

NOTICE
OF
MEETING

**MAIDENHEAD DEVELOPMENT
MANAGEMENT COMMITTEE**

will meet on

Wednesday 19 April 2023

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

Kirsty Hunt, Service Lead – Electoral & Democratic Services - Issued: 11 April 2023

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 Democratic Services Officer **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 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 a Legal representative prior to the meeting.

AGENDA

Part I

<u>Item</u>	<u>Subject</u>	<u>Page No</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	3 - 6
3.	<u>MINUTES OF THE PREVIOUS MEETING</u> To approve the minutes of the meeting held on 15 March 2023 as a true and accurate record.	7 - 10
4.	<u>22/02595/FULL - BANSTOCK STABLES AND BUNGALOW AT BANSTOCK STABLES CHERRY GARDEN LANE LITTLEWICK GREEN MAIDENHEAD</u> PROPOSAL: Construction of 3 no. houses following demolition of existing barn and all other equestrian buildings, 1 no. replacement dwelling following demolition of existing dwelling and widening of access. RECOMMENDATION: Defer Legal Agreement MEMBER CALL-IN: N/A EXPIRY DATE: 24 March 2023	11 - 46
5.	<u>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORTS</u> Committee Members to note the report.	47 - 50

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 15 MARCH 2023

Present: Councillors Maureen Hunt (Chairman), Leo Walters (Vice-Chairman), Gurpreet Bhangra, Gerry Clark, David Coppinger, Joshua Reynolds, Clive Baskerville and Simon Werner

Also in attendance: Councillor Helen Taylor and Councillor Simon Bond

Officers: Becky Oates, Adrien Waite, Alison Long, Sarah Tucker and Edward Vaudin

Apologies for Absence

Apologies were received from Councillor Hill. Apologies were also received from Councillors Brar and Singh with Councillors Werner and Baskerville substituting respectively.

Declarations of Interest

Councillor Bhangra declared that on application 23/00043/FULL, he knew the applicant through the local community, but this relationship had no bearing on his decision, and came to the meeting with an open mind.

Councillor Coppinger declared that on item 22/02793/FULL, he lived close to the site and was a friend of the owner of the land and would therefore take no part in the debate or vote on this item.

Councillor Baskerville declared that he had called in application 23/00043/FULL on behalf of local residents but came to the meeting with an open mind.

Councillor Werner declared that he had also called in application 23/00043/FULL in order to fully debate this item but came to the meeting with an open mind.

Councillor Walters declared that he had called in application 22/02793/FULL but came to the meeting with an open mind.

Minutes of the Previous Meeting

AGREED UNANIMOUSLY: That the minutes of the meeting held on 15 February 2023 be a true and accurate record.

22/02793/FULL - Land Rear Between 1 And 5 The Fieldings Holyport Maidenhead

The Committee was addressed by Caroline Cope, objector, Parish Councillor Louvaine Kneen (Bray) and Matthew Corcoran on behalf of the applicant.

Councillor Walters proposed a motion to refuse the application on the basis that it would have an adverse effect on the character of the area, did not constitute infill and there were no special circumstances to warrant building on green belt land, which was against officer recommendation. This motion was seconded by Councillor Clark.

A named vote was taken.

22/02793/FULL - Land Rear Between 1 and 5 The Fieldings Holyport Maidenhead (Motion)	
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	For
Councillor Gerry Clark	For
Councillor Joshua Reynolds	For
Councillor Clive Baskerville	For
Councillor Simon Werner	For
Carried	

The result was seven votes in favour, therefore the motion passed.

23/00043/FULL - 5 - 5C St Marks Crescent Maidenhead

The Committee was addressed by Peter Christer, objector, and Councillor Helen Taylor.

Councillor Reynolds proposed a motion to refuse the application for the reasons listed in the report, which was in line with officer recommendation. This was seconded by Councillor Werner.

A named vote was taken.

23/00043/FULL - 5 - 5C St Marks Crescent Maidenhead (Motion)	
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	Abstain
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Joshua Reynolds	For
Councillor Clive Baskerville	For
Councillor Simon Werner	For
Carried	

The result was seven votes in favour and one abstention, therefore the motion passed.

The meeting was adjourned at 20:12, and resumed at 20:20.

22/02427/FULL - Maidenhead United Football Club York Road Maidenhead SL6 1SF

RESOLVED UNANIMOUSLY: That the order of agenda items be changed so that item 4, application no. 22/02427/FULL be heard last.

The Committee was addressed by Jon Adams, applicant.

Councillor Werner proposed a motion to authorise the Head of Planning to grant planning permission subject to the conditions listed in the report, which was in line with officer recommendation. This motion was seconded by Councillor Coppinger.

A named vote was taken.

22/02427/FULL - Maidenhead United Football Club York Road Maidenhead SL6 1SF (Motion)	
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Joshua Reynolds	For
Councillor Clive Baskerville	For
Councillor Simon Werner	For
Carried	

The result was eight votes in favour, therefore the motion passed.

Planning Appeals Received and Planning Decision Report

Councillor Reynolds asked for advice from the planning department on how to improve after appeal no. 22/60034/REF, a committee refusal, was allowed at appeal.

Adrien Waite, Head of Planning, stated that he would update the Committee before the next meeting.

ACTION: Written advice to be provided to the Committee before the next meeting.

The Committee noted the report.

The meeting, which began at 7.00 pm, finished at 8.38 pm

CHAIR.....

DATE.....

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Agenda Item 4

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 April 2023

Item: 1

Application No.:	22/02595/FULL
Location:	Banstock Stables And Bungalow At Banstock Stables Cherry Garden Lane Littlewick Green Maidenhead
Proposal:	Construction of 3 no. houses following demolition of existing barn and all other equestrian buildings, 1 no. replacement dwelling following demolition of existing dwelling and widening of access.
Applicant:	Mr East
Agent:	Mr Paul Dickinson
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 The proposal is for the demolition of the existing bungalow and associated equestrian facilities; to be replaced by the erection of four new dwellings (one replacement), resulting in a net gain of 3 dwellinghouses.
- 1.2 Whilst the site is located within the Metropolitan Green Belt, it is considered to fall under exemption (g) – *redevelopment of previously developed land* – of paragraph 149 (NPPF 2021). It is not considered that the proposed development would have a greater impact on the openness of the Green Belt than the existing development, and it therefore falls under an exception to inappropriate development within the Green Belt.
- 1.3 The site is generally well-contained and screened on all sides with only views into the site being glimpses at the site entrance and limited views from the south. The proposal will result in a housing density of approximately 1 dwelling per acre, which in conjunction with the significant reduction in volume and footprint (compared to the existing site), will not create cramped development and is therefore considered to be acceptable in terms of appearance.
- 1.4 The proposal includes a new wildflower meadow of approximately 635sqm and approximately 235m of new native hedging. The Ecological Report also sets out general enhancement measurements including the use of native species for planting, bat and bird boxes as well as hibernacula. The application is accompanied by a Biodiversity Net Gain Technical Note, which demonstrates a net gain of 10.14% onsite biodiversity.
- 1.5 The application is accompanied by an energy statement which addresses the Council's sustainability requirements. Furthermore, the current proposal foresees a carbon off-set contribution of £28,376 to be secured via a S106.
- 1.6 The application site is within close proximity of two Grade II listed buildings; however, given the locations of the proposed dwellinghouses and the screening surrounding the curtilage boundaries, it is considered that there will be no impact upon these heritage assets.
- 1.7 The proposal would have an acceptable impact on transport grounds.
- 1.8 The proposed dwellinghouses have significant separation distances to neighbouring residential properties, with extensive existing and proposed intervening boundary treatment. Subject to a condition for windows to be obscurely glazed on plot 1, it is not considered that harm to residential amenity would arise.

- 1.9 The proposed dwellinghouses comply with the Nationally Described Space Standards and are set within generous plot sizes. Their orientations and locations within their plots are considered acceptable without posing risk of causing detrimental harm to one another with respect of overlooking, overshadowing or outlook.
- 1.10 A limited number (8) of existing trees are to be removed; however, a significant number more are to be planted as part of the landscaping scheme.
- 1.11 The LLFA have reviewed the application and consider that the proposed soakaways allow discharge via infiltration to a 1 in 100-year design standard to be achievable.
- 1.12 The scheme exceeds the threshold for the provision of affordable housing as set out in policy HO3 and therefore the proposal will provide an affordable housing contribution in lieu of onsite provision, which totals £249,232.22

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 an affordable housing contribution 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 and an affordable housing contribution, 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 and H03.

2. REASON FOR COMMITTEE DETERMINATION

- The application is classified as a ‘major’ application due to the size of the application site, and therefore this application should be referred to the Maidenhead Development Management Committee.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located on the western side of Cherry Garden Lane. The site is surrounding by residential dwellings to the north, east and west, and an open field to the south. The site is located within the north of the Parish of White Waltham.
- 3.2 The application site is located within the Metropolitan Green Belt and the existing structures and use constitute one residential dwellinghouse fronting the road, with associated equestrian facilities for the remainder. The existing structures form a total volume of 7,420m³ and a total floor space of 1,605m². The largest of these buildings is a covered menage at the rear of the site, measuring 42.89m wide, 21.32m in depth with a ridge height of 7.1m and an eaves height of 4.67m. The existing dwellinghouse has a GIA of 204m².
- 3.3 The site has an overall area of 1.6ha (3.95 acres) and is well screened by mature hedgerows and trees to all boundaries. The site is served by an access from Cherry Garden Lane.
- 3.4 The application site is located 5km from Maidenhead Railway Station and 0.18km from the Shire Horse Public House bus stop. The site is well connected with links such as the M4, A404 and the M40 within a short distance.

4. KEY CONSTRAINTS

- 4.1 Metropolitan Green Belt
- 4.2 Blanket Tree Protection Orders on some areas of the site
- 4.3 Grade II Listed Building within 20 metres to the East of the site (Thatched Cottage)

4.4 Grade II Listed Building within 100 metres to the North of the site (Woolley Hall)

4.5 Airfields Safeguarded Areas: White Waltham Airfield & Farnborough Airport

5. THE PROPOSAL

5.1 The proposal is for the demolition of the existing bungalow and associated equestrian facilities; to be replaced by the erection of four new dwellings (one replacement), resulting in a net gain of 3 dwellinghouses.

5.2 Plot 1 will be located in approximately the same location as the existing property, although set slightly further back from the road. Whilst the existing site access is to be widened a little, the access arrangement for Plot 1 will be similar to the existing scenario.

5.3 Access arrangements for plots 2, 3 and 4 will be similar to the existing access arrangements for the current equestrian buildings towards the rear of the site, which is via a track alongside the southern boundary of the dwellinghouse (to be Plot 1).

5.4 Each of the proposed dwellinghouses have been designed to follow the design aesthetic identified within the submitted Design & Access Statement. Different wings of the houses have been designed to represent different elements of a rural farm building, that may, over time have amalgamated into a single larger dwelling. This evolution of rural housing can be seen in many of the examples noted within the local area.

5.5 The proposed dwellings utilise high quality materials to harness the rural character of the local area, taking into account the design and character of the existing buildings and thus comprise similar materials to the existing context with a brick façade, oak weatherboarding, clay tiles and barn gable ends.

5.6 With regard to the size and scale for each of the dwellinghouses proposed, these figures are listed within the following table:

	Plot 1	Plot 2	Plot 3	Plot 4
No. of Bedrooms	3	5	5	5
Ground Floor GIA	128.73 sqm	229.82 sqm	205.28 sqm	192.71 sqm
First Floor GIA	99.44 sqm	190.56 sqm	188.38 sqm	179.15 sqm
Carport GIA	26.5 sqm	40.2 sqm	40.2 sqm	40.2 sqm
Max. Width	15.2 m	16.47 m	17.06 m	17.33 m
Max. Depth	14.2 m	20 m	19.32 m	18.15 m
Max. Ridge Height	7.88 m	8.43 m	8.83 m	8.28 m
Max. Eaves Height	4.35 m	5.82 m	5.63 m	5.88 m

5.7 It should be noted that the proposed properties do have irregular shapes, and therefore whilst the maximum widths and depths appear large, in reality the main bulk of the properties is much smaller – for instance the depth of the main body of Plot 1s building is 6.5 metres.

6. RELEVANT PLANNING HISTORY

6.1

Reference	Description	Decision
21/02275/CLD	Certificate of lawfulness to determine whether the existing use as an indoor riding school by the general public not restricted to use by The Red Rum Group of the Riding for the Disabled Association is lawful.	Permitted on 3 rd Nov-21

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 Mix and Type	HO2
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

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

Issue	Neighbourhood Plan Policy
Sustainable Development	ENV1
Climate Change, Flood and Water Management	ENV2
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 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
- Chapter 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:

- RBWM Landscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

19 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 4th October 2022 and the application was advertised in the Local Press on 6th October 2022.

1 letter was received neither objecting nor supporting the application. The comments can be summarised as follows:

Comment		Where in the report this is considered
1	Condition request relating to piling construction methods	viii
2	Condition request relating to refuse	vii
3	Condition request relating to CEMP	viii
4	Condition request relating to lighting	ix
5	Condition request relating to owls	Ecology did not consider this to be a requirement

2 letters were received objecting to the application. The comments can be summarised as follows:

Comment		Where in the report this is considered
1	Loss of valuable countryside for equestrian recreation and education	i
2	No VSC to justify development within the Green Belt	i
3	The development would put further stress on traffic	vii

6 letters were received supporting the application. The comments can be summarised as follows:

Comment		Where in the report this is considered
1	Significantly improve the use of the site	

2	Sympathetic and attractive design	ii
3	Enhance the local area	ii
4	Existing chain-link fence should be replaced by an 8-foot-high solid fence	
5	Existing riding arena looks out of place	
6	Low density and spacious scheme is appropriate for the neighbourhood	v
7	Removing the need for large horse boxes to regularly use Cherry Garden Lane will be positive	vii
8	An obscured glazing condition should be applied to those windows with potential to overlook	viii

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Local Lead Flood Authority	No objection subject to condition	ix

Consultee responses

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions	vii
Environmental Protection	No objection subject to conditions	ix
NatureSpace Partnership	No comments received.	ix
Trees	Verbal discussion regarding Tree Protection Areas.	ix
Archaeology	No objection subject to condition	vi
Council's Ecologist	No objection subject to conditions	ix

Parish Council

Consultee	Comment	Where in the report this is considered
White Waltham Parish Council	No objection. Proposal will result in a decrease of on-site building footprint, a decrease of on-site building volume, a decrease in on-site hardstanding, and a reduction of traffic. Subsequently there will be more green space, which is beneficial to the Green Belt.	i

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 Housing
- vi Impact on heritage assets
- vii Parking and Highways Impacts
- viii Impact on neighbouring amenity
- ix Environmental Considerations
- x Other material considerations

i. Principle of Development

- 10.2 The site lies within the Metropolitan Green Belt, which forms the principal constraint of the site, thereby determining the principle of development.
- 10.3 Paragraph 3 of Policy QP5 (Development in Rural Areas and the Green Belt) states, “*The Metropolitan Green Belt, as shown on the Policies Map, will be protected against inappropriate development. Planning permission will not be granted for inappropriate development (as defined by the NPPF), unless very special circumstances are demonstrated*”.
- 10.4 Paragraph 4 of Policy QP5 (Development in Rural Areas and the Green Belt) states, “*Certain forms of development are not considered inappropriate within the Green Belt, as defined in the NPPF [2021 (Para 149)].*”
- 10.5 Paragraph 149(g) of the NPPF allows; “*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*”.
- 10.6 The NPPF defines ‘previously developed land’ 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*”.
- 10.7 Given the above definition, land within equestrian use can be considered ‘previously developed land’. In order for the development to fall under an exception to inappropriate development (as per paragraph 149g of the NPPF), the development must not have a greater impact upon the openness of the Green Belt than the existing development. The proposal would result in a reduction in overall on-site footprint and volume compared to the existing buildings on site, seeing a volume reduction of 22.5% (5,752m³ from the existing 7,420m³) and a footprint reduction of 37%. The proposed buildings will be predominately situated on the footprint of the existing structures.

- 10.8 The existing equestrian use could generate an average of 72 per day, plus an additional 8-10 movements to account for the existing dwellinghouse. In comparison, the proposed scheme could generate approximately 32-40 movements per day (8-10 movements per dwelling), which therefore results in a reduction of 55-60%. Activity generated is one of the openness 'tests', and therefore it is considered that the proposal would reduce the site's impact upon openness with regard to activity. Taking into account the reduction in footprint and volume of buildings, and the reduction in activity, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development in either spatial or visual terms.
- 10.9 Whilst the site is located within the Metropolitan Green Belt, it is considered to fall under exemption (g) of paragraph 149. The scheme is therefore considered to be an exception to inappropriate development in the Green Belt.

ii. Appearance

- 10.10 Borough Local Plan policies QP1 and QP3 both advise that development should seek to achieve high quality of design that improves the character and quality of an area. This is achievable in a manner of ways as set out in the relevant policies to achieve good design.
- 10.11 The local vernacular comprises a rural character and traditional design. Quality materials and craftsmanship are abundant in the surrounding area and include the following:
- Timber clad buildings and outbuildings
 - Flint and brick walls
 - Red brick walls
 - Clay roof tiles
 - Brick detailing within the walls
 - Eaves corbels
 - Painted timber windows
 - Dormer windows
 - Garden walls and timber boarded entrance gates
 - Trees and hedgerows
- 10.12 The proposed dwellings utilise high quality materials to harness the rural character of the local area, taking into account the design and character of the existing buildings and thus comprise similar materials to the existing context with a brick façade, oak weatherboarding, clay tiles and barn gable ends.
- 10.13 Each of the proposed dwellings have been designed to follow the design aesthetic identified within the Design and Access Statement, with different wings of the houses having been designed to represent different elements of a rural farm building, that may, over time have amalgamated into a single larger dwelling. This evolution of rural housing can be seen in many of the examples noted in the local area.
- 10.14 Plot 1 has been designed to be a modest one and a half storey workers cottage with lowered eaves, and red clay bricks and roof tiles, typical of the area. 'Extensions' to the rear have been clad in Oak shiplap boarding to represent a locally available material that could have been used at the time, should the theoretical 'original' dwelling need to be increased in size.
- 10.15 The Design for plot 2 seeks to use follow this local vernacular with the west wing of the house representing the original Farmhouse, with Sash windows and modest brick detailing. The east wing has been designed to represent the original barn with a single large opening to the Southern and Northern elevation as well as timber cladding and barn doors.
- 10.16 As for Plots 3 and 4 – each of these properties have been designed to have a more agricultural aesthetic, with larger proportions of timber cladding being used. As with plots 1 and 2, more domestic features such as sash windows have been included, on separate wings of the building.

- 10.17 The majority of the development will not be visible from the street scene and there are limited views into the site. The development is therefore can establish its own character, which is considered to be an appropriate design approach and would not harm the character of the area. As plot 1 would be visible from Cherry Garden Lane this has been designed in a way in which it would blend in with the street scene, forming part of and therefore benefiting the fabric of the neighbourhood.
- 10.18 Given the nature of the existing site and the location of the site, these features are looked upon favourably as it enhances the rural feel of the site.
- 10.19 The proposal will result in a housing density of approximately 1 dwelling per acre, which in conjunction with the significant reduction in volume and footprint (compared to the existing site as noted within section 5 of this report), will not create cramped development, and is therefore considered to be acceptable in terms of appearance.
- 10.20 The site is generally well-contained and screened on all sides with only views into the site being glimpses at the site entrance and limited views from the south. Due to this, the proposal seeks to locate plot 2 slightly more set back from the southern boundary compared to existing buildings, which allows the central southern area of the site to remain open and undeveloped with new landscaping opportunities.
- 10.21 With the above in mind, the proposed scheme is considered to comply with Policies QP1 and QP3 of the Adopted Borough Local Plan.

iii. Landscaping

- 10.22 The application is accompanied by a landscape strategy, which forms an integral part of the proposals.
- 10.23 New landscaping is proposed to enhance the external spaces around the proposed buildings for the communal benefit of the residents and to enhance the appearance of the site generally. All existing trees and planting are to be retained where possible with new additional planting to be incorporated.
- 10.24 Where existing tree screens require replacement due to their poor condition; the proposal seeks to replace these with the use of semi-mature, mixed native species. The exact species of trees to be planted has not been confirmed; however, this can be conditioned.
- 10.25 New boundary treatments are proposed within the new development with hedge planting behind to echo the screening of the buildings along Cherry Garden Lane.
- 10.26 As discussed above in paragraph 10.20, the central southern area of the site is proposed to remain open and undeveloped with new landscaping opportunities.
- 10.27 The protected woodland to the north and the tree belt along the southern boundary will not be included within formal gardens; and are sought to be fenced (using post and rail fencing to allow wildlife to move through the site) as well as subject to management plans. It is recommended that a condition is imposed in relation to these management plans.
- 10.28 The proposal includes a new wildflower meadow of approximately 635sqm and approximately 235m of new native hedging. A condition is recommended to ensure all new planting is kept in perpetuity.

iv. Climate Change and Sustainability

- 10.29 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.

- 10.30 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.
- 10.31 The proposed development of four two-storey dwellinghouses has been designed to potentially accommodate any of the following:
- Air source heat pumps and/or solar thermal panels where appropriate
 - Heat Recovery System
 - Under Floor Heating
- 10.32 To minimise heat loss from the proposed dwellings and to maximise the efficiency, the proposals will incorporate the following:
- Insulated roofs, walls and floors
 - Double glazed windows
 - Ventilation incorporated onto the design to avoid condensation
 - Energy efficient lighting
 - Natural daylight to all habitable rooms
- 10.33 Domestic applicant ratings will follow the CfSH requirements of:
- A+ Fridge Freezer
 - A rated dishwasher & washing machine
 - A rated tumble dryer
- 10.34 To minimise the use of water, the proposals will incorporate the following:
- Water saving devices, such as dual flush/low flush toilets
 - Rainwater harvesting such as water butts and storage tanks
- 10.35 The development will include the use of rainwater harvesting via the provision of water butts and will also include internal restricting devices such as flow restrictions on taps and dual flush toilets to achieve water usage per person of 120 litres a day.
- 10.36 The proposed materials will be, as far as possible, environmentally friendly and the 'Green Guide' and BRE publication 'Methodology for Environmental Profiles of Construction Materials' will be consulted. Timber will be obtained, where possible, from certified sources. A waste separation and disposal policy will be operational for the duration of the site construction.
- 10.37 Developments are required to achieve a reduction over building regulations emissions. The proposal is accompanied by an energy statement, which demonstrates the proposed will achieve a minimum of 48.35% reduction in carbon emissions, delivered through energy efficient design and renewable energy on-site.
- 10.38 The SAP calculations within the energy statement were carried out for energy strategy options using SAP 2021, with stricter carbon emission limits. The energy statement concludes that the best options for the proposed development at Banstock Stables are for the use of Air Source Heat Pumps with PV Panels. In order to protect the design and character of the development, it is recommended that a condition is imposed ensuring these are not located on the front elevations of the dwellinghouses.

- 10.39 Whilst the exact PV details, along with specific manufactures input for the air source heat pumps, are to be reviewed in more detail at detailed design stage for technical and economic feasibility, the ASHP option noted above easily surpasses the 20% planning target over TER. This gives a cash-in-lieu off-set payment of £28,376 when run in SAP 10 using the GLA Carbon Emissions Reporting Spreadsheets 2020. This will be secured via a legal agreement.
- 10.40 It should be noted that whilst PV panels are not shown on the individual house plans, they are visible on the site plan. This is because the amended plans have allowed alterations to the roofs, which subsequently means the PV panels will be hidden on rooftops, therefore will not be visible from any of the elevations. This was confirmed within an e-mail from the applicant dated 20 Feb-23.

v. **Housing**

Housing type and mix

- 10.41 BLP policy HO2 (Housing Mix and Type) states that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest (2016) Berkshire Strategic Housing Market Assessment. New development should provide an appropriate mix of housing tenures, types and sizes appropriate to the site size, characteristics and location.

- 10.42 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%

- 10.43 The proposed housing mix is set out below:

3-bedroom houses	1	25%
5-bedroom houses	3	75%
Total	4	100%

- 10.44 Whilst the proposal provides a top-heavy housing mix, which is slightly at odds with Policy HO2, the Policy does state, that the “*mix [should be] appropriate to the site size, characteristics and location [of the development]*”. The application site is considered to be more suited for large family dwellings, rather than smaller dwellings. Furthermore, the applicant has made an effort to provide for smaller families with the inclusion of one 3-bed property. On balance, the housing mix proposed in this scheme is considered to be acceptable.

Affordable Housing

- 10.45 The proposed development would result in more than 1000 square metres of floorspace, and as such in line with Policy HO3 affordable housing is required.
- 10.46 Given the site has existing buildings, and the green belt assessment considers the application to fall under the PDL exception, the application is required to provide 30% affordable housing.
- 10.47 Although the delivery of affordable housing should be provided on site, Policy HO3 does allow for a financial contribution to go towards the provision of affordable housing off-site where the Council agrees this is more appropriate. In this case, given that the scheme is for 4 dwellings, it would be difficult to provide on-site affordable housing. A financial contribution in lieu of on-site affordable housing is appropriate in this case.

10.48 The Affordable Housing Planning Guidance Document (2016) does not include text about floor areas and affordable housing provision, but Figure 1 on page 15 outlines the financial contribution calculation. It is noted that Table 2 referred to in Step 1 does not exist in the document; however, in recent cases the following simplified calculation has been used in recent cases:

- (1) $OMV \text{ of the proposal (GDV) / Total Floor Area} = \text{value per m}^2$
Equivalent m^2 for affordable dwellings based on the proposal. Use NDSS m^2 as a minimum or larger if recent examples.
 $\text{Total affordable m}^2 * \text{Value per m}^2 = \text{£xxx (RLV)}$
- (2) $RLV * 30\% = \text{£xxx (Plot Value)}$
- (3) +15% (site acquisition and servicing costs)
- (4) Apply relevant affordable housing % quantum in BLP Policy HO3 = total financial contribution
- (5) Where the GDV is not based upon 100% private housing, 10% is added to compensate for no on-site affordable housing

10.49 In this instance, using the above formula step 5 is not applied and the agreed financial contribution in lieu of on-site affordable housing is £249,232.22. The Council's Housing Enabling Officer was involved during the affordable housing negotiations and has agreed with this figure.

10.50 This agreed financial contribution or calculation would be included in the S106 and index linked, with an appropriate trigger for payment.

vi. Impact on heritage assets

Listed Buildings

10.51 As noted from section 4 (above), there are heritage assets in close proximity to the application site, with the closest being Thatched Cottage (Grade II Listed) directly opposite the site access.

10.52 Given the locations of the proposed dwellinghouses and the screening surrounding the curtilage boundaries, it is considered that there will be no impact upon the noted heritage assets. That said, a condition is suggested (further discussed within paragraph 10.70), which will aid with protecting neighbouring amenity (subsequently extending to nearby heritage assets) during the demolition and construction process.

10.53 As such it is considered that the proposal complies with Policy HE1 of the BLP, which seeks to protect the historic environment.

Archaeology

10.54 There are potential archaeological implications with this proposed development as demonstrated by Berkshire Archaeology's Historic Environment Record. The proposed development is located within a landscape that has produced widespread evidence of occupation and activity in multiple periods. Given this, the development has the potential to damage archaeological remains by ground disturbance, and therefore it is recommended that a condition be applied to mitigate the impacts of development in accordance with Paragraph 205 of the NPPF (2021) and Local Plan policy.

vii. Highway considerations, sustainable transport and parking provision

10.55 Policy IF2 (Sustainable Transport) expects development proposals to demonstrate that they will not have a detrimental effect on the local highway network and incorporate measures to reduce and mitigate any impacts. Paragraph 105 of the NPPF recognises that opportunities to maximise

sustainable transport solutions will vary from urban to rural areas and this should be taken into account in decision making.

- 10.56 A Transport Statement prepared by Highway Planning Ltd. has been submitted alongside the application, which demonstrates that the proposal will result in a material reduction of traffic activity associated with the site when compared with a fully functioning stables based on TRICS data.
- 10.57 The existing equestrian use could generate on average 72 per day (plus 8-10 movements for the existing dwelling) compared to the proposed scheme, which would be between 32-40 movements per day (8-10 movements per dwelling), which therefore results in a reduction of 55-60%.
- 10.58 Given the above, the proposal would not result in any residual cumulative impacts in terms of highway safety or the operational capacity of the surrounding network and therefore is acceptable in terms of paragraph 111 of the NPPF and Policy IF2 of the BLP.
- 10.59 Furthermore, the proposal seeks to remove a wall from the northern side of the existing access, in order to widen and improve visibility. This is considered acceptable.
- 10.60 The applicant has provided a bin and cycle plan, which indicates the locations for these residential paraphernalia. The Parking Strategy 2004 states in paragraph 6.5.1 that “*residential parking standards are set at one cycle parking per dwelling*”. The submitted plan indicates one cycle space per dwellinghouse, with an example of what this would look like – a fully enclosed lockable metal cabinet with a green finish. A condition will be applied to ensure cycle parking is carried in accordance with these details prior to occupation.
- 10.61 The proposal seeks to provide double and triple garages for the dwellings. The parking provision sought is acceptable in meeting the RBWM’s Parking Strategy.

viii. **Impact on neighbouring amenity**

- 10.62 Policy QP3 (m) of the BLP seeks to protect the amenity of the occupiers of dwellings both surrounding application sites and application sites themselves. Section 8 of the Borough Wide Design Guide SPD covers this in detail.

Neighbouring Amenity

- 10.63 When assessing a proposals impact upon neighbouring amenity, there are three key areas to assess. These are:
- Overlooking
 - Overshadowing
 - Outlook
- 10.64 With regard to overshadowing, acceptability of the proposal is dependent on ground levels, the orientation of buildings as well as their size and massing in relation to the proximity of windows serving habitable rooms within neighbouring dwellinghouses.
- 10.65 In this instance, the proposed dwellinghouses have significant separation distances to neighbouring residential properties, with extensive existing and proposed intervening boundary treatment.
- 10.66 The closest neighbouring residential property is that of ‘Lamellan’, which resides approximately 16 metres north-east of the dwellinghouse proposed within Plot 1.
- 10.67 The other neighbouring properties are 1-6 The Mews, Mawson Avenue; which lie approximately 27.4m north-west of the dwellinghouse proposed within Plot 2, and approximately 35m north-north-east of the dwellinghouse proposed within Plot 4.

- 10.68 As such is it not considered that the proposals would have any adverse impact upon neighbouring amenity. There is a substantial Cypress hedge to the northwest boundary which is to be retained and will continue to ensure no overlooking will occur in this direction. The proposed new dwellinghouses have been oriented where possible to have narrow flank elevations with no windows (serving habitable room) facing towards neighbouring boundaries. Concerns are noted relating to overlooking, and it is felt appropriate to apply a condition to ensure obscured glazing is guaranteed within the north-facing, first floor, side elevation windows for Plot 1.
- 10.69 It should further be noted that should the substantial Cypress hedge (mentioned above) be removed, the orientation of the proposed dwellinghouses and the significant separation distances from neighbouring properties (as well as the sole source of private outside space for a home (first 3m behind the rear elevation – as identified by paragraph 8.3 of the Borough Wide Design Guide)), are sufficient to justify no detrimental harm with regard to overlooking.
- 10.70 With respect to neighbouring amenity during the demolition and construction phase, a Site-Specific Construction Environmental Management Plan (CEMP) is recommended to be secured by way of condition.

Occupier Amenity

- 10.71 When assessing a proposals impact upon the amenity of the occupiers, there are five key areas to assess. These are:
- Nationally Described Space Standards
 - Amenity Space
 - Overlooking
 - Overshadowing
 - Outlook
- 10.72 The Nationally Described Spaced Standards set out that the minimum GIA for a 3-bed, 6-person, 2-storey dwellinghouse is 102sqm; and 5-bed, 10-person, 2-storey dwellinghouses are 142sqm. The proposed dwellings each comply with these requirements.
- 10.73 As for amenity space, each of the dwellinghouses has generous private amenity areas, which will receive adequate direct sunlight. The garden sizes exceed the minimum standards for houses set out within Principle 8.4 of the Borough Wide Design Guide SPD, namely 70sqm for predominantly south-facing gardens and 85sqm for predominantly north-facing gardens for 4+ bed dwellings.
- 10.74 As noted above, the proposed dwellinghouses are set within generous plot sizes, and their orientations and locations within their plots are considered acceptable without posing risk of causing detrimental harm with respect of overlooking, overshadowing or outlook.
- 10.75 Given the above, the proposal is considered to comply with the amenity requirements of Policies QP3(m) of the BLP and the principles of the Borough Wide Design Guide SPD.

ix. Environmental Considerations

Ecology

- 10.76 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.
- 10.77 The ecology report submitted notes the presence of a badger sett. This has been considered by the Council's ecologist alongside further ecological details (received March 2023), which include a technical note with regard to badgers, and a supplementary ecology report detailing the results of further assessments of the trees to be removed in relation to roosting bats.

- 10.78 The badger report surmised that the setts onsite are at the edge of the larger territory and are therefore unlikely to extend far into the application site boundary. The report also includes a mitigation strategy that would be employed during works, including a pre-commencement walkover survey, and the need to obtain a badger licence from Natural England should it become evident that badgers or their sett would be disturbed, damaged, or destroyed as a result of the works. The measures set out in the badger report would need to be incorporated into an approved Construction Environmental Management Plan (CEMP) for biodiversity and secured via a planning condition; however, due to the close proximity of at least one of the setts to one of the existing buildings (and therefore demolition works), the CEMP would also need to include details of further mitigation in relation to where and when heavy and/or loud machinery would be used, and where works would need to be done by hand.
- 10.79 The supplementary ecology report describes the potential roost features (PRFs) of the two trees to be removed which had “moderate” suitability to host roosting bats. These features were closely inspected through use of a cherry picker, and the report concludes that, at the time of survey, the trees did not host a bat roost and, as such, no further surveys are needed in this case. However, as the PRF inspection was undertaken in March, when some bats are still hibernating and others moving to transitional roosts, it cannot be ruled out that the PRFs could be used by bats later in the season. The report therefore provides a bat method statement which would need to be followed by the tree surgeons responsible for removing the trees. The measures set out in the method statement would need to be incorporated into the conditioned CEMP. In addition to the measures already set out, the CEMP should include the requirement to carry out a pre-works inspection of the PRFs described in the report. Furthermore, the CEMP should include similar measures to be employed during the removal of the trees assessed as having “low” potential to host roosting bats.
- 10.80 Additionally, due to the proposed removal of scrub and other suitable vegetation, the CEMP would need to include measures to protect nesting birds and hedgehog during works. The adjacent woodland would also need to be protected from any adverse impacts as a result of the proposed works.
- 10.81 Because the site is adjacent to woodland and is used by foraging and commuting bats and badgers, a condition would need to be set to ensure that any new external lighting to be installed as part of the new development would not adversely affect bats, badgers, or other wildlife.
- 10.82 The applicant has submitted biodiversity net gain calculations which demonstrate that a biodiversity net gain could be achieved on the site as a result of the proposals through the creation of a wildflower meadow and measures to enhance the woodland and create a badger corridor around the site boundaries. The biodiversity net gains set out in the report would need to be secured via a planning condition, along with full details of their implementation and long-term management plan.
- 10.83 In addition to the biodiversity net gains, enhancements for wildlife (as recommended in the ecology report) would need to be installed on the new buildings and around the site. It is recommended that this be secured via a planning condition.
- 10.84 Given the above, subject to appropriately worded conditions, the application is considered to comply with Policy NR2 of the BLP and Policy ENV 1 of the NP.

Trees

- 10.85 Policy NR3 states that development should be maximise opportunities for the creation, restoration, enhancement and connection of natural habitats as an integral part of proposals and should protect and retain trees, woodland and hedgerows or provide appropriate mitigation measures that will enhance or recreate habitats and new features.

- 10.86 The application is accompanied by a tree survey and impacts assessment prepared by Merewood Arboricultural Consultancy. This identifies eight trees to be removed to facilitate the development. Four of these (T11 Ash, T12 Ash, T29 Douglas Fir and T30 Douglas Fir) are Category U and recommended for removal for good arboricultural practice and safety reasons. The other four trees are Category C (low quality). T2 Apple and T9 Plum are smaller fruit trees and T32 Elder is also a smaller tree. T30 Douglas Fir has restricted growth to its crown and is required to be removed for the driveway.
- 10.87 These trees will be replaced by the newly proposed trees and other planting. The scheme proposes additional trees and planting above what is existing. Overall, the proposed works are considered to have no adverse impact on the local character in the wider setting, in the long term.
- 10.88 Some of the works will make incursions into the Root Protection Areas (RPAs) of protected trees.
- The corner of the garage for plot 2 falls within the RPA of T73 (Cat B2).
 - Note: existing buildings fall within this RPA
 - The garage of plot 1 falls within the RPA of T5 (Cat B1 + B2)
 - Note: The existing dwelling falls within this RPA
 - The permeable access falls within the RPA of T1 (Cat A1 +A2)
 - Note: this is to be covered by a cellular confinement system to protect against vehicles during construction
 - Permeable drive to plots 2, 3 and 4 falls within the RPA of:
 - T15 (Cat B1 + B2)
 - T16 (Cat B1 + B2)
 - T17 (Cat B1 + B2)
 - T18 (Cat B1 + B2)
 - T22 (Cat B1 + B2)
 - T23 (Cat B1 + B2)
 - T24 (Cat B1 + B2)
- Incursion of the above RPAs is relatively minor. Full provision can be made for protection of existing trees to ensure their continued viability following the completion of construction works. Harm mitigation to protected trees is proposed through the provision of:
- Cellular Confinement System (Vehicular Ground Protection) during construction
 - Temporary Ground Protection (Pedestrian)
 - Tree Protection Fencing
- 10.89 The proposals would not have any unacceptable impacts in terms of the loss of any trees and the landscape led proposals are considered to provide significant enhancement through new planting and would therefore comply with Policy NR3.

Flooding and Sustainable Drainage

- 10.90 The application is accompanied by a Preliminary Risk Assessment, Flood Risk Assessment and Drainage Strategy, Trial Pit Location Plan and a letter by Lanmor Consulting.
- 10.91 These documents have been reviewed by the Lead Local Flood Authority (LLFA) who concluded that given the nature of the development and the available space within which to increase the size of the proposed soakaways; they are satisfied that even if infiltration rates at the exact final location are less favourable than those indicated within the drainage strategy, discharge via infiltration to a 1 in 100-year design standard is achievable.
- 10.92 It was noted that the proposed drainage strategy drawing included within Appendix E of the FRA and Drainage Strategy was unclear if the proposed soakaways would be constructed within the curtilage of the individual properties they are designed to drain. If this is the case, it could potentially lead to issues with regard to maintenance at a later date; however, this can be appropriately addressed via a suitably worded condition.

Contamination

- 10.93 The Preliminary Risk Assessment (PRA) carried out by Aviron is in accordance with industry best practice and current British Standards. The risks to future receptors are low-very low, and therefore it is not considered that a further investigation is required. That said, an unexpected contamination condition is recommended to ensure any ground conditions encountered, which are not described within the PRA are appropriately handled.

x. Other Material Considerations

Section 106 contributions

- 10.94 As previously noted above within paragraph 10.39; a legal agreement will be required in order to secure the provision of a carbon off-set contribution in line with the Councils Interim Sustainability Position Statement.
- 10.95 As further noted above within paragraph 10.50; a legal agreement will be required in order to secure the provision of an affordable housing contribution, in line with Policy HO3.

Housing Land Supply

- 10.96 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 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.*

- 10.97 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.

- 10.98 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. Given there is a net reduction in floorspace due to the existing on-site buildings, the applicant can reduce the amount of CIL liable against this floorspace. Any CIL payable, will contribute towards the delivery of identified infrastructure within the Borough.
- 11.2 Using the figures in paragraph 5.6 a total of 1,561.17 sqm of floorspace is proposed, which would equate to £492,627.20 at a rate of £315.55 per square metre (based upon the 2023 Indexation Rate (355)).
- 11.3 However; the total GIA of existing buildings on site is 1,605 square metres, which therefore means a net 'gain' of -43.83 sqm. Given this, there is unlikely to be any CIL as it should all be offset against the existing buildings.

12. CONCLUSION

- 12.1 The application is recommended for approval subject to a number of appropriately worded conditions.

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 commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan QP3
- 3 The development hereby approved shall be carried out in accordance with the submitted Arboricultural Implications Assessment (AIA) Rev B, prepared by Merewood Ltd., dated 06/03/2023 and received 10/03/2023; as well as the associated plans:
- Arboricultural Impact Assessment plan Rev D; dated March 2023; received 10 March 2023
- Plan of Tree Constraints Rev A, dated September 2022; received 22 September 2022
- Tree Protection Plan Rev E, dated March 2023; received 10 March 2023
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan NR3.
- 4 The development hereby approved shall be carried out and maintained in accordance with the details contained within the submitted Energy Statement prepared by Ibis Limited (dated 12 October 2022; received 23 January 2023).
Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with Policies SP2 and QP3 of the BLP as well as the ISPS.
- 5 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
a) Risk assessment of potentially damaging construction activities;
b) Identification of "biodiversity protection zones";
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (including those already set out by AA Environmental) (may be provided as a set of method statements), including measures to protect badgers and their setts, use of machinery, a bat method statement to be followed during the removal of any trees with bat roosting potential and demolition of the building, measures to protect the adjacent woodland during works, a pre-commencement walkover survey to ensure that no new badger setts have been created on or within immediate proximity of the site and no bats are roosting within identified PRFs, measures to protect nesting birds and hedgehog, a wildlife-sensitive lighting strategy during works, and the procedures to follow should any protected species be encountered on the site during works;
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works;
f) Responsible persons and lines of communication;
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with wildlife legislation, paragraph 180 of the NPPF, and local policy NR2.

6 Prior to the installation of any external lighting, a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife, shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:

- A layout plan with beam orientation
- A schedule of equipment
- Measures to avoid glare
 - An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats and badgers, badger sett locations, and proposed locations of all bird and bat boxes.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with paragraph 185 of the NPPF.

7 No development above slab level shall take place until full details of a Biodiversity Net Gain Plan for onsite delivery and monitoring of Biodiversity Net Gain and a Habitat Management Plan has been submitted to and approved in writing by the local planning authority. The plans shall be in accordance with the approved biodiversity net gain assessment (Technical Note: Biodiversity Net Gain, AA Environmental, September 2022, ref: 223303) and shall include (but not be limited to) the following:

- a) A habitat management plan;
- b) Long term aims and objectives for habitats and species;
- c) Detailed management prescriptions and operations for newly created habitats, locations, timing, frequency, durations, methods, specialist expertise (if required), specialist tools/machinery or equipment and personnel as required to meet the stated aims and objectives;
- d) A detailed prescription and specification for the management of the new habitats;
- e) Details of any management requirements for species specific habitat enhancements;
- f) Annual work schedule for at least a 30 year period;
- g) Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives;
- h) Details of proposed reporting to the council and council ecologist and proposed review and remediation mechanism;
- i) Proposed costs and resourcing and legal responsibilities.

The Biodiversity Gain and Habitat Management Plan shall be implemented in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity, in accordance with the NPPF and local policy NR2.

8 Prior to the commencement of the development above slab level, details of biodiversity enhancements, including the timescales to implement them, to include integral bird and bat boxes, tiles or bricks on the new building, gaps at the bases of fences to allow hedgehogs to traverse through the gardens, log piles, and bug hotels, shall be submitted to and approved in writing by the local planning authority. The biodiversity enhancements shall thereafter be installed in accordance with the approved details and timescales.

Reason: To provide biodiversity enhancements within the new development in line with paragraph 180 of the NPPF and local policy NR2.

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

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan IF2

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

Reason: To ensure that the development is provided with adequate facilities that allow it to be

serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development.

- 11 No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing. The WSI shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

The development shall take place in accordance with the WSI approved

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Roman remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

- 12 The development shall not be occupied until the site investigation and post investigation assessment have been completed in accordance with the programme set out in the WSI approved under condition 11 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, the details of which shall have been approved in writing by the LPA.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Roman remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

- 13 No development shall take place until a site-specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison -

Arrangements for liaison with the Environmental Protection Team - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays. -

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above. - Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

- Procedures for emergency deviation of the agreed working hours. - Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

- Measures for controlling the use of site lighting whether required for safe working or for security purposes. The development shall be carried out in accordance with the approved plan.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

- 14 Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Calculation to include development runoff rates, volumes (attenuation and long-term storage) and topographic details, and infiltration rates results based on BRE Digest 365 compliant testing.

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels, long sections and cross section and relevant construction details of all individual components.

- Details of the proposed maintenance arrangements relating to the surface water drainage

system should be provided, confirming the part that will be responsible.

The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure compliance with the National Planning Policy Framework and the NonStatutory Technical Standards for Sustainable Drainage Systems and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

15 The first-floor windows in the, north facing, side elevation of the dwellinghouse identified as 'Plot 1', shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - QP3

16 In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

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

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

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

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

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

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

NAP4.

- 17 No development above slab level shall commence until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- species of all trees and shrubs to be planted
 - number of each species tree and shrub to be planted
 - sizes of all trees and shrubs to be planted.

These works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan QP3.

- 18 A landscape management plan, including long term (25 years, unless otherwise agreed in writing with the LPA) design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of any building in the development. The landscape management plan shall be carried out as approved.

Reasons: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan QP1 and QP3

- 19 Prior to the installation of any air source heat pumps, plans showing their location on the dwellings hereby approved shall be submitted to and approved in writing by the LPA. The development shall be undertaken in accordance with the approved details.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area, and to ensure there is an acceptable impact on residential amenity.

- 20 Prior to the commencement of development above slab level, a management plan which identifies how the woodland to the north and the tree belt along the southern boundary of the application site are to be protected for the lifetime of the development shall be submitted to and approved in writing by the LPA . The plan shall be implemented as approved and adhered to for the lifetime of the development.

Reason: In the interests of preserving protected trees. Relevant Policies - Local Plan NR3.

- 21 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

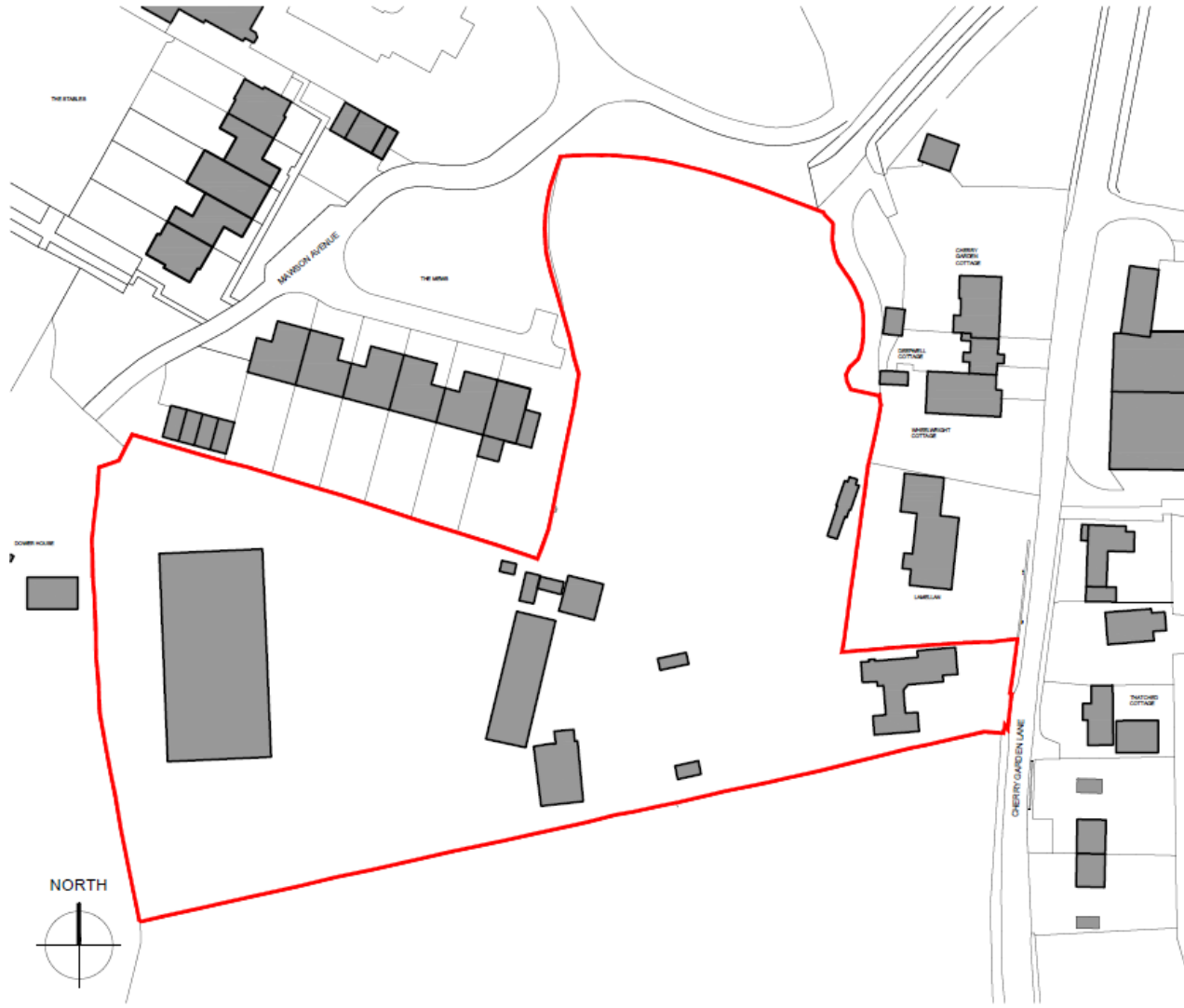
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

- 1 The Borough's Highway Manager at Royal Borough of Windsor & Maidenhead, Town Hall, St Ives Road, Maidenhead, SL6 1RF should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks' notice to obtain details of underground services on the applicant's behalf.
- 2 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities

- 3 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 68 3830 and follow good practice.

Appendix A



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Location Plan



KEY	
	PROPOSED TREES
	EXISTING TREES TO BE RETAINED
	TREES TO BE REMOVED
	PROPOSED INDICATIVE PLANTING
	EXISTING PLANTING
	40000 EXISTING SPOT LEVELS
	SECTION OF NO BUS DRIVE
	PROPOSED HOUSE PLANNED PLOT LEVEL SUBJECT TO CONSTRUCTION AT WORKING DRAWING STAGE
	ARCHITECTURAL
	WOODLAND NO AREA USE
	WOODLAND NO AREA USE
	SIEVE
	BOULDER BOUNDARY
	PROPOSED 1:1M SUSSEX POST & RAIL WITH NATIVE SPECIES HEDGEROW PLANTING
	PROPOSED 1:1M SUSSEX POST & RAIL WITH NATIVE SPECIES HEDGEROW PLANTING
	PROPOSED 1:1M SUSSEX POST & RAIL WITH NATIVE SPECIES HEDGEROW PLANTING
	PROPOSED 1:1M SUSSEX POST & RAIL WITH NATIVE SPECIES HEDGEROW PLANTING
	PROPOSED 1:1M SUSSEX POST & RAIL WITH NATIVE SPECIES HEDGEROW PLANTING



B	FEB 23	PLOT 1 AMENDED
PLANNING ISSUE		
WESTBOURNE HOMES		
BANSTOCK STABLES, CHERRY GARDEN LANE, MAIDENHEAD, SL6 3DD		
SITE LAYOUT		
Scale: 1:250 @ A1	Date: SEP 22	Sheet: S.T.
Revision: 22 - JAD45 - 01		Sheet: B

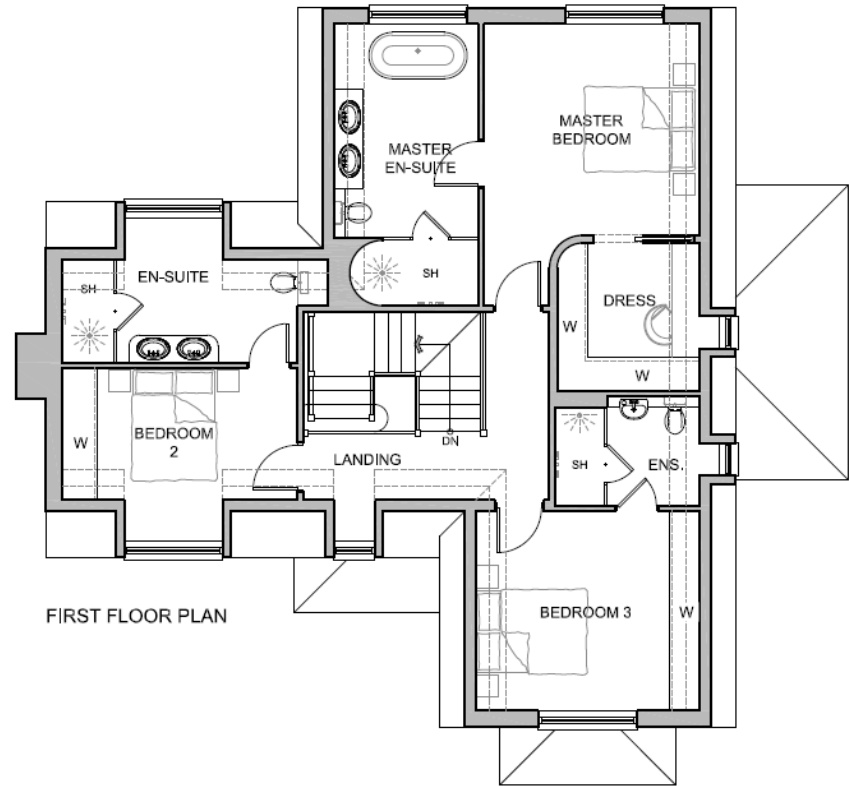
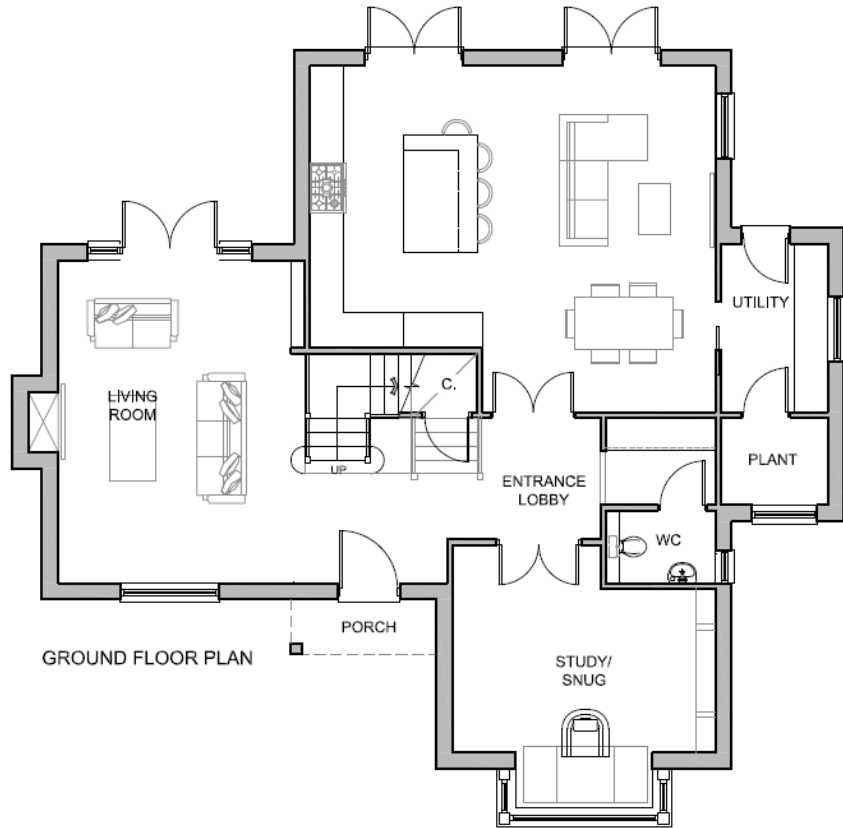
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Timeless architecture

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Tel: 01344 899384 Fax: 01344 899383 www.ascotdesign.com

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Proposed Block Plan/Site Layout

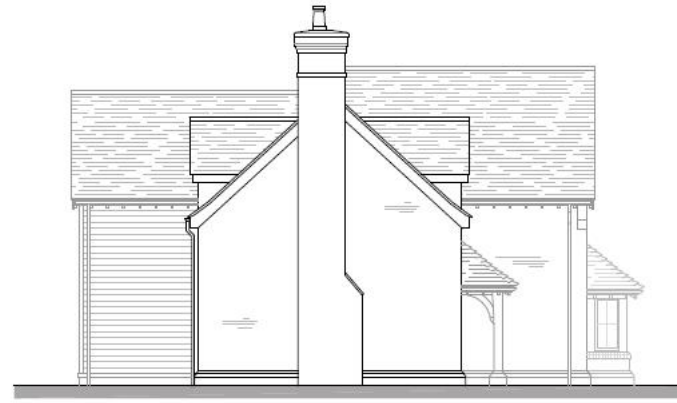
Appendix B



Plot 1 – Floor Plans



FRONT ELEVATION



SIDE ELEVATION

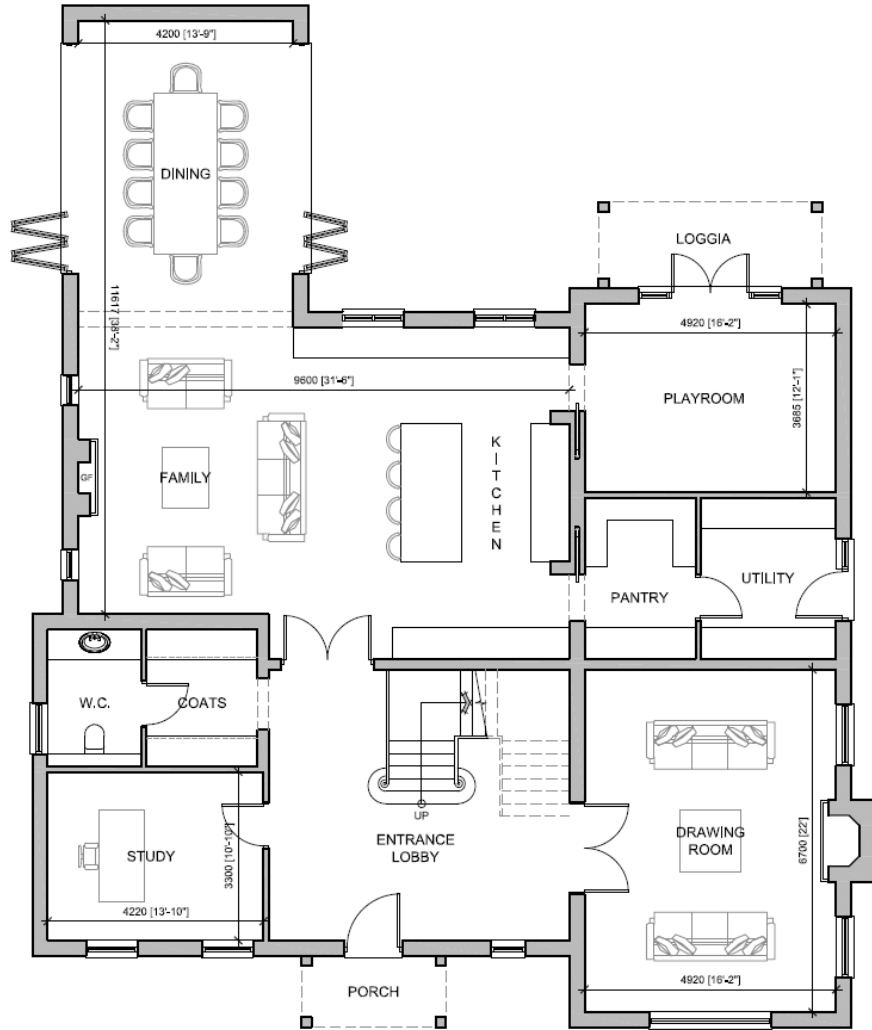


REAR ELEVATION

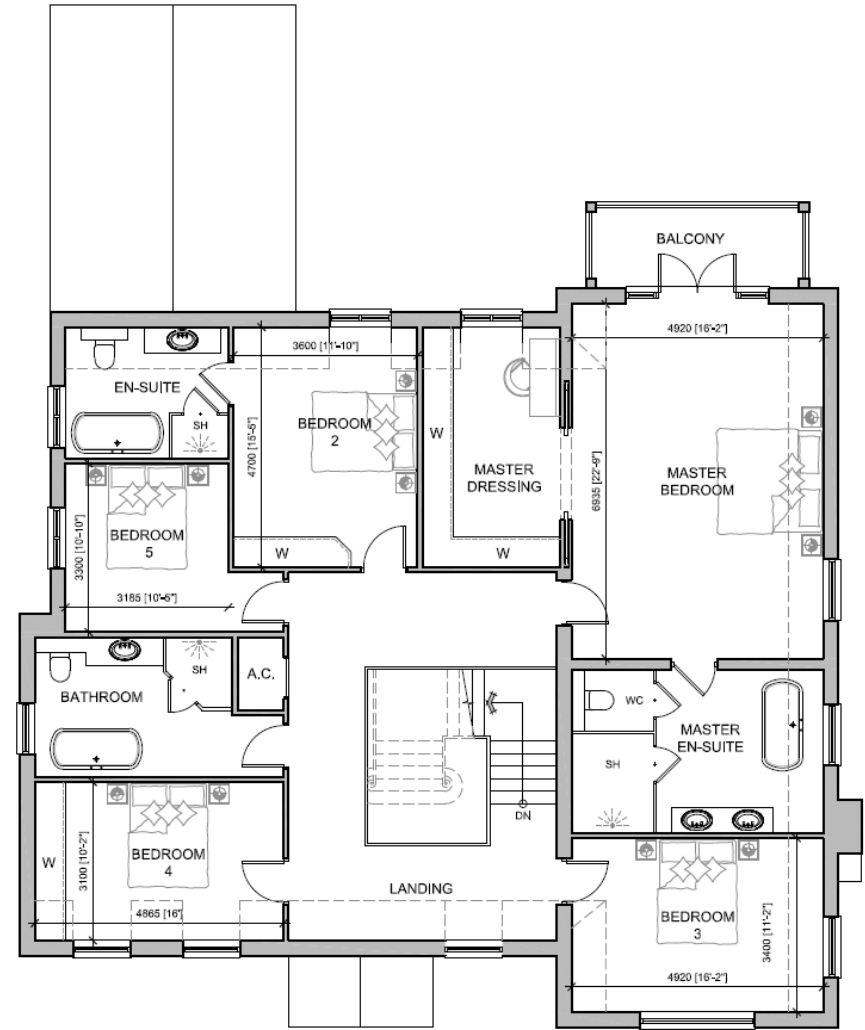


SIDE ELEVATION

Plot 1 – Elevations



GROUND FLOOR PLAN



FIRST FLOOR PLAN



FRONT ELEVATION



SIDE ELEVATION



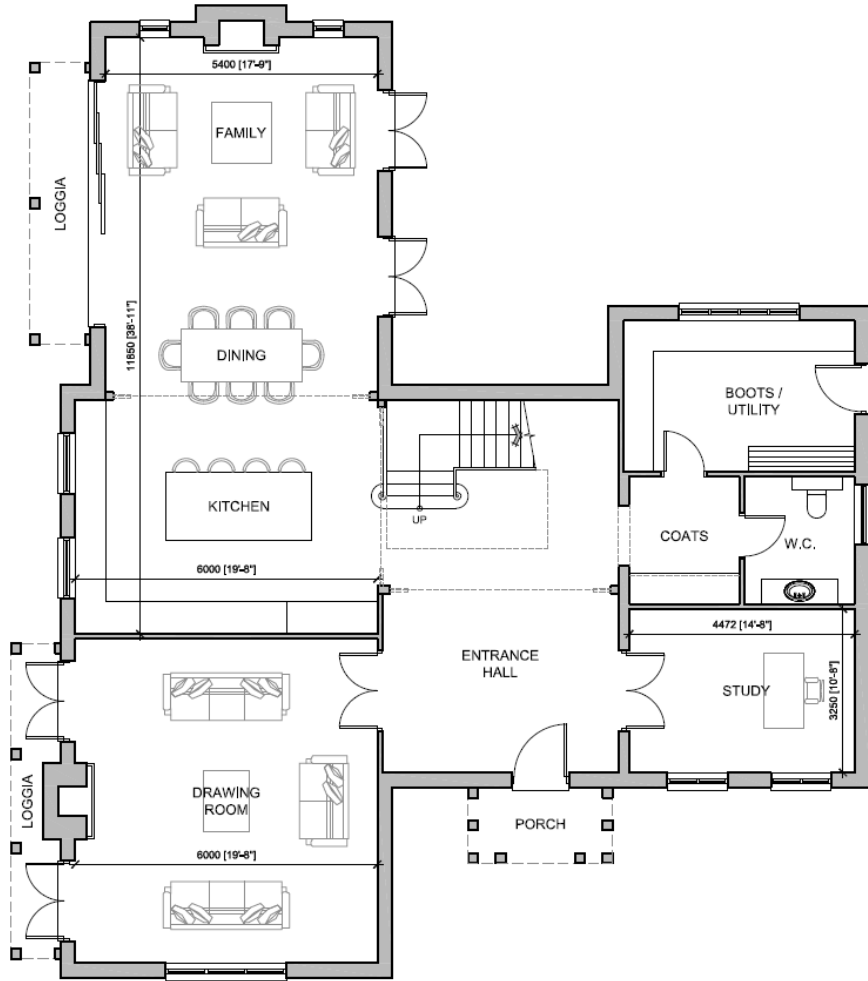
REAR ELEVATION



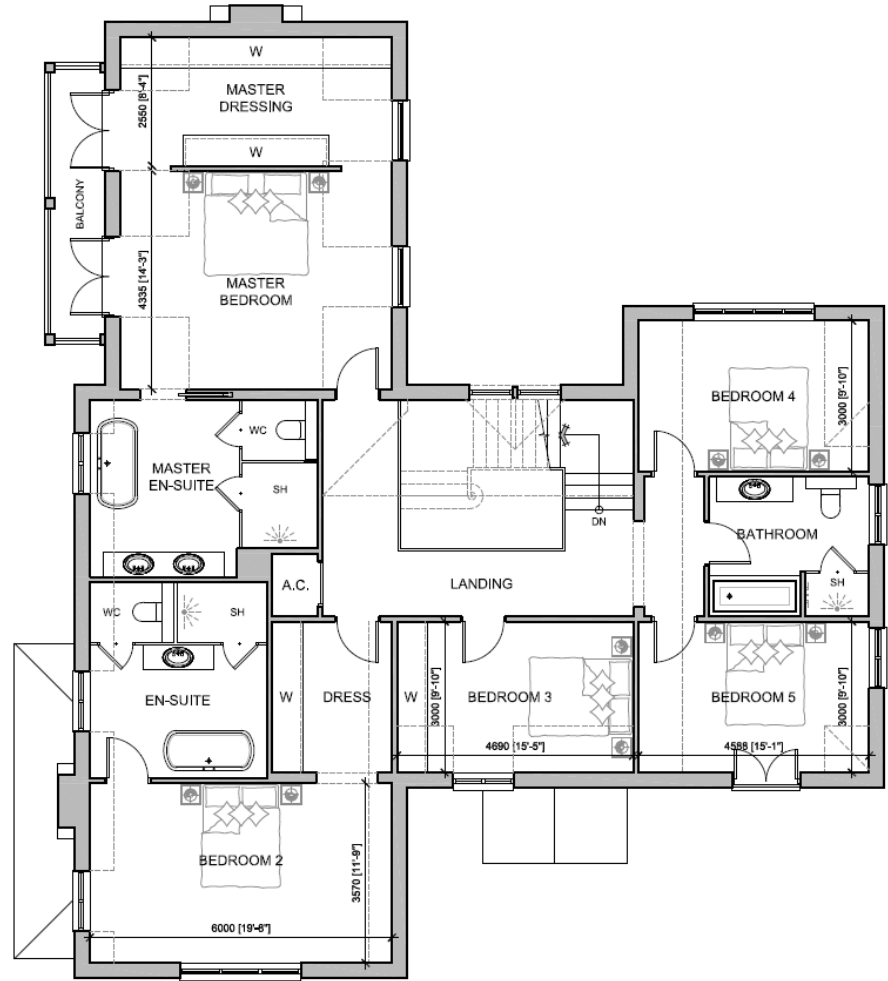
SIDE ELEVATION

41

Plot 2 – Elevations



GROUND FLOOR PLAN



FIRST FLOOR PLAN



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

43



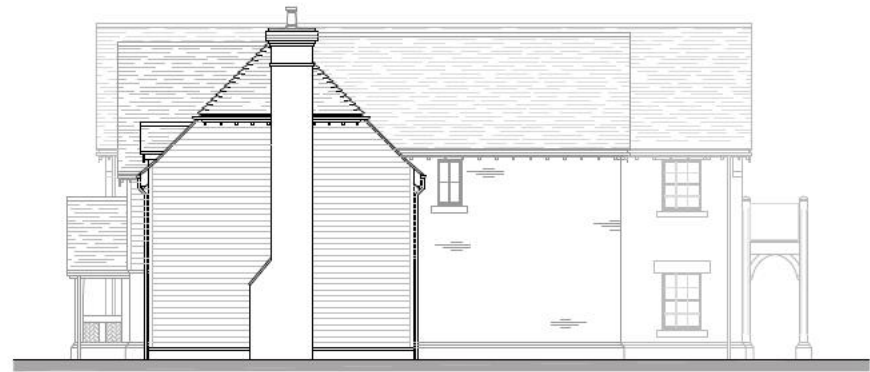
GROUND FLOOR PLAN



FIRST FLOOR PLAN



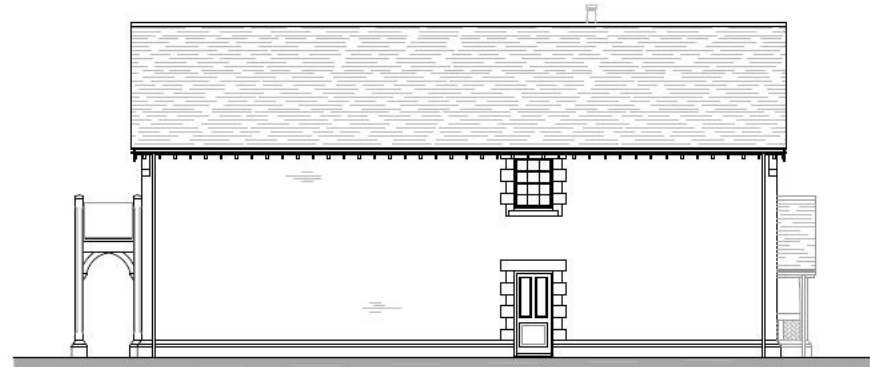
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

45

Plot 4 – Elevations

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Planning Appeals Received

3 March 2023 - 6 April 2023

Maidenhead

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

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

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

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 23/60032/REF **Planning Ref.:** 20/03149/OUT **PIns Ref.:** APP/T0355/W/22/3313643
Date Received: 13 March 2023 **Comments Due:** 17 April 2023
Type: Refusal **Appeal Type:** Hearing
Description: Outline application for access, appearance, layout and scale only to be considered at this stage with all other matters to be reserved for the construction of 49 No. apartments with associated parking and landscaping following demolition of existing building.
Location: **Maidenhead Spiritualist Church York Road Maidenhead SL6 1SH**
Appellant: Shanly Homes Limited Sorbon Aylesbury End Beaconsfield HP9 1LW

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 23/60034/NONDET **Planning Ref.:** 22/03192/CPD **PIns Ref.:** APP/T0355/X/23/3318214
Date Received: 23 March 2023 **Comments Due:** 4 May 2023
Type: Non-determination **Appeal Type:** Written Representation
Description: Certificate of lawfulness to determine whether the proposed detached outbuilding is lawful.
Location: **The Cottage The Straight Mile Shurlock Row Reading RG10 0QN**
Appellant: Mr McArdle **c/o Agent:** Miss Emma Freeman Pike Smith And Kemp Rural The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Cookham Parish
Appeal Ref.: 23/60036/REF **Planning Ref.:** 22/01452/FULL **PIns Ref.:** APP/T0355/W/23/3315239
Date Received: 29 March 2023 **Comments Due:** 3 May 2023
Type: Refusal **Appeal Type:** Written Representation
Description: x3 dwellings with associated parking and landscaping, following demolition of the existing dwellings.
Location: **Briar Cottage And Holmwood Briar Glen Cookham Maidenhead**
Appellant: Germain Homes Ltd C/o Agent

Appeal Decision Report

3 March 2023 - 6 April 2023

Maidenhead

Appeal Ref.: 21/60074/ENF **Enforcement Ref.:** 21/50247/ENF **Plns Ref.:** APP/T0355/C/21/3286353

Appellant: Mr Jerry Donovan **c/o Agent:** Mr Martin Gaine Just Planning Suite 45 4 Spring Bridge Road London W5 2AA

Decision Type: **Officer Recommendation:**

Description: Appeal against the Enforcement Notice: Without planning permission, the carrying out of engineering operations comprising the excavation of holes in connection with the installation of concrete block pad foundations to facilitate retaining walls; and the importation of materials to raise land levels.

Location: **Land Adjacent Briar House Ascot Road Holyport Maidenhead**

Appeal Decision: Quashed **Decision Date:** 29 March 2023

Main Issue:

Appeal Ref.: 21/60075/ENF **Enforcement Ref.:** 21/50247/ENF **Plns Ref.:** APP/T0355/C/21/3286354

Appellant: Mr Jerry Donovan **c/o Agent:** Mr Martin Gaine Just Planning Suite 45 4 Spring Bridge Road London W5 2AA

Decision Type: **Officer Recommendation:**

Description: Appeal against the Enforcement notice: Without planning permission, the material change of use of the land to the storage of a metal container, building materials and plant and machinery in connection with development of the land; with facilitating works comprising the erection of gates.

Location: **Land Adjacent Briar House Ascot Road Holyport Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 29 March 2023

Main Issue:

Appeal Ref.: 22/60066/NOND ET **Planning Ref.:** 21/02723/FULL **Plns Ref.:** APP/T0355/W/22/3299837

Appellant: Mark Dodds **c/o Agent:** Mr Mark Dodds MDE 5 Devon Terrace Berwick Upon Tweed TD15 1JE

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

Description: x4 new dwellings.

Location: **Land West of Braywick Corner Ascot Road Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 16 March 2023

Main Issue: The proposed development would be significantly harmful to the character and appearance of the area. The appellant failed to demonstrate that the proposal would have an acceptable effect on biodiversity.

Appeal Ref.: 22/60081/REF **Planning Ref.:** 22/00248/FULL **Plns Ref.:** APP/T0355/D/22/3306528

Appellant: Mr Langton **c/o Agent:** Mr Richard Simpson 132 Brunswick Road LONDON W5 1AW

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

Description: Detached triple garage with habitable accommodation in the roofspace and external staircase following the demolition of the existing garage.

Location: **Tythe Barn Dean Lane Cookham Maidenhead SL6 9BB**

Appeal Decision: Dismissed **Decision Date:** 17 March 2023

Main Issue: The Inspector concluded that: The proposal would constitute inappropriate development in the Green Belt and would reduce openness in this location. The Framework states that substantial weight should be given to any harm to the Green Belt. Even when taken together, I conclude that the other considerations do not clearly outweigh the harm in this case. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal is therefore contrary to LP Policy QP5 and guidance contained in the Framework relating to Green Belts.

Appeal Ref.: 23/60002/REF **Planning Ref.:** 21/03365/FULL **Plns Ref.:** APP/T0355/W/22/3308381

Appellant: Mr P Gill 6 - 8 Florence Avenue MAIDENHEAD SL6 8SJ

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

Description: Conversion of the existing garage into a one bedroom apartment with associated parking.

Location: **6 - 8 Florence Avenue Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 27 March 2023

Main Issue: Inspector considered that: Overall, although the proposal would be acceptable in regard to highway safety, I have found that there would be conflict with the development plan as a whole, as the proposal would harm the character and appearance of the area, would fail to steer new development away from areas at the highest risk of flooding, and would fail to minimise CO2 emissions or achieve net-zero carbon. Considered in total, the material considerations referred to above do not outweigh the conflict with the development plan. The appeal should therefore be dismissed.

Appeal Ref.: 23/60005/REF **Planning Ref.:** 22/01278/FULL **Plns Ref.:** APP/T0355/D/22/3305674

Appellant: Mr V Jain Amber Rise Bray Road Maidenhead SL6 1UF

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

Description: Garage conversion, first floor front/side extension, enlargement of the existing rear raised terrace and alterations to fenestration.

Location: **Amber Rise Bray Road Maidenhead SL6 1UF**

Appeal Decision: Dismissed **Decision Date:** 30 March 2023

Main Issue: Policy NR1 of the Borough Local Plan requires that applications in areas liable to flooding be accompanied by a Flood Risk Assessment. No Flood Risk Assessment was submitted, so the proposal fails on procedural grounds.

Appeal Ref.: 23/60008/REF **Planning Ref.:** 22/01092/FULL **Plns Ref.:** APP/T0355/D/22/3312019

Appellant: Mr Razwan Khan 2 Simpson Close Maidenhead SL6 8RZ

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

Description: Single storey extension to the West elevation.

Location: **2 Simpson Close Maidenhead SL6 8RZ**

Appeal Decision: Allowed **Decision Date:** 27 March 2023

Main Issue: The submitted FRA is considered to make a robust assessment for the risk of flooding, which has shown that the development would not cause an increased risk to human life; would not impede the flow of flood water, reduce the capacity of the flood plain to store flood water or increase the number of people or properties at risk from flooding. The scheme would therefore be made in accordance with LP Policy NR1.

Appeal Ref.: 23/60024/REF **Planning Ref.:** 22/01091/FULL **Plns Ref.:** APP/T0355/D/22/3312018

Appellant: Ms Tahira Javed 1 Simpson Close Maidenhead SL6 8RZ

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

Description: Single storey extension to the West elevation.

Location: **1 Simpson Close Maidenhead SL6 8RZ**

Appeal Decision: Allowed **Decision Date:** 20 March 2023

Main Issue: In its decision, the Council cited a single reason for refusal, which concerned the absence of a Flood Risk Assessment ('FRA'). However, as part of the appeal, an FRA was submitted. In an email dated 22 February 2023, the Council states that had the FRA been submitted as part of the application, it would have been found to be acceptable in addressing the impact of the development on flooding. In light of that, it recommends a condition requiring that the development be carried out in accordance with the mitigation measures in the FRA. The Council found that the scheme was acceptable in regard to its impact on the character and appearance of the area, neighbouring amenities and parking. From my consideration of the evidence, and my observations on site, I agree; and I conclude that it would not conflict with the development plan.
