

NOTICE
OF
MEETING

**MAIDENHEAD DEVELOPMENT
MANAGEMENT COMMITTEE**

will meet on

WEDNESDAY, 16TH NOVEMBER, 2022

At 7.00 pm

In the

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

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

COUNCILLORS MAUREEN HUNT (CHAIRMAN), LEO WALTERS (VICE-CHAIRMAN),
JOHN BALDWIN, GURPREET BHANGRA, MANDY BRAR, GERRY CLARK,
GEOFF HILL, JOSHUA REYNOLDS AND DAVID COPPINGER

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: 8 November 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 or contact the Panel Administrator **Becky Oates** Becky.Oates@RBWM.gov.uk

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.	5 - 8
3.	<u>MINUTES OF THE PREVIOUS MEETING</u> To approve the minutes of the meeting held on 19 October 2022 as a true and accurate record.	9 - 12
4.	<u>21/03497/FULL - CULHAM FARMS FROGMILL STABLES AND THE OLD ESTATE OFFICE FROGMILL FARM BLACK BOY LANE HURLEY MAIDENHEAD</u> PROPOSAL: Conversion of stable barns to 7 no. dwellings and associated garages, demolition of remaining buildings and erection of 5 no. detached dwellings (and associated garage and bin stores) together with landscaping and new vehicular access. RECOMMENDATION: Refuse APPLICANT: Culden Faw Ltd EXPIRY DATE: 18 November 2022	13 - 48
5.	<u>22/01207/OUT - OAKLEY GREEN MUSHROOM FARM OAKLEY GREEN ROAD OAKLEY GREEN WINDSOR SL4 5UL</u> PROPOSAL: Outline application for Access, Layout and Scale only to be considered at this stage with all other matters to be reserved for the demolition of storage buildings (Class B8) and erection of 29 dwellings, together with associated access, parking and provision of amenity space. RECOMMENDATION: Refuse APPLICANT: Mr East EXPIRY DATE: 22 August 2022	49 - 80
6.	<u>22/01878/REM - GROVE PARK INDUSTRIAL ESTATE WALTHAM ROAD WHITE WALTHAM MAIDENHEAD SL6 3LW</u> PROPOSAL: Reserved matters (appearance and landscaping) pursuant to outline planning permission 18/03348/OUT for outline application for access, layout and scale only to be considered at this stage with all other matters to be reserved for the erection of up to x79 dwellings and erection of a nursery	81 - 118

building (D1) following demolition of a number of existing buildings.

RECOMMENDATION: Defer Legal Agreement

APPLICANT: Sorbon Estates Ltd

EXPIRY DATE: 14 October 2022

7. PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORTS

119 - 120

To note the contents of the report.

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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 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.

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Agenda Item 3

MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY, 19 OCTOBER 2022

PRESENT: Councillors Maureen Hunt (Chairman), Leo Walters (Vice-Chairman), John Baldwin, Gurpreet Bhangra, Mandy Brar, Gerry Clark, Joshua Reynolds and David Coppinger

Also in attendance virtually: Councillors Wisdom Da Costa, Donna Stimson and Gurch Singh

Officers: Anthony Lenaghan, Becky Oates, Laurence Ellis, Tony Franklin and Sian Saadeh

APOLOGIES FOR ABSENCE

Apologies were received from Councillor Hill.

DECLARATIONS OF INTEREST

Councillor Coppinger declared that he had two meetings with the promoters of Statesman House when he was the Cabinet member responsible for planning. However, he added that the discussion was about the timing and did not involve the details of the plan itself.

Councillor Baldwin declared that he received 4 communications from the applicant: one by email, one by post and 2 by telephone. He added that he did not engage with the two phone calls, and he read the information in the email and post. He attended the meeting with an open mind.

MINUTES OF THE PREVIOUS MEETING

APPROVED UNANIMOUSLY: That the minutes of the meeting held on 21 September 2022 be a true and accurate record.

22/01452/FULL - BRIAR COTTAGE AND HOLMWOOD BRIAR GLEN COOKHAM MAIDENHEAD

RESOLVED UNANIMOUSLY: That the order of agenda items was changed, with Briar Cottage and Holmwood Briar being the first application considered.

A motion was proposed by Councillor Reynolds to refuse the application due to concerns over the design and character of the development, the percentage of hardstanding and overdevelopment of the site which would be harmful to the character of the wider area, which was against officer's recommendations. This was seconded by Councillor Clark.

A named vote was taken.

22/01452/FULL - BRIAR COTTAGE AND HOLMWOOD BRIAR GLEN COOKHAM MAIDENHEAD (Motion)	
Councillor Maureen Hunt	Against
Councillor Leo Walters	Abstain
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor Gerry Clark	For
Councillor Joshua Reynolds	For
Councillor David Coppinger	Abstain
Carried	

RESOLVED UNANIMOUSLY: That the application be refused.

The Committee was addressed by Estelle Godrey (objector), Councillor Bill Perry (Cookham Parish Council) and Graham Cross (applicant).

20/01409/OUT - STATESMAN HOUSE STAFFERTON WAY AND BRAYWICK GATE BRAYWICK MAIDENHEAD

A motion was proposed by Councillor Clark to grant planning permission subject to the completion of the legal agreement for the matters set out in the report and with the conditions listed in the report and committee update, which was in line with officer's recommendation, and that the Committee resolve that future applications for reserved matters related to this permission would be determined by the Maidenhead Development Management Committee (or any successor committee). This was seconded by Councillor Baldwin.

A named vote was taken.

20/01409/OUT - STATESMAN HOUSE STAFFERTON WAY AND BRAYWICK GATE BRAYWICK MAIDENHEAD (Motion)	
Councillor Maureen Hunt	For
Councillor Leo Walters	Abstain
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor Gerry Clark	For
Councillor Joshua Reynolds	Against
Councillor David Coppinger	For
Carried	

RESOLVED: That the application be permitted subject to the completion of the legal agreement for the matters set out in the report and with the conditions listed in the report and committee update, which was in line with officer's recommendation and that future applications for reserved matters related to this permission would be determined by the Maidenhead Development Management Committee (or any successor committee).

The Committee was addressed by Matthew Bird (applicant) and Councillor Taylor (ward Councillor).

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

The Panel noted the report.

The meeting, which began at 7.00 pm, finished at 8.16 pm

CHAIRMAN.....

DATE.....

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 November 2022

Item: 1

Application No.:	21/03497/FULL
Location:	Culham Farms Frogmill Stables And The Old Estate Office Frogmill Farm Black Boy Lane Hurley Maidenhead
Proposal:	Conversion of stable barns to 7 no. dwellings and associated garages, demolition of remaining buildings and erection of 5 no. detached dwellings (and associated garage and bin stores) together with landscaping and new vehicular access.
Applicant:	Culden Faw Ltd
Agent:	Mrs Jo Unsworth
Parish/Ward:	Hurley Parish/Hurley And Walthams
If you have a question about this report, please contact: Carlos Chikwamba on 01628796745 or at carlos.chikwamba@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposed development relates to a proposal for x12 new dwellings. The site is deemed to be previously development land and it is located in Green Belt. However, the proposed development would have a greater impact on openness than the existing development on-site. No case for very special circumstances exists to clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm. The scheme would also fail manage the development's residual flood risk.
- 1.2 The site is deemed to be in an unsustainable location, which would lead to an overreliance on private cars as opposed to sustainable and active modes of travel. Furthermore, due to the lack of a legal agreement to secure the carbon offset contribution related to the scheme, it fails to meet the requirements of the council's Interim sustainability position statement.
- 1.3 The scheme would also fail to demonstrate that it would not have any implications on any potential archaeological remains on-site. Furthermore, it would have an adverse impact on nature conservation.
- 1.4 Lastly, it has not been adequately demonstrated that the scheme would comply with the relevant policies for housing mix, affordable housing and open space requirements.
- 1.5 Overall, taking account of the Framework and the above considerations, including the benefits of the development, it is considered that material considerations do not indicate that planning permission should be granted for the development as it conflicts with the development plan.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):	
1.	The proposal would have a greater impact on the openness of the Green Belt than the existing development on site, as such fails to be an exception to inappropriate development in the Green Belt. The applicant has failed to demonstrate that any other considerations would clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm, (as

	identified in the subsequent reasons), and therefore 'very special circumstances' do not exist which clearly outweigh the harm.
2.	It has not been adequately demonstrated that the proposal would not have any implications on any potential archaeological remains on-site. Therefore, the scheme is contrary to paragraph 194 of the NPPF (2021), and Local Plan HE1 of the Adopted Local Plan.
3.	It has not been adequately demonstrated that the scheme would be in compliance with Policy HO3 of the Borough Local Plan (2022) in terms of the provision for affordable housing.
4.	The development is not considered to promote and encourage travel by sustainable or active modes of travel. Therefore, the proposal is deemed to be in an unsustainable location, thus, it is contrary to Section 9 of the NPPF (2021) and Policy IF2 of the Borough Local Plan (2022)
5.	The proposal fails to meet the derogation test and it would have an adversely impact on ecology. Therefore, it is contrary Policy NR2 of the Local Plan (2022), and Part 1 of Regulation 9 of the Conservation of Habitats and Species Regulations (2017).
6.	The escape route, together with the evacuation plan are not deemed adequate to safely manage the residual flood risk. Therefore, the development is considered to be contrary to Paragraph 167(d & e) of the NPPF (2021), Part 6(c & e) of Policy NR1 of the Borough Local Plan (2022) and RBMW's Strategic Flood Risk Assessment (2017).
7.	No legal agreement has been provided to secure the carbon offset contribution for the scheme to offset the impact of the proposal. The proposal is therefore contrary to Policy SP2 of the Borough Local Plan (2022) and The Interim Sustainability Position Statement (2021).
8.	The proposed mix of housing is not in accordance with that required by policy H02 of the Adopted Local Plan, and no evidence has been submitted to demonstrate why the mix of housing type and size is adequate.
9.	It has not been adequately demonstrated that the scheme would be in compliance with Policy IF4 of the Borough Local Plan (2022) in terms of the provision open space.

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 as it is a major application; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located towards the northern end of Black Boy Lane and lies approximately 1.3km west of Hurley village. The site measures approximately 0.9ha and comprises of two stable blocks at the northern end, which are considered to be non-designated heritage assets due to their early 20th century status and the architectural and historic interest of these buildings. To the centre is an open hay barn, 2 sheds and an outbuilding, these buildings are modern buildings with little to no historic significance. A second manege is located at the southern end of the site, this is free of buildings. East and west of the second manege, are four disused and derelict former piggery buildings which lie outside of the application site but are within the ownership of the applicant.
- 3.2 To the north of the application site is an existing group of residential buildings known as Frogmill Court. This group of dwellings adjacent to the site include the original Listed Frogmill Farm House, Mill, and Barn dating from the early 19th century (All grade II listed, ref: 1319393, 1117553 and 1303198). These designated heritage assets are separate from the curtilage of the stables on-site, as the stables were in separate use at the time of listing. To the north-east is Frogmill, is another group of residential buildings. The River Thames lies beyond Frogmill Court and Frogmill. The wider surrounds comprise of agricultural land.

4. KEY CONSTRAINTS

- 4.1 Green Belt
Flood Zone 2 and 3
The setting of designated heritage assets

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposed development is for the conversion of stable barns to 7 no. dwellings and associated garages, the demolition of remaining buildings and erection of 5 no. detached dwellings (and associated garage and bin stores) together with landscaping and vehicular access.
- 5.2 A mix of dwellings is proposed comprising three x 2-bedroom units; four x 3-bedroom units; three x 4-bedroom units; and two x 5 bed units.
- 5.3 The stable barns which are to be converted, in terms of height, depth and width will remain the same. The proposed new dwellings would have an overall height ranging from around 6.7 to 9 metres.
- 5.4 The proposal would lead to a decrease in the total development footprint on-site. The existing accesses to the site will be retained and parking will be provided within the garages and driveways for the proposed new dwellings. Parking for the stables, would be located in the communal courtyard, converted stable block and new carport within the site.

5.5 Planning History

Ref.	Description	Decision and Date
99/33606/CLU	Use of stables, ancillary buildings and paddocks as a commercial livery establishment.	Approved – 13.12.1999
06/00417/FULL	Replacement agricultural building.	Approved – 18.04.2006
14/02841/FULL	Erection of new linked building and conversion of former stables into B1(c) office space, together with associated parking and landscaping, following demolition of modern barn structures and alterations to the existing hay barn. Construction of new vehicular access onto the A4130.	Refused – 11.12.2014

5.6 The most recent application ref; 14/02841/FULL was refused as it was deemed to be inappropriate development in the Green Belt, it was located in an isolated location and a significant distance from public transport and local amenities. Furthermore, the scale of the new buildings and alterations to the stables was deemed to harm setting of the of the nearby listed buildings and the scheme failed to make relevant infrastructure and amenity provisions.

6. DEVELOPMENT PLAN

Adopted Borough Local Plan (2022).

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Housing Mix and Type	HO2
Affordable Housing	HO3
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands, and Hedgerows	NR3
Historic Environment	HE1
Open Space	IF4

Hurley and the Waltham's Neighbourhood Plan, 2015-2030. Adopted December 2017.

Issue	Neighbourhood Plan Policy
Sustainable development	Env 1
Climate change, flood and water management	Env 2
Quality design	Gen 2
Accessibility and highway safety	T1

7. **Material Planning Policy Considerations**

7.1 **National Planning Policy Framework Sections (NPPF) (2021)**

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 5 – Delivering a sufficient supply of homes

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

Section 16 - Conserving and enhancing the historic environment

7.2 **Supplementary Planning Documents**

- RBWM Borough Wide Design Guide SPD (Adopted)
- Interim Sustainability Statement
- RBWM Corporate Strategy
- RBWM Environment and Climate Strategy
- Vacant Building Credit Advisory Note
- 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

An advert was placed in the newspaper publicising the application, a site notice was displayed, and letters were sent to neighbouring properties.

3 letters were received.

1 letter was received objecting the application, summarised as:

Comment	Officer's Response
<p>-Inappropriate development in the Green Belt no very special circumstances.</p> <p>-Pre-commencement condition should be added to the permission to ensure that predicted drainage flow conditions are appropriate.</p> <p>-Development increases the on-site flood risk and mitigation measures which include raising floor levels and subsequently the</p>	<p>Noted and addressed in Section 9 of the report.</p>

developments height levels, which would harm the openness of the green belt.	
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2 letters were received supporting the application, summarised as:

Comment	Officer's Response
-In favour of the development as it will improve appearance of general locality due to its high quality.	Noted.

Consultee responses and other groups

Summary of comments

Comment	Officer's Response
<i>Hurley Parish Council;</i> <i>No objections.</i>	Noted.
<i>Berkshire Archaeology;</i> Scheme of archaeological trial trenching should be undertaken, prior to determination of this development application, in order to provide further information about the potential of the site, which will be impacted by the new development.	Noted and addressed in Section 9 of the report.
<i>Local Lead Flood Authority (LLFA);</i> Within their initial comments the LLFA requested further information from the applicant in regard to the drainage attenuation, sewage maintenance & discharge rates and works outside the redline boundary. The applicant provided a technical note clarifying these points and upon reconsultation no objections were raised by the LLFA subject to a surface water drainage scheme condition prior to any construction works.	Noted and addressed in Section 9 of the report.

<p><i>Environment Agency;</i></p> <p>The initial comments from the EA were not detailed and were in line with their Standing advice in regard to development in the flood zone. Upon further consultation the EA stated the following;</p> <p><i>'The majority of the land being developed for new housing is in flood zone 1 and we would agree with this. The barn conversion is within the climate change extent as is the land raising taking place to deliver safe access.'</i></p> <p>Furthermore, the EA went on to say; <i>'We maintain that this is a lower risk application in terms of flood risk, and we do not wish to comment any further. We urge you to consider Flood Risk Standing Advice and the recommendations of the Flood Risk Assessment when coming to a decision'</i></p>	<p>Noted and addressed in Section 9 of the report.</p>
<p><i>Emergency Planning Officer;</i></p> <p>The safe route out of the development is a walking route and relates to the residents being able to walk safely from the site to the road where they can be supported by the emergency services.</p> <p>The evacuation plan requires residents to contact the council about evacuation details. This is not acceptable since the whole purpose of having the plan is to ensure all the occupants of the residential units would know what to do and where to go and importantly when so as not to impact on the emergency services and other responders at times of flood.</p> <p>Instead, we would expect people to move to be signed up to the EA flood warning system and act upon the advice including flood mitigation to properties and moving to stay with friends and family, so they are not stranded in their homes calling for help or walking to an area for the emergency services to support them.</p> <p>However, since the site is not a 'gated/managed' site, and the Flood Warning and Evacuation Plan is not enforceable since</p>	<p>Noted and addressed in Section 9 of the report.</p>

<p>the EA Flood Warning System is an opt in and not an opt out system and many of the actions are in relation to individual residents and therefore unless in a covenant the plan is not workable.</p>	
<p><i>Affordable Housing Officer;</i></p> <p><i>'Considering that the site is remote and 1 affordable dwelling is required after Vacant Building Credit has been considered, a Registered Provider would be unlikely to make an offer to the developer. Therefore, a financial contribution should be sought in lieu'</i></p> <p>The applicant highlighted their intention for the affordable unit to be secured for one of the Estate workers (who usually struggle with open market rates) this to be secured via a legal agreement.</p> <p>Upon further consultation the Affordable Housing Officer requested more details of how the applicant proposes to allocate the affordable dwelling to an estate worker as not only does it appear to not involve a RP, but it would also bypass the normal process of engaging the Housing Options Team to nominate a household from the RBWM Housing Register.</p>	<p>Noted. At the time of writing this report, the applicant was yet to respond to the request for additional information in regard to the affordable unit being proposed to be secured for an estate worker.</p> <p>The affordable housing considerations are considered within Section 9 of the report.</p>
<p><i>Conservation;</i></p> <p>No Objection to the proposal subject to the retention of architectural/historic features, external and internal, of interest. Furthermore, a materials condition has been recommended and, a record of the early 20th century buildings should be required by condition to HE Level 1.</p>	<p>Noted and further addressed in Section 9 of the report.</p>
<p><i>Ecology;</i></p> <p>No objections to this application on ecological grounds subject to CEMP (Biodiversity), Bat Licence, Lighting Scheme and biodiversity enhancement conditions.</p>	<p>Noted and addressed in Section 9 of the report.</p>

<p><i>Highways;</i></p> <p>No objections subject to cycle parking and visibility conditions.</p>	<p>Noted.</p>

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i. The principle of development – whether the proposal is appropriate development in the Green Belt;
- ii. Impact on the character and appearance of the area,
- iii. Heritage considerations
- iv. Impact on the amenities of future occupiers of the development and neighbours;
- v. Affordable housing;
- vi. Housing mix
- vii. Highway safety and parking provision
- viii. Sustainable Location
- ix. Ecology and Biodiversity;
- x. Flood risk;
- xi. Sustainability ; and
- xii. Open Space
- xiii. Planning Balance and Conclusion

9.2 **The principle of development – whether the proposal is appropriate development in the Green Belt**

9.3 The application site is located within the Green Belt and the NPPF (2021) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 147). Paragraph 148 further states that “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.”

- 9.4 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with some exceptions. These include point g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 9.5 The application site has a lawful development certificate for use as a commercial livery establishment and therefore is not considered to be agricultural. With reference to the definition in Annex 2 of the NPPF, the site is therefore considered to be previously developed land (PDL). The applicant has put forward a case that the proposed development by virtue of the reduction in built form (volume, footprint and floorspace) relative to the existing structures to be demolished would not have a greater impact on openness than the existing development on site. Below is a table detailing the footprint, floor space and volume of the existing and proposed development;

	Existing	Proposed	Percentage Difference
Footprint	2,574m ²	1,767m ²	-31.4%
Floorspace (GIA)	2,459m ²	2,302m ²	-6.4%
Volume	11,129m ³	9,325m ³	-16.2%

- 9.6 It is acknowledged that the proposed development would reduce the above metrics relative to the existing development. However, the concept of assessing openness is not solely limited to the volumetric approach and the consideration of openness is more nuanced. This is supported by case law in, particular ref; John Turner v The Secretary of State for Communities and Local Government (C1/2015/3507), paragraph 14 within that judgement reads;

The concept of “openness of the Green Belt” is not narrowly limited to the volumetric approach. The word “openness” is open-textured, and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent factors will be how built up the Green Belt would be if the redevelopment occurs (in the context of which volumetric matters are be a material concern, but are by no means the only) and factors relevant to the visual impact on the aspect of openness which the Green Belt represents’

- 9.7 Beyond the volumetric approach, the LPA has to consider other factors including how built up the Green Belt would be if the redevelopment occurs and factors relevant to the visual impact on the openness which the Green Belt represents. The proposed development would encroach into an area of the site which is currently free of development, constituting a spread of development across the site beyond the confines of the existing development. Furthermore, by virtue of the scale and massing of the proposed new dwellings due to their more prominent height relative to the existing structures to be demolished (lower-level single storey structures replaced with two-storey

properties), the proposal is deemed to have a greater impact on the openness of the Green Belt than the existing development. For further context, the table below details the approximate maximum height differences between the existing and proposed development;

Existing building	Height	Proposed Building	Height
Large Stable Barn (retained as existing within proposed scheme)	7.5 metres	The Great Barn	9 metres
Small Stable Barn (retained as existing within proposed scheme)	5.2 metres	The Brewhouse	8.7 metres
Hay Barn	5.2 metres	The Granary	8.4 metres
North Shed	5.1 metres	The Farmhouse	8.3 metres
North Shed	5 metres	The Coach House	8.2 metres
Outbuilding	3.5 metres	Carport	6.7 metres

- 9.8 It is recognised that the proposed new dwellings would be set back from Blackboy Lane relative to some of the existing buildings on-site. However, due to their increased height, this set back will not materially reduce the visual prominence of the proposed buildings from Blackboy Lane.
- 9.9 In this instance the reduction of built form as a result of the proposal is not considered to offset the visual and spatial harm to the Green Belt, that would arise from the increase in spread of development across the site, and from the proposed new dwellings which are significantly higher than the existing buildings on site. The area within the site currently occupied by the haybarn would be open/undeveloped within the proposed development scheme. However, the existing haybarn is a low-level structure of open construction and due to this it has a limited impact on the openness of the Green Belt. As such, despite this area of the site being open within the proposed scheme, this doesn't offset/mitigate the increased spread of development across the site, and the significantly taller buildings that would be created as a result of this proposal.
- 9.10 It is also mentioned within the planning statement that the area of hardstanding will be reduced by about 44% by virtue of the proposed gardens and open space relating to the development which will be semi-natural. Whilst the amount of hardstanding would be reduced, the level of intensification relating to a residential use for 12 dwellings, which will entail on-site parking, associated vehicular movements and domestic paraphernalia would impact upon the openness of Green Belt.

- 9.11 Overall, based on the above, the proposal would have a greater impact on the openness of the Green Belt than the existing development, and would not fall under the relevant exception to inappropriate development as set out under Paragraph 149(g) of the NPPF (2021). Paragraph 148 of the NPPF states that 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' (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. The planning balance and conclusion within Section 9.87 and beyond will set out if any VSC exist.
- 9.12 **Impact on the character and appearance of the area**
- 9.13 The appearance of a development is a material planning consideration, and the design of a proposal should not adversely impact on the character and appearance of the wider street scene. The National Planning Policy Framework (NPPF), 2021 is a material planning consideration in the determination of planning decisions. Section 12 of the NPPF concentrates on guiding the overall scale, density, massing, height, landscape, layout, materials, and access of new buildings in relation to neighbouring buildings and the local area more generally. Policies QP1 and QP3 of the BLP and the Borough Wide Design Guide SPD are in line with the above policy guidance.
- 9.14 The area surrounding the site is distinctly rural in character and appearance. The nearby residential development north of the site along Frogmill Court is characterised by dwellings within a courtyard formation. The proposed layout for the development will also depicts a court yard-like formation especially the dwellings in the middle of the site (The Brewhouse, The Great Barn and The Granary), together with the carport/garage, which forms an L-shape formation comprised of these 4 buildings. Furthermore, the existing barns to be converted have a similar formation/layout which depict the character along Frogmill Court. The two new dwellings further south of the site namely the Coach House and the Farm house will be well spaced and extensively set back from Black Boy Lane reducing their visual prominence. The design of the new dwellings will be characterised by agricultural barn style roof designs at two-storey level, which is similar in design to some of the properties along Frogmill Farm, especially those which front onto Black boy lane. Lastly the new the ridge heights of the new builds will be in keeping with the hierarchy of traditional farmsteads and the nearby two-storey properties along Frogmill Court.
- 9.15 In regard to the converted stables, the external alterations to facilitate the use of these buildings for habitable purposes, subject to a detailed account of the proposed materials secured via a pre-commencement of works condition is not considered to externally alter the appearance of these buildings to a level that will harm their original character.
- 9.16 The proposal as per the Arboricultural statement would lead to the loss of some of the trees and shrubs on-site, none of which are deemed to be category A nor of TPO status, thus, a diminished amenity value. Therefore, the loss of these trees/shrubs would not have a significant effect on the site or wider area in terms of visual amenities. Furthermore, the trees/planting proposed would be compensated for within a new landscaping scheme, which would increase the site's biodiversity value as addressed later on in the report. Lastly, the proposed development would reduce area of hardstanding on-site by about over 40% by virtue of the proposed planting, gardens and open spaces to the development which will be of a semi-natural character. Therefore, to conclude the proposal will retain a good balance between the soft and hard landscaping features on-site.
- 9.17 Overall, the proposed development is considered to constitute to good design.

9.18 Heritage considerations

9.19 The buildings (the stables) on site are adjacent and linked to the history and usage of the listed Frogmill Farm House, Mill and Barn (all grade II listed, ref: 1319393, 1117553 and 1303198), which are to the north of the application site. Local Plan policy HE1 highlights that the Council should have special regard to the preservation of listed buildings and their settings. The proposal, in regard to its layout, roof form and style, and dimensions has been sensitively designed to be sympathetic to the nearby heritage assets. Therefore, it is not considered that the development would harm the setting of the Listed Buildings, thus, as per Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the LPA has had special regards to the desirability of preserving the historic interests of the nearby listed buildings and their setting.

9.20 The existing stables on site which are proposed to be converted are deemed to be non-designated heritage assets as confirmed by RBWM Conservation. Paragraph 203 of the NPPF (2021) state that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. RBWM Conservation highlighted that the alteration works to the non-designated heritage assets would harm their historic significance, and that this harm would have a moderate negative impact on the historic fabric and immediate courtyard setting of the stables and office buildings to be converted. However, it is considered that the repair and reuse of these buildings for residential purposes means that these buildings would be retained, which is a positive and whilst conversion to residential does require some alterations to facilitate the use, the alterations would only result in some loss of historic features of this building. As such, the impact of the proposal on this non-designated heritage asset is considered to be acceptable.

9.21 Archaeology

9.22 Paragraph 194 of the NPPF (2021) states that where a site on which development is proposed includes, or 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. Furthermore, policy HE1 of the Local states that applications for works within archaeologically sensitive areas will be required to include a desk-top archaeological assessment. Berkshire Archaeology were consulted and concluded the following;

‘Scheme of archaeological trial trenching should be undertaken, prior to determination of this development application, in order to provide further information about the potential of the site, which will be impacted by the new development’

9.23 Based on the above, this information is required prior to the determination of the application and cannot be secured via a planning condition as the results of the trial trenching could affect the principle of the development in terms its layout within the site. The applicant was informed that this information would be required predetermination in an email to the planning agent on 13/02/2022, and at the time of writing this report, the applicant had not provided this information in relation these required investigative works to demonstrate that the proposal would not have any implications on any potential archaeological remains on-site. Therefore, the scheme is deemed contrary to paragraph 194 of the NPPF (2021) and Policy HE1 of the Local Plan (2022).

9.24 **Impact on the amenities of future occupiers of the development and neighbours**

- 9.25 Paragraph 130 (f) of the NPPF (2021) and Borough Local Plan Policy QP3, states that development works should not cause an unacceptable impact on the amenities of the immediate neighbouring properties. Paragraph 130(f) of the NPPF (2021), also states that developments should ensure that a high level of amenity standards are achieved for future occupiers.
- 9.26 Given the distance, siting and orientation of proposed buildings in relation to existing neighbours, it is considered that the proposal would not affect the amenities of the nearby neighbouring properties in terms of loss of light, outlook and overlooking.
- 9.27 The separation distances between the new build dwellings will be at least 2 metres from flank to flank. Considering their modest roof forms which slope away from the mutually shared side boundary lines, this distance is considered to be sufficient to provide a visual buffer between the resultant new dwellings and mitigate any loss of light or overshadowing effects.
- 9.28 The habitable spaces within the newly built dwellings will receive an adequate amount of sunlight/daylight. Furthermore, the stables (to be converted) by virtue of their orientation would receive an adequate amount of sunlight/daylight into their habitable rooms. The central carport which serves the new dwellings would be close to the private amenity spaces of stable units 4 and 5. However, due to its modest height and location to the rear end of these spaces it will not cause any significant overshadowing effects the rear gardens of these properties.
- 9.29 The habitable room windows within the converted stables and new buildings will not provide any material outlook into the adjacent buildings within the development nor will they provide direct views into the private rear amenity spaces. Therefore, the proposal will not cause any overlooking issues to future occupiers of the development. The private amenity space provisions for all the proposed new dwellings will exceed the requirements set out within the borough wide design guide.
- 9.30 Overall, the scheme is not deemed to have an adverse impact on the amenities of the immediate neighbouring properties and the future occupiers of the development would have a good standard of amenity.

9.31 **Affordable Housing**

- 9.32 Policy HO3 of the Local Plan states that developments which propose 10 dwellings on all other sites (except for greenfield sites) should provide at least 30% of affordable housing.
- 9.33 The development site relates to a previously developed site. Paragraph 64 of the NPPF (2021) stipulates that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. Footnote 30 of the NPPF highlights that any affordable housing offset should be equivalent to the existing gross floorspace of the existing buildings and should not apply to vacant buildings which have been abandoned.
- 9.34 The NPPG corroborates this and states that, where a vacant building is brought back into any lawful use or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

9.35 The NPPG also goes to say that the courts have held that, in deciding whether a use has been abandoned, account should be taken of all relevant circumstances, such as:

- the condition of the property
- the period of non-use
- whether there is an intervening use; and
- any evidence regarding the owner's intention

9.36 The Council's Advisory Note on Vacant Building Credit (2018) also provides further guidance on Vacant Building Credit. The advisory note highlights that the vacant building credit is not intended to incentivise the eviction of existing businesses or the neglect of premises which are currently in use, and it does not apply where buildings have been abandoned and according to the national guidance. When considering how to apply the VBC local planning authority should have regard to the following:

- i. Whether the building has been made vacant for the sole purposes of redevelopment; and
- ii. Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

9.37 Lastly the advisory note highlights that in determining whether a building has been made vacant for the sole purposes of redevelopment, the Council will require the applicant to demonstrate a high standard of evidence to show the circumstances of the building becoming vacant. The Council is very likely to require detailed evidence of how the site has been actively marketed on realistic terms based on the current or any permitted use, typically for a minimum of 24 months prior to the submission of a planning application.

9.38 The applicant provided a technical note highlighting why the proposal is subject to a vacant building credit in relation to the affordable housing provision as highlighted below;

- The applicant illustrates that since 2011 the buildings were no longer required to support the site's commercial livery activities as other site's (Lower Bolney Farm & Lower Shiplake) acquired by the estate made more practical sense to commercially stable the horses which previously resided at Frogmill Farm. As such there was no need to stable horses commercially at Frogmill Farm as all the Estate's equestrian operations were to be run from Lower Bolney Farm, which include liveries (over 200 horses are currently housed there).

- The consolidation of the Estate's equestrian facilities at Lower Bolney made economic sense. It is mentioned that in terms of practicality, it was no longer appropriate to house the horses at Frogmill, as there were limited opportunities to ride them along the river Thames (which is not a bridleway) or west of the site on the Estate itself (as this is now arable farmland). Therefore, since then the buildings have been surplus to requirements in regard to the previous active livery use.

- Upon the livery buildings being made vacant in 2011, between 2012 and 2021, the applicant submitted a series pre-application and a FULL as evidently accounted for within the site history as per the council's records. An initial pre-app and then FULL application in 2014 in relation to the conversion of the site for a B1(c) was refused by council. The applicant subsequently returned to the council with a series of further pre-applications in relation to a residential scheme between 2018 and 2021. Shortly after, the pre application advice for latest

scheme was issued to the applicant in November 2021, the applicant submitted the subject a full planning application for 7 dwellings in the main stable and 5 on land to the south.

- 9.39 Overall, the technical note highlights that the buildings were not initially made vacant for sole purposes of redevelopment instead they were no longer required to and deemed practical to support the existing use. Furthermore, no tenants were evicted for this purpose. RBWM's VBC note highlights that marketing evidence will only be required where it is necessary to demonstrate that the buildings were made vacant solely for the purposes of redevelopment. Given this is not the case, no marketing of the site has taken place as this would not be necessary or appropriate in the circumstances. Lastly, the building is not covered by an extant or recently expired planning permission for the same or substantially the same development.
- 9.40 In regard to whether the buildings have been abandoned, the Applicant has highlighted consistent efforts to advance proposals for redevelopment of the site in the intervening period. Whilst the stable buildings have fallen into a state of disrepair as a result of the lack of use, the structural report submitted with the scheme notes that the main stable building is structurally sound, therefore, they it can be repaired to facilitate the existing use if need be. In regard to repairing the stable buildings the applicant did not deem it financially viable to do so when there is no need for a livery facility in this location due to the enterprise at Lower Bolney Farm. Furthermore, it has been stated that the Applicant is reluctant to repair and maintain the stable buildings in anticipation of securing proposals for redevelopment; given that a significantly higher standard of works would be required in the event that planning permission is granted, and if the proposed residential use comes forward. Overall, the lawful use of the site as a livery could be reinstated subject to some repair works and there has been no alternative intervening use which might suggest this use has been abandoned.
- 9.41 The submitted technical note was also reviewed by the council's affordable housing officer and no objections were raised in regard to the credibility of this information. Overall, it is considered that the scheme benefits from vacant building credit. Footnote 30 of the NPPF highlights that any affordable housing offset should be equivalent to the existing gross floorspace of the existing buildings.
- 9.42 The existing gross internal floorspace of the existing buildings equates to 1,790 m². This figure excludes the Haybarn as is not an enclosed structure, therefore, based on the definition of a building within the RICS Code of Measuring Practice, this structure does not have internal floor area as it isn't of an enclosed construction. The proposed floorspace for the development as highlighted within the submitted design and access statement equates to 2,302m².
- 9.43 RBWM's advisory note on vacant building credit highlights the formula for working out the affordable housing requirements. Below is the affordable housing provision for the current proposal based on this formula;
- i. Existing building (1,790 sqm) divided by total floor space proposed (2,302 sqm) = Vacant building credit of 77.7%
 - ii. Amount of residential units proposed (12) multiplied by the adopted affordable housing policy (30%) = Gross Affordable Housing (AH) Requirement of 3.6 units

iii. Gross AH requirement (3.6 units) multiplied by Vacant building credit (77.7 %) = Vacant building credit of 2.8 units

iv. Gross AH requirement (3.6 units) less Vacant building credit (2.8 units) = 0.8 units

9.44 Based on the above, the required amount of the affordable housing for the scheme factoring in the vacant building credit is 0.8 units. The affordable housing officer was consulted in regard to the scheme and highlighted that considering that the site is remote and only 1 affordable dwelling is required, a registered Provider (RP) would be unlikely to make an offer to the developer. Therefore, a financial contribution should be sought in lieu. The applicant highlighted their intention for the affordable unit to be secured for one of the Estate workers (who usually struggle with open market rates) this to be secured via a legal agreement. Upon further reconsultation the Affordable Housing Officer requested more details of how the applicant proposes to allocate the affordable dwelling to an estate worker as not only does it appear to not involve a RP, but it would also bypass the normal process of engaging the Housing Options Team to nominate a household from the RBWM Housing Register.

9.45 This information was requested within an email to the planning agent on 30/09/2022 and at the time of writing this report no information has been provided. Furthermore, to date the applicant has not clearly indicated their intentions on making a financial contribution as initially requested. As such, it has not been demonstrated that the scheme would be in line with Policy HO3 of the Local Plan.

9.46 **Housing mix**

9.47 Policy HO2 of the Local Plan states that proposals should provide an appropriate mix of dwelling types and sizes, reflecting the most up to date evidence as set out in the Berkshire SHMA 2016 or successor documents. The table below details the required mix for market dwellings by the SHMA relative the mix within the proposed 12 dwelling scheme;

Dwelling size	2 bed	3 bed	4+ bed
Berkshire SHMA 2016	25-30%	40-45%	20-25%
Proposed scheme	3 units – 25%	4 units – 33.3%	5 units – 41.7%

9.48 As per the table below, the proposed mix has is not reflective of the SHMA. No evidence of local circumstances/ market conditions has been undertaken to show an alternative housing mix would be more appropriate. Therefore, the development is contrary to Policy HO2 of the Local Plan.

9.49 **Highway safety and parking provision**

9.50 Policy IF2 of the Local Plan 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. Furthermore, developments should not cause an adverse impact to highway safety. As a material consideration paragraph 110 of the NPPF states that development proposals should ensure safe and suitable access to the site can be achieved for all users, and any significant impacts from the development on the transport network (in terms of capacity

and congestion) or on highway safety can be cost effectively mitigated to an acceptable degree. Paragraph 111 of the NPPF goes on to state that development should be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.51 Access to the new-build element to the south of the application site would be taken from the existing southernmost access onto Black Boy Lane, which would be modified. The existing central access would be retained to continue to provide access to the rear of Frogmill Cottages. Access to the dwellings in the stable conversion element to the north of the application site would be taken from the existing northernmost access onto Black Boy Lane, which would be retained in its existing form. Visibility splays appropriate for the recorded approach speeds on Black Boy Lane can be provided in each direction on exit from these accesses. In regard to this RBWM Highways raises no objections to the utilisation of the existing accesses, however, it was recommended that the applicant cut-back, preferably permanently remove the shrub and hedging to improve the visibility splays to the right (north) of this access. The visibility splay details would be secured via a condition if the proposal was recommended for approval.

9.52 The transport statement highlights that the following in terms of the proposal's parking provisions;

Car parking for the 5-no. new-build dwellings will be provided on driveways and within garages. Parking for the 7 no. dwellings provided by the conversion of the large stable block will be located in a communal courtyard area (5 no. spaces), with the smaller stable block divided equally between five of the units to provide a garage for each dwelling. Garaging for the remaining two dwellings provided by the stable conversion will be located within a proposed car port (4 no. spaces) located to the south of the main stable building and accessed via the new-build element.

9.53 As per the adopted parking standards for the council, the above layout and provisions are deemed acceptable for the mix of;

7 2/3 Beds – 2 parking spaces per unit (14 total parking spaces)

5 4/5 Beds – 3 parking spaces per unit (10 parking spaces in total)

9.54 RBWM Highways also deem the parking spaces acceptable. In regard to cycle parking each dwelling attracts a demand for one covered and secure cycle parking space. No specific details have been provided for these considerations and such details would have been secured via a planning condition.

9.55 The traffic generation as a result of the development would not be any worse than the existing livery use, therefore, in line with paragraph 111 of the NPPF the development will not have any significant impacts on the local road network. RBWM Highways raised no objection in relation to the development's traffic generation. RBWM Highways also deem that refuse provision will be suitably used, as bin stores will be located in locations that don't exceed the maximum drag and carry distances outlined in Manual for Streets, for both residents and refuse collection. The refuse provision therefore is suitable, as the reuse vehicle is able to enter and exit the site in a forward gear, turn within the site and exit in a forward gear.

9.56 Overall, the proposal raises no highway safety issues and would provide an adequate level of parking.

9.57 **Sustainable Location**

9.58 Section 9 of the NPPF (2021), states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. Policy IF2 of the Local Plan states that new development should be located close to employment and local services & facilities to provide safe, convenient sustainable modes of transport, and that development that helps create a safe and comfortable environment for pedestrians and cyclists and improve access by public transport will be supported. Furthermore, Policy QP1 of the Local Plan states that larger developments (10 units or more) should provide for facilities and routes that encourage walking and cycling

9.59 The applicant submitted a Transport Note which highlights the following in terms of the available modes of transport available to the users of the development;

Walking; The village of Hurley to the east is within walking distance (2km). A footway adjacent to the A4130 Henley Road links Black Boy Lane with this village, and alternative, low traffic routes are also available.

Cycling; The village of Hurley and the town of Henley-on-Thames are both within 5kms of the site, a distance deemed reasonable for cyclists to cycle to work or nearby facilities and amenities. Low traffic routes are also available to Crazies Hill and Wargrave to the south-west, also within cycling distance.

Bus; The nearest bus stop to the site is located at Hurley Riverside caravan park. Although within walking distance of the site, it is unlikely residents would realistically be able to use the bus service on a daily basis due to the limited service.

Train; The nearest railway station to the site is Henley-on-Thames located approximately 6km to the west of Frogmill Farm. The station is the terminus for the branch line to Twyford. From Twyford services operate to London Paddington and Reading. Covered cycle parking is provided at Henley-on-Thames station.

9.60 There are cycle and pedestrian facilities nearby (A4130) which could potentially link the development site to key areas of amenities and local services, however, the site is still accessed off Blackboy Lane. Blackboy Lane is predominantly characterised by a lack pedestrian and dedicated cycle facilities, therefore, there is a poor link between the pedestrian and cycle facilities nearby the site which would encourage sustainable, active and safe modes of travel to wider parts of the borough. Additionally, the nearest bus stop (Hurley High Street) to the site is a 25+ minute walk away, and this Bus stop which is served by bus No.239 has a very limited service. The applicant's own transport statement acknowledges that, *It is unlikely residents would realistically be able to use the bus service on a daily basis due to the limited service.* Overall, it is deemed that the development by virtue of its location, the cycle and pedestrian limitation and distance of nearest bus service and its infrequency represent an unsustainable form of development which would not encourage travel by sustainable or active modes of travel. The applicant's transport statement corroborates this conclusion by highlighting that, *residents are likely to be reliant on the private car for most of their journeys.* Furthermore, one of the previous reasons for refusal in the previous scheme (14/02841/FULL) included the development's siting in an isolated location, which would lead to the total reliance on private cars.

9.61 To conclude, the limited cycle and pedestrian facilities along Blackboy Lane have not been acknowledged within the proposed development and no mitigation measures have been proposed to counter act this and promote a form development that would encourage travel by sustainable or active modes of travel. Therefore, the development is

deemed contrary to Section 9 of the NPPF (2021) and Policies QP1 and IF2 of the Borough Local Plan.

9.62 Ecology and Biodiversity

- 9.63 Paragraph 179(a) (2021) of the NPPF states ‘when determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy NR2 of the BLP states that developments will be expected to demonstrate how they maintain, protect, and enhance the biodiversity of application sites including features of conservation value which might presence of protected/priority species. Furthermore, development proposals will be expected to identify areas where there is opportunity for biodiversity to be improved and, where appropriate, enable access to areas of wildlife importance and proposals shall be accompanied by ecological reports in to aid assessment of the schemes.
- 9.64 The submitted ecology report states that the majority of the habitats on site are of low ecological value (building, hard standing, grassland, scrub, ruderal vegetation and introduced shrub) although there were hedgerows, mature scattered trees and a stream which had higher ecological value. A small number of trees are to be removed to facilitate development. These are to be replaced by planting within a landscaping scheme, which would have been secured via planning condition if the proposal was to recommend for approval. The ecology report also concluded that it is unlikely that great crested newts, dormice, notable plants, or invertebrates are present on site or that the site is important for badgers.
- 9.65 In regard to reptiles a very low population of grass snakes was recorded on site during the reptile survey. Due to the relatively small scale of the proposed works, a translocation of reptiles is not required. RBWM Ecology recommended condition be set to ensure that any site clearance and development works which could affect herpetofauna are undertaken under the supervision of a suitably qualified ecologist following an appropriate approved Reasonable Avoidance Measures (RAMs) method statement for reptiles, described within the ecology report. This condition would have been added to the proposal if it was recommended for approval.
- 9.66 ■ The applicant submitted a bat survey initially undertaken in 2014 then updated in 2021. The survey concluded that the single storey office stable building and main stable units subject the residential conversion within the development site hosted roosts for non-breeding bats. Amongst these bats were common pipistrelle, soprano pipistrelle and brown long-eared bats. Furthermore, one of the trees within the site T1, supported bat roost for two non-identified bats (likely to be Common or Soprano pipistrelle). However, this tree is to be retained as part of the development. It is confirmed within the survey that the proposed renovations to the single storey office stable building and main stable units to facilitate the residential development would result in the loss of the identified roosts. Mitigation measures have been proposed to include new bat roosting opportunities within the site, such measures would form basis of a detailed method statement which should accompany an application to natural England for a full EPS licence to permit development works.
- 9.67 Regulation (9) 1 of The Conservation and Habitats Regulation (2017) states that as the competent local planning authority must exercise the functions which are relevant to nature conservation. As such, it is the statutory duty of duty of the planning authority to ensure that development doesn’t any harm protected species. At present the applicant

has not yet obtained a European Protected Species licence from Natural England. Therefore, the LPA must exercise its functions relevant to nature conservation and consider the requirements of Regulation 9 (3) of the Habitats Regulations and have regards in determining this planning application and establish whether there would be a reasonable prospect of a licence being granted. the three following derogation tests that have to be considered are:

- i. The proposal needs to be carried out for imperative reasons of overriding public interest.
- ii. There are no feasible alternative solutions that would be less damaging or avoid damage to the site.
- iii. The necessary compensatory measures can be secured

9.68 In regard to the first test the public interest generated by the proposal can be of social, environmental or economic interest. The current proposal would have social and economic benefits as it would provide housing and it would provide temporarily jobs during the construction phase of the development. However, the proposal would be contrary to the environmental policies within the development plan as the proposal is inappropriate development in the green belt, is sited within an unsustainable location and it would not appropriately manage the site's residual flood risk. Lastly, the proposal would fail to secure provisions which mitigate its related carbon emissions. As such, it cannot be concluded that the proposal needs to be carried out for imperative reasons of overriding public interest. It therefore fails the first test.

9.69 The second test relates to whether there are alternative solutions that would be less damaging or avoid damage to the site. No information has been submitted to demonstrate that the buildings with the bat roosts (the buildings for residential conversion) could be either left in their existing use which would avoid harm to the roosts, or that the buildings cannot be developed in way that would avoid harm to this bat roost. As such, it is not considered that the second test has been met.

9.70 In regard to the third test, the applicant has outlined a mitigation plan within the submitted bat survey to ensure that replacement roost sites within the development are provided during and post development. It has been mentioned that the species recorded within the site are known to roost in trees and bat boxes, whilst these are not equivalent to what is being lost it would be the most reasonably alternatives. Most of the proposed roosting alternatives would be short term and undertaken during the construction phase of the development. Considerations for the long-term provision of alternative roosts can only be secured after the detailed design has been implemented. The provisions also include appropriate timings of works under specific conditions to mitigate extensive harm to the existing habitats. If it is implemented the favourable conservation status of bats should be maintained

9.71 As such, it is considered that the proposal fails to meet the first 2 of the derogation tests set out under Habitats Regulations. Therefore, it would be contrary to Policy NR2 of the Local Plan.

9.72 *Biodiversity*

9.73 Paragraph 174 (d) of the NPPF (2021) states that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity. Policy NR2 of the Local Plan states that development proposals need to

demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

- 9.74 The applicant has provided a Technical Note in regard to the Biodiversity Impact Assessment. The document provides a Biodiversity Net Gain (BNG) and based on DEFRA biodiversity net gain metric 3.0 calculations. The proposed development would result in a habitats units area gain in excess of 1000%. Details of such gains and enhancements in terms of the locations, specifications, and management prescriptions would have been secured via a Landscape and Ecological Management Plan (LEMP) if the proposal was recommended for approval.
- 9.75 **Flood risk**
- 9.76 In accordance with the Environment Agency's Flood Map for Planning, the entire site falls within Flood Zone 2 (medium risk flood) with a small section of land to the west falling in Flood Zone 3 (high risk of flood).
- 9.77 An FRA by Glanville has been submitted with the application which put forward that based on detailed modelling the new build elements would be located within land in Floodzone 1, part of the stables to be converted into residential properties would be located in Floodzone 2. This conclusion has been reached using the contours of modelled flood levels associated with the 1 in 1000 (flood zone 2), 1 in 100 (flood zone 3) and 1 in 100 plus climate change provided by Product 4 from the EA (dated October 2020), which is overlaid on a topographical site survey and then overlaid on the site layout of the proposed development. In regard to this within their consultation comments for this scheme, EA has confirmed that they agree that the majority of the land being developed for new housing is in flood zone 1 and the stable conversion is within the climate change extent (1% AEP plus a 35% allowance).
- 9.78 Development in Floodzone 1 and residential conversions in Flood zone 2 do not require the application of the flood risk Sequential Test.
- 9.79 Paragraph 167 of the NPPF and part 6 of Policy NR1, which states that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere and should demonstrate, through a site-specific flood risk assessment, that the development is located in the areas of lowest flood risk; the development is appropriately flood resistant and resilient; it incorporates sustainable drainage systems unless there is clear evidence that this would be inappropriate; any residual risk both within and beyond the site can be safely managed; and safe access and escape routes are included where appropriate as part of an agreed emergency plan.
- 9.80 The application site is surrounded by land within Flood zones 2 and 3 and these developable areas essentially deemed to be a 'dry island'. Therefore, flood risk management and mitigation measures by which the site can be made safe from any residual risk are required.
- 9.81 In regard to the finished floor levels, it is proposed that the finished floor levels for the new build dwelling will be set no lower than 31.27m AOD. This would be at least 300mm above the worst case 1 in 100 year +70%CC flood level of 30.97m AOD. The Finished floor levels for the dwellings that are to be provided by converting the stable buildings are dictated by floor levels of the existing buildings. The existing stable floor levels range from 30.99m AOD to 31.05m AOD and are therefore above the flood levels of the worst case 1 in 100 year +70%CC flood level of 30.97m.

- 9.82 The applicant has within their Flood risk assessment and an email received on 20/09/2022 indicated that in terms of safe access and egress, the proposed evacuation route from the site to an area wholly outside the floodzone would be to the Black Boy Public House which is outside of the flood zone. The route connects from the site via Blackboy Lane to the A4130 at the Black Boy public house, an area wholly outside the Flood Plain. However, the entire route would not achieve a 'Low Hazard Rating' for all users and the supporting flood information notes that the route is predominantly considered to be 'Hazardous to some'. This would be contrary to the Council's Strategic Flood Risk Assessment (SFRA) (2017) which requires any safe and egress to be entirely low hazard, a Hazard for some' rating puts vulnerable people at risk (in particular children and the elderly) in a flood event.
- 9.83 Whilst a Flood evacuation Plan has been submitted, the evacuation plan requires residents to contact the council about evacuation details. This is not acceptable since the whole purpose of having the evacuation plan is to ensure that all the occupants of the residential units would know what to do and where to go, and importantly when so as not to impact on the emergency services and other responders at times of flood.
- 9.84 Instead, the plans sets out that there would be an expectation for residents to be signed up to the EA flood warning system and act upon the advice including flood mitigation to properties and moving to stay with friends and family, so they are not stranded in their homes calling for help or walking to an area for the emergency services to support them. However, since the site is not a 'gated/managed' site, and the Flood Warning and Evacuation Plan is not enforceable since the EA Flood Warning System is an opt in and not an opt out system and many of the actions are in relation to individual residents; t therefore the plan is not workable. It was acknowledged by the agent within an email received on 30/09/2022 that the Evacuation Plan would need some amendments to improve its workability and it was suggested that a final plan could be secured by condition. However, this information is required pre-determination to ascertain if residual flood risk has been adequately addressed. However, it should be noted that as the scheme is for independent dwellings, it is unlikely that a flood evacuation plan would be effective.
- 9.85 With regard to potential risk from surface water flooding, the Lead Local Flood Authority has raised no objections to the scheme, subject to a pre-commencement condition being imposed with any permission granted, that requires full details of the proposed surface water drainage scheme to be submitted and approved by the Local Planning Authority
- 9.86 Overall, whilst most of the application site is of low flood risk, the site is a 'dry island' surrounded by areas at risk of flooding. The proposed evacuation route, together with the evacuation plan are not deemed adequate to safely manage the residual flood risk. Therefore, the development is considered to be contrary to Paragraph 167(d & e) of the NPPF (2021), Part 6(c & e) of Policy NR1 of the Local Plan (2022) and RBMW's Strategic Flood Risk Assessment (2017).
- 9.87 **Sustainability**
- 9.88 The council's interim sustainability statement (March 2021) highlights that new dwellings should achieve a net-zero carbon rating. Any shortfalls should be mitigated by a financial contribution to the carbon offset fund. Additionally, the statement also requires new dwellings to have provisions for electric vehicle charging and high-speed internet to facilitate home working. Additionally, Paragraphs 7 and 8, and Section 14 of the NPPF (2021) and Policy SP2 of the Borough Local Plan (2022), encourage

developments to be built to mitigate climate change and to incorporate low carbon and efficient energy sources.

9.89 The submitted energy statement highlights that the development will reduce carbon emission about 44% using efficient and renewable energy sources, despite this the scheme still falls short of achieving a net-zero carbon development. However, to accommodate the shortfall, the applicant has agreed to make a financial contribution to the carbon offset fund in line with the Council's Interim Sustainability Position Statement.

9.90 Whilst the submitted energy statement does not consider internet speeds to facilitate home-working and there is no provision for any electric vehicle charging points, lastly no water usage information has been provided. These details could be secured via a suitably worded planning condition. Overall, the proposed development is deemed to be in line with the requirements within the council's interim sustainability statement in relation to new dwellings. However, due to the requirement for a S106 agreement to enable the secure the financial contributions towards the carbon off-set fund, this will be included as a reason for refusal as at the time of writing a legal agreement in regard to this had not been secured. As such, as without a S106 the scheme is contrary to Policy SP2 and the Interim Sustainability Position Statement (2021).

9.91 **Open Space**

9.92 Policy IF4 (5) states that proposals for residential development on non-allocated sites of ten dwellings and above should normally provide new open space and play facilities in accordance with the quantity standards set out in Appendix F, or those within a more up to date Open Space Study. However, where there is clear evidence that there is a quantitative surplus of one or more types of open space/play facilities in the local area, these standards will be applied flexibly in order to address any local deficits.

9.93 Appendix F of the Local Plan states that proposals for dwellings between 11-200 units require Local Area of Play (LAP) and Local Equipped Area of Play (LEAP). The applicant within their planning statement highlight that the scheme proposes 1,372m² of public open space, which would provide informal recreation and provide green spaces around the proposed dwellings. Furthermore, formal play facilities have been omitted from the proposal as it has been deemed that this could detract from the rural nature of the site. Therefore, more naturalistic play features (such as boulder or log formations) would be more appropriate to the site and location have been recommended.

9.94 Based on the submitted documents it is not clear where the proposed public open space would be located within the development site and what the proposed naturalistic play features in relation to the LAP and LEAP would look like and where they would be sited. Furthermore, in the absence of a legal agreement to secure the LAP and LEAP's public provision, and positive management and maintenance of these features for the development's lifetime, there is no mechanism to secure this provision of quality open space within the development. As such, the proposal is contrary to Policy IF4 of the Local Plan (2022).

9.95 **Planning Balance and Conclusion**

9.96 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 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:

- *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*
- *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.*

9.97 Footnote 8 of the NPPF (2021) 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 or where the Housing Delivery Test (HDT) indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years'

9.98 The council has recently had its Borough Local Plan adopted. Following adoption the council can demonstrate that it has a 5-year housing land supply. Additionally the Council's Housing Delivery Test was recalculated and agreed with the DLUHC, the new revised figure now stands at 111%. Therefore, the council's current position is that the presumption in favour of development and the 'titled balance' does not apply.

9.99 Notwithstanding the above, section d(i) of paragraph 11 of the NPPF, corroborated by footnote 7, clarifies that, the tilted balance also does not apply where 'policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed'. This includes areas in the Green Belt, and those liable to Flooding. In this instance, subsection d(i) of paragraph 11 is engaged as there is a clear reason for refusing the development proposed on grounds of Green Belt and Flood Risk, thus, the tilted balance would not apply.

9.100 Paragraph 148 of the NPPF (2021) states that 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

9.101 The development is considered to be inappropriate development within the Green Belt. In addition, the proposed development would impact upon the openness of the Green Belt and would result in significant harm to the openness. There is also 'other harm resulting from the proposal' as detailed below;

- Development's failure to adequately facilitate sustainable modes of transport;
- Failure to demonstrate that the development would not impact any potential archaeological remains on-site;
- Failure to meet the requirements of the council's interim sustainability position statement;
- The lack of provision for affordable housing, an appropriate housing mix and open space;
- Failure of the scheme to safely manage the residual flood risk and;
- The proposal would also adversely harm ecology on-site and;

9.102 There are benefits that weigh in favour of supporting the scheme. In this case, the scheme would provide 12 additional dwellings. Whilst this provides additional housing to the borough's housing stock, this is only given limited weight considering that the council currently has a 5-year land housing supply, and 12 dwellings is not a significant number of dwellings. The biodiversity net gain from the proposal is be given significant weight as a benefit of the scheme. Furthermore, the scheme would also provide jobs during the design and construction phase of the development, whilst this will benefit the local economy, this would only be temporary, thus, limited weight is given to this consideration.

9.103 The benefits of the scheme are not considered to clearly outweigh the harm to the Green Belt which is afforded substantial weight, and the other harm identified. Therefore, it is not considered that very special circumstances exist which clearly outweigh the harm to Green Belt and the other harm identified. There are not any other material considerations which indicate that planning permission should be granted for this development.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 The development is CIL liable and would be charged at a current rate of J295.20 per square metre.

11. APPENDICES TO THIS REPORT

Appendix A – Site Location Plan & Site Plan

Appendix B – Plans

Appendix C - Elevations

12. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1 The proposal would have a greater impact on the openness of the Green Belt than the existing development on site. The applicant has failed to demonstrate that any other considerations would clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm, (as identified in the subsequent reasons), and therefore 'very special circumstances' do not exist to justify approving the application.

2 It has not been adequately demonstrated that the proposal would not have any implications on any potential archaeological remains on-site. Therefore, the scheme is deemed contrary to paragraph 194 of the NPPF (2021).

3 It has not been adequately demonstrated by the applicant the scheme would be in compliance with Policy HO3 of the Borough Local Plan (2022) in terms of the provision for affordable housing.

4 The development is not considered to promote and encourage travel by sustainable or active modes of travel. Therefore, the proposal is deemed to be in an unsustainable location, thus, it is contrary to Section 9 of the NPPF (2021) and Policy IF2 of the Borough Local Plan (2022)

5 The safe and egress details, together with the evacuation plan are not deemed adequate to safely manage the residual flood risk. Therefore, the development is considered to be contrary to Paragraph 167(d & e) of the NPPF (2021), Part 6(c & e) of Policy NR1 of the Borough Local Plan (2022) and RBMW's Strategic Flood Risk Assessment (2017). The safe and egress details, together with the evacuation plan are not deemed adequate to safely manage the residual flood risk. Therefore, the development is considered to be contrary to Paragraph 167(d & e) of the NPPF (2021), Part 6(c & e) of Policy NR1 of the Borough Local Plan (2022) and RBMW's Strategic Flood Risk Assessment (2017).

6 No legal agreement has been provided to secure the carbon offset contribution for the scheme to offset the impact of the proposal. The proposal is therefore contrary to Policy SP2 of the Borough Local Plan (2022) and The Interim Sustainability Position Statement (2021).

7 The proposal fails to meet the derogation test and it would have an adversely impact on ecology. Therefore, it is contrary Policy NR2 of the Local Plan (2022), and Part 1 of Regulation 9 of the Conservation of Habitats and Species Regulations (2017).

8 The proposed mix has is not reflective of the SHMA. Therefore, the development is contrary to Policy HO2 of the Local Plan (2022)

9 It has not been adequately demonstrated that the scheme would be in compliance with Policy IF4

of the Borough Local Plan (2022) in terms of the provision open space.

Appendix A

Site Location Plan



Existing Site Plan

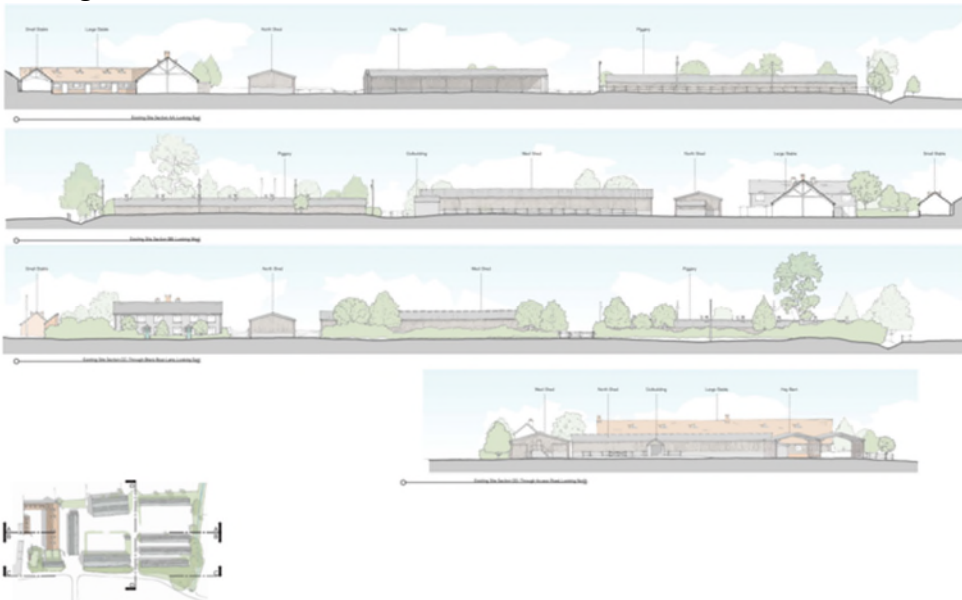


Proposed Site Plan

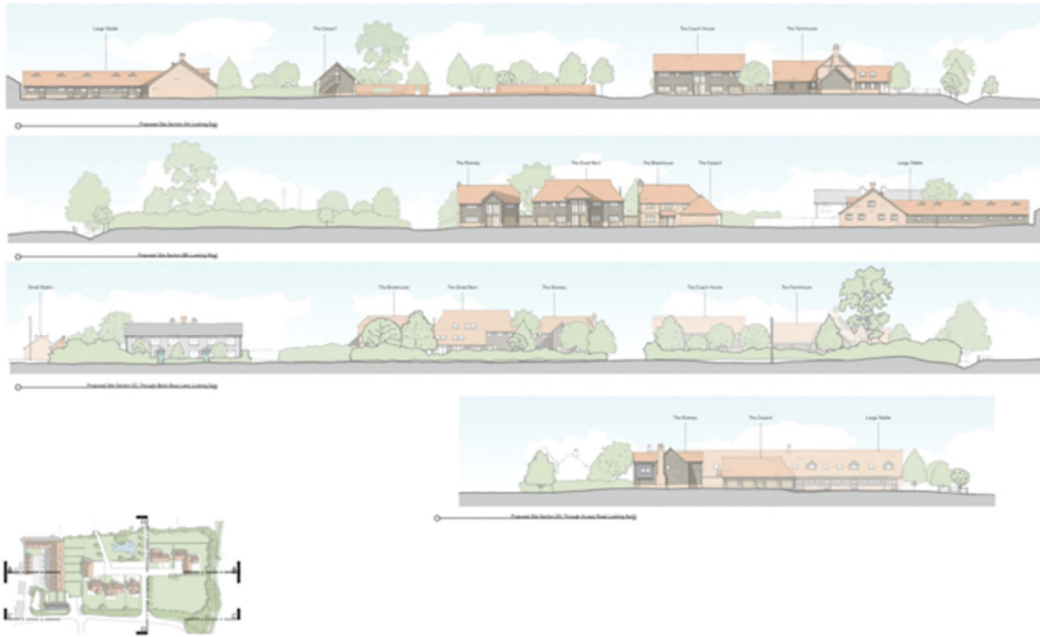


Appendix B

Existing Site Sections

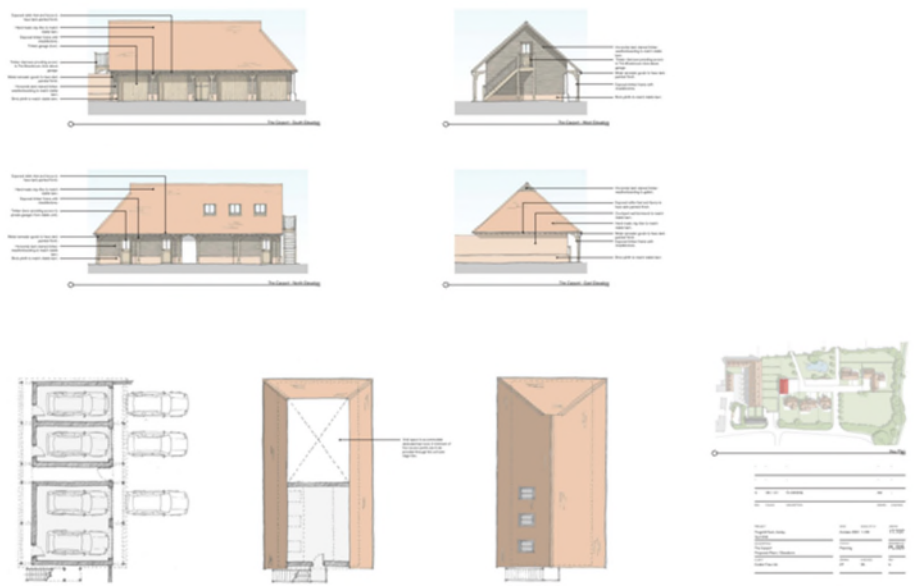


Proposed Site Sections



Appendix C

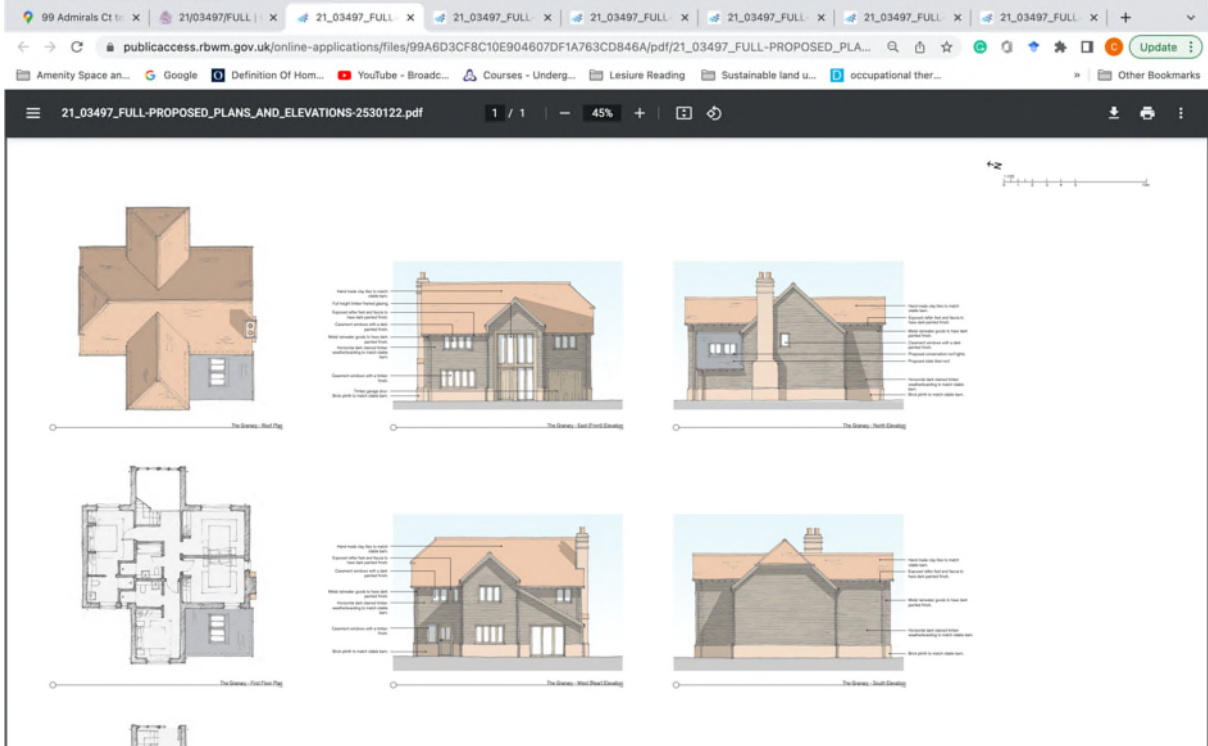
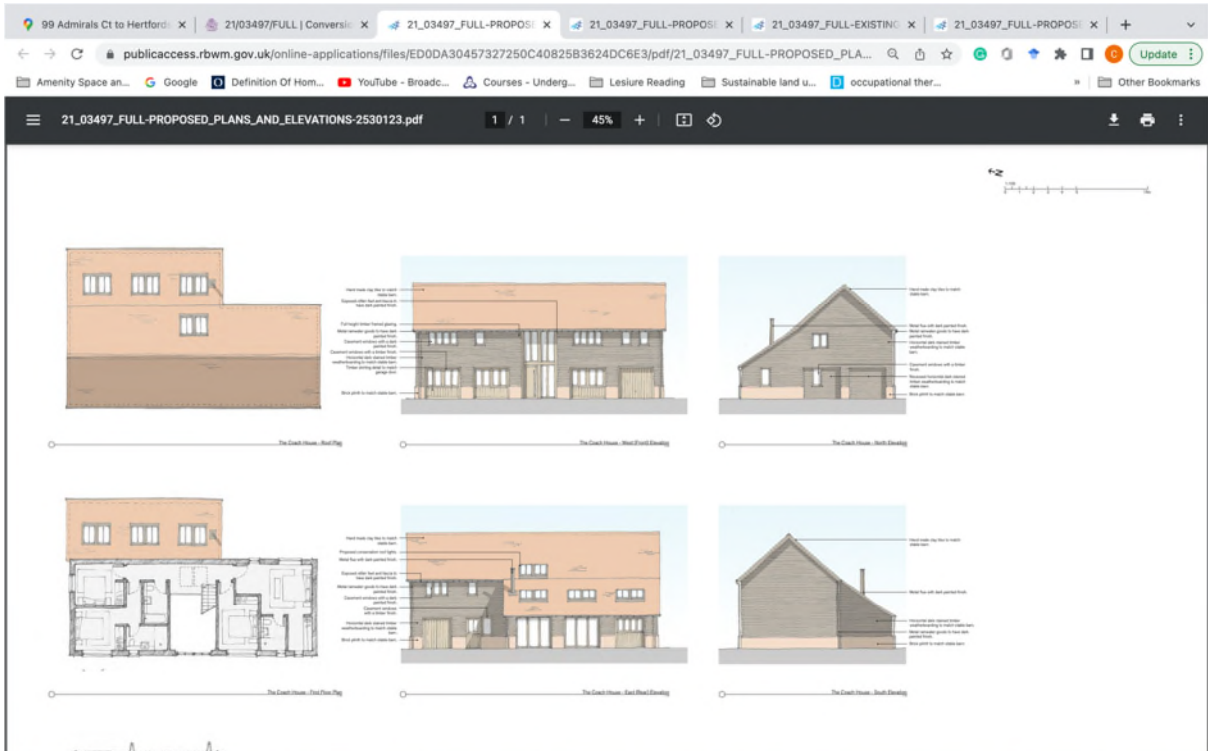
Proposed Plans and Elevation













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16 November 2022

Item: 2

Application No.:	22/01207/OUT
Location:	Oakley Green Mushroom Farm Oakley Green Road Oakley Green Windsor SL4 5UL
Proposal:	Outline application for Access, Layout and Scale only to be considered at this stage with all other matters to be reserved for the demolition of storage buildings (Class B8) and erection of 29 dwellings, together with associated access, parking and provision of amenity space.
Applicant:	Mr East
Agent:	Mr Douglas Bond
Parish/Ward:	Bray Parish/Bray
If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application was deferred from the previous Committee on 17th August 2022, to enable the Certificate of Lawfulness applications 22/00795/CPD and 22/00768/CLU to be determined. Application 22/00795/CPD was determined on 19th October 2002 (Certificate of Lawfulness granted) and application 22/00768/CLU was withdrawn (on 25th August 2022). This has not changed the recommendation set out in the report below.
- 1.2 The development is an outline application for a scheme of 29 houses with access, layout and scale only to be considered at this stage, following the demolition of storage buildings (Class B8).
- 1.3 The proposed development is considered to represent inappropriate development in the Green Belt for which there are no very special circumstances which outweigh the harm through inappropriateness and any other harm. Aside from the harm to the Green Belt arising from its inappropriateness, there would also be a loss of openness to the Green Belt, and encroachment and urbanising impact on this rural location within the Green Belt. Other harm arising from the scheme is the loss of employment use, harm to ecology, lack of affordable housing, the absence of sustainability information, and lack highway and pedestrian improvements.
- 1.4 At the time of decision, no legal agreement is in place to secure the affordable housing nor necessary sustainability measures. Furthermore, no survey work or licences have been submitted regarding Great Crested Newts. Therefore, the proposal is also contrary to Borough Local Plan policies HO3, SP2 and NR2. In addition, necessary highways improvement works have not been secured and so the proposal would be contrary to policy IF2.

1.5

It is recommended the Committee refuse planning permission for the reasons given in Section 12 of this report:
<p>1. Given the spread of new buildings across the application site together with its layout, form and height, the proposal would have a greater impact on the openness of the Green Belt than the existing level of development. As such, the proposal represents inappropriate development in the Green Belt contrary to paragraph 149 of the National Planning Policy Framework (2021) and Policy QP5 of the adopted Borough Local Plan. Inappropriate development is by definition harmful to the Green Belt; furthermore there is not considered to be a case of very special circumstances that would clearly outweigh the harm caused by reason of inappropriateness and the other identified harm referred to in the reasons for refusal below.</p>
<p>2. The proposed development would not only cause actual harm to the openness of the Green Belt but would also be harmful to the character of this rural area, as it would represent encroachment in the Green Belt and the introduction of a tight</p>

<p>grained, suburban layout would have an intrusive urbanising impact. The proposed development would therefore conflict with adopted Borough Local Plan Policies, QP1, QP3, QP5.</p>
<p>3. The current proposal would entail the loss of 3,196 sq metres of warehousing space (B8). The applicant has not provided any credible and robust evidence of an appropriate period of marketing for economic use and sufficient evidence to demonstrate that the proposals would not cause unacceptable harm to the local economy. A consideration of this proposal is the significance to the local economy of the use to be lost. The application therefore fails to comply with adopted Borough Local Plan Policy ED3 3).</p>
<p>4. The applicant has failed to provide sufficient information to demonstrate to the Local Planning Authority that there would be a satisfactory safe/low hazard means of escape from the application site to an area completely outside of the area liable to flood. The proposal as submitted fails to comply with adopted Borough Local Plan policy NR1.</p>
<p>5. The development site is within the Great Crested Newts District Licencing Red Zone meaning that the proposals are very likely to affect Great Crested Newts. The applicant has not submitted any form of survey work, certification from NatureSpace, or site-specific licence from Natural England to demonstrate that there would be no adverse impact upon Great Crested Newts.</p>
<p>6. No legal agreement has been provided to secure the affordable housing provision and financial contribution. The proposal is therefore fails to provide the necessary affordable housing to meet the needs of the local area and is contrary to Policy HO3 of the Borough Local Plan.</p>
<p>7. No information has been provided to ensure that the proposed development would reduce carbon emissions, nor any legal agreement has been provided to secure the carbon offset contribution for the scheme to offset the impact of the proposal. The proposal is therefore contrary to policy SP2 of the Borough Local Plan.</p>
<p>8. The necessary highway and pedestrian improvement works have not been secured as part of this application. The proposed development would therefore be contrary to Borough Local Plan policy IF2, and QP1 as it would not improve accessibility to the site and sustainable modes of transport.</p>

2. REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application as it is for major development.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The site is in the Green Belt and lies to the west of Windsor and is accessed via a lane on the west side of Oakley Green Road (B3024). The site is close to the junction with the A308 Windsor Road, to the north.
- 3.2 A residential property (Farm View) lies to the east of the site entrance. To the west of the site lies Meadow Lane Farm. The site is surrounded by agricultural land. To the east of Oakley Green Road on the opposite side of the road to the application site, is land which has been allocated for residential development (Site ref: AL21) in the adopted Borough Local Plan.
- 3.3 The site lies within a predominantly countryside location and is rural in character with open fields surrounding the site. There are a few residential properties in the vicinity which are set within spacious plots.
- 3.3 The site comprises 14 semi-circular/tunnel shaped buildings which are linked by a taller central block-walled corridor building. There is also a site office and portable building. The buildings are surrounding by an area of hardstanding.

4. KEY CONSTRAINTS

- 4.1 The site lies within the designated Green Belt. The EA maps show the site to be within Flood Zones 1, 2 and 3. The site is also a potential habitat for Great Crested Newts.

5. THE PROPOSAL

- 5.1 The proposal is for a scheme of 29 housing units. This is an Outline application with Access, Layout and Scale only to be considered at this stage. Other matters (appearance and landscaping) would be reserved for later consideration via reserved matters applications.
- 5.2 The proposed site plan 21-J3610-03 Rev A shows 12 detached houses, 2 of which appear to be garage linked; 5 pairs of semi-detached houses, 3 terraced houses, and 4 flats in a single building. Open space would be provided in the northwest part of the site. Vehicular access would be in a similar position to that of the existing and a new pedestrian access is proposed immediately north of Farm View leading to Oakley Green Road. Additionally, drawing 21-J3610-03 Rev A also includes a new pedestrian path to serve as a safe/low hazard means of escape during a severe flood event, is proposed directly onto the Windsor Road (A308).
- 5.3 The Design and Access Statement advises that the proposed buildings would be 2 storey and the apartment building would be 2.5 storey. The proposal would entail demolishing the existing buildings on the site.

5. RELEVANT PLANNING HISTORY

Application Ref	Description	Decision and Date
22/00795/CPD	Certificate of lawfulness to determine whether the permission to construct the remaining (unbuilt) buildings and hardstanding approved under Outline Permission reference 422290 (1989) and the subsequent Reserved Matters permission reference 424907 remains extant.	Certificate of Lawfulness granted on 19th October 2022.
22/00768/CLU	Certificate of lawfulness to determine whether the existing use of the land as B8 storage and distribution is lawful.	Application withdrawn.
07/03232/FULL	Change of use from agriculture to storage and distribution (B8).	Refused and allowed on appeal 2008.
94/01174/TEMP	Retention of temporary cold store storage containers and portacabin offices.	Permitted 6.1.95
93/01103/FULL	The re-location of the peat store and mixing building and the re-siting of and alterations to the services building	Permitted 17.6.93
91/01143/REM	Approval of reserved matters of 424907 landscaping	Permitted 30.12.91
91/01142/REM	Erection of a mushroom farm	Permitted 10.7.91
91/01141/REM	To erect dwelling house for mushroom farm	Permitted 10.7.91
89/01440/OUT	Erection of agricultural buildings for mushroom production, alterations to access and an agricultural dwelling.	Permitted 6.7.89
89/01439/OUT	Erection of agricultural buildings for mushroom production, alterations to access and an agricultural dwelling.	Permitted 6.7.89

6. DEVELOPMENT PLAN

6.1 The main relevant policies are:

Borough Local Plan: Adopted Feb 2022.

Issue	Policy
Sustainability and Placemaking	QP1
Design in keeping with character and appearance of area	QP3
Housing Mix and Type	HO2
Affordable Housing	HO3
Impact on Green Belt	QP5
Noise and light pollution	EP3 & EP4
Managing Flood Risk and Waterways	NR1
Trees, Woodlands and Hedgerows	NR3
Nature Conservation and Biodiversity	NR2
Sustainable Transport	IF2
Historic Environment	HE1
Loss of employment floorspace	ED3
Open Space	IF4
Rights of Way and Access to Countryside	IF5

Other Material Considerations

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

Section 2- Achieving Sustainable development
Section 5- Delivering a sufficient supply of homes
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 Wide Design Guide SPD- Adopted

Interim Position Statement on Sustainability

Environment and Climate Strategy

RBWM Corporate Strategy

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 7.1 A total of 10 neighbours were directly notified. The application was advertised by way of a site notice (posted at site on 26th May 2022) and advertised in the Maidenhead Advertiser on 26th May 2022.
- 7.2 Two letters of support and six letters of objection has been received, including letters from Holyport Residents Association and Oakley Green, Fifield and District Community Association. The points made are summarised in the tables below.

The points made in the letters of support are summarised in the table below as follows:

Comment	Officer Response
Support for the application because it reuses previously developed/brownfield land and therefore reduces the need to expand into undeveloped Green Belt elsewhere, such as Maidenhead Golf Course for example. The site is near shops, sport facilities and schools as well as employment areas like Bray Studio. RBWM desperately needs more family homes and affordable housing, which this application helps to provide.	This is a Green Belt site. It has not been allocated for housing development in the adopted Borough Local Plan. See paragraphs 8.2-8.30
The HGV traffic movements have been increasing every year and the owners have plans to extend the farm through construction of already approved farm buildings. This would only increase the activity at the site and GCV movements. This storage and distribution centre is a brownfield site of previously developed land with vast expanse of tarmac, with no benefit to the Green Belt.	See paragraphs 8.2-8.30 and 8.31-8.35

<p>The proposed development is well designed with benefits to the local area - providing family homes, affordable/social homes, environmental, ecological and biodiversity improvements, compared to the vast expanse of tarmac and concrete currently covering the site.</p>	
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The points made in the letters of objection are summarised in the table below as follows:

Comment	Officer Response
<p>The site is not allocated for housing in the Borough Local Plan. RBWM housing needs met up until 2033.</p>	<p>Noted. The site is not allocated for housing. See paragraphs 8.2-8.30 and 8.111</p>
<p>Agricultural land and in the Green Belt. Inappropriate development. No case of Very Special Circumstances.</p>	<p>See paragraphs 8.2-8.30</p>
<p>There is no suitable foot path for pedestrians from the site along Oakley Green Road to Dedworth Road.</p>	<p>See paragraph 8.53</p>
<p>Busy junction, restricted visibility, additional traffic. No visibility of strategic study of A308 which is 3 years overdue. No further development should be granted planning permission. Traffic has increased along the Oakley Green Road since Aldi has opened. Road structure and all infrastructure in the area is totally inadequate.</p>	<p>The Highway Authority has raised no objection. See paragraphs 8.51-8.62</p>
<p>If the AL21 and AL23 proposals proceed then junctions of Oakley Green Road and A308, together with Oakley Green Road and Dedworth Rd will become gridlocked. This proposal would exacerbate this to a higher level.</p>	<p>The Highway Authority has raised no objection. See paragraphs 8.51-8.62</p>
<p>This proposed development would extend the Windsor boundary towards Maidenhead beyond the Oakley Green Road thereby reducing the gap between Windsor and Maidenhead. This is a gap which must be preserved as much as is possible.</p>	<p>See paragraphs 8.26 -8.30</p>
<p>The junction of Oakley Green Road and Dedworth Road already has the highest pollution in Borough. The development of AL21 and AL23 will increase this alarmingly. There has been prevention of development due to the reduction in air quality that would have taken place if the development had proceeded.</p>	<p>The Environmental Protection Team have not raised objection in terms of air quality.</p>
<p>Berkshire Archaeology has raised concerns.</p>	<p>See paragraphs 8.103-8.106</p>

Consultees and Organisations

Comment	Officer Response
<p>Parish Council: Recommended for refusal. Overdevelopment of a previously developed site within</p>	<p>See paragraphs 8.2 - 8.116.</p>

<p>Green Belt. The site was not considered as strategic or included in the recently adopted Borough Local Plan (BLP). Cllrs considered the importance of maintaining agriculture within the area. Mr Dan East, representing Westbourne Homes (applicant) spoke to Councillors noting a 15% reduction of buildings compared to the current site. The proposed development would also reduce hard standing and increase green space.</p> <p>Mrs Marisa Heath spoke to Councillors to confirm intentions to create electric charging points and ensure homes are insulated to reduce their carbon impact. Along with the provision of home offices, pedestrian and cycle access with a link to the opposite development site.</p> <p>Cllrs considered the improvement to the site with the additional of open green space, but questioned the responsibility for ongoing maintenance of such large areas within the development.</p> <p>The Council noted the responsibility of the BLP to protect Green Belt, noting no shortage of housing or suitable building sites within the area. As the site borders the already congested A308, Cllrs felt the application should not be considered by RBWM until the A308 study has been released and fully assessed.</p>	
<p>Environmental Protection:</p> <p><u>Conditions suggested regarding:</u></p> <ul style="list-style-type: none"> -Ground contamination investigation and remedial measures; -Noise insulation against road noise from A308 and aircraft noise; -Lighting scheme; -Construction working hours; -Collection and delivery times; <p><u>Informatives suggested regarding:</u></p> <p>Dust and smoke.</p>	<p>Had the LPA been minded to grant permission conditions would have been imposed regarding ground contamination; noise insulation measures; and lighting scheme.</p> <p>Construction working hours, collections and delivery times, smoke and dust control would be matters that would be addressed through informatives had the LPA been minded to grant permission. As such matters are covered by separate EP legislation (under Statutory Nuisance) there is no need for these to be controlled by conditions.</p> <p>See paragraph 8.85</p>
<p>Rights of Way Officer</p> <p>The proposed development will have an impact on the rural</p>	<p>See paragraphs 8.61 - 8.62</p>

<p>nature of Bray Footpath 52 which runs adjacent to Oakley Green Mushroom Farm and will also significantly increase vehicular traffic on the easternmost section of the path. The development offers the opportunity to create a new path linking Bray FP 52 to the permitted path Bray 20P which itself joins the A308 and also to improve the condition of the easternmost section of the path which is currently a narrow pavement.</p> <p>Access to the works site may cause damage to the existing footpath during the construction phase of works.</p> <p>It is recommended that the application is accepted on the condition that any damage caused to the footpath as result of the works are made good and the easternmost section of the path be improved in light of the additional vehicular traffic anticipated. In addition a linking path is requested from Bray FP 52 to Bray 20P. This is in accordance with saved Policy IF5 in the newly adopted Borough Local Plan (February 2022) which states that:</p> <p>Rights of Way and Countryside Recreation</p> <p>THE BOROUGH COUNCIL WILL SAFEGUARD AND ENHANCE THE PUBLIC RIGHTS OF WAY NETWORK AND RECREATIONAL CYCLE ROUTES.</p>	
<p>Council's Ecologist:</p> <p>The Council's Ecologist is satisfied that there would be no adverse impact on bats.</p> <p>The site is within the NatureSpace District Licence Red Zone meaning that the proposals are very likely to affect GCN.</p> <p>The applicant would either need to register the site under this licence scheme or apply for a site-specific licence (through Natural England).</p>	<p>See paragraphs 8.67 - 8.74</p>
<p>Highway officer:</p> <p>Having assessed the highway and transport information submitted, it is concluded that the development is unlikely to create any excess stress upon the local highway network.</p> <p>If, the Local Planning Authority is minded to approve the application, it is recommended that any consent includes conditions to secure:</p> <p>Approved access completed prior to occupation</p> <p>Off Site Highways Work to be secured by legal agreement under Section 278 of the Highways Act 1980 to cover the construction of the highway improvement works on the A308 Windsor Road.</p>	<p>See paragraphs 8.51 -8.62</p>
<p>Lead Local Flood Authority. The Lead Local Flood Authority (LLFA) has commented on the proposal advising:</p> <ul style="list-style-type: none"> -1. The proposed discharge rate of of 2.3l/s to the existing watercourse is acceptable. -2. At the next stage it will be expected that a full network 	<p>See paragraphs 8.49 - 8.50.</p> <p>Had the LPA been minded to grant planning permission,</p>

<p>model will be provided, as well an exceedance plan to show the flooding in the 1 in 100 year plus 40% climate change.</p> <p>Conditions has been suggested by the LLFA to secure the :</p> <p>1. submission of a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy and;</p> <p>2. implementation of an approved sustainable drainage scheme.</p>	<p>the LLFA conditions would have been imposed.</p>
<p>Berkshire Archaeology :</p> <p>Recommends a condition to secure a programme of archaeological work including a Written Scheme of Investigation.</p>	<p>See paragraphs 8.103-8.106</p>
<p>Housing Enabling Officer</p> <p>Satisfied with the amount and mix of affordable housing in shown on the amended drawing 21-J3610-03 Rev A and in the Affordable Schedule (dated 16th Sept 2022). the Housing Enabling Officer has suggested the tenures for each type of housing.</p>	<p>See paragraphs 8.98 - 8.102.</p>

8. EXPLANATION OF RECOMMENDATION

8.1 The main considerations are:

- i Green Belt
- ii Encroachment in the Green Belt and impact on the rural character of the area
- iii Loss of the existing business/industrial use
- iv Flooding
- v Highway Safety and Parking
- vi Trees
- vii Ecology
- viii Impact on neighbours
- ix Layout of proposed development and residential amenity for future occupiers
- x Housing mix and Affordable Housing
- xi Archaeology
- xii Sustainable Design and Construction
- xiii Housing Land Supply

i Green Belt

- 8.2 The site lies within the Green Belt. There are a number of light grey coloured single storey tunnel shaped structures/buildings arranged in series in two blocks which are linked by a central taller block-walled corridor building. There is also a site office and portable building and a large area of hardstanding at the site. The structures/buildings are currently used for storage and distribution purposes (B8 use). They were formerly used (and originally built) for mushroom production.
- 8.3 The existing buildings have an agricultural appearance and have a neutral impact on the character and appearance on this rural locality. They are not readily visible from outside of the site or from any public land. Furthermore, the existing areas of hardstanding within the site are not readily visible from outside of the site and do not result in any significant loss of openness in the Green Belt.
- 8.4 Paragraph 149 of the NPPF (2021) states:
- A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*
- 8.5 It is noted in the Glossary in Annex 2 of the NPPF (July 2021) that previously developed land is defined as:
- Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'*
- 8.6 From the approved drawing S-04 0272-01A of the appeal application 07/03232/FULL (referred to in Condition 2 of 07/03232/FULL) it can be seen that the defined curtilage of the B8 use, is very tightly drawn to include the 'existing' built-up part of the site where there are 'existing' buildings, narrow strips of hardstanding immediately to the north and south of the existing building and the large carparking area (hardstanding) to the east of the existing building. The open land beyond the existing west elevation of the building and to the north is excluded from this B8 curtilage. (The site of the unbuilt building/extension immediately to the west of the existing building, is also excluded from the defined B8 curtilage.) Please see appendix C.
- 8.7 It is important to note that not all of the areas within the defined B8 curtilage are covered with buildings and structures, and as such there are large areas within this curtilage which remain open.
- 8.8 It is considered that the 'previously developed land' (PDL) on the application site could be considered to include the part of the site contained within the B8 curtilage identified by the appeal Inspector.
- 8.9 However, it is very important to note the NPPF Glossary definition of PDL (see paragraph 8.5 above) states that it should *not* be assumed that the whole of the curtilage should be developed.

- 8.10 Therefore, areas of the site which are open and not covered in permanent structures within a previously developed site should not automatically be considered suitable for redevelopment.

Impact on openness

- 8.11 Looking at the proposed site layout, only 12 no. of the proposed houses would fall loosely within the confines of this 'previously developed' B8 curtilage (i.e. plots 1-6 and plots 14-19); and of these 12 units, approximately 4 of them (plots 1, 2, 18 and 19) would however be on the open hardstanding area. The remainder of the units i.e. 7-13 and 21-29 would be sited on open Green Belt land, beyond the B8 curtilage identified by the appeal inspector.
- 8.12 The construction of new buildings onto areas of open hardstanding (within the B8 curtilage as identified by the Appeal Inspector) and beyond, would have a greater impact on the openness of the Green Belt than the existing development on the site, and as such would not fall under an exception to inappropriate development as set out under paragraph 149 (g) of the NPPF. The proposed development is therefore inappropriate development within the Green Belt. The proposed development would also cause encroachment and have an unacceptable urbanising impact harmful to the rural character of the area.
- 8.13 The existing buildings have a neutral impact on the Green Belt. The new 2 storey houses and 2.5 storey apartment building would be considerably taller than majority of the existing buildings on the site. Therefore, even if the new houses were confined to an area within the footprint area of the existing building complex, it is considered that the development would still have a much greater impact on the openness of the Green Belt than the existing buildings on the site and thus be deemed to be inappropriate development.
- 8.14 The applicant's planning statement provides figures for the proposed volumes and ground floor areas. The total proposed Gross external area (GEA) of the housing would be 4511 square metres and the total volume would be 14,282 cubic metres. By comparison the planning statement states that the existing building has a GEA of 3195 square metres and volume of 12,783 cubic metres. The new houses would therefore be 41% larger than the existing in terms of GEA and 12% larger in terms of volume.
- 8.15 The authorised use for the remainder of the site (beyond the defined B8 curtilage) is considered to be agricultural land, which according to the NPPF definition, cannot be considered to constitute 'previously developed land'. A total of 17 units i.e. units 7-13 and 20-29 would be sited beyond the defined B8 curtilage. The proposed development would therefore involve building on an area of the site that is not 'previously developed land' – i.e. on agricultural land.
- 8.16 The proposed new housing development is not considered to represent 'limited infilling in a village' (under NPPF para 149 e) , as there is no clearly defined village settlement nearby. The development would therefore not fall within the Green Belt exception listed under 149 e).
- 8.17 It is noted that only 'some' of the proposed housing scheme would be affordable housing. Furthermore, the level of affordable housing provision would simply meet the general minimum threshold requirement (30%) for such provision that all development is expected to provide. The provision of 9 affordable housing units for the whole scheme would therefore not provide the justification for this development in the Green Belt (under NPPF para 149 f)).
- 8.18 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. Paragraph 148 stipulates that 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. Whether there is a case of very special circumstances that exist which clearly outweigh the harm to the Green Belt, and any other harm is discussed in the planning balance at the end of this report.

Fall back situation

- 8.19 The applicant discusses a fall-back situation with regard to building out remaining (unbuilt) agricultural buildings allowed under an earlier extant permissions (422290 outline and reserved matters application 424907 in July 1989 and May 1991 respectively). It is important to note that with exception of one small unbuilt building on the east side of the existing building, all of the other remaining 'unbuilt' agricultural structures/buildings would be on land that falls outside of the developed B8 curtilage defined by the Appeal Inspector.
- 8.20 To establish the fallback position, the applicant submitted a Certificate of Lawfulness application 22/00795/CPD to verify the lawfulness of the remaining agricultural buildings permitted under 422290 and 424907. This application has now been determined and it concludes that the permission to build the remaining 'unbuilt' buildings is extant.
- 8.21 The grant of the Certificate of Lawfulness (22/00795) simply means there is a fallback position which is a material consideration. It remains for the decision maker to decide what weight to place on that fallback position. In light of the amount of time that the permission has not been implemented (over 30 years) and the fact that a housebuilder is now attempting to gain residential permission, it is considered that the fallback position is unlikely to be a viable development and that there is no realistic prospect of this taking place. As such, it is considered that very little if any weight, should be placed on the fallback position. It should also be noted, that even if these agricultural buildings were to be constructed, they would not be regarded as previously developed land, as agricultural buildings are excluded from the definition of previously developed land as set out in the NPPF.
- 8.22 The extant permission relates to 3 detached agricultural buildings and an additional agricultural building/extension adjacent to the west and east sides of the existing (B8) building. However, one of the (unbuilt) detached agricultural buildings is on land which is beyond the application site boundary for 22/01207/FULL. Even if the unbuilt 'agricultural' buildings approved under 422290 and 424907 were built they still would not provide the justification (very special circumstances) for the scale and spread of development in the Green Belt. Although the unbuilt agricultural buildings may be large and dispersed across the application site, they are agricultural buildings. In principle, agricultural buildings are deemed to be appropriate in the Green Belt. Furthermore, the size and siting of these agricultural buildings were considered acceptable when the original permission was granted for them in 1989.
- 8.23 The applicants have provided GEA and volume figures for the combined existing and unbuilt buildings on the site, in order to make the point that these unbuilt agricultural buildings would be significantly greater than that of the proposed development. However, this does not provide overriding justification for the proposed scheme. As mentioned previously the NPPF definition of previously developed land specifically excludes land that is or was last occupied by agricultural or forestry buildings;
- 8.24 At most, Green Belt policy would only allow the conversion of agricultural buildings. However, it is unlikely that the approved agricultural buildings (described as composting buildings and peat store building) would be considered suitable for conversions to residential units. Therefore, housing development beyond the curtilage of the previously developed land would amount to a loss of openness and encroachment in the Green Belt, which would represent inappropriate development in the Green Belt.
- 8.25 The applicant has provided a letter from Pike Smith and Kemp about the viability of constructing the unbuilt agricultural buildings approved under 422290 and 424907, and the letter suggests that there is potential demand to use such buildings for agricultural purposes, were they to be built. This would appear to support the argument for *resisting* the loss of agricultural land in the Green Belt, rather than developing it for housing.

ii Encroachment in the Green Belt and impact on the rural character of the area

- 8.26 This site currently forms an important role in maintaining a strategic gap between the developed areas of Windsor and Maidenhead. Residential development as proposed, would erode this gap and represent unacceptable encroachment. Surrounding residential development is rather sporadic and linear in form, with existing nearby residential properties are set in relatively large plots.
- 8.27 The existing buildings on the site have a neutral impact on the character of the area. The general level of activity on the site associated with the B8 use, also seems to be low key. It is noted that condition 6 of planning permission 07/03232/FULL states that at no time shall the on-site workforce exceed the equivalent of 10 full time employees. Condition 8 states that no deliveries shall be taken or dispatched from the site outside the hours of 7.30 and 18.00 Mondays to Fridays, and outside the hours of 08.00 and 13.00 Saturdays, nor at any time on Sundays or Bank or Public holidays.
- 8.28 The introduction of 29 houses on this site would introduce a fairly high density, suburban form of development; it would not only lead to a loss of openness of the Green Belt but it would also be harmful to the established low density rural character of the area. With the levels of activity associated with the proposed development, it would be an intrusive form of development.
- 8.29 As mentioned above, this site currently forms an important role in maintaining a strategic gap between the developed areas of Windsor and Maidenhead. The proposed development would not only erode this gap, it would also be incongruous, intrusive and harmful to the established rural character of this area. It is acknowledged that the site on the opposite side of the road is allocated for housing development (up to 450 units), having been released from the Green Belt with the adoption of the Borough Local Plan in Feb 2022, to provide additional housing in the borough. However, the prevailing pattern of development on the west side of Oakley Green Road is low density.
- 8.30 It is considered that the proposed development is inappropriate development in the Green Belt as it would have a greater impact on openness than the existing development on the site. The existing buildings within the defined B8 curtilage which were originally designed for agricultural use (mushroom production), do not cover the entire curtilage and have a neutral impact on the Green Belt. Furthermore, the spread of the proposed development across the open parts of the site would represent unacceptable encroachment, coalescence and urbanisation of the Green Belt and erosion of a strategic gap between the settlements of Windsor and Maidenhead.

iii Loss of the existing business/industrial use

- 8.31 The current proposal would entail the loss of 3,196 sq metres of warehousing space. Policy ED3 3) of the adopted Borough Local Plan states: 'Where a change is proposed from an economic use to another use, development proposals must provide credible and robust evidence of an appropriate period of marketing for economic use and that the proposals would not cause unacceptable harm to the local economy. A further consideration to be taken into account will be the significance to the local economy of the use to be lost.'
- 8.32 The applicant has not provided any supporting evidence to show that the site has been marketed for an appropriate period of time. Instead, the planning statement refers to application 18/03348 (Grove Park Industrial Estate White Waltham) and the officer report dated Nov 2020 which accepted the loss of 4823sq of employment floorspace (office use) after factoring known pipeline losses and gains in the Council's Employment Topic Paper 2019.
- 8.33 However, it should be noted that the principle of redeveloping the site at Grove Park to provide housing was in accordance with the adopted Hurley and the Walthams Neighbourhood Policy WW1, which states that proposals for redevelopment of Grove Park to provide housing will be supported subject to type, impact on character and safe access. Additionally, application 18/03348/OUT was determined before the adoption of the Borough Local Plan.
- 8.34 The applicant's planning statement in para. 5.68 states: 'Whilst this proposal for the Mushroom Farm would entail the loss of further employment space within the Borough, the design of the buildings (as acknowledged in para. 4 of the appeal decision in August 2008) limits their

adaptability to alternative uses. Although this was within the context of agriculture, it also applies to other employment uses’

- 8.35 It is considered that the potential for adaptability of the buildings for other employment uses should not be dismissed, in the absence of thorough marketing exercise. As submitted the application has failed to so compliance with adopted Borough Local Plan Policy ED3.

iv Flooding

- 8.36 The applicants have submitted a Flood Risk Assessment (FRA). The Environment Agency has been consulted and comments are awaited. Any comments that are received from the EA prior to the Development Management Panel will be reported in a panel update report.
- 8.37 The Environment Agency (EA) Flood Zone map shows the site falling Flood Zones 3 (high risk 1:100 year probability) and Flood Zone 2 (Medium Risk – 1:1000 year probability) with the central area of the site being a ‘dry island’ on an area within Flood Zone 1 (low probability).
- 8.38 The FRA advises that the site specific information from the EA states that the site has no previous record of being affected by historic flooding. It is also understood that no detailed hydraulic model exists for the catchment in which the site lies. Therefore, to support a detailed assessment of the flood extents on the site and design flood levels for assessing the mitigation required, a site-specific analysis hydrology and hydraulic modelling exercise has been undertaken by Stantec (formerly Peter Brett Associates) to identify accurate flood extents and flood levels. The FRA advises that the EA has reviewed the modelling exercise and has confirmed that is fit for the purpose of assessing the flood zones in the area and for assessing the mitigation required for fluvial flood risk. The FRA includes an email from the EA (dated 17th Feb 2022) advising that the modelling exercise is fit for purpose.
- 8.39 The outputs from the hydraulic modelling exercise confirm that the area of the site proposed for development is entirely in Flood Zone 1 ‘Low probability’. The FRA includes 3 figures to show the extent of the 1:20, 1:100 and 1:1000 probability scenarios. Although, the LPA notes that the site appears to be on a ‘dry island’ surrounded by areas liable to flooding.
- 8.40 The modelled 1 in 100 + 35% climate change allowance flood extent shows that the site, with the exception of small areas along the eastern boundary, is located outside of the Stantec modelled 1 in 100 annual probability + 35% allowance for climate change floodplain.
- 8.41 The Council’s latest Strategic Flood Risk Assessment now says at 5.1.16, with regard to dry islands:
- ‘It is highlighted that a small number of areas within the Royal Borough that fall into Zone 1 Low Probability are ‘dry islands’. These areas may be surrounded by flood water for a considerable period of time. Whilst there is no direct risk to life and/or property as a result of water ingress, residents are unlikely to have ready access to medicines, food, water and utilities (i.e. electricity, telephone, and sewerage). It is essential that any future development within these areas considers carefully the emergency response in times of flood.’
- 8.42 So although the SFRA does not say that these dry islands should be categorised as falling within the flood zone that encircles it; the LPA must consider emergency response times. On this basis, whilst the Sequential Test is not required (or is in essence passed as Flood Zone 1) the LPA should be considering safe access/egress from the site.
- 8.43 It would appear that the proposed eastern end of the access road and the new footpath link to Oakley Green Road would involve crossing areas liable to flooding in an extreme flood event and the hazard rating would be classified as ‘danger for most’ and as such would not provide safe/low hazard means of escape.
- 8.44 In an attempt to address the matter, the applicant has submitted further flood risk information (from Santec Ltd. dated 31/8/2022) and an amended plan 21-J3610-03 Rev A which shows an additional pedestrian access (with new pedestrian bridge over the watercourse/ditch which runs parallel and is adjacent to the A308). This pedestrian access would lead residents from the

application site directly to the A308 Windsor Road. The escape route would involve pedestrians crossing the A308 and heading eastwards along the A308. As there are no footpaths, pedestrians would need to walk along a grass verge on the north side of the main road (A308). This is not considered to be an appropriate or safe route for pedestrians to use.

- 8.45 It is noted that there would be a very small section of shallow flood water of low velocity, on the north side of the A308 in the vicinity of the junction of the A308 with Oakley Green Road and this section of floodwater is identified as being safe/very low hazard. However, a flood escape route which utilises a grass verge, and has an unspecified final destination with no identified safe refuge is not considered to be entirely satisfactory. Furthermore, with little or detail about the flood risk associated with all parts of the escape route including those beyond the junction (of A308 and Oakley Green Road), it is not possible for the LPA to conclude that the escape route is safe/low hazard.
- 8.46 The FRA advises that a Flood Management and Evacuation Plan would be prepared, to address this residual risk and demonstrate that future occupants can undertake appropriate arrangements to safely evacuate, if necessary, without placing an increased demand on local emergency services. However, the LPA considers that the Flood Evacuation Plan should be *in addition* to a safe/low hazard means of escape. In addition, the scheme is for independent dwellings. As the scheme would not be a 'gated/managed' site, a Flood Warning and Evacuation Plan would not be enforceable since the EA Flood Warning System is an opt in and not an opt out system and many of the actions are in relation to individual residents. It is considered that the proposed development would not comply with policy NR1 3) c. and NR1 6) e. of the Borough Local Plan as it would increase the number of people at risk of flooding and would not demonstrate a safe means of escape.
- 8.47 Policy NR1 of the adopted Borough Local Plan advises: 'Within designated flood zones development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms.'

NR1 3) advises that in all cases, development should not in itself, of cumulatively with other development, materially:

- a. impede the flow of flood water
- b. reduce the capacity of the floodplain to store water
- c. increase the number of people, property or infrastructure at risk of flooding
- d. cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere
- e. reduce the waterway's viability as an ecological network or habitat for notable species of flora or fauna.

NR1 6) states: Development proposals should:

- a) increase the storage capacity of the floodplain where possible
- b) incorporate Sustainable Drainage Systems in order to reduce surface water run-off.
- c) reduce flood risk both within and beyond the sites wherever practical
- d) be constructed with adequate flood resilience and resistance measures suitable for the lifetime for the development
- e) where appropriate, demonstrate safe access and egress in accordance with the Exception Test and incorporate flood evacuation plans where appropriate.

- 8.48 The EA's 'Risk of Flooding from Surface Water' map shows that large parts of the area are subject to high and medium risk of surface water flooding. The FRA advises that this mapping provides a guide to potentially vulnerable areas based on the topography of an area. In this particular case the FRA advises in para. 4.1.9 'the extensive areas shown as at risk on the mapping outside the site do not appear to consider the routing of overland flows north to the watercourse. The main watercourse passes under the A308 in a large (2.5m clear span, greater than 1.2m high) culvert, and the highway drain to the east of the site also passes under the A308 in a 1.05m diameter culvert. There is a fall to the north of the A308 into the marina and it is unlikely that the ponding of water over large areas south of the A308 shown could occur in practice.'

- 8.49 The proposal would include Sustainable Drainage Systems. The LLFA has been consulted on the proposal and has commented on the proposal advising:
1. The proposed discharge rate of of 2.3l/s to the existing watercourse is acceptable.
 2. At the next stage it will be expected that a full network model will be provided, as well an exceedance plan to show the flooding in the 1 in 100 year plus 40% climate change.
- 8.50 Conditions have been suggested by the LLFA, to secure a surface water drainage scheme based on the submitted drainage strategy and to ensure that any approved surface water drainage scheme is implemented in accordance with the approved plans. Had the recommendation been for approval, such conditions would have been imposed.

v Highway Safety and Parking

- 8.51 Comments have been received from the Highway Authority. The site is located approximately 3.45 miles to the South-East of Maidenhead, 0.75 miles from Dedworth and 2.13 miles to the West of Windsor. The site is accessed from a side road off Oakley Green Road, which is currently used for storage and distribution transport as well as the neighbouring Meadow Lane Farm. This application seeks planning permission for the erection of up to 29 dwellings together with associated landscaping, parking and open space.
- 8.52 Oakley Green Road is classified as the B3024 and forms a link between the A308 primary distributor road and the settlements of Dedworth, Oakley Green, Moneyrow Green and finally forms a junction at its western end with the A330 Ascot Road. In the vicinity of the site frontage, Oakley Green Road is subject to a 40mph speed limit. The nearest towns to the site are Windsor and Maidenhead. Both provide a wide range of amenities including shopping, leisure, and employment opportunities. The Towns can be reached by car, cycle or bus easily. A bus stop is located just outside the site on Windsor Road next to the cemetery. Buses take around 10 to 15 minutes. Train stations can be found in both Windsor and Maidenhead, offering regular direct services to London, Reading, Slough and Oxford.
- 8.53 The proposed access arrangements will involve the reconstruction of the existing access road to provide a formal kerbed bell mouth formed with 7.5m radii. The access road will continue into the site with an initial width of 5.5m with a 2m wide footway on the south side to accommodate the route of the public footpath. The access road junction will be provided with visibility splays of 2.4m x 120m in both directions to reflect the 40mph speed limit. This is considered acceptable.
- 8.54 The Transport Assessment (TA) advises that as the application is outline, only the full number of car parking spaces is to be determined; however the TA states that 'the final layout of the site will comply with the adopted car and cycle parking standards'. This is considered acceptable, and additional soft and hard landscaping, and EV car parking should be secured via condition had the recommendation been to approve. The TA outlines that TRICS trip generation has been undertaken and has shown not to have any significant increase in trips to and from the site that will be to the detriment of the site. This is considered acceptable to the Highway Authority.
- 8.55 Apart from a relatively short section of footway on the west side of Oakley Green Road immediately to south of the Windsor Road junction, there are no other footways along Oakley Green Road. It is noted that this existing footway does not extend up to the vehicular access to the application site. Therefore, the application site is currently not easily or safely accessible for pedestrians.
- 8.56 Policy QP 3 states:
1. New development will be expected to contribute towards achieving sustainable high quality design in the Borough. A development proposal will be considered high quality design and acceptable where it achieves the following design principles:
 - d. Delivers easy and safe access and movement for pedestrians, cyclists, cars and service vehicles, maximising the use of sustainable modes of transport where possible.

- 8.57 The applicant proposes improving the pedestrian facilities on the A308 Windsor Road. The Highway Officer advises that this can be secured via a S278 Agreement. The Highway Officer also advises that the scale of the development does not warrant the submission of a residential travel plan.
- 8.58 The applicant outlines in the design and access statement that secure cycle storage will be provided to the rear of properties, which is considered acceptable. Had the recommendation been to approve, any subsequent submission (Reserve Matters Application) would need to include a detailed plan of the development's cycle parking proposal.
- 8.59 The applicant outlines in the design and access statement that rear access to private gardens allows for access to the storage of bins and recycling containers as well as garages potentially being used for refuse storage, this is considered acceptable. For apartments, specific bin stores have been allowed for to screen and secure a communal use, this is also considered acceptable. The above is supported by a swept path analysis plan of a 10.75mm refuse vehicle.
- 8.60 Having assessed the highway and transport information submitted, it is concluded that the development is unlikely to create any excess stress upon the local highway network. The Highway Authority has suggested conditions to be imposed, if the LPA were minded to grant permission. The suggested conditions relate to the access construction; and offsite highway works being secured via a legal agreement with the Council under Section 278 of the Highways Act 1980 to cover the construction of the highway improvements on the A308 Windsor Road.
- 8.61 The Council's Rights of Way Officer has commented that the proposed development will have an impact on the rural nature of Bray Footpath 52 which runs adjacent to Oakley Green Mushroom Farm and will also significantly increase vehicular traffic on the easternmost section of the path. However, the development offers the opportunity to create a new path linking Bray FP 52 to the permitted path Bray 20P which itself joins the A308 (Windsor Road) and also to improve the condition of the easternmost section of the path which is currently a narrow pavement.
- 8.62 Access to the site may cause damage to the existing footpath during the construction phase of works. The RoW officer has suggested a condition to ensure that any damage caused to the footpath as result of the works are made good and the easternmost section of the path be improved in light of the additional vehicular traffic anticipated. In addition, the RoW Officer has requested a linking path from Bray FP 52 to Bray 20P. This is required in order to accord with adopted Policy IF5 in the adopted Borough Local Plan (February 2022) which states that the Borough Council will safeguard and enhance the public rights of way network and recreational cycle routes. Had the LPA recommendation been to grant planning permission, conditions would have been applied as suggested by the RoW Officer. It is considered that a Legal Agreement would be required to secure a path/s to link FP 52 to Bray 20P particularly as this would involve bridging a highway ditch.

vi Trees

- 8.63 The applicant has submitted an arboricultural assessment. The tree report indicates that no principal trees need to be removed to accommodate the proposed development and the scheme provides ample opportunity for new tree planting and landscaping. The site is well screened by trees and vegetation on the road frontages and the only disturbance to the boundary screening would be for the creation of the new pedestrian links.
- 8.64 The applicant has submitted an amended Tree Report and plan (received 15th August) to confirm that 2 x Category C trees on the eastern boundary of the site are proposed to be removed to make way for the proposed pedestrian footpath access onto Oakley Green Road. These trees form part of a group (G6) of self-set sycamores along the eastern boundary of the site and the loss of these two trees is not considered significant. Another tree (T10) to be removed is within the site and is a category C, self-set Willow. The LPA is also satisfied that there would be no significant further tree loss as a result of the new/additional pedestrian (safe/low hazard footway and bridge) onto the A308 proposed in the amended drawing 21-3610 -03 Rev A.

vii Ecology

Special Area of Conservation

- 8.65 The site lies within 5km and within the zone of influence of Windsor Forest and Great Park, a Special Area of Conservation (SAC) which is a European Designated site. The primary reason for designation is the significance of old acidophilous oak woods, range and diversity of sapxylic invertebrates, and fungal assemblages. The Natura 2000 data form for Windsor Forest and Great Park reports that the main threats relate to forest and plantation management and use; air pollution, invasive non-native species; and interspecific floral relations. Where any proposal is likely to have a significant effect on a European site either alone or in combination with other plans or projects, the Conservation of Habitats and Species Regulations 2017 requires an appropriate assessment to be made in view of that site's conservation objectives. Paragraphs 181 and 182 of the NPPF state that development resulting in the loss or deterioration of Special Areas of Conservation should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In this case the proposed development, along and in combination with the linked proposals, is not considered to have a significant effect on Windsor Forest and Great Park, due to the distance of the proposal from the SAC and given the nature and scale of the proposed development and the existing use of the site for B8; therefore an appropriate assessment is not required.
- 8.66 The nearby river and woodland may also constitute Habitats of Principle Importance under Section 40 of the Natural Environment and Rural Communities Act (2006). Sutherland Grange, is a designated as a Local Nature Reserve and Local Wildlife Site located approx. 500m to the east. However, as the application site is largely isolated from Sutherland Grange by main roads and existing development it is unlikely that the proposed works would significantly impact the Priority Habitats, Local Nature Reserve and Local Wildlife Site, provided standard measures to reduce the risk of pollution are adhered to.
- 8.67 The Council's Ecologist has commented on the application. An Ecological Survey letter report (AAe Environmental Consultants, April 2022) has been submitted to support the application. Habitats on site comprise buildings (polytunnels and single storey office building), portacabin, managed grassland, scrub, boundary trees and wet ditch. There is not a phase 1 map in the report which is surprising for a development of this size.
- 8.68 There are two types of buildings on site – polytunnel and a single storey building. Both are unsuitable for use by roosting bats, and no bats or signs of bats were observed during the survey. As such, the risk of the proposals adversely affecting bats is considered to be minimal. A single willow tree on site was assessed as being unsuitable for roosting bats.
- 8.69 The habitats are likely to be used by nesting birds and as such precautions to ensure no birds are harmed during construction works should be put in place. This could be secured via a condition (if the recommendation was to grant permission) for the submission, approval and implementation of a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity).
- 8.70 The applicant's ecology report states that 'there were no ponds on the site and therefore no breeding opportunities for amphibians'. RBWM has recently enrolled on the NatureSpace District Licence for Great Crested Newts (GCNDL) and the development site is within the GCNDL Red Zone (meaning that the proposals are very likely to affect Great Crested Newts). The applicant would either need to register the site under this licence (and supply the first stage certificate from NatureSpace with the planning application), or apply for a site-specific licence (from Natural England). Any surveys of nearby ponds can only be carried out between mid-March and mid-June. As no survey work, licences or certificates have been submitted with this application, it is not possible to conclude that there would be no adverse impact on Great Crested Newts, which are protected species. Therefore, in the absence of adequate ecology surveys, this recommended as a reason for refusal.
- 8.71 No badger setts or evidence of badgers was recorded on the site. The report concludes that the terrestrial habitats on site are unsuitable for reptiles, however this could change should the site be left unmanaged.

- 8.72 The site primarily consists of hardstanding, buildings, managed grassland, scrub and boundary trees. These are not priority habitats as per the NPPF but nonetheless do have some ecological value. Policy NR2 of the Borough Local Plan (Biodiversity) reads: "Development proposals will be expected to identify areas where there is opportunity for biodiversity to be improved and, where appropriate, enable access to areas of wildlife importance. Development proposals shall also avoid the loss of biodiversity and the fragmentation of existing habitats, and enhance connectivity via green corridors, stepping stones and networks. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity Opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric".
- 8.73 A biodiversity net gain calculation has been undertaken (AAe Environmental Consultants, April 2022) and concludes the development will result in a 19.66% net gain in habitat units. Enhancements include 148 new trees, non-native ornamental hedge planting, an orchard, SUDS features and modified grassland. The document states that a "large area of the site will remain undeveloped, a proportion of which will be managed for the benefit of wildlife, and the existing boundary vegetation will be retained, protected and enhanced" It therefore seems reasonable to assume that the proposals will result in a net gain for biodiversity. This could have been secured via a planning condition, if the recommendation was to grant permission.
- 8.74 Paragraph 174 of the NPPF reads: "Planning policies and decisions should contribute to and enhance the natural and local environment..."; The Design and Access Statement states that the following features will be supplied: Hedgehog Homes, Bee Hotels, Bat Boxes and Swift boxes as standard in all of their homes and would include all of these on this site. A proportion of any logs produced by the development will be stacked in a secluded area to encourage beetle and other invertebrate use. The maintenance/preservation of hedgerows and trees around the perimeter of the site to encourage nesting birds and insects. Full details of the above enhancements, including planting details, numbers, locations, specifications and ongoing management would need to be provided. This could be secured via a planning condition, if the recommendation was to grant permission.

viii Impact on neighbours

- 8.75 Given the distance maintained between the proposed buildings and the neighbouring properties it is not considered that the proposed buildings would have an adverse impact on sunlight/daylight, outlook or privacy to the existing residential property at Farm View. Nevertheless, the increased levels of activity from vehicles going to and from the site (with this proposed residential scheme for 29 dwellings) could introduce more noise over an extended period of time (particularly in the evenings and on weekends), which could diminish the quiet enjoyment of this neighbouring property during such times. It is noted that there are a number of conditions on the 2007 application, which limit the intensity of use of the existing B8 use on this site (through controlling delivery times and limiting the employee numbers). Condition 6 of planning permission 07/03232/FULL states that at no time shall the on-site workforce exceed the equivalent of 10 full time employees. Condition 8 states that no deliveries shall be taken or dispatched from the site outside the hours of 7.30 and 18.00 Mondays to Fridays, and outside the hours of 08.00 and 13.00 Saturdays, nor at any time on Sundays or Bank or Public holidays.
- 8.76 Nonetheless, it is considered that it may be difficult to justify a reason for refusal on the basis of additional noise and disturbance to Farm View, given that the proposal is for residential use and given also the separation distances between properties.

ix Layout of the proposed development and residential amenity for future occupiers

- 8.77 It must be considered whether the proposed development would provide an adequate standard of amenity for future occupiers of the residential units, and also for neighbouring properties to the

site. This is required by paragraph 130 (f) of the NPPF. The Borough Design Guide SPD (adopted) also provides guidance on residential amenity, including private garden sizes.

- 8.78 At this outline stage it is not possible to assess the proposed houses in terms of required internal space standards. However, the general arrangement and spacing of the houses and the garden sizes (apart from the currently proposed garden sizes to plots 28 and 25 discussed below) appear to meet the standards set out in the RBWM Design Guide SPD.
- 8.79 The proposed houses would for the most part face into the application site, with rear garden areas abutting the application boundary. The estate would be served by a couple of roads (referred to on the layout drawing as Mews and Main Street) both of which end in turning areas. These two roads are not interconnected at both ends.
- 8.80 The affordable housing on plots 21-29 inclusive are at the north-eastern sector of the application site and nearest to A308 Windsor Road. The layout proposes an area of open space in the northern part of the site. The layout drawing indicates an orchard, SUDS feature (which looks like a pond or a lake) a local area for play (LAP) and local equipped area for play (LEAP). There is connectivity throughout the site for pedestrians to access the open space and play areas.
- 8.81 The proposed houses would be 2 storey to 2.5 storey in height. The open market properties would be detached with either attached, linked or detached garages. The affordable housing would comprise terraced, semi-detached and an apartment block of 4 dwellings.
- 8.82 There is existing tree screening along the north and eastern boundaries of the site and the proposed layout indicates scope for additional boundary tree planting along the site boundaries. There also appears to be scope for additional tree planting within the site itself.
- 8.83 The BWDG requires a minimum garden size (mainly north facing), of 65 sq m for 2/3 bedroom houses, and 85 sq metres on 4-bedroom houses. The rear garden for plot no. 28 (a 2-bed affordable house) when scaled from the drawing appears to measure approx. 59 sq metres, which is below the minimum garden size in the BWDG. The garden to plot 25 (a 4-bedroom affordable house) when scaled from the drawing appears to measure 80 sq metres, which again is below the for a minimum. As layout is a matter for consideration at the outline stage, there would be no scope to change the layout so as to increase the garden lengths/widths plots 25, and 28 (in order to meet the minimum garden sizes), at the reserved matters stage.
- 8.84 On balance, given that only 2 of the proposed houses fall slightly short of the BWDG garden size standard, it would be difficult to justify a reason for refusal on this basis, given that there is a sizeable area of open space (with play areas) to be provided within the application site.
- 8.85 The Environmental Protection unit has suggested various conditions and informatives regarding ground contamination investigation and remedial measures; noise insulation against road noise from A308 and aircraft noise; a lighting scheme; construction working hours; collection/ delivery times, dust and smoke control. These matters would have been covered by conditions and informatives, if the recommendation was to grant planning permission. Construction working hours, collections and delivery times, smoke and dust control would be matters that would be addressed through informatives rather than by conditions as such matters are covered by separate EP legislation (Statutory Nuisance), so there no need for these to be controlled by planning conditions.
- 8.86 The application proposes a Local Area of Play and a Local Equipped Area of Play within the application site boundary. There would appear to be sufficient open space provision with this application.
- 8.87 Borough Local Plan Policy IF4 deals with Open Space provision and states:

5. Proposals for residential development on non-allocated sites of ten dwellings and above should normally provide new open space and play facilities in accordance with the quantity

standards set out in Appendix F, or those within a more up to date Open Space Study. However, where there is clear evidence that there is a quantitative surplus of one or more types of open space/play facilities in the local area, these standards will be applied flexibly in order to address any local deficits.

6. Whilst on-site provision is preferred, provision of new open space and play facilities on an alternative site within walking distance of the development site, as set out in Appendix F, would be acceptable if this meets the needs of the community and results in a greater range of functional uses. A financial contribution towards improving existing provision may be acceptable if there are qualitative open space deficiencies in the area.

- 8.88 Appendix F identifies that a development of this size (11-200 dwellings) would need a Local Area of Plan (LAP) and a Local Equipped Area of Play (LEAP) within 100m and 400m respectively from dwellings.
- 8.89 The proposed layout indicates two areas of open space measuring over 6900 sqm. This represents approximately 29% of the total application site.
- 8.90 Outdoor Sports and Play: Beyond the Six Acre Standards, (Nov 2020) sets out guidelines for amenity greenspace. In relation to the provision of a LAP and Leap, guidance in 'Beyond the Six Acre Standard', sets out the minimum dimensions for a LAP (10 x 10m) and LEAP (20 x 20m) and gives minimum separation distances between the nearest dwellings to a LAP and LEAP as 5m and 20m respectively.
- 8.91 The proposed open space for this application site is at least 6900 sq metres. Therefore, the proposed open space would be approximately 29% of the application site area. Within this open space area there is an area identified for a LAP and LEAP. The indicative area for the LAP and LEAP totals approximately 500 sq metres.

PRINCIPLE 6.3 of the RBWM Design Guide states:

1. Development proposals will be expected to provide high quality new open space at levels and types appropriate to their size and use type.
2. The role and function of public spaces must be clearly defined. Spaces should robustly connect with the existing network of streets and relate well to the wider context.
3. Public spaces should add to the existing blue and green infrastructure and include high levels of access to nature for people.
4. To be high quality, new public open spaces should:
 - Be based on existing local high quality landscape characteristics and appropriate in terms of character;
 - Contain generous amounts of green infrastructure, and where appropriate, blue infrastructure;
 - Be multifunctional and well connected;
 - Reduce environmental development impact;
 - Enhance biodiversity;
 - Be accessible and safe for all; and
 - Be functionally and visually attractive.

- 8.92 The proposed open space with LAP and LEAP would comply with the local plan requirements and open space standards and in particular would have good connectivity to the proposed houses and being overlooked by proposed houses would have good passive surveillance. The provision and management of open space (including trees) could be secured by an appropriate condition had the recommendation been for approval.

x Housing Mix and Affordable Housing

- 8.93 Policy HO2 of the Borough Local Plan deals with Housing Mix and Type and states amongst other things.

1. The provision of new homes should contribute to meeting the needs of current and projected households by having regard to the following principles

a. provide an appropriate mix of dwelling types and sizes, reflecting the most up to date evidence as set out in the Berkshire SHMA 2016, or successor documents. Where evidence of local circumstances/market conditions demonstrates an alternative housing mix would be more appropriate, this will be taken into account.

b. be adaptable to changing life circumstances

2. The provision of purpose built and/or specialist accommodation with care for older people will be supported in settlement locations, subject to compliance with other policy requirements.

3. Development proposals should demonstrate that housing type and mix have been taken into account and demonstrate how dwellings have been designed to be adaptable.

8.94 The 2016 Berkshire SHMA identified a need for a focus on 2 and 3 bedroom properties in the market housing sector with an emphasis on 1 bedroom units in the affordable sector. The table below shows the mix of housing recommended across the whole housing market area in the 2016 SHMA.

8.95 The policy for a mix of homes should be able to react to changing circumstances and ensure that it contributes to the mix of both the wider area as well as the development site itself. Therefore, the policy for a mix of homes does not prescribe the size of homes. Developers will be expected to have regard to the Borough-wide housing mix target set out in the 2016 SHMA (and subsequent successors) as a starting point when bringing forward proposals for individual sites.

	1 bed	2 bed	3 bed	4+ bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	35-40%	25-30%	25-30%	5-10%
All dwellings	15%	30%	35%	20%

Table 12 Housing Size Mix by tenure set out in 2016 SHMA for Eastern Berks & South Bucks HMA

8.96 The proposed scheme provides a total of 8 x 4-bedroom dwellings, 6 x 3-bedroom units, 11 x 2-bedroom units and 4 x 1 bedroom dwellings. In terms of percentages in relation to the proposed scheme, these are set out below:

27.6% of the total proposed dwellings would be 4-bedroom;

20.7% of the total proposed dwellings would be 3 bedroom;

37.9% of the total proposed units would be 2-bedroom;

13.8% of the total proposed units would be 1-bedroom.

8.97 The 2-bedroom and 3-bedroom dwellings would make up 58.6% of the total dwelling on the site. Overall it is considered that the proposed housing mix is acceptable, and in line with aims of Policy HO2.

8.98 The total number of housing units proposed for this site 29. The planning statement advises that the proposal would include 9 affordable units on site (31% of the total). The revised Affordable Accommodation Schedule (dated 16/9/2022) proposes units 21-29 inclusive as affordable units, comprising 4 x 1-bed maisonettes, 3 x 2-bed terrace houses, 1 x 3-bed semi detached house and 1 x 4-bed semi detached house. These are indicated on amended drawing 21-J3610-03 Rev A.

8.99 In terms of Policy HO3 of the adopted Borough Local Plan requires:

a) on greenfield sites providing up to 500 dwellings gross – 40% of the total number of units proposed on the site.

b) on all other sites (including over 500 dwellings) – 30% of the total number of units.

8.100 In response to the Housing Enabling Officer’s (HEO) original concerns, the applicant submitted a revised affordable dwelling mix, which is encouraging and much more acceptable. The cluster of 9 affordable homes would be in the north-east part of the site and now that a broader range of dwelling types has been clarified the HEO has suggested the tenures for each in the following table:

Dwelling Type	Plot No.	Tenure	Tenure %age
1 bed flat	21	SO	44%
1 bed flat	22	SO	
1 bed flat	23	SO	
1 bed flat	24	SO	
2 bed house	27	AR	33%
2 bed house	28	AR	
2 bed house	29	AR	
3 bed house	26	SR	22%
4 bed house	25	SR	

TOTAL 9

8.101 The tenure percentages do not match those in BLP Policy HO3, as with smaller sites there is limited flexibility to match those percentages. The important issue is that all the houses are for affordable rent and will be able to accommodate families at an affordable tenure. The 1 bed flats will accommodate singles and couples who are seeking low cost home ownership.

8.102 A legal agreement is required to secure appropriate on-site affordable housing. In the absence of such an agreement, the proposal fails to comply with policy HO3.

xi Archaeology

8.103 The Council’s Archaeological consultant has provided comments on the application. There are potential archaeological implications associated with this proposed scheme. The site lies within the Thames valley, c.350m south of the river. It therefore lies over the floodplain and gravel terraces which have been a focus of settlement, agriculture and burial from the earlier prehistoric period to the present day, as evidenced by data held on Berkshire Archaeology’s Historic Environment Record.

8.104 Adjacent to the site, to the north, there is evidence of Mesolithic or early Neolithic activity with a large collection of 54 struck flint tools found (MRW6955). North of the river at this point there is evidence of extensive Mesolithic, Neolithic and Bronze Age activity. Important prehistoric finds, such as a Late Bronze Age spear head (MRW7582 SU 93740 77160) and Neolithic Flint axes (MRW7603) have been recovered from the river, close to the application site. Cropmarks have been recorded in several fields close to the proposed site, such as a ring ditch at (MRW140) c.280m north.

8.105 Immediately adjacent, to the north of the site, a late Bronze Age mound and Iron Age ditches, pit and pottery sherds have been discovered during an evaluation. These may be interpreted as periphery activities associated to a possible settlement nearby. In addition there are two late Iron Age to Roman farmsteads c.650m northwest including enclosures, field systems and cremation burials . Oakley’s first known mention was in 1220, and surviving Medieval settlement to the south of the site includes two 15th century hall houses, (c.300m south and c.370m southeast).

8.106 As shown, the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. If

it the application was being recommended for approval, a condition would be included to ensure that the works were carried out in accordance with a written scheme of investigation.

xii Sustainable Design and Construction

8.107 Policy QP 3 of the Borough Local Plan states:

1. New development will be expected to contribute towards achieving sustainable high quality design in the Borough. A development proposal will be considered high quality design and acceptable where it achieves the following design principles:

- a. Is climate change resilient and incorporates sustainable design and construction which:
- minimises energy demand and water use
 - maximises energy efficiency; and
 - minimises waste.

Policy SP 2 Climate Change states:

1. All developments will demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change.

8.108 The Council's Interim Sustainability Position Statement (ISPS) sets out the various criteria for achieving sustainability. These include the requirement to reduce carbon emissions. If new dwellings cannot achieve carbon zero, carbon offset contributions are required and these contributions would need to be secured by way of a S106 Legal Agreement. In order to calculate the amount of contributions, the applicant would need to submit detailed calculations (SAP) which quantify the carbon emissions. Such information has not been submitted with this application and neither has a S106 been submitted. Without the necessary calculations, and a legal agreement to secure contributions towards the carbon off set fund, this forms a reason for refusal.

8.109 Other requirements in the ISPS include the provision of electric vehicle charging points, provision of high speed internet connection, 3-phase power supply and measures to minimise water consumption. These could have been secured by condition, had the recommendation been to approve.

xiii Housing land supply

8.110 The applicant's agent maintains that the that the LPA cannot demonstrate a 5 year land supply.

8.111 The Borough Local Plan was adopted in Feb 2022. The Council considers that it now has an up-to-date Development Plan. The Borough Local Plan inspector has confirmed that on adoption the Council can now demonstrate a 5-year housing land supply. This, together with the Council's re-assessment of the Housing Delivery Test in the light of the BLP adoption means therefore, that in terms of Paragraph 11(d) of the NPPF the 'tilted balance' no longer applies.

xiv Planning Balance and conclusion

8.112 The development is inappropriate development in the Green Belt, and the NPPF is clear that harm to the Green Belt should be afforded substantial weight. The NPPF sets out 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.

8.113 In terms of the fall-back position; with regard to the extant permission for agricultural buildings, for the reasons set out in paragraphs 8.18 - 8.25, this fall-back position to construct the agricultural buildings under the extant planning permission is given limited weight in the consideration of this application. It is not considered that there is a realistic prospect that the remaining agricultural buildings would be constructed, and even if they were, such buildings would not be regarded as previously developed land for the purposes of the NPPF.

- 8.114 The proposed development would provide additional housing, including affordable housing (policy compliant), within the borough. However, as the Council has a 5 year housing land supply, this would be a benefit of only limited weight.
- 8.115 The harm arising from the scheme in addition to the harm to Green Belt by reason of inappropriateness, is the impact upon the openness of the Green Belt, and the encroachment into the countryside. The other harm identified within this report, includes the loss of employment floor space; the failure of the application to ensure the safety of the residents in leaving the site in a flood event; the lack of information to ascertain if the scheme would impact upon a protected species (Great Crested Newts); the lack of information to show that the scheme can meet the sustainability requirements of the Council; and in the absence of a legal agreement, the failure to secure the provision of affordable housing and the required highway improvements.
- 8.116 Taking this into account, it is not considered that there are considerations which constitute Very Special Circumstances which out weight the harm to the Green Belt (which is afforded substantial weight), and the other harm identified.

9. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 9.1 The development is CIL liable. The applicant has submitted CIL forms to advise that the proposal would create 762 sq metres of additional floorspace.

10 CONCLUSION

- 10.1 As this report sets out, the proposed development does not comply with the relevant local planning policies and the National Planning Policy Framework. It is therefore recommended that planning permission is refused for reasons listed below.

11. APPENDICES TO THIS REPORT

Appendix A - Site location plan

Appendix B – Site layout drawings

Appendix C – Drawing S-04 0272-01A approved under application/appeal 07/03232

12. REASONS FOR REFUSAL

- 1 Given the spread of new buildings across the application site together with its layout, form and height, the proposal would have a greater impact on the openness of the Green Belt than the existing level of development. As such, the proposal represents inappropriate development in the Green Belt contrary to paragraph 149 of the National Planning Policy Framework (2021) and Policy QP5 of the adopted Borough Local Plan. Inappropriate development is by definition harmful to the Green Belt; furthermore there is not considered to be a case of very special circumstances that would clearly outweigh the harm caused by reason of inappropriateness and the other identified harm (impact on the rural character of the countryside and loss of employment use) and referred to in the reasons for refusal below.
- 2 The proposed development would not only cause actual harm to the openness of the Green Belt but would also be harmful to the character of this rural area, as it would represent encroachment in the Green Belt and the introduction of a tight grained, suburban layout would have an intrusive urbanising impact. The proposed development would therefore conflict with adopted Borough Local Plan Policies, QP1, QP3, QP5.
- 3 The current proposal would entail the loss of 3,196 sq metres of warehousing space (B8). The applicant has not provided any credible and robust evidence of an appropriate period of marketing for economic use and sufficient evidence to demonstrate that the proposals would not cause unacceptable harm to the local economy. A consideration of this proposal is the significance to the local economy of the use to be lost. The application therefore fails to comply with adopted Borough Local Plan Policy Policy ED3 3).
- 4 The applicant has failed to provide sufficient information to demonstrate to the Local Planning Authority that there would be a safe/low hazard means of escape from the application site to an area completely outside of the area liable to flood. Details required include depth and velocities of

flood waters along the entire escape route. The exact route of the means of escape also needs to be clearly identified with details of a specified destination (and address of a safe refuge). The proposal as submitted fails to comply with adopted Borough Local Plan policy NR1.

5 No legal agreement has been provided to secure satisfactory housing provision and a financial contribution. The proposal therefore fails to provide the necessary affordable housing to meet the needs of the local area and is contrary to Policy HO3 of the Borough Local Plan

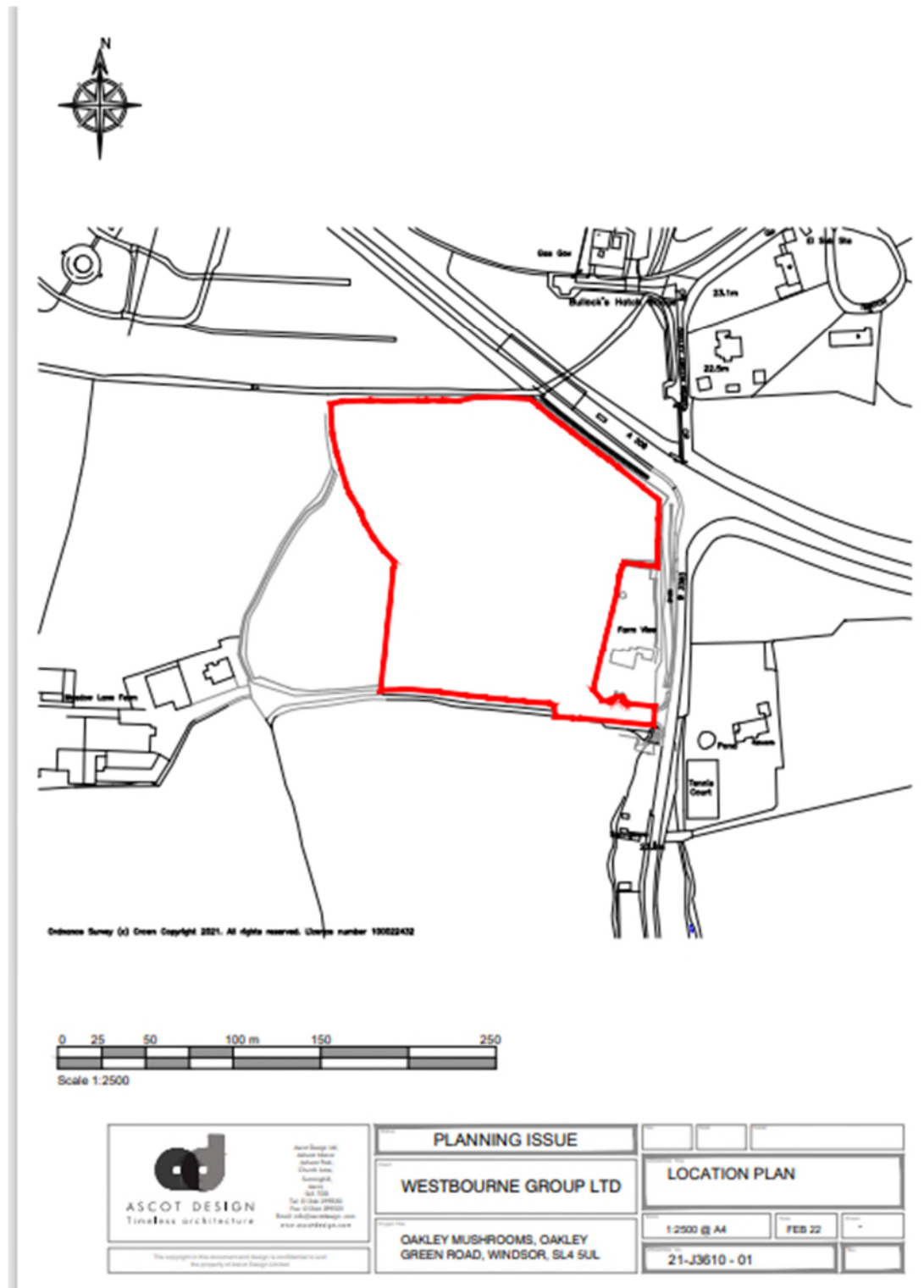
6 No information has been provided to ensure that the proposed development would reduce carbon emissions nor any legal agreement has been provided to secure the carbon offset contribution for the scheme to offset the impact of the proposal. The proposal is therefore contrary to policy SP2 of the Borough Local Plan.

7 The necessary highway and pedestrian improvement works have not been secured as part of this application. The proposed development would therefore be contrary to Borough Local Plan policy IF2 as it would not improve accessibility to the site and sustainable modes of transport.

8 The proposals are very likely to affect Great Crested Newts. The applicant has not submitted any form of survey work, certification from NatureSpace, or site-specific licence from Natural England or satisfactorily demonstrated that there would be no harm to Great Crested Newts and their habitat. The proposal is therefore contrary to Borough Local Plan Policy NR2.

APPENDIX A

Location Plan



APPENDIX B Proposed site plan



APPENDIX B Proposed site plan



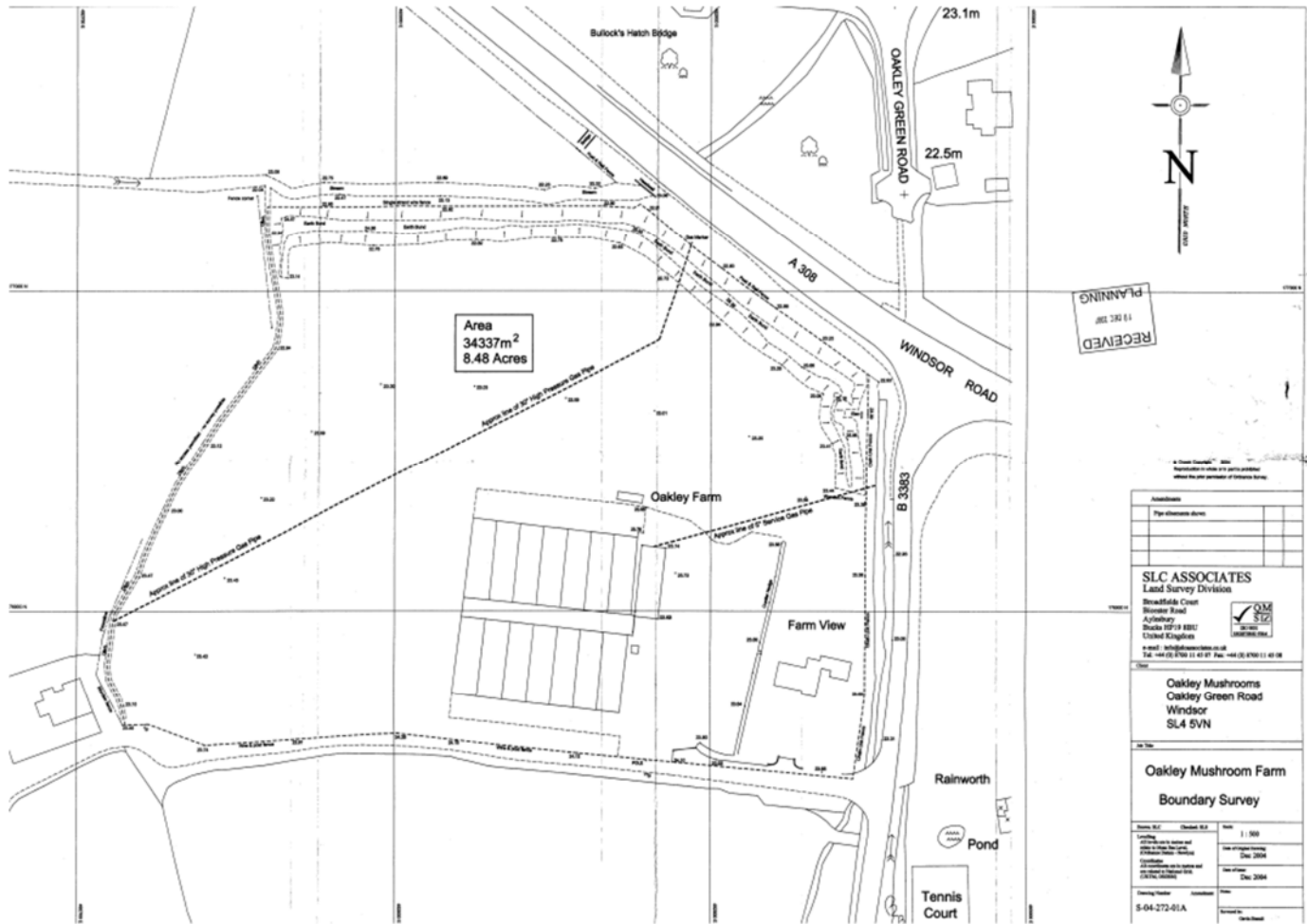
APPENDIX B

Proposed street scenes



Appendix C

Plan -S-04 02727-01 A : Approved Plan for 07/03232/FULL



Appendix C

The plan below is the LPA's interpretation of the extent of the B8 Curtilage – and delineated by the LPA with the solid line.



16 November 2022

Item: 3

Application No.:	22/01878/REM
Location:	Grove Park Industrial Estate Waltham Road White Waltham Maidenhead SL6 3LW
Proposal:	Reserved matters (appearance and landscaping) pursuant to outline planning permission 18/03348/OUT for outline application for access, layout and scale only to be considered at this stage with all other matters to be reserved for the erection of up to x79 dwellings and erection of a nursery building (D1) following demolition of a number of existing buildings.
Applicant:	Sorbon Estates Ltd
Agent:	Mrs Rosalind Gall
Parish/Ward:	White Waltham Parish/Hurley And Walthams
If you have a question about this report, please contact: James Overall on or at james.overall@rbwm.gov.uk	

1. SUMMARY

- 1.1 Outline permission was granted in February 2021 (ref: 18/03348/OUT) for the erection of up to x79 dwellings and erection of a replacement nursery building (D1) following demolition of a number of existing buildings at Grove Park Industrial Estate, White Waltham. The outline permission considered access, layout and scale only, with all other elements to be considered at reserved matters stage.
- 1.2 The current application seeks permission for those details reserved by the outline permission, namely the appearance and landscaping for 79 residential units and 1 nursery building, on the site of the existing industrial park.
- 1.3 The assessment of this reserved matters application cannot seek to alter those matters which have been approved or deviate materially beyond the approved parameters at outline stage. Scale was approved at the outline stage and the number of residential units granted is 79 with the upper heights of the development having been set by the approved parameter plans and cannot alter materially from these approved drawings. Likewise, access and layout have also been approved at the outline stage and cannot alter materially from the approved drawings. The parcels of land within which the 2 storey and 2.5 storey dwellinghouses will be positioned has also been approved.
- 1.4 This reserved matters application therefore is bound considerably by matters already approved (scale, layout and access) and the accompanying parameter plans. This assessment must therefore focus on whether the details of appearance and landscaping are acceptable.
- 1.5 It is considered that the appearance of the development is acceptable as it is of a high-quality design which would not have a detrimental impact upon the character of the surrounding area, and thus is in accordance the relevant adopted plan and neighbourhood plan policies.
- 1.6 The proposed hard and soft landscaping of the site is also of high quality and would enhance the environment and amenity of the site for future residents whilst also ensuring that the development sits well within the established landscape character of the area.
- 1.7 The proposal would comply with the terms of the Interim Sustainability Position Statement resulting in a 61.04% reduction in carbon emissions, with the applicant also willing to submit a Unilateral Undertaking securing a carbon off-set payment and lifestyle contribution totalling £108,398. This money is to be spent on energy saving and carbon reduction initiatives throughout the Borough which would help achieve the aims of the Council's Corporate Strategy at this time of a Climate Emergency.

It is recommended the Committee authorises the Head of Planning:

1.	To grant planning permission on the satisfactory completion of an undertaking to secure a contribution to the Council's Carbon Offset Fund and with the conditions listed in Section 15 of this report.
2.	To refuse planning permission if an undertaking to secure a contribution to the Council's Carbon Offset Fund, has not been satisfactorily completed as the proposal would fail to meet the terms of the Council's Interim Sustainability Position Statement and Borough Local Plan policy SP2

2. REASON FOR COMMITTEE DETERMINATION

- Given the determination of the original outline application by committee and the scale of the development, the Head of Planning considers this application should be referred to the Maidenhead Development Management Committee.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises of Grove Park Industrial Estate, which lies to the north-east of the settlement boundary of White Waltham as identified in the Hurley and the Walthams Neighbourhood Plan, excluding Grove House, which lies in the south-western corner of the estate and the three large commercial buildings on the eastern side of the estate.
- 3.2 Access is via Waltham Road, which runs parallel to the southern boundary of the site. There are three two-storey buildings to the south of the site near the entrance of the park (Beechwood, Oakwood and Ashwood House) and two 2-storey buildings in the north-east corner of the site (Maple Court and Cedar Court) with the remaining buildings comprising of single storey buildings sited perpendicular or parallel to the internal access road. There are areas of soft landscaping with trees and parking, which intercept the buildings. The buildings are predominately in industrial use (E(g), B2 and B8); however, there is a nursery sited towards the centre of the site.
- 3.3 The site originally formed part of White Waltham Airfield, which was used by the RAF during World War 2. Maple and Cedar Court were originally built as dormitories in conjunction with the original Airfield use, and some of the single storey buildings also remain as constructed by the RAF. The other single storey buildings, along with Beechwood, Oakwood and Ashwood House are purpose-built brick buildings.
- 3.4 To the west and north of the site are agricultural fields, while to the east of the site is a yard for Carters Steam Fayre with agriculture beyond. White Waltham Airfield lies to the north-east. To the south is more agricultural land and Bury Court and St. Mary's Church. Whilst Waltham lies to the south-west.

4. KEY CONSTRAINTS

- 4.1 The site lies entirely within the Metropolitan Green Belt. It is also designated as contaminated land with a historic landfill to the west (Cherry Garden, White Waltham). Within the site lie several trees along the northern, southern, western and eastern boundaries and within the site, which are protected by Tree Preservation orders. To the south-east of the site, on the opposite side of White Waltham is St. Mary's Church and Bury Court Conservation Area.

5. THE PROPOSAL

- 5.1 Permission is sought for the reserved matters of appearance and landscaping for the redevelopment of the existing industrial estate to provide 79 dwellings (in the form of detached, semi-detached and terraced houses) and 1 replacement nursery building.
- 5.2 The mix of accommodation is set out below:

2-bedroom houses	23
3-bedroom houses	40
4-bedroom houses	14
5-bedroom houses	2
Total	79

- 5.3 Two principal areas of open space, one of which includes a play area, would be provided. These are both situated in the south-west of the site. Green buffer open space is also proposed throughout the site.
- 5.4 The scale, access and layout of the scheme are matters approved under the outline permission ref: 18/03348/OUT.
- 5.5 The proposed buildings will use a variety of materials, with the predominant ones being red or yellow brickwork for the walls, white framed UPVc windows, and anthracite or brown roof tiles. Parts of elevations will use white painted render or tile hanging as an occasional feature material. In addition to utilising a variety of materials, a number of different features will be used to create identity, including: chimneys, open porches, brick banding, window arches and projecting bay windows. Roofs will predominantly be hipped with deep overhanging gables and eaves.
- 5.6 The proposed hard landscaping involves a number of different materials, colours and styles. For instance, parking bays and driveways are proposed to be constructed with:
- 1 Marshalls Keyblock (Natural) in a staggered pattern
 - 2 Marshalls Keyblock (Charcoal) in a staggered pattern
 - 3 Marshalls Keyblock (Burnt Ochre) in a staggered pattern
 - 4 Marshalls Tegula (Harvest) in a staggered pattern
- Whereas pathways and roads are to be constructed with either asphalt or self-binding gravel.
- 5.7 In terms of soft landscaping, the development proposes to introduce a large amount of vegetation, with thousands of shrubs and hedges from a wide variety of species, as well as planting 129 individual trees of 39 different species. The three species of tree with the most amount of planting are:
- Acer campestre 'Streetwise' (Field Maple)
 - Malus hupehensis (Chinese Crab Apple)
 - Prunus avium 'Plena' (Wild Cherry Blossom - white)
- These three species will make up one third of the newly planted trees.
- 5.8 There are two small differences to the Outline permission – that of the garage/dwellinghouse position shift within plot 25, and the ridge height reduction for a number of 2-storey dwellings to below that of the of previously agreed parameter plans. From a legal standpoint, as to whether the aforementioned alterations to the scheme result in the submission of reserved matters not being 'substantially in accordance' with the Design Strategy and parameter plans; there is no statutory threshold for when something is deemed to be substantially in accordance, and thus it is down to the judgement of the decision maker. Given that only two minor matters have been altered from the outline permission, and all other matters remain the same/in accordance with the approved details, when considering the scale of the development and when the scheme is viewed as a whole, the details of reserved matters are considered to be substantially in accordance with the design strategy and approved parameter plans.

6. RELEVANT PLANNING HISTORY

- 6.1 There is extensive planning history relating to existing buildings and advertisement consent. The following planning history relates to redevelopment within the site:

Reference	Description	Decision
22/02241/CONDIT	Details required by Condition 6 (Sample/Specification Of Hardsurfacing); Condition 13 (Cycle Parking) and Condition 17 (Surface Water Drainage Scheme) of	Pending Consideration

	planning permission 18/03348/OUT.	
22/02240/CONDIT	Details required by Condition 7 (Slab Levels), Condition 8 (Lighting), Condition 10 (CEMP), Condition 12 (Tree Protection), Condition 22 (Construction), Condition 24 (CEMP Construction) of Planning Permission 18/03348/OUT.	Pending Consideration
22/02239/CONDIT	Details required by Condition 4 (Materials), Condition 5 (Means of Enclosure), Condition 9 (Ecology), Condition 14 (Play Area) and Condition 15 (LEAP) of Planning Permission 18/03348/OUT.	Pending Consideration
18/03348/OUT	Outline application for access, layout and scale only to be considered at this stage with all other matters to be reserved for the erection of up to x79 dwellings and erection of a nursery building (D1) following demolition of a number of existing buildings.	Application Approved 15 th Feb-21
13/01648/FULL	Change of use of Unit 5 from B1 (business) to D1 (nursery) as an extension to day nursery at units 3a, 3b and 4	Application Approved 12 th Nov-13
10/02841/FULL	Change of use of Unit 3a from B1 (business) to B1 (nursery)	Application Approved 26 th Jan-11
09/01007/FULL	Change of use of Unit 3b and 4 from B1 (business) to B1 (nursery)	Application Approved 21 st Jul-09
08/03081/FULL	Change of use of Unit 19 from B1 (business) to D1 (nursery/creche)	Application Approved 17 th Feb-09
04/41593/FULL	Demolition of Units 1 to 6, 24 and 25, and erection of 6 new office buildings plus shower and locker building	Application Approved 6 th Aug-04
00/35838/FULL	3 No. 2-storey office buildings with associated car parking (Amendment to planning approval 97/32002)	Application Approved 16 th Nov-00
99/34098/FULL	Estate Road Extension and Revised Parking Layout	Application Approved 5 th Apr-00
97/32002/FULL	2 No. 2-storey office buildings and associated car parking	Application Approved 5 th Nov-98
90/01573/FULL	Change of use of existing development from use class 3 to B1, Units 1-7, 18, 19, 21-24 and 26	Application Approved 19 th Feb-91

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan (2013-2033)

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2

Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Housing Development Sites	HO1
Housing Mix and Type	HO2
Affordable Housing	HO3
Employment Land	ED2
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Contaminated Land and Water	EP5
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Open Space	IF4
Community Use	IF6
Utilities	IF7
Protected Employment Sites	ED2

Adopted Hurley and the Waltham's Neighbourhood Plan (2015-2030)

Issue	Neighbourhood Plan Policy
Sustainable Development	ENV1
Climate Change, Flood and Water Management	ENV2
Housing Development	WW1
Community Facilities	Gen 5
Character and Appearance, including Special Character	Gen 2
Highways and Parking	T1

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

- Chapter 2: Achieving sustainable development
- Chapter 4: Decision making
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 6: Building a strong, competitive economy
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting Sustainable Transport

- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 13: Protecting Green Belt land
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Chapter 16: Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- 8.56 RBWM Landscape Assessment
- 8.57 RBWM Parking Strategy
- 8.58 Affordable Housing Planning Guidance
- 8.59 Interim Sustainability Position Statement
- 8.60 Corporate Strategy
- 8.61 Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

114 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 12th August 2022 and the application was advertised in the Local Press on 28th July 2022.

1 letter was received neither objecting nor supporting the application. The comments simply requested a couple of elements to be taken into consideration and can be summarised as follows:

Comment		Where in the report this is considered
1.	Please ensure provision for hedgehogs i.e. no fences to the ground, in order to allow easy transit through the site.	Section x
2.	Please consider the road entrance and exit as this is a relatively busy road	Section vii

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	Further information is required in order to overcome concerns raised. Without this information, we recommend that application 22/01878/REM is not approved at present.	Section x

Consultee responses

Consultee	Comment	Where in the report this is considered
Conservation Design Officer /	No built heritage implications. Therefore, no comments in this instance.	Section vi
Highways	No comments.	Section vii

Thames Water	No comments.	
Berkshire Archaeology	The application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. It is therefore recommended that a condition is applied, should permission be granted, in order to mitigate the impacts of development.	Sectionvi
Housing	<p>The number of 4 affordable homes complies with the S106.</p> <p>The dwelling types of 3x 3-bed houses and 1x 2-bed house are larger than suggested in the S106 however this is welcomed as they will accommodate larger families. The Affordable Rent tenure is acceptable.</p> <p>Plot 66 – the 2-bed house is shown as GIA 99.2m2 which is the same size as the 3-bed and larger than some of the market 2-bed houses. Nevertheless, the generous floor area is acceptable.</p> <p>The Affordable Housing Land Plan in the S106 shows the 4 affordable dwellings in the same location as the current proposal.</p>	Section iii
Environment Agency	No comment, please see any comments provide at outline stage (none received).	

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of development
- ii Appearance
- iii Landscaping
- iv Climate Change and Sustainability
- v Affordable Housing
- vi Housing Provision and Quality
- vii Impact on heritage assets
- viii Parking and Highways Impacts
- ix Impact on neighbouring amenity
- x Provision of suitable residential environment
- xi Environmental Considerations
- xii Other material considerations

9. Principle of Development

Principle of development

- 10.2 The principle of the development was considered at the outline stage. Being in the Green Belt, it was considered that the proposal would fall within the exemption, 'redevelopment of previously developed land' and would not have a greater impact on openness than the existing development. The proposal is therefore considered to represent appropriate development in the Green Belt. The principle of the development to replace the existing industrial estate was accepted and permission was granted for the scale, access and layout of the development, along with parameter plans depicting the scale, height and land use of each parcel of land within the site. Whilst the site remains in the Green Belt, it forms part of an adopted site allocation (WW 1) of the Neighbourhood Plan, and there can be no objection to the principle of the development, given this has already been established under the Outline permission.
- 10.3 Neighbourhood Plan Policy WW1 of the Neighbourhood Plan sets out a number of recommendations/ requirements for the redevelopment of this site, which are:
- the majority of dwellings comprising smaller 2 and 3-bedroom houses of no more than two storeys in height;
 - providing for a range of housing, including dwellings for downsizers and first-time buyers;
 - having a positive impact on local character; and
 - ensuring safe and secure access onto Waltham Road.
- 10.4 Some of these requirements have already been met by the approved Outline permission. The remainder will be addressed in the following sections of this report.

Approved Matters

- 10.5 The approved parameters under the outline consent depict the layout of the residential development within the plot including parcels of land for housing of either 2 storeys or 2.5 storeys, areas of open space and a replacement nursery building. The external accesses onto Waltham Road have also been approved. The Outline permission also considered scale/height of the development and approved a series of parameters plans in relation to this. The matters of scale, layout and access are fixed, and the maximum parameters agreed cannot be amended at this reserved matters stage.
- 10.6 Scale has been determined by approved parameter plans. These consist of:
1. 1115/C104D (Coloured Street Elevation)
 2. 1115/C103F (Parameter Plan)
- 10.7 Plan 1115/C103F (Parameter Plan) indicates the location/layout of each building in relation to the number of storeys proposed. This consists of 2 and 2.5 storey dwellinghouses across the whole site, with the 2.5 storey dwellings located on either side of an avenue.
- a. Plan 1115/C104D (Coloured Street Elevation) indicates the proposed minimum and maximum heights for all the building types across the site. The 2 storey dwellinghouses are to have maximum height falling within the parameters of 10m and 10.5m; whilst the 2.5 storey dwellinghouses are to have a maximum height falling within the parameters of 10m and 12m. The nursery building whilst being single storey, is shown to have a maximum *ridge* height between 9m and 10.5m.
- b. Harm usually worsens as bulk and scale of development increases and therefore, whilst minimum parameters have been agreed, it is considered that these are not fixed, as the purpose of agreeing parameters is to ensure the development does not have a detrimental impact upon factors surrounding the site.
- c.
- d. In the originally submitted plans under this reserved matters application, all of the dwellings (the two and two and a half storey) were of a similar height; however, a lower minimum ridge height has been negotiated by the planning officer as it was deemed important for there to be some

variation in ridge heights across the site, especially between the 2 and 2.5 storey properties. As per paragraph 10.9, this reduction in ridge height for some of the properties is not deemed to be detrimental, and as such is considered to remain within the remits of those matters agreed at Outline stage.

Access

- 10.11 External access to the site has been approved, with one new access point being created off Waltham Road, approximately 48m west of the existing site access. The purpose of this new access road is to provide an access solely for the residential properties, whilst the existing access will be used by the retained offices and the replacement nursery. The current reserved matters application does not seek to alter the approved external access.
- 10.12 The internal road layout tries to use some of the existing roads. It allows for good connectivity within the site and is set by the approved plans. The Highways Authority reviewed this at Outline stage and confirmed that they had no objections. This internal road layout is unchanged from the Outline permission, albeit the current application includes details of the design and appearance of these roads/accesses, including materials.

Layout

- 10.13 The layout only has a minor change from the outline permission, which sees plot 25 being adjusted slightly to relocate the garage to the west side of the plot, thereby relocating the dwelling to east side. As this change is minor and not deemed to be detrimental, it is considered to still fall under matters agreed at Outline stage.

Reserved Matters

- 10.14 The consideration of the final matters of detailed appearance and landscaping must be viewed in the context of the approved matters and parameter plans agreed at Outline stage. It is not for the Local Planning Authority to now be able to seek variations at odds with those matters previous agreed and approved. This assessment must therefore focus on the reserved matters of appearance and landscaping.

i. Appearance

- 10.15 Policy QP3 of the BLP expects all new development to contribute to achieving sustainable high-quality design in the Borough by following a number of design principles, including respecting and enhancing the local character of the environment. Policy Gen 2 of the Neighbourhood Plan states that new development should reflect the architectural and historic character and scale of the buildings and landscape of the respective Parishes by using materials which reflect those used within the surrounding area.
- 10.16 The proposed scheme has been designed in a way, which uses similar and established materials, details and feature to those used within the surrounding locality. The proposed dwellings will have a vernacular feel, with an added contemporary touch.
- 10.17 The proposed buildings have been designed using a limited palette of materials which reflect the existing surrounding context, although utilising modern materials and building techniques. This is considered to create a sense of place and is thus looked upon favourably.
- 10.18 The predominant materials will consist of red or yellow brickwork for the walls, white framed windows, and anthracite or brown roof tiles. Parts of elevations will use white painted render or tile hanging as an occasional feature material.
- 10.19 Features will include chimneys, open porches, brick banding, window arches and projecting bay windows. Roofs will predominantly be hipped with deep overhanging gables and eaves.
- 10.20 As per paragraph 10.10, within the originally submitted plans under this reserved matters application, all of the dwellings (the two and two and a half storey) were of a similar height;

however, a lower minimum ridge height has been negotiated by the planning officer as it was deemed important for there to be some variation in ridge heights across the site, especially between the 2 and 2.5 storey properties. Consequently resulting in 37 dwellinghouses reducing their ridge (and eaves) heights by between 0.197-0.874m; which is considered to have improved design and external appearance across the site. Overall the proposed scheme is considered to result in a high quality appearance which complies with the relevant BLP and neighbourhood plan policies.

ii. Landscaping

10.21 Policy QP3 states that a development proposal will be considered high quality design and acceptable where it provides high quality soft and hard landscaping.

10.22 There are few significant landscape features within the existing site – the site being overwhelmed predominantly by buildings and hard-surfacing. The most significant existing landscape feature is an avenue, with trees either side, which is to be retained.

10.23 The landscape strategy for the proposed development is in accordance with the Outline application as follows:

1. The retention, protection and enhancement of the mature trees and tree groups on the boundaries of the site to provide appropriate buffers between the proposed development and adjacent properties;
2. The retention and protection of as many of the TPO trees as possible. Extra heavy standard replacement trees will be provided along the site frontage where necessary;
3. The retention and enhancement of the hedgerows and trees along the boundaries of the application site to “contain” the effects of the proposed development and to provide an appropriate buffer between the development and the landscape around the site;
4. The provision of a scheme of tree, hedgerow, shrub and woodland planting within and along the boundaries of the application site to assist in the integration of the proposed development in its landscape setting on the edge of White Waltham;
5. The use of hard and soft landscape features within the development which complement the architectural forms and which reflect the character and appearance of the townscape within White Waltham; and
6. The planting palette for the landscape scheme includes locally indigenous species of trees and shrubs.

10.24 New tree planting is a key element of the scheme with street tree planting and frontage planting to the dwellings creating a green character to the streets. Larger tree planting around the open space areas further reinforces the green character to be achieved across the development. The amount of landscaping will be a significant improvement on the existing, providing both a high-quality environment for new residents and a soft edge to the new built development within the site.

10.25 The development proposes to introduce a large amount of vegetation, with thousands of shrubs and hedges from a wide variety of species, as well as planting 129 individual trees of 39 different species. The three species of tree with the most amount of planting are:

- *Acer campestre* 'Streetwise' (Field Maple)
- *Malus hupehensis* (Chinese Crab Apple)
- *Prunus avium* 'Plena' (Wild Cherry Blossom - white)

These three species will make up one third of the newly planted trees.

10.26 Application 22/02239/CONDIT is currently seeking the discharge of some conditions, including No. 9, which relates to biodiversity enhancements. Under this discharge of condition application, a Biodiversity Enhancement Plan (Ethos Environmental Planning, June 2022) was submitted,

which details the native planting, which will be provided as part of the landscaping including native hedgerows, trees and shrubs (some of which is detailed in paragraph 10.25 (above)). Further to this, the report also provides the types and locations of bird and bat boxes/tubes and log piles. The specifications and locations of the hedgehog access points in the fences are also detailed within the report. Whilst this is covered by the previously imposed condition, it is noted that the scheme does propose native and wildlife friendly landscaping, which is looked upon favourably.

10.27 In terms of hard landscaping, various materials are proposed to help break up any massing the development site may have, which ultimately develops a sense of place. This is further assisted by the placement of vehicular speed ramps, which form the entrance to various stretches of dwellinghouses. The roads and pavements within the site have been designed to appear subservient to the green landscaped areas with use of good quality materials.

10.28 The proposal includes a play area, which is currently under review through previously applied conditions (14 & 15). This is to be located within the open space closest the entrance to the residential area of the site. This play area proposes to include:

- 9 Nest swing
- 10 Seesaw
- 11 Roundabout
- 12 Multi-use Unit

This use of the land is looked upon favourably from a landscaping perspective, as it provides a large sense of place, and provides amenities for local residents, adding to the high-quality landscaping within the site. Overall the scheme is considered to proposed high quality soft and hard landscaping which complies with the relevant BLP and neighbourhood plan policies.

Trees

10.29 Policy NR3 of the states that proposals should seek to protect and retain trees, woodlands and hedgerows; and where harm is unavoidable, mitigation and enhancement measures should be imposed. In line with this Policy, the application has been accompanied by the relevant Tree information including a full survey, constraints plan and details of tree protection and method statement. The proposal involves the planting of a significant number of trees across the site, as well as ornamental and native shrubs and hedges. No objections are raised in relation to trees and adequate protection can be secured for those trees and important landscaping features which are to be retained. Tree protection conditions have already been secured on the Outline permission (21, 22, 23 and 24). This is considered to be adequately covered.

iii. Climate Change and Sustainability

10.30 The Council's Interim Sustainability Position Statement (ISPS) and Policies SP2 and QP3 of the Borough Local Plan require developments to be designed to incorporate measures to adapt to and mitigate climate change. This is reflective of the Council's Climate Change Emergency and Corporate Strategy aims and initiatives.

10.31 The ISPS requires all development proposals (with the exception of householder residential extensions and non-residential development with a floorspace below 100sqm) to make the fullest contribution to minimising carbon dioxide emissions. These developments should be net-zero carbon and should be accompanied by a detailed energy assessment and a completed Carbon Reporting Spreadsheet to demonstrate how the net-zero target will be met. Where the net-zero carbon outcome cannot be achieved on-site due to feasibility issues, any shortfall should be provided through a cash in lieu contribution to the Boroughs Carbon Offset Fund, which will be ring fenced to secure delivery of greenhouse gas reductions elsewhere in the Borough. This offset is required unless it is demonstrated that this would undermine the viability of the development. Major development proposals should further seek to reduce potential overheating and reliance on air-conditioning systems and demonstrate this.

10.32 The proposed development of 79 dwellings incorporates the following sustainability measures in accordance with the ISPS:

- c) A reduction in Carbon Dioxide Emissions of 61.04% site wide against Part L of the Building Regulations Baseline, achieved by air source heat pumps for all homes and nursery and a total of 84 PV panels with 4 panels on each of 21 houses
- d) Restriction of water usage to 105 litres per person per day
- e) Introduction of high-speed internet capabilities to all units
- f) Provision of active electric vehicle charging points to 20% of the parking spaces plus the remaining 80% designed with passive charging points
- g) This comes with a carbon off-set contribution of £108,398 for the carbon off-set fund which will be secured via a unilateral undertaking.

10.33 A condition will be attached to the permission to ensure that the developer will be bound by the recommendations of the sustainability statement (**condition 1**). In addition, a legal agreement will be secured to obtain the financial contribution for the carbon off-set fund and lifestyle contribution.

iv. Affordable Housing

10.34 A viability appraisal submitted with the outline application, concluded that a policy compliant level of affordable housing would not be viable, primarily due to a significant issue surrounding the BLV (benchmark land value) and the increase of build costs.

10.35 The matter of affordable housing is not to be re-visited or altered as part of this reserved matters application; however, it should be noted that a S106 legal agreement has been signed by both parties, allowing for four 2-bed units (plots 64-67) to be provided as Affordable Housing. No more than 20 market homes are allowed to be occupied until these affordable homes have been provided; and no more than 50% of the market homes are allowed to be occupied until the freehold ownerships of the affordable units have been transferred/granted to the Owner's preferred Registered Provider or other Registered Provider approved in writing by the Council.

10.36 Whilst the S106 only requires 2-bed units to be affordable, it is noted that the proposal will provide three 3-bed units and one 2-bed unit. Furthermore, the 2-bed has a generous floorspace as par with some 3-beds and greater than some of the market 2-bed dwellings. This is looked upon favourably and compliments the scheme, as it allows for larger families within the affordable units to be affordable.

v. Housing

Housing type and mix

10.37 BLP policy HO2 (Housing Mix and Type) sets out that development proposals should provide an appropriate mix of dwelling types and sizes, reflecting the most up to date evidence as set out in the most recent Berkshire SHMA, which in this case in 2016.

10.38 The Housing Size Mix by tenure set out in the 2016 SHMA for Eastern Berks and South Bucks HMA is as follows:

	1-bed	2-bed	3-bed	4+ bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	35-40%	25-30%	25-30%	5-10%
All dwellings	15%	30%	35%	20%

10.39 The proposed housing mix is set out below:

2-bedroom houses	23	29.114%
3-bedroom houses	40	50.633%
4-bedroom houses	14	17.721%
5-bedroom houses	2	2.532%
Total	79	100%

- 10.40 The majority of the units are 3-bedroom and therefore meets the recommendations of the SHMA, which identifies a shortfall of 3-bed units across the Borough. Whilst there is a lower number of 4-bedroom units than recommended, not every individual development proposal is required to meet the recommendations of the SHMA. In providing 40 3-bedroom units, this development proposal is addressing a recognised shortfall in housing size within the Borough. In particular, given there are not any 1-bed units, and none of the units are flats/apartments, the provision of 79.747% of the dwellings as 2/3-bedroom units allows for the scheme to focus on smaller family housing, which is looked upon favourably.
- 10.41 It should further be noted that allocation WW 1 within HWNP requires the majority of dwellings to comprise of smaller 2 and 3-bedroom houses. In addition, condition 25 of the outline planning permission stipulated that the reserved matters shall consist of 23 x 2-bed, 40 x 3-bed, 14 x 4-bed and 2 x 5-bed houses, for the reason to ensure that a satisfactory housing mix was provided.
- 10.42 All dwellings would comply with the nationally described spaces standards and a condition will be applied to ensure 30% of units to comply with the higher accessibility standards of Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations and 5% achieving Requirement M4(3) (Wheelchair user dwellings) for the purpose of ensuring compliance with policy HO2 of the BLP. These measures will be secured in perpetuity by **condition 2**, and the applicant has confirmed they are happy to, and able to meet this.

vi. Impact on heritage assets

St Mary's Church and Bury Court Conservation Area

- 10.43 The site is adjacent to St Mary's Church and Bury Court Conservation Area which lies to the south-east on the opposite side of Waltham Road. In relation to its special character, the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Local Plan policy HE1 requires new development to preserve or preserve the character of the historic environment, which includes conservation areas and their settings.
- 10.44 The relevant Conservation Area Appraisal identifies that trees and vegetation on the southern boundary of Grove Park adjacent to Waltham Road, as shown on the Map of Main Features of Conservation Area within the appraisal, to be important in screening this area from the Conservation Area. The proposal would not alter the identified section of screening and would thereby preserve the setting and character of the conservation area in this respect. This is the same conclusion reached during the Outline application.

vii. Highway considerations, sustainable transport and parking provision

- 10.45 Parking provision was considered under the Outline application, in terms of layout. The number of spaces has not changed at reserved matters stage, and highways have no further comments to make. Highway conditions formed part of the Outline permission.

viii. Impact on neighbouring amenity

- 10.46 The impacts of the proposed development were considered as part of the Outline application and the proposal was considered to be acceptable in that regard. The proposed details of appearance and landscaping would not result in any additional harmful impacts to surrounding businesses or properties. The proposed scheme is therefore considered to comply with the relevant BLP and neighbourhood plan policies.

ix. Provision of suitable residential environment

- 10.47 A key consideration is looking to ensure that the proposed residential development will provide a suitable standard of residential accommodation for new occupiers both in terms of indoor and outdoor living space.

Impact on future occupiers of the development

- 10.48 As stated in the Housing section of this report at 10.42, all the dwellings have been designed to meet the Nationally Described Space standards and thus would accord with policy HO2 and the Borough Wide Design Guide SPD in this respect.
- 10.49 The spacing distances are not unreasonable for a development of this character. It is therefore considered that any potential harm would be minimal and therefore cannot be considered detrimental. A condition is recommended (condition 3) to ensure that two, first floor side facing windows serving WC's have obscured glazing and are of a fixed, non-opening design below 1.7m from the internal floor level.

Amenity Space

- 10.50 Each dwellinghouse has been designed with a suitably sized garden area to meet the requirements of the Borough Wide Design Guide SPD.

x. Environmental Considerations

Ecology

- 10.51 Paragraph 174 of the NPPF states new development should minimise impacts on and provide net gains for biodiversity. Similarly, policy NR2 in the BLP outlines that development proposals are expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites. Policy ENV 1 of the Neighbourhood Plan requires development proposals to maintain and enhance biodiversity. The submitted landscape plan notes public boundary treatments as "timber post and rail chestnut pale fencing, metal railings and self-closing gates". These types of boundary treatment are usually good at allowing wildlife, such as hedgehogs, to pass through gaps. Furthermore, conditions have already been imposed under the Outline permission relating to a CEMP (condition 10) and biodiversity enhancements (condition 9). As such, this is considered to be adequately covered.

Flooding and Sustainable Drainage

- 10.52 The LLFA have commented on the proposal, stating that further information is required to demonstrate that no increased level difference in surface water impact will occur as a result of the development.
- 10.53 It is however noted that under the original Outline application (18/03348/OUT), the LLFA's comments state, "*all concerns have now been resolved*" in relation to their previous comments surrounding increased level difference in surface water impact. As such, a condition (17) was imposed on the outline permission to secure an appropriate surface water drainage scheme. This is one of the conditions currently under review as part of the discharge of conditions applications.
- 10.54 The matter of sustainable drainage was considered at the outline stage and cannot be considered under this reserved matters application. Details of the sustainable drainage have been submitted under the discharge of condition application ref. 22/02241/CONDIT (currently under consideration at the time of writing), which the LLFA have been consulted upon.

xi. Other Material Considerations

Section 106 contributions

10.55 As part of the Outline planning application a legal agreement was secured between Sorbon Estates Limited, Sorbon Investments Limited and RBWM. This legal agreement 4 units of affordable housing, which are noted as plots 64-67.

10.56 Finally, in addition to that already agreed, the current application is subject to a Unilateral Undertaking for a £108,398 contribution towards the Council's carbon off-set fund.

Housing Land Supply

10.57 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.*

10.58 Footnote 8 of the NPPF (2021) clarifies that:

'This includes, 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, as set out in paragraph 74)' or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

10.59 The Borough Local Plan has now been adopted and the Council can demonstrate a 5-year housing land supply (for avoidance of doubt this is due to the BLP which demonstrates 5-years of deliverable sites and through meeting the Housing Delivery Test following the adoption of the new plan).

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development is CIL liable. The final CIL payment will be calculated and agreed on the commencement of development. Based on current calculations it is anticipated to be in the region of £1.4 million which will contribute towards the delivery of identified infrastructure within the Borough.

12 CONCLUSION

12.1 The application is for the approval of reserved matters relating to the appearance and the landscaping of the development only. The principle, scale, layout and access of the development are matters which have been formally approved under the original Outline permission for a comprehensive development of the Grove Park Industrial Estate.

12.2 The proposed scheme is considered to be of high-quality, complying with all relevant policies and planning permission should be forthcoming, subject to conditions and the unilateral undertaking to secure a contribution towards the Council's carbon off-set fund.

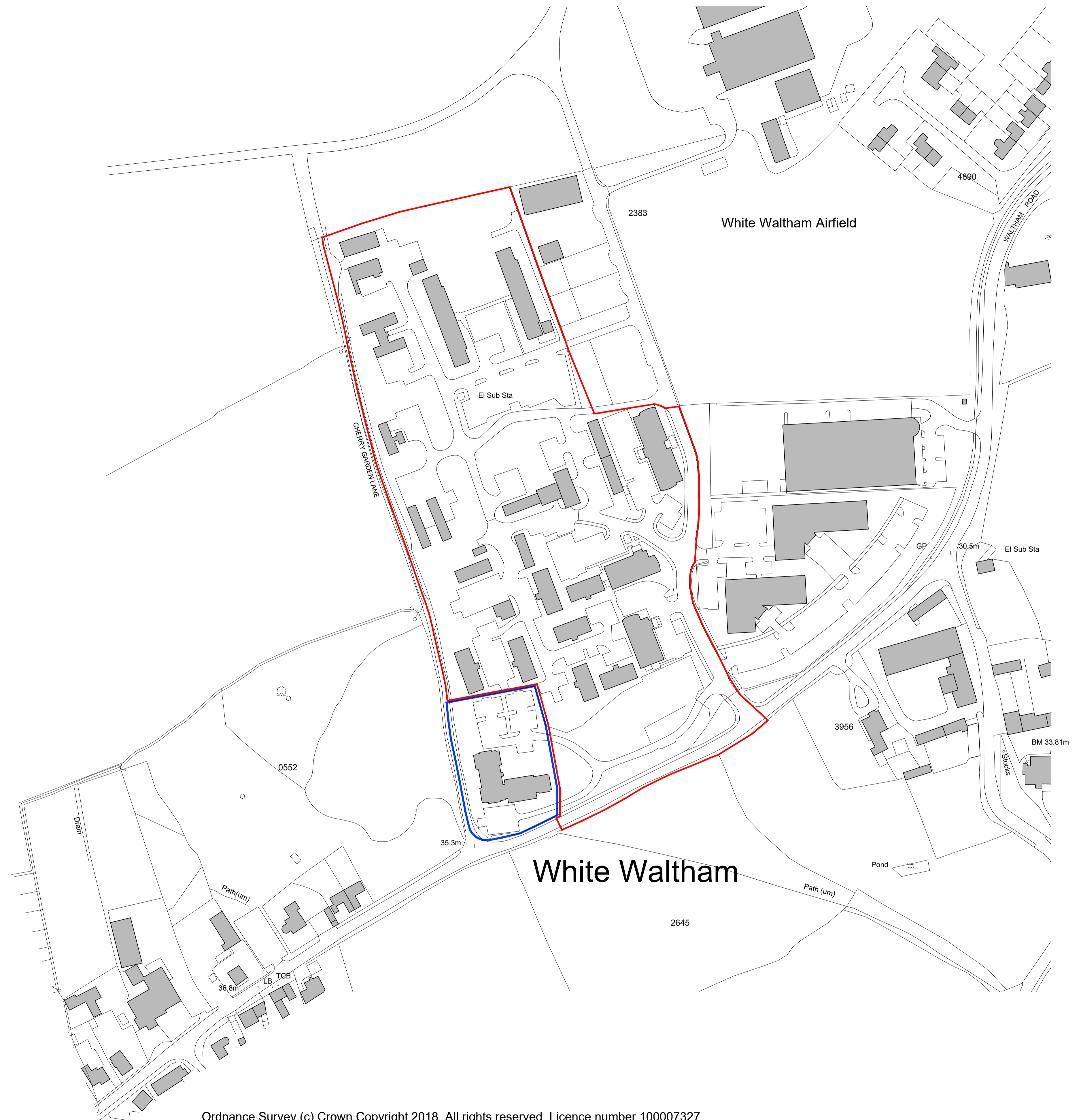
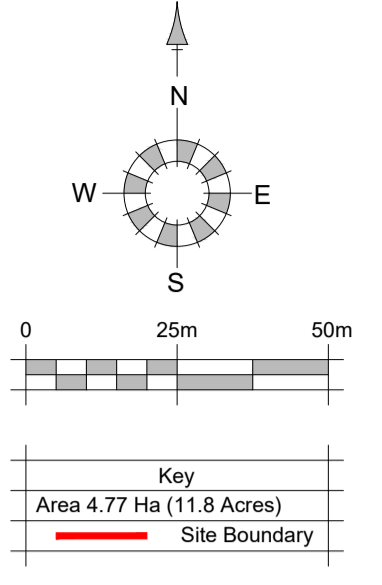
13. APPENDICES TO THIS REPORT

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

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 All recommendations contained within the Sustainability & Energy Statement by Bluesky Unlimited, dated 24th October 2022 and received 25th October 2022 (or any updated Sustainability Statement submitted to and approved in writing by the Local Planning Authority) shall be carried out and adhered to for the lifetime of the development.
Reason: To ensure the development complies with Policies SP2 and QP3 of the Borough Local Plan 2022; the Council's Interim Sustainability Position Statement (ISPS) and paragraphs 7, 8 & Chapter 14 of the NPPF 2021.
- 2 The development hereby approved, shall fully comply with the following accessibility standards :i) 30% of the dwellings (24) hereby approved shall meet the higher accessibility standards of Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010: Access to and use of buildings ii) 5% of the dwellings (4) hereby approved shall achieve Requirement M4(3) (Wheelchair user dwellings) of the Building Regulations 2010: Access to and use of buildings
Reason: To ensure the development is compliant with Policy HO2 of the Borough Local Plan 2022.
- 3 The first floor window(s) in the side elevations of plots 47 & 54 shall be fitted with obscure glass and shall be of a fixed, non-opening design below 1.7 metres from the internal floor level. These window shall not be altered.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Borough Local Plan QP3.
- 4 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



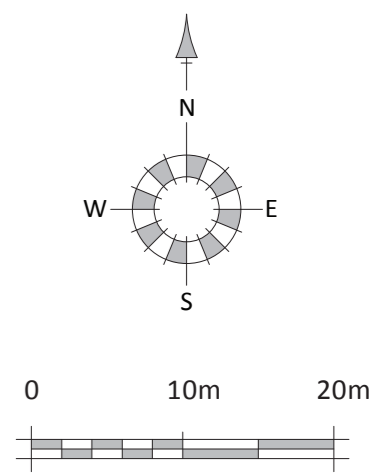
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CLIENT:	Sorbon Estates	PROJECT:	Grove Park White Whitham
SCALE:	1:1250 (A1 ORIGINAL)	DRAWING:	Site Location Plan
DRAWN:	jg	21055	S101
DATE:	Jan2018		-

Broadmeade House
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Farnham
Surrey
GU9 8QT
Tel. 01252 267878
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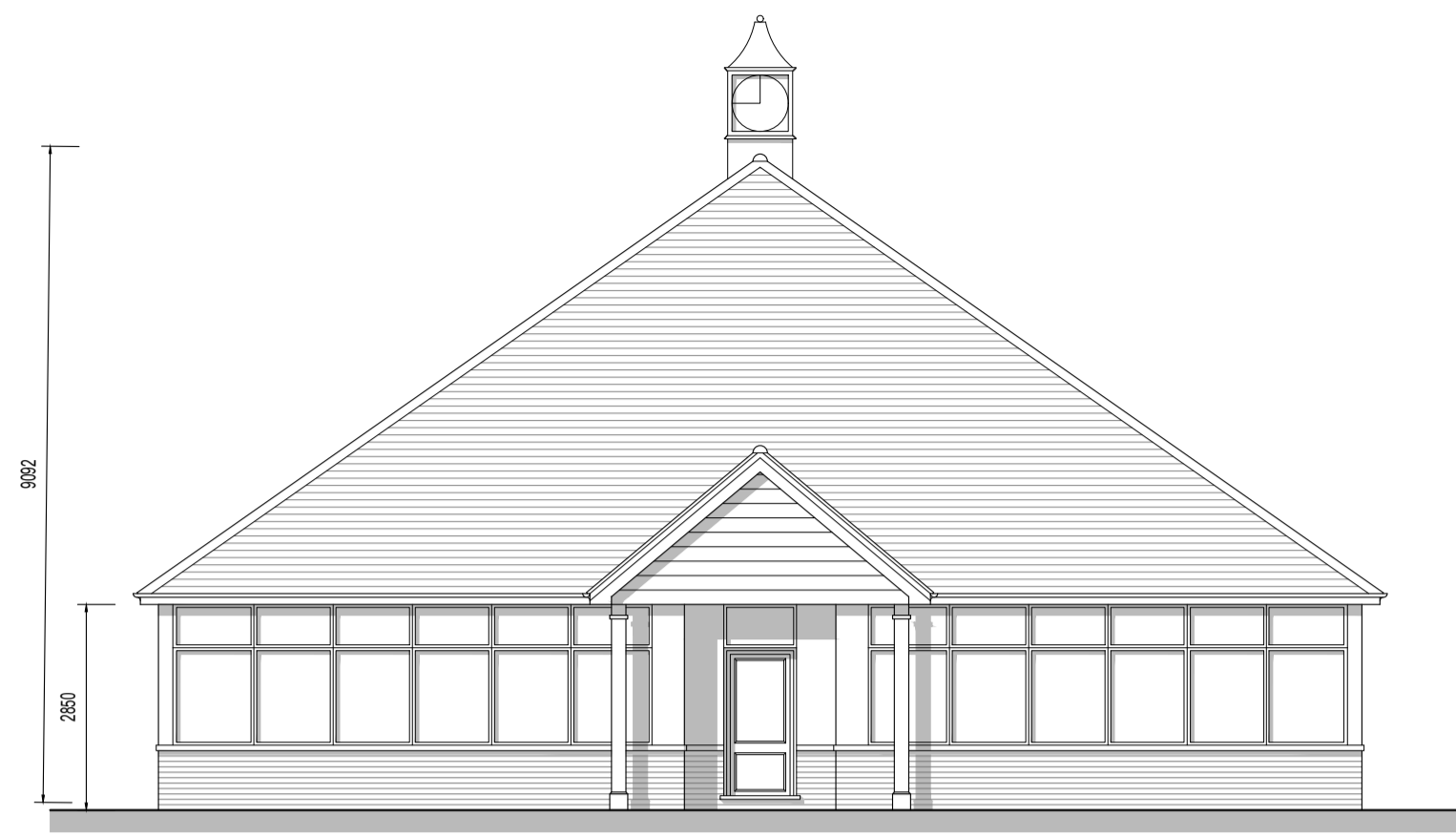
OSPARCHITECTURE
O'KEEFE SCANLON LIMITED



CHERRY GARDEN LANE



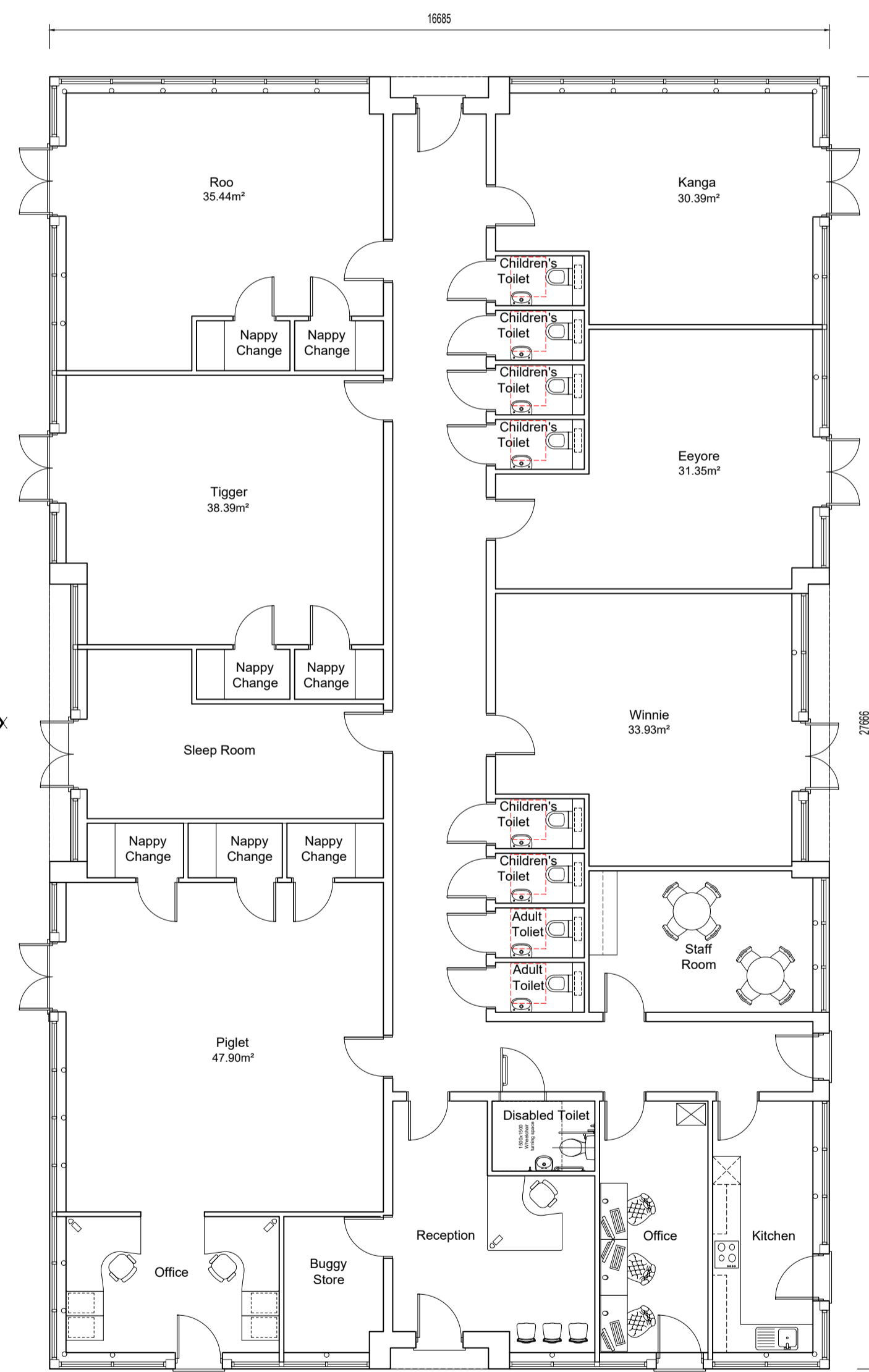
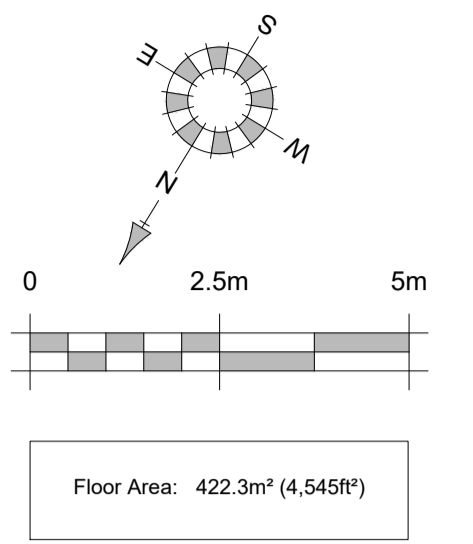
Appendix B



Front Elevation



Rear Elevation



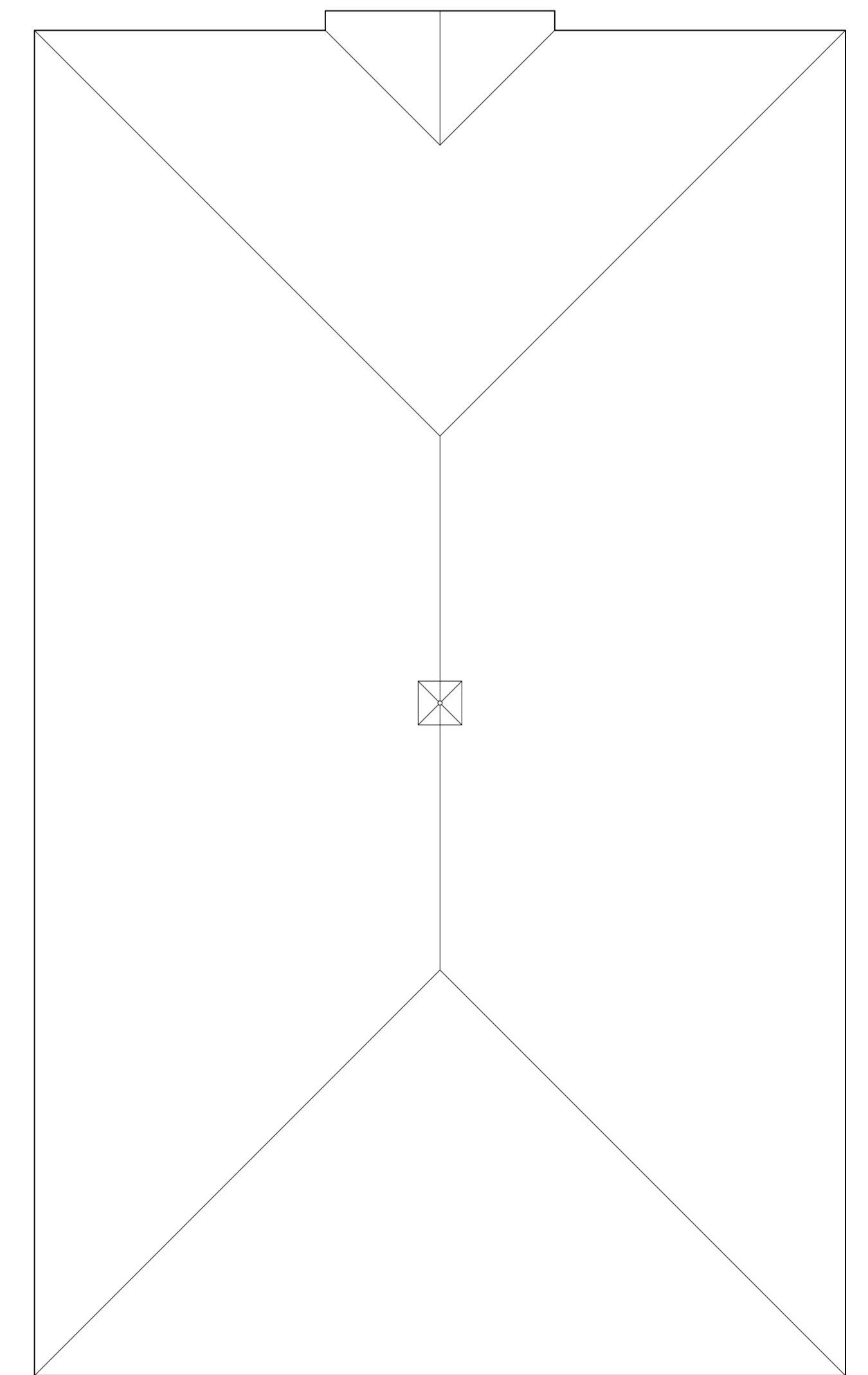
Ground Floor Plan



Side Elevation A



Side Elevation B



Roof Plan

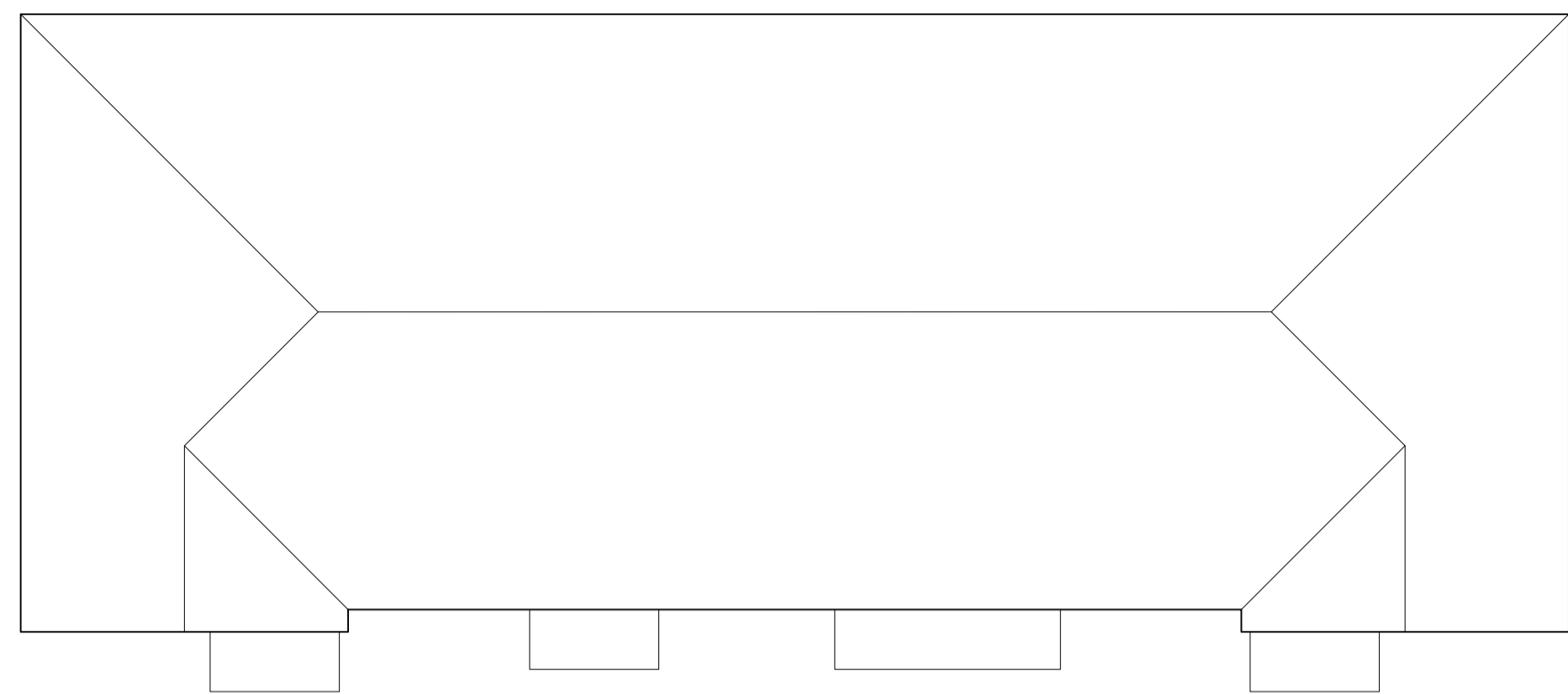
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Preliminary

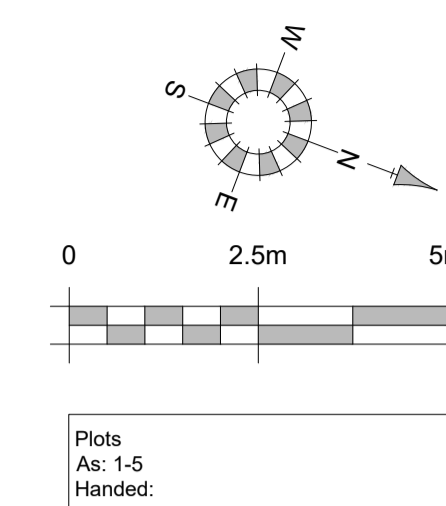
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SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Nursery Building Proposed Plans and Elevations
DRAWN:	NL	21055	P126
DATE:	11/01/22		

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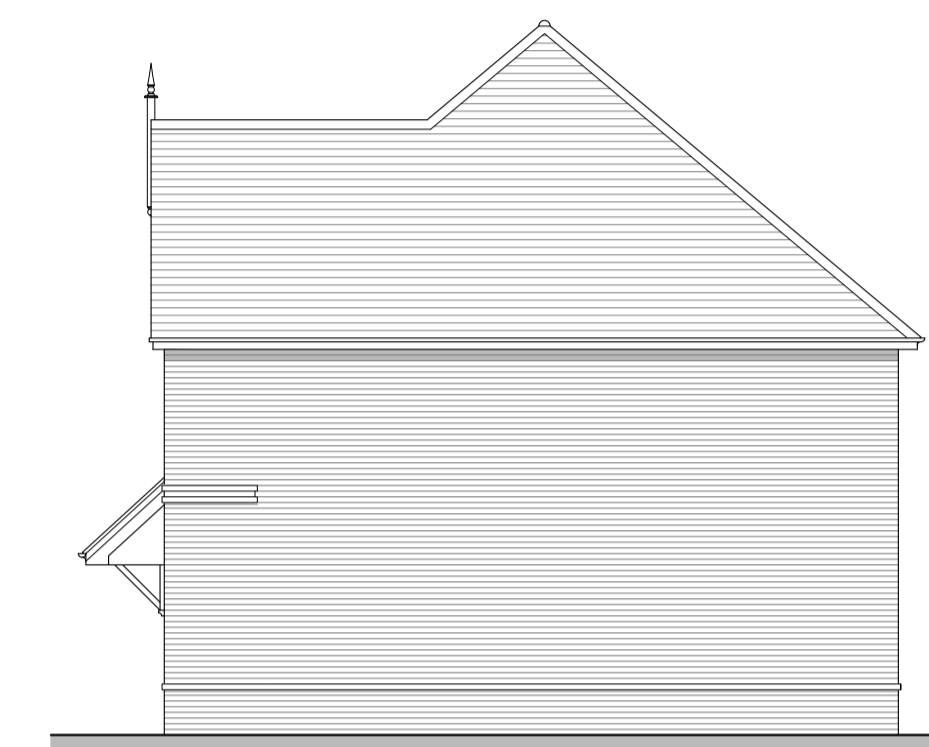
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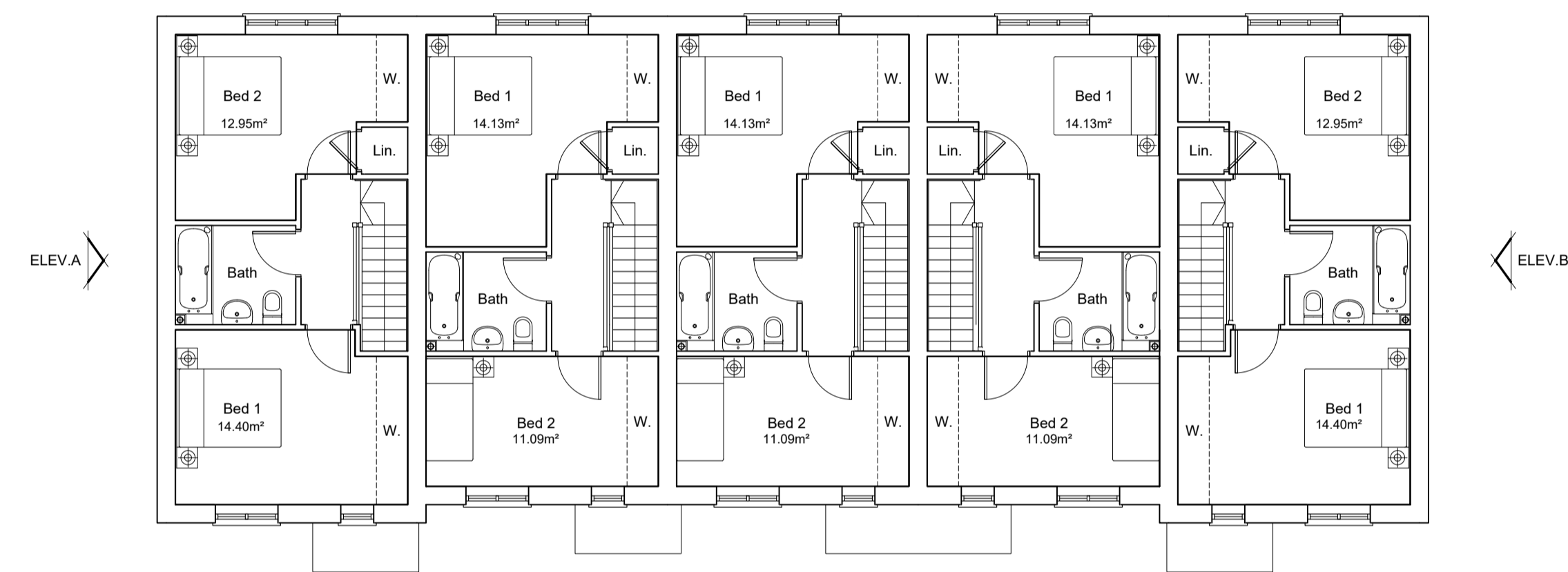
Roof Plan



Front Elevation



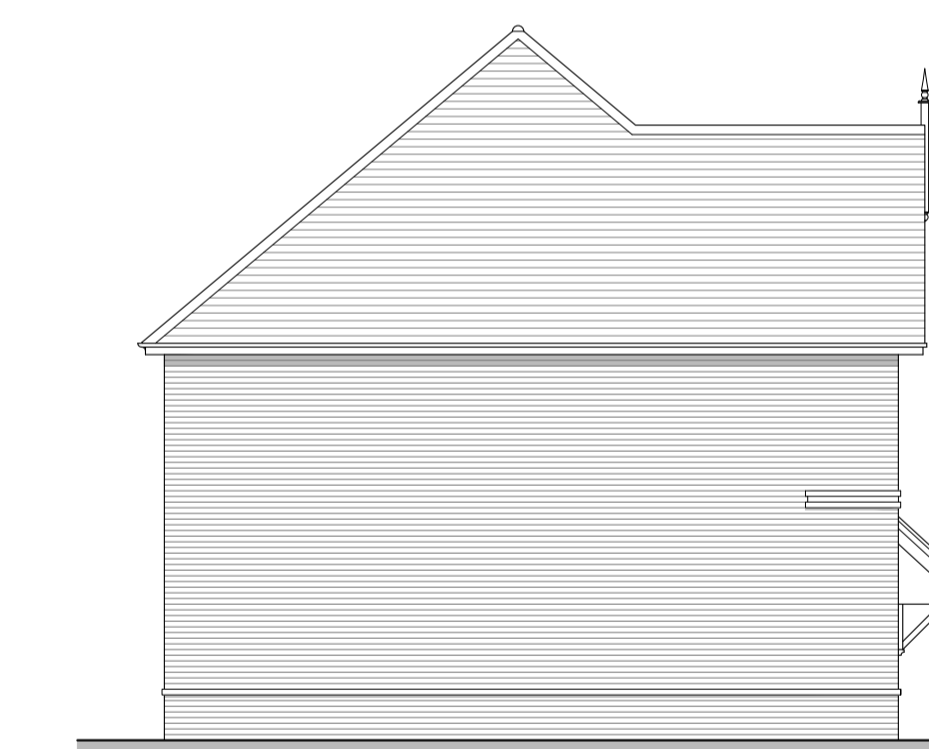
Side Elevation B



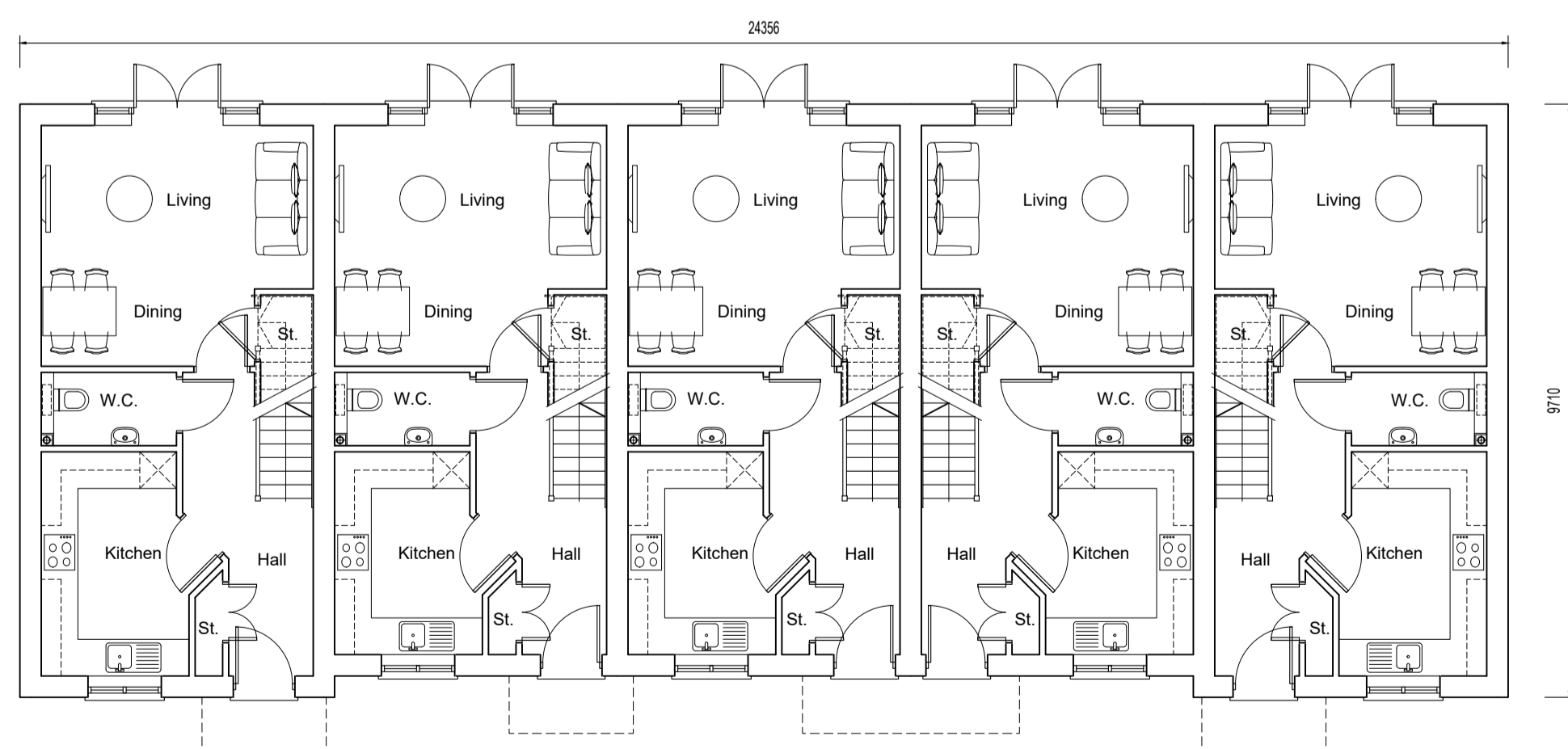
First Floor Plan



Rear Elevation



Side Elevation A



Ground Floor Plan

HOUSE TYPE: A	
Ground Floor	40.11m ² 432m ²
First Floor	40.11m ² 432m ²
Total GIA	80.21m² 863m²
<small>GIA measured to face of structure. Areas below 1.5m height excluded.</small>	

HOUSE TYPE: B	
Ground Floor	38.55m ² 415m ²
First Floor	38.55m ² 415m ²
Total GIA	77.10m² 830m²
<small>GIA measured to face of structure. Areas below 1.5m height excluded.</small>	

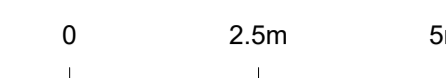
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A	20/09/22	First Floor Layout Amendments.	AM									
B	20/09/22	Room Sizes Added.	AM									
C	20/10/22	Roof pitch adjusted.	AM									

Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
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DATE:	11/01/22		C

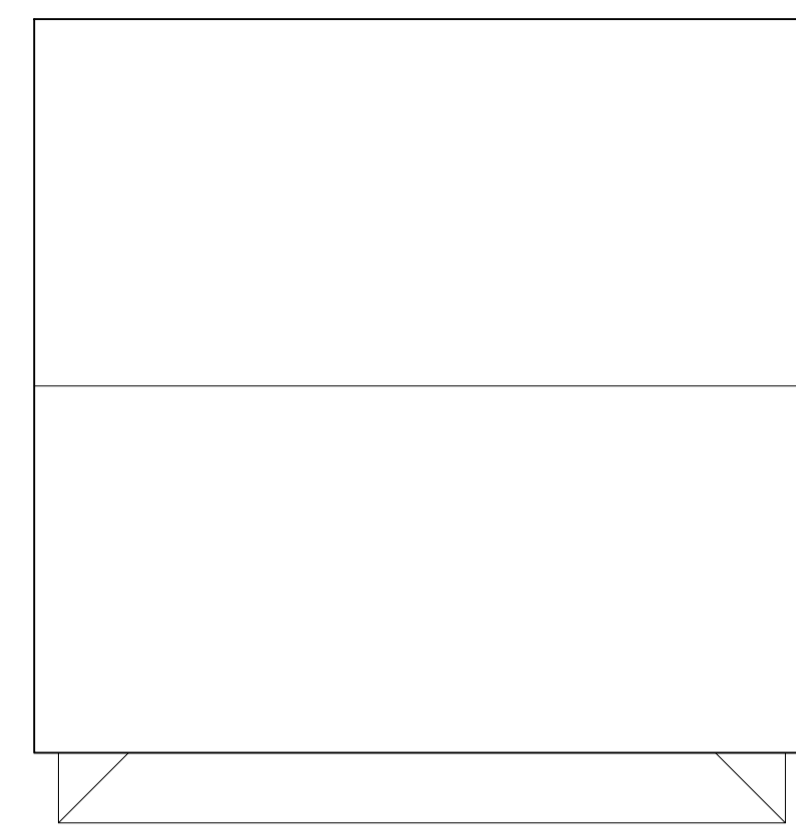
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Plots
As: 6, 7, 78 & 79
Handed:

HOUSE TYPE:		A
Ground Floor	41.52m ²	447m ²
First Floor	43.49m ²	469m ²
Total GIA	85.01m ²	915m ²

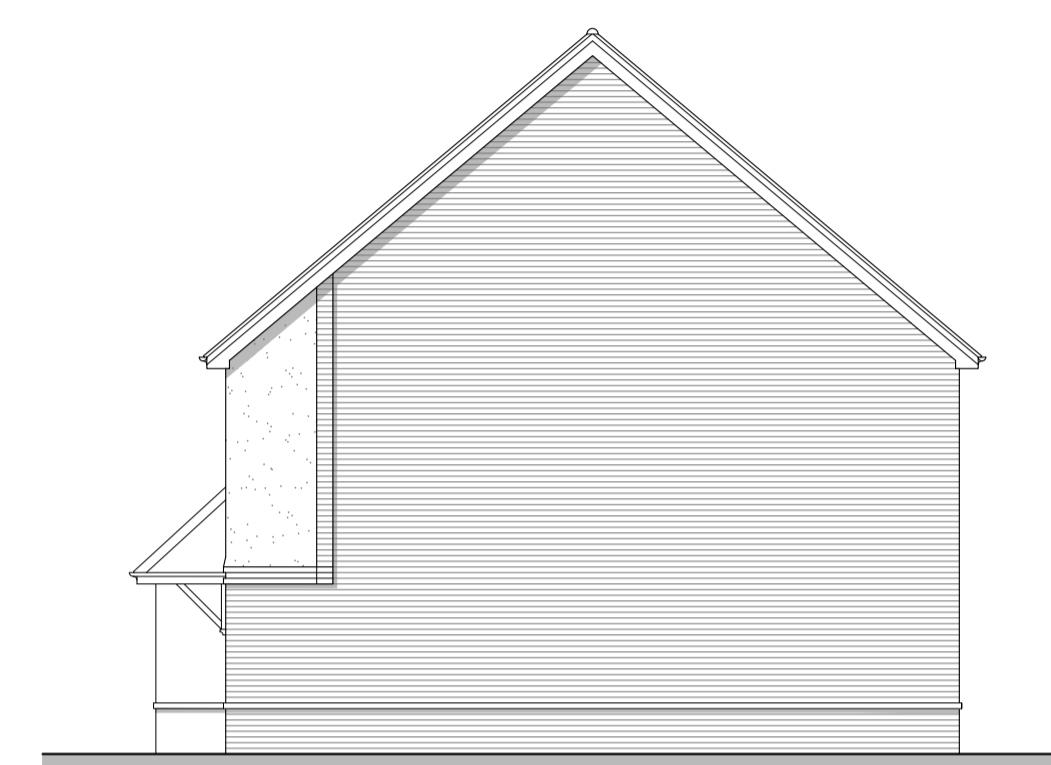
GIA measured to face of structure.
Areas below 1.5m height excluded.



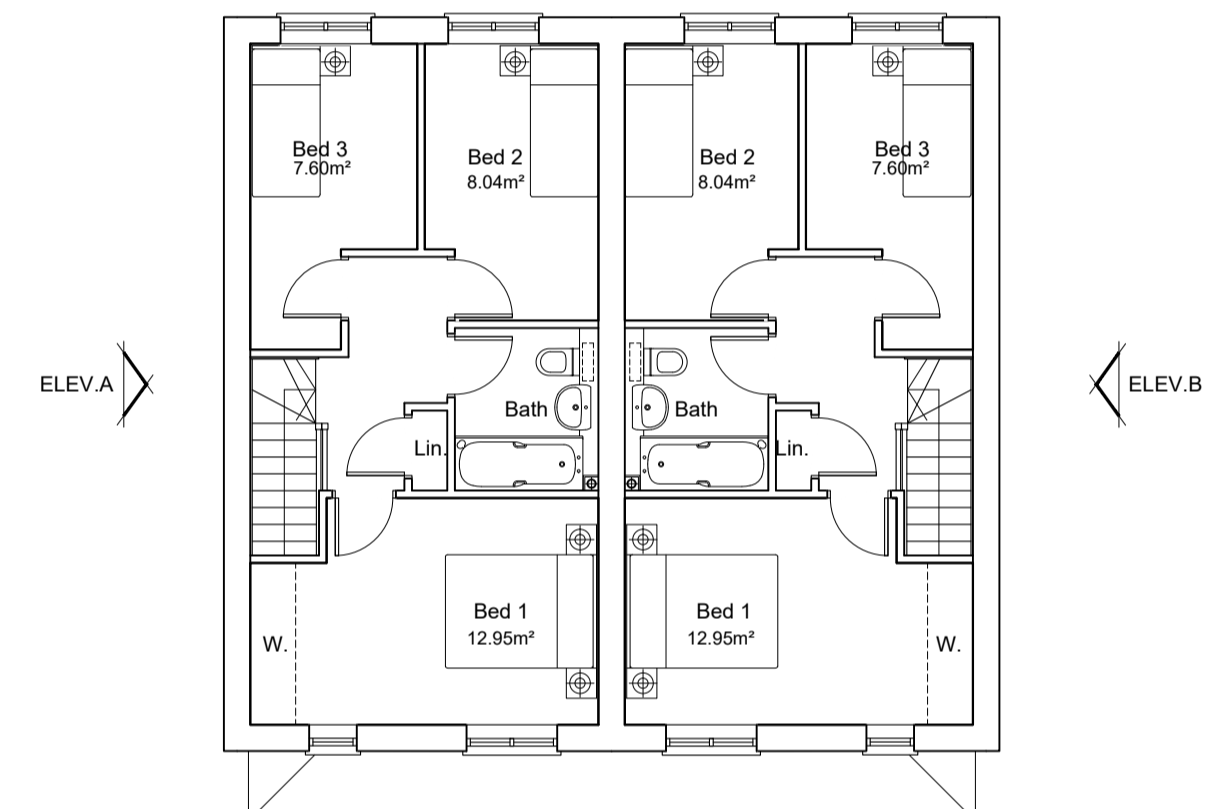
Roof Plan



Front Elevation



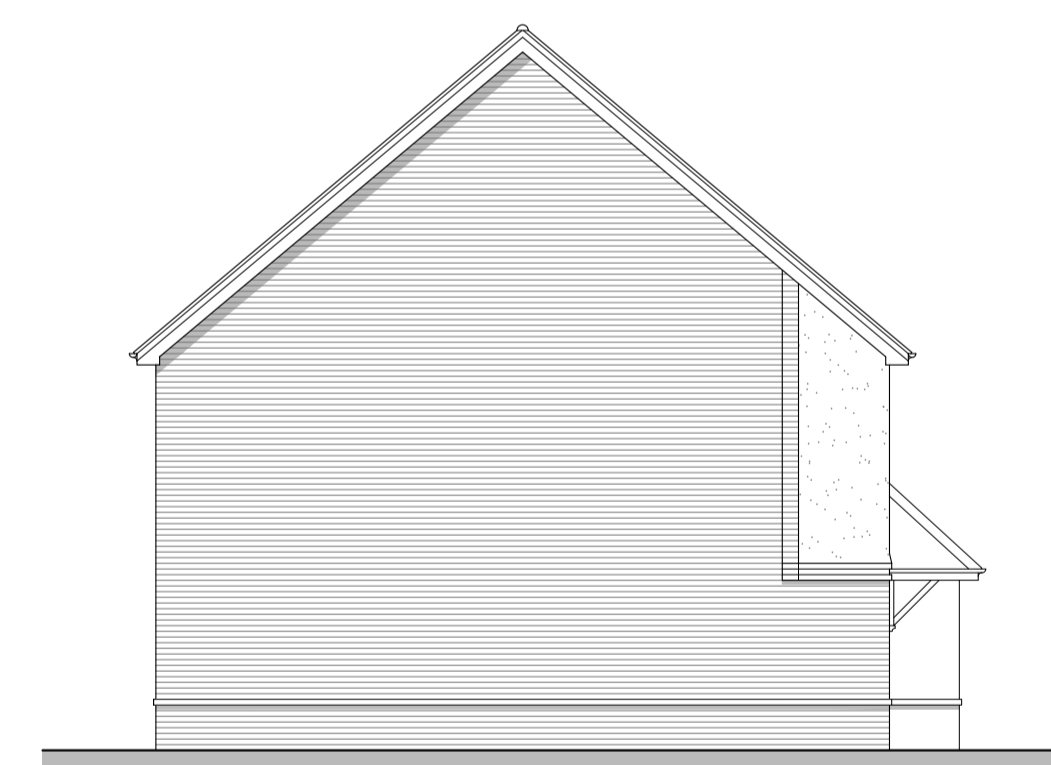
Side Elevation B



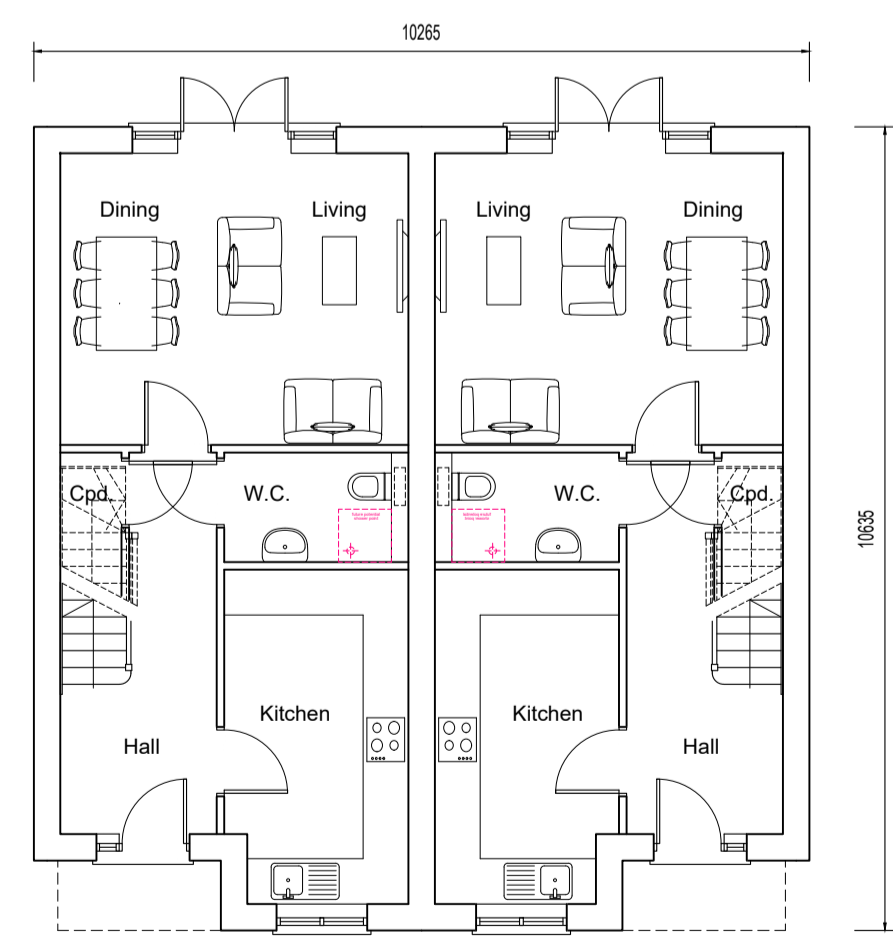
First Floor Plan



Rear Elevation



Side Elevation A



Ground Floor Plan

103

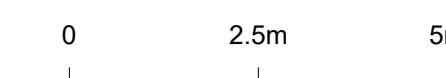
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A	20/09/22	First Floor Layout Amendments.	AM					
B	20/09/22	Room Sizes Added.	AM					
C	20/10/22	Roof pitch adjusted	AM					

Planning

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DRAWN:	NL	21055	P111
DATE:	11/01/22		C

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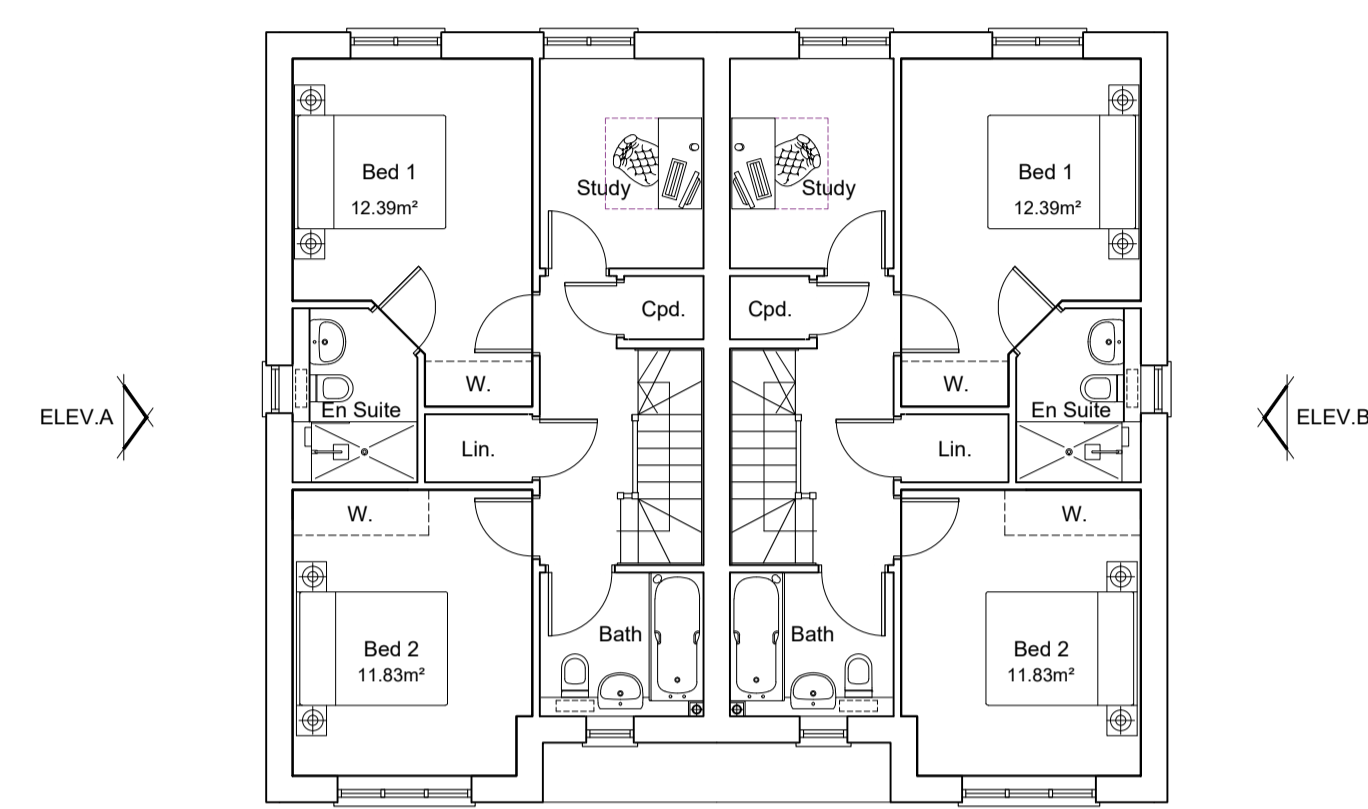
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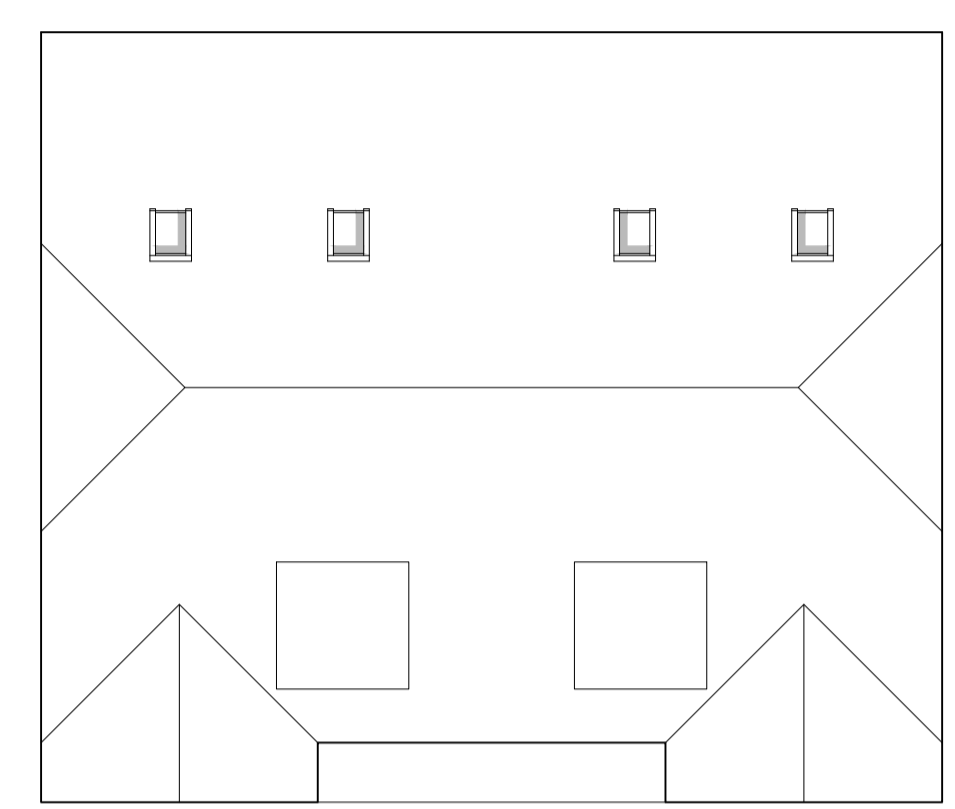
Plots
As: 8-9, 10-11, 21-22
Handed:

HOUSE TYPE:	A	
Ground Floor	49.60m ²	534m ²
First Floor	49.60m ²	534m ²
Second Floor	23.64m ²	254m ²
Total GIA	122.84m²	1322m²

GIA measured to face of structure.
Areas below 1.5m height excluded.



First Floor Plan



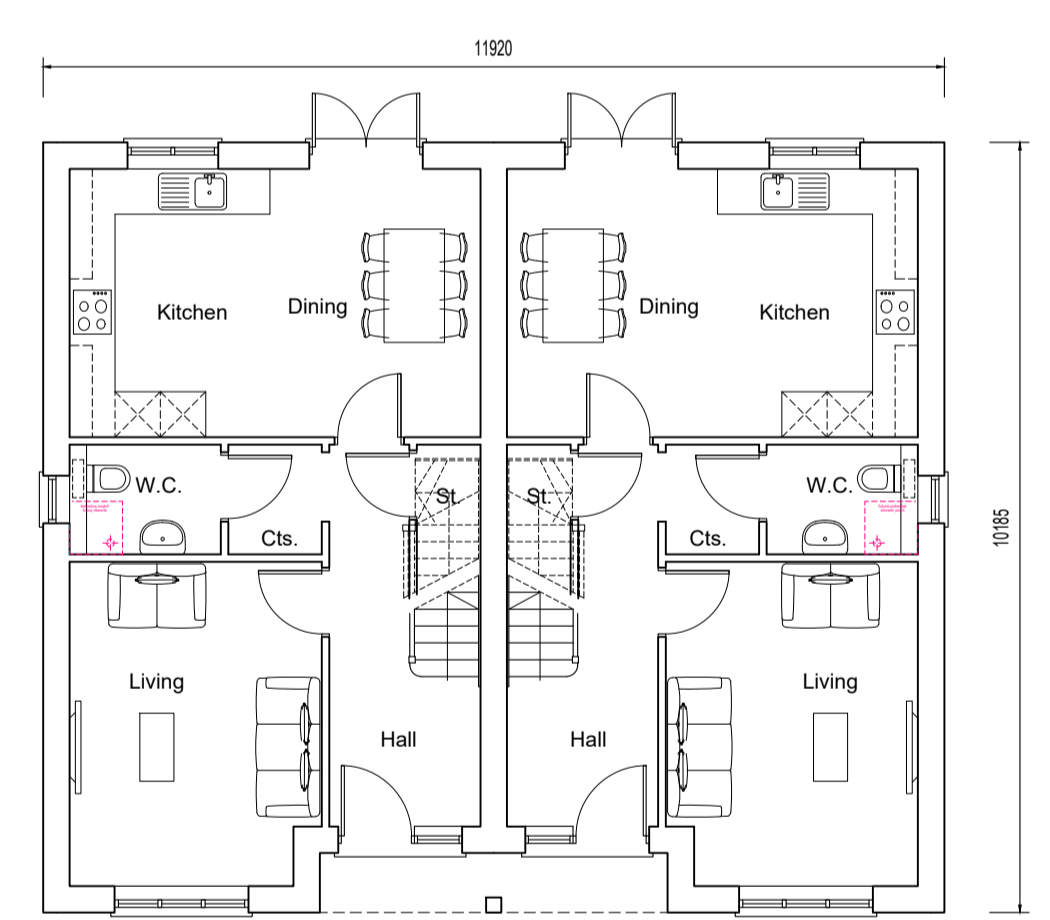
Roof Plan



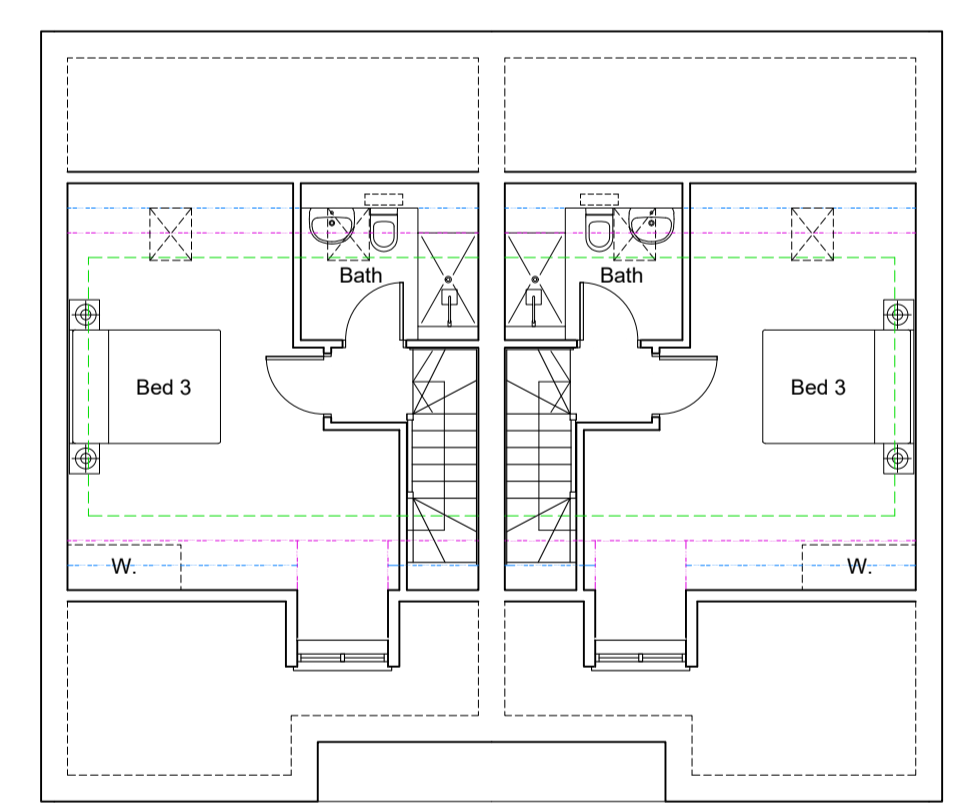
Front Elevation



Side Elevation B



Ground Floor Plan



Second Floor Plan



Rear Elevation



Side Elevation A

Skelling Heights	
1500 Skelling Line	-----
1800 Skelling Line	-----
2100 Skelling Line	-----
2400 Ceiling Line	-----

104

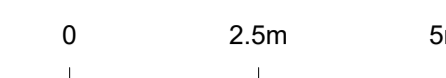
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B	20/09/22	Room Sizes Added.	XX					

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DATE:	11/01/22		B

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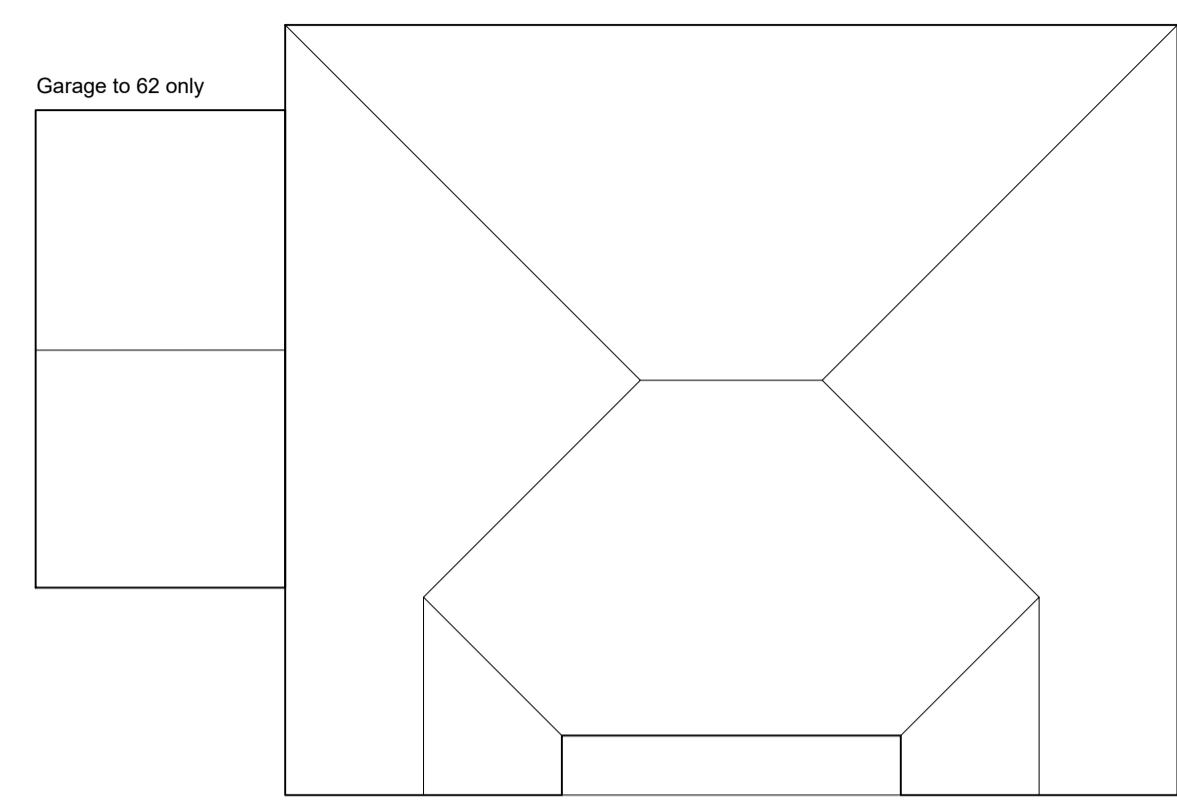
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Plots
As: 12-13, 52-53, 61-64
Handed:

HOUSE TYPE:	A
Ground Floor	49.60m ² 534m ²
First Floor	49.60m ² 534m ²
Total GIA	99.20m ² 1068m ²

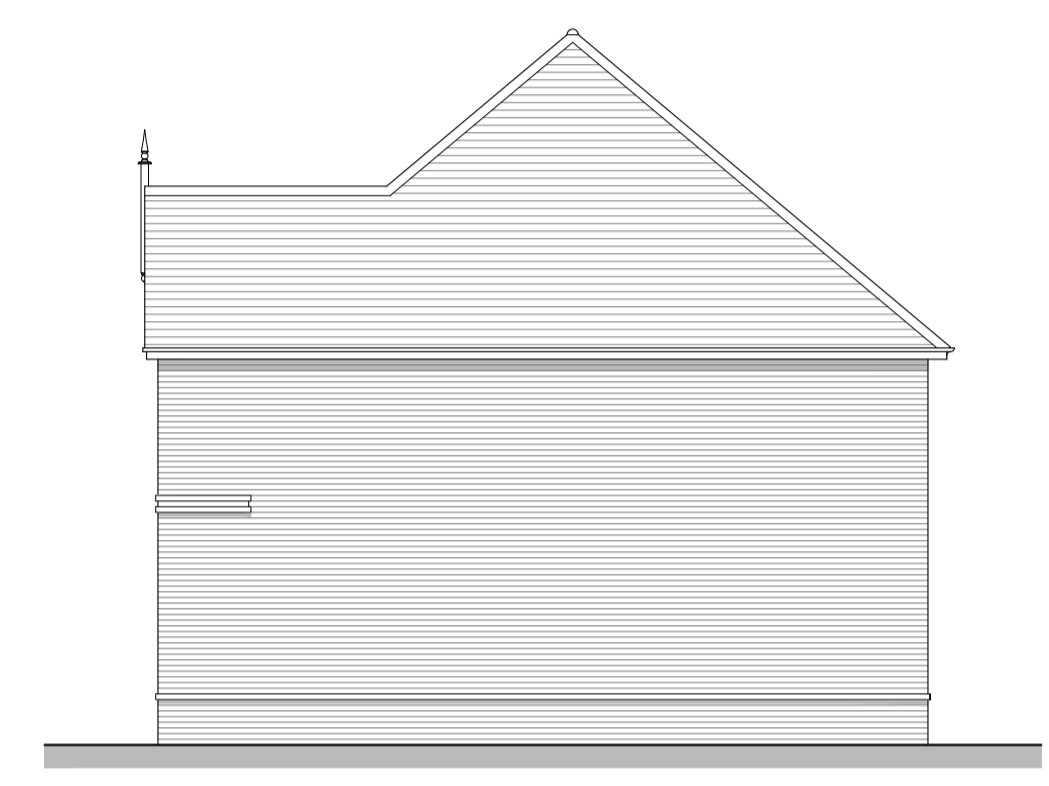
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Areas below 1.5m height excluded.



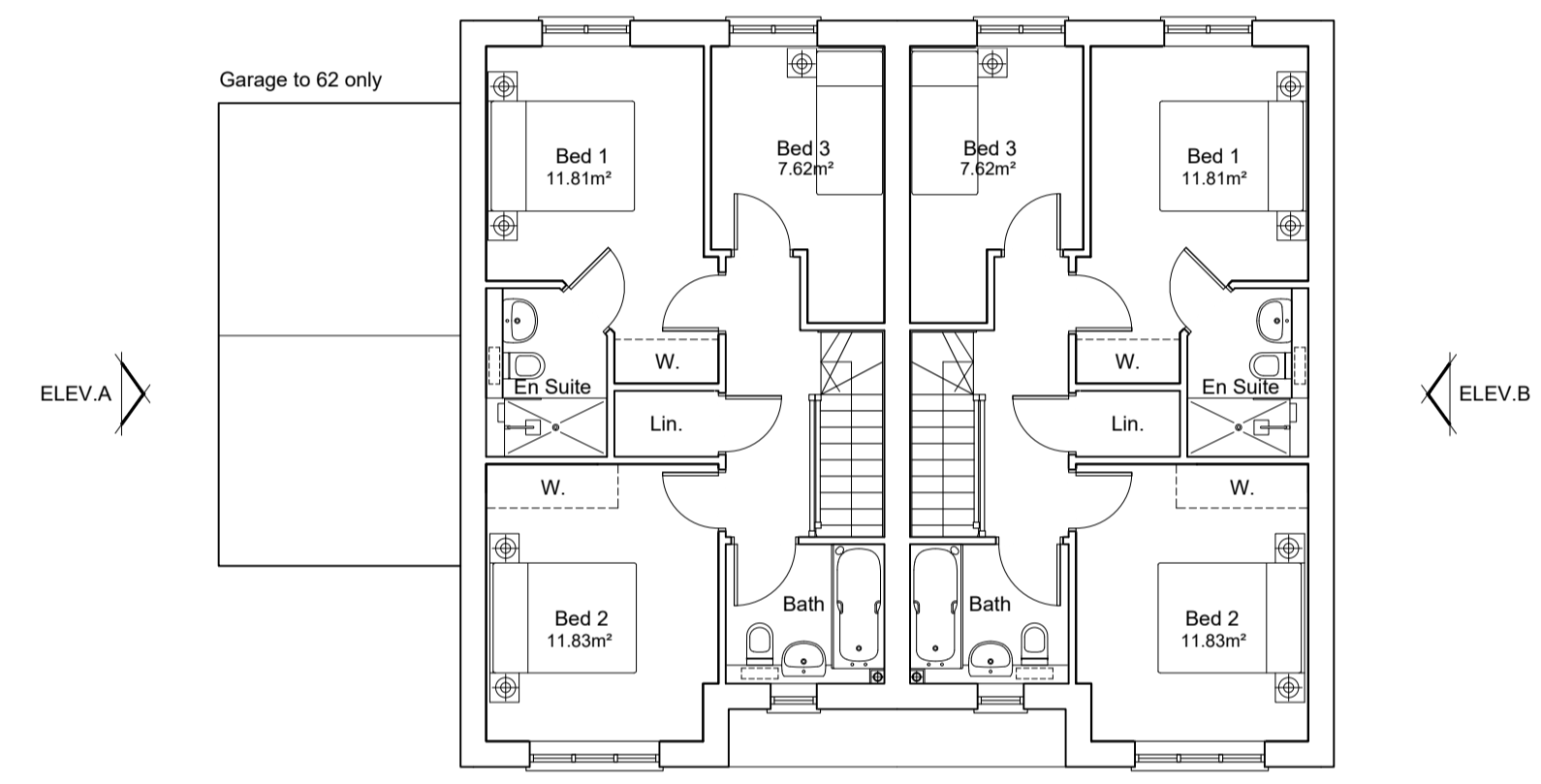
Roof Plan



Front Elevation



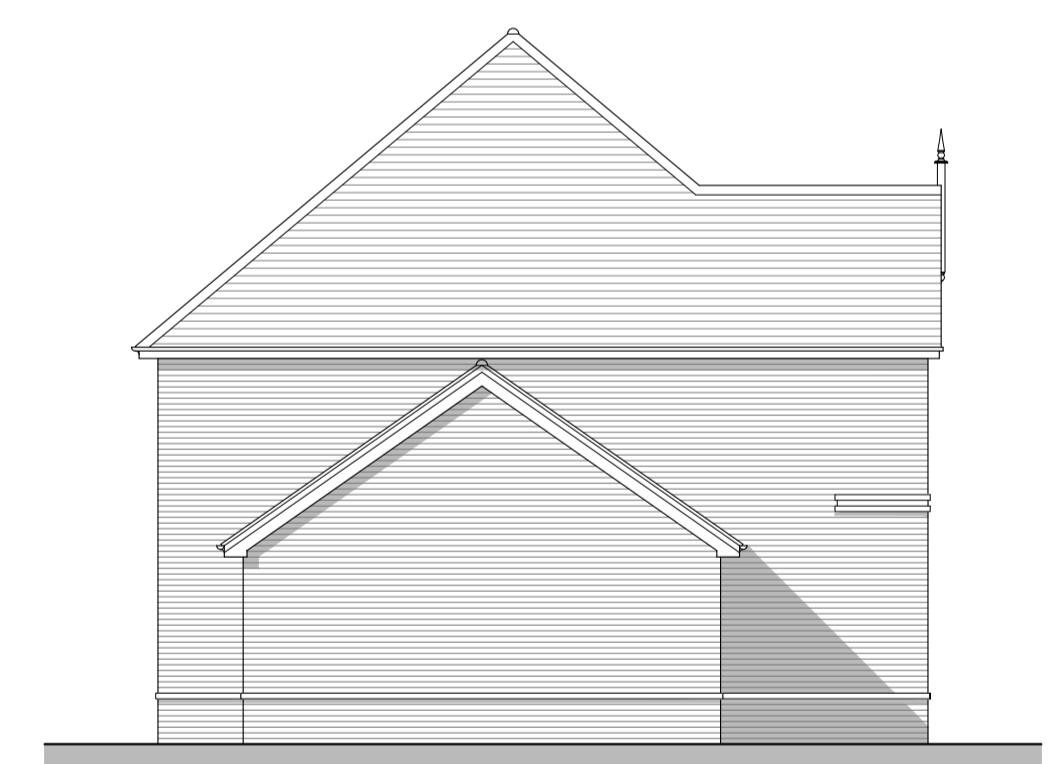
Side Elevation B



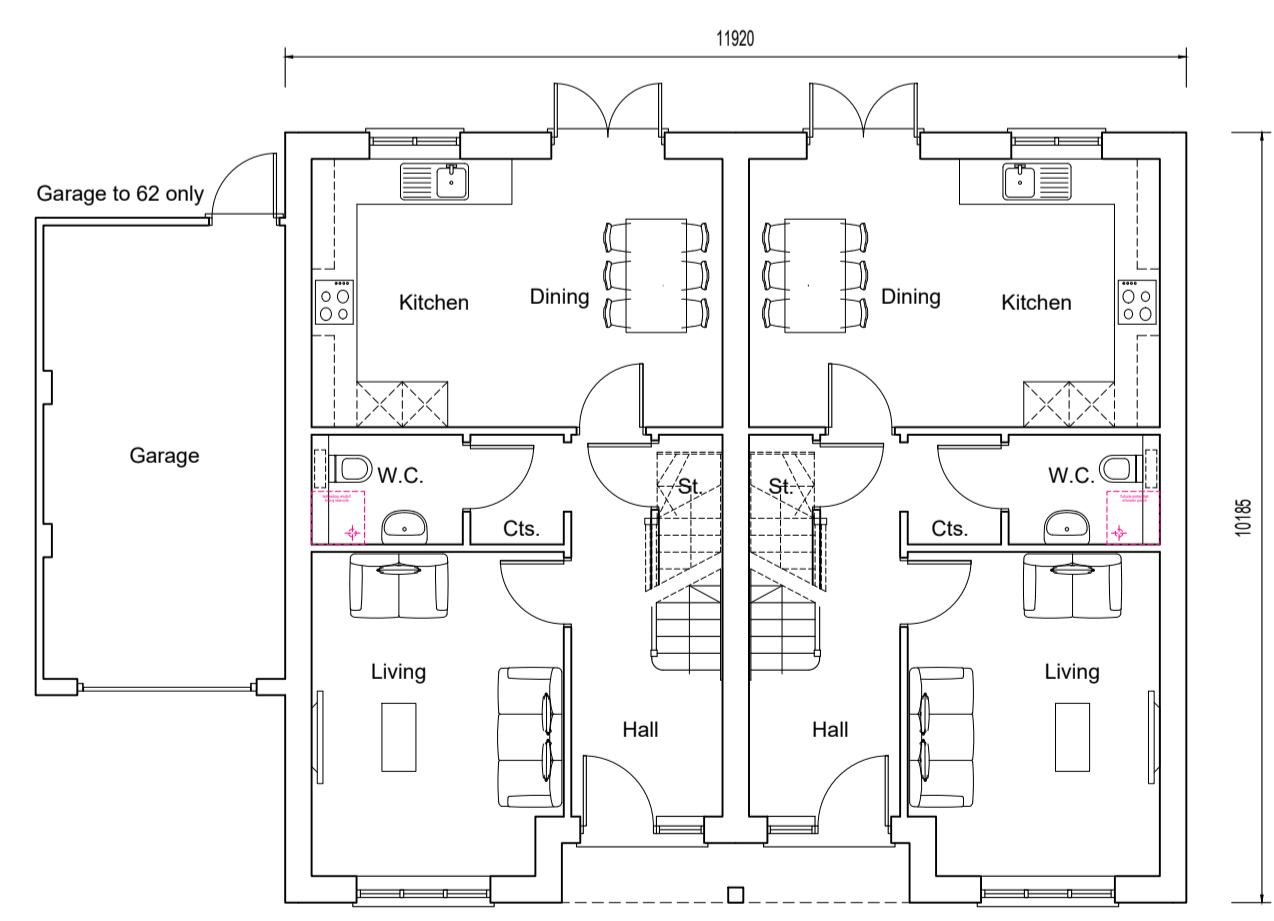
First Floor Plan



Rear Elevation



Side Elevation A



Ground Floor Plan

105

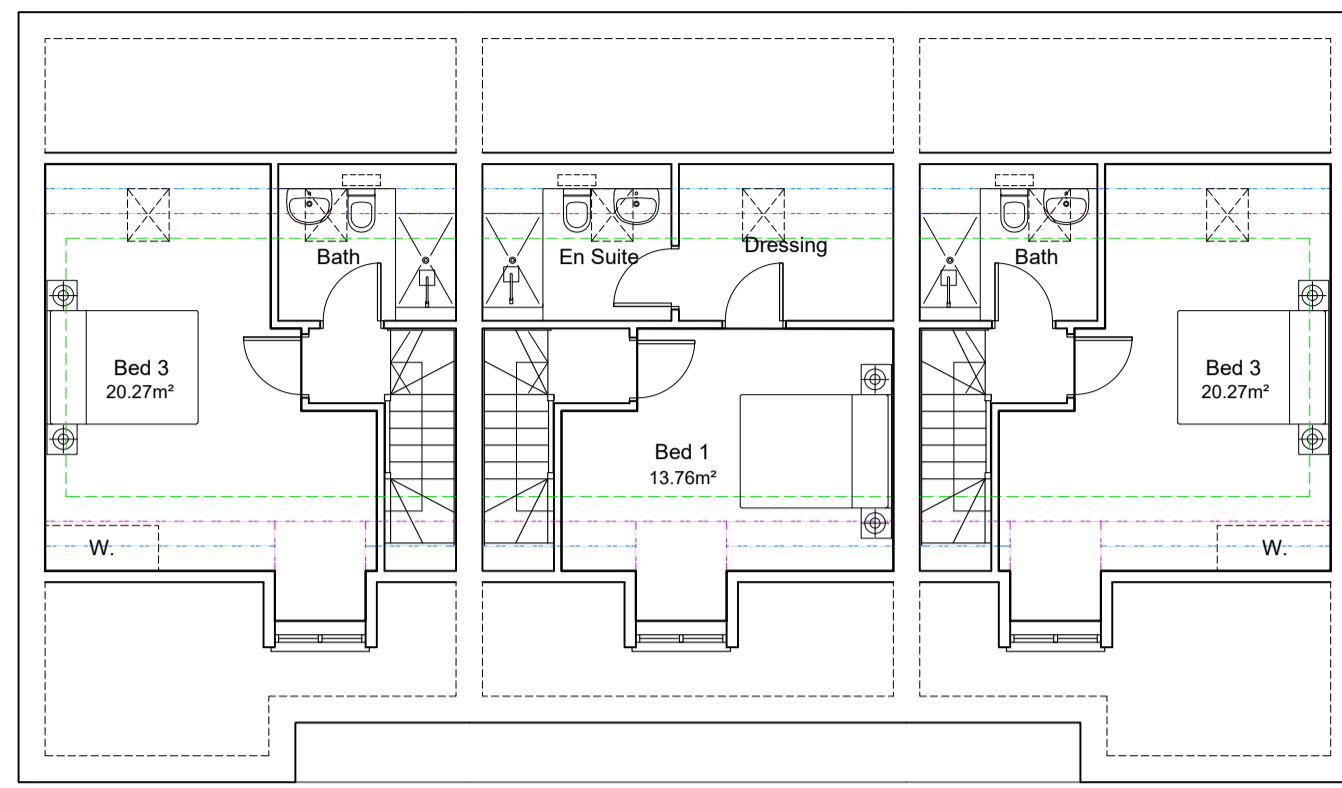
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B	20/09/22	Room Sizes Added.	AM									
C	20/10/22	Roof pitch adjusted	AM									

Planning

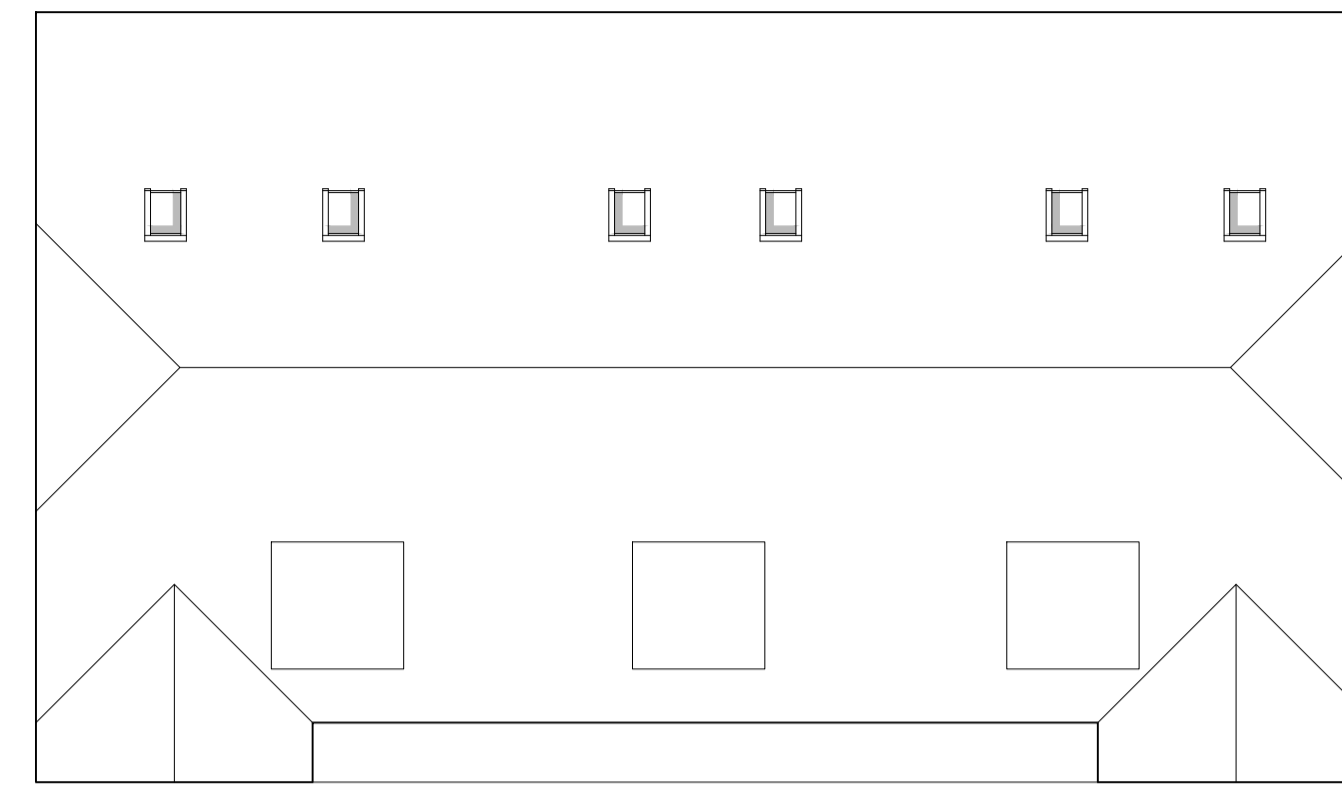
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DATE:	11/01/22		C

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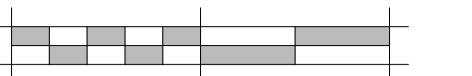
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Second Floor Plan



0 2.5m 5m



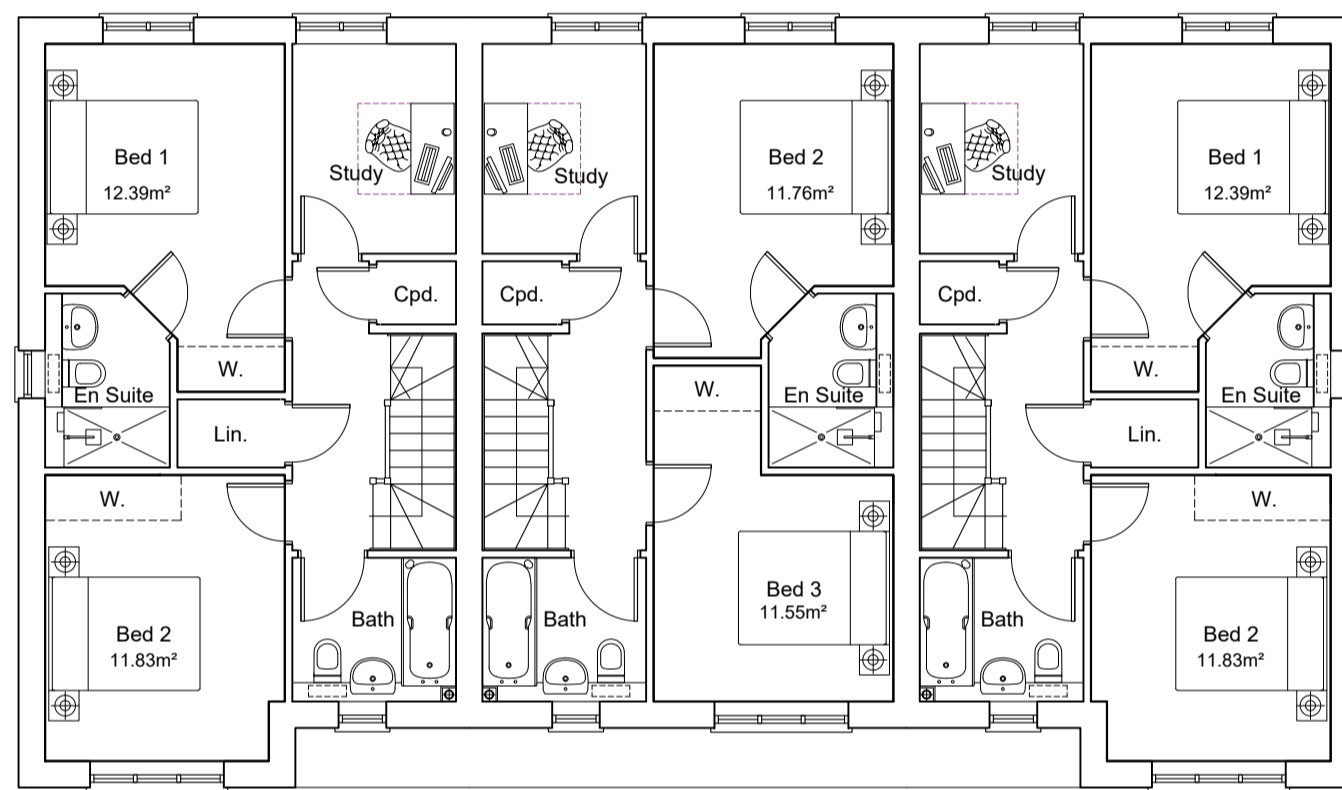
Plots
As: 14-16, 39-47
Handed:

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Ground Floor	49.69m ² 534m ²
First Floor	49.69m ² 534m ²
Second Floor	30.04m ² 323m ²
Total GIA	129.24m² 1391m²

HOUSE TYPE: B	
Ground Floor	49.69m ² 534m ²
First Floor	47.27m ² 509m ²
Second Floor	30.04m ² 323m ²
Total GIA	126.91m² 1366m²

GIA measured to face of structure. Areas below 1.5m height excluded.

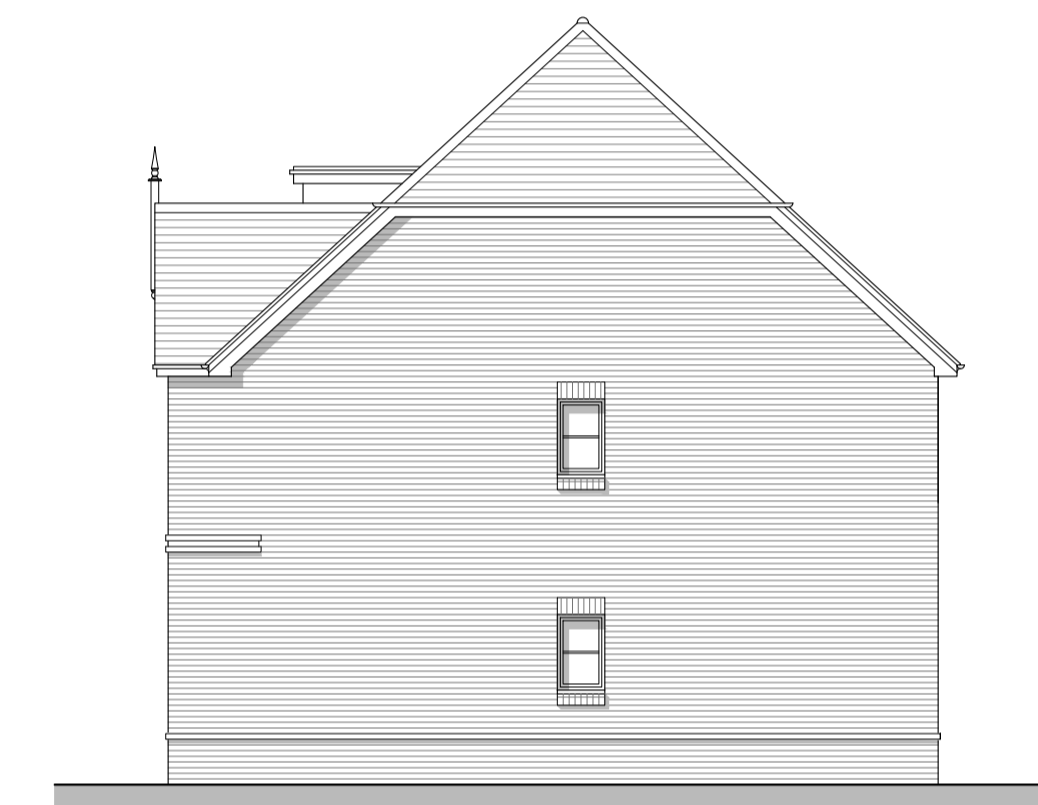
Skelling Heights	
1500 Skelling Line	-----
1800 Skelling Line	-----
2100 Skelling Line	-----
2400 Ceiling Line	-----



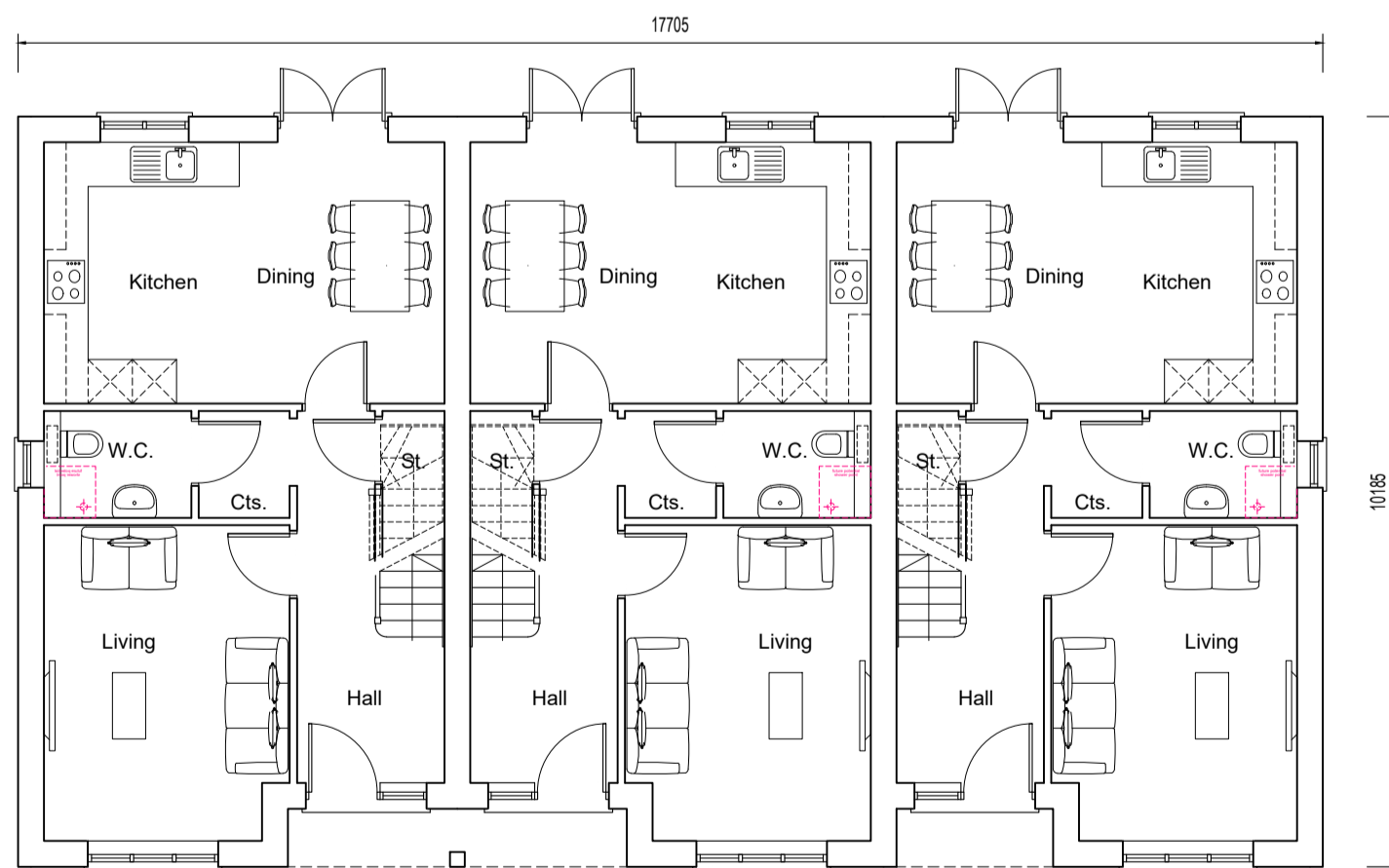
First Floor Plan



Front Elevation



Side Elevation B



Ground Floor Plan



Rear Elevation



Side Elevation A

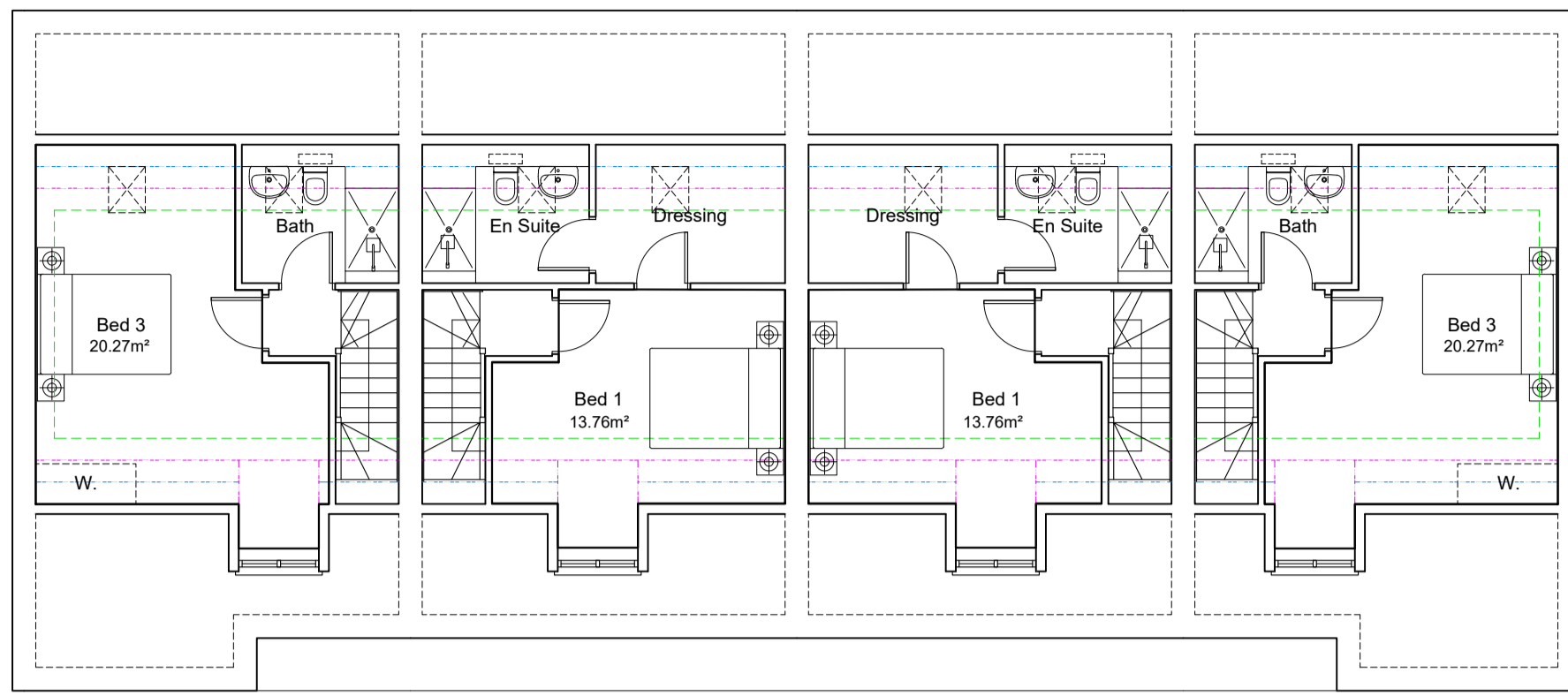
106

REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	STATUS:
A	27/05/22	Clients comments.	XX									
B	19/04/22	Second floor added.	XX									
C	27/05/22	Roof amendments.	XX									
D	14/09/22	Roof plan added.	XX									
E	20/09/22	First Floor Layout Amendments.	AM									
F	20/09/22	Room Sizes Added.	AM									

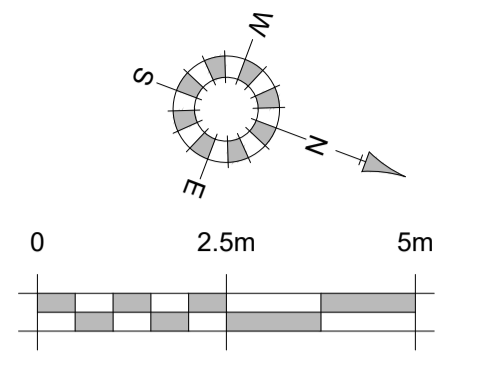
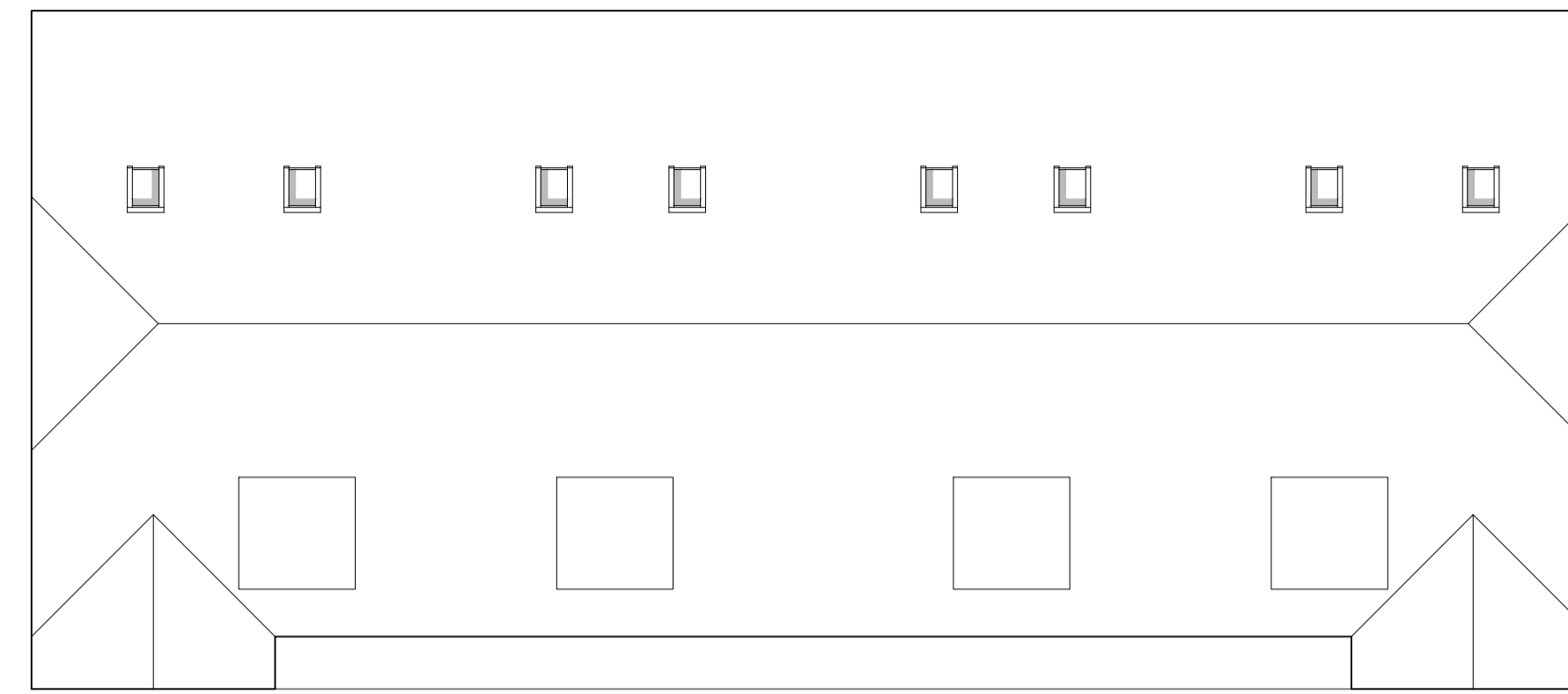
Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 14-16, 39-47 Floor Plans and Elevations
DRAWN:	NL	21055	P114
DATE:	11/01/22		F

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Second Floor Plan



Plots
As: 17-20
Handed:

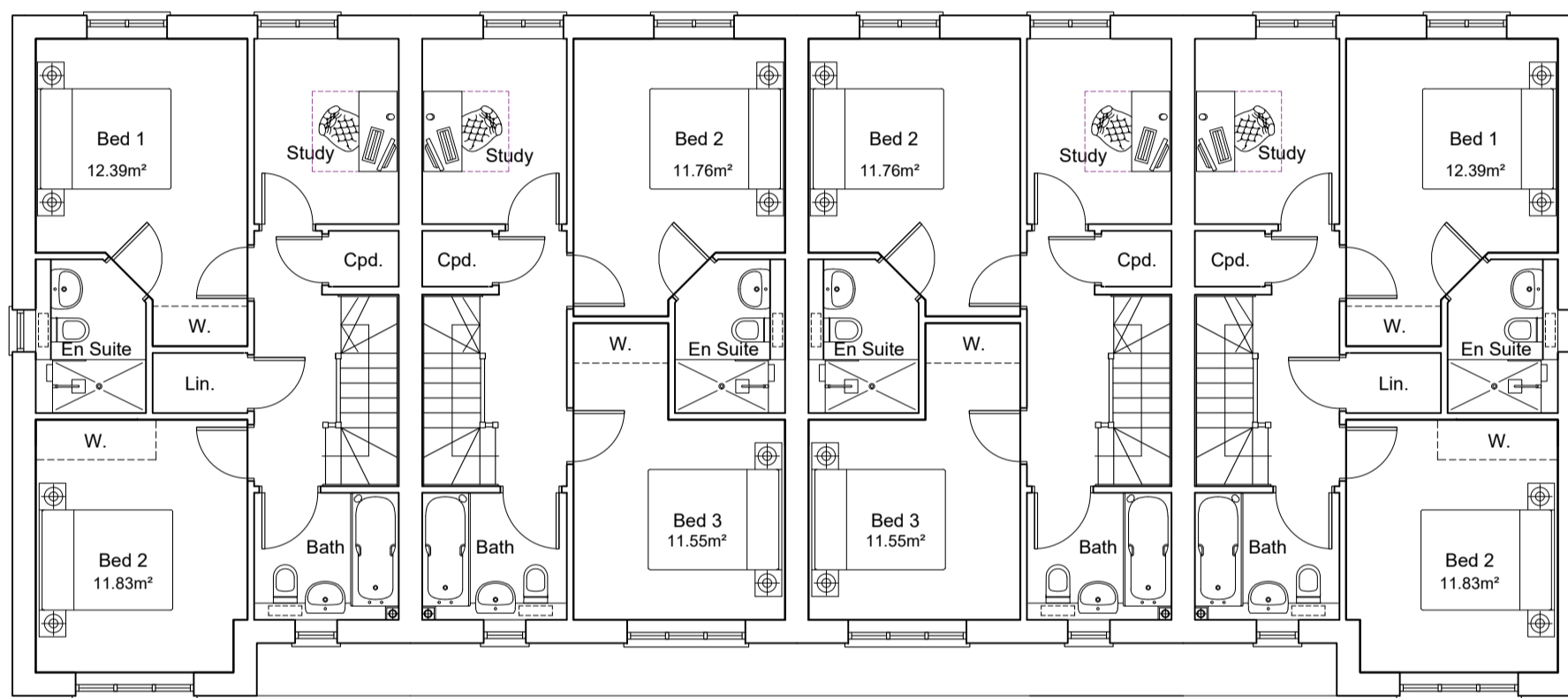
HOUSE TYPE: A	
Ground Floor	49.60m ² 534ft ²
First Floor	49.60m ² 534ft ²
Second Floor	30.04m ² 323ft ²
Total GIA	129.24m² 1391ft²

GIA measured to face of structure.
Areas below 1.5m height excluded.

HOUSE TYPE: B	
Ground Floor	49.60m ² 534ft ²
First Floor	49.60m ² 534ft ²
Second Floor	30.04m ² 323ft ²
Total GIA	79.64m² 857ft²

GIA measured to face of structure.
Areas below 1.5m height excluded.

Skelling Heights	
1500 Skelling Line	-----
1800 Skelling Line	-----
2100 Skelling Line	-----
2400 Ceiling Line	-----



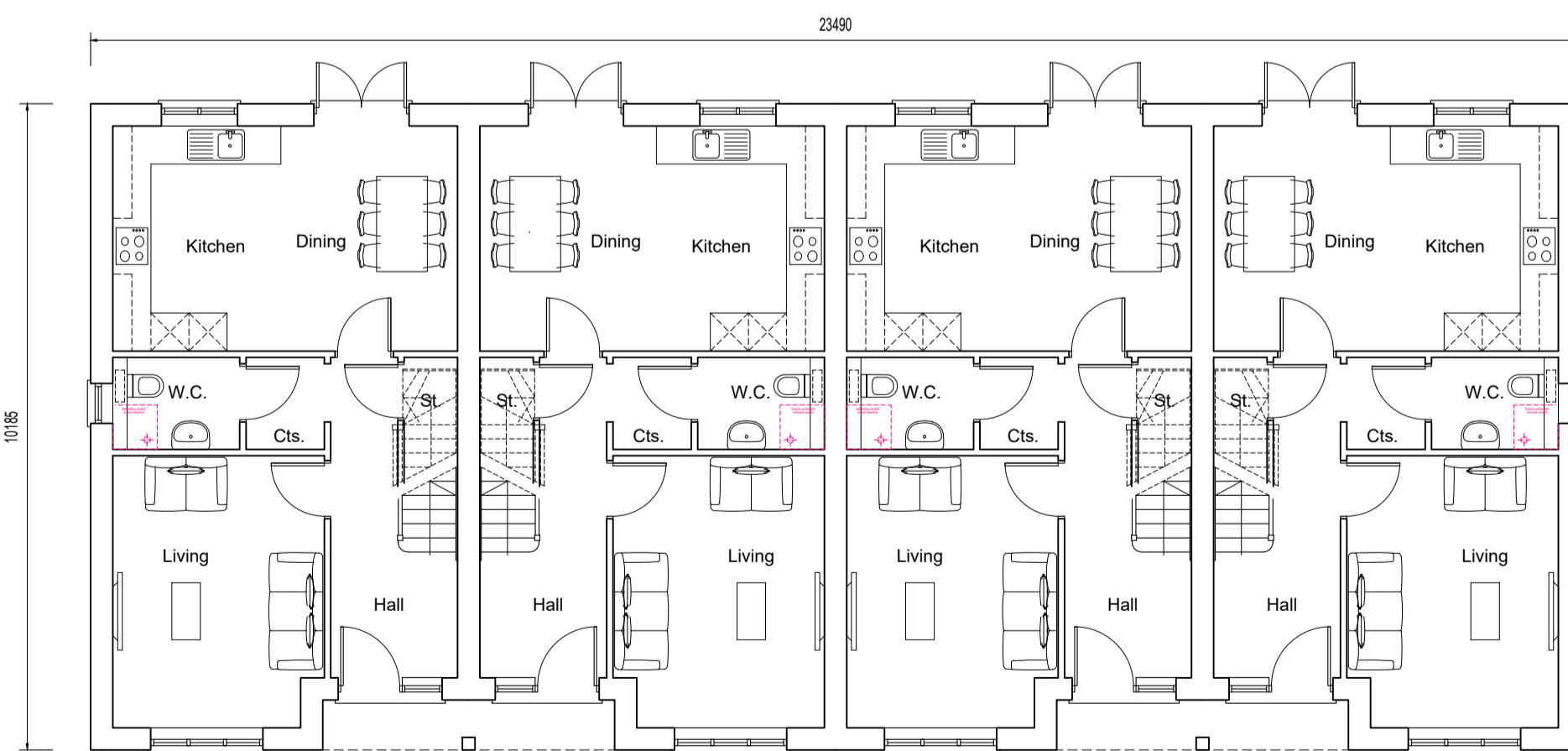
First Floor Plan



Front Elevation



Side Elevation B



Ground Floor Plan



Rear Elevation



Side Elevation A

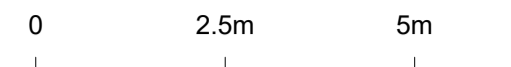
107

REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	STATUS:
A	28/04/22	First floor plan updated.	XX									
B	27/05/22	Roof amendments.	XX									
C	14/09/22	Roof plan added.	XX									
D	20/09/22	First Floor Layout Amendments.	AM									
E	20/09/22	Room Sizes Added.	AM									

Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 17-20 Floor Plans and Elevations
DRAWN:	NL	21055	P115
DATE:	11/01/22		E

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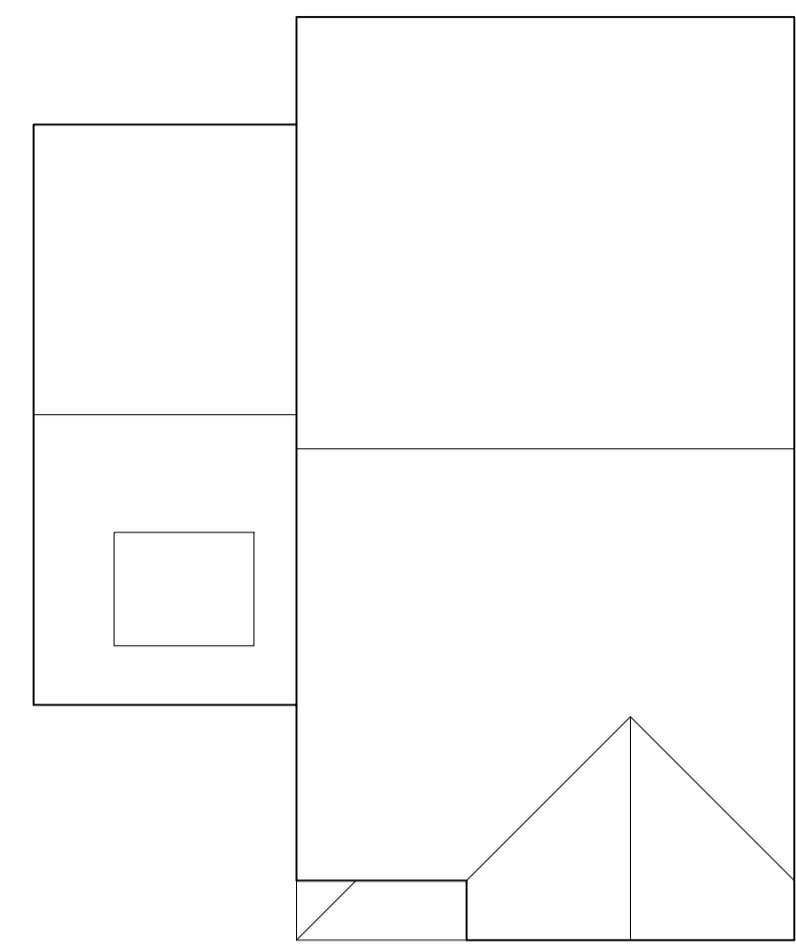


Plots
As: 23, 28, 34, 36, 38
Handed: 27, 32, 33, 35, 37

HOUSE TYPE:		A
Ground Floor	65.96m ²	710m ²
First Floor	79.44m ²	855m ²
Total GIA	145.40m²	1565m²

GIA measured to face of structure.
Areas below 1.5m height excluded.

Skelling Heights	
1500 Skelling Line	-----
1800 Skelling Line	-----
2100 Skelling Line	-----
2400 Ceiling Line	-----
NB - Above based on 45.0° roof pitch.	



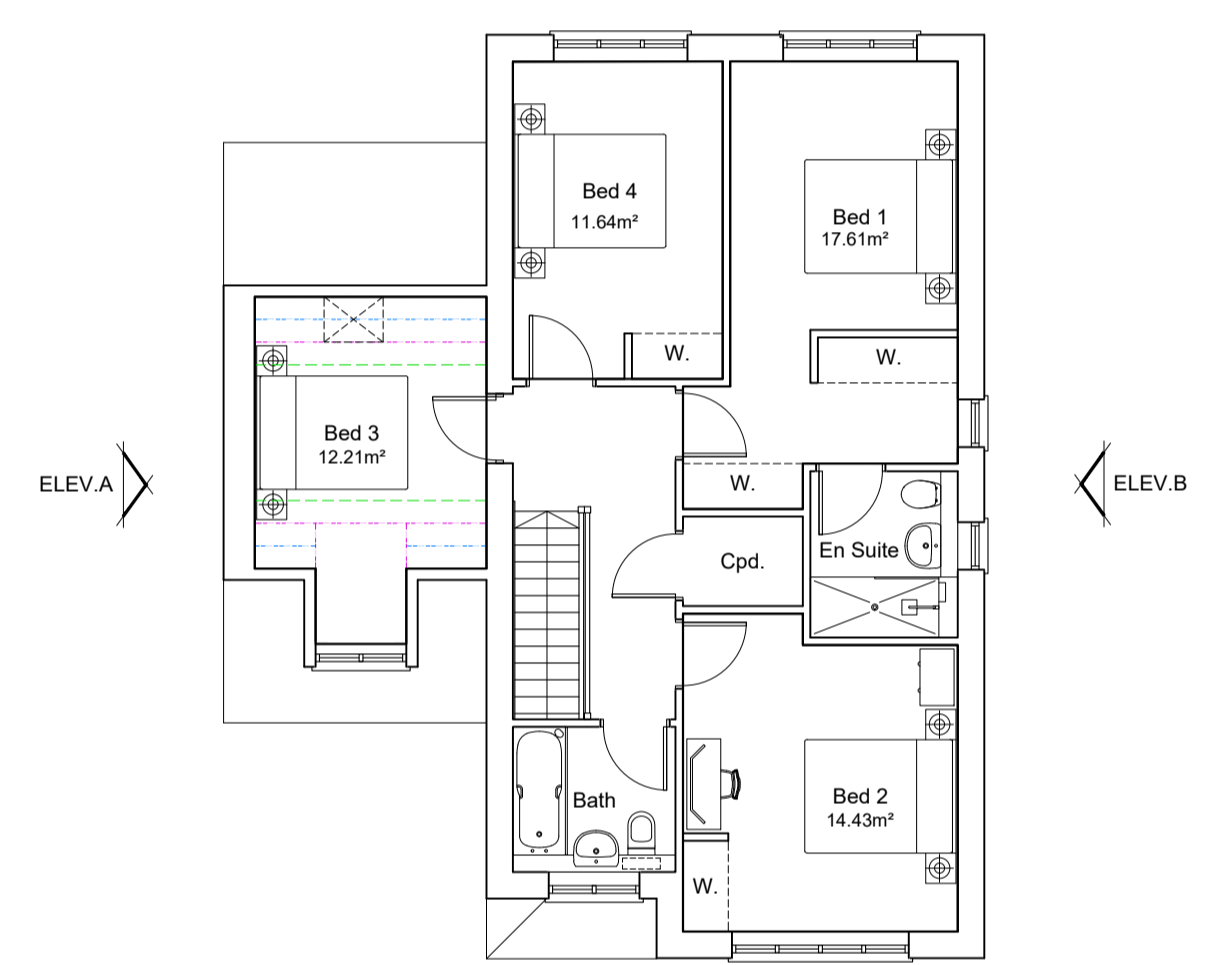
Roof Plan



Front Elevation



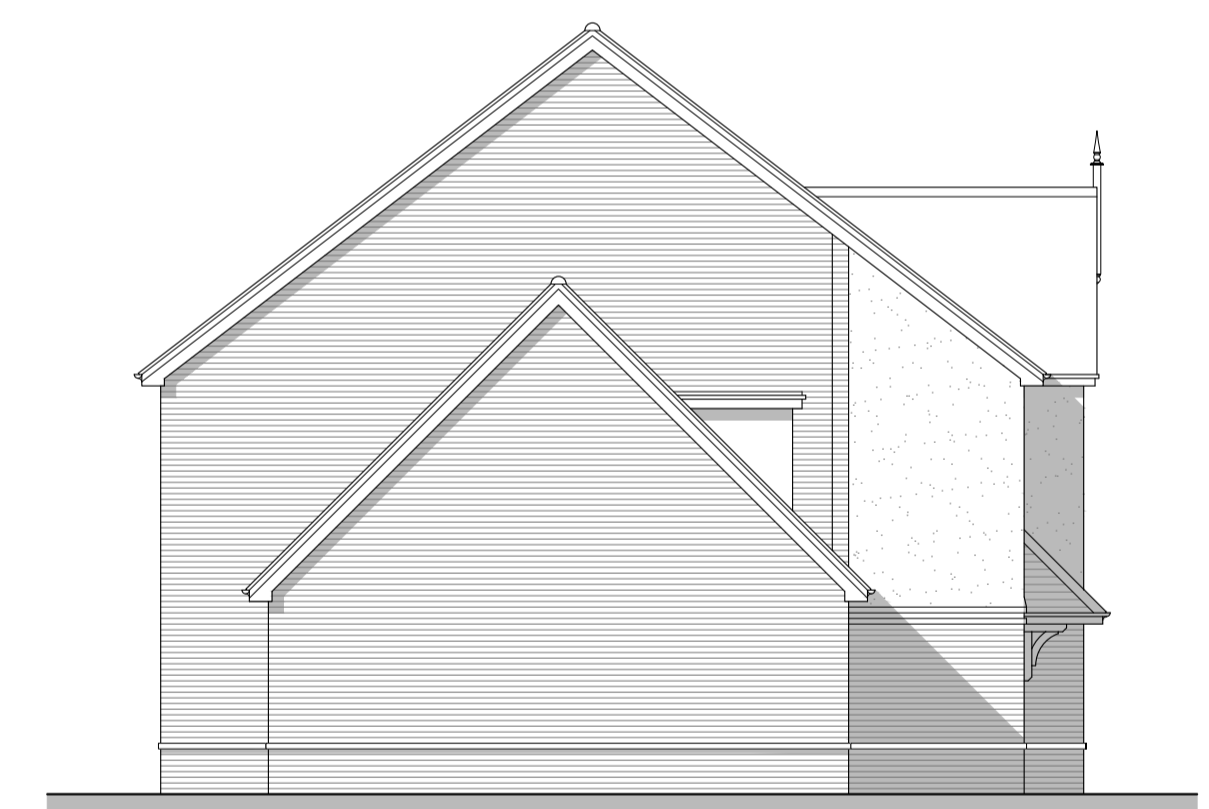
Side Elevation B



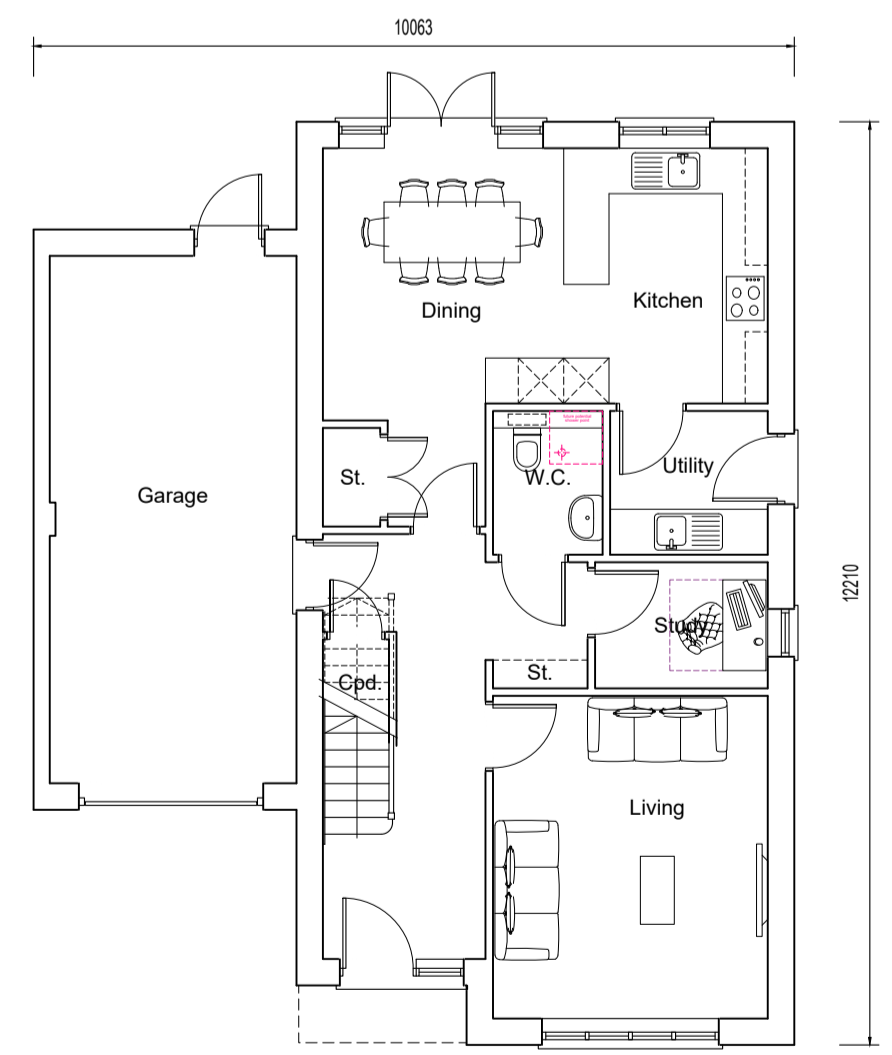
First Floor Plan



Rear Elevation



Side Elevation A



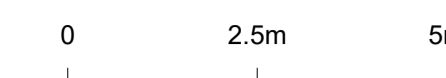
Ground Floor Plan

REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	29/04/22	Brick gills updated.	XX									
B	20/09/22	First Floor Layout Amendments.	AM									
C	20/09/22	Room Sizes Added.	AM									

Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 23, 27-28, 32-38 Proposed Plans and Elevations
DRAWN:	NL	21055	P116
DATE:	11/01/22		C

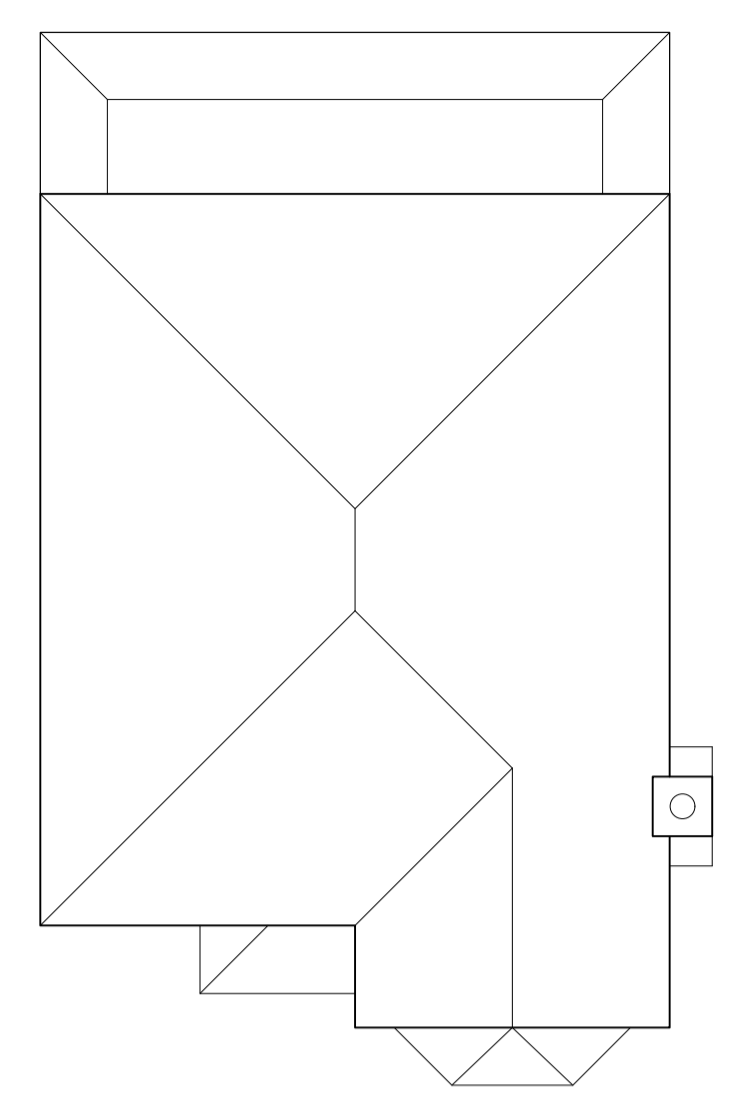
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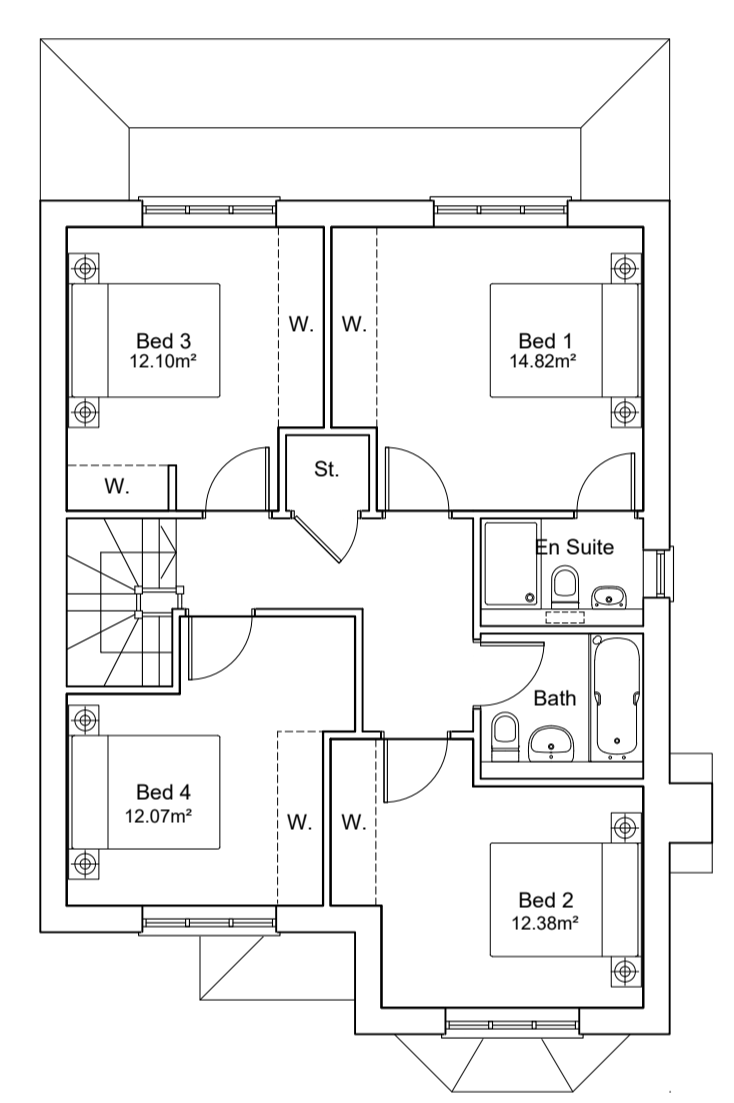
Plots
As: 29, 30
Handed: 24, 26,

HOUSE TYPE:	A	
Ground Floor	90.99m ²	979ft ²
First Floor	73.11m ²	787ft ²
Total GIA	164.09m²	1766ft²

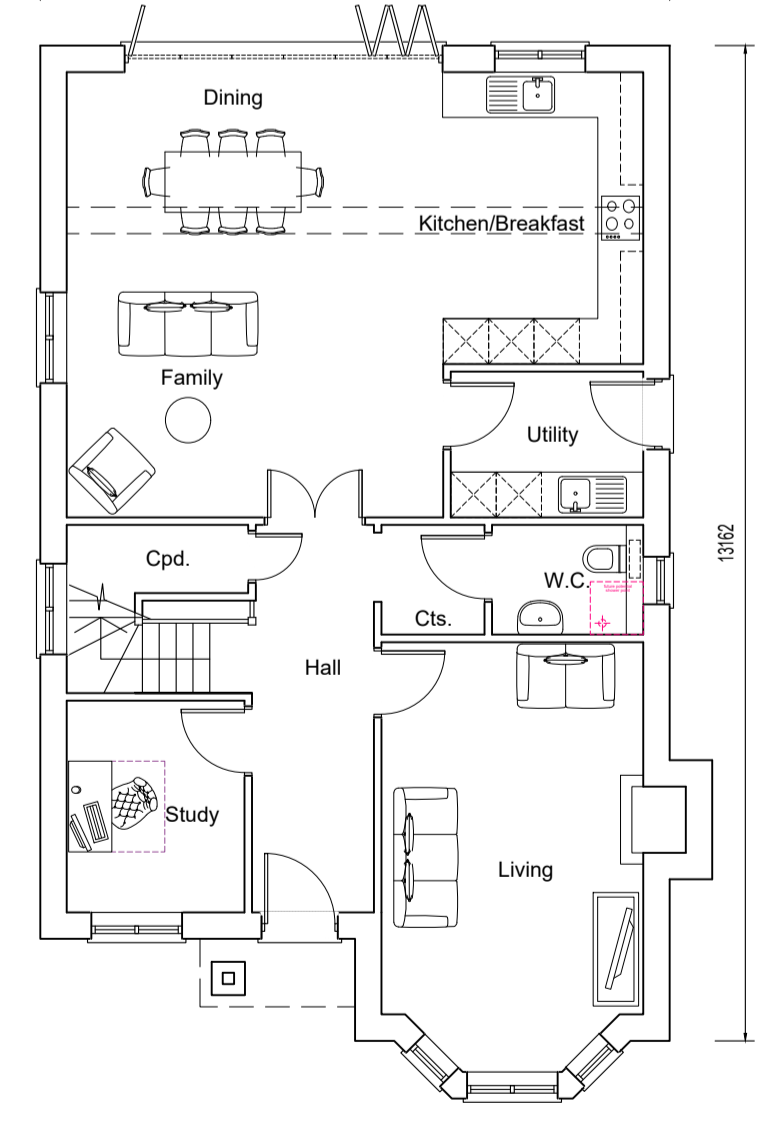
GIA measured to face of structure.
Areas below 1.5m height excluded.



Roof Plan



First Floor Plan



Ground Floor Plan



Front Elevation



Side Elevation B



Rear Elevation



Side Elevation A

109

REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	28/04/22	Brick gills updated.	XX									
B	20/09/22	First Floor Layout Amendments.	AM									
C	20/09/22	Room Sizes Added.	AM									

Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 24, 26, 29, 30, Proposed Plans and Elevations
DRAWN:	NL	21055	P117
DATE:	11/01/22		C

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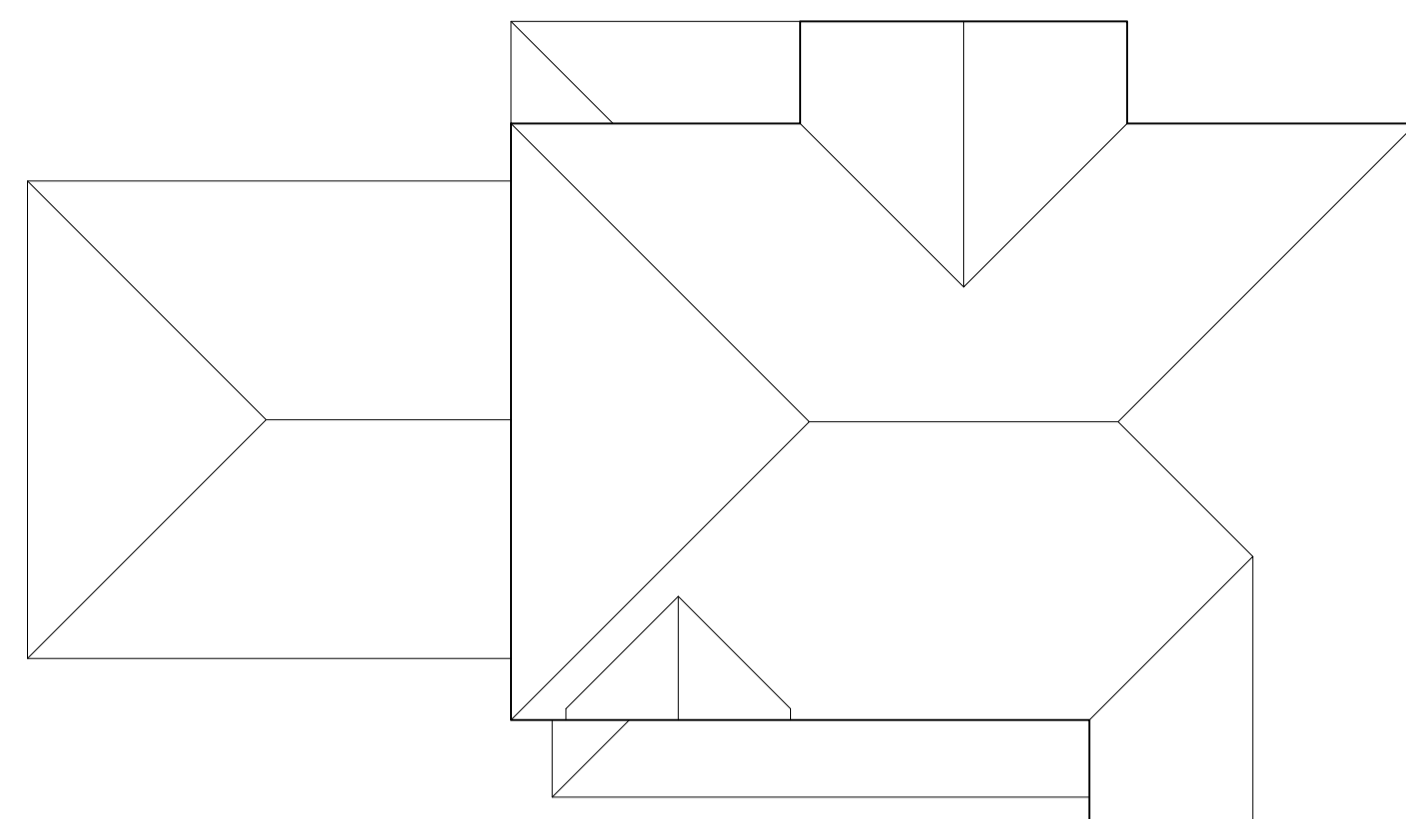
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0 2.5m 5m

Plots
As: 31
Handed: 25

HOUSE TYPE:	A	
Ground Floor	98.22m ²	1057m ²
First Floor	90.98m ²	979m ²
Total GIA	189.20m²	2037m²

GIA measured to face of structure.
Areas below 1.5m height excluded.



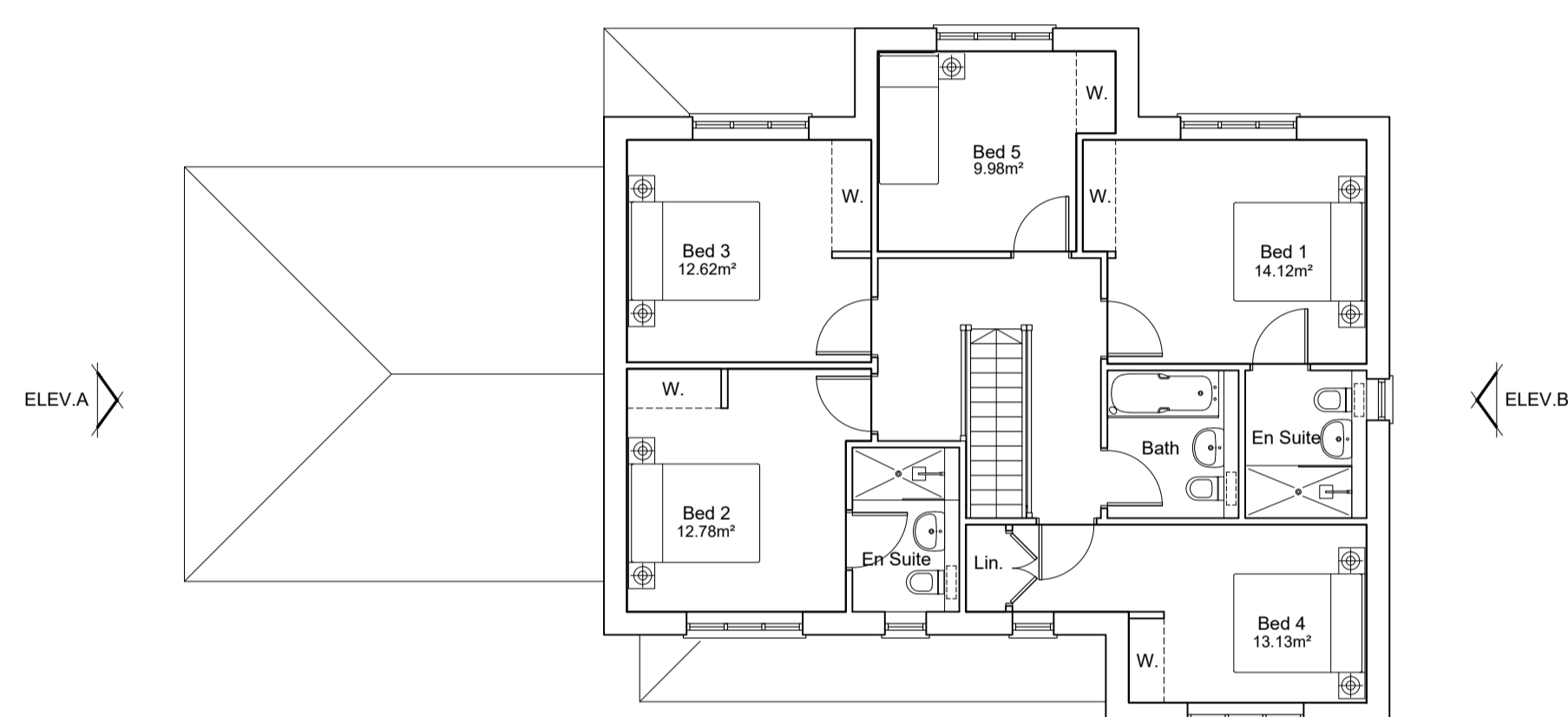
Roof Plan



Front Elevation



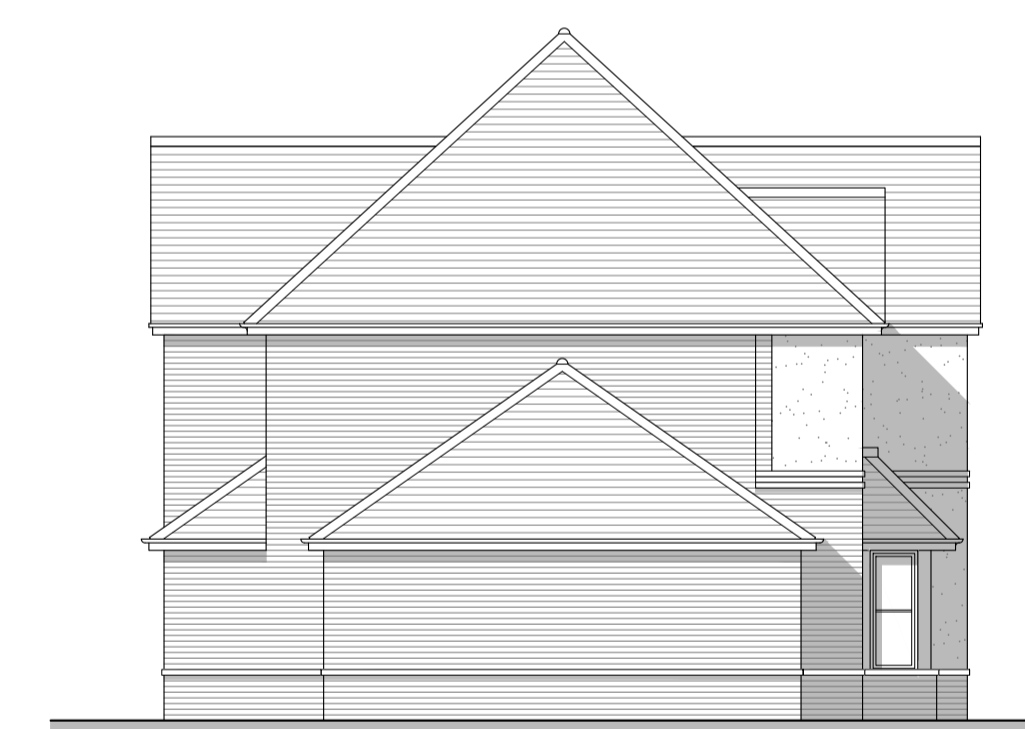
Side Elevation B



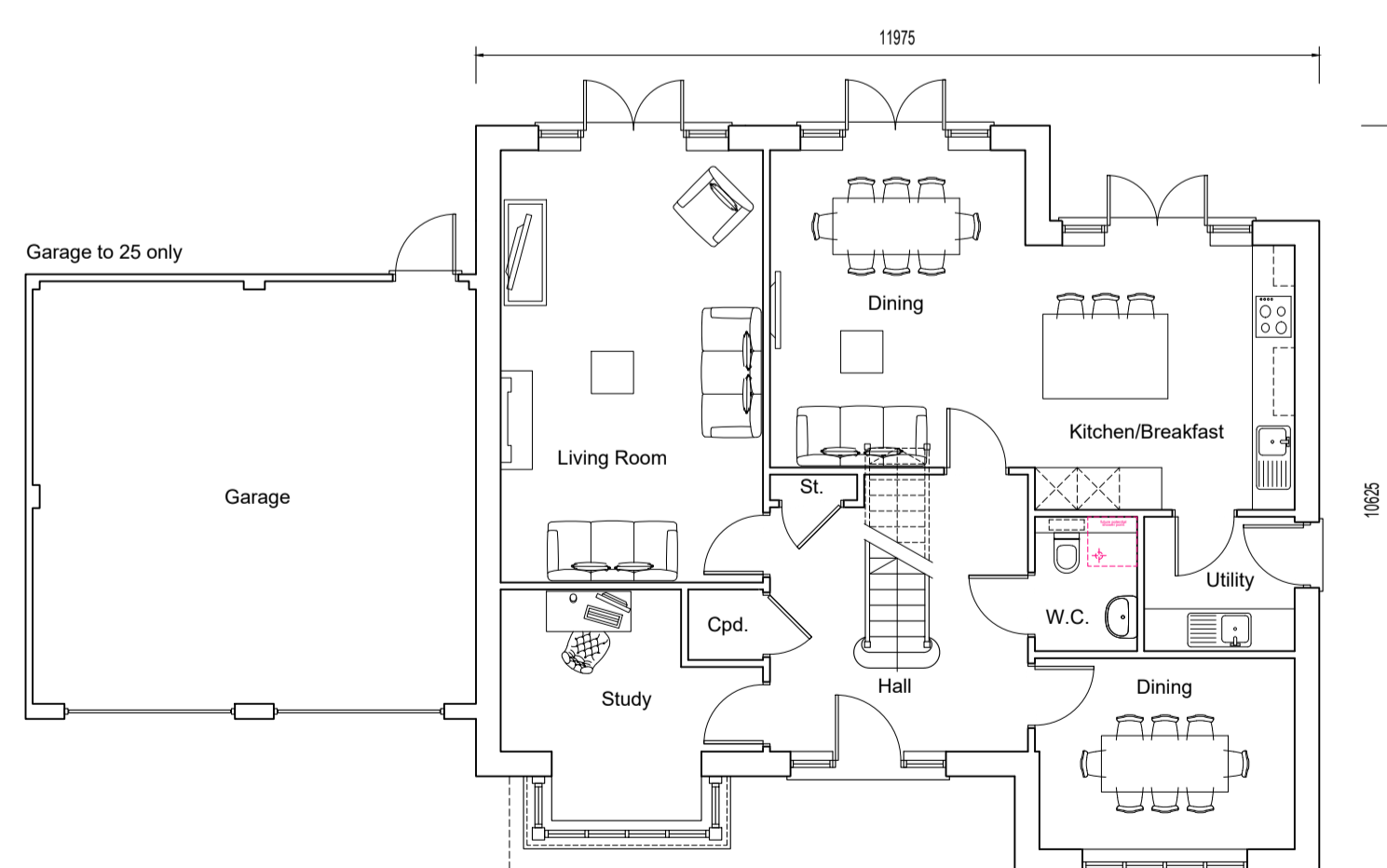
First Floor Plan



Rear Elevation



Side Elevation A



Ground Floor Plan

1:10

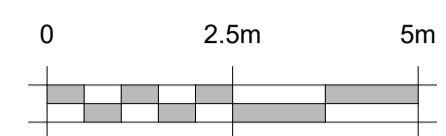
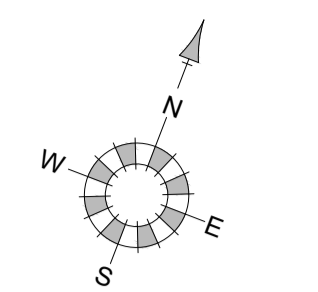
REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	29/04/22	Brick gills updated.	XX									
B	20/09/22	First Floor Layout Amendments.	AM									
C	20/09/22	Room Sizes Added.	AM									
D	21/10/22	Roof pitch adjusted.	AM									

Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 25, 31 Proposed Plans and Elevations
DRAWN:	NL	21055	P118
DATE:	11/01/22		D



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Plots
As: 48-51
Handed:

HOUSE TYPE:	A	
Ground Floor	47.53m ²	512m ²
First Floor	47.52m ²	512m ²
Total GIA	95.05m²	1023m²

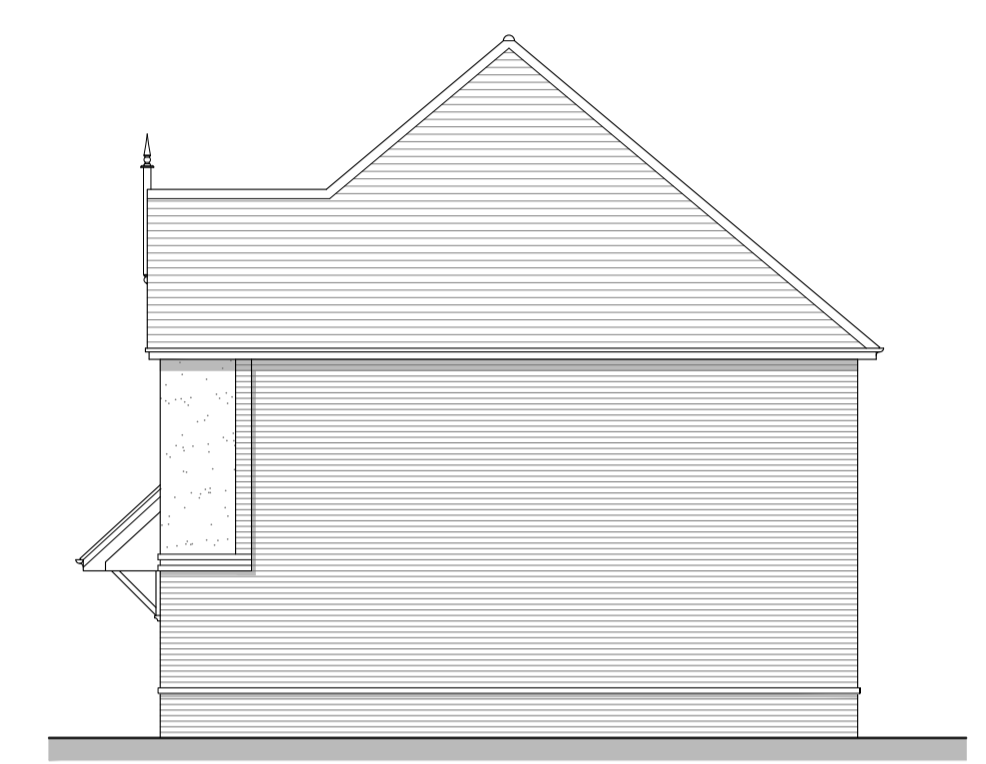
GIA measured to face of structure.
Areas below 1.5m height excluded.



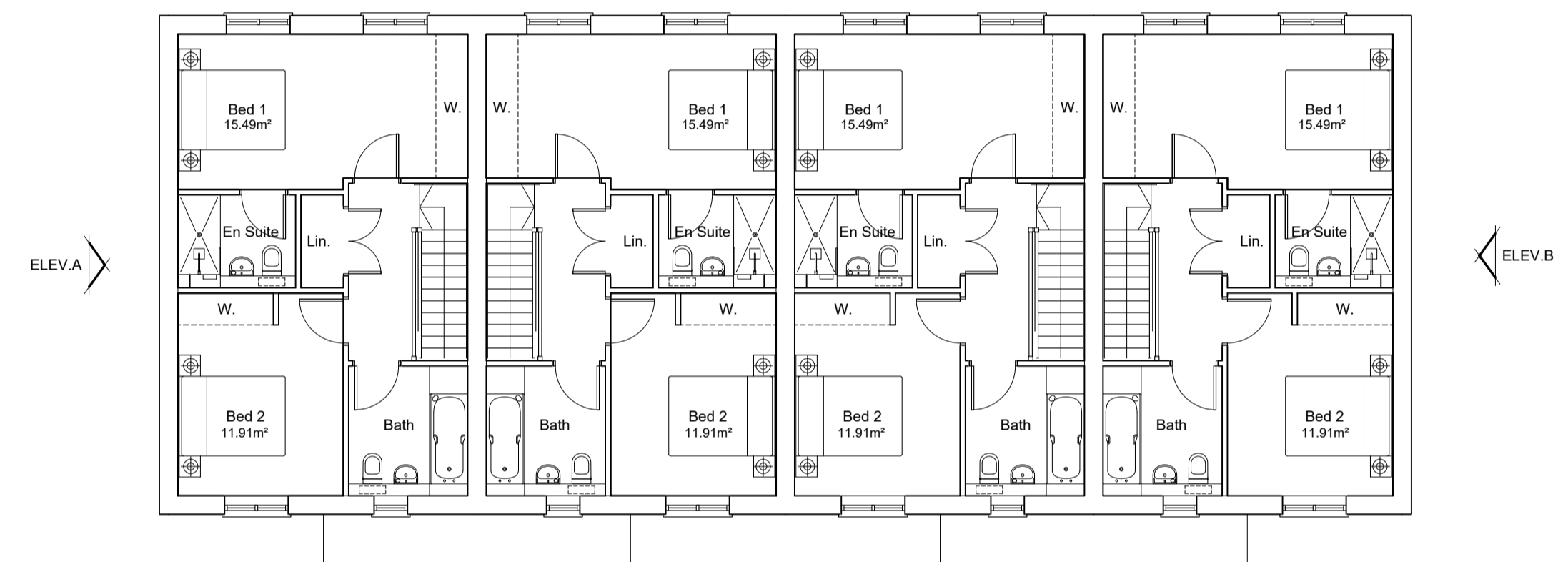
Roof Plan



Front Elevation



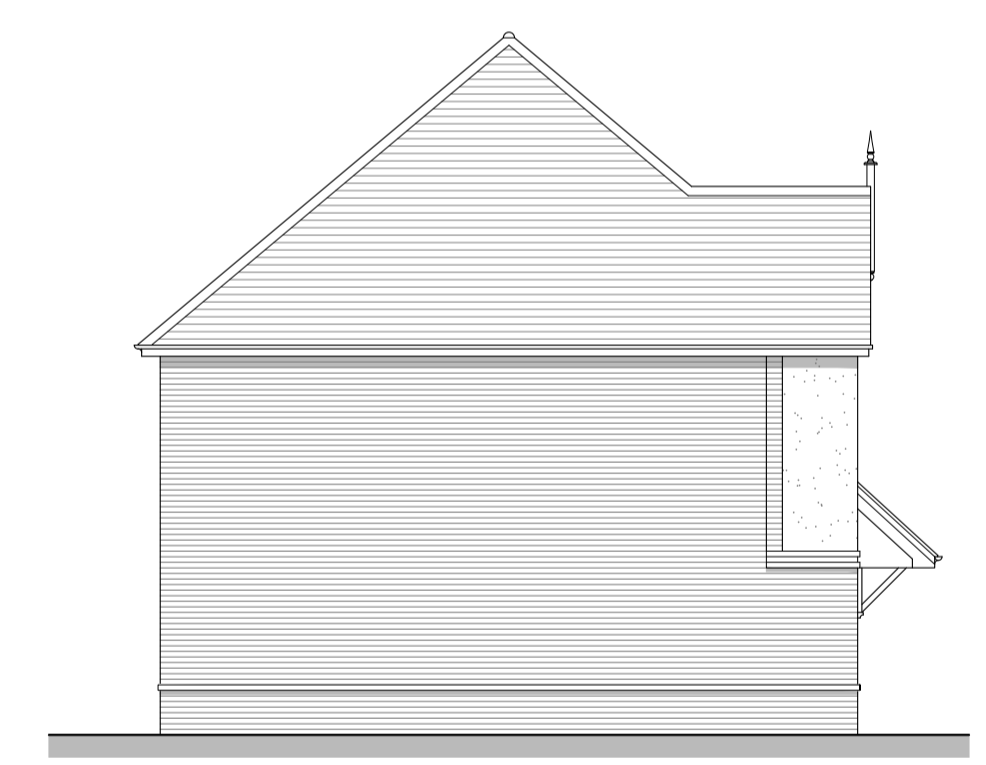
Side Elevation B



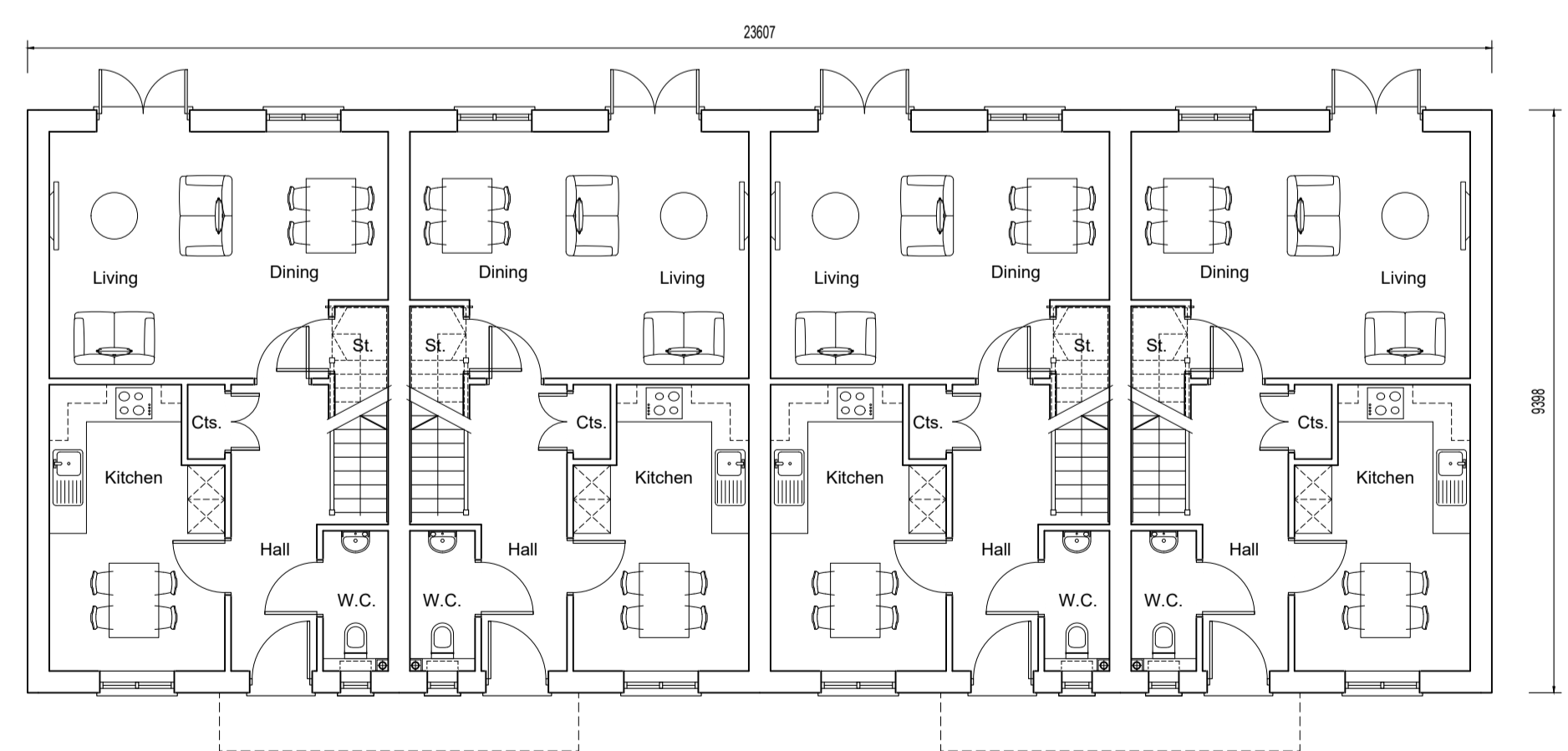
First Floor Plan



Rear Elevation



Side Elevation A



Ground Floor Plan

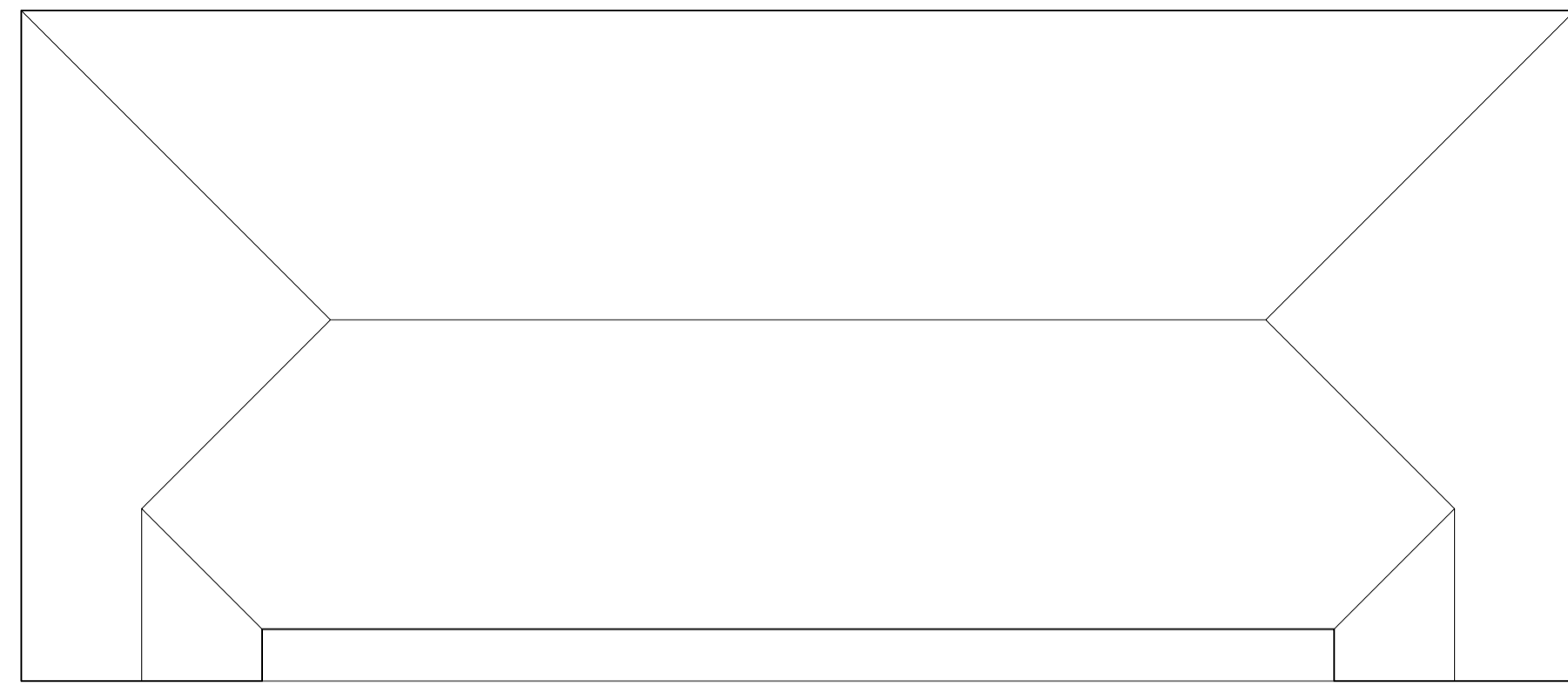
REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	20/09/22	First Floor Layout Amendments.	AM									
B	20/09/22	Room Sizes Added.	AM									
C	20/10/22	Roof pitch adjusted.	AM									

Planning

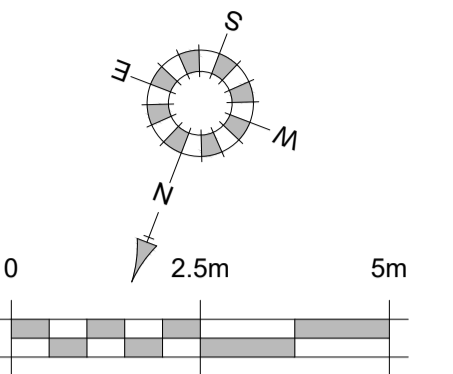
CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 48-51 Proposed Plans and Elevations
DRAWN:	NL	21055	P120
DATE:	11/01/22		C

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Roof Plan



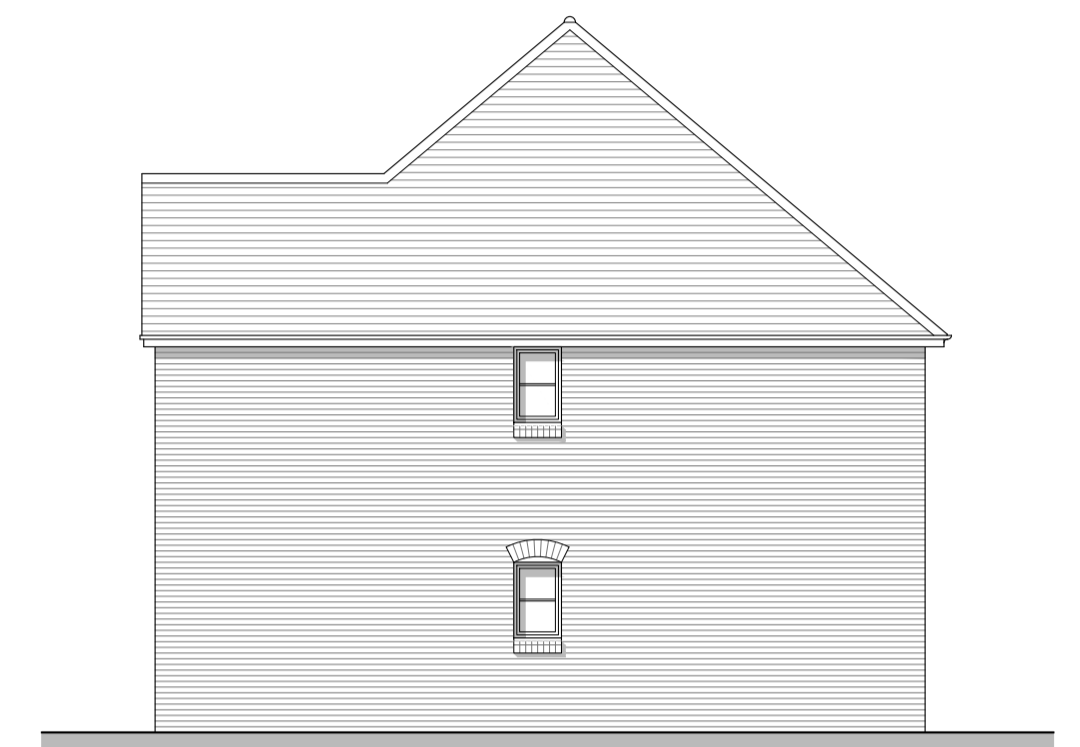
Plots
As: 54-57
Handed:

HOUSE TYPE:	A	
Ground Floor	49.86m ²	537m ²
First Floor	49.86m ²	537m ²
Total GIA	99.71m²	1073m²

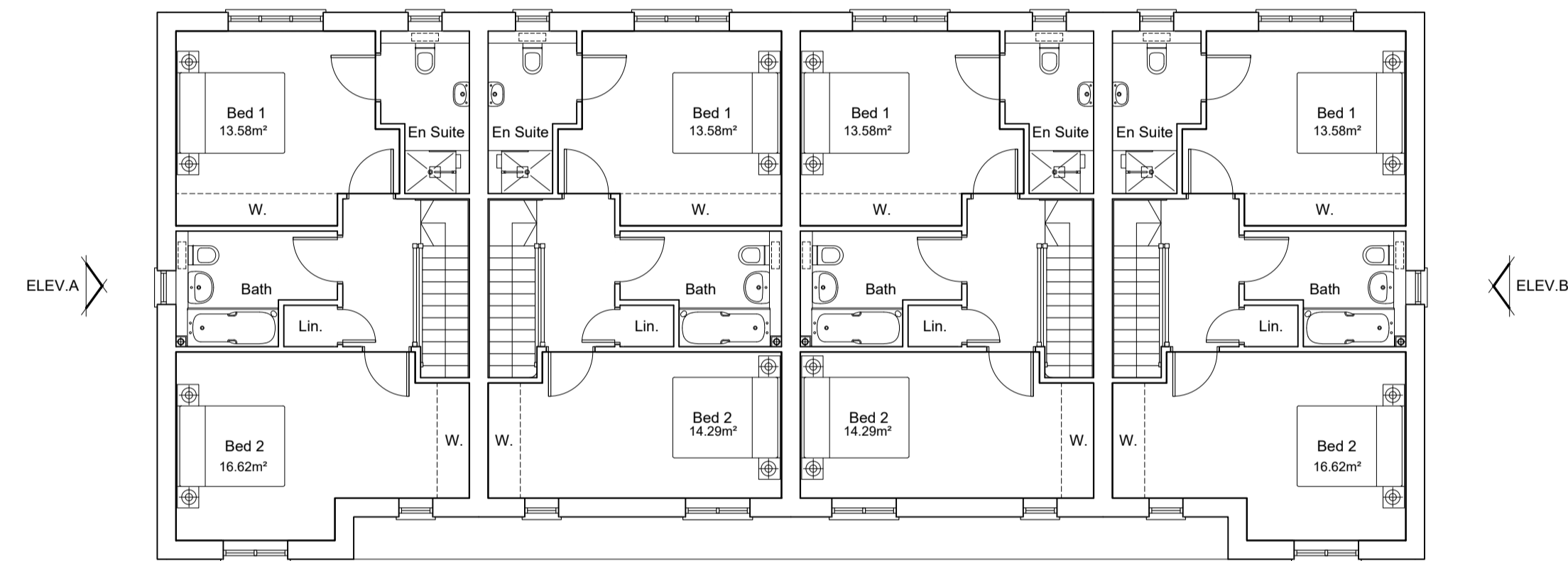
GIA measured to face of structure. Areas below 1.5m height excluded.



Front Elevation



Side Elevation B



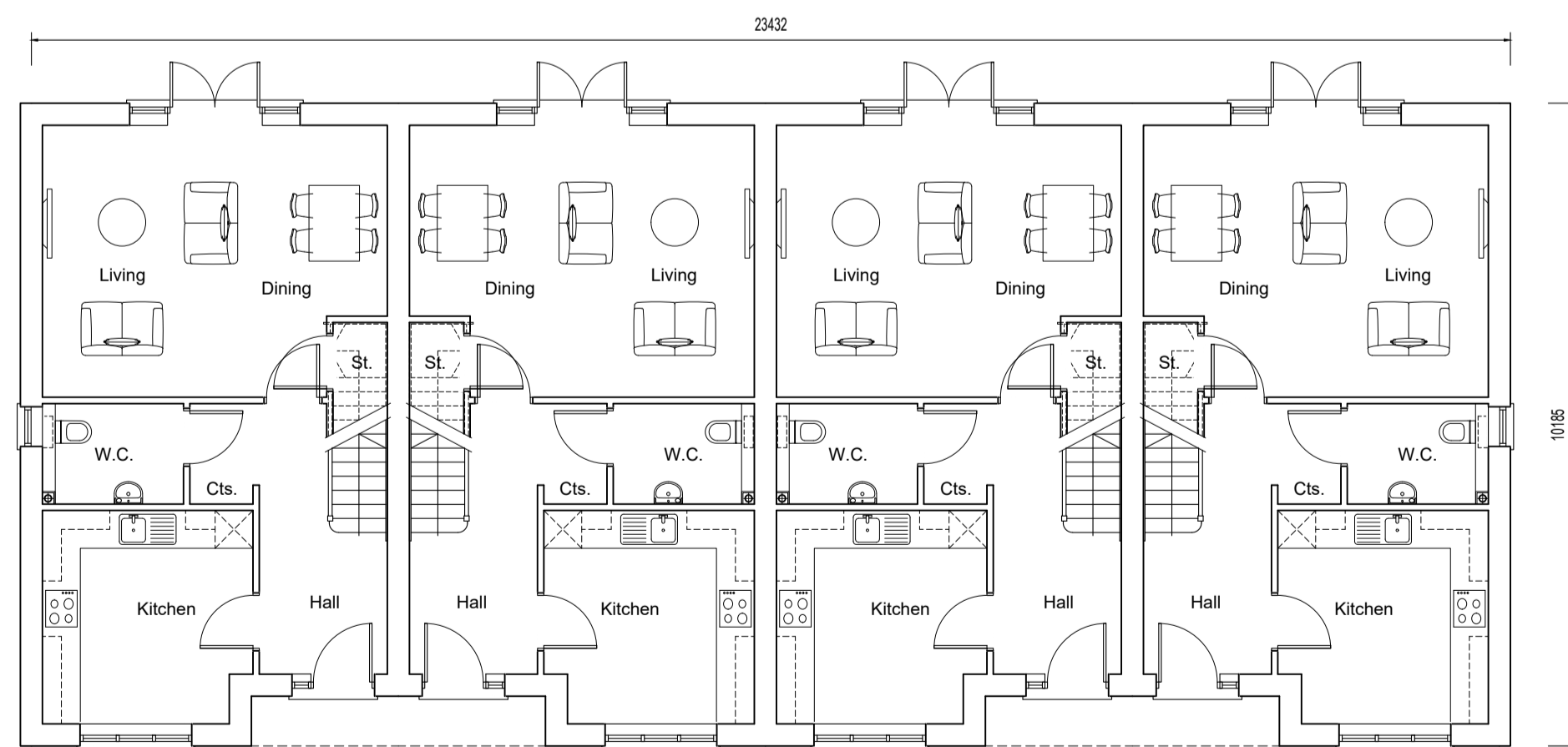
First Floor Plan



Rear Elevation



Side Elevation A



Ground Floor Plan

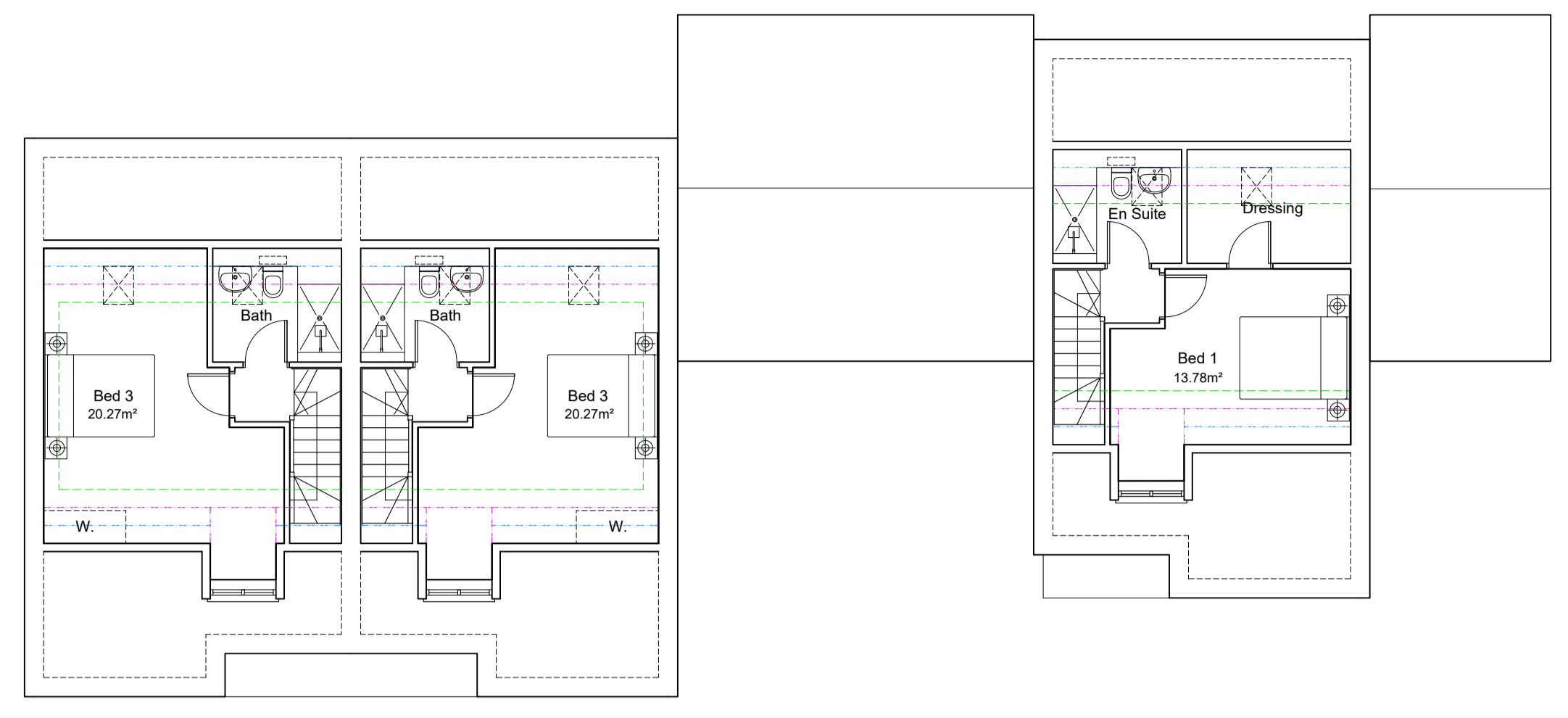
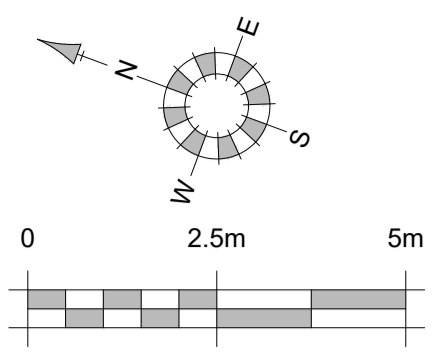
112

REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	29/04/22	French doors updated.	XX									
B	20/09/22	Room Sizes Added.	XX									
C	20/10/22	Roof pitch adjusted.	XX									

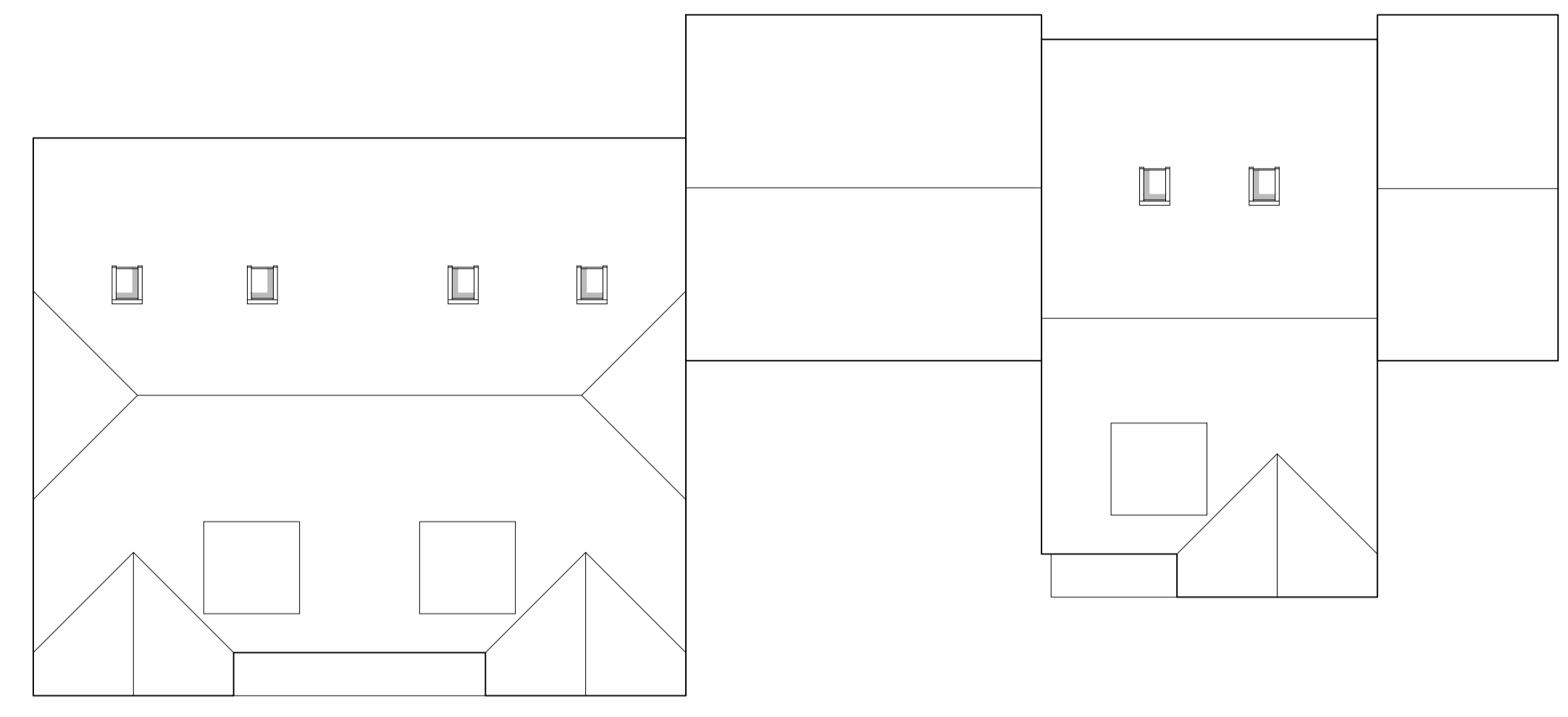
Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 54-57 Floor Plans and Elevations
DRAWN:	NL	21055	P121
DATE:	11/01/22		C

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Second Floor Plan



Roof Plan

Plots
As: 58-60
Handed:

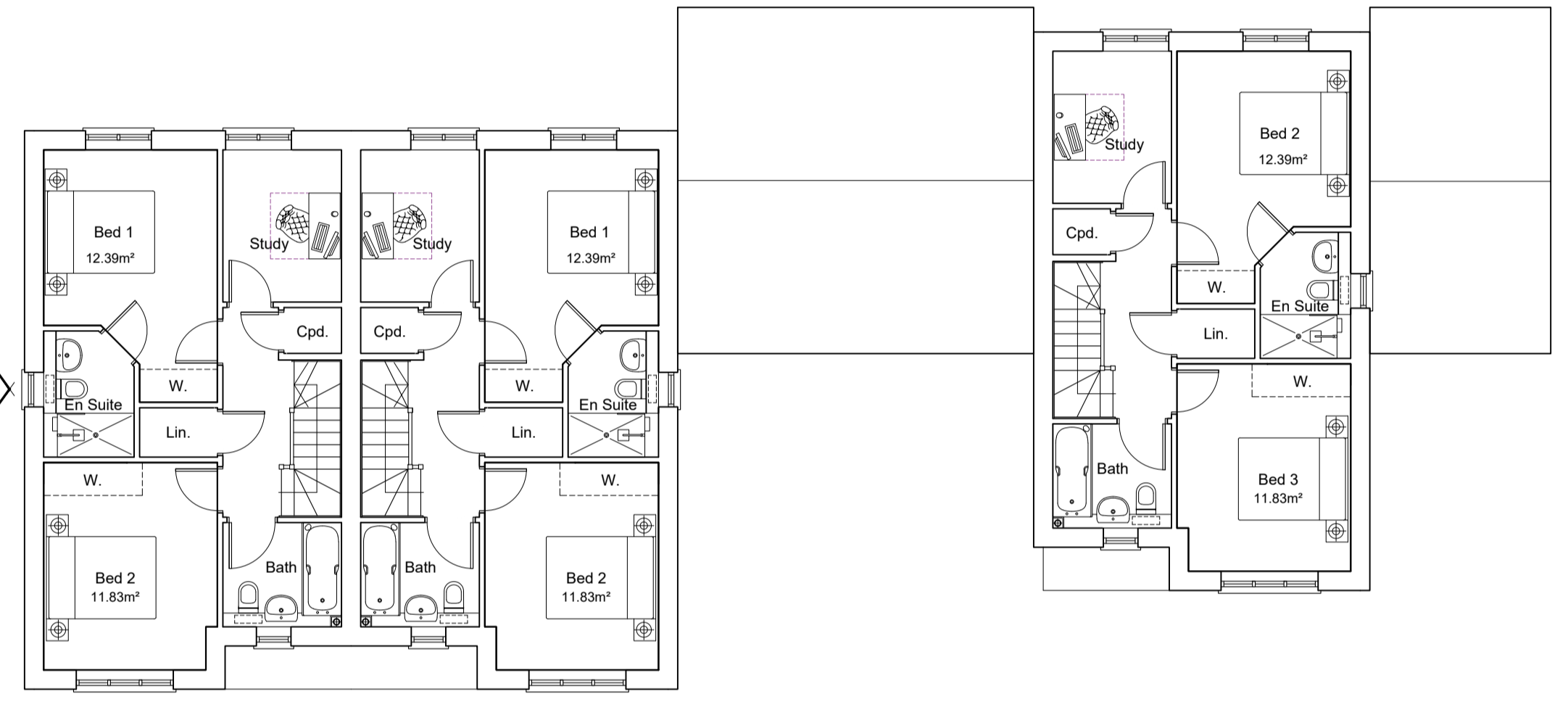
HOUSE TYPE: A	
Ground Floor	49.60m² 534ft²
First Floor	49.60m² 534ft²
Second Floor	30.04m² 323ft²
Total GIA	129.24m² 1391ft²

GIA measured to face of structure.
Areas below 1.5m height excluded.

HOUSE TYPE: B	
Ground Floor	49.61m² 534ft²
First Floor	49.60m² 534ft²
Second Floor	30.04m² 323ft²
Total GIA	129.25m² 1391ft²

GIA measured to face of structure.
Areas below 1.5m height excluded.

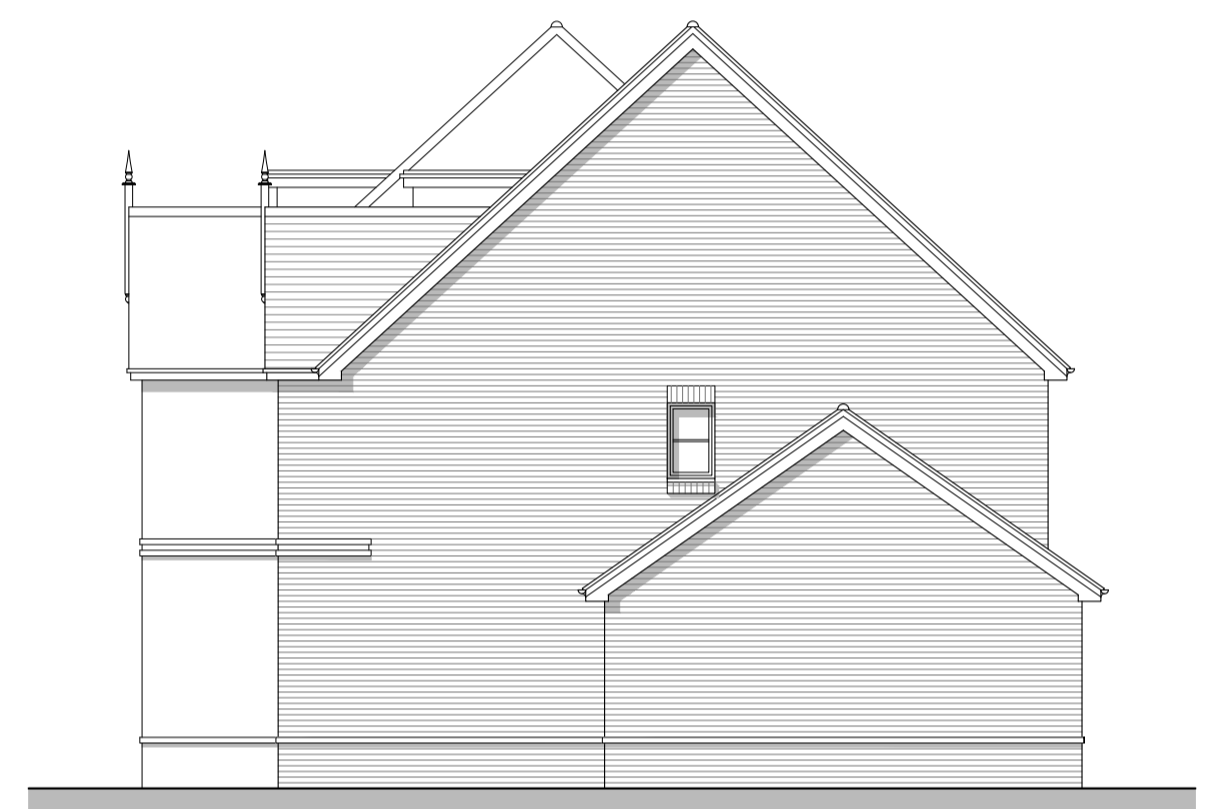
Skelling Heights	
1500 Skelling Line	-----
1800 Skelling Line	-----
2100 Skelling Line	-----
2400 Ceiling Line	-----



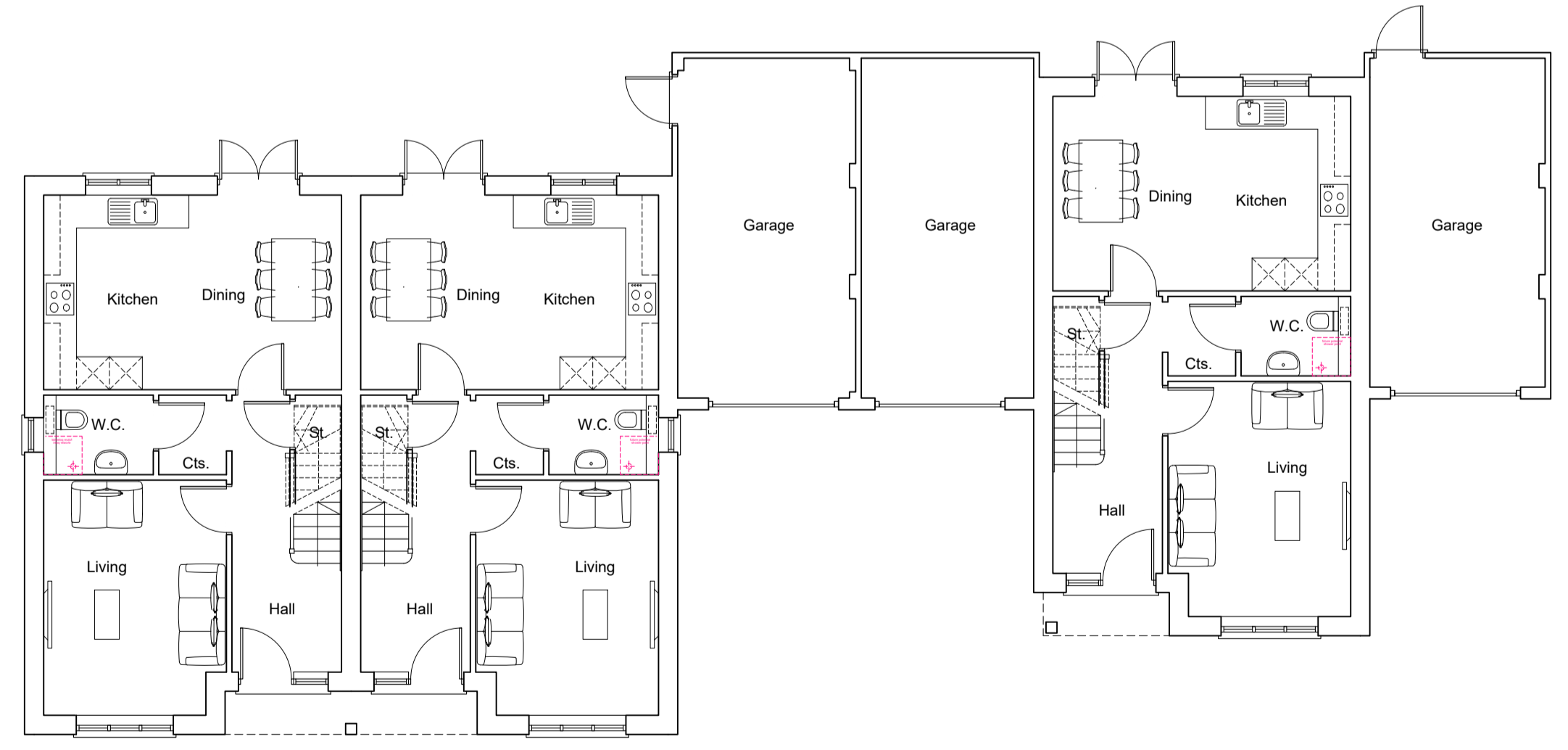
First Floor Plan



Front Elevation



Side Elevation B



Ground Floor Plan



Rear Elevation



Side Elevation A

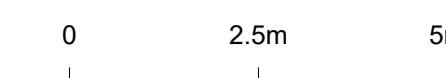
113

REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	27/05/22	Roof amendments.	XX									
B	13/09/22	Roof plan added.	XX									
C	20/09/22	Room Sizes Added.	XX									
D	21/10/22	Garage door removed from plot 58.	XX									

Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 58-60 Floor Plans and Elevations
DRAWN:	NL	21055	P122
DATE:	11/01/22		D

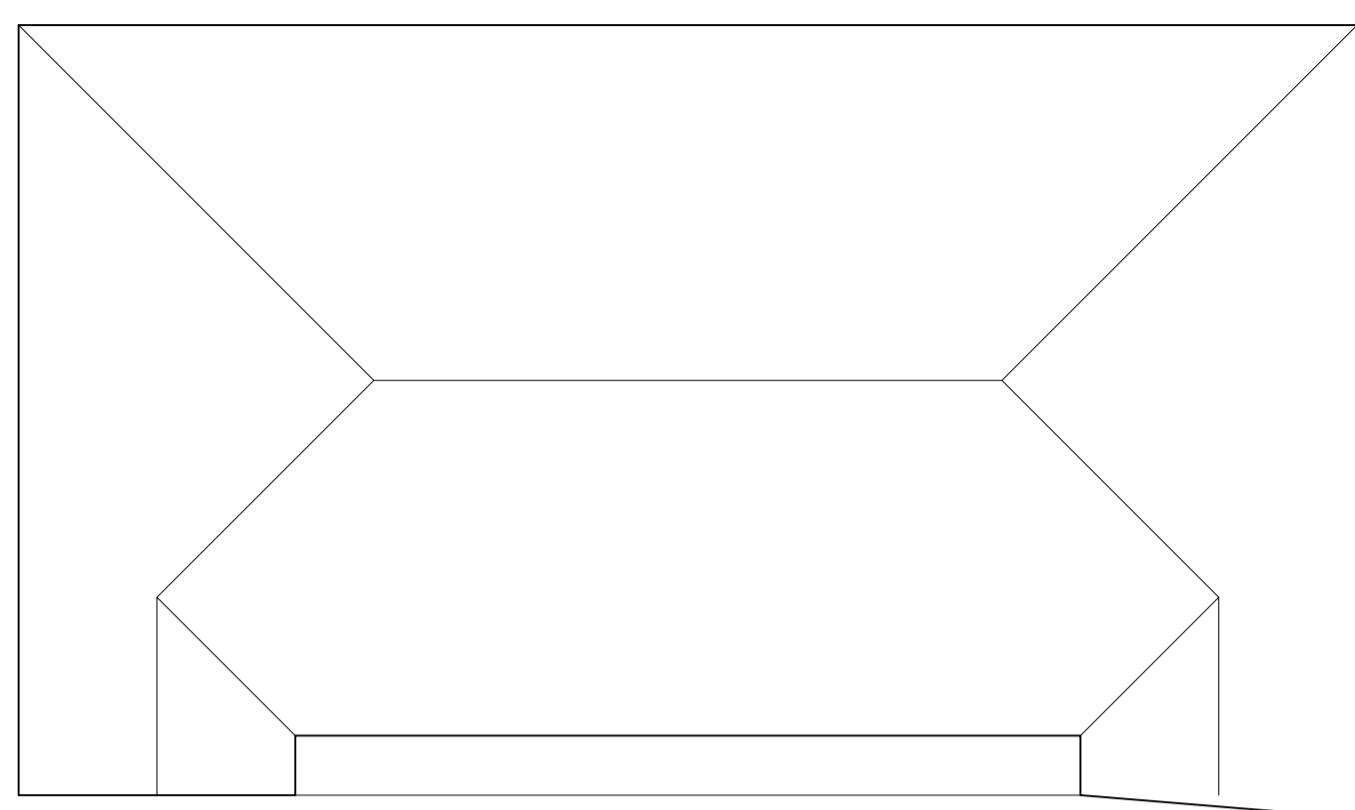




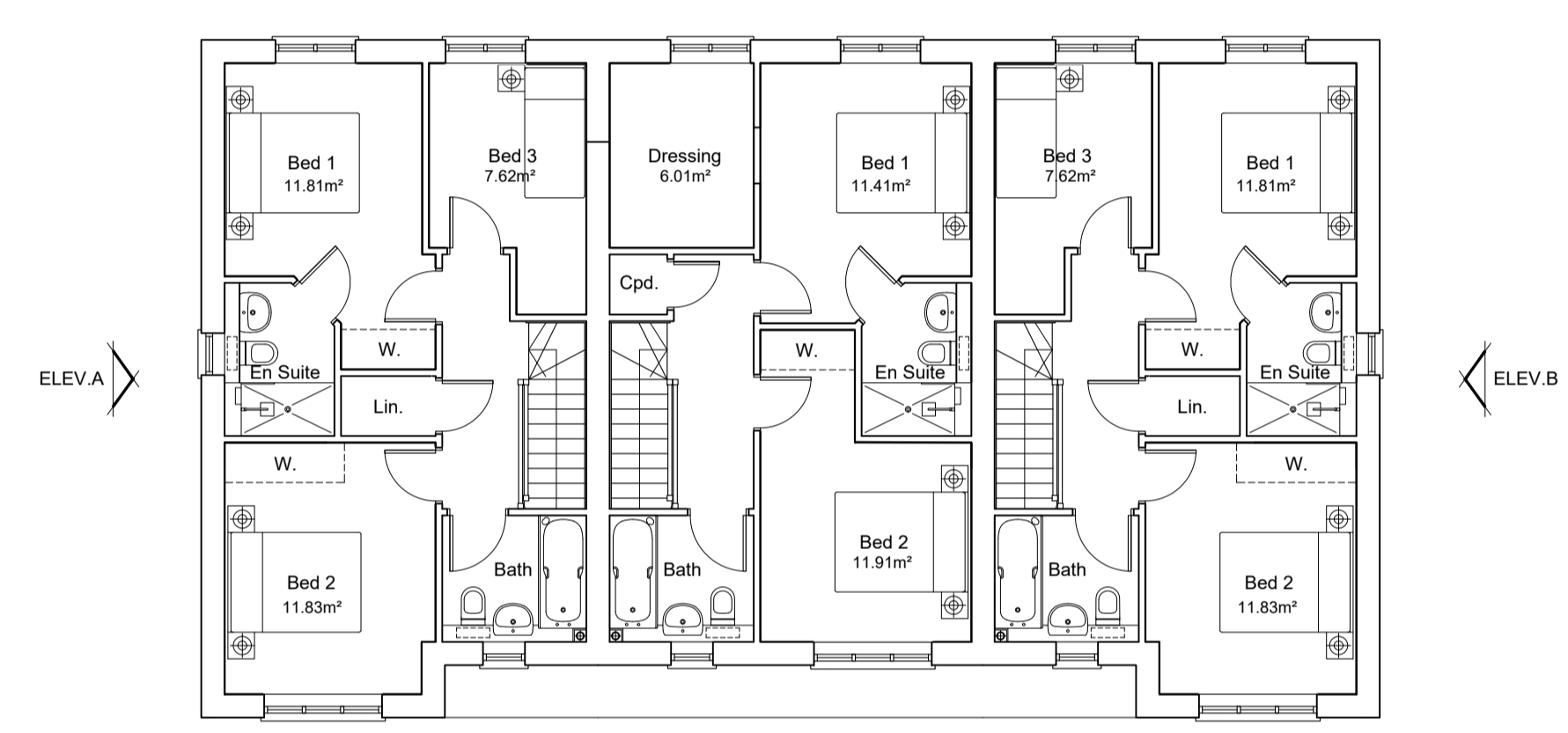
Plots
As: 65-67
Handed:

HOUSE TYPE:	A	
Ground Floor	49.60m ²	534m ²
First Floor	49.60m ²	534m ²
Total GIA	99.20m ²	1068m ²

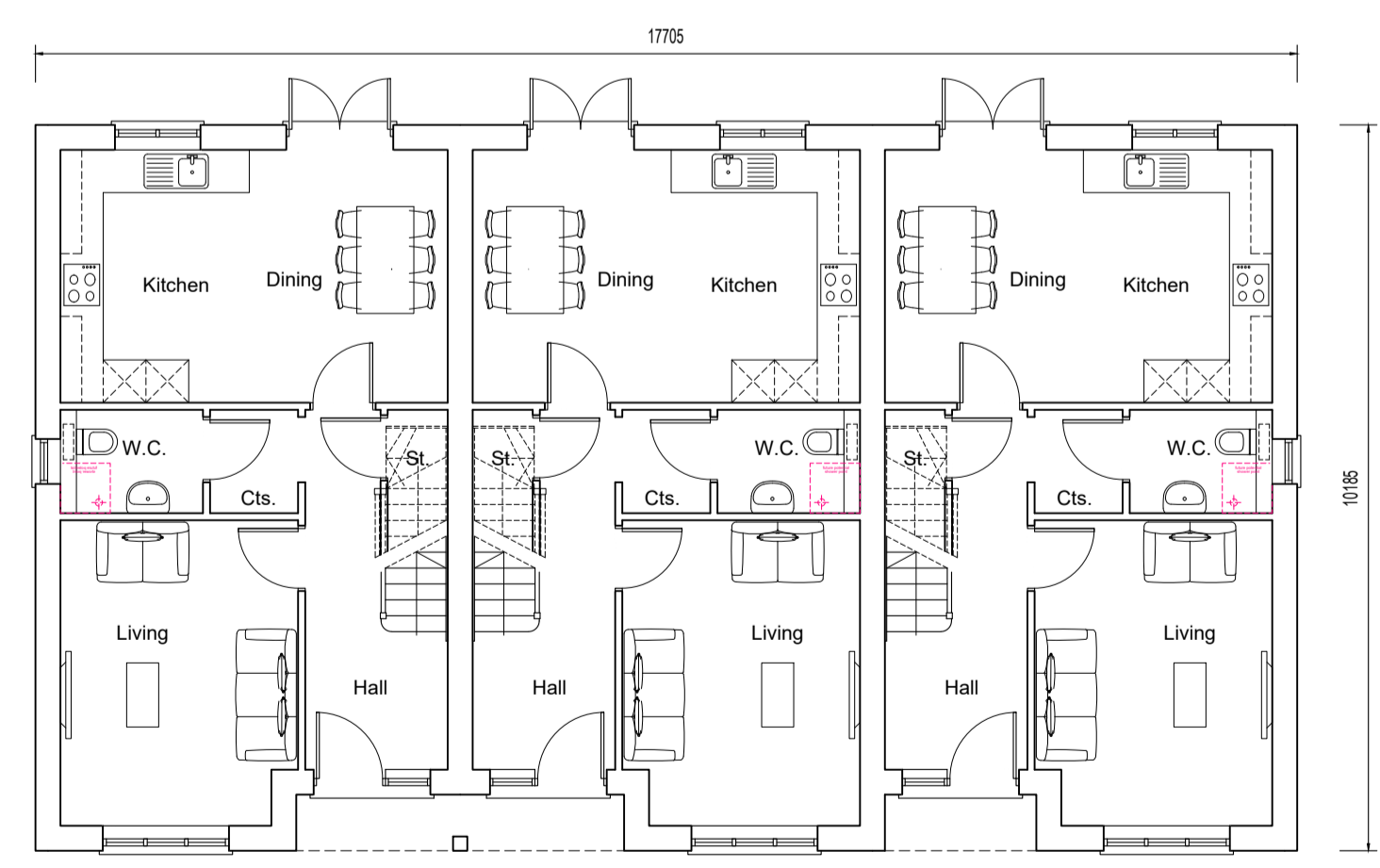
GIA measured to face of structure.
Areas below 1.5m height excluded.



Roof Plan



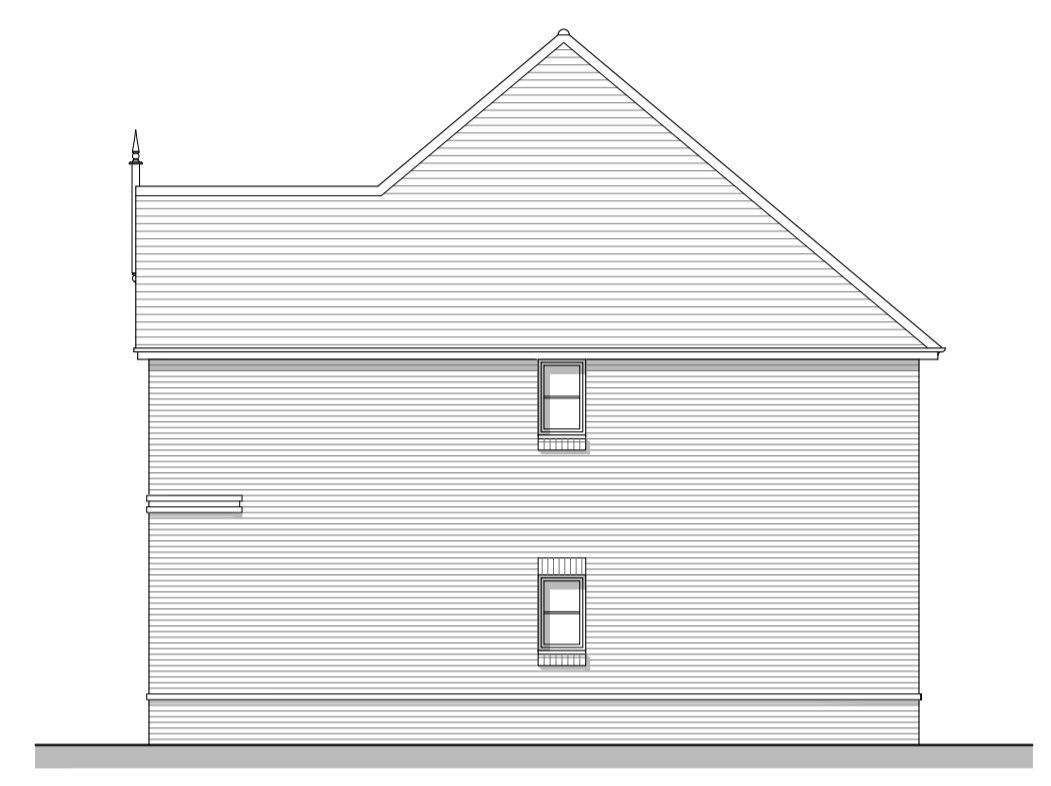
First Floor Plan



Ground Floor Plan



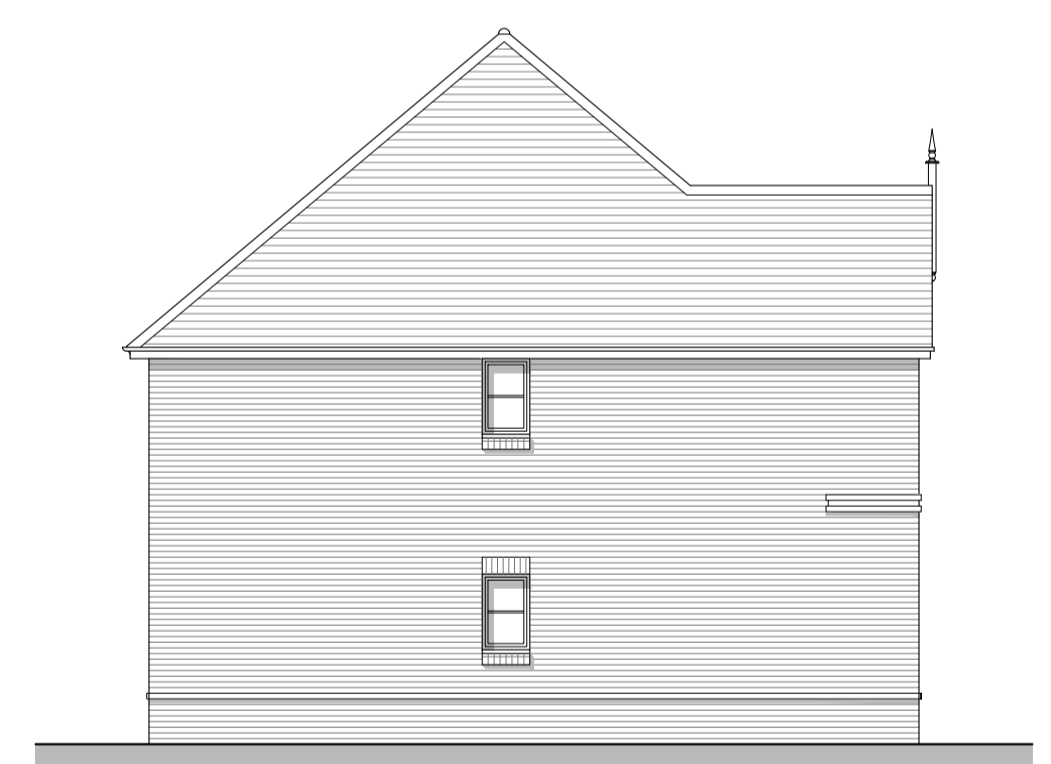
Front Elevation



Side Elevation B



Rear Elevation



Side Elevation A

1174

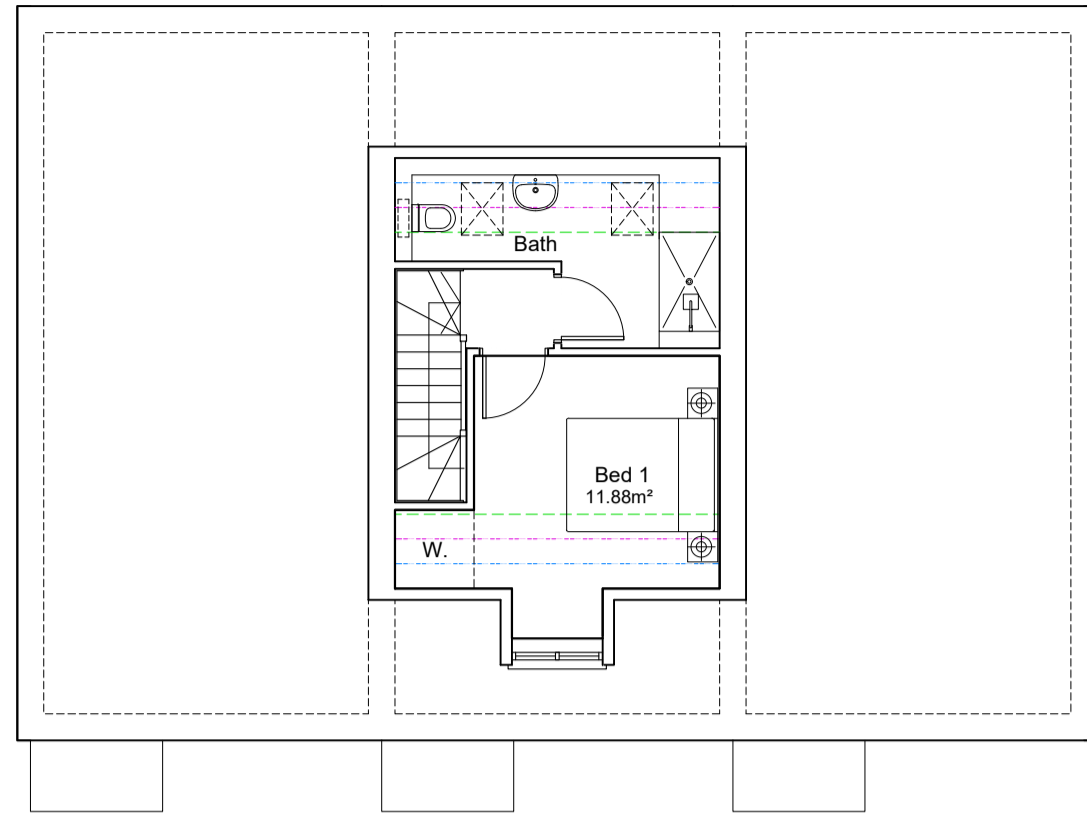
REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	STATUS:
A	07.07.22	Plot 66 Dressing room added to Bed 1	AM									
B	13.09.22	Bedroom areas added.	AM									
C	20.09.22	First Floor Layout Amendments.	AM									
D	20.10.22	Roof pitch adjusted.	AM									

Planning

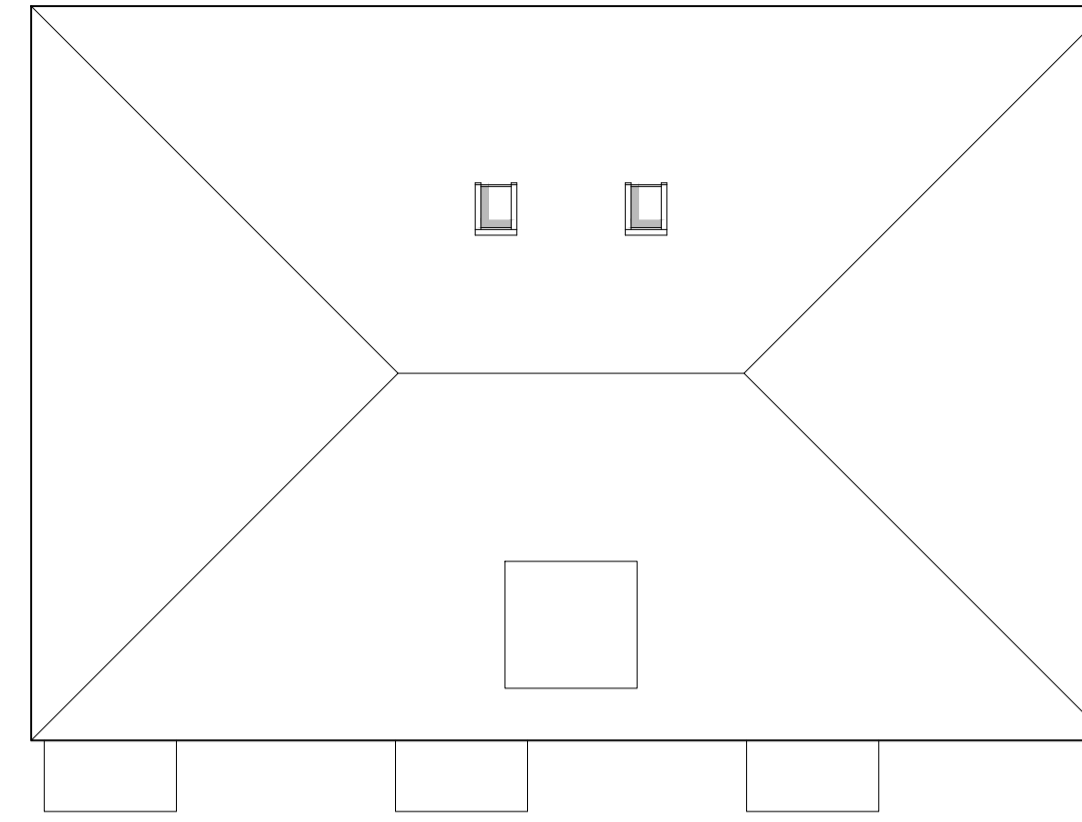
CLIENT:	Sorbon Estates	PROJECT:	Grove Park, White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 65-67 Floor Plans and Elevations
DRAWN:	NL	21055	P119
DATE:	11/01/22		D

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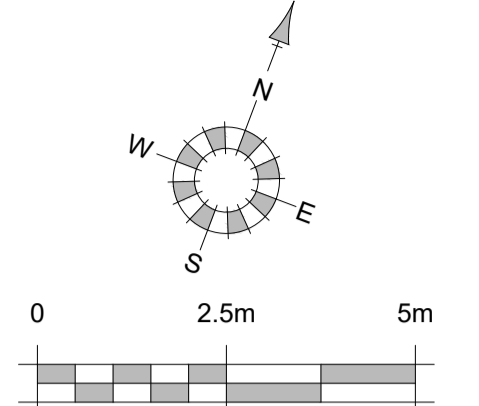
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Second Floor Plan



Roof Plan



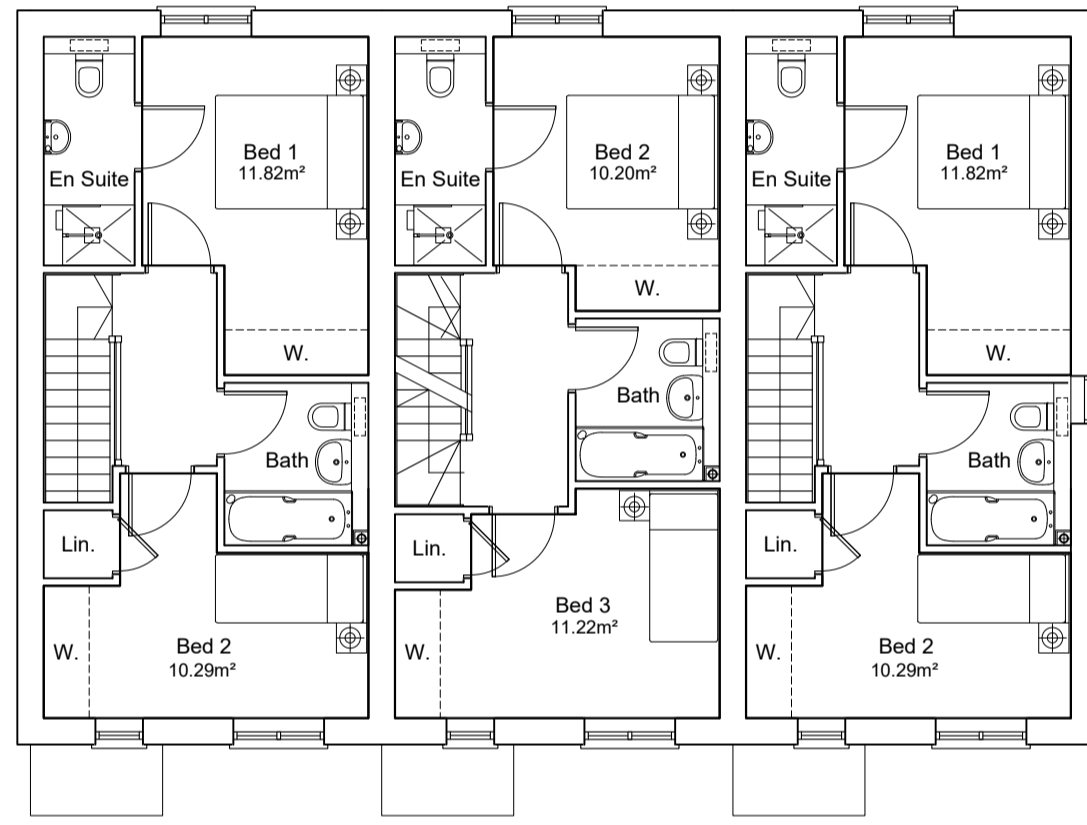
Plots
As: 68-70
Handed:

HOUSE TYPE: A	
Ground Floor	38.70m² 417m²
First Floor	38.70m² 417m²
Total GIA	77.40m² 833m²

GIA measured to face of structure.
Areas below 1.5m height excluded.

HOUSE TYPE: B	
Ground Floor	38.70m² 417m²
First Floor	38.70m² 417m²
Second Floor	25.25m² 272m²
Total GIA	102.64m² 1105m²

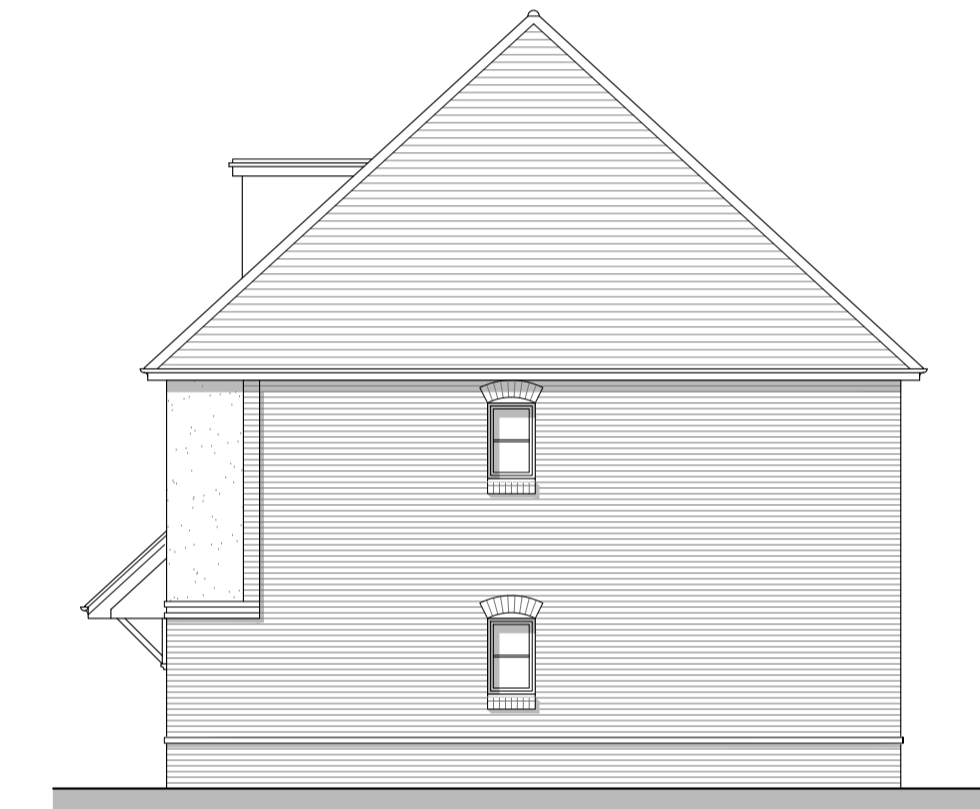
GIA measured to face of structure.
Areas below 1.5m height excluded.



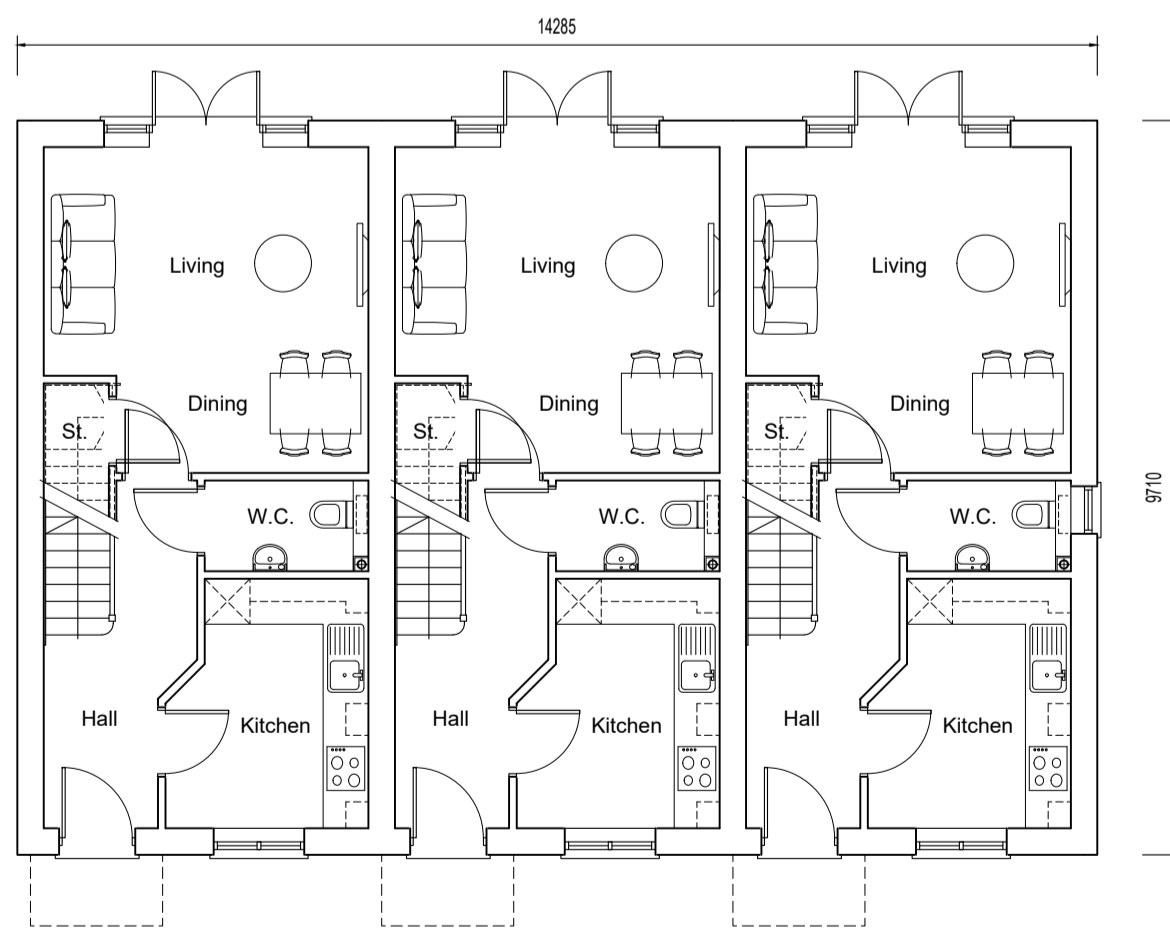
First Floor Plan



Front Elevation



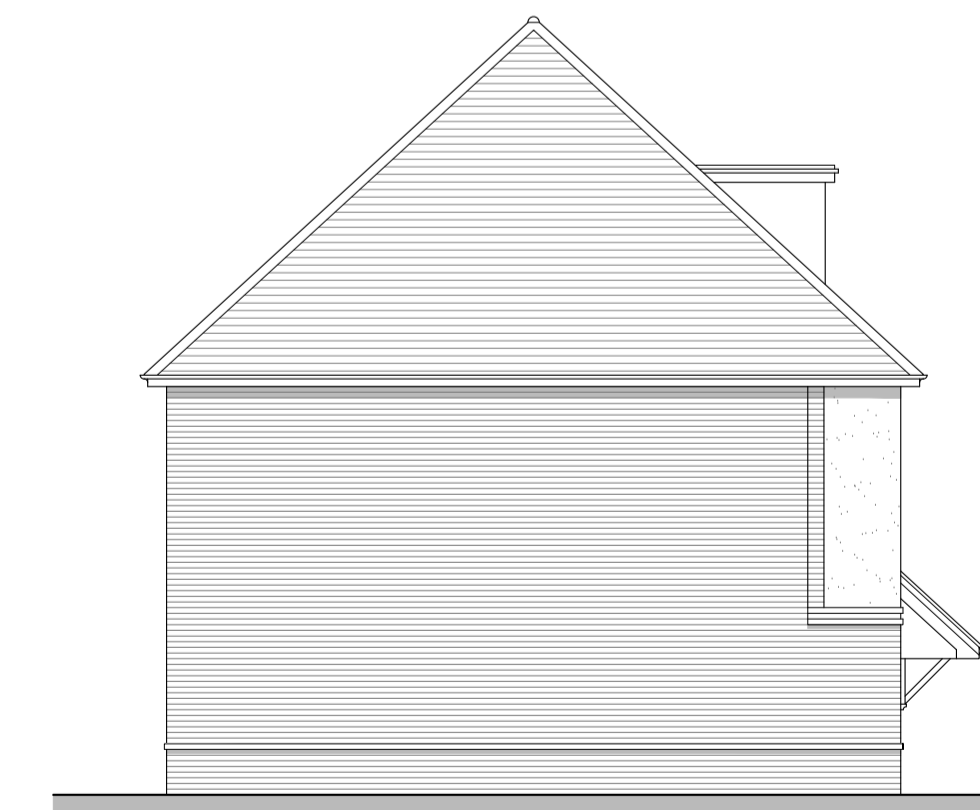
Side Elevation B



Ground Floor Plan



Rear Elevation



Side Elevation A

115

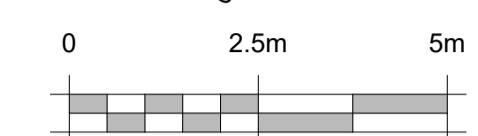
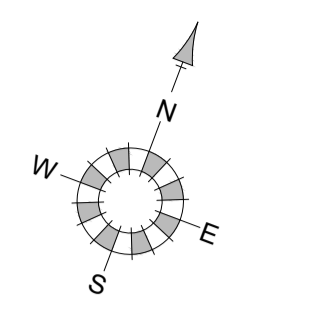
REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	28/04/22	Shadows updated.	XX									
B	13/09/22	Roof plan added.	XX									
C	20/09/22	First Floor Layout Amendments.	AM									
D	20/09/22	Room Sizes Added.	AM									

Preliminary

CLIENT:	Sorbon Estates	PROJECT:	Grove Park White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 68-70 Floor Plans and Elevations
DRAWN:	NL	21055	P123
DATE:	11/01/22		D

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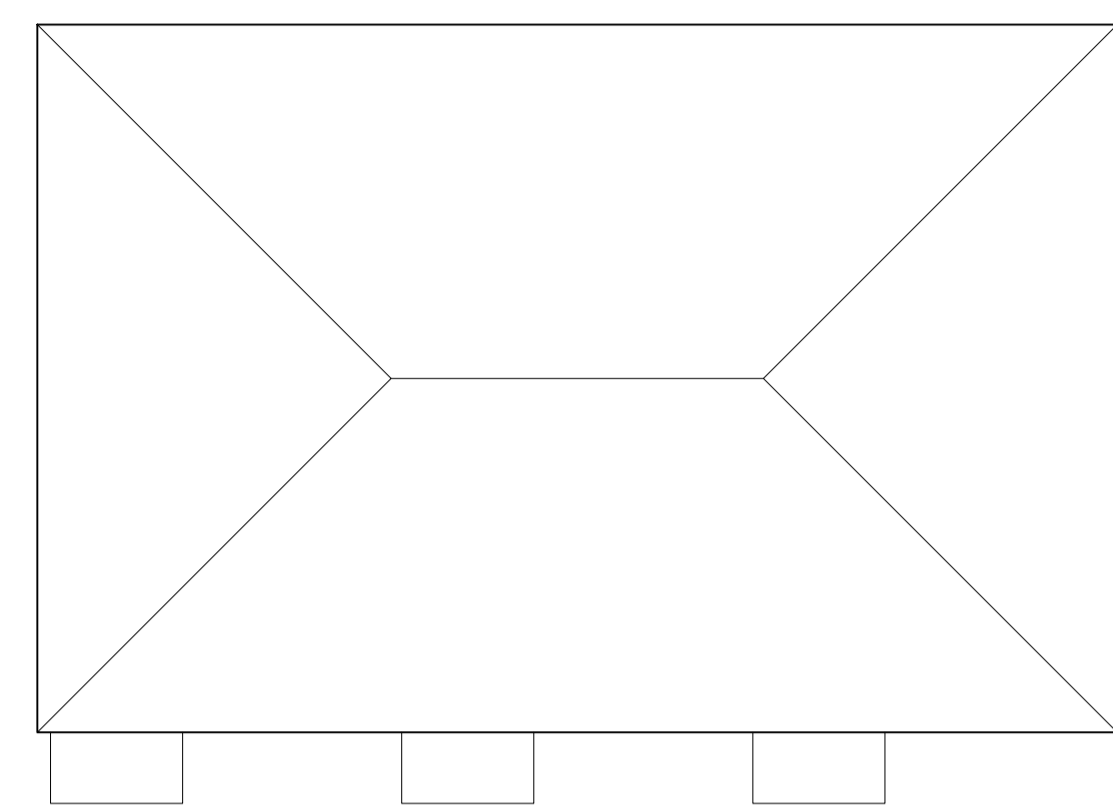
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Plots
As: 71-73
Handed:

HOUSE TYPE:	A	
Ground Floor	38.70m ²	417m ²
First Floor	38.70m ²	417m ²
Total GIA	77.40m ²	833m ²

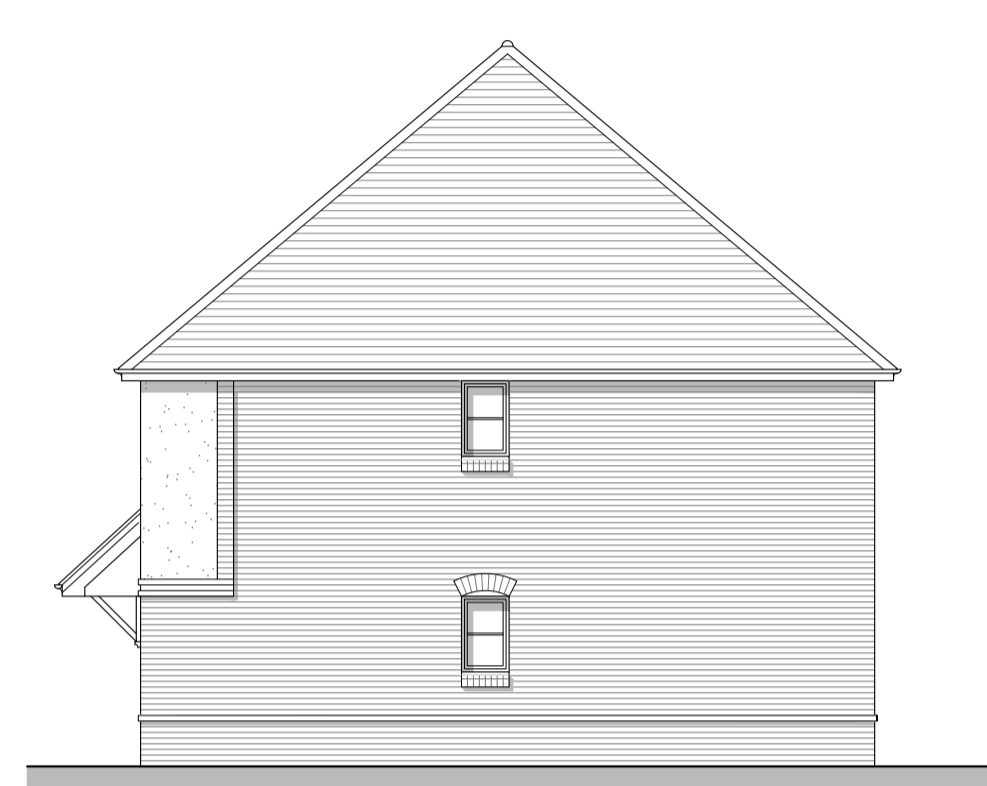
GIA measured to face of structure.
Areas below 1.5m height excluded.



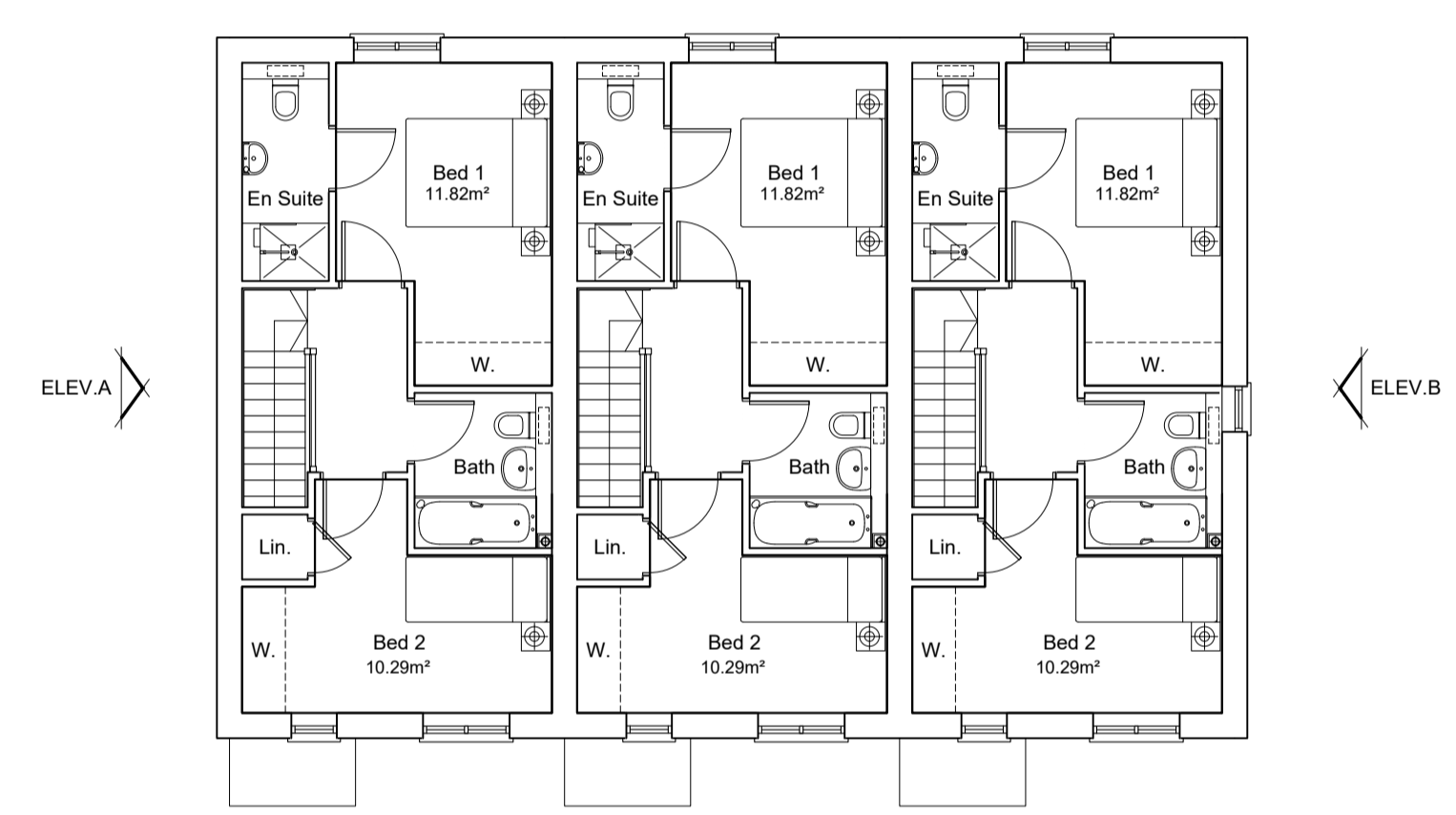
Roof Plan



Front Elevation



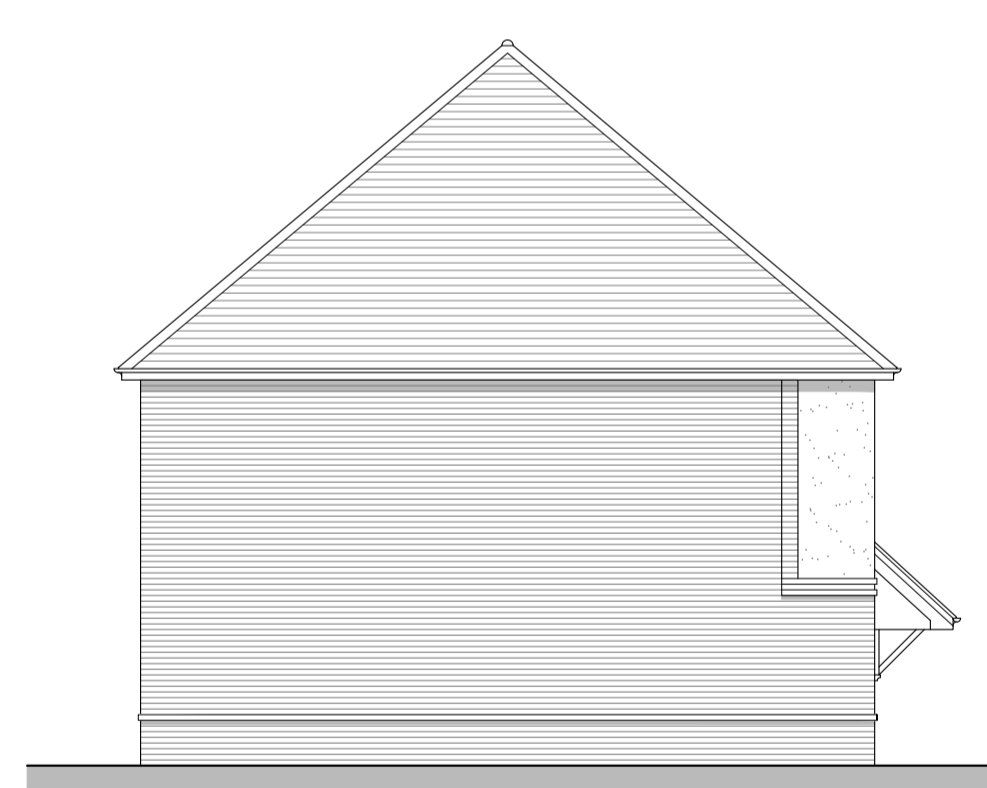
Side Elevation B



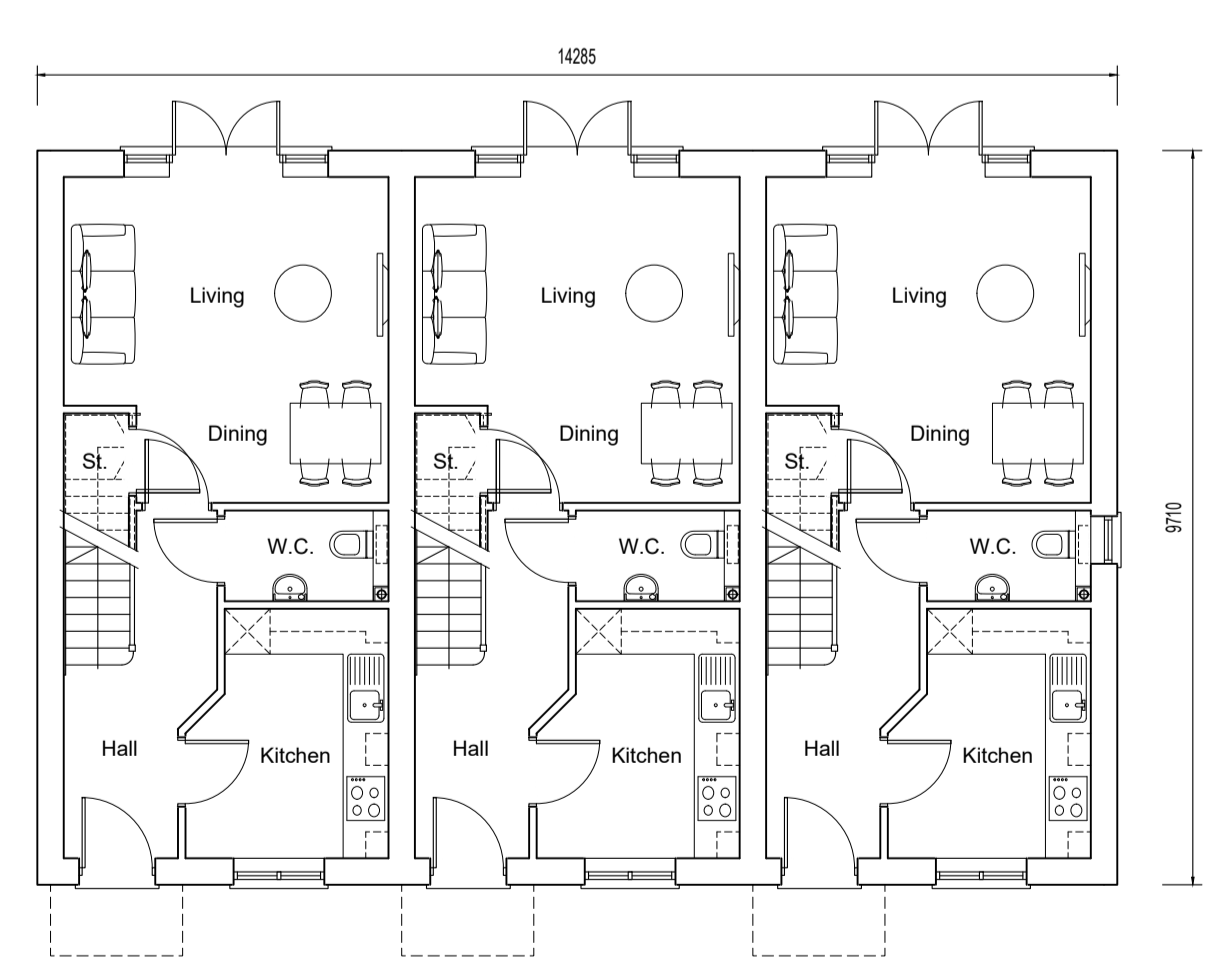
First Floor Plan



Rear Elevation



Side Elevation A



Ground Floor Plan

116

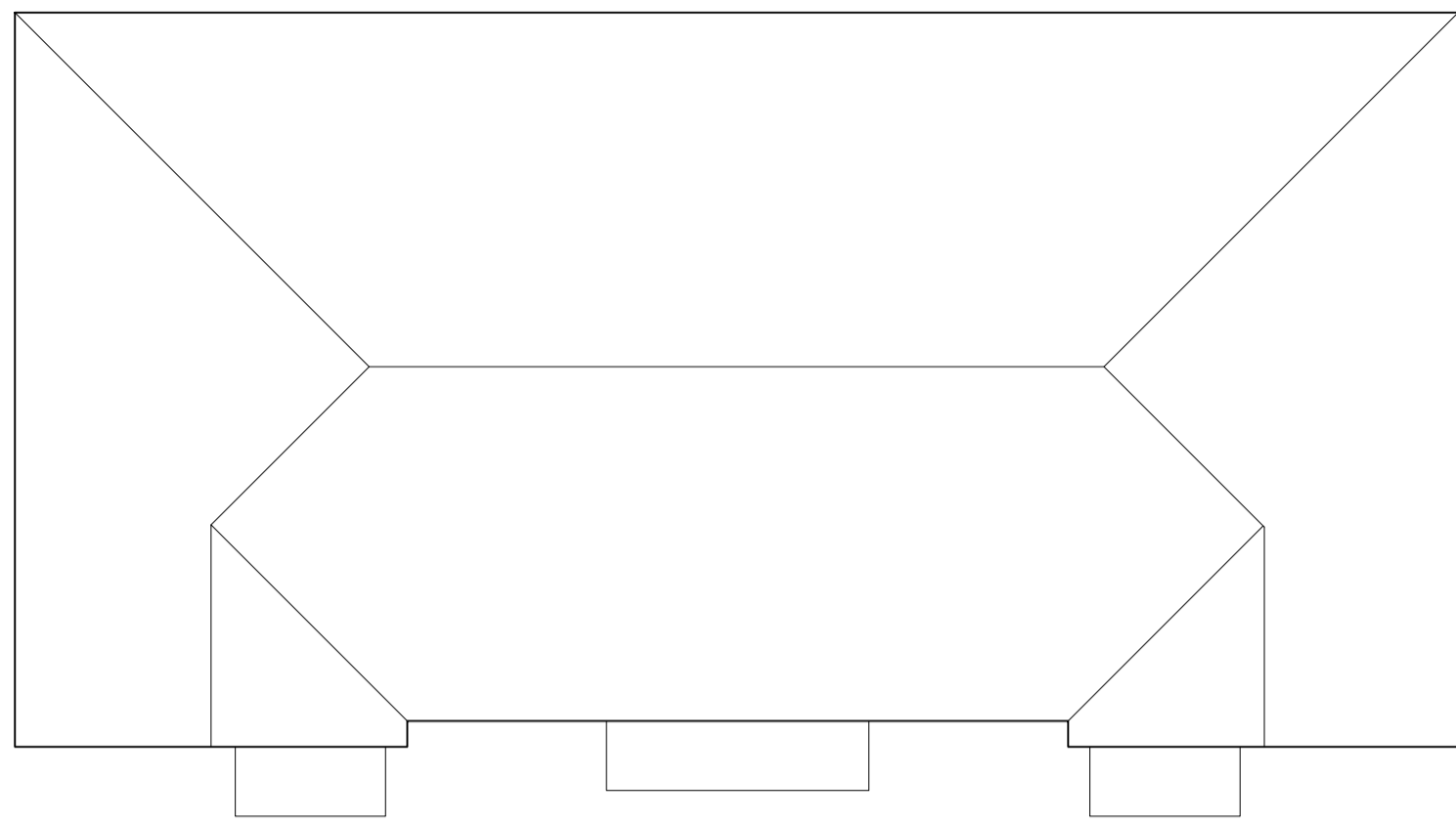
Planning

REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	20/09/22	First Floor Layout Amendments.	AM									
B	20/09/22	Room Sizes Added.	AM									
C	21/10/22	Roof pitch adjusted.	AM									

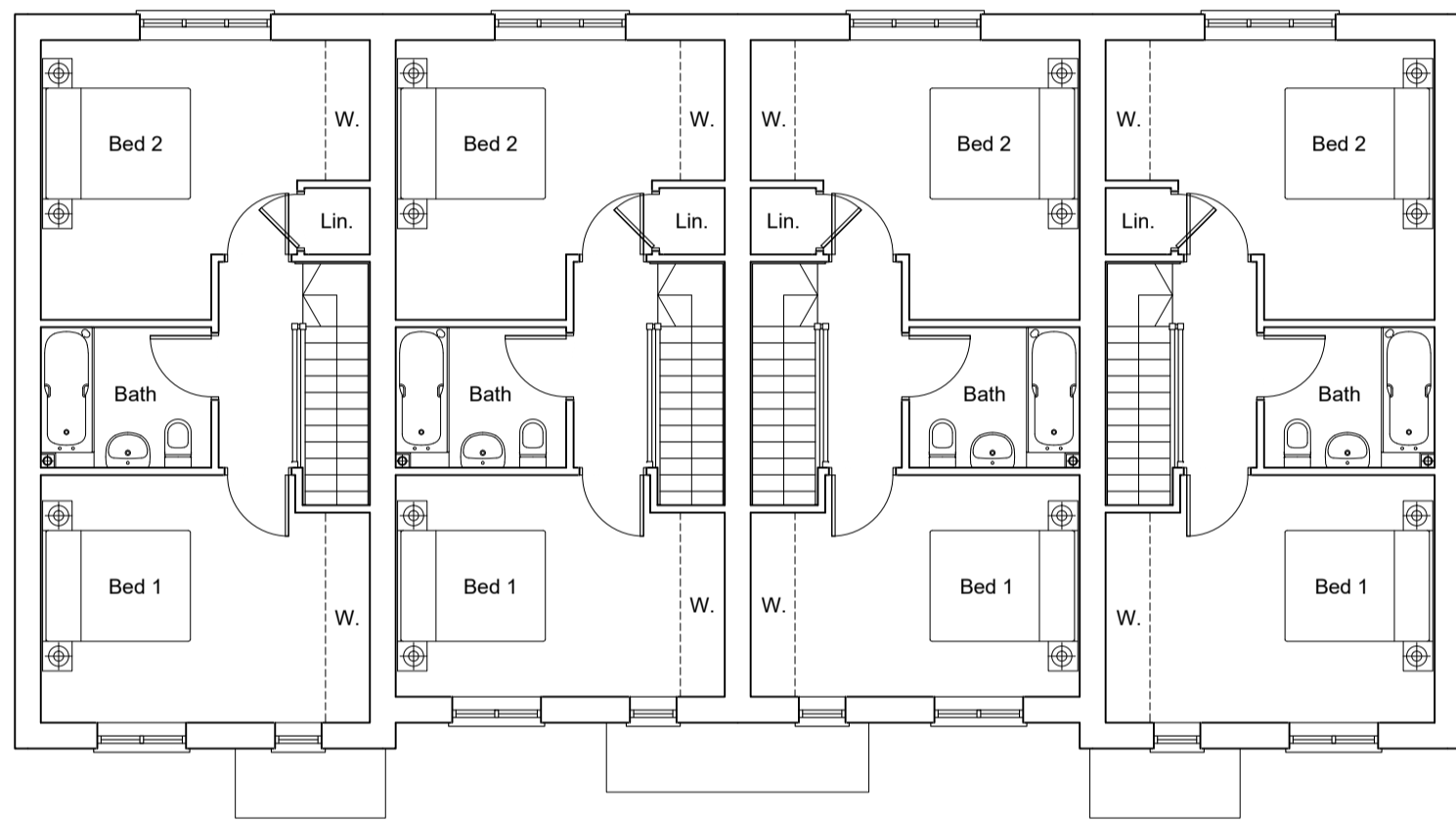
CLIENT:	Sorbon Estates	PROJECT:	Grove Park White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 71-73 Floor Plans and Elevations
DRAWN:	NL	21055	P124
DATE:	11/01/22		C

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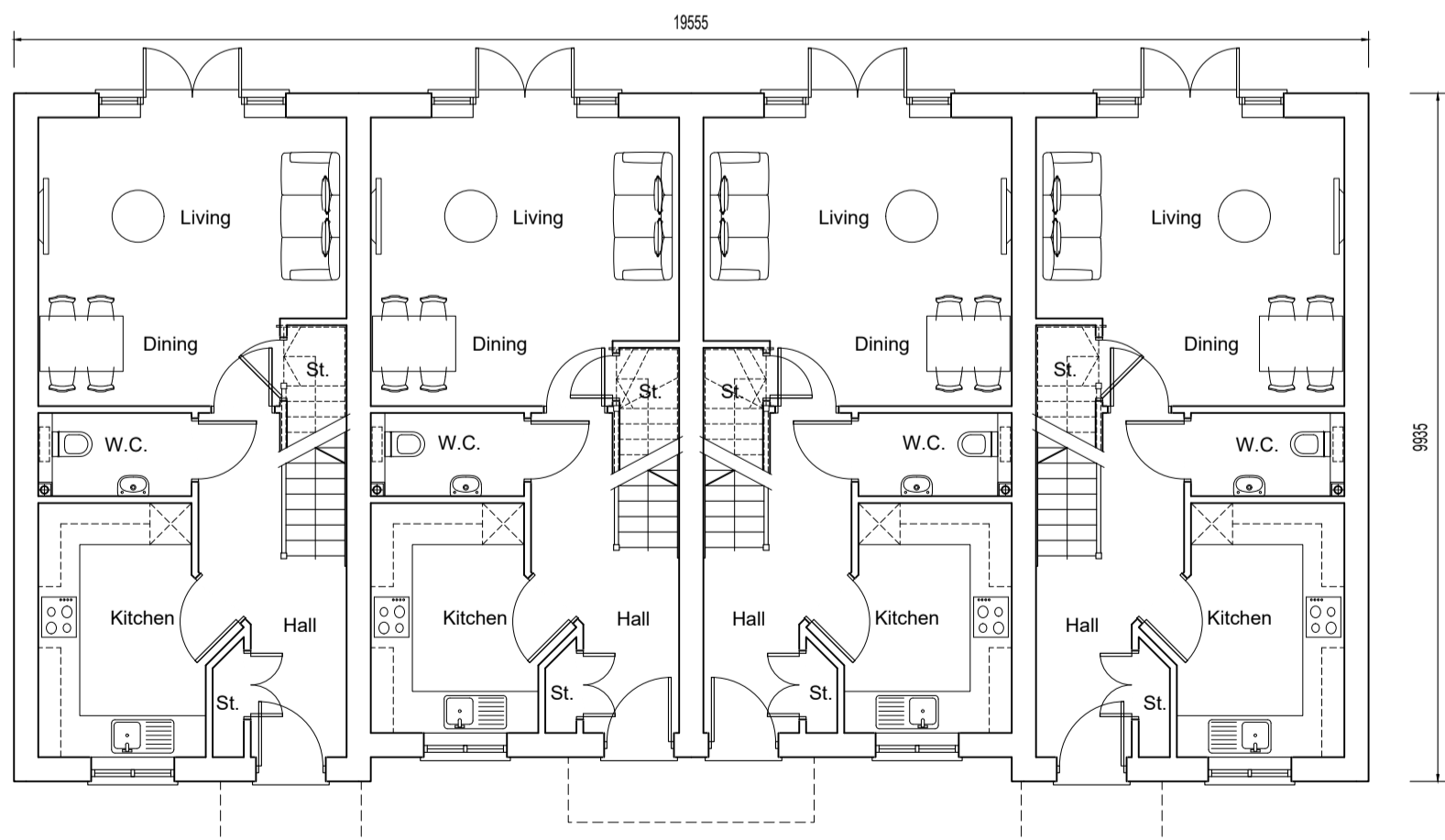
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Roof Plan



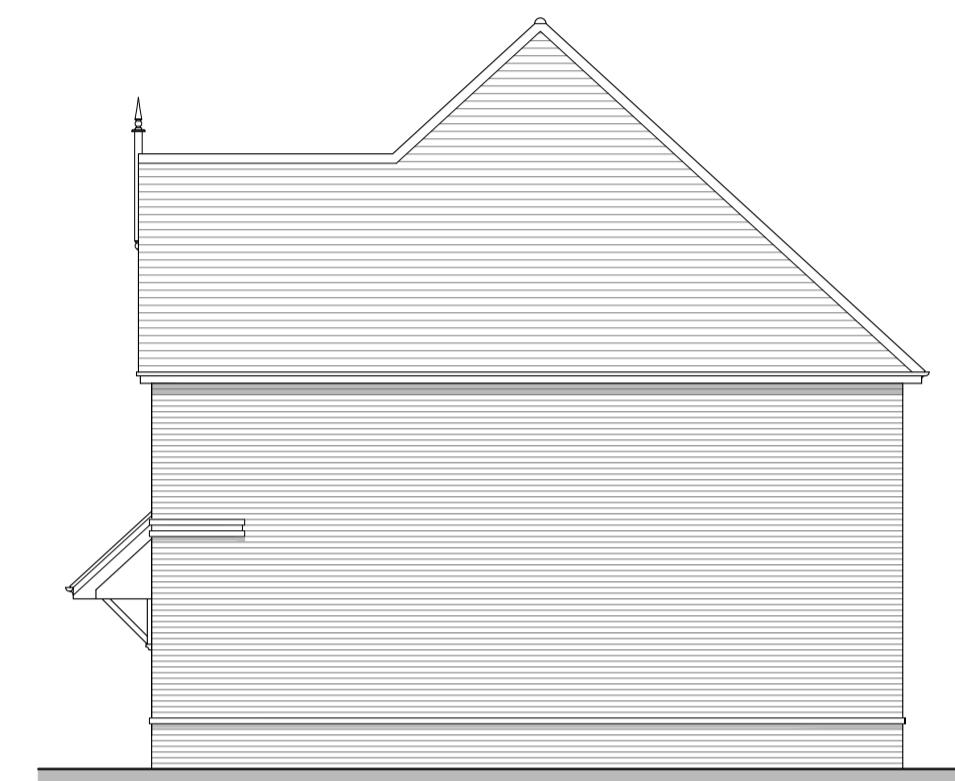
First Floor Plan



Ground Floor Plan



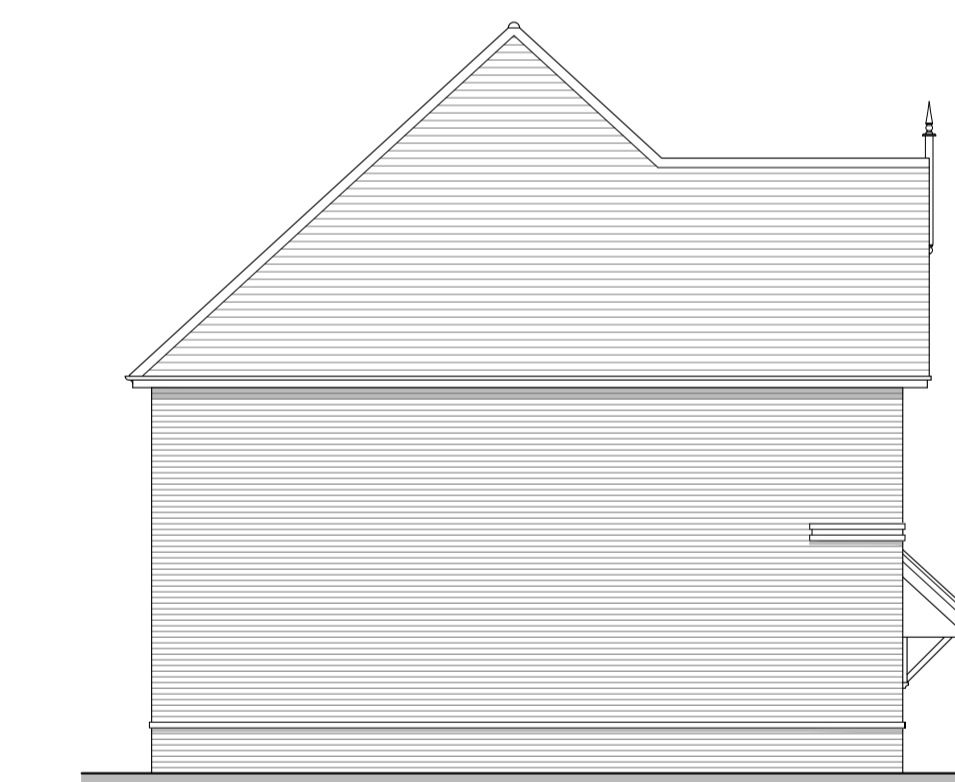
Front Elevation



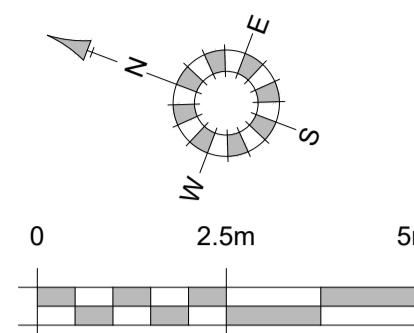
Side Elevation B



Rear Elevation



Side Elevation B



Plots
As: 74-77
Handed:

HOUSE TYPE:		A
Ground Floor	41.11m ²	442m ²
First Floor	41.11m ²	442m ²
Total GIA	82.21m ²	885m ²

GIA measured to face of structure.
Areas below 1.5m height excluded.

HOUSE TYPE:		A
Ground Floor	39.55m ²	426m ²
First Floor	39.55m ²	426m ²
Total GIA	79.10m ²	851m ²

GIA measured to face of structure.
Areas below 1.5m height excluded.

Skelling Heights	
1500 Skelling Line	-----
1800 Skelling Line	-----
2100 Skelling Line	-----
2400 Ceiling Line	-----

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ELEV.A

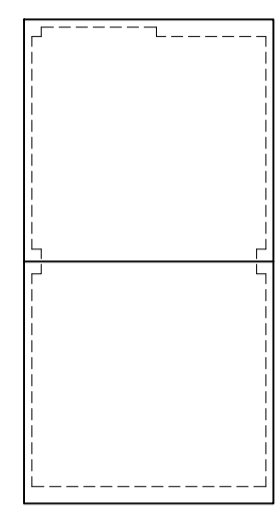
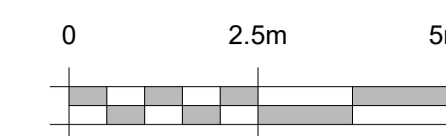
ELEV.B

Planning

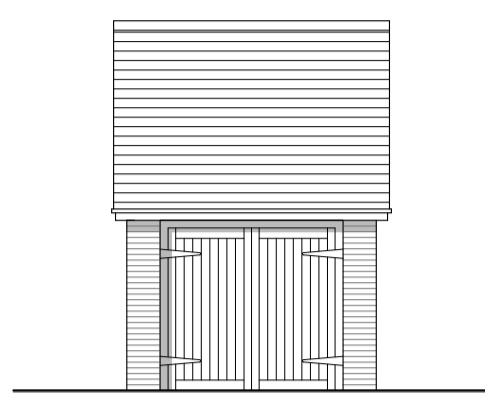
REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	28/04/22	Shadows updated.	XX									
B	20/09/22	Room Sizes Added.	XX									
C	21/10/22	Updated to comply with NDSS.	XX									

CLIENT:	Sorbon Estates	PROJECT:	Grove Park White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plots 74-77, Proposed Plans and Elevations
DRAWN:	NL	21055	P125
DATE:	11/01/22		C

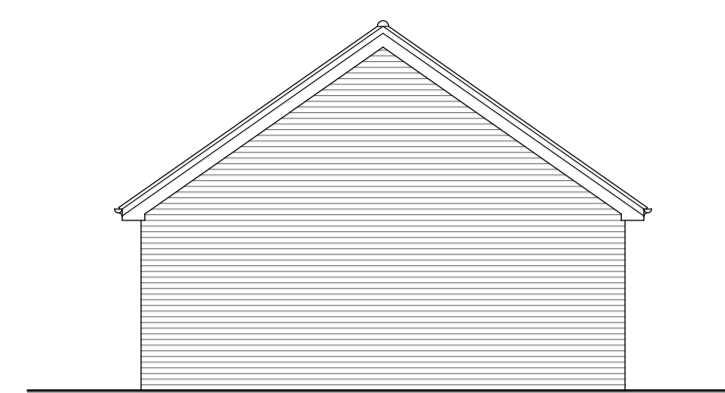
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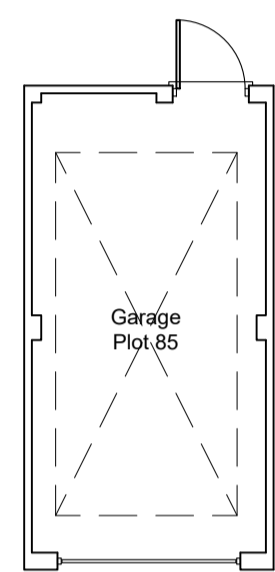
Roof Plan



Front Elevation



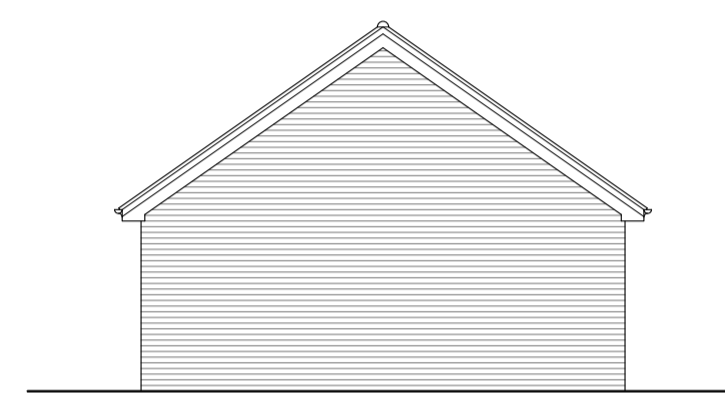
Side Elevation



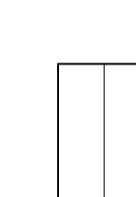
Ground Floor Plan



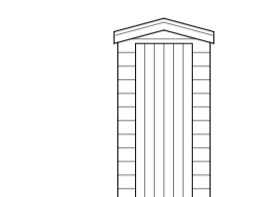
Rear Elevation



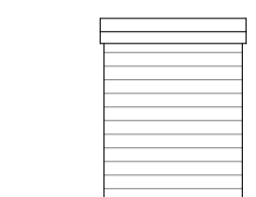
Side Elevation



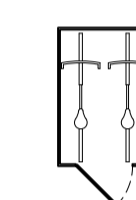
Roof Plan



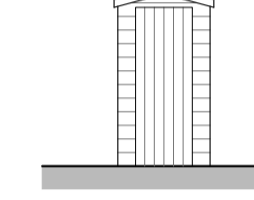
Front Elevation



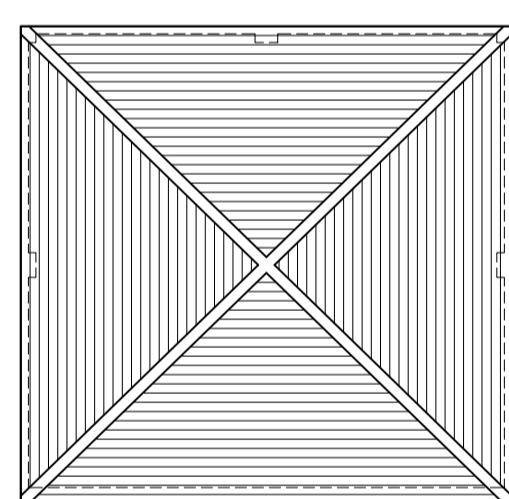
Side Elevation



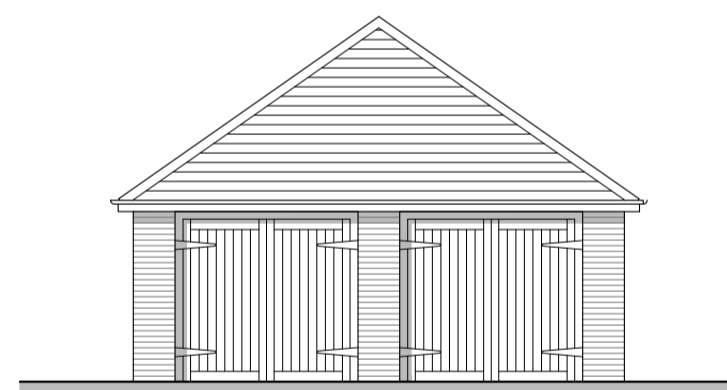
Ground Floor Plan



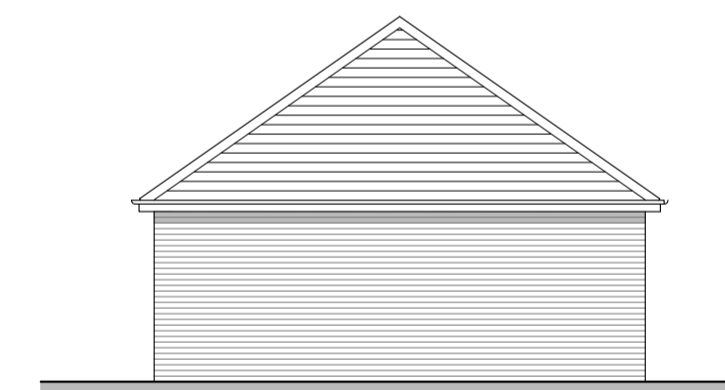
Rear Elevation



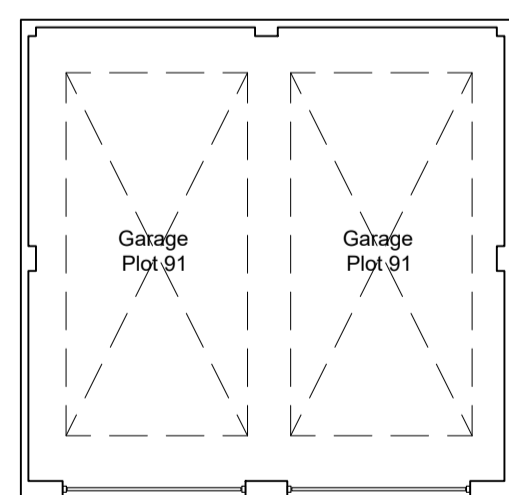
Roof Plan



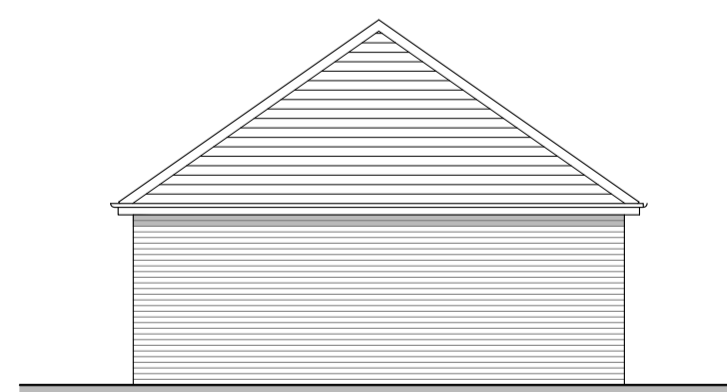
Front Elevation



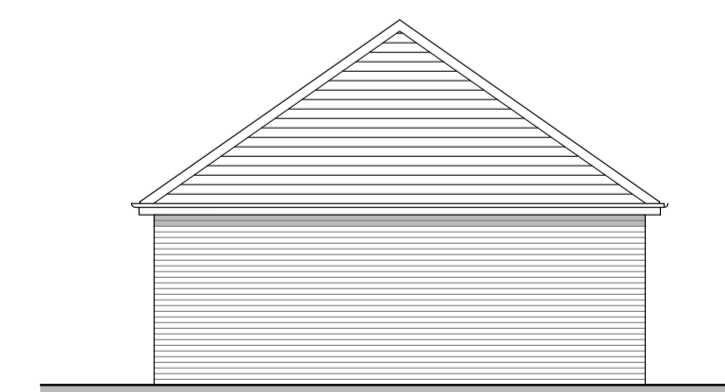
Side Elevation



Ground Floor Plan



Rear Elevation



Side Elevation

118

REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	REV.	DATE	REVISIONS:	BY	STATUS:
A	28/04/22	Shadows updated.	XX									
B	13/06/22	Shed added.	XX									

Planning

CLIENT:	Sorbon Estates	PROJECT:	Grove Park White Waltham
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Ancillary Buildings
DRAWN:	NL	21055	P130
DATE:	11/01/22		B



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Appeal Decision Report

11 October 2022 - 3 November 2022

Maidenhead

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

Appeal Ref.: 22/60052/NOND **Planning Ref.:** 21/02841/FULL **Plns Ref.:** APP/T0355/W/22/
ET 3295531

Appellant: Mr Johnston **c/o Agent:** Mr Matt Taylor Churchgate Premier Homes ID Maidenhead Vanwall
Business Park Vanwall Road Maidenhead SL6 4UB

Decision Type: Delegated **Officer Recommendation:** Would Have
Refused

Description: Construction of x3 dwellings with associated access, parking and amenity space.

Location: **Land Between 156 And 158 And The Rear of 156 To 158 Windsor Road Maidenhead**

Appeal Decision: Withdrawn **Decision Date:** 25 October 2022

Planning Appeals Received

11 October 2022 – 3 November 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: Shottesbrooke Parish
Appeal Ref.: 22/60071/REF **Planning Ref.:** 21/00119/FULL **Pins Ref.:** APP/T0355/W/22/3302868
Date Received: 11 October 2022 **Comments Due:** 15 November 2022
Type: Refusal **Appeal Type:** Hearing
Description: Agricultural workers dwelling with associated parking, landscaping and new curtilage.
Location: **Longwood Farm Smewins Road White Waltham Maidenhead SL6 3SR**
Appellant: Mr And Mrs Robert Taylor **c/o Agent:** Mr John Hunt Pike Smith & Kemp Rural & Commercial Ltd The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 22/60072/REF **Planning Ref.:** 22/00361/FULL **Pins Ref.:** APP/T0355/W/22/3303278
Date Received: 19 October 2022 **Comments Due:** 23 November 2022
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of x6 detached and semi-detached dwellings with access, parking and amenity space, following demolition of the existing dwelling.
Location: **Land To The Rear of 49 To 53 And 47 Courthouse Road Maidenhead**
Appellant: Mr R Potyka **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame OX9 3EW

Ward:
Parish: Hurley Parish
Appeal Ref.: 22/60075/REF **Planning Ref.:** 21/03662/FULL **Pins Ref.:** APP/T0355/W/22/3301903
Date Received: 2 November 2022 **Comments Due:** N/A
Type: Refusal **Appeal Type:** Fast Track Appeal
Description: Erection of a detached double garage and car port following demolition of existing garage and storage shed.
Location: **Oakfield Star Lane Reading RG10 9XY**
Appellant: Mr Andrew Wilson Oakfield Star Lane Reading RG10 9XY **c/o Agent:** Mr. Andrew Wilson

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 22/60077/REF **Planning Ref.:** 22/00754/OUT **Pins Ref.:** APP/T0355/W/22/3305525
Date Received: 2 November 2022 **Comments Due:** 7 December 2022
Type: Refusal **Appeal Type:** Written Representation
Description: Outline application for access and scale only to be considered at this stage with all other matters to be reserved for a Clubhouse Pavilion.
Location: **Zacara Polo Ground Martins Lane Shurlock Row Reading RG10 0PP**
Appellant: Natalie Guest **c/o Agent:** Mr. Jack Clegg The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ