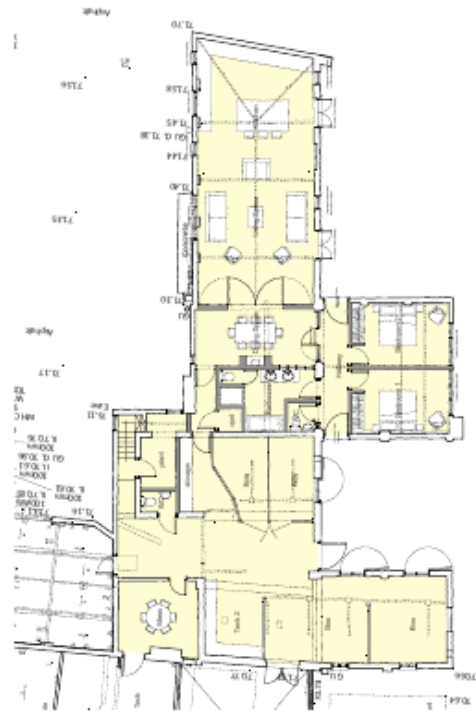
Appendix A – Site Location Plan



Appendix B – Proposed Plans and Elevations



Proposed Roof Plan
Scale 1:100



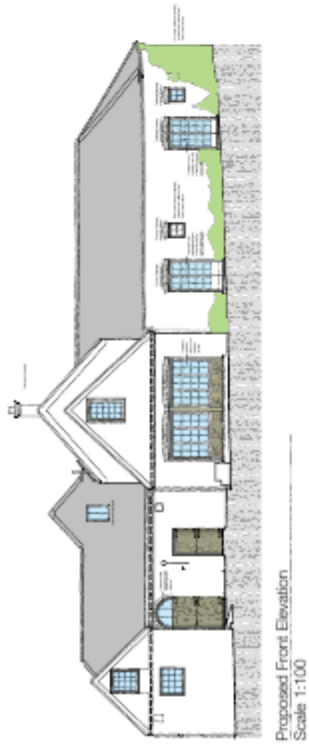
Proposed Ground Floor Plan
Scale 1:100



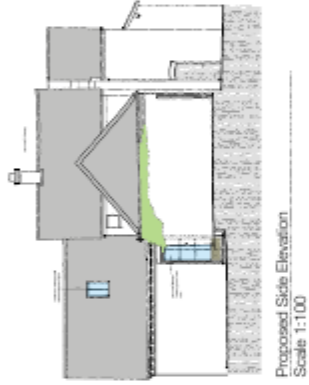
Proposed First Floor Plan
Scale 1:100

PLANNING

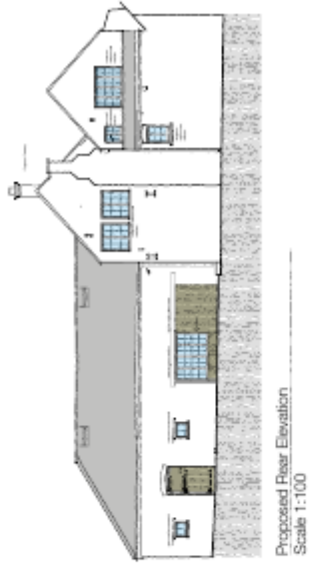
017 Project: Proposed Ground & First Floor Plan Location: 16-28-101 Date: 11/2010 Sheet: 01	017 Client: Cranchfield Manor Project: Proposed Ground & First Floor Plan Location: 16-28-101 Date: 11/2010 Sheet: 01
017 16-28-101 11/2010 01	



Proposed Front Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100

ancillary building

PLANNING

Site:	Courtyard Manor	Project Name:	Ancillary Building
Drawn:	18-05-102	Date:	Feb-19
Scale:	1:100	Sheet:	A1
B R K S B U R N S H I L L ARCHITECTS & PLANNERS www.brksburns.co.uk			



ANCILLARY BUILDING + STABLES - EXISTING USE DIAGRAM
1:250 at A1



LEGEND

- stables
- storage 'berns'
- garage
- staff living quarters

ANCILLARY BUILDING + STABLES - PROPOSED USE DIAGRAM
1:250 at A1

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MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 6

Application No.:	19/01855/FULL
Location:	51 Great Hill Crescent Maidenhead SL6 4RE
Proposal:	New front porch and single storey side/rear extension.
Applicant:	Mrs Dhillon
Agent:	Mr Mohinder Kalsi
Parish/Ward:	Maidenhead Unparished/Boyn Hill

If you have a question about this report, please contact: David Johnson on 01628 685692 or at david.johnson@rbwm.gov.uk

1. SUMMARY

- 1.1 This proposal is for a new front porch and single storey side/rear extension to 51 Great Hill Crescent. Amended plans have been submitted since the original submission of the application which clarify that the existing garage to the rear of the property is proposed to be demolished. The proposed development is considered to have an acceptable impact on neighbouring amenities and the character of the area.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 12 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Carroll for the following reasons. The plans are extremely unclear and there are resident concerns about space, design and appropriateness. It is also unclear how the existing garage will be converted.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises a semi - detached two story dwellinghouse and gardens on a road of similarly designed houses. The site is served by a driveway running down the side of the dwelling to a garage located in the rear garden. The planning history for Great Hill Crescent indicates that a number of properties have carried out works of a similar size and design to those proposed at No.51 and some properties have extended to a greater scale.

4. KEY CONSTRAINTS

- 4.1 Local amenity.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for a new front porch and single storey side/rear extensions, the proposed extensions would provide a larger kitchen/dining area, utility room and garage (although the internal measurements of the proposed garage would not comply with the size requirements for a single garage of 3m x 6m). The applicants have submitted an amended block plan that shows the existing garage to be demolished and two car parking spaces provided to the front of the dwelling. The rear and side extension would have a flat roof for the majority of its area with only the front of the garage incorporating a pitched roof. The new front porch would have a flat roof matching other front porches along Great Hill Crescent.

- 5.2 No relevant planning history.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, H14
Highways	P4

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- RBWM Parking Strategy – view using link at paragraph 5.2

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Four occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 29th July 2019.

Four letters were received objecting to the application as originally submitted and three letters have been received commenting on the amended block plan, summarised as:

Comment		Where in the report this is considered
1.	From the plans it is unclear on actions regarding the garage to the rear of the proposed extension, which is brick built and joined to mine. The proximity to the existing garage door and window of the proposed extension does not make sense. The plan seems to suggest that the side of the garage is to be removed. This I cannot agree to without further consultation, as it would leave my garage exposed and unsafe. My other concern would be the proposed extension is too wide down the side of the building, and it looks as if the wall will be against my fence/boundary. This needs to be reduced. If these areas of concern can be addressed and confirmed I do not have any issues with said works to take place. (3)	See Para 6.2 - 6.3
2.	The boundary fence should remain and the brick built extension the required distance away from the fence. Also we wish no blockage of light to our windows and garden. (2)	See para. 6.4
3.	The amount of roof drainage from No. 51 will be greatly increased and will adequate soakaway drainage to chalk bedrock be installed. If this is so then the drainage from the garage roof can be incorporated.	See para. 6.7
4.	Both the existing rear elevation drawing and proposed rear elevation drawing are incorrect as two roof windows are fitted which are open most days indicating the building is a three storey dwelling and not two as stated in the Design and Access statement under scale and siting. Also, it states there is an attached garage this is not so. Also, the main soil pipe has been transferred from inside the building to the outside with the stench pipe just protruding above the gutter with the risk of sewer gases entering the building via roof windows. (2)	See para. 6.7. The insertion of rooflights and any use of the existing roof-space could be undertaken without the need for any planning permission.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i impact on the character of the area and the street scene;
- ii impact on neighbouring amenities; and
- iii parking

Character and street scene

9.2 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving Well-Designed Places) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. In assessing the current application at No. 51 it is useful to consider previous planning history for the road as a whole. Great Hill Crescent and its associated linked roads offer an insight into the design, size and nature of development over a number of years. The proposal at No. 51 could reasonably be said to follow this pattern of development with a number of properties adding extensions to the side and rear over the years. Furthermore, some properties along Great Hill Crescent were originally constructed with the garages linking dwellings together. The principle of such extensions as proposed under the current application is therefore established in the planning history of the road. Although the ground floor element of the

scheme appears to be large, overall the scheme would be proportionate to the size of the original house, and would not harm the character of the area or the street scene. The proposal is for an extension with an overall depth of 12m adjacent to the driveway of No. 49 and 4m adjacent to No. 53. The existing garage measuring approximately 3m x 7.5m would be demolished as part of the application helping to maintain a reasonable sized rear garden. The proposal is considered to respect the appearance and design of the host dwelling and the appearance and character of the street scene would not be harmed.

Amenity

- 9.3 There are no windows in the flank wall of No. 49 and when drawing a line at 60° from the centre of the nearest habitable room window in the rear elevation of No. 49 the light angle would not be infringed. No windows are proposed for the flank wall of the proposed extension, it is therefore considered that the proposed extension would have little impact on the amenities of the occupiers of No. 49 in terms of loss of light or privacy. There is a difference in the height of the driveway between No. 49 and No. 51 to the front of the properties, which provides a clear distinction of where the boundary is between the two properties. Furthermore, a brick pier has been built on the boundary but within the applicant's curtilage which supports a set of wooden gates into the rear garden of No. 51 and also supports one end of the fence dividing the two properties. As the proposed extension is shown to be constructed on land within the ownership of the applicant and given the considerations referred to above the proposal is not considered to have any detrimental impact on the driveway of No. 49.
- 9.4 The proposed rear extension would have a depth of 4m and an overall height of 3m along the boundary with No. 53. When drawing a line at 60° from the centre of the nearest habitable room window the light angle would intersect the extension by approximately 0.3m. However, given the orientation of dwellings on this side of Great Hill Crescent (rear gardens are northeast facing), it is not considered that this infringement of the light angle would significantly increase the impact on light to the rear window sufficient to warrant refusal of the application.
- 9.5 The proposed new porch would not have a detrimental impact on the amenities of neighbouring properties. It is considered that there would be no material harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

Parking

- 9.6 The proposed garage would be substandard in width at 2.14m when measured internally, as opposed to the standard 3m. However, the applicant has shown two parking spaces on the frontage of the property. Sufficient space would therefore remain on the site to accommodate the car parking for the resulting dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004. Provision and retention of these parking spaces can be controlled by condition (condition 4).

Other Material considerations and none planning matters

- 9.7 The main report has considered the application in terms of its impact on the character and appearance of the original dwelling and the impact on neighbouring amenities. In doing so it has considered material planning considerations raised by occupiers of neighbouring properties. However, the report has not addressed concerns raised by the occupiers of neighbouring properties that either would not require planning permission or do not amount to material considerations. A number of comments have been made about the demolition of the existing garage either in part as indicated on the original block plan or in its entirety as clarified on the amended block plan. The demolition of the garage does not require planning permission and could therefore be carried out at any time by the applicant. The issue of whether it is carried out in such a way as to not detrimentally impact the neighbour's garage is as a matter dealt with under the Party Wall Act. The applicants attention has been drawn to the contents of Party Wall Act in Informative (1). This is also true of the removal of boundary fences, the only consideration under planning legislation is that the development is within the curtilage of the dwelling and in this case the drawings show the extensions within the application site. A concern has also been

raised regarding any proposed soakaways and soil pipes and this again does not amount to a material planning consideration because it is covered under separate legislation. Finally the drawings do not show two roof lights located in the rear elevation; whilst this is acknowledged the application relates to the construction of extensions at ground floor and the absence of these roof lights on the drawing does not therefore have any bearing on the current application.

10. CONCLUSION

10.1 As amended, the proposed extensions are considered to be in accordance with policies DG1 and H14 of the Local Plan, which are considered to be up-to-date and should be given greatest weight. These policies support the aims of achieving well designed places, with a high standard of amenity for existing and future users, which itself is in accord with the NPPF (paras 124, 127 and 130), accorded significant weight as a material consideration.

11. APPENDICES TO THIS REPORT

- Appendix A - Site location/block plan
- Appendix B – Proposed elevations
- Appendix C – Proposed floor plan

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application. 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.

12. 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 in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwelling house. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1
- 3 No development shall commence until the existing garage on the site has been demolished in its entirety. All materials resulting from such demolition works shall be removed from the site within one month of the substantial completion or occupation of the development whichever is the sooner.
Reason: To accord with the terms of the submitted application and because the retention of garage on the site would result in an unacceptable form of development. Relevant Policies - Local Plan H14;
- 4 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.
- 5 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 applicant is advised to refer to The Party Wall Act 1996 prior to carrying out any works in connection with the demolition of the existing garage on site, which is attached to the neighbours garage at No. 49 Great Hill Crescent.

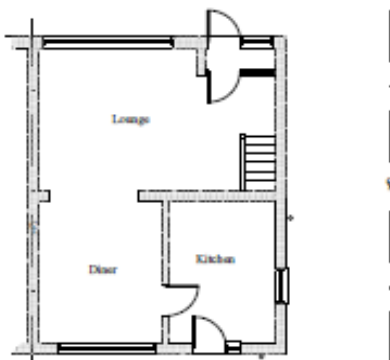
APPENDIX A – AMENDED BLOCK PLAN



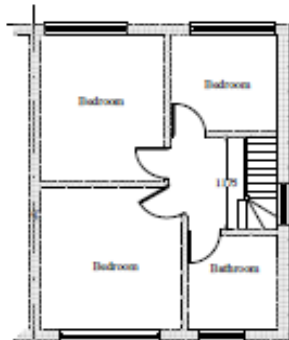
EXISTING BLOCK PLAN 1/500



PROPOSED BLOCK PLAN 1/500



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



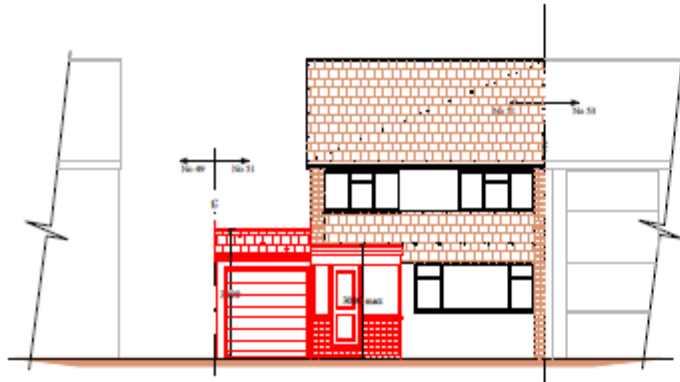
LOCATION PLAN 1/1250

- Notes:
- 1 This drawing is a copy right of Line Design Ltd
 - 2 All dimensions must be checked before commencement of any works
 - 3 Do Not scale of the drawing
 - 4 This drawing may not be copied without prior approval from Line Design Limited
 - 5 All building works to comply with building regulations
 - 6 These drawings are prepared taking pre-construction charge as to CDM 2015 regulations. The client is required to comply with pre-construction and construction phase of the CDM 2015 regulation
 - 7 Contractor to check all specifications and drawings prior to commencement of works and refer the client of any discrepancies.
 - 8 Refer to structural, mechanical, electrical specifications and clients instructions

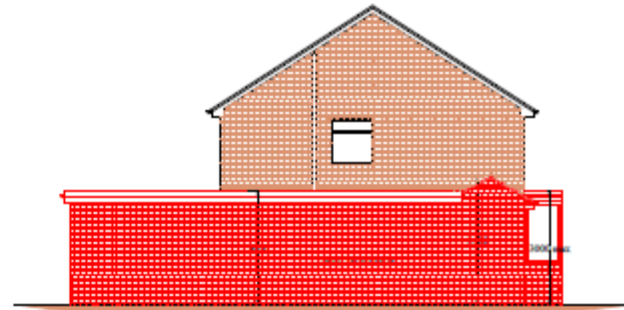
Drawing: 51 Great Hill Cres't, Maidenhead, SL6 4RE
Project: Proposed Single Storey Side and Rear Extension.

Scale 1/100	Dwn No P5401
Date June 2019	Rev B
Dwn MK	Size A3

APPENDIX B – PROPOSED ELEVATIONS

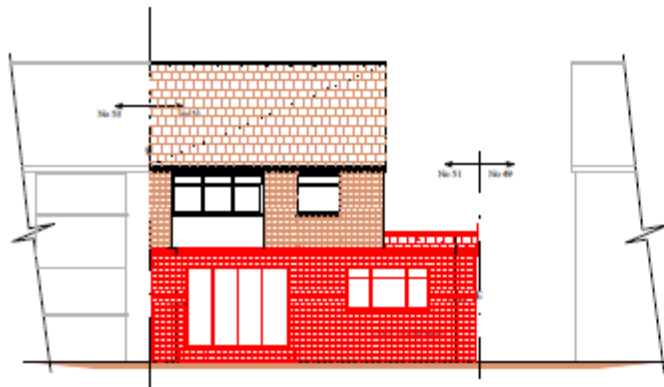


PROPOSED FRONT ELEVATION

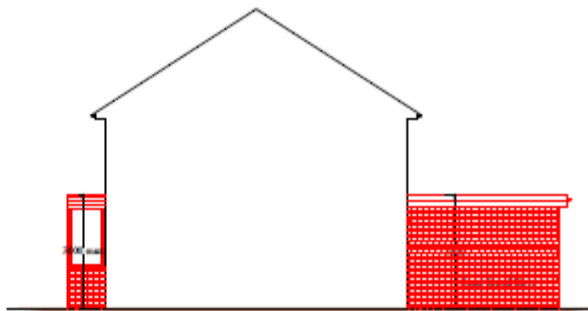


PROPOSED SIDE ELEVATION

134



PROPOSED REAR ELEVATION



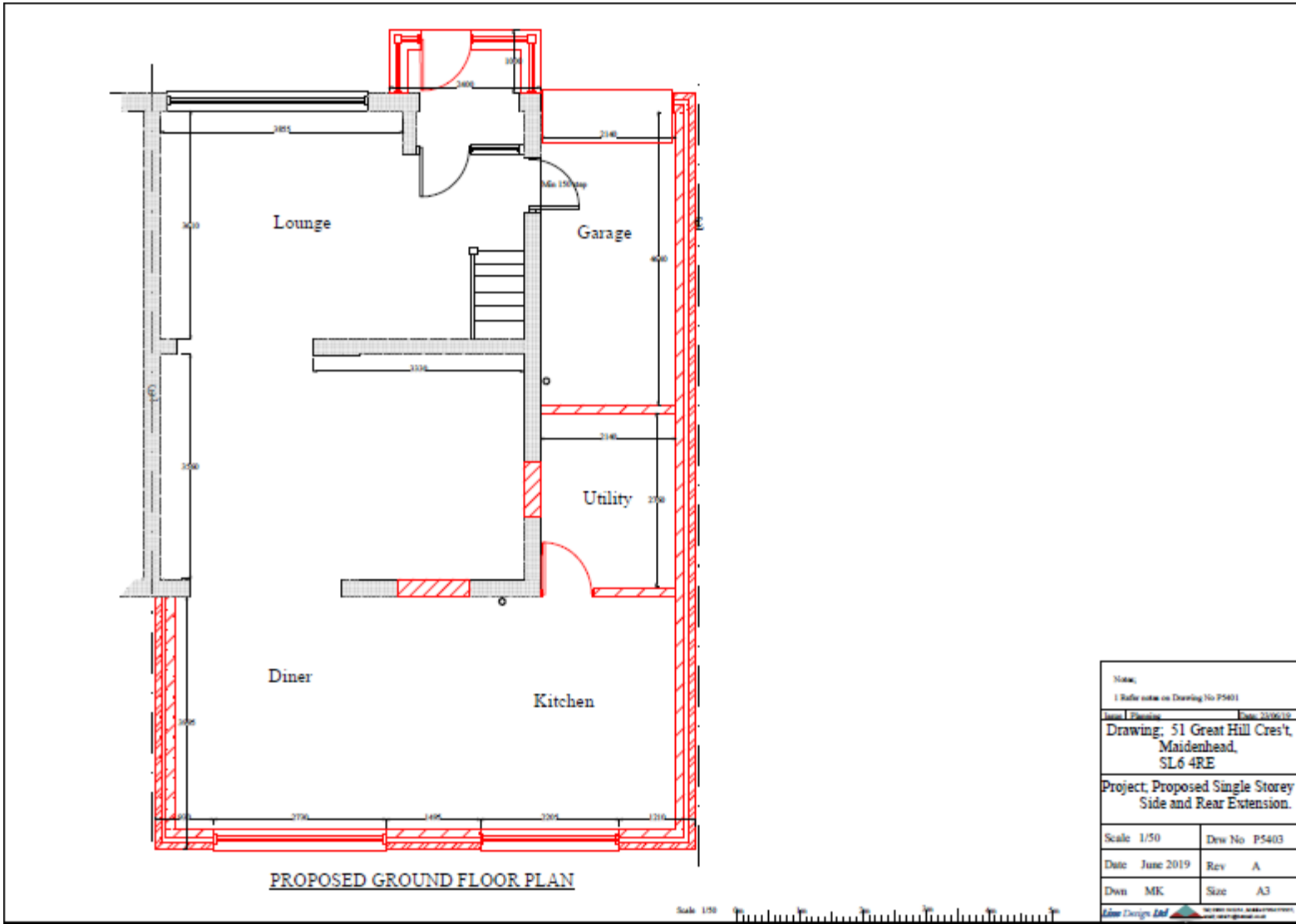
PROPOSED SIDE ELEVATION

Name:	
1 Refer onto on Drawing No P5401	
Date / Drawing:	Date: 2019/06/19
Drawing: 51 Great Hill Cres't, Maidenhead, SL6 4RE	
Project: Proposed Single Storey Side and Rear Extension.	
Scale: 1/100	Dwg No: P5402
Date: June 2019	Rev: A
Dwn: MK	Size: A3

Scale 1/100

APPENDIX C – PROPOSED FLOOR PLAN

135



Notes:	
1 Refer over to Drawing No P5401	
Date: 25/06/19	Scale: 1/50
Drawing: 51 Great Hill Cres't, Maidenhead, SL6 4RE	
Project: Proposed Single Storey Side and Rear Extension.	
Scale: 1/50	Dwg No: P5403
Date: June 2019	Rev: A
Dwn: MK	Size: A3

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MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 7

Application No.:	19/01865/FULL
Location:	St Edmund Campion Catholic Primary School Altwood Road Maidenhead SL6 4PX
Proposal:	Single storey extension to existing nursery.
Applicant:	Alma Powell
Agent:	Mr Nick Fordy
Parish/Ward:	Maidenhead Unparished/Boyn Hill
If you have a question about this report, please contact: Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk	

1. SUMMARY

- 1.1 This is an application for a small extension to an existing nursery at St Edmund Campion Catholic Primary School in Altwood Road Maidenhead. The intention is to enable the existing number of pupils to stay at the school for longer hours, rather than increase the number of pupils attending the school. The proposal would be in-keeping with the design of the school, and will not affect traffic generation. Sufficient parking is provided on site for the additional staff member.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 11 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council’s Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel. This is because the Council has a freehold interest in part of the school grounds, and there has been one objection to the application.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a nursery school connected to a primary school situated on Altwood Road in the west of Maidenhead. It is a detached single storey building lying to the east of the primary school, and is close to school playing fields to the north and east.

4. KEY CONSTRAINTS

- 4.1 The acceptability of the design is a key constraint. The site of the proposed extension is not close to any residential properties. No or very little increase in pupil numbers is expected so there would be no or very little impact on highway capacity. Parking for the extra staff member has been provided.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for an extension to the nursery school to contain a classroom and two toilets. It would measure 8.35m by 6m, and would be 3.2m in height. It would have vertical cedar timber cladding on its walls, and a flat roof.

5.2

Reference	Description	Decision
06/01051/FULL	Construction of a detached single storey early years facility with additional classroom	Permitted 6.7.2006
10/03065/FULL	Single storey extensions to the early years learning facility to form	Permitted 8.2.2011

	classroom and toilets	
--	-----------------------	--

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1
Improvement to a community facility	CF2
Parking	P4
Highways Safety	T5

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 12- Achieving well-designed places

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

7.2 This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

17 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 23.7.2019 and the application was advertised in the Local Press on 18.7.2019.

One letter was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	We object as it will further increase the traffic in Altwood Road and Silvertrees Drive at school drop off and collection times. At these times there is regular gridlock and it is necessary to pull out into the middle of the road, both to exit Silvertrees Drive and to drive along Altwood Road. This is a danger to pedestrians and oncoming traffic. The proposal implies additional children as well as the stated one staff member. Until the current traffic issues are addressed and resolved, no further expansion should be permitted.	9.7-9.9

Consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objection	-
Lead Local Flood Authority	No objection	-
Highways Officer	Altwood Road is an unclassified residential road. The proposed extension will not have an impact on the existing access arrangements or visibility splays. One additional staff member will be required, so one additional parking space is required.	9.7-9.9

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i whether the proposed design is acceptable;
- ii improvement to a community facility;
- iii highways and parking implications.

Design

9.2 The relevant Policy in the adopted Local Plan is DG1, which is concerned with design matters, and the relevant section of the National Planning Policy Framework (NPPF) is Section 12, Achieving Well-Designed Places.

9.3 The nursery school building is partially white render and partially timber clad. The proposed extension would be cedar timber clad. The proposed modest extension to the school is considered to be well designed and would complement the existing school building.

9.4 The proposal complies with the relevant policy, which is given greatest weight and with the relevant section of the NPPF, which is given significant weight as a material consideration.

Community Facility

9.5 The relevant Policy in the Local Plan is CF2, which is concerned with improvements to community facilities.

9.6 The proposal represents an improvement to a community facility, and the proposal complies with Policy CF2.

Highways and Parking Issues

- 9.7 The one new staff member proposed leads to a requirement for one extra parking space. The agent has confirmed that 7 new parking spaces were built on the school site at Easter 2019, and two of these are allocated to the nursery building as a direct result of planning for the proposed extension. The proposal is therefore considered to comply with Policy P4 of the Local Plan regarding parking.
- 9.8 The head teacher has advised that although the extension could technically allow them to take up to 60 pupils in their nursery rather than the current 45, the rationale is to provide sufficient space to allow them to offer more of their existing children full wraparound day care, i.e. 30 hours per week, rather than 15. It is also proposed that the space would provide an additional 'creative area' for children at the nursery. As such, whilst there may be some potential for additional numbers attending the nursery, in reality it is expected that the parents of existing children will take advantage of the longer hours available, thereby not significantly increasing vehicle movements on or off the site. The proposal is therefore unlikely to exacerbate the highways issues in the vicinity of the school, and if it does, there would only be a very small increase in vehicle movements, which would be acceptable. The Highways Officer has no objection to the proposal.
- 9.9 The proposal is therefore considered to comply with Policies P4 and T5 of the Local Plan.

Conclusion

- 9.10 This proposed modest extension to an existing school building within the developed area of Maidenhead would be located well away from any neighbouring properties within this self-contained site. As described above, the proposal would accord with the relevant development plan policies, which are given greatest weight, and also with the relevant sections of the NPPF, given significant weight as a material consideration.

10. APPENDICES TO THIS REPORT

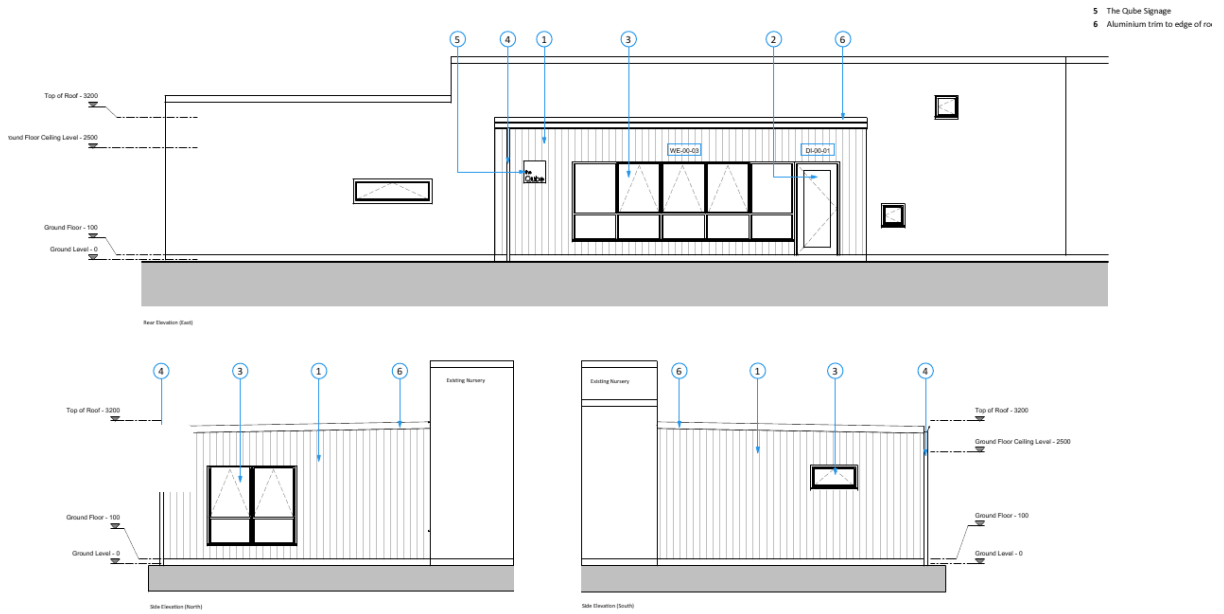
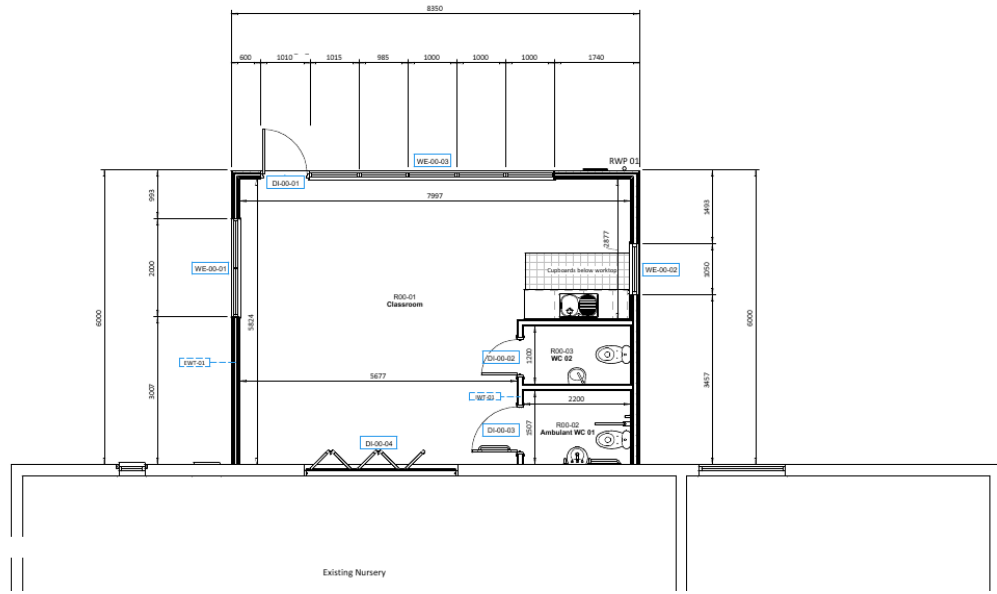
- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.



Appendix A



Appendix B

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 8

Application No.:	19/02043/FULL
Location:	Land North of Bray Watersports Monkey Island Lane Bray Maidenhead
Proposal:	Construction of a swan rehabilitation and care centre with associated works.
Applicant:	Wendy Hermon
Agent:	Gillian Konrad
Parish/Ward:	Bray Parish/Bray
If you have a question about this report, please contact: Charlotte Goff on 01628 685729 or at charlotte.goff@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application seeks consent for the erection of a swan rehabilitation and care centre.
- 1.2 The proposed development constitutes inappropriate development in the Green Belt and does not fall under any of the exceptions to inappropriate development. The case of very special circumstances outlined in section 9 of the report, does not clearly outweigh the harm by inappropriateness and any other identified harm. The proposal would also cause harm to openness and would be contrary to one of the purposes of the Green Belt which is to safeguard the countryside from encroachment.
- 1.3 The site is located in Flood Zone 3b Functional Floodplain. The swan sanctuary is identified as 'water compatible', the proposed office space and car park would be identified as 'less vulnerable', and the educational centre as 'more vulnerable'. The parts of the development classed as 'less vulnerable' and 'more vulnerable' are significant spaces in their size, and combined, occupy nearly half the footprint of the proposed building and surrounding land. In accordance with Tables 1 and 3 of the PPG, it is clear that these types of development are not compatible with this flood zone and should therefore not be permitted. The proposal is therefore contrary to Policy F1 of the Local Plan, NR1 of the emerging Borough Local Plan and paragraph 155 of the NPPF.
- 1.4 Groundwater is particularly sensitive in this location as the proposed development site sits directly upon a Principle Aquifer within the Shepperton Gravel Member and within an Inner Source Protection Zone for a public water supply abstracting from this gravel Aquifer. No information has been received with this application to demonstrate that the scheme would not pollute the groundwater.
- 1.5 A number of biodiversity enhancements have been recommended as part of this application. However, it is not clear as to whether or not these can and will be included within the development, or whether they will provide a net gain in biodiversity in line with NPPF and policies within the submitted Borough Local Plan. In addition it is not clear as to how much of the woodland/ scrub and other habitats are to be lost as part of this application. It is understood that a large area of woodland was already cleared over winter 2018/2019. An ecological mitigation and management plan is required in order to quantify the net biodiversity gains/losses, as well as the biodiversity enhancements/management for the site. Insufficient information has also been received to determine the likely impact of the proposals upon the Greenway Corridor Local Wildlife Site (LWS) and habitats. In the absence of these details, the Council is unable to determine whether the scheme will result in a loss in biodiversity. The scheme is thereby contrary to paragraph 175 of the NPPF.
- 1.6 Due to the uncertainty over the proposed use or potential of the education centre and number of visitors, the scheme has failed to demonstrate that it will not place an undue burden, or create problems of congestion on the surrounding transport network. The proposal would therefore be contrary to policy T5 of the Local Plan and paragraph 108 of the NPPF.

It is recommended the Panel REFUSES planning permission for the following reasons:

1.	The proposed development constitutes inappropriate development in the Green Belt and would conflict with one of its purposes, which is to safeguard the countryside from encroachment. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight must be apportioned to any harm to the Green Belt. It is not considered that any very special circumstances exist that would outweigh the harm identified by inappropriateness and any other harm, and consequently the proposed development would impact on the openness of the Green Belt. The proposal is therefore contrary to paragraphs 133, 143, 144 and 145 of the National Planning Policy Framework (NPPF), the provisions of saved Policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and policy SP5 of the emerging Borough Local Plan Submission Version (2018).
2.	The site is located within Flood Zone 3b Functional Floodplain. The scheme is considered unacceptable as it includes elements (car park, office space, education centre) that fall within flood risk vulnerability categories 'less vulnerable' and 'more vulnerable', which are inappropriate to the flood zone. The scheme is thereby contrary to policy F1 of the Local Plan, NR1 of the emerging Borough Local Plan Submission Version (2018) and Paragraph 155 of the NPPF (2019).
3.	In the absence of any information to establish that the risks posed to groundwater can be satisfactorily managed, the proposal has failed to demonstrate that it would not pollute groundwater in the vicinity of the site. The proposal is contrary to policy NAP4 of the Local Plan and EP5 of the emerging Borough Local Plan Submission Version (2018).
4.	In the absence of information relating to the frequency of use of the education centre and location of additional parking to accommodate these visitors, the scheme has failed to demonstrate that it will not place an undue burden, or create problems of congestion on the surrounding transport network. The proposal would therefore be contrary to policy T5 of the Local Plan and paragraph 108 of the NPPF.
5.	Insufficient information has been received to determine the likely impact of the proposals upon the Greenway Corridor Local Wildlife Site (LWS) and habitats. Furthermore, in the absence of an ecological mitigation and management plan to quantify the net biodiversity gains/losses, as well as the biodiversity enhancements/management for the site, the Local Planning Authority is unable to determine whether the scheme will result in a loss in biodiversity. The scheme is thereby contrary to paragraph 175 of the NPPF (2019) and policy NR3 of the emerging Borough Local Plan.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Coppinger "To ensure that this excellent service is able to continue its vital work and that a flooded gravel pit is used for a service which will protect a magnificent bird."

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located north west of Bray Watersports, accessed via a small bridge over 'The Cut'. The site at present is relatively open land, surrounded by dense vegetation and trees. Bray Lake (north) is located to the north east of the application site and Bray Lake and the watersports centre to the south. The main access road to the site is via Monkey Island Lane.
- 3.2 The land upon which the application is proposed is designated green belt land and located within Flood Zones 2 and 3.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This application seeks consent for the erection of a swan rehabilitation and care centre. It is proposed to access the site via the existing bridge and construct a building approximately 322sqm in footprint. 110.6 sqm of this would be used for the treatment and care of the swans, and the remaining 211sqm for servicing/storage (80sqm), office/reception (14.7sqm), education/exhibition centre (61.4sqm) and circulation (55.1sqm). The entire building is raised with a void of approximately 5 metres and a raised deck area surrounds the building. A car park with parking for 4 vehicles would be located adjacent to the proposed building.
- 4.2 The site is to be occupied by Swan Support, which is a registered charity that provides swan rehabilitation, rescuing, treatment and care for sick and injured swans within the Thames Valley and surrounding areas. They seek to educate the public about the detrimental effects that human behaviour, vandalism, cruelty and carelessness can have on swans and other water birds and train various organisations such as the RSPCA, Highways Agency, Fire Brigade, Royal Parks personnel, Police and Network Rail.
- 4.3 Swan Support is currently based at Queen Mother Reservoir, Horton Road, Datchet but this site, by its nature, is unsuitable for long term use, and is a temporary solution for the charity whilst planning for a more permanent and long term facility is found.

Application Ref	Description of Works	Decision and Date
18/00954/FULL	Construction of a single storey building as headquarters for Swan Support with associated parking. Land bounded by The Cut and the M4, Upper Bray Road.	Withdrawn. 25.10.2018

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 5.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1
Highways	P4 and T5
Trees	N6
Green Belt	GB1, GB2
Flooding	F1

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

6. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

- Section 4- Decision-making
- Section 9- Promoting Sustainable Transport
- Section 12- Achieving well-designed places
- Section 13- Protecting Green Belt land
- Section 14- Meeting the challenge of climate change, flooding and coastal change
- Section 15- Conserving and enhancing the natural environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Development in the Green Belt	SP5
Managing Flood Risk and Waterways	NR1
Trees, Woodlands and Hedgerows	NR2
Nature Conservation	NR3
Environmental Protection	EP1
Sustainable Transport	IF2

6.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies.

6.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- RBWM Interpretation of Policy F1

Other Local Strategies or Publications

6.3 Other Strategies or publications material to the proposal are:

- RBWM Parking Strategy
- Affordable Housing Planning Guidance

More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

3 residents were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 15th August 2019.

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

Comment	Where in the report this is considered
1. Concern with accidents from birds landing on Bray Lake where watersports operate.	Noted, not a material planning

		consideration.
2.	Question whether depth of the water in the gravel pit is suitable or whether engineering would be required to create this. No provision for fresh water or disposal of contaminated waste water.	Noted.
3.	A well established and equipped swan charity (Swan Lifeline) already exists 3-4 miles away in Eton, with staff accommodation. They are questioning why one is needed in this location.	Noted
4.	Concern that existing public access around the building will be affected.	The applicant has provided details to show that the footpath and walks around will be unaffected.

4 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Support construction of the building to enable them to continue their work	
2.	Education centre is vital to educate on the ecology of swans, their habitat and ecosystem	

Statutory consultees (summarised)

Consultee	Comment	Where in the report this is considered
Environment Agency	<p>Site is located in Flood Zone 3b Functional Floodplain. The development falls within a flood risk vulnerability category that is inappropriate to the flood zone.</p> <p>This is a sensitive location for groundwater. The risks to groundwater have also not be demonstrated through this application. For these two reasons, refusal is recommended.</p>	Section iii

Consultees (summarised)

Consultee	Comment	Where in the report this is considered
Highways	No objection is raised to the swan re-habilitation centre. However, in the absence of detail relating to the education centre such as potential numbers, frequency of use, additional car parking, refusal recommended as it has not been demonstrated the scheme will not have a detrimental impact on the highway network.	Section v
Ecology	A number of biodiversity enhancements have been recommended as part of this application. However, it is not clear as to whether or not these can and will be included within the development, or whether they will provide a net gain in biodiversity. In addition it is not clear as to how much of the woodland/ scrub and other habitats are to be lost as part of this application. An ecological mitigation and management plan is required in order to quantify the net biodiversity gains/losses, as well as the biodiversity	Section iv

	enhancements/management for the site. Insufficient information has also been received to determine the likely impact of the proposals upon the Greenway Corridor Local Wildlife Site (LWS) and habitats.	
Environmental protection	No objection – conditions recommended relating to contaminated land	
Trees	To be reported in panel update	
Parish Council	Recommend for approval subject to positive reports from Ecology, the Environment Agency and Highways. The Parish Council requests that the security lighting is reviewed to ensure no inappropriate lighting pollution is caused.	

8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i Green Belt;
- ii Character and Appearance;
- iii Flooding;
- iv Ecology;
- v Highways and Parking;
- vi Neighbour Amenity;
- vii Trees;
- viii Planning Balance and the case for very special circumstances.

i Green Belt

8.2 Policy GB1 of the Local Plan lists the types of development which could be granted approval in the Green Belt. It does refer at (2) to essential facilities for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Part (a) of Policy GB2 of the RBWM Local Plan addresses the effect of a proposed development on openness and the purposes of including land in the Green Belt.

8.3 Policy SP1 (Spatial Strategy) of the emerging Borough Local Plan states that the Green Belt will be protected from inappropriate development in line with Government policy. Policy SP5 (Development in the Green Belt) reflects Green Belt policy outlined in section 13 of the NPPF (2019). The Local Plan was prepared in accordance with the cancelled PPG2: Green Belts while the BLPSV was prepared in accordance with the NPPF (2012). The NPPF is considered to be a more up-to-date expression of Government intent and is afforded significant weight as a material consideration. While the Development Plan comprises of the Local Plan, policies GB1 and GB2 are not entirely consistent with the NPPF and are not given full weight for the purposes of this assessment. Under transitional arrangements the BLPSV is assessed against the NPPF (2012) and therefore policy SP5 is considered to be consistent in this respect, but due to unresolved objections policy SP5 should only be given moderate weight as a material consideration.

8.4 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The construction of new buildings within the Green Belt is regarded as inappropriate development and paragraph 144 of the NPPF states that inappropriate development is by definition, harmful and should not be approved except in very special circumstances. Paragraph 144 continues to state that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations.

- 8.5 The construction of new buildings in the Green Belt is regarded as inappropriate development unless it comes within the exceptions listed in paragraph 145 of the NPPF.
- 8.6 Neither the proposed change of use of the land to a swan sanctuary nor the proposed building to support the proposed use would fall within the exceptions listed within the NPPF. The proposed development as a whole would therefore amount to inappropriate development for the purposes of the Framework.
- 8.7 The proposal would also conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. In terms of actual openness, the proposal would introduce a building where there is currently none and there would be incidental activity from the use including the parking of cars by staff/volunteers, deliveries, visitors etc.
- 8.8 For the reasons set out above, the proposal is considered to constitute inappropriate development in the Green Belt. Furthermore, the proposal would result in actual harm to openness. Paragraph 144 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt, that such harm should be apportioned substantial weight and that the proposed development should not be approved except in very special circumstances (VSC). Accordingly, for such a development on this site to be considered to accord with the above planning policies, very special circumstances (VSC) must be demonstrated which clearly outweigh the substantial harm caused to the Green Belt and any other harm identified, including any harm to openness and any encroachment of the countryside. The case for very special circumstances is considered below.

ii Character and Appearance

- 8.9 Section 12 of the NPPF (2019) deals with achieving well designed places and the delivery of developments that will function and contribute to the overall quality of the area in the long term. To achieve this, development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; they should be sympathetic to local character and history, including the surrounding landscape setting
- 8.10 Local Plan policy DG1 sets out design guidelines and requires new buildings to be compatible in terms of the scale and height of adjacent properties and materials should be sympathetic to the traditional materials of the area.
- 8.11 Emerging policy SP3 requires development to respect and enhance the local, natural or historic character of the environment, paying particular regard to amongst other things scale, bulk, massing and materials.
- 8.12 The main characteristics of the site are its undeveloped and open character. The Landscape Assessment (2004) identifies this area as consisting of flooded former gravel pits, however, despite their extensive nature, they are not often visible because of the low lying nature of the landform. As a result, the topography of the site is such that the proposed introduction of a building and ancillary features would result in a reduction in the openness of the site to the detriment of the surrounding area.

iii Flooding

- 8.13 Local Plan policy F1 states that within areas liable to flood, development will not be permitted unless it can be demonstrated that the proposal would not of itself, or cumulatively in conjunction with other development 1) impede the flow of flood water; or 2) reduce the capacity of the flood plain to store flood water; or 3) increase the number of people or properties at risk from flooding.
- 8.14 The application site lies within Flood Zone 3 which is land defined by the planning practice guidance as having a high probability of flooding. In addition, most of the site lies within the 5% annual exceedance probability flood extent, defined as Zone 3b functional floodplain (as defined in the RBWM Strategic Flood Risk Assessment).

- 8.15 In accordance with the Planning Practice Guidance (PPG) and NPPF, whilst a sequential test would not be required for the change of use of the land, it would be required for the proposed building. The aim of the Sequential test is to ensure that areas at little or no risk of flooding are developed, in preference to areas at higher risk, through keeping development out of medium and high flood risk areas where possible. The Sequential Test requires that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 8.16 A sequential test has been submitted that has compared the proposed development site with all other suitable sites within the Borough. It has discounted sites that are undeliverable or not available, too small or large to provide a similar development and site layout, those that are not near to or have a water feature for swan rehabilitation, or at a greater flood risk than the proposed site.
- 8.17 Of the sites in the HELAA, 4 sites were identified as being suitable in terms of their size, siting and availability. However on assessment, none of these would have a lower probability of flooding. The proposal is therefore considered to have passed the sequential test.
- 8.18 Whether the proposal is now appropriate in this location in flood risk terms, is dependent on its classification according to flood risk vulnerability. The swan sanctuary is identified as 'water compatible', the proposed office space and car park would be identified as 'less vulnerable', and the educational centre as 'more vulnerable'. The parts of the development classed as 'less vulnerable' and 'more vulnerable' are significant spaces in their size, and combined, occupy nearly half the footprint of the proposed building and surrounding land. In accordance with Tables 1 and 3 of the PPG, it is clear that these types of development are not compatible with this flood zone and should therefore not be permitted. The proposal is thereby contrary to Policy F1 of the Local Plan, NR1 of the emerging Borough Local Plan and paragraph 155 of the NPPF.
- 8.19 Had the scheme been considered compatible in flood risk terms, in accordance with paragraph 163 of the NPPF, an assessment would have been required to ensure that the proposal did not increase flood risk elsewhere. A Flood Risk Assessment (FRA) has been submitted that sets out physical design measures that will be implemented to ensure a flood resilient design. The building will also be constructed on voids which will ensure that there is no loss of fluvial floodplain storage. Overall, had the scheme been found acceptable in flood risk terms, the FRA has demonstrated compliance with paragraph 163 of the NPPF.

Groundwater

- 8.20 The Environment Agency has raised further concerns with the application in relation to groundwater protection. Groundwater is particularly sensitive in this location as the proposed development site sits directly upon a Principle Aquifer within the Shepperton Gravel Member and within an Inner Source Protection Zone for a public water supply abstracting from this gravel Aquifer. Having reviewed the map provided by the applicant of the historic landfill in the area, it is evident that part of the north western portion of the proposed site also falls upon a historic landfill site.
- 8.21 The Environment Agency requires adequate information to be submitted to demonstrate that the risks posed by the development to groundwater can be satisfactorily managed, especially where risk of pollution is high and the groundwater asset is of high value such as in this case. In the absence of this information, the proposal is contrary to Policy NAP4 of the Local Plan and EP5 of the emerging Borough Local Plan.

iv Ecology

Local Wildlife Site and habitats

- 8.22 The Greenway Corridor Local Wildlife Site (LWS) lies immediately to the south of the proposed development site. Development should not adversely affect LWSs – which can be defined as sites of local importance – as per emerging Policy NR3 below:

“Either individually or in combination with other developments, which are likely to have a detrimental impact on sites of local importance, or compromise the implementation of the national, regional, county and local biodiversity actions plans, will not be permitted unless it can be demonstrated that the benefits clearly outweigh the need to safeguard the nature conservation value of the site”

- 8.23 The site also comprises woodland and a lake which are ecologically sensitive habitats and may also classify as Priority Habitats. Priority habitats are listed in Section 41 as being Habitats of Principal Importance for the Conservation of Biodiversity in England as required under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. The ecology report submitted only makes brief reference to the potential impacts of the proposed development on the LWS and other ecologically sensitive areas which could include pollution (light, dust, water), potential additional recreational pressure, and pressure from change of use of the site, and it is unclear as to whether or not the proposed development will require the clearance of habitat such as woodland and scrub.
- 8.24 Given the LWS is located immediately to the south of the proposed development, there are trees/woodland to the north and east, and a lake to the north. Insufficient information has been received to determine the likely impact of the proposals on the designated site and habitats. Details of the protection of designated sites and wildlife sensitive habitats (the lake and woodland) are required to allow the assessment of such, in addition to details for the prevention/mitigation of air, water and light pollution as well as recreational pressure and use of the site by swans. In the absence of such, the scheme is contrary to paragraph 175 of the NPPF.

Badgers

- 8.25 No badgers or their setts were recorded on site however, there were three mammal holes within 30m of the proposed development, which could be used by badgers. The applicant's ecologist has concluded that the mammal holes were not being used at the time of survey. However, given that badgers are mobile animals and could start using mammal holes, the applicant's ecologist has provided a number of recommendations in order to safeguard badgers during and after construction. These include an updated survey prior to development and laying planks in any trenches and open pipework. Had the scheme been found acceptable in all other respects, the recommendations would have been secured by condition.

Otter

- 8.26 No otter presence was recorded during the survey. The majority of the site was recorded as being unsuitable for otter, although it was stated that otters could forage within the lake and traverse the site between the LWS and the lake. Had the scheme been found acceptable in all other respects, a method statement would have been required in order to ensure that otters are not harmed during development.

Biodiversity enhancements

- 8.27 Paragraph 175 of the NPPF states that “opportunities to incorporate biodiversity improvements in and around developments should be encouraged”.
- 8.28 A number of biodiversity enhancements have been recommended as part of this application including native species planting, incorporation of bird and bat boxes and eradication of Himalayan balsam and buddleia. However, it is not clear as to whether or not these can and will be included within the development, or whether they will provide a net gain in biodiversity in line with NPPF and policies within the submitted Borough Local Plan. In addition it is not clear as to how much of the woodland/ scrub and other habitats are to be lost as part of this application. It is understood that a large area of woodland was already cleared over winter 2018/2019.
- 8.29 An ecological mitigation and management plan is required in order to quantify the net biodiversity gains/losses, as well as the biodiversity enhancements/management for the site. In the absence of this plan, the Council is unable to determine whether the scheme will result in a loss in biodiversity. The scheme is thereby contrary to paragraph 175 of the NPPF.

v Highways and Parking

- 8.30 Policy T5 of the Local Plan requires proposals to comply with the Councils adopted highway design standards, to ensure developments do not place an undue burden or create problems on the highway network.
- 8.31 The proposed swan sanctuary will require 6 car parking spaces in accordance with the Councils standards. 3 full time members of staff are to be employed on the site and 4 car parking spaces are shown on the submitted plans to which no objection is raised.
- 8.32 In relation to the education centre, the plans demonstrate that this will be able to accommodate at least 24 people. Due to the sites poor accessibility, the proposal will only attract vehicle movements and there is concern over the potential number of visitors. No information has been provided as to how many children/members of the public/professionals are to be invited to the centre and the frequency of events. Further statements from the applicant suggest that this is an essential component of the project and there is interest from a number of different bodies to use this facility. It is likely that groups may travel by minibus/car/coach, however no information has been provided of where additional parking for these visitors would be located. Given the constrained and sensitive nature of the site and access road, the Council is concerned that the scheme would cause undue congestion on the site and surrounding roads, and fail to provide a safe and suitable access for all users.
- 8.33 In the absence of information relating to the frequency of use of the education centre and location of additional parking to accommodate these visitors, the scheme has failed to demonstrate that it will not place an undue burden, or create problems of congestion on the surrounding transport network. The proposal would thereby be contrary to policy T5 of the Local Plan and paragraph 108 of the NPPF.

vi Neighbour Amenity

- 8.34 In line with paragraph 127 of the NPPF it is necessary to ensure that development provides a high standard of amenity for existing occupiers. Emerging policy SP3 requires development to have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell, sunlight and daylight.
- 8.35 The proposed building would be sited a significant distance from any residential properties and the nearest building is Bray Watersports to the south of the site. As a result, it is not considered that the proposed building would have an unacceptable impact in terms of light, outlook and privacy. Further details regarding lighting could be secured by condition in the event of planning permission being granted to safeguard against light pollution. The proposal would accord with the guidance set out in the NPPF and emerging policy SP3.

vii Trees

- 8.36 At the time of writing this report, comments from the Councils Tree Officer were not available. These will be reported in the panel update.

9. Other Material Considerations

Very Special Circumstances

- 9.1 Paragraph 11 of the NPPF states that 'plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
- c) Approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

1. the application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 2. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.
- 9.2 In accordance with the guidance contained in the NPPF there is one balancing exercise which needs to be undertaken in this particular case which is whether the very special circumstances promoted by the applicant would clearly outweigh the harm to the Green Belt and any other harm.
- 9.3 It has been demonstrated that in accordance with national policies, this form of development in the Green Belt is inappropriate development which should not be approved except in very special circumstances. It is concluded that the harm caused by the proposal by reason of it comprising inappropriate development and the harm to the Green Belt through loss of openness should be afforded substantial weight against the development. The issues relating to flooding and biodiversity are also afforded substantial weight.
- 9.4 No case for VSC was provided with this application, however, a previous application (18/00954/FULL) submitted by the applicant on a nearby site, detailed some benefits or very special circumstances of the scheme, which are still considered relevant to the consideration of this application, and have therefore been considered. These include the following:
- educating and raising of awareness of Swan Support's work,
 - raise funds for Swan Support,
 - increase interest in volunteering,
 - raise awareness of Green Belt land for passive recreational use,
 - improvement to ecology/biodiversity of the site
 - site would be more effectively used to the benefit of the community

Planning Balance

- 9.5 Whilst the proposed use of the site as a swan sanctuary has the potential to improve biodiversity on the site, as outlined under section (iv), the method in which this is to be achieved has not been clearly demonstrated by the applicant. Furthermore, it has not been demonstrated that the proposed construction of the building and associated hard-surfacing would not impact on existing habitats. Therefore, very limited weight is given to the potential of the proposal to improve biodiversity.
- 9.6 The development has the potential to provide a community benefit in that it would serve to educate members of the public. However, limited information has been provided to demonstrate that it would in fact provide a community benefit. No detailed information has been provided in respect of the potential use of the education centre. This facility takes up a large proportion of the building, resulting in its increased scale and resultant greater impact on openness. It has not been demonstrated that there is a demand for such an education centre and whilst it has been suggested that it would provide opportunities for schools or organisations to come to site, the evidence provided is limited.
- 9.7 The current situation is that the Swan Sanctuary provide presentations off site at the interested organisations location. Based on the information submitted it would appear to be more of a desire than a need for the swan sanctuary to be able to carry out presentations on their own site, although it is appreciated that all the facilities on site would assist in this. The Council have also been made aware of a similar charity, Swan Lifeline based in Eton, that offer an identical service to the one proposed within this application, providing education/talks mainly off site. The close proximity of a similar charity, already offering such a service to the same groups identified such as schools, RSPCA etc, only raises questions on whether there is a demand for such or whether this has already been met by this existing facility. No evidence has been provided to substantiate the demand for such an education facility. It is also unclear how the proposal would raise funds for Swan Support as was suggested. On this basis limited weight is therefore given to any community benefits resulting from the scheme.

10 CONCLUSION

Based on the above assessment and balancing exercise, it is not considered that very special circumstances exist that would clearly outweigh the harm by inappropriateness and the other harm identified above. The recommendation is to refuse planning permission as the proposal fails to comply with The Development Plan and other material considerations do not weigh in favour of the scheme.

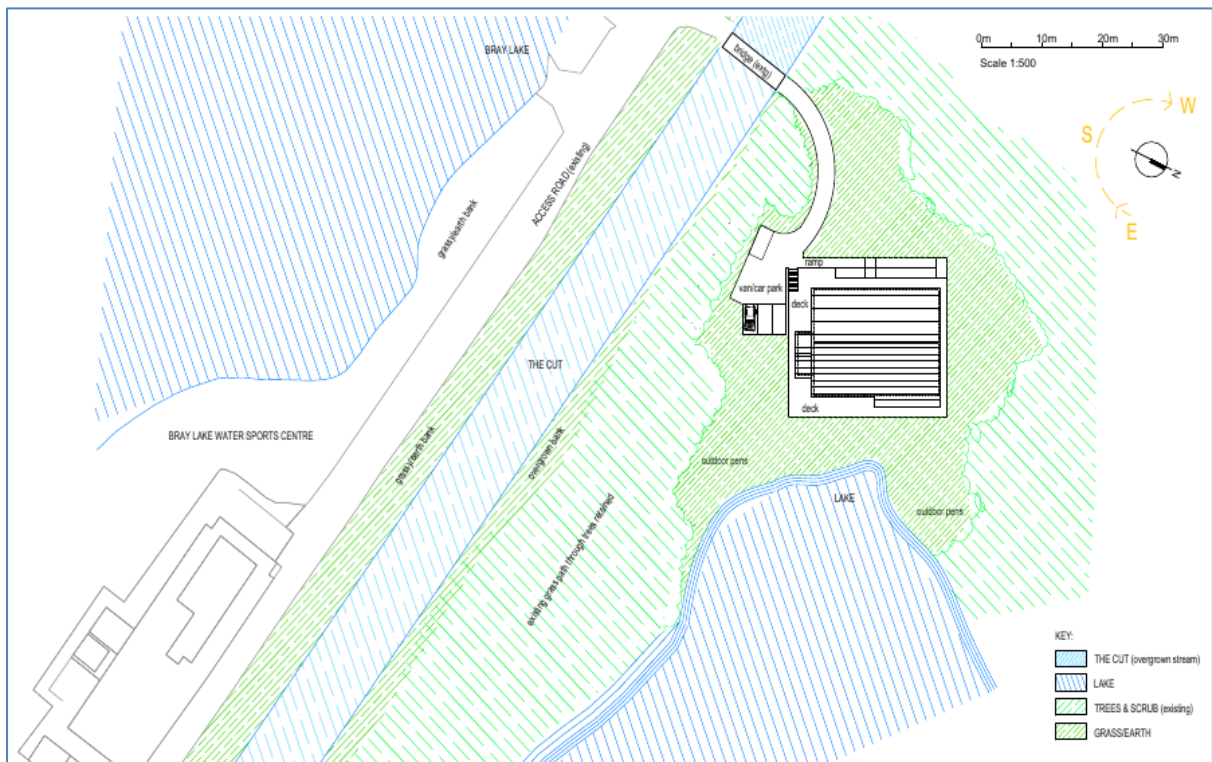
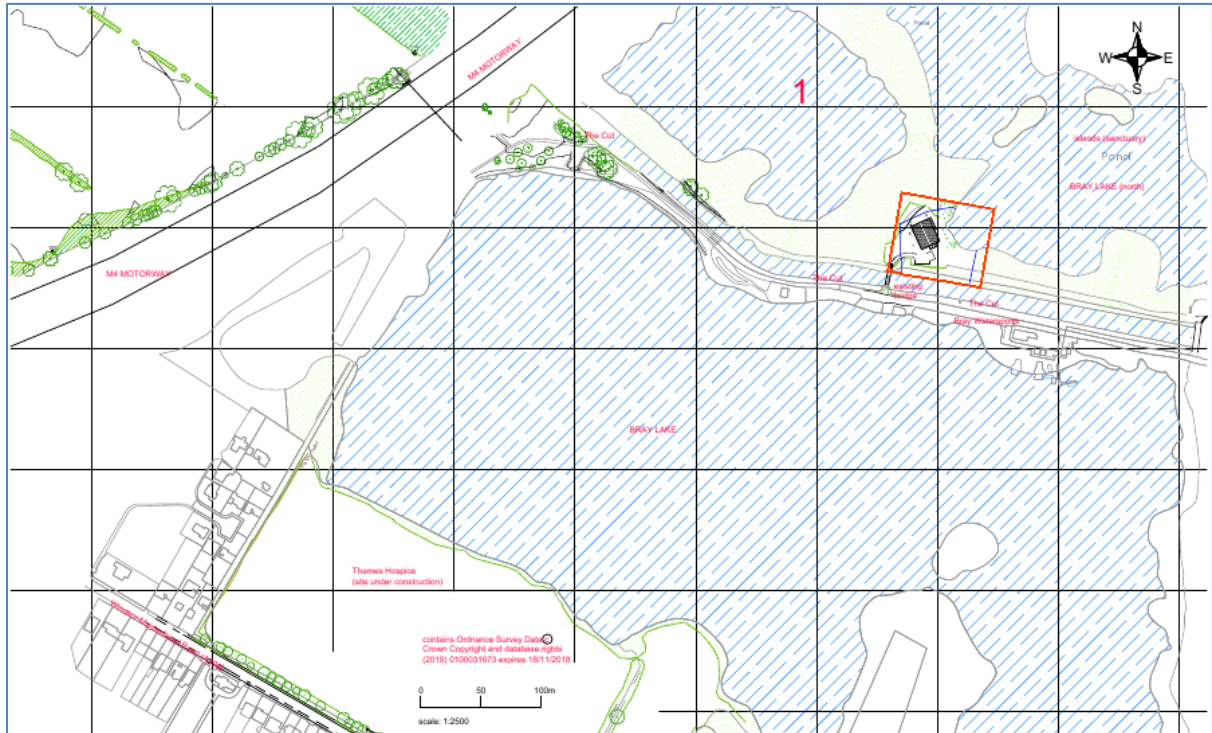
11. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Ground Floor plan
- Appendix C – Elevation North East
- Appendix D – Elevation South East
- Appendix E – Elevation South West
- Appendix F - Elevation North West.

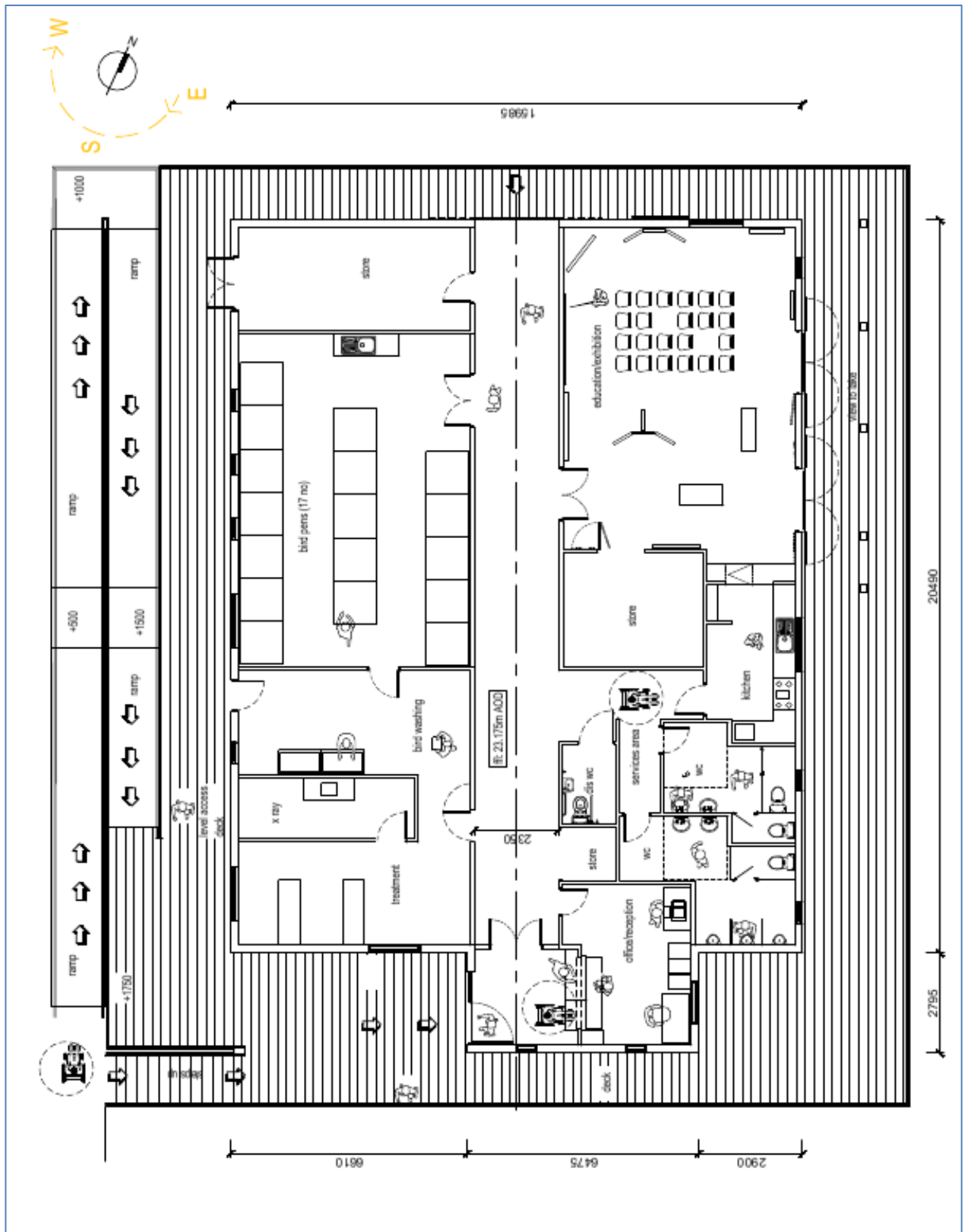
12. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposed development constitutes inappropriate development in the Green Belt and would conflict with one of its purposes, which is to safeguard the countryside from encroachment. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight must be apportioned to any harm to the Green Belt. It is not considered that any very special circumstances exist that would outweigh the harm identified by inappropriateness and any other harm, and consequently the proposed development would impact on the openness of the Green Belt. The proposal is therefore contrary to paragraphs 133, 143, 144 and 145 of the National Planning Policy Framework (NPPF), the provisions of saved Policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and policy SP5 of the emerging Borough Local Plan Submission Version (2018).
- 2 The site is located within Flood Zone 3b Functional Floodplain. The scheme is considered unacceptable as it includes elements (car park, office space, education centre) that fall within flood risk vulnerability categories 'less vulnerable' and 'more vulnerable', which are inappropriate to the flood zone. The scheme is thereby contrary to policy F1 of the Local Plan, NR1 of the emerging Borough Local Plan Submission Version (2018) and Paragraph 155 of the NPPF (2019).
- 3 In the absence of any information to establish that the risks posed to groundwater can be satisfactorily managed, the proposal has failed to demonstrate that it would not pollute groundwater in the vicinity of the site. The proposal is contrary to policy NAP4 of the Local Plan and EP5 of the emerging Borough Local Plan Submission Version (2018).
- 4 In the absence of information relating to the frequency of use of the education centre and location of additional parking to accommodate these visitors, the scheme has failed to demonstrate that it will not place an undue burden, or create problems of congestion on the surrounding transport network. The proposal would thereby be contrary to policy T5 of the Local Plan and paragraph 108 of the NPPF.
- 5 Insufficient information has been received to determine the likely impact of the proposals upon the Greenway Corridor Local Wildlife Site (LWS) and habitats. Furthermore, in the absence of an ecological mitigation and management plan to quantify the net biodiversity gains/losses, as well as the biodiversity enhancements/management for the site, the Local Planning Authority is unable to determine whether the scheme will result in a loss in biodiversity. The scheme is thereby contrary to paragraph 175 of the NPPF (2019) and policy NR3 of the emerging Borough Local Plan.

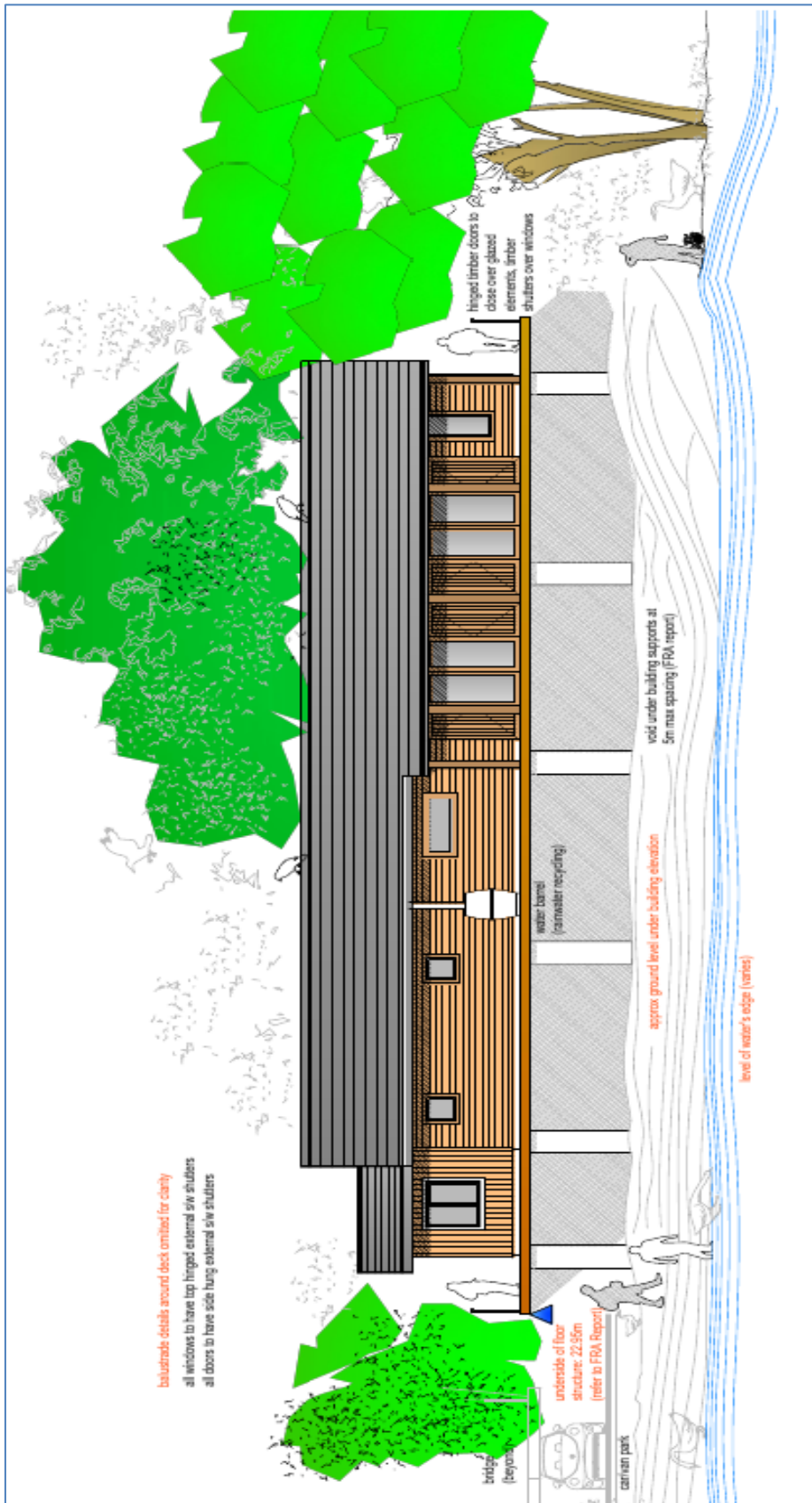
Appendix A – Site Local plan and site layout



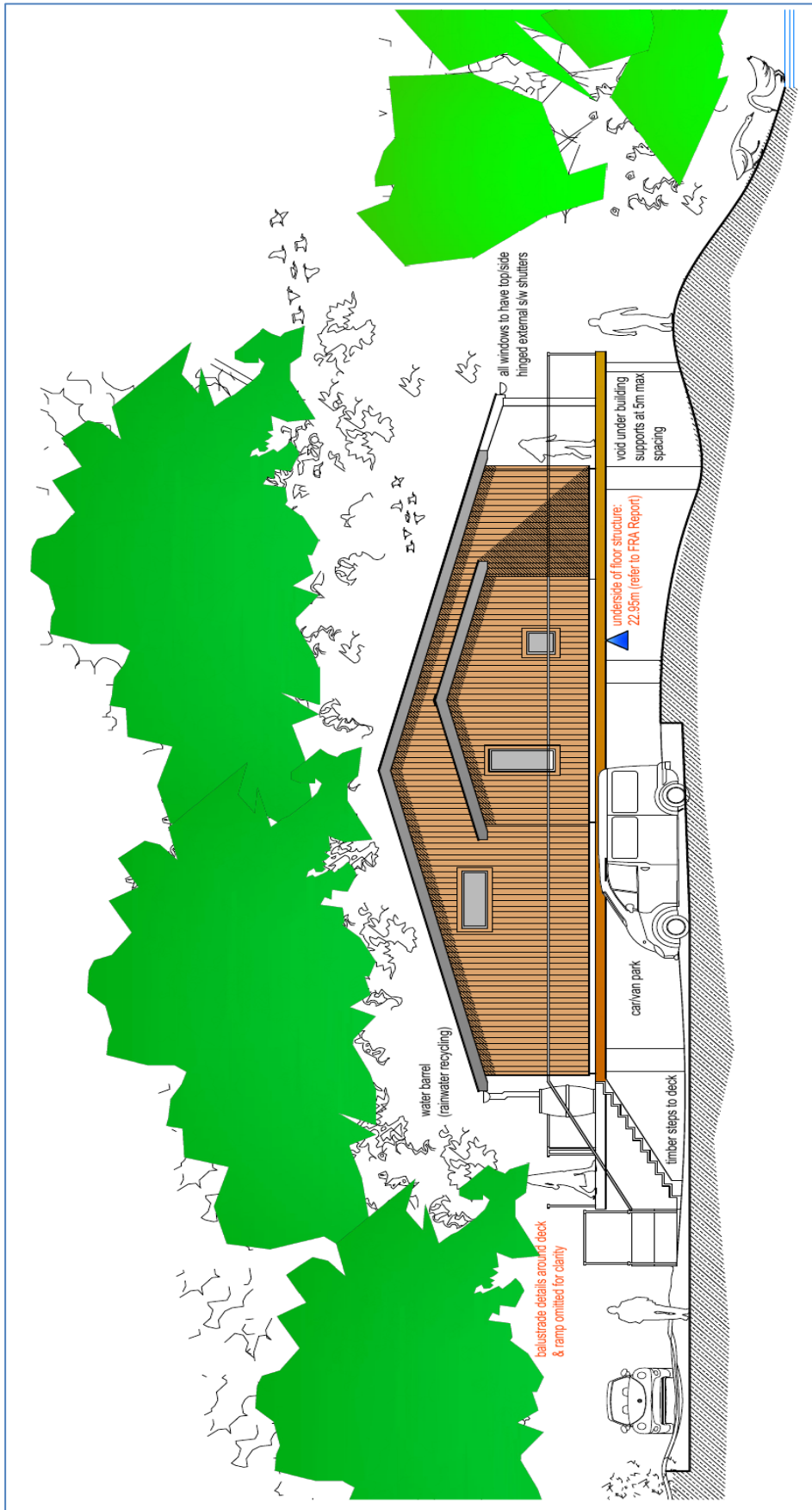
Appendix B – Ground floor plan



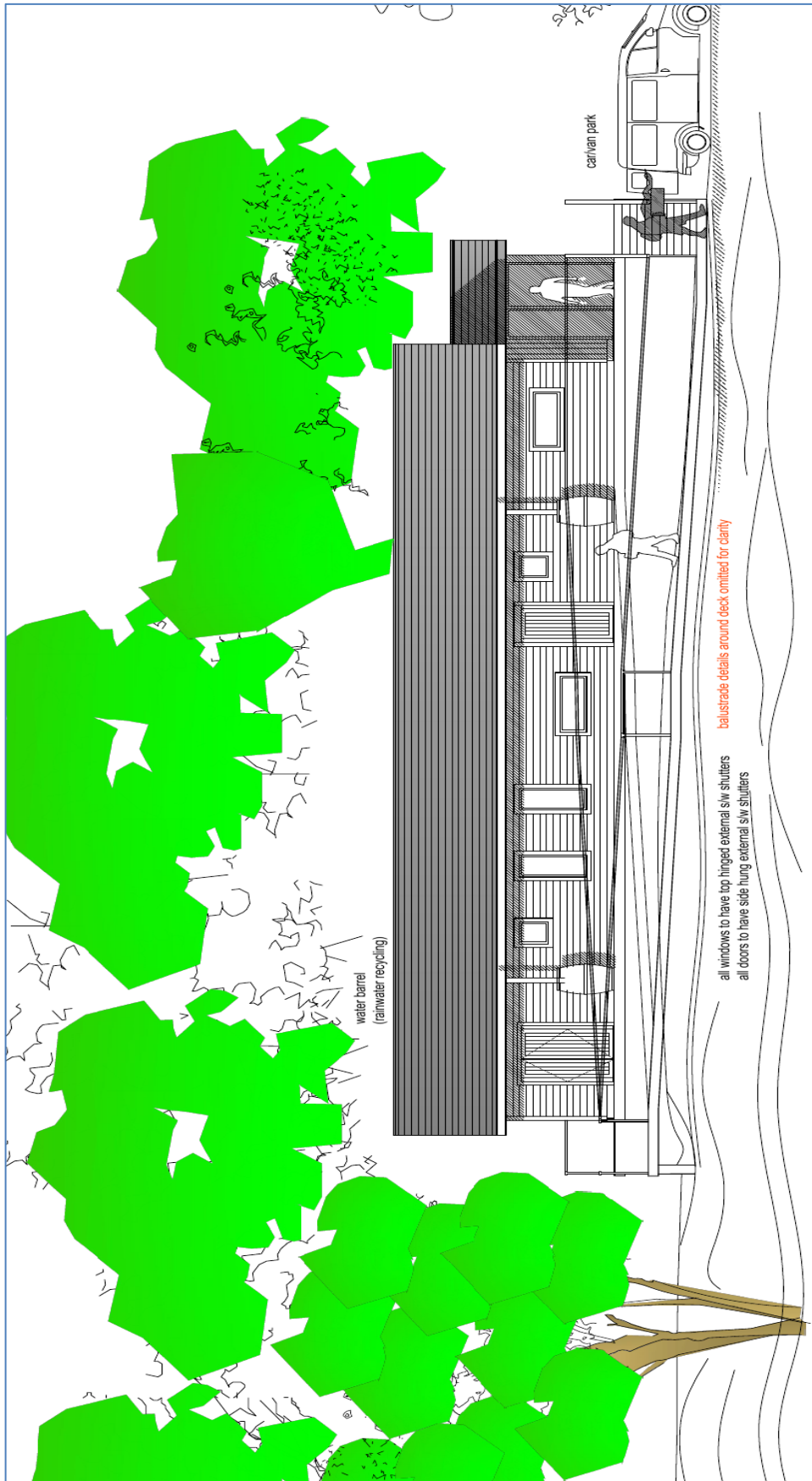
Appendix C – North east elevation



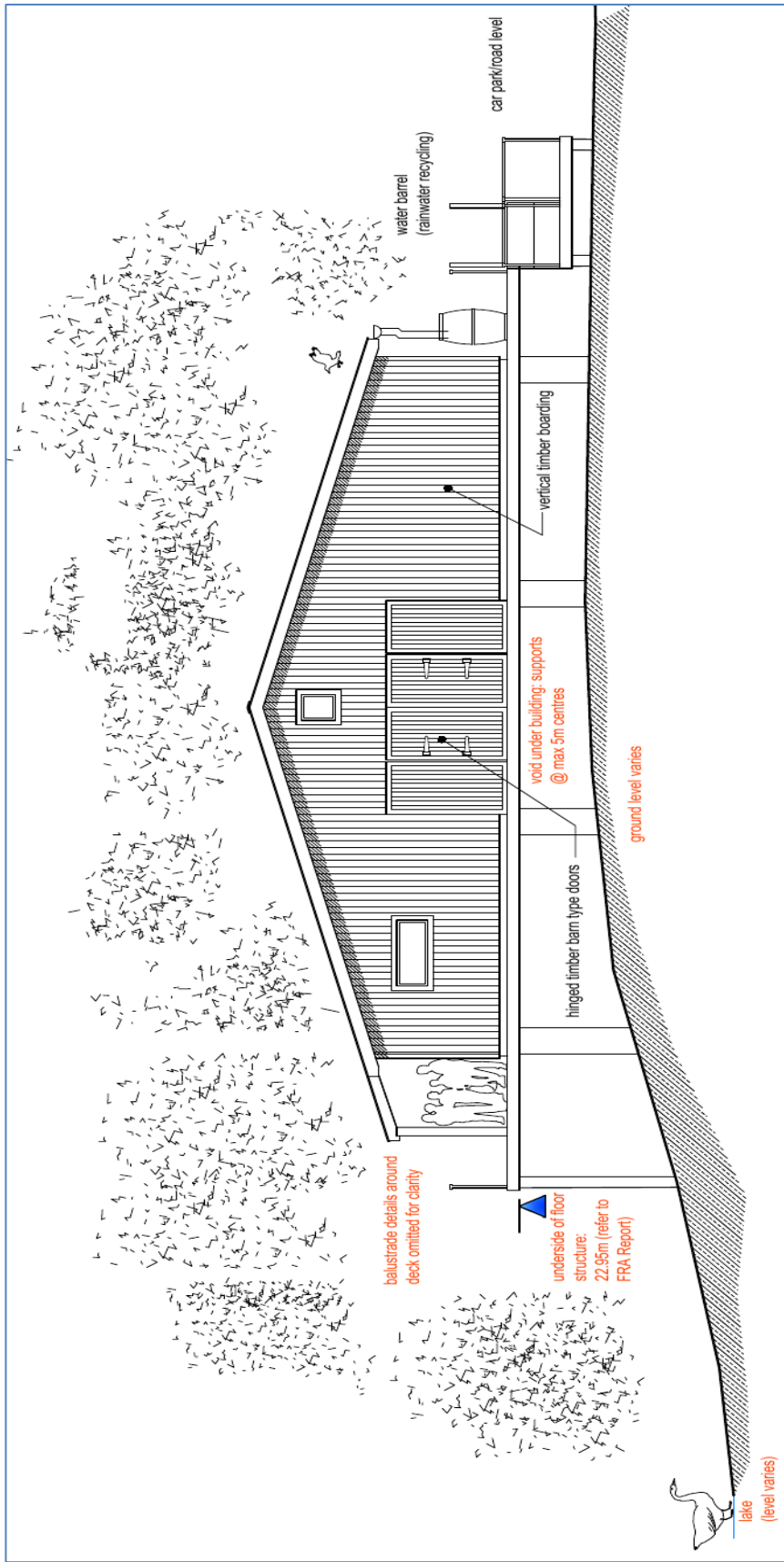
Appendix D – Proposed south east elevation



Appendix E – Proposed south west elevation



Appendix F – Proposed north west elevation



MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 October 2019

Item: 9

Application No.:	19/02104/FULL
Location:	1 Lonsdale Close Maidenhead SL6 8RX
Proposal:	First floor side extension and the sub division of the property into two separate dwellings with new boundary treatment, hardstanding and 2 no. bike stores
Applicant:	Mr Akhtar
Agent:	Mr Mumtaz Alam
Parish/Ward:	Maidenhead Unparished/Riverside
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application proposes a first floor side extension and the subdivision of the plot to provide two dwellings. The site is situated in flood zone 3 (high risk flooding). The application has failed to demonstrate that the Sequential Test (flood risk), to show that there are no sequentially preferable sites at a lower risk of flooding to accommodate this development is passed. This conflicts with the requirements of the National Planning Policy Framework (NPPF).
- 1.2 The scheme is also considered to provide a poor standard of amenity for the future occupiers of plot 1, as their rear garden would be overlooked. It is acknowledged that the Council cannot demonstrate a five year housing land supply, however, the 'tilted balance' detailed in paragraph 11(d) of the NPPF is not engaged as the site is situated in the flood zone and there is a clear reason for refusing the development on flooding grounds.

It is recommended the Panel REFUSES planning permission for the following summarised reasons (the full reasons are identified in Section 12 of this report):	
1.	The site is situated within flood zone 3 (high risk flooding). The application fails to demonstrate that the Sequential Test (flood risk) is passed.
2.	The scheme fails to provide a good standard of amenity for the future occupiers of plot 1.

2. REASON FOR PANEL DETERMINATION

- 2.1 At the request of Councillor Targowski, to ensure the Council not only acts in a fair and transparent way, but is seen to do so, and to ensure the process of decision making is therefore transparent in nature.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to an existing semi-detached (link-detached) dwelling and its garden area and measures circa 0.03 hectares. The site is located in the built up area of Maidenhead in a predominantly residential area. The application site is relatively flat.
- 3.2 According to the Environment Agency Flood Map for planning, the site is situated in flood zone 3 (high risk flooding).

4. KEY CONSTRAINTS

- 4.1 Flood risk

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application proposes a first floor side extension and the sub division of the property into two separate dwellings with new boundary treatment, hardstanding and 2. bike stores.
- 5.2 One of the dwellings would have 2 bedrooms, and the other dwelling would have 1 bedroom. Existing hardstanding to the front of the site would be used to park 3 cars.

Reference	Description	Decision
18/01408/FULL	First floor side extension	Permitted on the 6 th July 2018.
19/00832/FULL	First floor side extension and the sub division of the property into two separate dwellings with new boundary treatment, hardstanding and 2 no.bike stores.	Refused on the 22 nd May 2019 on the following grounds: -failure to pass the sequential test- flood risk -cramped form of development -poor standard of amenity for future occupiers of plot 1.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, H10,H11
Highways	P4 and T5
Flood Risk	F1

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 5- Delivering a sufficient supply of homes

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Section 14- Meeting the challenge of climate change, flooding and coastal change

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2
Manages flood risk and waterways	NR1

7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

7.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- RBWM Interpretation of Policy F1

Other Local Strategies or Publications

7.3 Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

5 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 22nd August 2019.

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

Comment	Where in the report this is considered
1. Overlooking to 198 Blackamoor Lane	9.11
2. Proposal provides inadequate parking, proposal will increase parking problems in the area.	9.12
3. A conifer hedge needs attention- it is overhanging Blackamoor Lane	Not relevant to the consideration of this planning application.
4. The scheme is overdevelopment of the site.	9.9

Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No objection subject to a condition. The EA advise it is for the LPA to assess if the Sequential Test is passed, and to assess the low hazard escape route.	9.2-9.6
Environmental Protection	Offers no objection, subject to a condition for a CEMP, and hours restricting vehicle collections.	These conditions are not considered to be necessary.
Highway Authority	No objection subject to conditions.	9.12

Others

Group	Comment	Where in the report this is considered
Maidenhead Civic Society	Concerns over inadequate parking. The scheme represents overdevelopment of the site. The amenity space for plot 1 is inadequate.	Addressed in report.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Flood Risk
- ii Impact on the character of the area
- iii Residential Amenity
- iv Transport
- v Conclusion

Flood Risk

- 9.2 The Environment Agency Flood Maps show that the site is located within flood zone 3, and the Environment Agency in their comments have confirmed this. On the previously refused application, the LPA applied the precautionary approach in line with the Council's Strategic Flood Risk Assessment which assumed the site as being functional flood plain (flood zone 3b). In this current application, the Environment Agency has verbally advised that their records do not show the site to be in the functional flood plain (3b). As such, the site is within flood zone 3a.
- 9.3 The NPPF (2019) is a material consideration of significant weight. At paragraph 158 of the NPPF, it sets out that the Sequential Test should be applied for developments on sites at risk of flooding. The aim of the Sequential Test is to steer new development to areas at lowest risk of flooding.
- 9.4 The Sequential Test submitted with this application is based on the application site being in flood zone 2 (medium risk flooding) and discounts other sites in flood zones 2 and 3. The Sequential Test should consider other sites within the Borough within flood zones 1 and 2 (lower risk of flooding than this application site). In addition, it would appear that some sites have been discounted as they are not available to the wider community, but the document does not explain why the sites/buildings are not available to the wider community (other than them being occupied). Sites within the Borough, not just within a 3 mile radius, should also be considered when applying the Sequential Test (as has been done for this application).

- 9.5 It is not considered that it has been demonstrated that the Sequential Test has been passed.
- 9.6 As the LPA is not of the view that the Sequential Test is passed, there is no need to go on to look at whether the Exceptions Test is passed. The Exceptions Test would be required to be passed (provided the Sequential Test was passed), as this is a form of more vulnerable development proposed in flood zone 3.

Impact on the character of the area

- 9.7 Planning permission was granted for a first floor side extension under permission reference 18/01408/FULL. The proposed extension under this current planning application, is the same as that already granted planning permission. The appearance of the extension has already therefore been accepted, and the planning permission is extant. This is a material consideration of significant weight to the determination of this application.
- 9.8 In the previously refused application for the subdivision of the plot to provide 2 dwellings, it was considered that as the scheme would carve up the existing garden area into two, and would result in additional hardstanding being laid down to accommodate the additional car parking for the new dwelling, that this represented a cramped form of development within the area.
- 9.9 Whilst this current application still proposes to subdivide the plot, the additional hardstanding for the car parking areas in the previous scheme has been omitted, and the scheme proposes 3 car parking spaces on the existing hardstanding to the front of the dwelling. Given this change to the scheme, the subdivision of the plot in itself is not considered to cause harm to the character of the area.

Residential Amenity

- 9.10 The existing garden area to 1 Lonsdale Close is already overlooked by 206A Blackamoor Lane. However, the existing dwelling has a side garden area, which provides an area of amenity space free from this overlooking. This proposal would sub-divide the garden, and it means that the occupiers of plot 1 would not have outdoor amenity space free from being overlooked. The scheme conflicts with policy H12 of the Local Plan and with paragraph 127 of the NPPF, which sets out that developments should provide a high standard of amenity for existing and future users. It also conflicts with paragraph 129 of the National Design Guide 2019 which states, amongst other things, that amenity spaces should have a reasonable degree of privacy.
- 9.11 Given the distances between neighbouring dwellings and the orientation of the proposed extension, it is not considered unacceptable overlooking to neighbouring dwellings would arise.

Transport

- 9.12 It is not considered that the creation of 1 additional dwelling would have an unacceptable impact on transport. The scheme would provide sufficient on-site car parking, in accordance with the Council's parking standards. Two parking spaces would be provided for the 2 bedroom dwelling, and 1 car parking space would be provided for the 1 bedroom dwelling. It is noted that the proposed 1 bedroom dwelling has a room for an office, however, this room is small and would not be large enough to be counted as a bedroom (it would fall short of the space for a single bedroom as set out in the Technical housing standards – nationally described space standard).

Conclusion

Housing Land Supply

- 9.13 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the

policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.14 Footnote 7 of the NPPF (2019) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

9.15 The BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply (5hyr hls) is the 'standard method' as set out in the NPPF (2019).

9.16 At the time of writing, the Council is not able to demonstrate a 5 year housing land supply.

9.17 However footnote 6 of the NPPF (2019) then further clarifies that section d(i) of paragraph 11 of the NPPF (2019) is not applied where 'policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed'. This footnote refers to areas at risk of flooding. In this case, the scheme is being refused on flood risk grounds, and as such the tilted balance is not engaged in determining this application but rather it should be considered in the ordinary way.

9.18 The scheme is considered to be unacceptable on flooding grounds. It is also considered that the future occupiers of plot 1 would have a poor standard of amenity. The scheme is considered to conflict with the development plan, and the provision of 1 additional dwelling is not considered to represent a material consideration that would indicate planning permission should be granted.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 The development is CIL liable.

11. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed site layout
- Appendix C – Elevations and Floor plans
- Appendix D – Previously refused scheme

12. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

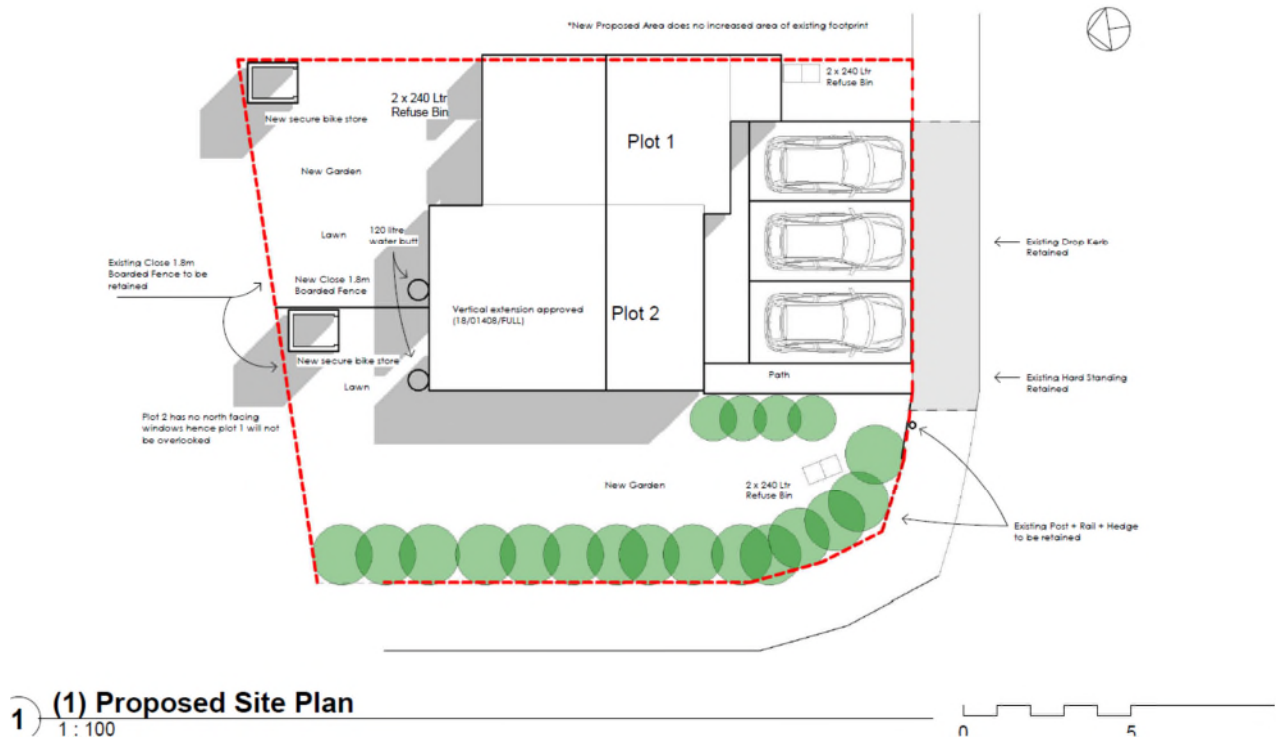
1 The application fails to demonstrate that the Sequential Test for flood risk is passed, in accordance with the requirements of paragraph 158 of the National Planning Policy Framework 2019. The scheme also conflicts with Policy F1 of the Adopted Local Plan, and with Paragraph 163 of the National Planning Policy Framework.

2 The outdoor amenity space for plot 1 would be overlooked by the occupiers of numbers 206A and 206B Blackamoor Lane, and this would provide a poor quality of outdoor amenity space for future occupiers. This conflicts with policy H12 of the adopted Local Plan and with the requirements of paragraph 127 of the National Planning Policy Framework which seek to ensure that developments provide a high standard of amenity for all existing and future occupiers.

Appendix A- Site location plan



Appendix B- Proposed site layout

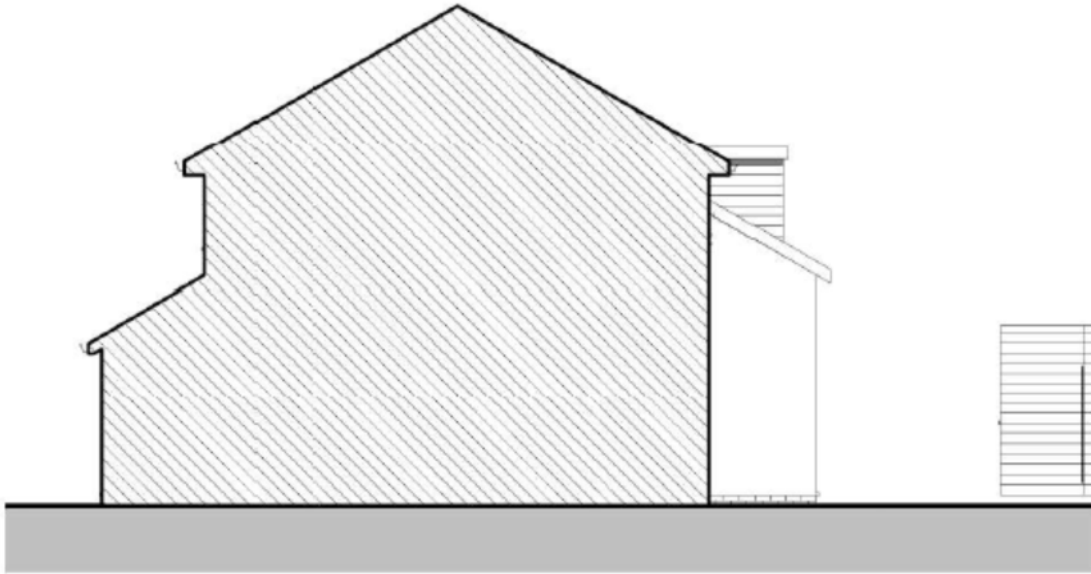




1 Proposed South
1 : 100

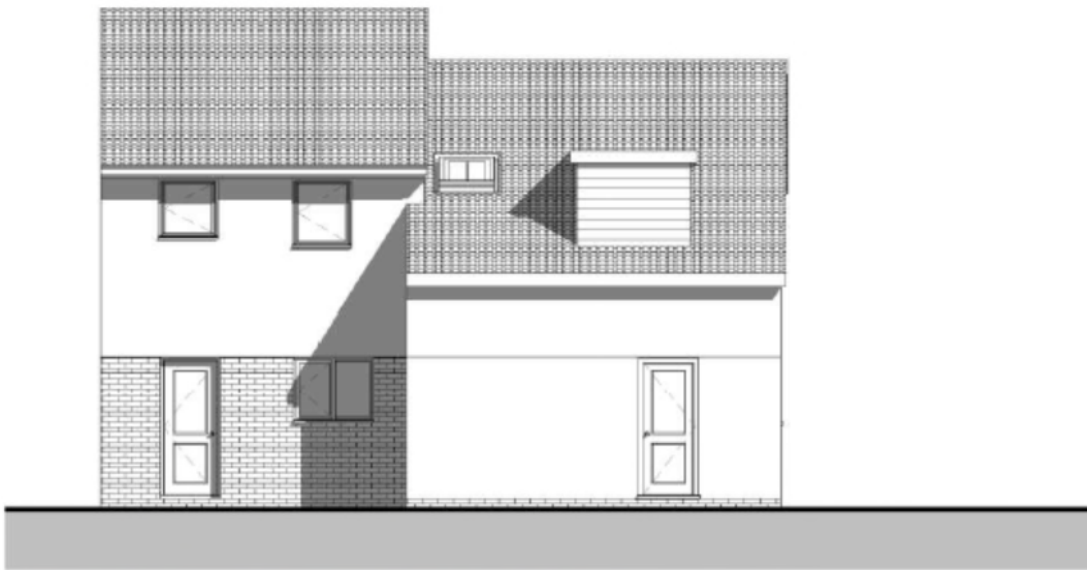


3 Proposed West
1 : 100



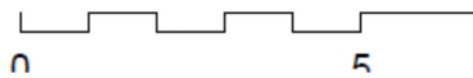
2 Proposed East

1 : 100



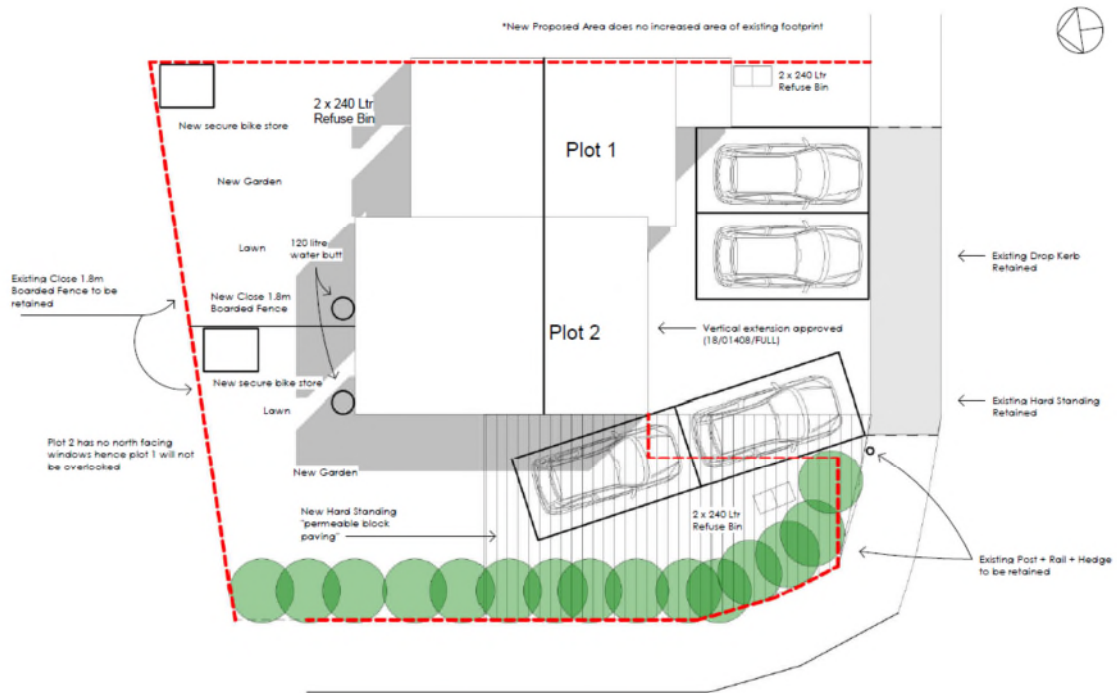
4 Proposed North

1 : 100





Appendix D- Previously refused scheme



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

Planning Appeals Received

7 August 2019 - 2 October 2019

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

MAIDENHEAD

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Should you wish to make additional/new comments in connection with an appeal you can do so on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk/> please use the PIns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Other appeals: The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

- Ward:**
Parish: Maidenhead Unparished
Appeal Ref.: 19/60076/REF **Planning Ref.:** 19/00379/FULL **PIns Ref.:** APP/T0355/W/19/3232541
- Date Received:** 7 August 2019 **Comments Due:** 13 September 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Two storey front infill extensions, two storey rear extension, new entrance canopies and single storey side extension to 49 Cookham Road, following demolition of the existing single storey rear element of 1 Australia Avenue and raising of main ridge, 2 No. front dormers, rear rooflights, first floor front balcony and alterations to front, rear and first floor side facing windows.
- Location:** **1 Australia Avenue Maidenhead And 49 Cookham Road Maidenhead**
Appellant: Mrs Khan **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY
- Ward:**
Parish: Maidenhead Unparished
Appeal Ref.: 19/60072/REF **Planning Ref.:** 18/03163/FULL **PIns Ref.:** APP/T0355/W/19/3232226
- Date Received:** 12 August 2019 **Comments Due:** 16 September 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Two storey front and rear extension following conversion to form 7no. dwelling units
Location: **29 - 31 Harrow Lane Maidenhead**
Appellant: Mr L Lika **c/o Agent:** Mr P Haran 5 St Bartholomews Road Reading RG1 3QA
- Ward:**
Parish: Bisham Parish
Appeal Ref.: 19/60074/REF **Planning Ref.:** 18/03413/FULL **PIns Ref.:** APP/T0355/W/19/3224777
- Date Received:** 12 August 2019 **Comments Due:** 16 September 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Replacement single/two storey rear extension
Location: **2 Hall Place Lane Burchetts Green Maidenhead SL6 6QY**
Appellant: Mrs Carol Horner **c/o Agent:** Mr Nick Griffin Griffin Planning Consultancy Limited 63 Pevensey Way Frimley Camberley GU16 9UU

Ward:
Parish: Bisham Parish
Appeal Ref.: 19/60075/REF **Planning Ref.:** 18/03414/LBC **Plns Ref.:** APP/T0355/Y/19/3224781
Date Received: 12 August 2019 **Comments Due:** 16 September 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Consent to demolish the late 20th Century single-storey rear extension and replacing it with a single/two storey rear extension. Externally repaint/repared front brickwork where necessary; replace ground floor front unoriginal window with new Conservation Casement windows; repair as necessary the historic windows at first-floor level to the front elevation; replacement of the front door and its frame; replace a section of guttering to No.2 with a new cast iron guttering and associated downpipes. Replace any slipped or missing tiles to the front and overhaul rear pitched roof section with Tudor handmade plain clay roof tiles
Location: **2 Hall Place Lane Burchetts Green Maidenhead SL6 6QY**
Appellant: Mrs Carol Horner **c/o Agent:** Mr Nick Griffin Griffin Planning Consultancy Limited 63 Pevensey Way Frimley Camberley GU16 9UU

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 19/60078/REF **Planning Ref.:** 19/01339/FULL **Plns Ref.:** APP/T0355/D/19/3235659
Date Received: 22 August 2019 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Single storey side infill extension, garage conversion and changes to fenestration
Location: **Warwicks The Street Shurlock Row Reading RG10 0PS**
Appellant: Clare Fairbrother Warwicks The Street Shurlock Row Reading RG10 0PS

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60079/REF **Planning Ref.:** 19/01253/FULL **Plns Ref.:** APP/T0355/D/19/3234272
Date Received: 27 August 2019 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Proposed single storey front and first floor rear extension with addition of 1 no. new window to right elevation.
Location: **47 Cookham Road Maidenhead SL6 7EW**
Appellant: Mr P Akhtar **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead Berkshire SL6 5EY

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 19/60080/REF **Planning Ref.:** 19/00359/FULL **Plns Ref.:** APP/T0355/W/19/3234510
Date Received: 6 September 2019 **Comments Due:** 11 October 2019
Type: Refusal **Appeal Type:** Hearing
Description: Alterations to chimneys to lower height and install new chimney pots, removal of two sections of pitched roof and replacement with flat roof, removal of chimney stack and alterations to fenestration (Part Retrospective).
Location: **Old Gunsbrook House Twyford Road Waltham St Lawrence Reading RG10 0HE**
Appellant: Mr Bangs **c/o Agent:** Mr Tom Brooks Icen Projects Ltd Da Vinci House 44 Saffron Hill London EC1N 8FH

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 19/60086/REF **Planning Ref.:** 19/00360/LBC **Plns Ref.:** APP/T0355/Y/19/3234509
Date Received: 6 September 2019 **Comments Due:** 11 October 2019
Type: Refusal **Appeal Type:** Hearing

Description: Application for internal and external works to Grade II listed building. Seeking consent to retain: removal of modern partitions, fixtures, fittings, finishes and services; internal refurbishment and joinery works; works to fireplaces; new window openings; new internal door openings; alteration of chimneys and roofs. Seeking consent for: completion of internal refurbishment works, including flagstone flooring and joinery to historic patterns; works to fireplaces; completion of unfinished window openings; reinstatement of external infill brickwork; new external and internal doors to historic patterns; completion of unfinished roofs in traditional materials.

Location: **Old Gunsbrook House Twyford Road Waltham St Lawrence Reading RG10 0HE**

Appellant: Mr Bangs **c/o Agent:** Mr Tom Brooks Icen Projects Ltd Da Vinci House 44 Saffron Hill London EC1N 8FH

Ward:
Parish: Shottesbrooke Parish
Appeal Ref.: 19/60082/REF **Planning Ref.:** 19/01728/FULL **Plns Ref.:** APP/T0355/W/19/3236019
Date Received: 11 September 2019 **Comments Due:** 16 October 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of a five bedroom dwelling following the demolition of the existing dwelling.
Location: **Ann Cherry Cottage Howe Lane Binfield Bracknell RG42 5QS**
Appellant: Mr & Mrs P Dewey-Bruce **c/o Agent:** Mr Alex Frame ADS Property Services Taradale Little Lane Upper Bucklebury RG7 6QX

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60090/REF **Planning Ref.:** 18/02882/FULL **Plns Ref.:** APP/T0355/W/19/3223364
Date Received: 12 September 2019 **Comments Due:** 24 October 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Erection of a proposed barn (retrospective)
Location: **Land At Moor Farm South of The Pond Ascot Road Holyport Maidenhead**
Appellant: Mr Frankham **c/o Agent:** Mr Tom Mcardle Pike Smith And Kemp Rural The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60091/REF **Planning Ref.:** 18/02881/FULL **Plns Ref.:** APP/T0355/W/19/3223366
Date Received: 12 September 2019 **Comments Due:** 24 October 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Erection of a barn (retrospective).
Location: **Land At Moor Farm North of Livery And East of The Bourne Ascot Road Holyport Maidenhead**
Appellant: Mr Frankham **c/o Agent:** Mr Tom Mcardle Pike Smith And Kemp Rural The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60096/ENF **Enforcement Ref.:** 18/50124/ENF **Plns Ref.:** APP/T0355/C/19/3225462
Date Received: 12 September 2019 **Comments Due:** 24 October 2019
Type: Enforcement Appeal **Appeal Type:** Written Representation
Description: Appeal against the Enforcement Notice: Without planning permission the importation of soil, rubble and other materials for the purpose of raising of land levels, formation of bunds and erection of two barns, the stripping of land to create earth bunds, formation of hardstanding and a change of use of the land for the parking / storage of vehicles.
Location: **Moor Farm Ascot Road Holyport Maidenhead SL6 2HY**
Appellant: John James Frankham **c/o Agent:** Mr Tom Mcardle Pike Smith And Kemp Rural The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60097/ENF **Enforcement Ref.:** 18/50124/ENF **Plns Ref.:** APP/T0355/C/19/3225461
Date Received: 12 September 2019 **Comments Due:** 24 October 2019
Type: Enforcement Appeal **Appeal Type:** Written Representation
Description: Appeal against the Enforcement Notice: Without planning permission the importation of soil, rubble and other materials for the purpose of raising of land levels, formation of bunds and erection of two barns, the stripping of land to create earth bunds, formation of hardstanding and a change of use of the land for the parking / storage of vehicles.
Location: **Moor Farm Ascot Road Holyport Maidenhead SL6 2HY**
Appellant: John James Frankham **c/o Agent:** Mr Tom Mcardle Pike Smith And Kemp Rural The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60098/ENF **Enforcement Ref.:** 18/50124/ENF **Plns Ref.:** APP/T0355/C/18/3218796
Date Received: 12 September 2019 **Comments Due:** 24 October 2019
Type: Enforcement Appeal **Appeal Type:** Written Representation
Description: Appeal against the Enforcement Notice: Without planning permission the importation of soil, rubble and other materials for the purpose of raising of land levels, formation of bunds and erection of two barns, the stripping of land to create earth bunds, formation of hardstanding and a change of use of the land for the parking / storage of vehicles.
Location: **Moor Farm Ascot Road Holyport Maidenhead SL6 2HY**
Appellant: John James Frankham **c/o Agent:** Mr Tom Mcardle Pike Smith And Kemp Rural The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60088/REF **Planning Ref.:** 19/00468/FULL **Plns Ref.:** APP/T0355/D/19/3233993
Date Received: 16 September 2019 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: New carport.
Location: **53 Windsor Road Maidenhead SL6 2DN**
Appellant: Mr M Herridge **c/o Agent:** Mr Richard Regan 67 Green Road High Wycombe HP13 5AZ

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60089/REF **Planning Ref.:** 16/03297/FULL **Plns Ref.:** APP/T0355/W/19/3223912
Date Received: 17 September 2019 **Comments Due:** 22 October 2019
Type: Refusal **Appeal Type:** Hearing
Description: Change of use and alterations of hotel building to create 15 apartments; demolition of annex and replacement with new residential building containing 11 apartments; alterations to Guardhouse building to provide 2 x 2 bed dwelling houses; and provision of associated car parking and landscaping
Location: **Guards House And Waterside Lodge And Thames Riveriera Hotel 162 Bridge Road Maidenhead**
Appellant: Arena Racing Company/Galleon Hotels **c/o Agent:** Nicola Insley CMS Cannon Place 78 Cannon Street London EC4N 6AF

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60093/REF **Planning Ref.:** 19/00342/CPD **Plns Ref.:** APP/T0355/X/19/3233539
Date Received: 17 September 2019 **Comments Due:** 29 October 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Certificate of lawfulness to determine whether the proposed hip-to-gable conversion, L-shaped rear dormer and front rooflights is lawful.
Location: **7 South Road Maidenhead SL6 1HF**
Appellant: Ms Eleanor Jones 7 South Road Maidenhead SL6 1HF

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60094/ENF **Enforcement Ref.:** 16/50242/ENF **Plns Ref.:** APP/T0355/C/18/3215426
Date Received: 17 September 2019 **Comments Due:** 29 October 2019
Type: Enforcement Appeal **Appeal Type:** Written Representation
Description: Appeal against the Enforcement Notice. Without planning permission the material change of use of the land to a mixed use comprising a dwellinghouse, outbuildings and hardstanding. Use of the paddock for equestrian purposes and car repairs and associated car storage.
Location: **Kimbers Lane Farm Oakley Green Road Oakley Green Windsor SL4 4QF**
Appellant: Mr Perrin Stevens **c/o Agent:** Mr Joe Cunnane Cunnane Town Planning LLP Oriol House 26 The Quadrant Richmond TW9 1DL

Appeal Decision Report

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MAIDENHEAD

Appeal Ref.: 19/60036/REF **Planning Ref.:** 18/02701/FULL **Plns Ref.:** APP/T0355/W/19/3224752

Appellant: Mr P Hall **c/o Agent:** Mr T Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

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

Description: Erection of 2 No. dwellings, garages, parking and associated landscaping following demolition of existing buildings and removal of hardstanding

Location: **Barn Bears Copse Plough Lane West End Waltham St Lawrence Reading**

Appeal Decision: Allowed **Decision Date:** 29 August 2019

Main Issue: The proposal amounts to inappropriate development and moderate harm would be caused to the openness of the Green Belt. The appellant has an alternative fallback position, a prior approval scheme, which the Inspector concluded would be considerably more harmful to the openness of the Green Belt than the appeal proposal. The fallback position would not contribute as positively to the character and appearance of the area and would provide less satisfactory living conditions. The Inspector concluded that very special circumstances existed to justify the development. A condition has been imposed to ensure that the existing barn, hardsurfacing and bin store are removed prior to the occupation of the dwellings and permitted development rights (Classes A, B, C, D and E) have been removed.

Appeal Ref.: 19/60037/REF **Planning Ref.:** 18/02342/FULL **Plns Ref.:** APP/T0355/W/19/3225260

Appellant: Mr Graham Denton **c/o Agent:** Miss Rebecca Redford Bluestone Planning LLP Suite 5 The Enterprise Centre Unit 41-42 Shrivenham Hundered Business Park Majors Road Watchfield Swindon SN6 8TZ

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

Description: New detached dwelling with associated garage building, parking, landscaping and new access.

Location: **Land Adjacent Hurford House New Road Hurley Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 30 August 2019

Main Issue: The Inspector considered that the scheme was a form of inappropriate development in the Green Belt, and would also result in a moderate impact on openness. The harm to the Green Belt was afforded substantial weight by the Inspector. The Inspector also considered that the scheme would result in less than substantial harm to the Conservation Area. The Inspector considered that it had not been demonstrated that the scheme would not cause harm to the sycamore tree at the front of the site which they considered makes a positive contribution to the character of the area. The Inspector refused the application for the award of costs.

Appeal Ref.: 19/60054/REF **Planning Ref.:** 19/00356/FULL **Plns Ref.:** APP/T0355/W/19/3229741

Appellant: Mr Mick Holdaway **c/o Agent:** Mr John Hunt Pike Smith & Kemp Rural & Commercial Ltd
The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

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

Description: Retention of existing cabin for ancillary residential use for a period of three years.

Location: **Pondwood Farm Pondwood Lane White Waltham Maidenhead SL6 3SS**

Appeal Decision: Dismissed **Decision Date:** 29 August 2019

Main Issue: The Inspector concluded that it had not been demonstrated that the harm resulting from the scheme is clearly outweighed by other considerations. Whilst there is no substantive evidence before the Inspector in respect of whether or not the Council are able to demonstrate a five year land supply, with regard to NPPF paragraphs 67 and 73, Green Belt policy nevertheless provides a clear reason for refusal with reference to NPPF paragraph 11(d)(i). The development conflicts with the relevant provisions of LP policies GB1, GB3 and of the NPPF, with the other material considerations in favour of the development insufficient to justify allowing the appeal.

Appeal Ref.: 19/60062/REF **Planning Ref.:** 19/00276/PIP **Plns Ref.:** APP/T0355/W/19/3230780

Appellant: Mr T Dhunay **c/o Agent:** Mr David Holmes Progress Planning Burkes Court Burkes Road Beaconsfield HP9 1NZ

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

Description: Construction of 2 houses.

Location: **Land Rear of 20 Ray Street Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 24 September 2019

Main Issue: The Inspector concluded that the scheme would be unacceptable on flood risk grounds, as they considered that the Sequential Test had not been passed. The Inspector concluded that the scheme would be acceptable on transport grounds.

Appeal Ref.: 19/60078/REF **Planning Ref.:** 19/01339/FULL **Plns Ref.:** APP/T0355/D/19/3235659

Appellant: Clare Fairbrother Warwicks The Street Shurlock Row Reading RG10 0PS

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

Description: Single storey side infill extension, garage conversion and changes to fenestration

Location: **Warwicks The Street Shurlock Row Reading RG10 0PS**

Appeal Decision: Allowed **Decision Date:** 25 September 2019

Main Issue: The proposal would be inappropriate development in the Green Belt and inevitably would impact on Green Belt openness and its related purposes. Nonetheless, the scheme would have no greater material impact on Green Belt openness and its purposes than the existing development. Moreover, it would have no material adverse impact on the character or appearance of the host property and its surroundings, including the SRCA as a designated heritage asset. Accordingly, in considering the proposal as a whole, its planning history, its effect on its surroundings, relevant policy and guidance and all other considerations, the Inspector concluded that very special circumstances exist to justify the proposal.

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