

NOTICE  
OF  
MEETING

**MAIDENHEAD DEVELOPMENT  
MANAGEMENT COMMITTEE**

will meet on

**WEDNESDAY, 19TH JANUARY, 2022**

**At 7.00 pm**

by

**COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD, ON [RBWM YOUTUBE](#)**

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

COUNCILLORS PHIL HASELER (CHAIRMAN), JOHN BALDWIN,  
GURPREET BHANGRA, MANDY BRAR, GERRY CLARK, GEOFF HILL,  
JOSHUA REYNOLDS, LEO WALTERS AND MAUREEN HUNT

SUBSTITUTE MEMBERS

COUNCILLORS CLIVE BASKERVILLE, STUART CARROLL, CATHERINE DEL CAMPO,  
ANDREW JOHNSON, GREG JONES, GURCH SINGH, DONNA STIMSON,  
CHRIS TARGOWSKI AND HELEN TAYLOR

Karen Shepherd – Head of Governance - Issued: 11<sup>th</sup> January 2022

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Shilpa Manek** 01628 796310

**Recording of Meetings** – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any declarations of interest.	3 - 6
3.	<u>MINUTES OF THE MEETING HELD ON 15TH DECEMBER 2021</u>  To approve the minutes of the meeting held on 15 <sup>th</sup> December 2021 as a true and accurate record.	7 - 10
4.	<u>21/02500/FULL - CLAIRE'S COURT JUNIOR BOYS SCHOOL AND RIDGEWAY SCHOOL THE THICKET AND LAND TO WEST OF CANNON LANE MAIDENHEAD</u>  <b>PROPOSAL:</b> Change of use of the existing agricultural field to sports pitches under use class F1a (provision of education) to be shared with North Maidenhead Cricket Club.  <b>APPLICANT:</b> Mr Wilding  <b>MEMBER CALL-IN:</b> N/A  <b>EXPIRY DATE:</b> 10 December 2021	11 - 22
5.	<u>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORTS</u>  Committee Members to note report.	23 - 28

## **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 AT 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 Disclosable Pecuniary Interest (DPI) or Other Registerable 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.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

### Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

*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 (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
  - a) *that body has a place of business or land in the area of the council, 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.

### Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive

interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

*Other Registerable Interests (relating to the Member or their partner):*

*You have an interest in any business of your authority where it relates to or is likely to affect:*

- a) *any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) *any body*
  - (i) exercising functions of a public nature*
  - (ii) directed to charitable purposes or*

*one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)*

### **Disclosure of Non- Registerable Interests**

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

**You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

### **Other declarations**

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

This page is intentionally left blank

# Agenda Item 3

## MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY, 15 DECEMBER 2021

PRESENT: Councillors Phil Haseler (Chairman), John Bowden, John Baldwin, Gurpreet Bhangra, Mandy Brar, Greg Jones, Geoff Hill, Joshua Reynolds and Leo Walters

Also in attendance: Councillor Gurch Singh, Councillor Donna Stimson, Councillor Maureen Hunt, Councillor Catherine del Campo, Councillor Carole Da Costa, Councillor David Hilton, Councillor Ewan Larcombe and Councillor Samantha Rayner

Officers: Mark Beeley, Tony Franklin, Adrien Waite, Carlos Chikwamba and Tim Chapman

### APOLOGIES FOR ABSENCE

Apologies were received from Councillor Clark and McWilliams. Councillors Greg Jones and John Bowden were substituting.

### DECLARATIONS OF INTEREST

Councillor Bhangra declared a personal interest as he had attended meetings at Maidenhead Mosque on the proposed development at the Magnet Leisure Centre. He would be attending the Committee with an open mind.

Councillor G Jones also confirmed that he had attended meetings with the Mosque. He would be attending the Committee with an open mind.

The Chairman informed those present that David Hunt was married to a serving Member of the Council, Councillor Maureen Hunt. All those present confirmed that they knew Councillor Hunt but this would not influence their judgement of the application and they were attending with an open mind, the declaration had been made in the interests of transparency.

In addition to this, Councillor Walters confirmed that he also knew David Hunt. He was attending the Committee with an open mind.

### MINUTES OF THE MEETING HELD ON 17 NOVEMBER 2021

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 17<sup>th</sup> November 2021 were approved as a true and accurate record.**

The minutes were proposed by Councillor Bhangra and seconded by Councillor Walters.

21/02024/VAR - DAVID HUNT TOOL MERCHANT, BATH ROAD, KNOWL HILL, READING, RG10 9UR

**RESOLVED UNANIMOUSLY: That the order of agenda items was changed, with the Magnet Leisure Centre being the last application considered.**

A motion was put forward by Councillor Walters to permit the application, in line with officer's recommendation. This was seconded by Councillor Hill.

A named vote was taken.

<b>21/02024/VAR - DAVID HUNT TOOL MERCHANT, BATH ROAD, KNOWL HILL, READING, RG10 9UR (Motion)</b>	
Councillor Phil Haseler	For
Councillor John Bowden	For
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor Greg Jones	For
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	For
Councillor Leo Walters	For
<b>Carried</b>	

**RESOLVED UNANIMOUSLY: That the Committee authorised the Head of Planning to determine the application in accordance with the recommendation.**

The Committee was addressed by the applicant, David Hunt.

21/02329/FULL - 33 CANNON COURT ROAD, MAIDENHEAD

A motion was put forward by Councillor Reynolds to refuse the application, against officer's recommendation. In putting forward the motion, Councillor Reynolds said that the development was out of character with the surrounding area and would cause significant harm to the streetscape. The motion was seconded by Councillor Brar.

A named vote was taken.

<b>21/02329/FULL - 33 CANNON COURT ROAD, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	Against
Councillor John Bowden	Against
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	Against
Councillor Mandy Brar	For
Councillor Greg Jones	Against
Councillor Geoffrey Hill	Against
Councillor Joshua Reynolds	For
Councillor Leo Walters	Against
<b>Rejected</b>	

The motion fell.

A second motion was put forward by Councillor Hill to permit the application, in line with officer's recommendation, with the addition of an Informative to secure the submission of permeable gravel or gravel-like finish for the proposed areas of hard-surfacing to accommodate the proposed car parking pursuant to condition 6 of the permission. This was seconded by Councillor Walters.

A named vote was taken.



<b>21/02329/FULL - 33 CANNON COURT ROAD, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	For
Councillor John Bowden	For
Councillor John Baldwin	Against
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	Against
Councillor Greg Jones	For
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	Against
Councillor Leo Walters	For
<b>Carried</b>	

**RESOLVED:** That the Committee authorised the Head of Planning to determine the application in accordance with the recommendation, with the addition of the Informative referred to above.

The Committee was addressed by Jamie Fitzroy, objector, James Gellini, applicant, and Councillor Del Campo.

**21/00502/FULL - MAGNET LEISURE CENTRE AND MAGNET LEISURE COMPLEX CAR PARK, HOLMANLEAZE, MAIDENHEAD**

A motion was put forward by Councillor Baldwin to refuse the application, against officer's recommendation. Councillor Baldwin believed that the application had not considered the Maidenhead Town Centre Area Action Plan 2011, particularly MTC6 which restricted the development of tall buildings to two distinct areas of Maidenhead. There had been two developments approved outside of these areas, but both developments had considered MTC6 in the officer report. Councillor Baldwin quoted paragraph 134 of the 2021 NPPF which stated that development that were not well designed should be refused, especially where they did not reflect local design policies. Councillor Baldwin stated that around 30% of the dwellings at the development would fail to meet the daylight standards, in paragraph 7.16 of the Boroughwide Design Guide, it was recommended that dark, overwhelming spaces were not created.

This motion was seconded by Councillor Hill. He added concerns around highways and due to the increased number of cars in the surrounding areas that would use local roads to access the proposed development.

A named vote was taken.

<b>21/00502/FULL - MAGNET LEISURE CENTRE AND MAGNET LEISURE COMPLEX CAR PARK, HOLMANLEAZE, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	Against
Councillor John Bowden	Against
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	Against
Councillor Mandy Brar	For
Councillor Greg Jones	Against
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	For
Councillor Leo Walters	Against
<b>Rejected</b>	

The motion fell.

A second motion was put forward by Councillor Bowden to defer and delegate the application, in line with officer's recommendation. The Update Report listed changes to conditions 2 and 17, changes to condition 7 and the addition of a new condition to assess whether wheelchair accessible units could be added to the development. This was seconded by Councillor G Jones.

A named vote was taken.

<b>21/00502/FULL - MAGNET LEISURE CENTRE AND MAGNET LEISURE COMPLEX CAR PARK, HOLMANLEAZE, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	For
Councillor John Bowden	For
Councillor John Baldwin	Against
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	Against
Councillor Greg Jones	For
Councillor Geoffrey Hill	Against
Councillor Joshua Reynolds	Against
Councillor Leo Walters	For
<b>Carried</b>	

**RESOLVED: That the application was deferred and delegated to the Head of Planning.**

The Committee was addressed by Sajid Khan, objector, Malcolm Wood, applicant, Councillor Singh and Councillor Stimson.

#### PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

There were no reports for the Committee to note.

The meeting, which began at 7.00 pm, finished at 9.20 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

19 January 2022

Item: 1

<b>Application No.:</b>	21/02500/FULL
<b>Location:</b>	Clares Court Junior Boys School And Ridgeway School The Thicket And Land To West of Cannon Lane Maidenhead
<b>Proposal:</b>	Change of use of the existing agricultural field to sports pitches under use class F1a (provision of education) to be shared with North Maidenhead Cricket Club.
<b>Applicant:</b>	Mr Wilding
<b>Agent:</b>	Mr Andrew Black
<b>Parish/Ward:</b>	Cox Green Parish/Cox Green
<b>If you have a question about this report, please contact:</b> Harmeet Minhas on or at <a href="mailto:harmeet.minhas@rbwm.gov.uk">harmeet.minhas@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The application relates to a parcel of land located to the west of Cannon Lane, adjacent Clares Court Junior Boys School, Maidenhead. The site is located within the designated Green Belt and is not within or adjacent the setting of a Heritage asset.
- 1.2 This is a full planning application for the change of use of an agricultural field to sports pitches, to be shared between both the Junior School and North Maidenhead Cricket Club.
- 1.3 The report sets out the relevant Development Plan and other policy considerations. The report also sets out the main material planning considerations and assessment in relation to this planning application, which includes reference to supporting information and reports carried out by the applicant.
- 1.4 The proposed development looks to address the current absence of sporting facilities for the use of the school, following the closure of a nearby cricketing club/facility. The proposed change of use would cover approx. 5 hectares of land. No other development is proposed as part of this application, with the existing school car park and changing facilities to be utilised.
- 1.5 Inappropriate development, is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal does not propose the construction of new buildings and therefore it falls under *certain other forms of development* described in paragraph 150 of the NPPF (2021). It states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Such uses include at (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds). Further to this, the absence of any associated operational development would assist in preserving openness.
- 1.6 The proposed development is not considered to raise any issues in terms of highway capacity or SUDS and neither does it raise any issues in terms of ecological or environmental matters.
- 1.7 On balance, it is considered that the benefits weigh in favour of this scheme and therefore the proposal is recommended for approval, subject to matters set out below.

<b>It is recommended the Committee grants planning permission with the conditions listed in Section 13 of this report.</b>
--

## **2. REASON FOR COMMITTEE DETERMINATION**

- The application is a major application owing to the area of the site and as such, falls to be considered before Committee.

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

- 3.1 The site lies to the east of Claires Court Junior Boys school, and to the West of Cannon Lane. The applicant sets out in their supporting statement that the land is former agricultural land and has been used for grazing and to harvest a hay crop.
- 3.2 The application site lies within the designated Green Belt and to the north of the site is a Wildlife Heritage Site (WHS), referred to as 'The Thicket'.
- 3.3 The site measures approx. 5 hectares and is largely bound by mature vegetation around the field with two dwellings located to the north-east corner of the site.
- 3.4 The flood maps held by the EA show the site to fall within Flood Zone 1 (low risk flooding).

## **4. KEY CONSTRAINTS**

- 4.1 The application site falls within the Green Belt designation of Maidenhead. The site comprises a parcel of open land in agricultural use, and sits adjacent a Wildlife Heritage Site.

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

- 5.1 The proposal seeks planning permission for the change of use of an agricultural field to sports pitches to provide sporting facilities for both Claires Court Junior Boys School and North Maidenhead Cricket Club.
- 5.2 The proposed pitches would be used primarily for the boy's school, although during 'cricket season' the pitches would be used by North Maidenhead Cricket Club, a privately owned establishment. In support of the application, the agent has provided a timetable of use for the two pitches which identify that the primary users of the pitches throughout the year would be Claires Court Junior Boys, with North Maidenhead Cricket Club having use during the summer months on a Friday evening between 5 and 8pm and on Saturdays and Sundays between 12 and 8pm.
- 5.3 Claires Court Junior Boys School has a detailed planning history. The most relevant of the applications relates to a recent proposal submitted in 2017 under application reference 17/04026/OUT and subsequently refused in September 2019 as part of a wider redevelopment of the site and wider area. The area of land which forms part of the current application was proposed to be redeveloped to allow for two artificial grass hockey pitches, grass practice area and a new pavilion building to be shared for use by the hockey club, with an artificial grass rugby pitch. The application was then appealed by the applicant and considered by the Inspectorate under an Inquiry setting. The appeal was subsequently dismissed in December 2020.

## **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
Green Belt	GB1 and GB2
Recreational Facilities	R8
Highways	P4 AND T5
Trees	N6

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

## 7. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (2021)

Section 4- Decision-making

Section 8 – Promoting healthy and safe communities

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Section 13 – Protecting Green Belt Land

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
Sustainable Transport	IF2
Affordable housing	HO3
Flood risk	NR1
Pollution (Noise, Air and Light)	EP1, EP2, EP3, EP4

### Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1,QP3
Sustainable Transport	IF2
Green Belt	SP5
Affordable housing	HO3
Flood risk	NR1
Pollution (Noise, Air and Light)	EP1, EP2, EP3, EP4

7.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

*“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

7.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all

representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. The consultation on Main Modifications closed in September 2021.

7.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 9 of this report.

7.4 These documents can be found at:  
<https://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

7.5 **Supplementary Planning Documents**

- Borough Wide Design Guide

7.6 **Other Local Strategies or Publications**

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Landscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:  
<https://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

**8. CONSULTATIONS CARRIED OUT**

**Comments from interested parties**

8.1 20 properties in the vicinity of the site were notified directly of the application.

8.2 9 letters of support were received for the application, summarised as:

Comment	Where in the report this is considered
1. Application will benefit the whole community including the school, providing much needed sporting facilities.	Section vii
2. General lack of facilities within the area where cricket provision is required.	Section vii
3. Demand for cricket in the local area has increased with the growth of women's and junior cricket. Currently not enough pitches within the area to cater for demand.	Section vii
4. Provision of the pitches will make up for the loss of North Maidenhead Cricket Club facilities, which closed earlier in the year.	Section vii

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

1. Concerns raised over the need for further overspill parking facilities to accommodate the change of use.	Section ii
---	------------

2.	Concerns raised over the size of current changing rooms within the school, and whether these are sufficient for the change of use	Section ii
----	---	------------

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Sports England	By providing new pitches that could help address established playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle. Sport England recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for preparing the playing fields to the required specification. The recommended scheme should then be implemented.	Section vii
Lead Local Flood Authority	The LLFA sought clarity on whether the alterations on site required sports pitch drainage, which the applicant confirmed would not be required. In light of the comments received from both parties, it is considered that no objections were raised.	Section vi

### Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	No objection.	Noted

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Green Belt
- ii Highway Considerations and Parking Provision
- iii Impact on neighbouring amenity
- iv Landscaping
- v Ecology
- vi Flooding
- vii Other material considerations

### Issue i- Green Belt

- 9.2 The application site is located within the Green Belt where the Framework (2021) at paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.3 The proposal does not propose the construction of new buildings and therefore it falls to be assessed under *certain other forms of development* as described at paragraph 150 of the NPPF (2021). It states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Such uses include at (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).
- 9.4 The proposal seeks the change of use of the land to provide sports pitches for the use of the adjoining junior school, and a local cricket club. The proposed sports pitches would be wholly outdoor and used for outdoor sport with no associated operational development. As such, the proposal would comprise an appropriate form of development in principle as set out under paragraph 150 (e) of the Framework (2021).
- 9.5 It must be established whether the proposed change of use would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. The previous proposal for a larger scheme, which was dismissed at appeal, sought outline consent for numerous artificial pitches, pavilions, fencing lighting and sporting paraphernalia. These features and their general appearance were considered to significantly reduce the spatial openness of the site. However, the current proposal removes all reference to artificial pitches, associated works and operational development and seeks permission solely for the land to be maintained for sporting use for cricket during the spring/summer and for general sporting use in connection with the school during the winter.
- 9.6 As a result of the nature of the proposal, the land would remain largely free from operational development. Whilst it is noted that the land would have to be prepared and maintained for its intended use, this would not of itself result in a measurable reduction in the spatial or visual openness of the site. Any paraphernalia associated with the sports uses, such as goalposts and cricket equipment, would likely be removed from site after each event for maintenance purposes, which would preserve the openness of the site.
- 9.7 It is noted that concerns have been raised as to the potential requirement for the proposed use to have associated buildings and paraphernalia in the future. The Local Planning Authority can only consider the proposal before them and, in this case, it has been made clear that the existing parking and changing facilities within the school will be utilised. Should the applicant wish to erect any such a facilities in the future, this would be subject to the need for planning permission which would be considered on its own merits.
- 9.8 On balance, it is considered that the proposals would preserve openness and not conflict with the purposes of the Green Belt and, as such, would accord with the requirements set out within the NPPF (2021) and Policy GB2 of the Local Plan (2003).

#### **Issue ii- Highway Considerations and Parking Provision**

- 9.9 Policy R8 of the adopted Local Plan states that the Borough Council will permit development for public or private recreation use except where such development would result in significant environmental or highway problems, or where it would conflict with any other policies of this plan.
- 9.10 The applicant has provided limited information on the proposed parking strategy at the site. It is noted that reference is made within the planning statement that parking provision for the facility would be within the boy's school, and it is considered that this would also be the case for weekend use by North Maidenhead cricket club.
- 9.11 At the time of the officers site visit, it was identified that between 47-50 active parking spaces were available within the school grounds. Having considered the timetable provided by the applicant, there would be limited to very little overlap in the use of the school building and the use



the subject of this application. This would ensure there is no direct conflict between the intended users across the week (school and NMCC).

- 9.12 Having regard to Appendix 7; Parking Standards within the Local Development Plan it is noted that there is no specific standard for sporting facilities such as this, although it is noted that the location of the site could result in higher than usual need for parking by external users.
- 9.13 The Parking Strategy (2004) is clearer in its expectations that for sports fields, 12 spaces are required per hectare of pitch for areas of poor accessibility. As a result of this, there would be a requirement for 60 spaces resulting in an approximate shortfall of 10 parking spaces. However, in this case, the proposed facility would be used by pupils of the school for the majority of the time and would only result the occasional visit from another school for competitive matches, which would not generate any significant parking demand. Furthermore, by virtue of the nature and extent of the proposed facility, it is not considered that its intended use by North Maidenhead Cricket Club would result in overspill parking in the vicinity of the site.

#### **Issue iii- Impact on neighbouring amenity**

- 9.14 The application site sits within the north-western corner of a larger parcel of land. The site is relatively isolated with two residential properties to the west. These dwellings are located a significant distance from the proposed pitches and any harm arising to their residential amenities would be minimal, or less than significant.
- 9.15 It is accepted that there would be an increase in activity to and from the site as a result of the change of use; however, the siting of the pitches has been carefully considered to ensure the movement from the area of parking, and the general footfall between the school and pitches would be at its shortest. In turn, this ensures the noise generated would not impact the amenities of the properties to the east. Similarly, any noise generated would be similar to the use of the main school during break times and pick up/drop offs. On balance, it would be difficult to substantiate a reason for refusal on these grounds given the separation distances involved.

#### **Issue iv- Landscaping**

- 9.16 Policy N6 of the Local Plan seeks to protect trees which contribute to the character and appearance of the area.
- 9.17 The application site is bound by landscaping features and trees of amenity value. The trees and vegetation along the northern, eastern and southern side of the wider land parcel would not be impacted by the proposed development. The retention of these features would continue to enhance this open, rural setting as well as provide ecological opportunities, as touched upon within the next section of this report.

#### **Issue v- Ecology**

- 9.18 Paragraph 180 of the NPPF (2021) sets out four key principles that Local Planning Authorities should consider when assessing applications. One of the principles considers that where significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused.
- 9.19 The wider site area under the control of the applicant is bound by hedgerows, and the undeveloped nature of the wider site under the applicants control offers ecological opportunity and value to local species. This is furthered by the location of the site to the adjoining Wildlife Heritage Site.
- 9.20 No ecological reports or surveys have been submitted by the applicant in support of the application. It is recognised that the proposed site has been cut-back and maintained under its use as an agricultural field, which minimises its ecological value.

#### **Issue vi- Flooding**

- 9.21 As part of the application process, the LLFA were consulted on the proposal. They sought clarity from the applicants on whether sports drainage would be required under the pitches, and recommended planning permission not be forthcoming until clarity had been obtained.
- 9.22 Subsequently, the applicant confirmed that no drainage was to be implemented and it is assumed the pitches would rely on natural drainage solutions. As such, there would be no objections on drainage or flooding grounds.

## **Issue vii- Other material Considerations**

### **Need for Sporting Facilities**

- 9.23 The NPPF (2021) Para 92 sets out the aims of decision makers to ensure healthy lifestyles are supported and enabled by development, notably through sports facilities as well as other opportunities.
- 9.24 The RBWM Playing Pitch Survey and Action Plan (2016) set out the shortfalls and aims for sporting pitches within the borough. Claire's Court Junior Boys school was identified in 2016 as having access to two pitches with overplay of 17 matches per year. Owing to the level of overplay it was suggested consideration be given to alleviating the number of games by introducing further pitches. In turn, the opportunity for further pitches would increase cricket participation within the area with local clubs.
- 9.25 At the time in 2016 it was identified that the cricket facilities in Maidenhead and surrounding villages was sufficient to cater for the current demand. However, should there be an increase in demand or shortfall in pitches then this would require addressing. As North Maidenhead Cricket Club have lost their facilities in the recent past, this has increased pressure and demand on local pitches. When this is given significant weighting as well as the comments received from the ECB where they consider demand outweighs facilities within the vicinity, there is a clear needs based argument for the provision of the proposed facilities.
- 9.26 As no harm has been identified to the Green Belt, neighbouring amenity, ecology or landscape matters it is considered that the proposals would deliver high quality outdoor sporting facilities for the school, and residents which would fill an existing gap in local facilities.
- 9.27 For clarification further information has been sought from the applicant to confirm the parking provision available in association with the proposed use and the location and extent of the changing facilities proposed to be utilised. Any information received will be reported to Members in an update report.

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

- 10.1 The development is not CIL liable.

## **11. PLANNING BALANCE AND CONCLUSION**

- 11.1 The proposed development is consistent with the NPPF (2021) in so far as would not result in an inappropriate form of development within the Green Belt.
- 11.2 It is considered that this proposal would not raise any significant issues in terms of design, appearance, neighbouring amenity, drainage, highways or ecological matters.
- 11.3 It is considered that this proposed development identifies a genuine need and requirement for cricket/sporting facilities for the adjoining school and wider community as identified by the English Cricket Board and Sport England. For the reasons set out above, Officers are of the view that if this application is determined in accordance with the normal test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

## **12. APPENDICES TO THIS REPORT**



- Appendix A - Site location plan and site layout

### 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 use of the land as sports pitches hereby approved shall only be carried out between the hours of: 0800 hours and 1800 hours on Monday to Friday and 0800 hours and 2000 hours on Saturday and Sundays, Bank or Public Holidays.  
Reason: To protect the amenities of the occupants of the properties in the vicinity of the site.
- 3 No part of the development shall be used until a vehicle parking strategy/highways report has been submitted to, and approved by the Local Planning Authority in writing which sets out the availability of parking within the site for the use of North Maidenhead Cricket Club during their period of use of the pitches, hereby approved. Thereafter, the parking strategy shall be complied with in its entirety.
- 4 Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 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.

This page is intentionally left blank

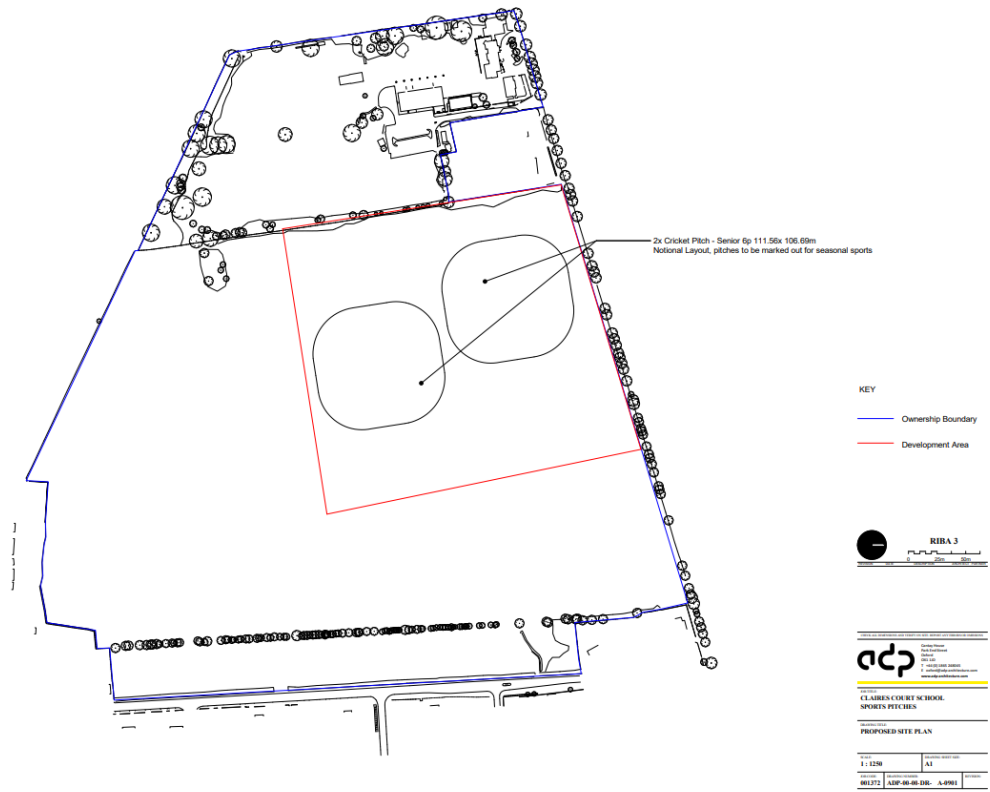
## 12. APPENDICES TO THIS REPORT

- Appendix A – Site location plan/ Proposed Site Plan

### Appendix A – Site location plan/Site Plan



Appendix A (i) – Location Plan



Appendix A (ii) – Proposed Site Plan

## Planning Appeals Received

7 December 2021 - 10 January 2022

### 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:** Bray Parish  
**Appeal Ref.:** 21/60078/ENF      **Enforcement Ref.:** 20/50181/ENF      **PIns Ref.:** APP/T0355/C/21/3287375  
**Date Received:** 6 December 2021      **Comments Due:** 17 January 2022  
**Type:** Enforcement Appeal      **Appeal Type:** Written Representation  
**Description:** Appeal against the Enforcement Notice: Without planning permission, the erection of an outbuilding in the rear garden.  
**Location:** **Little Acre Ascot Road Holyport Maidenhead SL6 3LD**  
**Appellant:** Dr Lakshmi Kanthan **c/o Agent:** Mr Jason Oakden Savills (UK) Ltd 33 Margaret Street London W1G 0JD

**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 21/60079/REF      **Planning Ref.:** 21/01434/FULL      **PIns Ref.:** APP/T0355/W/21/3284858  
**Date Received:** 17 December 2021      **Comments Due:** 21 January 2022  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** 1 No. new dwelling with associated amenity space, new pedestrian entrance, refuse and bicycle store and unallocated on-street parking.  
**Location:** **Land At 11 Mallow Park Maidenhead**  
**Appellant:** Mr Anthony **c/o Agent:** Mr Joshua Harrison Cohanim Architecture 207 Regent Street 3rd Floor London W1B 3HH

**Ward:**  
**Parish:** White Waltham Parish  
**Appeal Ref.:** 21/60080/REF      **Planning Ref.:** 20/03409/FULL      **PIns Ref.:** APP/T0355/W/21/3283465  
**Date Received:** 17 December 2021      **Comments Due:** 21 January 2022  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Construction of 2 No. two bedroom semi-detached houses with associated parking and new pedestrian access following demolition of garages.  
**Location:** **Garage Block To The North West of The Royal British Legion Sawyers Crescent Maidenhead**  
**Appellant:** Mrs Mininder Chopra **c/o Agent:** Mr Peter Higginbottom Planning Insight Room 105 31 - 35 Kirby Street London EC1N 8TE

# Appeal Decision Report

7 December 2021 - 10 January 2022

www.rbwm.gov.uk



Royal Borough  
of Windsor &  
Maidenhead

## MAIDENHEAD

**Appeal Ref.:** 20/60086/ENF      **Enforcement Ref.:** 20/50175/ENF      **Plns Ref.:** APP/T0355/C/20/3258992

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

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

**Description:** Appeal against the Enforcement notice: Without planning permission, the erection of three large barns and associated feed silos.

**Location:** **Longwood Farm Smewins Road White Waltham Maidenhead SL6 3SR**

**Appeal Decision:** Withdrawn      **Decision Date:** 8 December 2021

---

**Appeal Ref.:** 21/60021/REF      **Planning Ref.:** 20/00064/FULL      **Plns Ref.:** APP/T0355/W/20/3259258

**Appellant:** Ms Ruth Taylor **c/o Agent:** Mr Matthew Green Green Planning Studio Ltd Unit D Lunesdale Shrewsbury Upton Magna SY4 4TT

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

**Description:** Replacement dwelling.

**Location:** **Little Croft Bisham Road Bisham Marlow SL7 1RL**

**Appeal Decision:** Dismissed      **Decision Date:** 22 December 2021

**Main Issue:** The Inspector concluded that whilst the proposal may comply with some elements of local and national policies regarding the Green Belt, flood risk and the protection of biodiversity, it would conflict with other policies included in the development plan and the Framework overall. These conflicts weigh against the scheme as a whole and it would be contrary to policies DG1 H10, H11, N2, CA1 and CA2 of the Local Plan.

---



**Appeal Ref.:** 21/60047/ENF      **Enforcement Ref.:**      21/50092/ENF      **Plns Ref.:** APP/T0355/C/21/3278222

**Appellant:** Paul Kelly **c/o Agent:** Mr Richard Stone Stone Planning 1 Sunnybank Gravel Hill Southampton Hampshire S032 2JQ

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

**Description:** Appeal against the Enforcement Notice: A. Without planning permission, the formation of hard surfacing on an existing track. B. Without planning permission, the stripping of soil and the formation of earth bunds.

**Location:** **Land To East of Hollies Moneyrow Green Holyport Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 13 December 2021

**Main Issue:** On the question of invalidity and/or nullity the Inspector concluded, in line with the Council, that the notices are sufficiently clear and precise, and the recipients of the notice appear to have understood what is being attacked and where it is. In both notices the Inspector under ground (b) appeal agreed with the Council that the matters alleged in the notice have occurred and those matters constitute a breach of planning control. This was also the case under the ground (c) appeal. In respect of the deemed planning application the Inspector concluded that the development is inappropriate development that conflicts with national and local policy to protect the Green Belt. It is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, the Inspector found harm is caused to the character and appearance of the area and that that other considerations in this case do not clearly outweigh the harm that the Inspector identified. Consequently, the very special circumstances necessary to justify the development do not exist.

---

**Appeal Ref.:** 21/60048/ENF      **Enforcement Ref.:**      21/50092/ENF      **Plns Ref.:** APP/T0355/C/21/3278279

**Appellant:** Paul Kelly **c/o Agent:** Mr Richard Stone Stone Planning 1 Sunnybank Gravel Hill Southampton Hampshire SO32 2JQ

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

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

**Location:** **Land To East of Hollies Moneyrow Green Holyport Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 13 December 2021

**Main Issue:** On the question of invalidity and/or nullity the Inspector concluded, in line with the Council, that the notices are sufficiently clear and precise, and the recipients of the notice appear to have understood what is being attacked and where it is. In both notices the Inspector under ground (b) appeal agreed with the Council that the matters alleged in the notice have occurred and those matters constitute a breach of planning control. This was also the case under the ground (c) appeal. In respect of the deemed planning application the Inspector concluded that the development is inappropriate development that conflicts with national and local policy to protect the Green Belt. It is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, the Inspector found harm is caused to the character and appearance of the area and that that other considerations in this case do not clearly outweigh the harm that the Inspector identified. Consequently, the very special circumstances necessary to justify the development do not exist.

---

**Appeal Ref.:** 21/60051/REF      **Planning Ref.:** 21/00237/CLD      **Plns Ref.:** APP/T0355/X/21/3278798

**Appellant:** Mr Muhammad Shafiq Khan **c/o Agent:** Mr Ehsan UL-HAQ ArchiGrace Limited 50 Two Mile Drive Slough SL1 5UH

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

**Description:** Certificate of lawfulness to determine whether the existing part single part two storey rear extension is lawful.

**Location:** **45 Summerleaze Road Maidenhead SL6 8EW**

**Appeal Decision:** Dismissed      **Decision Date:** 6 December 2021

**Main Issue:** It has been determined that the Council's refusal to grant a certificate of lawful use or development for the operational development described in the banner heading of the appeal decision notice was well-founded and that the appeal should fail.

---

**Appeal Ref.:** 21/60061/PRPA      **Planning Ref.:** 20/03106/TPO      **Plns Ref.:** APP/TPO/T0355/8397

**Appellant:** Mrs Manju Ghosh 9 Cotswold Close Maidenhead SL6 1XF

**Decision Type:** Delegated      **Officer Recommendation:** Partial Refusal/Partial Approval

**Description:** T1 Silver birch - fell (TPO 3 of 1997)

**Location:** **11 Cotswold Close Maidenhead SL6 1XF**

**Appeal Decision:** Dismissed      **Decision Date:** 6 December 2021

**Main Issue:** The felling of the silver birch would result in significant harm to the character and appearance of the area and the Inspector is not satisfied that there is sufficient justification for the work.

---

**Appeal Ref.:** 21/60060/REF      **Planning Ref.:** 21/00418/FULL      **Plns Ref.:** APP/T0355/W/21/3275019

**Appellant:** Mr Kuldeep Puri **c/o Agent:** Mr Paul Dickinson Highway House Lower Froyle Hants GU34 4NB

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

**Description:** Change of use of residential outbuilding to 1 No. dwelling with associated works and new detached carport/storage building following demolition of existing garage.

**Location:** **Land At 61 Furze Platt Road Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 17 December 2021

**Main Issue:** The Inspector considered that the unacceptable harm have been identified to the CA, therefore policies within the Framework that protect designated heritage assets provide a clear reason for refusing the development proposed. In accordance with Footnote 7 of the Framework, the presumption in favour of sustainable development at paragraph 11d) would not therefore apply. Moreover, the proposal would be contrary to requirements within the Framework for development that is sympathetic to local character and history, including the surrounding built environment. For the reasons given above, the Inspector find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached.

---

**Appeal Ref.:** 21/60062/REF      **Planning Ref.:** 21/01183/FULL      **Plns Ref.:** APP/T0355/D/21/  
3278475

**Appellant:** Mrs Janice Gibbs 17 Clappers Meadow Maidenhead SL6 8TT

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

**Description:** Replacement first floor rear balcony.

**Location:** **17 Clappers Meadow Maidenhead SL6 8TT**

**Appeal Decision:** Dismissed      **Decision Date:** 13 December 2021

**Main Issue:** The Inspector found that the development would result in intrusive overlooking of the neighbouring property and would cause a significant loss of privacy.

---

This page is intentionally left blank