

NOTICE  
OF  
MEETING

**MAIDENHEAD DEVELOPMENT  
MANAGEMENT COMMITTEE**

will meet on

**WEDNESDAY, 21ST DECEMBER, 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),  
GURPREET BHANGRA, MANDY BRAR, GERRY CLARK, DAVID COPPINGER,  
GEOFF HILL, JOSHUA REYNOLDS AND GURCH SINGH

SUBSTITUTE MEMBERS

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

Karen Shepherd – Head of Governance - Issued: 13 December 2022

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Becky Oates** [Becky.Oates@RBWM.gov.uk](mailto: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.	3 - 5
3.	<u>MINUTES OF THE PREVIOUS MEETING</u> To approve the minutes of the meeting held on 16 November 2022 as a true and accurate record.	7 - 10
4.	<u>21/03323/FULL - OAK TREE FARM AND BARN AT OAK TREE FARM TWYFORD ROAD BINFIELD BRACKNELL</u>  <b>PROPOSAL: Redevelopment of part of the site to provide 8no. detached dwellings, retention of the existing cottage, associated parking, landscaping and improved access along Twyford Road following the demolition of the existing main farmhouse, associated ancillary barns and temporary structures.</b>  <b>RECOMMENDATION: Refuse</b>  <b>APPLICANT: Mr Banks</b>  <b>MEMBER CALL-IN: n/a</b>  <b>EXPIRY DATE: 7 February 2022</b>	11 - 27
5.	<u>22/02435/FULL - OAKLEY COTTAGE OAKLEY GREEN ROAD OAKLEY GREEN WINDSOR SL4 4QF</u>  <b>PROPOSAL: Conversion of existing stable block to ancillary accommodation providing a bedroom, home gym and office.</b>  <b>RECOMMENDATION: Permit</b>  <b>APPLICANT: Mr and Mrs Sattar</b>  <b>MEMBER CALL-IN: n/a</b>  <b>EXPIRY DATE: 6 December 2022</b>	29 - 34
6.	<u>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT</u>  Committee Members to note the report.	35 - 37

## **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 Background Papers that have been relied on to a material extent in the formulation of the report and recommendation.

The 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 within the report, 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, The National Planning Policy Framework, National Planning Practice Guidance, National Planning Circulars, 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 within the report.

## **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:*

- a) *any unpaid directorships*
  - b) *any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority*
  - c) *any body*
    - (i) *exercising functions of a public nature*
    - (ii) *directed to charitable purposes or*
    - (iii) *one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)*
- of which you are a member or in a position of general control or management*

### **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, or a body included under Other Registerable Interests in Table 2 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 financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in 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 (referred to in the paragraph above) **affects** the 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, 16 NOVEMBER 2022

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

Also in attendance virtually: Councillors Donna Stimson and Phil Haseler

Officers: Sian Saadeh, Carlos Chikwamba, Oran Norris-Browne, Claire Pugh, James Overall and Sean O'Connor (Virtually)

### APOLOGIES FOR ABSENCE

No apologies for absence were received.

### DECLARATIONS OF INTEREST

Councillor Hunt declared that one of the speakers on the item 22/01207/OUT was known to all of the committee members, as she was a former Councillor. Councillor Hunt declared that in reference to item 21/03497/FULL, she had met with the applicant as it was in her ward. However, she made no comment and came to the meeting with an open mind.

Councillor Walters declared that he knew the father of the applicant for item 22/01207/OUT, but that he had since passed away. He now knew the sons but only as acquaintances but wished to declare this for transparency.

Councillor Coppinger declared that he also knew the owners of item 22/01207/OUT for over 25 years, similarly to Councillor Walters.

Councillor Bhangra declared for transparency that he had received numerous communications from the agent on behalf of the applicant for item 21/03497/FULL, but he did not discuss the merits of the application at all and that he attended the meeting with an open mind.

The Chairman agreed that all committee members had received numerous communications from the agent.

Councillor Hunt said that originally when the application 22/01878/REM came before the committee, she spoke against it, however she acknowledged that this was an entirely new application and that she attended the meeting with a fully open mind.

Councillor Walters said that due to technical issues in the past, he was unable to attend the committee as a voting member on the original application of 22/01878/REM, however he had made a case about it that he was going to speak on. He attended the meeting with an open mind.

### MINUTES OF THE PREVIOUS MEETING

**AGREED UNANIMOUSLY: That the minutes of the meeting held 19 October 2022 were a true and accurate record.**

21/03497/FULL - CULHAM FARMS FROGMILL STABLES AND THE OLD ESTATE OFFICE FROGMILL FARM BLACK BOY LANE HURLEY MAIDENHEAD

A motion was put forward by Councillor Hill to refuse planning permission, which was in line with officer's recommendation. This was seconded by Councillor Reynolds.

A named vote was taken.

<b>21/03497/FULL - Culham Farms Frogmill Stables and The Old Estate Office Frogmill Farm Black Boy Lane Hurley Maidenhead (Motion)</b>	
Councillor Maureen Hunt	Against
Councillor Leo Walters	For
Councillor John Baldwin	Against
Councillor Gurpreet Bhangra	Against
Councillor Mandy Brar	Abstain
Councillor Gerry Clark	Against
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	For
Councillor David Coppinger	Against
<b>Rejected</b>	

The result was 3 for, 5 against and 1 abstention so the motion fell.

A motion was put forward by Councillor Hunt to delegate the Head of Planning to grant planning permission subject to appropriate development conditions and legal agreement to address the relevant affordable housing, flooding, archaeology, ecology, flood risk, carbon offset and open space objections in the officer recommendation and to make the development acceptable. This was seconded by Councillor Baldwin.

The reasons given for the decision were that members considered that the proposal would not have a greater impact on the openness of the green belt and would therefore be appropriate development. The members also did not agree that the site did not promote sustainable transport, walking and cycling in this rural location.

A named vote was taken.

<b>21/03497/FULL - Culham Farms Frogmill Stables and The Old Estate Office Frogmill Farm Black Boy Lane Hurley Maidenhead (Motion)</b>	
Councillor Maureen Hunt	For
Councillor Leo Walters	Against
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	Against
Councillor Gerry Clark	For
Councillor Geoffrey Hill	Against
Councillor Joshua Reynolds	Against
Councillor David Coppinger	For
<b>Carried</b>	

**AGREED: That the committee delegated the granting of planning permission to the Head of Planning subject to appropriate development conditions and legal agreement to address the relevant affordable housing, flooding, archaeology, ecology, flood risk, carbon offset and open space objections.**

The committee were addressed by 2 speakers, Jo Unsworth, Applicant and Councillor Johnson, Ward Councillor.

22/01207/OUT - OAKLEY GREEN MUSHROOM FARM OAKLEY GREEN ROAD OAKLEY GREEN WINDSOR SL4 5UL



*(Councillor Stimson left the meeting virtually at this stage)*

A motion was put forward by Councillor Reynolds to refuse planning permission for the reasons given in section 12 of the report and the committee update, which was in line with officer's recommendation. This was seconded by Councillor Walters.

A named vote was taken.

<b>22/01207/OUT - Oakley Green Mushroom Farm Oakley Green Road Oakley Green Windsor SL4 5UL (Motion)</b>	
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	Abstain
Councillor Mandy Brar	For
Councillor Gerry Clark	For
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	For
Councillor David Coppinger	Abstain
<b>Carried</b>	

**AGREED: That planning permission be refused due to the reasons listed in section 12 of the report and the committee update.**

The committee were addressed by 2 speakers, Martin Hall, Objector and Alison Knight, Applicant's Agent.

22/01878/REM - GROVE PARK INDUSTRIAL ESTATE WALTHAM ROAD WHITE WALTHAM MAIDENHEAD SL6 3LW

The meeting was adjourned at 21.00 and re-commenced at 21.05.

*(Councillor Haseler left the meeting virtually)*

Councillor Hill re-joined the meeting after the officer's presentation had begun and questioned whether he was still able to take part in the debate. Sean O'Connor, Legal Officer, advised Councillor Hill to take no further action in the meeting.

*(Councillor Hill left the meeting and took no further part in the discussions or the vote)*

A motion was put forward 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 the report, which was in line with officer's recommendation. This was seconded by Councillor Baldwin.

A named vote was taken.

<b>22/01878/REM - Grove Park Industrial Estate Waltham Road White Waltham Maidenhead SL6 3LW (Motion)</b>	
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor Gerry Clark	For
Councillor Geoffrey Hill	No vote recorded
Councillor Joshua Reynolds	For
Councillor David Coppinger	For
<b>Carried</b>	

**AGREED UNANIMOUSLY:** to grant planning permission upon 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 the report.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORTS

The committee noted the report.

The meeting, which began at 7.03 pm, finished at 9.30 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

21 December 2022

Item: 1

<b>Application No.:</b>	21/03323/FULL
<b>Location:</b>	Oak Tree Farm And Barn At Oak Tree Farm Twyford Road Binfield Bracknell
<b>Proposal:</b>	Redevelopment of part of the site to provide 8no. detached dwellings, retention of the existing cottage, associated parking, landscaping and improved access along Twyford Road following the demolition of the existing main farmhouse, associated ancillary barns and temporary structures.
<b>Applicant:</b>	Mr Banks
<b>Agent:</b>	Chris Palomba
<b>Parish/Ward:</b>	Waltham St Lawrence Parish/Hurley And Walthams
<b>If you have a question about this report, please contact:</b> Harmeet Minhas on or at harmeet.minhas@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 This application seeks planning permission for the re-development of the site to provide 8 detached dwellings including the retention of an existing cottage. The proposal entails the demolition of the existing dwelling on site, as well as the farmhouse and ancillary structures.
- 1.2 The application site is located within the Green Belt designation where the NPPF (2021) and BLP Policies are explicit that development is prima facie inappropriate in the Green Belt, subject to a list of exceptions. Based on the evidence provided by the applicant as well as the information available to officers it is considered that some of the application site is 'previously developed land', as set out within the definitions of the NPPF (2021).
- 1.3 It is considered that the proposal by virtue of its size, scale, layout and general arrangement would sit beyond the envelope of the 'previously developed land', which in turn impacts the openness of the Green Belt. Owing to the scale and appearance of the development, it would have a significant harm to the openness of the setting, beyond the current use which would constitute inappropriate development. The proposal does not fall under of the exceptions to inappropriate development in the Green Belt, and is therefore inappropriate.
- 1.4 The application was supported by ecology appraisals. The reports concluded that further assessments were required to be undertaken in light of the results of the surveys. These additional surveys were not undertaken and at the time of considering the application, as such it has not been demonstrated that the scheme would not impact on existing habitats or roosts.
- 1.5 Highways have raised no objections to the proposal in light of the access arrangements being altered to facilitate the development.

**It is recommended the Committee refuses planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):**

- |           |  |
|-----------|--|
| <b>1.</b> | <b>The proposed development, would by virtue of its design, appearance and general layout have a greater impact on the openness of the Green Belt than the existing development and is therefore inappropriate development in the Green Belt that would cause harm to visual and spatial openness. This 'in-principle' harm to the Green Belt and the harm to its openness must be afforded substantial weight and no very special circumstances exist that would clearly outweigh this harm and the other harm identified in the subsequent reasons for refusal. The proposal therefore conflicts with Policy QP5 of the Royal Borough of Windsor and Maidenhead Borough Local Plan and Paragraphs 147 to 149 of the National Planning Policy Framework</b> |
|-----------|--|

	<b>2021.</b>
<b>2.</b>	<b>The applicant has failed to submit appropriate information demonstrating how the proposed dwellings would work towards minimising CO2 emissions within the development, nor how it would achieve net-zero carbon. As such, the proposal is considered to have failed to consider or satisfy the context of Policy SP2 of the Borough Local Plan, the ISPS as well as the context of the NPPF (2021).</b>
<b>3.</b>	<b>The proposed development by virtue of its density, layout and general arrangement would fail to respect the character and appearance of this rural setting and would be harmful to the vernacular of development within and adjacent the site. The density of the proposal would be akin to an urban setting, and represents an incompatible form of development. The proposal therefore conflicts with Policy QP3 of the Royal Borough of Windsor and Maidenhead Borough Local Plan and the context of the NPPF.</b>
<b>4.</b>	<b>The applicant has failed to provide sufficient ecological information to the Council in support of the application. Having regard to the requirements of the Habitat Regulations, in the absence of this information the Local Planning Authority, as decision makers, cannot be certain that the proposals would not affect a European Protected Species. The proposal is therefore contrary to Policy NR2 of the Borough Local Plan, Section 15 of the NPPF and Circular 06/2005.</b>
<b>5.</b>	<b>The applicant has failed to provide sufficient information relating to the delivery of on-site affordable housing provision. As such the Council cannot be certain that this could and would be delivered on site having regard for local need and the development plan policies. The proposal is therefore contrary to Policy HO3 of the Borough Local Plan, as well as the context of the NPF (2021).</b>
<b>6.</b>	<b>The applicant has failed to provide clear and concise information as to how sustainable drainage measures will be successfully integrated into the development. In the absence of this the Council cannot be satisfied that the proposal would not result in the displacement of water elsewhere within or adjacent the site. As such, the proposal is considered to be contrary to Policy NR1 of the Borough Local Plan.</b>

## **2. REASON FOR PANEL DETERMINATION**

- The application is a major application owing to the area of the application site.

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

- 3.1 The application site comprises a dwelling and associated farm buildings located on the southern side of Twyford Road. The site is served by two accesses, the primary one being towards the north-eastern side of the site and the secondary one being located towards the north-western side.
- 3.2 The site falls primarily within the administrative boundary of RBWM with a small part of the site falling within Bracknell Forest. Within both development plans the site is designated as Green Belt.
- 3.3 The site is identified as being within Flood Zone 1 as set out within the EA Maps for Planning.
- 3.4 In 2019 a lawful development certificate was obtained by the applicant to demonstrate that the land within it was within residential use. The buildings within the site used to be in an agricultural use, but the approved LDC established a formal residential use.
- 3.5 The lawfulness of the site for residential purposes, including buildings and other associated paraphernalia within it have been established by officers to be consistent with the definition of previously developed land, within the NPPF.

## **4. KEY CONSTRAINTS**

- 4.1 The site is designated within the Green Belt. The site is not an allocated site within the BLP or within the development plan of Bracknell Forest.

4.2 The application is subject to a submission to Bracknell Forest under application ref 22/00114/FULL. At the time of drafting this report a decision had not been formally issued by Bracknell Forest.

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

5.1 This application seeks planning permission for the re-development of the site to include 8 dwellings, following the demolition of the existing farmhouse and ancillary structures. It is proposed to alter the access along Twyford Road to facilitate the development which is addressed within a supporting transport report.

5.2 Within the development there are 5 house types referenced A-B-C-D-E and F within the development. Each dwelling benefits from an ancillary garage structure located adjacent to the respective property, with private amenity space.

5.3 Within the development there are a number of architectural designs of dwellings. Typically the ridge heights of the dwellings range between 7.4m to 7.9m and are proposed to be constructed from mixed brindle bricks, render and clay tiles.

5.4

Application Ref	Description of Works	Decision and Date
21/03323/FULL	Change of use of the existing cottage to an independent dwelling with private garden, parking area and garage.	Permitted
19/03566/PDXL	Single storey rear extension no greater than 6m depth, 3.5m high and an eaves height of 2.2m.	PNR
19/03124/CLU	Certificate of Lawfulness to determine whether the use of the land as residential is lawful	Permitted
19/03123/CLD	Certificate of lawfulness to determine whether the existing structures are lawful	Permitted

## 6. DEVELOPMENT PLAN

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

### Adopted Borough Local Plan

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
River Thames Corridor	QP4
Development in Rural Areas and the 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
Renewable Energy	NR5
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Contaminated Land and Water	EP5
Sustainable Transport	IF2

## 7. MATERIAL PLANNING CONSIDERATIONS

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

Section 2- Achieving sustainable development

Section 3- Plan-making

Section 4- Decision-making

Section 5- Delivering a sufficient supply of homes

Section 9- Promoting Sustainable Transport

Section 11- Making effective use of land

Section 12- Achieving well-designed places

Section 13 – Protecting Green Belt Land

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

Section 15- Conserving and enhancing the natural environment

#### 7.1 Supplementary Planning Documents

- Borough Wide Design Guide

#### 7.2 Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

RBWM Townscape Assessment

RBWM Landscape Assessment

RBWM Parking Strategy

Affordable Housing Planning Guidance

Interim Sustainability Position Statement

More information on these documents can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

## 8. CONSULTATIONS CARRIED OUT

A site notice was displayed adjacent the site, and the application advertised in the newspaper.

### Comments from interested parties

- 8.1 8 occupiers were notified directly of the application. One letter was received objecting to the application, as well as objections received from Residents associations. These are summarised as:

Comment		Where in the report this is considered
1.	Concerns over the highway safety and movement of vehicles	Para 9.18 onwards
2.	Concerns over the use of pond to hold surface water	Para 9.2 onwards
3.	Concerns over the impact of the ecology report provided, not having regard for certain species.	Para 9.14 onwards
4.	Concerns over the lighting within the development and its impact on bats	Para 9.14 onwards

### Consultees

Consultee	Comment	Where in the report this is considered
Highways	No objections subject to conditions	Para 9.31 onwards
Environmental Protection	No objections subject to conditions	No further action
Ecology	Further survey and mitigation (if required) must be provided prior to the determination of this application in order for the LPA to ensure badgers and their setts, are protected. (Full comments are sensitive)	Para 9.14 onwards
Lead Local Flood Authority	Recommend planning permission is not approved in light of requirement for further information	Para 9.42 onwards

### Other Groups

Consultee	Comment	Where in the report this is considered
Parish Council	<ul style="list-style-type: none"> <li>- Contrary to Green Belt Policies</li> <li>- Majority of development falls outside the footprint of existing built form</li> <li>- Highway safety</li> </ul>	Para 91 onwards

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Green Belt
- iii Climate Change and Sustainability
- iv Ecology
- v Design and Character
- vi Parking and Highways Impacts
- vii Impact on amenity of neighbouring buildings
- viii Affordable Housing
- ix Flooding and SUDS

x Trees

xi Other Material Considerations

### **Issue i- Principle of Development**

- 9.2 Development within the Green Belt is prima facie inappropriate. However, there are exceptions to inappropriate development in the Green Belt. The exceptions to inappropriate development are set out under the NPPF at paragraphs 149 and 150. Re-development of the site could be regarded as an exception to inappropriate development under para 149 (g) of the NPPF, however the development must not have a greater impact on the openness of the Green Belt than the existing development.
- 9.3 As such, the re-development of the site could be considered acceptable should the proposal satisfy para 149 (g) sub-sections, as set out in the NPPF with relation to the impact on the openness of the setting, as well as other material planning considerations. This matter will be considered below in further detail.

### **Issue ii- Green Belt**

- 9.4 Policy QP5 of the adopted Borough Local Plan seeks to protect the Green Belt from inappropriate development in accordance with national planning policy, and is consistent with the NPPF (2021) in this regard.
- 9.5 Having regard for paras 149 and 150 of the NPPF the matter of previously developed land is not in dispute between both parties. The matter to consider is whether the proposal would result in a greater impact on the openness of the Green Belt, as set out in section 149 (g). The definition of 'openness' is not set out within the NPPF (2021), but recent cases have referenced the topic and sought to set a matter of direction on how openness can be considered, and assessed.
- 9.6 In the case of *Turner V SSCLG*, Sales LJ had interpreted the concept of openness as one which was 'not narrowly limited to (a) volumetric approach but 'is open textured and a number of factors capable of being relevant when it comes to applying it to the particular facts of a specific case.' As such, openness was capable of having a visual dimension.
- 9.7 In this specific case the applicant has sought to demonstrate through plans that the area of hard surfacing within the site would be reduced, as a result of the development. Whilst it is noted by officers that there would be a reduction in the amount of hardsurfaced area within the site, this is not within itself the sole focus and test of the impact of the development on the openness of the Green Belt.
- 9.8 The proposed dwellings would have a ridge height between 7.4-7.9m which would only be comparable to two notable structures on site, the main dwelling and a barn to the west. The proposed dwellings would largely tower when considered against other more modest structures within the site. The rising ridge heights and lines across the site would have a greater overall mass. Furthermore, the design of the dwellings including their extension roof profiles with sizable volume, coupled with the domestic paraphernalia of 8 further dwellings would have something of an encroaching urbanising effect on a rural setting, which would be at odds with the site as it is as present. The use of cottage style materials would not adequately mitigate this, nor would the general landscaping between dwellings that are proposed.
- 9.9 In addition, the proposed pattern of development would spread further and deeper into the site than the currently built form and associated residential paraphernalia. It is notable that the envelope of the proposed dwellings goes beyond that of the existing buildings, which is within itself encroachment. This is notable when considering dwellings 4,5 and 6 which go beyond the envelope of built form and creep into largely open land used for grazing. The massing of the proposed development together with the design details and other elements set out above that are characteristic of the use of a building as a dwelling would result in a more prominent development that would diminish the openness of the Green Belt in both visual and spatial terms.



- 9.10 Overall, therefore, the proposal would result in a development that would have a greater impact on the openness of the Green Belt than the existing one. It would be inappropriate development. In line with paragraph 147 of the Framework, the proposed development would be inherently harmful to the Green Belt. The harm to the Green Belt would be significant, for which officers have afforded this substantial weight, in line with paragraph 149 of the Framework.
- 9.11 For similar reasons, the proposed development would result in some limited encroachment into the open space, in conflict with this Green Belt purpose.

### **Issue iii- Climate Change and Sustainability**

- 9.12 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Para 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimise vulnerability and improve resistance, and support renewable and low carbon energy and associated infrastructure. In June 2019 RBWM declared an environment and climate emergency with aims to ensure the Borough will achieve net zero carbon emissions by 2050. In December 2020 the Council approved the Borough's Environment and Climate Strategy. These are material considerations in determining this application.
- 9.13 In December 2020 the Environment and Climate Strategy was adopted which sets out how the borough will address the climate emergency across four key themes (Circular Economy, Energy, Natural Environment and Transport). The strategy sets a trajectory which seeks to a 50% reduction in emissions by 2025.
- 9.14 A Sustainability Supplementary Planning Document will be produced in due course, however, the changes to national and local climate policy are material considerations which should be considered in the handling of planning applications and achievement of the trajectory in the Environment and Climate Strategy will require a swift response. The Council adopted an interim position statement which would clarify the Council's approach to these matters.
- 9.15 Section 1 of the guidance states that development should make the fullest contribution to minimising CO2 emissions with development of this type expected to achieve net-zero carbon emissions unless it can be demonstrated otherwise.
- 9.16 The applicants have failed to provide a sustainability report, or any information relating to how sustainability measures will be delivered on site. It is considered that in the absence of this information that officers cannot be satisfied that the proposal would comply with the context of Policy SP2 of the BLP, and the ISPS.
- 9.17 Furthermore, as the applicants have not demonstrated that the proposal would achieve net-zero emissions there would be a potential shortfall in seeking contributions towards the carbon offset fund.

### **Issue iii- Ecology**

- 9.18 Policy NR2 of the Borough Local Plan seeks to ensure that development proposals will demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value.
- 9.19 As part of the application the applicant provided an Ecological Impact Assessment, which considered a number of species on site.
- 9.20 A preliminary roost assessment of the buildings found some buildings on site to host bat roosts. Subsequently the applicant undertook further surveys following best practice which identified long eared bats and pipistrelle bats. However, the report was carried out over two years ago and an updated report and emergence/re-entry survey would be required to be submitted to the Council for consideration. Furthermore, the mitigation measures set out in the report were considered to

be very brief and require further consideration based on the council's ecologist consideration of the information provided.

- 9.21 It was identified within the reports that there were eight ponds within 250m of the proposed site, with two falling outside the site area. These ponds were considered by the ecologist to have habitat potential for GCN, and it was recommended that further reports were undertaken of the ponds to assess this. The results of the surveys, proposed mitigation or confirmation of a district license would need to be in place prior to the granting of any planning permission. At this stage, neither has been provided by the applicant.
- 9.22 As part of the ecological appraisal of the site one potential badger hole was recorded off-site and several mammal runs were recorded across the site. No information has been provided by the applicant as to the status of the sett and the activity levels of badgers across the site. Badgers are protected under the Protection of Badgers Act 1992, and in the absence of further reports officers cannot be satisfied that there would not be an impact on the sett, by the development.
- 9.23 In the absence of appropriate ecology surveys, the application fails to demonstrate what impact the development would have upon protected species.

#### **Issue iv- Design Considerations**

- 9.24 Principle 7.1 of the RBWM BWDG SPD (2020) states that 'Housing development should be sustainable and seek to make effective use of land without compromising local character, the environment (including biodiversity) or the appearance of the area'. Policy QP3 of the adopted Local Plan also states that the character and design of new development should ensure it . Respects and enhances the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features, enclosure and materials;
- 9.25 Section 12, paragraph 130 of the NPPF (2021) advises that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.26 Development within the vicinity is largely rural in character owing to the generally modest dwellings set within larger plots or agricultural enterprises. Buildings are generally well screened from the public realm when viewed into their respective plots, and it is also evident that the general vista or views around the site are of open Green Belt land with uninterrupted views to the south and west.

- 9.27 The site itself has been identified as comprising residential units with buildings within a farming/agricultural use. The notable mix of enterprise through both functions is evident across the site when having regard for general residential paraphernalia to the south and east of the site, and agricultural buildings and storage to the west.
- 9.28 It is notable that the general arrangement of buildings within the site are compact, focussing the pattern of development into a concentrated arrangement with buildings often immediately abutting one another, only separated by a form of boundary treatment creating the physical degrees of separation between the uses.
- 9.29 The proposed development would introduce an estate-like layout within a ring pattern. The general density and layout of development would go against the grain of other development within the vicinity, characterised by its rural and general spaciousness. The close relationship between dwellings would mean they appear to visually coalesce with one another which would be contrary to the prevailing form and pattern within the area. It is noted that the existing arrangement of buildings is intimate, however, the spread of development is limited to three primary structures (main house, annexe and barn), which still maintain degrees of spaciousness in and around them. The introduction of 8 units with regularity and symmetry in plot sizes mirrors an urban/suburban development and would only serve to highlight the inappropriateness of the design in this location.

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

- 9.30 Policy QP3 of the Borough Local Plan states that new development should seek to deliver easy and safe access and movement for pedestrians, cyclists cars and service vehicles, maximising the use of sustainable modes of transport where possible.
- 9.31 The context of Policy QP3 is supported by the RBWM Parking Strategy (2004). This document remains relevant following the adoption of the Borough Local Plan and up to the point a replacement SPD document is adopted formally in its place.
- 9.32 The application site is located within a rural location which would rely on car borne trips, having regard for the limited pedestrian and cycle infrastructure within the area. The site is not considered to be a sustainable location owing to the limited choice and alternative for non-car related travel.
- 9.33 The existing site is served by an established access off the B3018, where vehicles are subject to a 60 mph speed limit. The proposal seeks to utilise a secondary access introducing an in-out combination for those entering and exiting the site. Visibility splays from both accessed will be achieved, although it is likely that these would be secured by cutting back existing boundary vegetation.
- 9.34 Having regard for parking within the development, there would be a requirement for 2 parking spaces for the 2-3 bedroom units and 3 spaces for the larger 4-5 bedroom units. The dwellings are to be served by garages as well as off-street parking provision, and it is considered in light of the information provided that parking within the development would be achieved in line with the adopted parking strategy.
- 9.35 On balance, and in light of Highways comments it is considered that the proposed parking provision and commitment to re-introducing the second access would be sufficient to cater for the proposed development.

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

- 9.36 Policy QP3 of the adopted Borough Local Plan states under sub section (m) that development should ensure it has no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.

- 9.37 The existing site is located far away from other neighbouring properties with the nearest neighbouring property being over 500m away. Having regard for this the development would be unlikely to impact the amenities of nearby residents.

### **vii- Affordable Housing and Housing Mix**

- 9.38 Policy HO3 of the Borough Local Plan states that the Council will require all developments for 10 dwellings gross, or more than 1,000 sq.m of residential floorspace, to provide on-site affordable housing in accordance with the following:

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 those over 500 dwellings) – 30% of the total number of units.

- 9.39 The application proposal seeks the creation of 8 residential units falling below the 10 unit threshold but would create over 1000 q.m of residential floorspace. As such, this would trigger the requirement for affordable housing provision on site. The applicant sets out within their design and access statement that there is no requirement for affordable housing on site- it is noted that reference is made to now out-dated policies. Further within the design and access statement the applicant states that they would be willing to make a financial contribution for the provision of an off-site unit. In the first instance the context of Policy HO3 states that the Council will seek to achieve on-site affordable housing. No evidence has been provided by the applicant as to why this could not be achieved on site, and in the absence of robust information clearly setting this out or why the proposed financial contribution is acceptable, the proposal fails to accord with policy H03 of the BLP.

- 9.40 Policy HO2 also sets out that provisions of new homes should contribute to providing an appropriate mix of dwelling types and sizes, having regard for the Berkshire SHMA 2016. The development prioritises three- and four-bedroom units; whilst it is noted that there remains a demand for such units, it is considered that the proposal does not provide an array of units which would be proportional to the housing demands set out in the SHMA.

### **ix - Flooding**

- 9.41 The applicant submitted a FRA and Drainage Strategy in support of the application. The application site is identified as being within Flood Zone 1 of the EA Maps for Planning. The site has been identified as being at risk from surface water flooding.
- 9.42 The Lead Local Flood Authority have raised strong concerns as to the information contained within the report relating to the drainage strategy associated with additional dwellings and built form on site.
- 9.43 One notable example relates to the use of infiltration to drain the site as a means of sustainable drainage. However, part of the report highlighted that a soakaway design at the site would not be suitable, which would be contrary to the aims of natural infiltration methods.
- 9.44 Furthermore it was noted that the proposal seeks to utilise ponds within the site to hold rain/surface water. The drainage strategy states that the soil types below the proposed detention pond are loamy with naturally high groundwater, meaning it would likely overflow during high volume rain events owing to the likely slow infiltration rate.
- 9.45 It is evident to officers that further investigation is required, and in the absence of clear and concise information which addresses the comments of the LLFA it is recommended that planning permission is refused on these grounds.

## **x - Trees**

- 9.46 The applicant has prepared an arboricultural impact assessment in support of the application. The report sets out that the proposal entails the removal of two small trees near the end of the driveway. Whilst the removal of trees is regrettable, it is proposed that a number of newer trees would be planted as part of the development which would result in a net gain of landscaping features.
- 9.47 Should planning permission be forthcoming it is recommended that the development is carried out in accordance with the protection measures set out in the accompany report, and that tree planting is secured by way of a landscaping scheme.

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

- 10.1 The development is CIL liable. The floorspace proposed for the development is approx. 1300 sq.m and would be based on the chargeable rate of £240.

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

- 11.1 Having regard for the Council's position on their housing supply, it can now be demonstrated that a 5-year housing supply is available. As such, there is no requirement to apply the tilted balance approach in line with the context of the NPPF. Notwithstanding this there is a clear reason for refusing the development on Green Belt grounds, the tilted balance does not apply.
- 11.2 The proposal would represent an inappropriate development Within the Green Belt, which is by definition harmful. The NPPF sets out that substantial weight is afforded to any harm to the Green Belt. The development would also have a significant impact upon the openness of the Green Belt.
- 11.3 The proposal has failed to adequately consider ecology matters within the site, notably consideration for existing habitats within the site. As such, it has not been demonstrated that the proposals would not adversely impact existing roosts/habitats within or adjacent the site.
- 11.4 Further to this, the applicant has failed to adequately address concerns relating to sustainable drainage, affordable housing as well as a form of development that would be contrary to the general pattern of development within the area. The cumulation of the above concerns only serves to highlight the inappropriateness of the scheme.
- 11.5 The NPPF sets out at paragraph 148 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. The applicant has not set forward any grounds of VSC that would outweigh the harm to the openness set out within this report, and in this regard the development is considered inappropriate by definition, as set out within the NPPF (2021).
- 11.6 Having regard for the merits of the scheme it would seek to introduce new housing within the borough. Officers have considered this and offer this limited weight whilst having regard for the recent adoption of the BLP and that the Council are able to demonstrate over a 5 year housing supply, in light of this. There are no other material considerations within the scheme that would outweigh the harm identified, notably to the Green Belt, character of the area, affordable housing, ecological matters and sustainable drainage. As such, it is recommended that planning permission be refused for the development.

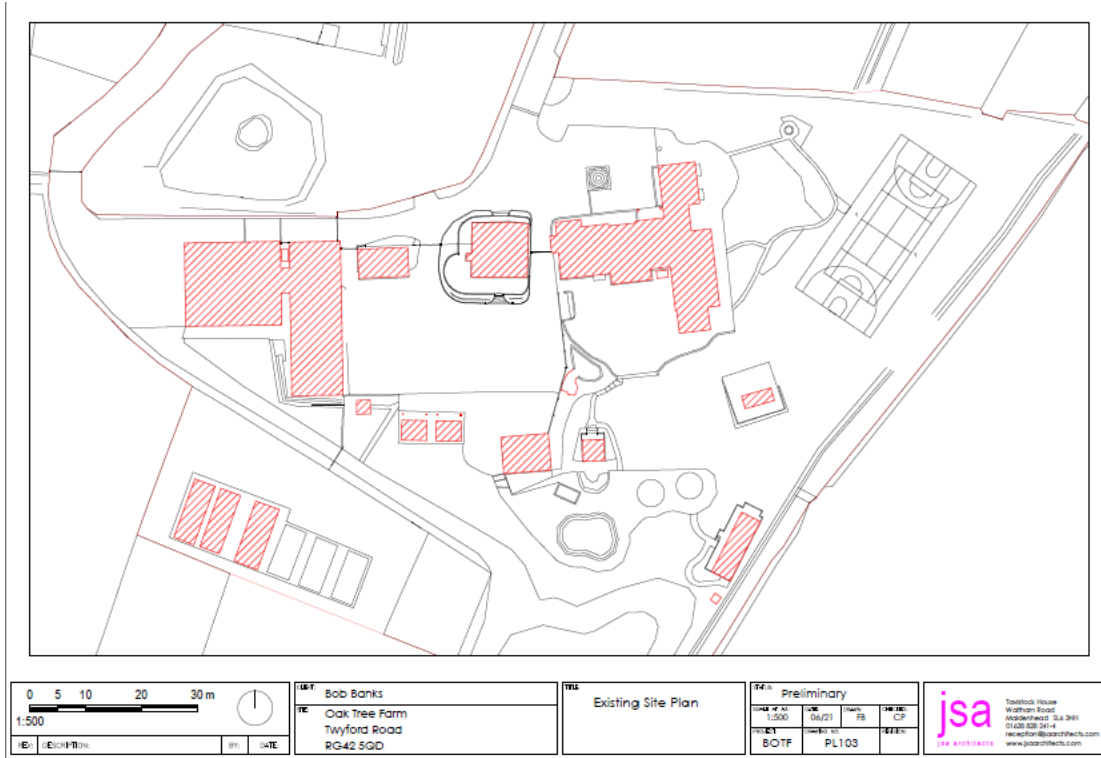
## **12. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan and existing site layout
- Appendix B – Proposed Site Layout
- Appendix C – Dwelling Types

### 13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposed development, would by virtue of its design, appearance and general layout have a greater impact on the openness of the Green Belt than the existing development and is therefore inappropriate development in the Green Belt that would cause harm to visual and spatial openness. This 'in-principle' harm to the Green Belt and the harm to its openness must be afforded substantial weight and no very special circumstances exist that would clearly outweigh this harm and the other harm identified in the second reason for refusal. The proposal therefore conflicts with Policy QP5 of the Royal Borough of Windsor and Maidenhead Borough Local Plan and Paragraphs 147 to 149 of the National Planning Policy Framework 2021.
- 2 The applicant has failed to submit appropriate information demonstrating how the proposed dwellings would work towards minimising CO2 emissions within the development, nor how it would achieve net-zero carbon. As such, the proposal is considered to have failed to consider or satisfy the context of Policy SP2 of the Borough Local Plan, ISPS as well as the context of the NPPF (2021).
- 3 The proposed development by virtue of its density, layout and general arrangement would fail to respect the character and appearance of this rural setting and would be harmful to the vernacular of development within and adjacent the site. The density of the proposal would be akin to an urban setting, and represents an incompatible form of development. The proposal therefore conflicts with Policy QP3 of the Royal Borough of Windsor and Maidenhead Borough Local Plan and the context of the NPPF.
- 4 The applicant has failed to provide sufficient ecological information to the Council in support of the application. Having regard to the requirements of the Habitat Regulations, in the absence of this information the Local Planning Authority, as decision makers, cannot be certain that the proposals would not affect a European Protected Species. The proposal is therefore contrary to Policy NR2 of the Borough Local Plan, Section 15 of the NPPF and Circular 06/2005.
- 5 The applicant has failed to provide sufficient information relating to the delivery of on-site affordable housing provision. As such the Council cannot be certain that this could and would be delivered on site having regard for local need and the development policies. The proposal is therefore contrary to Policy HO3 of the Borough Local Plan, as well as the context of the NPF (2021).
- 6 The applicant has failed to provide clear and concise information as to how sustainable drainage measures will be successfully integrated into the development. In the absence of this the Council cannot be satisfied that the proposal would not result in the displacement of water elsewhere within or adjacent the site. As such, the proposal is considered to be contrary to Policy NR1 of the Borough Local Plan.





Appendix B





# Appendix C

House type A:  
Bedrooms: 3  
Can be configured to 4 Bed  
Ground Floor GA: 74.8m<sup>2</sup>  
First Floor GA: 83.5m<sup>2</sup>  
Overall GA: 157.3m<sup>2</sup>  
Ground Floor GEA: 88.8m<sup>2</sup>  
First Floor GEA: 75.5m<sup>2</sup>  
Overall GEA: 164.3m<sup>2</sup>

Ground Floor Plan

First Floor Plan

Front East Elevation

Rear West Elevation

0 1 2 4 6 m

1:100

CLIENT: Bob Banks  
SITE: Oak Tree Farm  
Twyford Road  
RG42 5QD

TITLE: House Type A  
Floor Plans  
and Elevations

STATUS: Preliminary  
SCALE AT A3: 1:100  
DATE: 07/21  
DRAWN: TB  
CHECKED: CJP  
PROJECT: BOTF  
DRAWING NO: PL200

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House type B:  
Bedrooms: 3  
Ground Floor GA: 63.5m<sup>2</sup>  
First Floor GA: 61.3m<sup>2</sup>  
Overall GA: 123.8m<sup>2</sup>  
Ground Floor GEA: 71m<sup>2</sup>  
First Floor GEA: 71m<sup>2</sup>  
Overall GEA: 142m<sup>2</sup>

Ground Floor Plan

First Floor Plan

Front West Elevation

Rear East Elevation

0 1 2 4 6 m

1:100

CLIENT: Bob Banks  
SITE: Oak Tree Farm  
Twyford Road  
RG42 5QD

TITLE: House Type B  
Floor Plans  
and Elevations

STATUS: Preliminary  
SCALE AT A3: 1:100  
DATE: 07/21  
DRAWN: TB  
CHECKED: CJP  
PROJECT: BOTF  
DRAWING NO: PL201

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House Type C:  
Bedrooms: 4 = can be configured to 3B

Ground Floor GFA: 16.1m<sup>2</sup>  
First Floor GFA: 56.6m<sup>2</sup>  
Overall GFA: 154.4m<sup>2</sup>

Ground Floor GEA: 101.2m<sup>2</sup>  
First Floor GEA: 76.9m<sup>2</sup>  
Overall GEA: 178.1m<sup>2</sup>



Ground Floor Plan



First Floor Plan

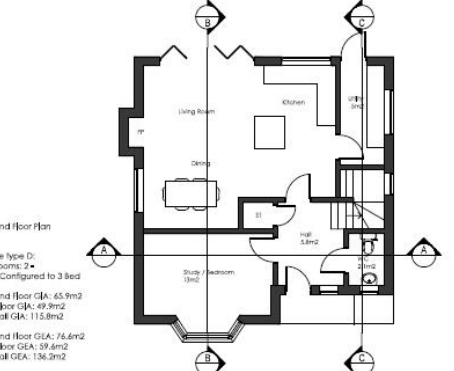


Front North Elevation

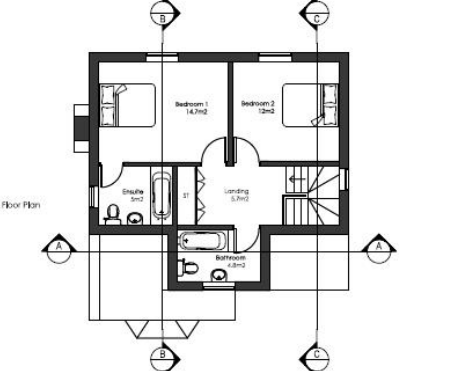


Rear South Elevation

 <p>1:100</p>	<p><b>CLIENT:</b> Bob Banks</p> <p><b>SITE:</b> Oak Tree Farm Twyford Road RG42 5QD</p>	<p><b>TITLE:</b> House Type C Floor Plans and Elevations</p>	<p><b>STATUS:</b> Preliminary</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>SCALE OF AS:</td> <td>DATE:</td> <td>DRAWN:</td> <td>CHECKED:</td> </tr> <tr> <td>1:100</td> <td>07/21</td> <td>TB</td> <td>CP</td> </tr> <tr> <td>PROJECT:</td> <td>DRAWING NO.:</td> <td>REVISION:</td> <td></td> </tr> <tr> <td>BOTF</td> <td>PL202</td> <td></td> <td></td> </tr> </table>	SCALE OF AS:	DATE:	DRAWN:	CHECKED:	1:100	07/21	TB	CP	PROJECT:	DRAWING NO.:	REVISION:		BOTF	PL202		
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NO.	DESCRIPTION	BY:	DATE:																



Ground Floor Plan




First Floor Plan


House Type D:  
Bedrooms: 2 =  
Can be configured to 3 Bed

Ground Floor GFA: 45.9m<sup>2</sup>  
First Floor GFA: 49.9m<sup>2</sup>  
Overall GFA: 115.8m<sup>2</sup>

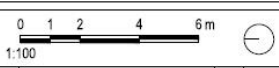

Ground Floor GEA: 76.6m<sup>2</sup>  
First Floor GEA: 59.6m<sup>2</sup>  
Overall GEA: 136.2m<sup>2</sup>



Front West Elevation



Rear East Elevation

 <p>1:100</p>	<p><b>CLIENT:</b> Bob Banks</p> <p><b>SITE:</b> Oak Tree Farm Twyford Road RG42 5QD</p>	<p><b>TITLE:</b> House Type D Floor Plans and Elevations</p>	<p><b>STATUS:</b> Preliminary</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>SCALE OF AS:</td> <td>DATE:</td> <td>DRAWN:</td> <td>CHECKED:</td> </tr> <tr> <td>1:100</td> <td>07/21</td> <td>JN</td> <td>CP</td> </tr> <tr> <td>PROJECT:</td> <td>DRAWING NO.:</td> <td>REVISION:</td> <td></td> </tr> <tr> <td>BOTF</td> <td>PL203</td> <td></td> <td></td> </tr> </table>	SCALE OF AS:	DATE:	DRAWN:	CHECKED:	1:100	07/21	JN	CP	PROJECT:	DRAWING NO.:	REVISION:		BOTF	PL203		
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NO.	DESCRIPTION	BY:	DATE:																

House type E:  
Bedrooms: 4 - Can Configured  
to 3 Bed

Ground floor GFA: 88m<sup>2</sup>  
First floor GFA: 88m<sup>2</sup>  
Overall GFA: 176m<sup>2</sup>

Ground floor GEA: 100m<sup>2</sup>  
First floor GEA: 100m<sup>2</sup>  
Overall GEA: 200m<sup>2</sup>

Ground floor Plan

First floor Plan

Front West Elevation

Front East Elevation

0 1 2 4 6 m

1:100

CLIENT: Bob Banks  
SITE: Oak Tree Farm  
Twyford Road  
RG42 5QD

TITLE: House Type E  
Floor Plans  
and Elevations

STATUS: Preliminary

SCALE OF ALL:	DATE:	DRAWN:	CHECKED:
1:100	07/21	JN	CF
PROJECT:	DRAWING NO:	REVISION:	
BOTF	PL204		

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House type F:  
Bedrooms: 2

Ground floor GFA: 81.8m<sup>2</sup> (40.9m<sup>2</sup>)  
First floor GFA: 83m<sup>2</sup> (41.5m<sup>2</sup>)  
Overall GFA: 164.8m<sup>2</sup> (82.4m<sup>2</sup>)

Ground floor GEA: 96.2m<sup>2</sup> (48.1m<sup>2</sup>)  
First floor GEA: 98m<sup>2</sup> (49m<sup>2</sup>)  
Overall GEA: 194.4m<sup>2</sup> (97.1m<sup>2</sup>)

Ground floor Plan

First floor Plan

Front North Elevation

Rear South Elevation

0 1 2 4 6 m

1:100

CLIENT: Bob Banks  
SITE: Oak Tree Farm  
Twyford Road  
RG42 5QD

TITLE: House Type F  
Floor Plans  
and Elevations

STATUS: Preliminary

SCALE OF ALL:	DATE:	DRAWN:	CHECKED:
1:100	07/21	JN	CF
PROJECT:	DRAWING NO:	REVISION:	
BOTF	PL205		

jsa architects  
Twylock House  
Widham Road  
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reception@jsaarchitects.com  
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21 December 2022

Item: 2

<b>Application No.:</b>	22/02435/FULL
<b>Location:</b>	Oakley Cottage Oakley Green Road Oakley Green Windsor SL4 4QF
<b>Proposal:</b>	Conversion of existing stable block to ancillary accommodation providing a bedroom, home gym and office.
<b>Applicant:</b>	Mr And Mrs Sattar
<b>Agent:</b>	Mr Paul Dickinson
<b>Parish/Ward:</b>	Bray Parish/Bray
<b>If you have a question about this report, please contact:</b> Harmeet Minhas on or at harmeet.minhas@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 The proposal seeks planning permission for the conversion of an existing stable building to ancillary accommodation in use with the main dwelling.
- 1.2 The proposal would not result in the dis-proportionate enlargement or alteration of a building, that would otherwise constitute 'inappropriate development' within the Green Belt.
- 1.3 The use of the building is considered to be ancillary to the main dwelling on site, and would not be considered to constitute a separate unit of accommodation. This would be controlled by condition.

**It is recommended the Committee grants planning permission with the conditions listed in section 14 of this report**

**2. REASON FOR PANEL DETERMINATION**

- The application is a major application owing to the area of the application site.

**3. THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site comprises a dwelling located within a substantial plot. The building which is the subject of the conversion is located to the south of the dwelling known as Oakley Cottage and used as a stable as part of the wider enterprise in the past.

**4 KEY CONSTRAINTS**

- 4.1 The site is located within the Green Belt designation as set out within the recently adopted BLP.
- 4.2 The application site is identified as a red and amber zone for Great Crested Newts.

**5. THE PROPOSAL**

- 5.1 The application seeks planning permission for the conversion of an existing stable to ancillary accommodation.
- 5.2 The proposal would introduce a bedroom, home gym and office for the use of the applicants linked to the main use of dwelling.

## 6. RELEVANT PLANNING HISTORY

- 6.1 The application site benefits from planning history. In 2012 under application reference 12/00136/FULL planning permission was granted for the conversion of the stable into 1 bedroom annexe accommodation.

## 7. DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

### Adopted Borough Local Plan

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
District Centres	TR4
Local Centres	TR5
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Utilities	IF7

## 8. MATERIAL PLANNING CONSIDERATIONS

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

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 11 – Making effective use of land

Section 12- Achieving well-designed places

Section 13- Protecting Green Belt land

Section 15 – Conserving and enhancing the natural environment

### Supplementary Planning Documents

- Borough Wide Design Guide

### Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

RBWM Townscape Assessment

RBWM Landscape Assessment

RBWM Parking Strategy

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

- 9.1 No letters of representation were received at the time of drafting this report.
- 9.2 A site notice was displayed by the site as well as an advertisement in the local paper owing to the site area.

### Consultees

Consultee	Comment	Where in the report this is considered
Highways	No objections	Section 10
Bray Parish Council	No objection subject to use of conditions	Section 10

## 10. EXPLANATION OF RECOMMENDATION

- 10.1 The key issues for consideration are:
- i Green Belt
  - ii Parking and Highways Impacts
  - iii Impact on amenity of neighbouring buildings
  - iv Ecology

### Whether inappropriate development, and impact on openness and purposes

- 10.2 Having regard for the applicants covering letter, it is noted that the Council approved a similar form of development in 2012. However, since then the NPPF (2021) has been published and revised, as well as a new development plan coming into effect. As such it is considered appropriate to consider the context of the NPPF (2021) with the BLP being considered consistent with the aims of the framework.
- 10.3 Para 149 of the NPPF (2021) states within section c) that exceptions to the erection of new buildings within the green belt allow for 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.
- 10.4 The proposal seeks the re-use of an existing stable building for habitable purposes, linked to the main dwelling within the site. The proposal would not materially alter the size and scale of the building to a degree that it would impact on the openness of the Green Belt or result in disproportionate additions. Whilst there may be an increase in activity to and from the building, there is no evidence to suggest that this would be any more harmful to the openness than the current use. The proposal to convert the stable to ancillary accommodation is considered to be an exception to inappropriate development in the Green Belt.
- 10.5 To ensure that there would be no material change in circumstances on the site, such as the use of the building as a self-contained unit, it would be appropriate and reasonable of the LPA to restrict the use through a suitably worded condition. This is done so with the aims of preserving the setting of the Green Belt whereby harm could occur as a result of changes to the parameters of the development.

### Neighbour Amenity

- 10.6 The building subject to this application is located within a substantial plot of land. It is located a over 50m from the nearest habitable receptors that it would be unlikely the proposal would result in a loss of amenity to other residents. As such, no concerns are raised in this regard.

### Highways

- 10.7 The proposal would be unlikely to result in an increased demand for parking within the site. As such, no concerns are raised in this regard.

### Ecology

- 10.8 The application site is located within the red and amber zone for Great Crested Newts. The application proposal would be unlikely to require any ground works in and around the existing building, to facilitate the conversion.
- 10.9 The land around the site is currently maintained and would unlikely offer habitat potential for GCNs.
- 10.10 Having regard for the existing structure and roof, the stable appears to be in reasonable condition with limited openings within the roof profile. Whilst no ecology report has been submitted in support of the application, officers are of the opinion that the condition of the building as well as its current use would give limited roost potential.

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

- 11.1 The development is not CIL liable.

## **12 CONCLUSION**

- 12.1 In conclusion, no policy-based concerns are raised in this regard. In light of this, planning permission should be granted for the proposed works.

## **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 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.
- 2 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 3 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 4 The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse.  
Reason: Occupation as a separate unit of residential accommodation would result in an unsatisfactory living environment for occupiers of both the existing house and the new development and likely cause harm to the setting of the Green Belt which is by definition inappropriate.

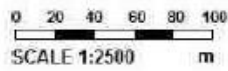


Appendix A

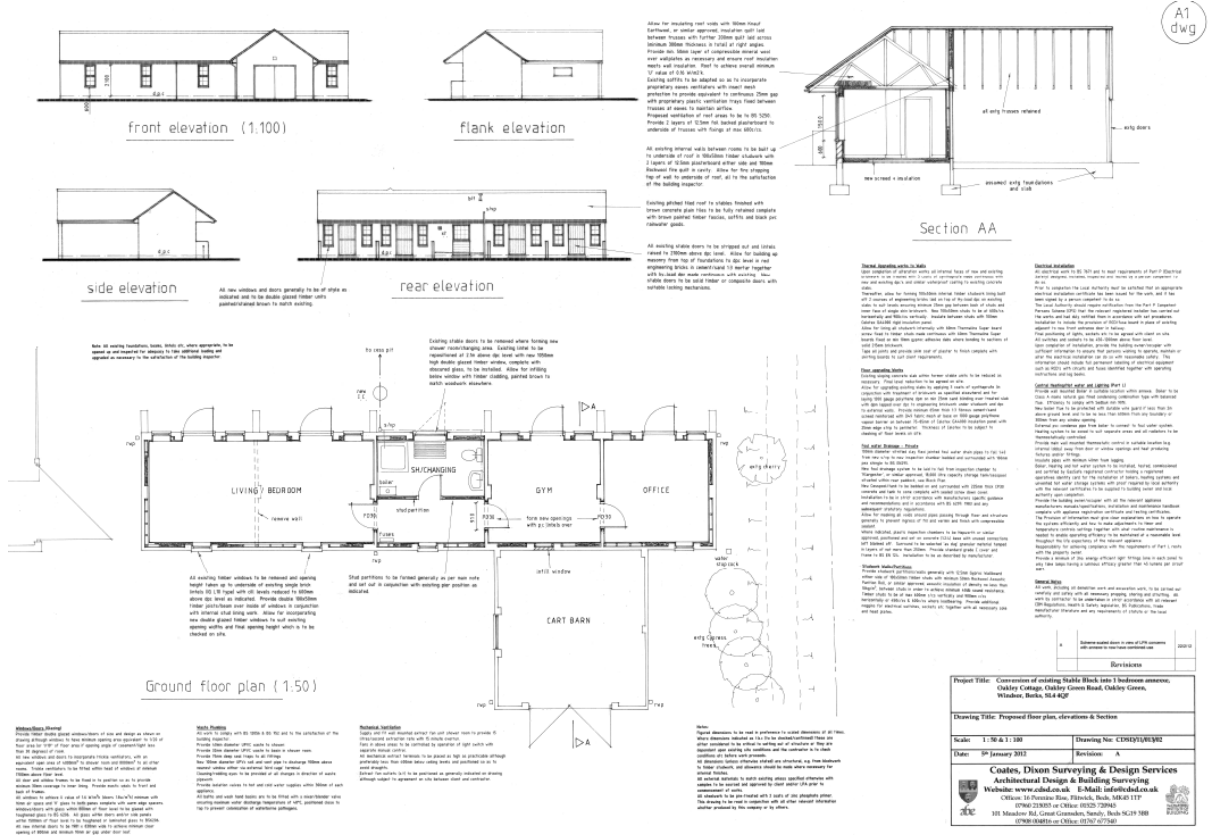


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OAKLEY COTTAGE, OAKLEY GREEN ROAD, OAKLEY  
GREEN, MAIDENHEAD SL4 4QF  
LOCATION PLAN  
SCALE 1:2500@A4



# Appendix B



## Appeal Decision Report

03 November 2022 - 9 December 2022

### Maidenhead

**Appeal Ref.:** 21/60078/ENF      **Enforcement Ref.:** 20/50181/ENF      **Plns Ref.:** APP/T0355/C/21/3287375

**Appellant:** Dr Lakshmi Kanthan **c/o Agent:** Mr Jason Oakden Savills (UK) Ltd 33 Margaret Street London W1G 0JD

**Decision Type:** **Officer Recommendation:**

**Description:** Appeal against the Enforcement Notice: Without planning permission, the erection of an outbuilding in the rear garden.

**Location:** **Little Acre Ascot Road Holyport Maidenhead SL6 3LD**

**Appeal Decision:** Dismissed      **Decision Date:** 4 November 2022

**Main Issue:**

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**Appeal Ref.:** 22/60060/REF      **Planning Ref.:** 21/02951/FULL      **Plns Ref.:** APP/T0355/W/22/3299558

**Appellant:** Mr David Holmes **c/o Agent:** Mr Matthew Corcoran Pure Offices, Midshires House Smeaton Close Aylesbury Bucks HP19 8HL

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

**Description:** Development of the site to provide 4no. detached dwellings with associated access, hardstanding and landscaping.

**Location:** **Land Rear of 4 To 7 Dairy Court Holyport Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 24 November 2022

**Main Issue:**

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**Appeal Ref.:** 22/60062/REF      **Planning Ref.:** 21/02576/FULL      **Plns Ref.:** APP/T0355/W/22/3296613

**Appellant:** Mr Smith **c/o Agent:** Mr Kieran Rafferty KR Planning 183 Seafield Road Bournemouth BH6 5LJ

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

**Description:** Addition of a first and second floor to the rear to provide 5no one bedroom flats and 1no two bedroom flat with communal bin store and entrance at ground floor level via Nicolson's Lane.

**Location:** **87 - 89 High Street Maidenhead SL6 1JX**

**Appeal Decision:** Dismissed      **Decision Date:** 18 November 2022

**Main Issue:** The proposed development would fail to be designed to incorporate measures to adapt to and mitigate climate change. Consequently, it would fail to comply with Policy SP2 of the BLP and would erode the overall development plan strategy for addressing climate change.

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**Appeal Ref.:** 22/60063/REF      **Planning Ref.:** 21/03289/FULL      **Plns Ref.:** APP/T0355/W/22/3302062  
**Appellant:** Mr George Bouldon **c/o Agent:** Other ET Planning Office 200 Dukes Ride CROWTHORNE RG45 6DS  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Erection of a detached outbuilding following demolition of the existing woodshed.  
**Location:** **Long Lane Farm Ascot Road Holyport Maidenhead**  
**Appeal Decision:** Dismissed      **Decision Date:** 21 November 2022

**Main Issue:**

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**Appeal Ref.:** 22/60064/REF      **Planning Ref.:** 21/03688/TLDDT      **Plns Ref.:** APP/T0355/W/22/3299971  
**Appellant:** CK Hutchison Networks (UK) Ltd **c/o Agent:** Mr James Reilly C/O Mr Gallivan 14 Inverleith Place Edinburgh EH3 5PZ  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Application for determination as to whether prior approval is required for proposed 5G telecoms installation: H3G Phase 8 15m high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets.  
**Location:** **Verge At Junction of Mill Lane And Sutton Road Cookham Maidenhead**  
**Appeal Decision:** Dismissed      **Decision Date:** 18 November 2022

**Main Issue:** The proposed siting and appearance would be harmful to the character and appearance of the area, including heritage assets. It has not been demonstrated that less harmful alternatives have been fully explored. Consequently, the need for the installation in this location does not outweigh the harms identified.

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**Appeal Ref.:** 22/60071/REF      **Planning Ref.:** 21/00119/FULL      **Plns Ref.:** APP/T0355/W/22/3302868  
**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  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Agricultural workers dwelling with associated parking, landscaping and new curtilage.  
**Location:** **Longwood Farm Smewins Road White Waltham Maidenhead SL6 3SR**  
**Appeal Decision:** Withdrawn      **Decision Date:** 9 November 2022

**Main Issue:**

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## Planning Appeals Received

3 November 2022 - 9 December 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 Plns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

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

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

**Ward:**  
**Parish:** Bray Parish  
**Appeal Ref.:** 22/60078/REF      **Planning Ref.:** 21/03573/OUT      **Plns Ref.:** APP/T0355/W/22/3309281  
**Date Received:** 23 November 2022      **Comments Due:** 28 December 2022  
**Type:** Refusal      **Appeal Type:** Hearing  
**Description:** Outline application for access only to be considered at this stage for x4 serviced plots for Self-Build and Custom Housebuilding.  
**Location:** **Land Adjacent Pond View Sturt Green Holyport Maidenhead**  
**Appellant:** Ms Janet Meads-Mitchell **c/o Agent:** Ms. Kate Pryse Land Adjacent Pond View Sturt Green Holyport Maidenhead Maidenhead SL6 2JF

**Ward:**  
**Parish:** Bisham Parish  
**Appeal Ref.:** 22/60079/REF      **Planning Ref.:** 21/03710/CLU      **Plns Ref.:** APP/T0355/X/22/3309310  
**Date Received:** 24 November 2022      **Comments Due:** 5 January 2023  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Certificate of lawfulness to determine whether the existing C3 residential use of Park Farm Cottage without an agricultural occupancy restriction is lawful.  
**Location:** **Park Farm Cottage Marlow Road Pinkneys Green Maidenhead SL6 6PH**  
**Appellant:** Mr Pepe Parra **c/o Agent:** Seth Williams Tetra Tech 100 Avebury Boulevard Milton Keynes MK9 1FH

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