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Notice of Meeting

Maidenhead Development Management Committee

Councillors Joshua Reynolds (Chair), Siân Martin (Vice-Chair), Maureen Hunt, Leo Walters, Mandy Brar, Geoff Hill, Helen Taylor, Gary Reeves and Kashmir Singh

Wednesday 21 June 2023 7.00 pm

Council Chamber - Town Hall, Maidenhead & on [RBWM YouTube](#)

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Agenda

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3	MINUTES To approve the minutes of the meeting held on Wednesday 19 April 2023 as a true and accurate record.	7 - 8
4	20/03149/OUT - Maidenhead Spiritualist Church York Road Maidenhead SL6 1SH PROPOSAL: 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. RECOMMENDATION: Defer & Delegate APPLICANT: Shanly Homes Limited EXPIRY DATE: 25 July 2022	9 - 16
5	22/02095/FULL - Horizon Honey Lane Hurley Maidenhead SL6 6RJ PROPOSAL: Design and construction of a rooftop and ground mounted Solar Photovoltaic System and associated accessories, including associated ancillary infrastructure. RECOMMENDATION: Refuse APPLICANT: Mr Stanton EXPIRY DATE: 30 June 2023	17 - 38

6	<p>22/03297/FULL - White Waltham Shottesbrooke Social Club Hurst Lane White Waltham Maidenhead SL6 3JJ</p> <p>PROPOSAL: Replacement building to provide a new model barn with x5 new units for farm workers accommodation x4 field kitchens, new greenhouse and reduced area of hardstanding to retained 10 parking spaces following demolition of the former social club ancillary bungalow and detached garage.</p> <p>RECOMMENDATION: Refuse</p> <p>APPLICANT: Mr Tranquilini</p> <p>EXPIRY DATE: 3 February 2023</p>	39 - 72
7	<p>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT</p> <p>Committee Members to note the report.</p>	73 - 78

By attending this meeting, participants are consenting to the audio & visual recording being permitted and acknowledge that this shall remain accessible in the public domain permanently.

Please contact Oran Norris-Browne, Oran.Norris-Browne@RBWM.gov.uk, with any special requests that you may have when attending this meeting.

Published: 13 June 2023



LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In accordance with the requirements of the Local Government (Access to Information) Act 1985, each item on this report includes Background Papers that have been relied on to a material extent in the formulation of the report and recommendation.

The Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed within the report, although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as "Comments Awaited".

The list will not include published documents such as the Town and Country Planning Acts and associated legislation, The National Planning Policy Framework, National Planning Practice Guidance, National Planning Circulars, Statutory Local Plans or other forms of Supplementary Planning Guidance, as the instructions, advice and policies contained within these documents are common to the determination of all planning applications. Any reference to any of these documents will be made as necessary within the report.

STATEMENT OF THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

MEMBERS' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

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

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

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

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

DPIs (relating to the Member or their partner) include:

- *Any employment, office, trade, profession or vocation carried on for profit or gain.*
- *Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses*
- *Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.*
- *Any beneficial interest in land within the area of the council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
 - a) *that body has a place of business or land in the area of the council, and*
 - b) *either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.*

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

Disclosure of Other Registerable Interests

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

Other Registerable Interests:

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

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, or a body included under Other Registerable Interests in Table 2 you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

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

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in the Members' code of Conduct)

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

Where a matter (referred to in the paragraph above) **affects** the financial interest or well-being:

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

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

Other declarations

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

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Agenda Item 3

MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY 19 APRIL 2023

Present: Councillors Maureen Hunt (Chairman), Leo Walters (Vice-Chairman), Gurpreet Bhangra, Mandy Brar, Gerry Clark, David Coppinger, Joshua Reynolds and Gurch Singh

Officers: Becky Oates, Claire Pugh and James Overall

APOLOGIES FOR ABSENCE

No apologies for absence were received.

DECLARATIONS OF INTEREST

Councillor Singh stated that he had been contacted by some of the local residents and had received material from the applicant.

The Chair declared that she knew members in the public gallery but there was no conflict of interest.

MINUTES OF THE PREVIOUS MEETING

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

22/02595/FULL - BANSTOCK STABLES AND BUNGALOW AT BANSTOCK STABLES CHERRY GARDEN LANE LITTLEWICK GREEN MAIDENHEAD

The Committee was addressed by Paul Dickinson on behalf of the applicant.

Councillor Singh proposed a motion 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 the report, as well as two additional conditions. The first additional condition is that of a Construction Management Plan which would state that prior to the commencement of any works, demolition or construction, a management plan showing how demolition and construction traffic, including cranes, materials, storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the LPA. The plan shall be implemented and approved and maintained for the duration of the works or as may be agreed in writing by the LPA. The second condition was comprised of a change in wording to condition 13 listed in the report, with the updated condition reading as '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 and vibration disturbance from construction methods, specifying piling methods.

This motion was seconded by Councillor Walters.

A named vote was taken.

22/02595/FULL - BANSTOCK STABLES AND BUNGALOW AT BANSTOCK STABLES CHERRY GARDEN LANE LITTLEWICK GREEN MAIDENHEAD (Motion)	
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Joshua Reynolds	For
Councillor Gurch Singh	For
Carried	

The result was 8 votes in favour, therefore the motion passed.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORTS

The Chair stated that the decision on planning appeals was exemplary for officers and thanked them for their work.

Councillor Reynolds thanked the Chair and other Committee members for their work during the last municipal year.

The Committee noted the report.

The meeting, which began at 7.00 pm, finished at 7.35 pm

CHAIR.....

DATE.....

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 June 2023

Item: 1

Application No.:	20/03149/OUT
Location:	Maidenhead Spiritualist Church York Road Maidenhead SL6 1SH
Proposal:	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.
Applicant:	Shanly Homes Limited
Agent:	Mr Kevin Scott
Parish/Ward:	Maidenhead Unparished/St Marys
If you have a question about this report, please contact: Jeffrey Ng on or at jeffrey.ng@rbwm.gov.uk	

1. SUMMARY

- 1.1 **Following the refusal of application ref. 20/03149/FULL, an appeal has been submitted to the Planning Inspectorate, with a Hearing scheduled for the 1st August 2023. The appellant has submitted an updated viability statement in support of the appeal.**
- 1.2 **The updated viability statement has been reviewed by the Council's Independent Viability Assessors, with a conclusion that the scheme continues to result a deficit and accordingly that the scheme is not able to viably contribute to either the provision of affordable housing or to make any contributions towards provision of affordable housing.**
- 1.3 **As such, it is considered that in the upcoming Hearing, the Council cannot robustly defend the reason for refusal relating to the lack of the provision of affordable housing as part of the appeal process. This could also expose the Council to significant risk of costs being awarded as part of the appeal process.**

It is recommended the Panel authorises the Head of Planning:	
1	To write to the Planning Inspectorate and appellant setting out that the Council will now only be pursuing the appeal on the second and third reasons for refusal; and,
2	To finalise a Section 106 legal agreement with the appellant to be submitted to the Planning Inspectorate to secure a Review of Development finances with regard to affordable housing provision.

2. REASON FOR PANEL DETERMINATION

- 2.1 **The Committee resolved that it would have refused the application for three reasons. These now form the grounds of an appeal and as part of the appeal**

process additional information has been received as part of the appeal process with particular significant to one of the grounds of appeal. The handling of appeals, including the preparation of statements and consideration of additional information are matters which are delegated to officers. However, on this occasion, given the extent of debate on the matter at the original meeting, the Head of Planning wishes to use his discretion to seek a resolution from the Committee to provide additional transparency.

3. BACKGROUND

- 3.1 Outline planning application ref. 20/03149/OUT was submitted on the 23rd November 2020. The description of development was as follows:

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.

- 3.2 This application was first presented to the Maidenhead Development Management Committee on the 15th June 2022 with the following recommendation:

It is recommended the Panel authorises the Head of Planning to GRANT planning permission subject to the following:

1. Referral to the Secretary of State**. In the event the Secretary of State opts not to call the application to defer to recommendation 2 and 3 below
2. The conditions listed in Section 15 of this report.
3. The completion of a Section 106 Legal Agreement to secure a Review of Development finances with regard to affordable housing provision.

***the application is currently subject to a formal objection from the Environment Agency, as a statutory consultee. In the event the local planning authority resolves to grant planning permission with that EA objection outstanding then it will be legally necessary to refer this application to the Secretary of State.*

- 3.3 The Committee resolution was that the application be deferred, subject to a viability report being made publicly available. This was actioned and the application was again presented to the Maidenhead Development Management Committee on the 20th July 2022, with the same recommendation as above. The Committee resolution was to refuse the application for the following reasons:

1. The application fails to provide affordable housing to meet the needs of the local population contrary to Borough Local Plan policy HO3. This harm is considered to have substantial weight and the evidence provided to justify the lack of affordable housing provision is not considered to outweigh this harm.
2. The proposed development fails to provide an adequate buffer to the riverbank of the adjacent waterway and would therefore cause harm to nature conservation and habitats. The proposal would therefore be contrary to Borough Local Plan policies NR1 and NR2.
3. The proposed development would be harmful to the character of the area and would be harmful to the living conditions of nearby properties due to loss of light and privacy. The proposed development would result in a significant

change to the character of the site by introducing a densely built-up form. The proposal is therefore contrary to Borough Local Plan policy QP3.

3.4 Following the refusal of the application, an appeal has been submitted to the Planning Inspectorate. A Hearing on the appeal is scheduled for the 1st August 2023.

4. **EXPLANATION OF RECOMMENDATION**

4.1 **The first reason for refusal of the application (as detailed above) relates to the lack of provision of affordable housing and that the submitted viability statement fails to fully demonstrate that the proposed development could not viably deliver affordable housing due to its validity and the findings of the appellant's original viability statement.**

4.2 **An updated viability statement has been provided by the appellants in support of the appeal. This has been reviewed by the Council's Independent Viability Assessor and the comments have been provided below for review, including the main differences and overall conclusions on the report.**

4.3 **With regard to indexation of the Gross Development Value (GDV), whilst the Council's Assessor's figure is marginally higher than the appellant's viability consultants, the Council's Assessor considers that the GDV figure provided by the appellant's viability consultant is reasonable. In terms of indexation of Build Costs, the appellant's viability consultant assessed that there is an increase of 13.38% of the build costs. The Council's Assessor considers this to be reasonable when considering the costs to current day values.**

4.4 **Overall, the Council's Independent Viability Assessor agrees with the conclusion of the appellant's updated viability statement, which is that the scheme is not able to viably contribute to the provision of affordable housing or to make any contributions. However, the Council's Assessor recommends that the viability of the appeal scheme is subject to pre-implementation and late-stage reviews, which would be secured through the completion of a Section 106 legal agreement.**

4.5 **In reviewing which grounds to defend on appeal, the Council has to be conscious of the duties placed on the Local Planning Authority and expert witnesses by virtue of the Planning Appeals procedural guide, reputational risks and the risk of costs being awarded against the Council if it fails to substantiate the case. If the Council fails to produce evidence to substantiate the reason for refusal, there would be a significant risk of the Council being considered to have behaved unreasonably and an application for costs being successful.**

4.6 **In conclusion, the updated viability statement is considered to overcome the concerns raised regarding the validity of the report. The viability of the appeal scheme has also been reassessed and as set out above, the Council's Independent Viability Assessor also concurs with the finding of the appellant's updated viability statement, in that the scheme is not able to viably contribute to the provision of affordable housing or to make any contributions towards affordable housing provision, subject to pre-implementation and late-stage reviews.**

4.7 **Officers cannot find any other evidence to substantiate the reason for refusal and therefore it would be unreasonable for the Council to attempt to defend reason for refusal 1 at the upcoming Hearing and to continue to do so would be contrary to the public interest.**

5. CONCLUSION

- 5.1 **For the reasons set out above, Officers recommend that the Council no longer seek to pursue the appeal based on reason for refusal 1. The Council will continue to defend the reasons for refusal 2 and 3.**

6. APPENDICES TO THIS REPORT

- **Appendix A – Site Location Plan**

7. REASONS RECOMMENDED FOR REFUSAL TO BE THE BASIS FOR COUNCIL'S CASE ON APPEAL

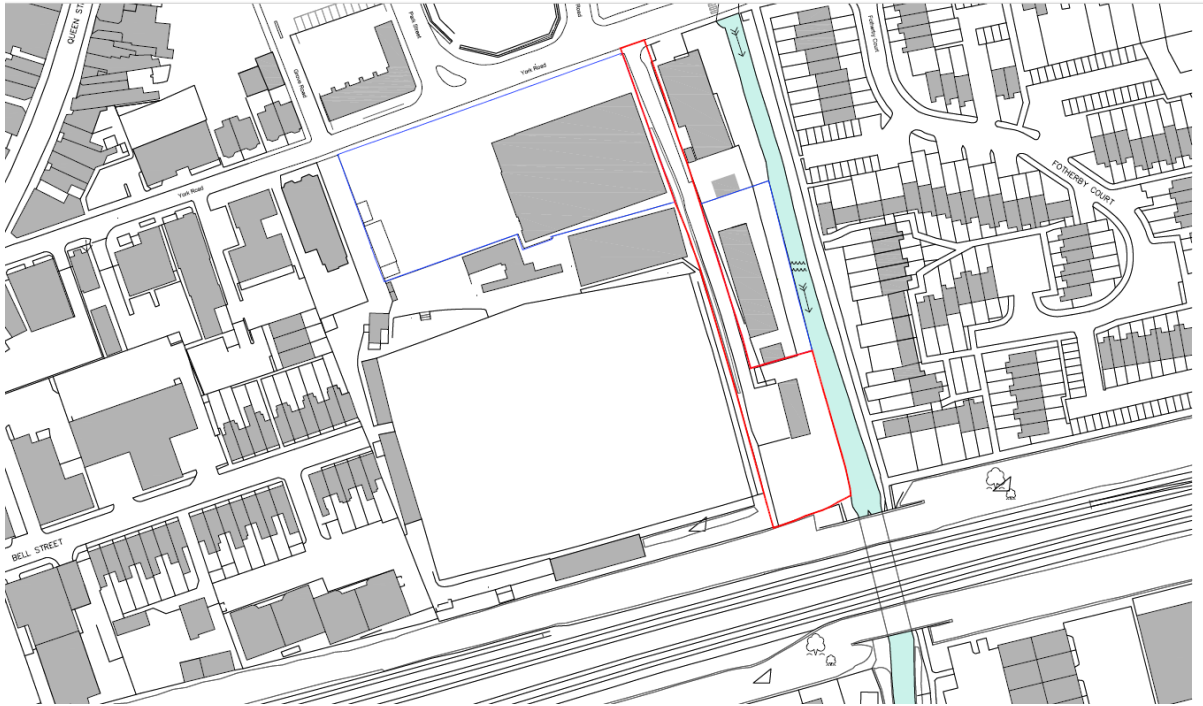
1. **The proposed development fails to provide an adequate buffer to the river bank of the adjacent waterway and would therefore cause harm to nature conservation and habitats. The proposal would therefore be contrary to Borough Local Plan policies NR1 and NR2.**
2. **The proposed development would be harmful to the character of the area and would be harmful to the living conditions of nearby properties due to loss of light and privacy. The proposed development would result in a significant change to the character of the site by introducing a densely built up form. The proposal is therefore contrary to Borough Local Plan policy QP3.**

20/03149/OUT - Maidenhead Spiritualist Church, York Road, Maidenhead

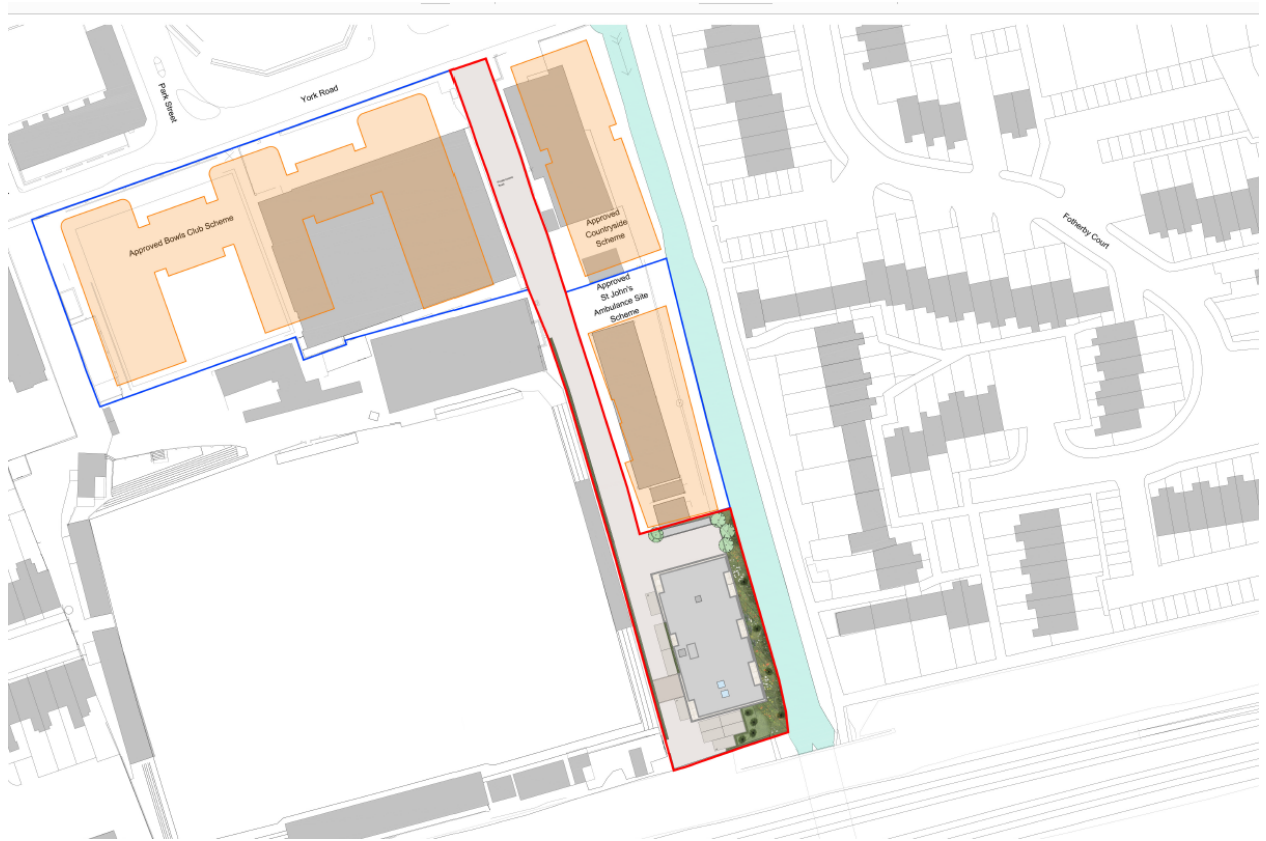
Appendix

Appendix A - Site Location Plan and Site Layout

Site Location Plan



Site Layout



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MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 June 2023

Item: 2

Application No.:	22/02095/FULL
Location:	Horizon Honey Lane Hurley Maidenhead SL6 6RJ
Proposal:	Design and construction of a rooftop and ground mounted Solar Photovoltaic System and associated accessories, including associated ancillary infrastructure.
Applicant:	Mr Stanton
Agent:	Syzygy Renewables
Parish/Ward:	Hurley Parish/Hurley And Walthams
If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application is for solar panels on the roof of the existing office building and on two separate undeveloped pieces of land/fields to the east and west of the office building. The solar panels are sought in order to make the existing building carbon zero.
- 1.2 The proposed solar panels on the two fields are considered to be inappropriate development in the Green Belt, which would cause harm to the openness of the Green Belt. They would also be visually intrusive in the landscape and be harmful to the character and appearance of the rural area.
- 1.3 The applicant has not submitted site specific ecology information to demonstrate there would be no harm to protected species and have not demonstrated that there would be a biodiversity net gain. The applicant has not submitted sufficient information to show that the proposed development would not give rise to additional surface water run-off.
- 1.4 The applicant has not submitted details concerning surface water drainage.
- 1.5 There is not considered to be a case of very special circumstances (VSC) to overcome the harm to the Green Belt through inappropriateness and the any other harm.

It is recommended the Committee refuse planning permission for the reasons given in Section 11 of this report:
1)The development represents inappropriate development in the Green Belt. It would result in a visual and spatial impact on the openness of the Green Belt. There is not a case of very special circumstances which clearly outweighs the harm to the Green Belt and the other harm identified in reasons for refusal 2 and 3.
2)The applicant has not submitted a site-specific ecology appraisal and has not demonstrated bio-diversity net gain on the site.
3)The applicant has not submitted information regarding surface water drainage.

2. REASON FOR PANEL DETERMINATION

Head of Planning delegated powers to determine the application as it is a major application. The decision can only be made by the Committee as the site area exceeds the 1 hectare set out in the constitution.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies to the north of Henley Road and to the east of Honey Lane. The site is within the Green Belt.
- 3.2 The existing office building is three storeys and has a flat roof. There are two separate pieces of land on which the solar panels are proposed. One is open land to the northwest of the building on a sloping corner plot adjacent to Honey Lane and Henley Road. The other piece of land is to the east of the main office building on a sloping field adjacent to the public footpath. On the planning application form the site area (outlined in red) is given as 11956 sq metres (1.1956 hectares).

4. KEY CONSTRAINTS

- 4.1 The site lies in the Green Belt.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for solar panels on the roof of the three-storey office building and on two parcels of land to the northwest and east of the main building.
- 5.2 The applicant's Design and Access Statement advises that the planning application is for the proposed combined system of 1,325 kWp Solar PV installation at Horizon Hurley, Honey Lane.
It is understood that the proposed solar generation is expected to offset approximately 100% of the electricity usage for this site. The proposed installation of the units combined solar system is expected to have 2,512 panels (905 @ 400Wp, 1,607 @ 600Wp), deployable to a system size of 1,325kWp.
- 5.3 The main building has a flat roof where the Solar PV panels will be mounted up at 10-degree pitch, facing East/West. The D&A statement advises that the solar panels on the building will protrude a height of 70mm approx. from the roofs – this includes the height of the panel and the mounting clamp. However, the note on the submitted drawing 1040-SYZ-EL-01 V1 states that the solar panels will be hidden by the parapet wall around the edge of the roof.
- 5.4 The ground-mount solar in each field will be mounted at a 25-degree pitch to the South. The ground mounted panels would be arranged to face directly south and would extend to a maximum height of 2,692mm (this includes the height of the panel and mounting). Within the east field there would be 9 rows of solar panels and within the west field there would be 6 rows, stretching across almost the entire width of the fields. The panels are designed to absorb sunlight to maximise electricity generation and have anti-reflective coating to minimise any glint and glare from the panels.
- 5.5 The D&A also advises that the system inverters will likely be located inside the building in the plant room, or if this location is not viable, at ground level. During installation, a temporary compound will be in place including storage and personnel welfare. This will be located within the site boundary, although its exact location has yet to be established by the construction contractors and the site management team.

- 5.6 The construction period of the proposed development is anticipated to last for approximately 3 months. Please see below for an outlined description of each stage of works: Site Set-up – 1-2 weeks Construction – 10-12 weeks Commissioning / Site Clean-up – 1-2 weeks.

History

- 5.7 There are no recent relevant planning applications for this site which relate to provision of solar panels.

6. DEVELOPMENT PLAN

Borough Local Plan: Adopted Feb 2022

Issue	Local Plan Policy
Green Belt	SP1, QP5
Character and Appearance	QP1, QP3
Trees and Ecology	NR2, NR3
Environmental Protection	EP1, EP3, EP4
Managing flood risk	NR1
Energy generation	NR5

Hurley and the Walthams Adopted Windsor Neighbourhood Plan – Policy Env 1

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving Sustainable Development
 Section 4 – Decision-making
 Section 6 – Building a Strong, Competitive Economy
 Section 9 – Promoting Sustainable Transport
 Section 12 – Achieving Well-Designed Places
 Section 13 – Protecting Green Belt
 Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
 Section 15 – Conserving and Enhancing the Natural Environment

Other Local Strategies or Publications

- 7.1 Other Strategies or publications material to the proposal are:
- RBWM Landscape Character Assessment
 - RBWM Parking Strategy

8. CONSULTATIONS CARRIED OUT

- 8.1 A total of 14 properties were directly notified. 7 letters of objection have been received. These are summarised in the table below;

8.2 A site notice was posted near the site entrance on 17th October 2022 and the application was advertised in the Maidenhead Advertiser on 20th October 2022.

Comments	Where considered in the report
Adverse visual impact on landscape. Solar panels will have an industrial appearance and damage natural beauty and rural character of Hurley. The building itself already looks out of place.	Paragraphs 9.7-9.15
Roof of building provides sufficient space for solar panels and there is plenty of land closer to the building to site solar panels. Scope and proportionality of development exceeds the need for this single commercial building. Since 2020 decline in people using the building. Development is not justified. 2000 solar panels provides no added benefit to the local community.	Noted.
Misuse of meadow land – negative impact on wildlife and biodiversity. Rural fields in the Green Belt should not be used for the proposed development.	See paragraphs 9.2-9.15
Direct adverse and negative impact on 13 nearby houses. Concerns about noise (through rain falling on panels, operation of cooling fans/air conditioning units required to maintain inverter operation), visual impact, reflection of light from glass panels, adverse impact on health of local residents , pollution (battery chemicals).	See paragraphs 9.16-9.20
Objection to solar panels which will be at a higher level than roof tops of Toll Gate Cottages. Residents will be looking at underside of solar panels and the solar panels.	See paragraphs 9.16-9.20
Area is prone to flooding with water runoff onto lower ground. Heavy rain already causes flash flooding. New hardstanding will hinder infiltration and exacerbate drainage issues. Field west of Horizon used a soakaway for rainwater from Horizon building and associated carparks.	See paragraphs 9.35-9.37
Concerns about increased surface water run off from field east of Horizon, towards Toll Gate Cottages.	See paragraphs 9.35-9.37
The Green Belt area to the rear of Toll Gate Cottages is highly visible from the public foot path	See paragraph 9.10

Consultee	Comment	Where in the report this is considered and officer comment.
Parish Council	<p>Hurley Parish Council is sympathetic with the concept of renewable energy / panels and does not object to the proposals for those on the buildings or the eastern field.</p> <p>However, Parish Councillors do object to the proposed use for the western field on the grounds that it is highly visible, would be an industrial appearance and harmful appearance and openness of the Green Belt, it could adversely impact its current use as water run-off from the hill as highlighted by</p>	See main report paragraphs Paragraphs 9.2-9.42

	the objectors, and its proximity to residential properties. The western field is highly visible to villagers, walkers, road users, other visitors and this proposal would therefore be harmful to their enjoyment. This element should be rejected.	
Highways	No objection raised. Need further details about glare	See paragraphs 9.21-9.23
Lead Local Flood Authority	Further information required	See paragraphs 9.35-9.37
Ecology	Lack of survey work. The applicant has not demonstrated bio diversity net gain	See paragraphs 9.24-9.34
NatureSpace	No comments to make (re. GCN)	Noted
Environmental Protection Team	The applicant has submitted a noise report. Having reviewed the information the Environmental Protection Team has advised they have no comments to make.	Noted

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Green Belt
- ii Impact on openness and other purposes of the Green Belt.
- iii Character, appearance and impact on rural area
- iv Neighbouring Amenity
- v Highways and parking
- vi Ecology
- vii Drainage
- viii Other considerations (EIA)
- ix Planning balance and conclusion

i Green Belt

9.2 The entire site lies within the Metropolitan Green Belt and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 149 and 150 of the NPPF (2021) states that new buildings and certain other forms of development in the Green Belt would be regarded as inappropriate development with some exceptions. The Borough Local Plan policy QP5 also sets out appropriate development in the Green Belt.

9.3 The proposed PV panels on the roof of the existing building, would be considered as an alteration/extension of the building that would not result in a disproportionate addition to the original building, and as such this element of the proposal would be an

exception to inappropriate development in the Green Belt in line with paragraph 149 of the NPPF and policy QP5 of the Adopted Local Plan. With regard to the PV panels proposed on the two fields, there is not a specific exception for this type of proposed development within Paras 149 and 150 of the NPPF (2021) nor within Policy QP5 of the Local Plan. These elements of the proposal are therefore deemed to be inappropriate development and would be, by definition, harmful to the Green Belt. The NPPF is clear that any harm to the Green Belt is given substantial weight.

- 9.4 Paragraph 151 of the NPPF (2021) goes on to say: *‘When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources’.*

ii Impact on openness and other purposes of the Green Belt

- 9.5 In terms of openness, the judgement of *Europa Oil & Gas Ltd v Secretary of State for Communities and Local Government* (2014) confirms that the mere presence of development where there is currently no development should not be taken as a breach of the proviso of preserving openness. A broader interpretation of the preservation of openness should therefore be applied.
- 9.6 Further to the harm by inappropriateness, in particular the solar panels within the two fields and associated ancillary equipment would have a visual and spatial impact on the openness of the Green Belt. Given the scale, siting and extent of the proposed development on these fields the impact upon the openness of the Green Belt would be significant. In addition, the solar panels in the field to the east would be highly visible from the public right of way next to this site. When considering the five purposes of the Green Belt, it is considered the development of the two pieces of land (which are currently undeveloped) would result in encroachment into the countryside.

iii Impact on the character, appearance or the rural area

- 9.7 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving Well-Designed Places) and Local Plan Policy QP1 and QP3, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area.
- 9.8 Whilst the addition of solar panels to the roof of the building may not be considered to have such a significant impact on the character and appearance of this rural locality, there is significant concern about the impact of the provision of solar panels on the two areas of open fields.
- 9.9 The open field/piece of land to the west is sloping ground which is readily visible from the Henley Road and Honey Lane as there is no meaningful intervening screening. This site commands a very prominent position on the approach roads to Hurley Village. The proposed rows of solar panels would be very dominant and obtrusive in the street scene (Henley Road and Honey Lane) and as such they would have a harmful impact on the character and appearance of the site and the surrounding area.
- 9.10 The proposed rows of solar panels on the undeveloped piece of land to the east of the main building, would also be very dominant and obtrusive in the landscape. There is a public footpath to the east of the site from which the proposed solar panels would be

readily visible. The footpath ascends markedly in elevation towards the south and from the high ground there would be very clear, uninterrupted views of the rows solar panels within the undeveloped, natural rural landscape. The solar panels would be very intrusive in the natural landscape.

9.11 Adopted Borough Local Plan policy QP3 requires new development to contribute towards achieving sustainable high quality design in the Borough. A development proposal will be considered high quality design and acceptable where amongst other things it achieves the following design principles:

b. Respects and enhances the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features, enclosure and materials;

e. Respects and retains existing high quality townscapes and landscapes and helps create attractive new townscapes and landscapes;

9.12 It is considered that the proposed solar panels would not respect or enhance the natural character of the environment or the landscape.

9.13 The application site is identified in the RBWM Landscape Appraisal as 13a Bisham and Hurley and its landscape type is described as 'Settled Farmed Floodplain'

The Key Characteristics (in addition to landscape type)

- Floodplain contained by steep wooded valleysides of the Chiltern Outliers
- Historic hamlets with linear settlement patterns
- Traditional flint and stone villages and monastic foundations of great historic worth
- Network of minor roadways and footpaths
- Long distance views from the floodplain are contained and channelled by the steep escarpments, with views of the historic houses and manors perched on the chalk scarp and plateau above
- Commercial equestrian activities

9.14 Under the heading 'Description' it states at 3.13.30:
'The historic landscape of the Bisham and Hurley area has a rural and relatively peaceful character.'

9.15 The proposed solar panels would represent an uncharacteristic intrusion into the attractive rural of open fields and grassland.

iv Impact on the amenity of neighbouring properties

9.16 Paragraph 130 (f) of the NPPF (2021) and Policy QP3 of the Local Plan states that development works should not cause an unacceptable impact on the amenities of the immediate neighbouring properties.

9.17 Houses to the east of the western field would have clear and direct views of the proposed rows of solar panels from their first-floor rear elevations. However, the loss or change to a view would not itself be a reason for refusal. Furthermore, at a distance of approximately 35 metres it is considered that it would be difficult to argue that the proposed solar panels would adversely affect outlook on the nearby houses to the east.

- 9.18 The row of houses 1-4 Toll Gate Cottages are set at a much lower level than the land in the eastern field where solar panels are proposed. Between these houses and the eastern field is a steep grass bank and a group of trees on the edge of the field. The ground level of the field increases from north to south and at the lowest part the ground is estimated to be at the height of the first-floor windows.
- 9.19 During the summer months it is considered that it may be difficult to see the solar panels from first floor windows in the rear elevation. However, during the winter months when leaves on the trees are sparse it is likely that the solar panels would be visible to some extent from the rear of numbers 1-4 Toll Gate Cottages. Nevertheless, the nearest solar panels would be in the order of 49 metres from the rear elevation of these houses. At this distance, it is considered that it would be difficult to maintain the argument that outlook from the rear of 1-4 Toll Gate Cottages would be adversely affected.
- 9.20 It is considered that the solar panels on the roof of the building would not result in any direct loss of outlook to any neighbouring property. The Environment Protection Team has not raised concerns about noise nuisance from the solar panels.

v Highways and parking

- 9.21 The Highway Officer has raised no concerns about the principle of the scheme however has asked for confirmation regarding the amount of glare from solar panels on the western plot of land to users of the highway. It is noted that the D&A states that the solar panels will be coated in an anti-glare finish.
- 9.22 The applicant's agent has advised that they have not commissioned a glint and glare assessment because they have not always found that one is necessary. The agent comments that Photovoltaic (PV) panels are designed, by their very nature, to maximize absorption of sunlight with a dark, light absorbing material specifically selected to minimize reflection. Panels are also coated with an anti-reflective material which has the dual effect of not only making the panel more efficient in converting sunlight to electricity, but also reduces the reflectivity of the panels themselves to around 2%. The agent adds that this is comparable to water, at around 2% reflectivity also, and much lower than other surfaces such as bare soil (30% reflected) and vegetation (50%). The nearest solar panels would be within 40 metres of the Henley Road and 17 metres of Honey Lane.
- 9.23 It is considered it may be difficult to maintain an argument that the proposed solar panels would cause difficulties or danger to users of the highway.

vi Ecology

- 9.24 The site is located in a rural area and surrounded by arable fields, lines of hedges and woodland/scrubby areas. There are trees on and surrounding the parcel of land to the east of main building. There is a risk that the proposals may impact upon protected species and an ecological appraisal (comprising an extended Phase 1 Habitat and Species Scoping Survey, and any phase 2 surveys) should have been submitted prior to the determination of the application.

Survey requirements

- 9.25 Surveys should be carried out by suitably experienced ecologists who are a member of a professional organisation such as the Chartered Institute of Ecology and

Environmental Management and / or are licensed or accredited by Natural England to survey protected species.

Extended phase 1 habitat & protected species scoping survey

- 9.26 An Extended Phase 1 Habitat Survey is a standardised technique for environmental audit and involves classifying and if required mapping habitats on and adjacent to the application site. The survey is then 'extended' and any features or habitats that are likely to be of importance for notable or protected species, and or prove to be a constraint to development are investigated further and described.

Phase 2 ecology surveys

- 9.27 If the surveys show that the site contains habitats suitable for protected species further surveys for species such as reptiles may need to be carried out.

Bat survey

- 9.28 With regard to the PV panels proposed on the roof of the building, a survey to identify if bats (a protected species) are present should have been undertaken. A presence / absence bat survey is normally undertaken in two stages, firstly a preliminary roost assessment (or bat roost potential survey), whereby the inside and outside (from ground level) of the building and any trees to be removed is thoroughly searched for bats and signs of bats, this survey can be undertaken at any time of year. If no signs of bats and few features such as cracks and crevices in which bats could roost are found and the building and/or trees have negligible potential to host roosting bats then further surveys will not be required. However, if bats are found or the buildings and/or trees have features suitable for use by roosting bats, further emergence and or dawn surveys during the bat active season (i.e. between May and the end of August/ sub optimally until mid-October) may need to be carried out to confirm the presence or absence of bats and, if bats are present, to characterise the roost and establish mitigation requirements.

Planning policy

- 9.29 Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document has not been revoked by the National Planning Policy Framework) states that:

'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted'

- 9.30 In this case, since the extent to which protected species will be affected by the proposals has not been established, and there appear to be no 'exceptional circumstances', the application would not be in accordance with the above planning policy.

Biodiversity Net Gain

- 9.31 Policy NR2 of the Borough Local Plan (Biodiversity) reads:
'Development proposals will be expected to identify areas where there is opportunity for biodiversity to be improved and, where appropriate, enable access to areas of wildlife importance. Development proposals shall also avoid the loss of biodiversity and the fragmentation of existing habitats, and enhance connectivity via green

corridors, stepping stones and networks. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity Opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric'.

- 9.32 The applicant should submit a net gain calculation, using the DEFRA 3.1 metric to demonstrate how a net gain in biodiversity units will be achieved. At present it has not been demonstrated that there will be a 'net gain in biodiversity' and as such that the proposals comply with policy NR2 of the Adopted Local Plan.
- 9.33 To summarise the ecology considerations. The application site may contain habitats that are suitable for use by protected species, and surveys to confirm their presence or absence would need to be undertaken. A net gain calculation, using the latest DEFRA metric to demonstrate how a net gain in biodiversity units will be achieved should have been provided.
- 9.34 At the time of writing the report, the applicants have not yet submitted a site-specific ecological appraisal or demonstrated bio-diversity net gain. The absence of an ecological appraisal, and failure to demonstrate net biodiversity gain can be achieved would give rise to reasons for refusal.

vii Drainage

- 9.35 In line with Paragraphs 167 and 169 of the NPPF and Borough Local Plan NR1 there is a requirement for the provision of a sustainable drainage system as the site is over 1 hectare in area. The Lead Local Flood Authority (LLFA) has commented on this application. The proposed development seeks to introduce impermeable surfaces within current greenfield land to the west and the east of the Horizon building. It has not been demonstrated that this increase in impermeable surface will not increase surface water discharge and volumes from the site, with potential detrimental consequences for lower lying areas.
- 9.36 The applicant is required to show what mitigation measures are proposed to offset any increase in flood risk. The proposed PV systems to be erected on the roof will not lead to an increase in hardstanding and therefore it is not considered that they will have any detrimental impact on the areas flood risk.
- 9.37 It is understood that the applicant may be submitting additional information to address the LLFA concerns. However, at the time of writing this report, no drainage details have been submitted.
The absence of a satisfactory drainage scheme would constitute a reason for refusal.

viii Other considerations (EIA)

- 9.38 The proposed development is not considered to require an Environmental Impact Assessment (EIA). Under the EIA regulations proposed solar panels are not classed as 'Schedule 1' development, for which all proposals will require an EIA. As such, a criteria based approach is used to determine if 'Schedule 2' development requires EIA. In Schedule 2, Part 3 (a), the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, defines what is classified as Schedule 2 development in relation to the proposed form of development. Column 1 - Description of development: '(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1);' Column 2 - Applicable thresholds and criteria: 'The area of the development exceeds 0.5 hectare.'

9.39 The thresholds are meant to be indicative for the purposes of assessing whether an EIA is required and are not definitive. In this particular case given the overall area of the site as outlined in red (1.1956 ha) and given the nature of the proposal it is not considered that the development requires the submission of a separate EIA Statement. Indeed, the proposal can be adequately assessed via a planning application.

ix Planning balance and conclusion

9.40 It is considered that the proposal would represent inappropriate development in the Green Belt, the harm to which is afforded substantial weight. In addition, the proposal is considered to result in significant harm to the openness of the Green Belt, and would result in encroachment into the countryside, which conflicts with one of the 5 purposes of the Green Belt. There is no satisfactory case of 'very special circumstances' which clearly outweighs the harm to the Green Belt, and the other harm identified, which is the harm to the rural character of the area, potential harm to ecology and potential issues with additional surface water runoff, and the failure to demonstrate that biodiversity net gain can be provided.

9.41 The Council's Environment and Climate Change Strategy was approved by cabinet on 17th Dec 2020. This strategy sets out the Council's Vision and actions to achieve the borough's net-zero carbon emissions target by 2050 and the five year approach to working in partnership with local communities to tackle this challenge, which includes a target to increase renewable energy generation capacity within the borough to 130,670 MWh by Dec 2026. It is acknowledged that the proposed solar panels at this site (Horizon) would make the office building carbon zero and would constitute a decent increase in renewable energy generation within the borough and could be delivered prior to Dec 2026, given the importance of the climate emergency are recognised within Council policies this is afforded substantial weight in the Green Belt balancing exercise. However, substantial weight needs to be given to the harm to the Green Belt through inappropriateness, adverse effect in terms of the visual and spatial impact on the openness of the Green Belt and rural character of the area. Significant weight also needs to be given to the potential harm to ecology and biodiversity and surface water drainage implications.

9.42 In this case, based upon the information contained within the application the benefits associated with increased renewable energy generation is not considered to outweighs the harm to the Green Belt and other harms.

10. APPENDICES TO THIS REPORT

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

11. REASONS for REFUSAL

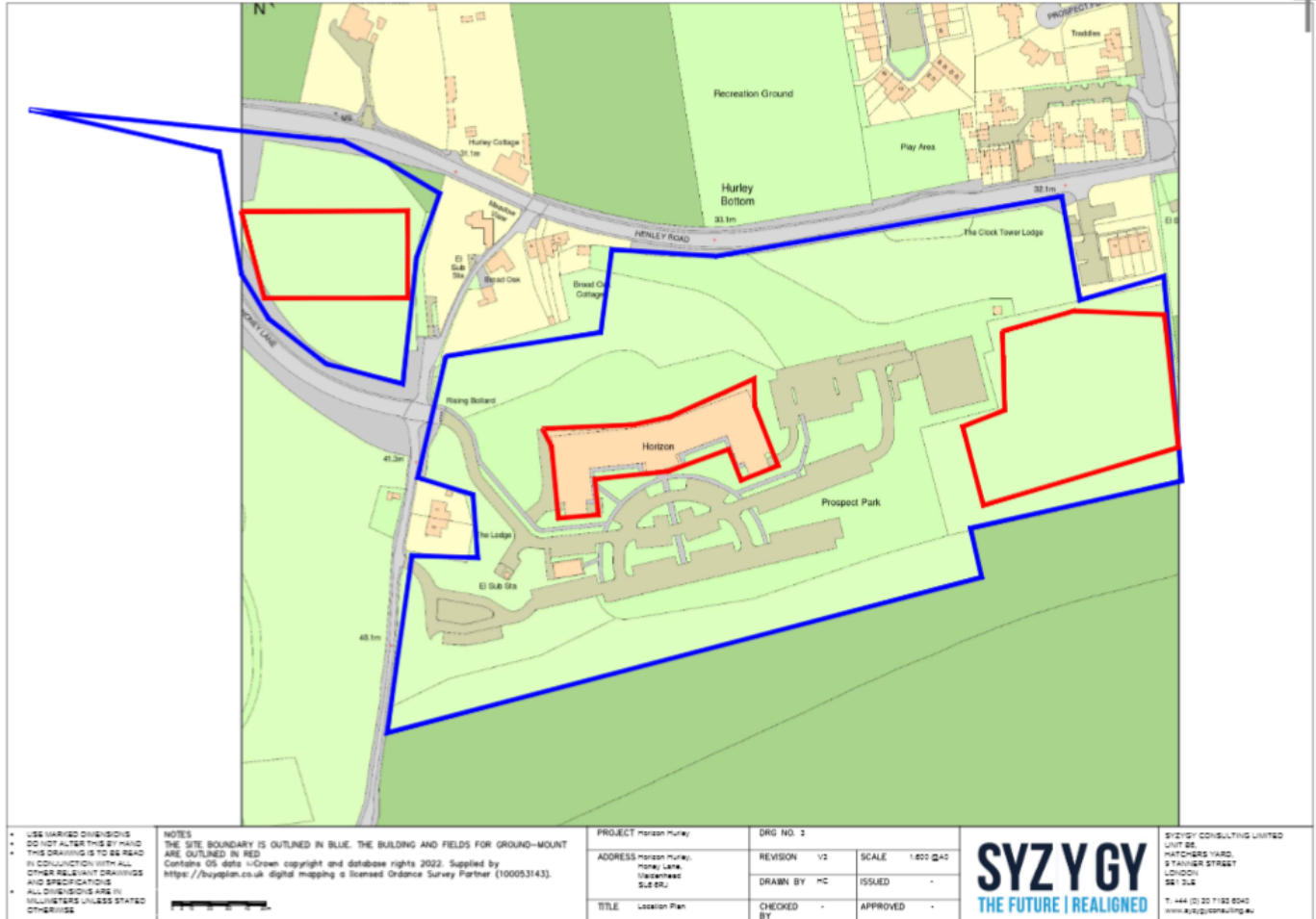
1 Paragraph 148 of the NPPF (2021) states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The proposed development is inappropriate development in the Green Belt which and is by definition harmful; this harm is afforded substantial weight. In addition, the proposed solar panels on the two areas of open land are considered to cause harm to the openness of the Green Belt (visual and spatial impact), and represent

encroachment into the countryside. There is not considered to be a case of Very Special Circumstances which clearly outweighs the harm to the Green Belt and the other harm arising (to character and appearance of the rural landscape and potential adverse impact on ecology and surface water drainage.) Therefore, the development is considered contrary to be Section 13 of the NPPF (2021) and Policy QP5 of the Local Plan (2022).

- 2 The proposed solar panels sited on the two open pieces of land would be visually intrusive, over dominant and out of character with the rural landscape. The development is contrary to policies NR5, EP1, QP3, QP5 of the Borough Local Plan and Hurley and Walthams Neighbourhood Plan policy Env 1.
- 3 In the absence of any site specific ecology report, survey work or details of mitigation measures it is not possible to conclude that there would not be a material adverse effect on protected species. Furthermore, the applicant has not demonstrated compliance with adopted Borough Local Plan policy NR2. This policy requires proposed developments to achieve a net gain in biodiversity (demonstrated through a net gain calculation using the DEFRA 3.1 Metric). If this shows that there will be a loss in Habitat or Linear Biodiversity Units and the scheme cannot be modified to ensure that it does not, then the applicant would need to identify a mechanism for delivering biodiversity net gain off site. Such information has not been submitted. The proposed development would be contrary to adopted Borough Local Plan policy NR2 and paragraph 180 of the NPPF.
- 4 The applicant has not submitted sufficient information to demonstrate that the proposed solar panel installations would not increase surface water run-off and would not give rise to significant surface water drainage issues. The proposal is contrary to adopted Borough Local Plan policy NR1 and paragraphs 167 and 169 of the NPPF.

Appendix A - 22/02095/FULL : Horizon, Honey Lane, Maidenhead

Location Plan



- USE SHARPER DIVISIONS
- DO NOT ALTER THIS BY HAND
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS AND SPECIFICATIONS
- ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE

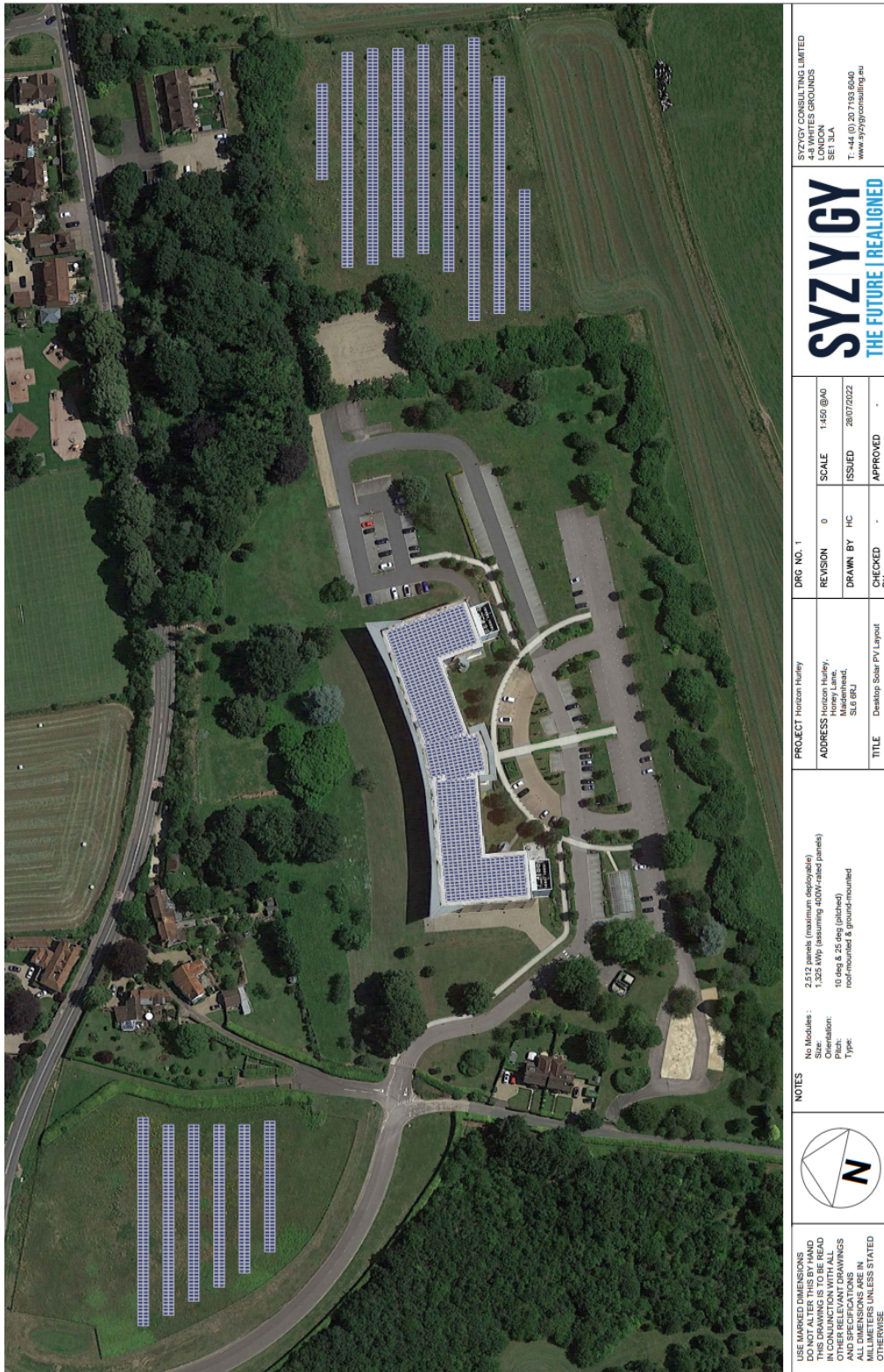
NOTES
 THE SITE BOUNDARY IS OUTLINED IN BLUE. THE BUILDING AND FIELDS FOR GROUND-MOUNT ARE OUTLINED IN RED.
 Contains OS data © Crown copyright and database rights 2022. Supplied by <https://syzygyplan.co.uk> digital mapping is licensed Ordnance Survey Partner (100053143).

PROJECT	Horizon Hurley		DRG NO.	1	
ADDRESS	Horizon Hurley, Honey Lane, Maidenhead S20 2SU	REVISION	V2	SCALE	1:600 @A0
TITLE	Location Plan	DRAWN BY	HC	ISSUED	-
		CHECKED BY	-	APPROVED	-

SYZYGY
 THE FUTURE | REALIGNED

SYZYGY CONSULTING LIMITED
 UNIT 25
 HATCHERS YARD,
 9 TANNER STREET
 LONDON
 SE1 3LE
 T: 44 (0) 20 7192 8240
 www.syzygyconsulting.co.uk

Appendix B - 22/02095/FULL: Horizon, Honey Lane, Maidenhead

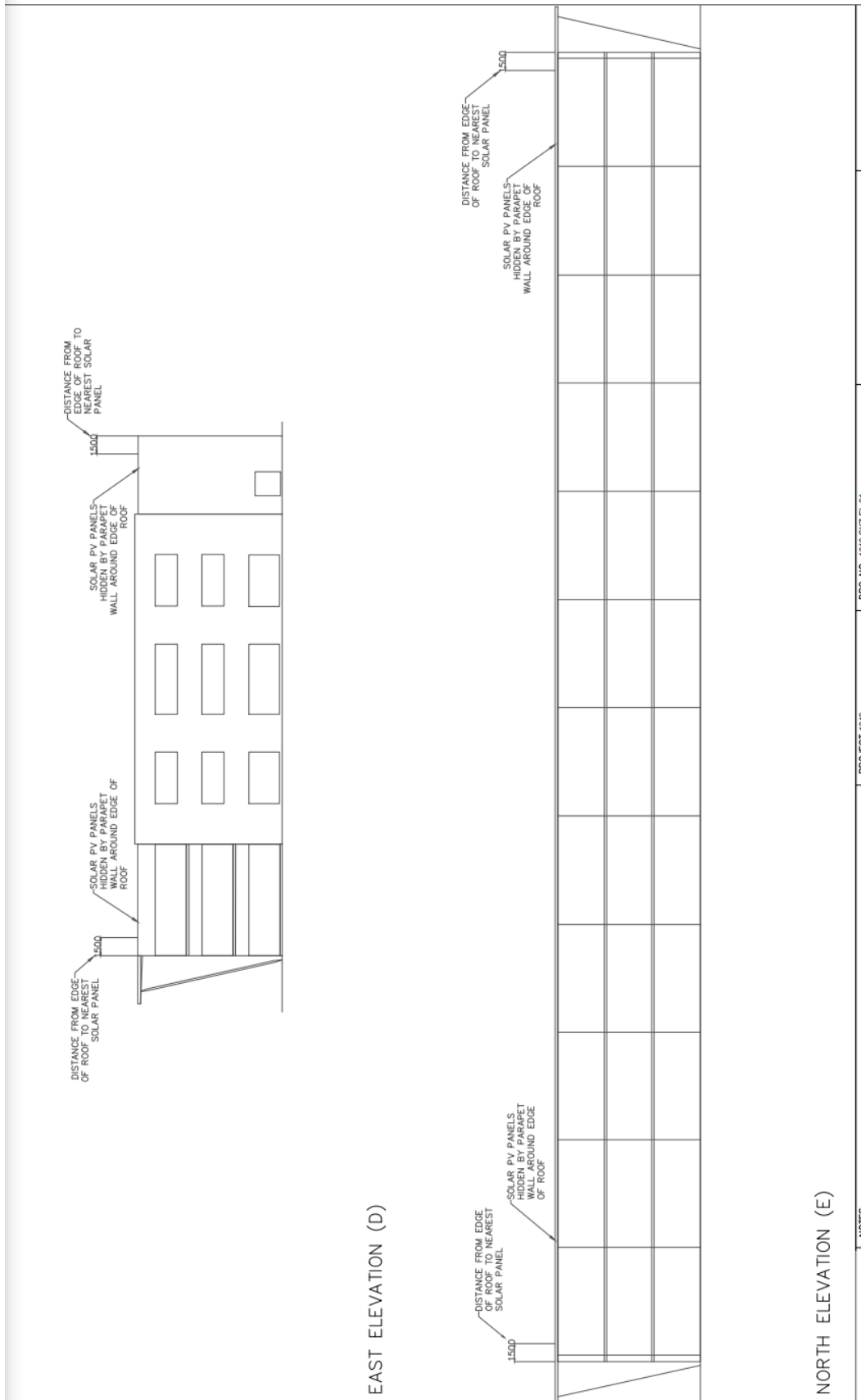


<p>USE MARKED DIMENSIONS AND DIMENSIONS IN THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL DIMENSIONS IN DRAWINGS AND SPECIFICATIONS. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS STATED OTHERWISE</p>		<p>NOTES</p> <p>No Modules : 2,512 panels (maximum deployable) Size: 1,325 kWp (assuming 400W-rated panels) Orientation: 10 deg & 25 deg (pitch) Type: roof-mounted & ground-mounted</p>	<p>PROJECT Horizon Hurley</p> <p>ADDRESS Horizon Hurley, Honey Lane, Maidenhead, SL6 6PU</p>	<p>DRG NO. 1</p>	<p>SYZYGY THE FUTURE REALIGNED</p> <p>SYZYGY CONSULTING LIMITED 15 GARDENS GROUNDS LONDON SE1 3JA T: +44 (0) 20 7183 8040 www.syzygyconsulting.eu</p>
			<p>TITLE Desktop Solar PVI Layout</p>	<p>REVISION 0 SCALE 1:450 @A0</p> <p>DRAWN BY HC ISSUED 28/07/2022</p> <p>CHECKED BY - APPROVED -</p>	

Appendix B - 22/02095/FULL: Horizon, Honey Lane, Maidenhead



Appendix B - 22/02095/FULL: Horizon, Honey Lane, Maidenhead





1. Ground mounting T-Rack system -
One footed elevated mounting



GROUND MOUNTING T-RACK SYSTEM | 7

System components | Ground mounting T-Rack system



Ground post foundation –
HEA profile



material: galvanized steel

mounting rail K2 CrossRail 90

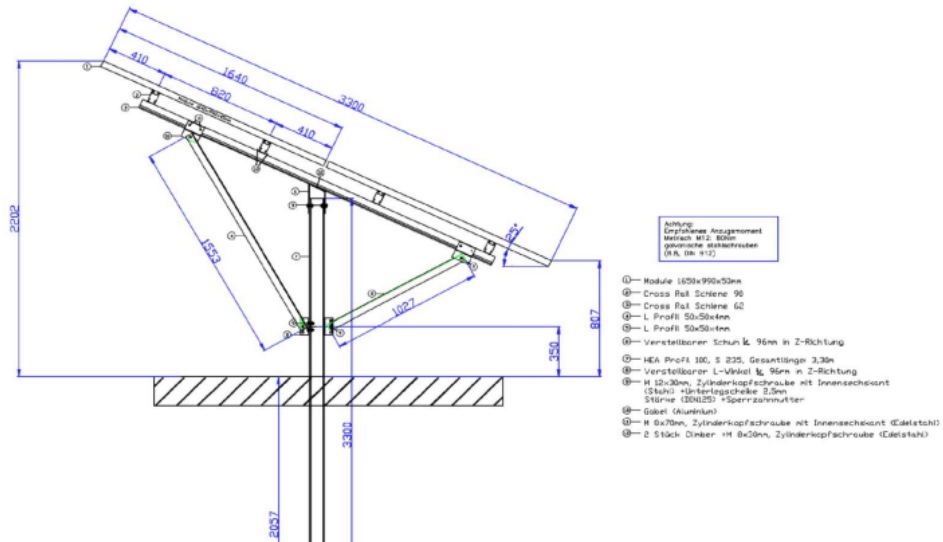


material: aluminum

GROUND MOUNTING T-RACK SYSTEM | 8



→ Structure of the T-Rack system



GROUND MOUNTING T-RACK SYSTEM

9



→ Table unit with 5 pilar sections



GROUND MOUNTING T-RACK SYSTEM

10



▸ Ground mounting system table - T-Rack system

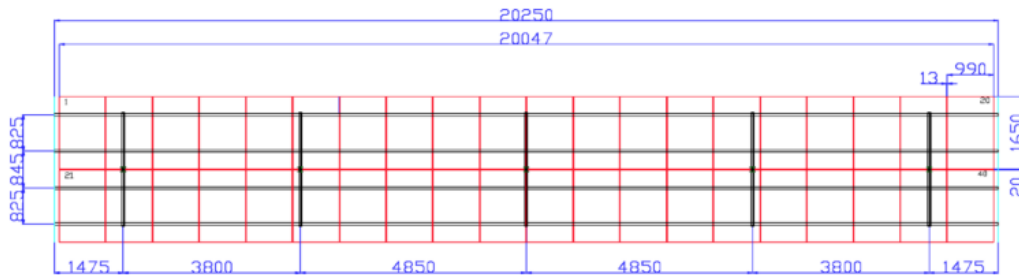


Table top view with modules 1650x990x50mm

middle field span: 4,85m

boundary field span: 3,80m

cantilever arm: 1,475m

GROUND MOUNTING T-RACK SYSTEM

11

Vertex

BACKSHEET MONOCRYSTALLINE MODULE

PRODUCT: TSM-DE20

PRODUCT RANGE: 585-605W

605W

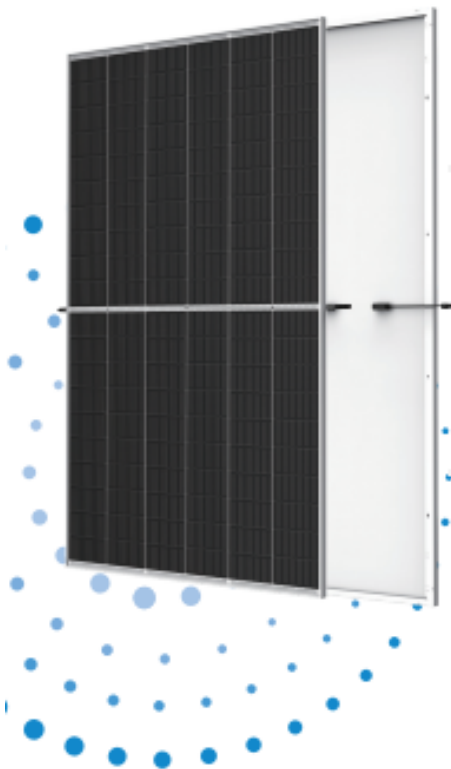
MAXIMUM POWER OUTPUT

0~+5W

POSITIVE POWER TOLERANCE

21.4%

MAXIMUM EFFICIENCY



High customer value

- Lower LCOE (Levelized Cost Of Energy), reduced BOS (Balance of System) cost, shorter payback time
- Lowest guaranteed first year and annual degradation;
- Designed for compatibility with existing mainstream system components



High power up to 605W

- Up to 21.4% module efficiency with high density interconnect technology
- Multi-busbar technology for better light trapping effect, lower series resistance and improved current collection



High reliability

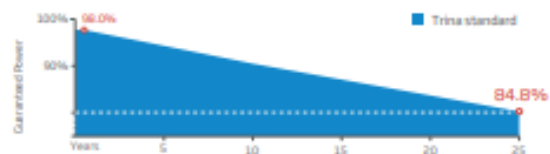
- Minimized micro-cracks with innovative non-destructive cutting technology
- Ensured PID resistance through cell process and module material control
- Resistant to harsh environments such as salt, ammonia, sand
- Mechanical performance up to 5400 Pa positive load and 2400 Pa negative load



High energy yield

- Excellent IAM (Incident Angle Modifier) and low irradiation performance, validated by 3rd party certifications
- The unique design provides optimized energy production under inter-row shading conditions
- Lower temperature coefficient (-0.34%) and operating temperature

Trina Solar's Backsheet Performance Warranty



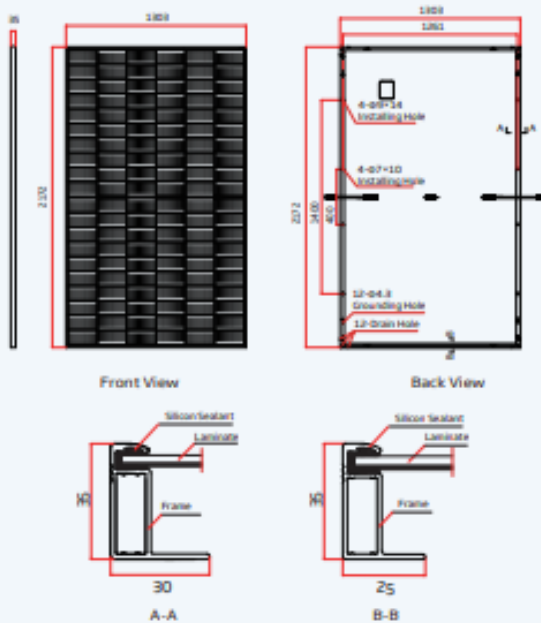
Comprehensive Products and System Certificates



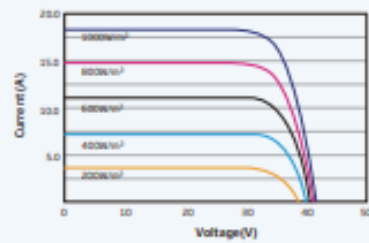
IEC61215/IEC61730/IEC61701/IEC62716/UL61730
 ISO 9001: Quality Management System
 ISO 14001: Environmental Management System
 ISO14064: Greenhouse Gases Emissions Verification
 ISO45001: Occupational Health and Safety Management System

Trinasolar

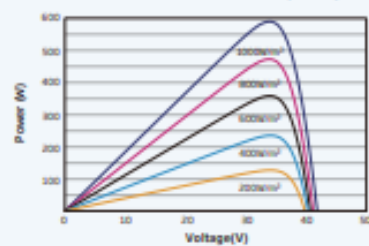
DIMENSIONS OF PV MODULE(mm)



I-V CURVES OF PV MODULE(595 W)



P-V CURVES OF PV MODULE(595W)



ELECTRICAL DATA (STC)

Peak Power Watts- P_{max} (W)*	595	590	595	600	605
Power Tolerance- P_{max} (W)	0 ~ +5				
Maximum Power Voltage- V_{mp} (V)	33.8	34.0	34.2	34.4	34.6
Maximum Power Current- I_{mp} (A)	17.31	17.35	17.40	17.44	17.49
Open Circuit Voltage- V_{oc} (V)	40.9	41.1	41.3	41.5	41.7
Short Circuit Current- I_{sc} (A)	18.27	18.42	18.47	18.52	18.57
Module Efficiency- η_m (%)	20.7	20.8	21.0	21.2	21.4

STC: Irradiance 1000W/m², Cell Temperature 25°C, Air Mass 1.5. *Measuring tolerance $\pm 1\%$.

ELECTRICAL DATA (NOCT)

Maximum Power- P_{max} (W)	443	447	451	454	458
Maximum Power Voltage- V_{mp} (V)	31.5	31.7	31.9	32.0	32.2
Maximum Power Current- I_{mp} (A)	14.05	14.09	14.13	14.19	14.22
Open Circuit Voltage- V_{oc} (V)	38.5	38.7	38.9	39.1	39.3
Short Circuit Current- I_{sc} (A)	14.91	14.95	14.99	14.92	14.96

NOCT: Irradiance at 800W/m², Ambient Temperature 25°C, Wind Speed 1m/s.

MECHANICAL DATA

Solar Cells	Monocrystalline
No. of cells	120 cells
Module Dimensions	2172*1902*35 mm (85.51*75.30*1.38 inches)
Weight	20.6 kg (45.5 lb)
Glass	3.2 mm (0.126 inches), High Transmittance, All-Weather, Heat-Strengthened Glass
Encapsulant material	EVA/POE
Backsheet	White
Frame	25mm (1.38 inches) Anodized Aluminium Alloy
J-Box	IP68 rated
Cables	Photovoltaic Technology Cable 4.0mm ² (0.006 inches ²), Polaris: 350/090 mm (13.78/11.82 inches) Length can be customized
Connector	MC4 EV02 / TS4*

*Please refer to regional datasheet for specified connector.

TEMPERATURE RATINGS

NOCT (Nominal Operating Cell Temperature)	42°C (107°F)
Temperature Coefficient of P_{max}	-0.34%/°C
Temperature Coefficient of V_{oc}	-0.25%/°C
Temperature Coefficient of I_{sc}	0.04%/°C

MAXIMUM RATINGS

Operational Temperature	-40 ~ +85°C
Maximum System Voltage	1500V DC (IEC)
	1500V DC (UL)
Max Series Fuse Rating	30A

WARRANTY

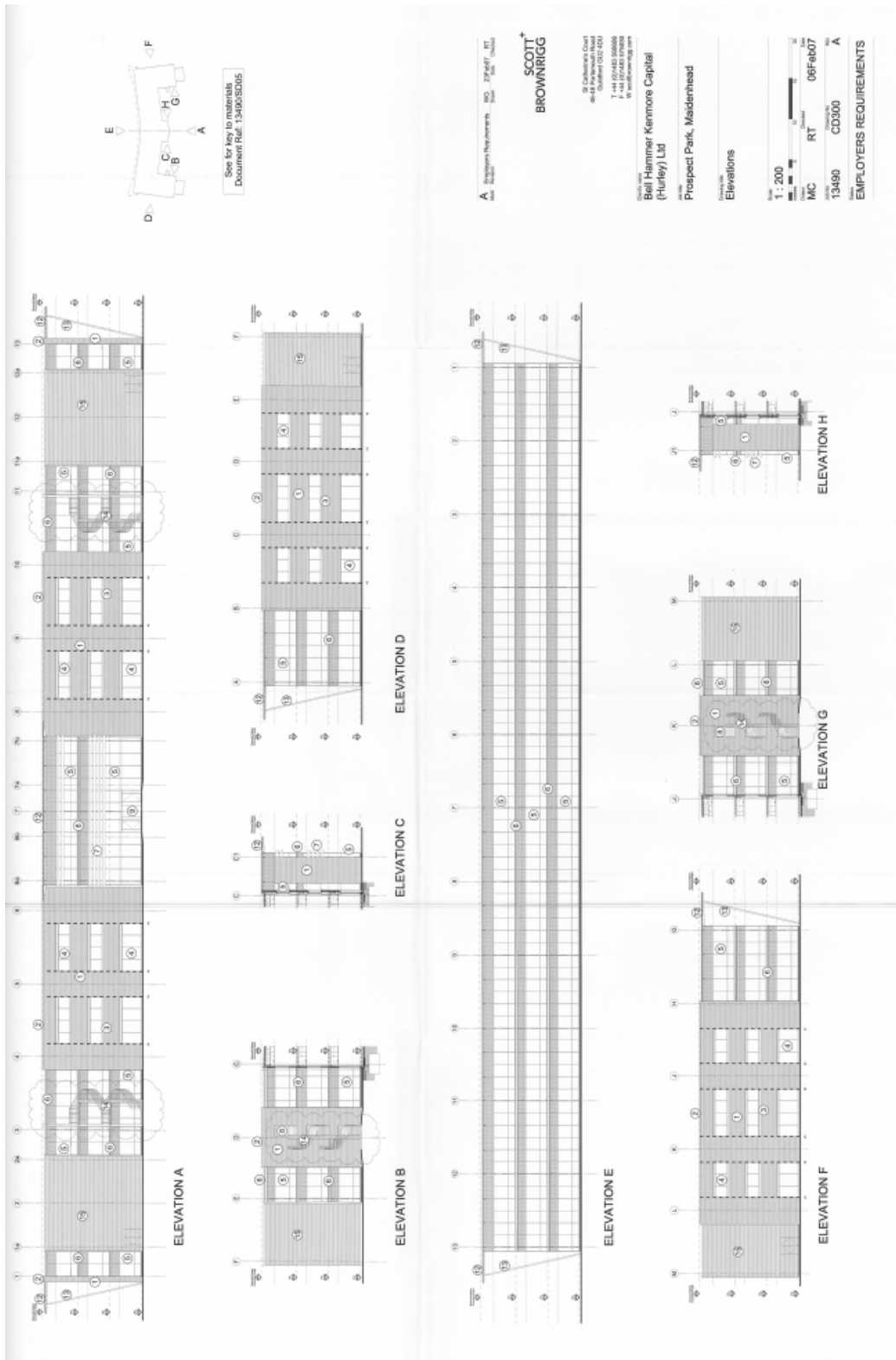
12 year Product Workmanship Warranty
25 year Power Warranty
2% first year degradation
0.55% Annual Power Attenuation

(Please refer to product warranty for details)

PACKAGING CONFIGURATION

Modules per box: 26 pieces
Modules per 40' container: 558 pieces

Existing elevations



MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 June 2023

Item: 3

Application No.:	22/03297/FULL
Location:	White Waltham Shottesbrooke Social Club Hurst Lane White Waltham Maidenhead SL6 3JJ
Proposal:	Replacement building to provide a new model barn with x5 new units for farm workers accommodation x4 field kitchens, new greenhouse and reduced area of hardstanding to retained 10 parking spaces following demolition of the former social club ancillary bungalow and detached garage.
Applicant:	Mr Tranquilini
Agent:	Mr Matthew Barnett Howland
Parish/Ward:	Shottesbrooke 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 application site comprises a rural social club building with integral bungalow and a detached double garage; all surrounded by hardstanding car parking and small amounts of amenity grassland, ornamental planting, a boundary native hedgerow (a priority habitat) and a few individual trees. The application site itself is surrounded by arable fields, scattered trees and tree lines, hedgerows, farm buildings, woodland, and traditional orchards (the latter two of which are priority habitats) in the wider landscape.
- 1.2 The proposed development is for a new building to accommodate 5 new residential units, 4 field kitchens, and a greenhouse. The proposal does not fall under any of the exceptions listed within paragraph 149 of the NPPF and it is therefore considered to represent inappropriate development within the Green Belt, subsequently meaning that Very Special Circumstances (VSC) are required to justify the acceptance of the scheme. The table below lists the Very Special Circumstances put forward by the applicant, alongside the weight that the officer considers each of these matters to hold. For a detailed review as to how each weight has been formed, please see the relevant section in the main body of the report.

1.3

VSC Argument	Weight				
	None	Limited	Moderate	Significant	Substantial
1 Enhancement of a Beneficial Green Belt Use	X				
2 Exemplary Design/Architecture			X		
3 Non-availability of Alternative Sites		X			
4 Re-use of Previously Developed Land (PDL)		X			
5 Sustainability Benefits			X		

6 Benefits to Education		X			
7 Visual Enhancement		X			
8 Landscape Enhancement/Reduction in Hardstanding			X		
9 Ecological Enhancement		X			
10 Farm Diversification		X			

1.4 When considering Very Special Circumstances, it must first be identified as to what constitutes VSC. Firstly, the answer to the question is dependent on the weight of each of the factors put forward and the degree of weight to be accorded to each is a matter for the decision taker, acting within the “Wednesbury Principles”. This stage will often be divided into two steps:

- 1 to determine whether any individual factor taken by itself outweighs the harm; and
- 2 to determine whether some or all of the factors in combination outweigh the harm.

There is case law that says that a number of factors, none of them “*very special*” when considered in isolation, may when combined together amount to very special circumstances and goes on to say that “*there is no reason why a number or factors ordinary in themselves cannot combine to create something very special*”.

1.5 The officer assessment identifies significant harm upon the openness of the Green Belt, which in this instance revolves around excessive, scale and massing of the proposed building. The proposed development would result in:

1. Excessive increase of built form volume (+121.4%)
2. Excessive increase of Gross Internal Area (+61.16%)
3. Increase of built form footprint (+28.62%)
4. Increase in height (+1 storey)

1.6 In addition to harm upon the Green Belt, harm has been also identified in the following areas:

- loss of a community facility;
- sustainability;
- affordable housing; and
- future occupier amenity.

1.7 Insufficient justification and evidence has been provided to demonstrate that the loss of the social club as a community facility is acceptable, therefore the scheme fails to comply with Policy IF6 of the Borough Local Plan (BLP)

1.8 With regard to sustainability, the application fails to comply with Policy SP2 and the Council’s Interim Sustainability Statement due to the absence of a legal agreement to secure

- a) that the building is net carbon zero; and
- b) a lifestyle contribution of £5,720.

1.9 In terms of affordable housing, insufficient justification has been provided to that the residential units are needed as agricultural worker dwellings, and therefore the

proposed residential units are considered to be open market dwellings. This means that a proportion of the proposed units would be required as affordable housing, in line with policy HO3 of the Adopted Local Plan. In the absence of any affordable housing, the scheme fails to accord with policy HO3 of the Adopted Local Plan.

- 1.10 As for occupier amenity, the application fails to comply with Policy QP3(l) due to the insufficient provision of private amenity space and/or depth of provided amenity space for 2 residential units (4 & 5).
- 1.11 There are benefits from the scheme, which include its high-quality design, sustainability, and landscape enhancements with other limited benefits including further enhancement with regard to ecology and education, as well as proposing the scheme on previously developed land. However, none of the benefits of the scheme either alone or combined are considered to attract such weight that would form Very Special Circumstances which clearly outweigh the harm to the Green Belt which is afforded substantial weight and the other harm identified.

It is recommended the Committee authorises the Head of Planning:	
1.	<p>To refuse planning permission for the reasons noted within Section 14 of this report, which are summarised as follows:</p> <ul style="list-style-type: none"> a) Failure to comply with Policy QP5 of the BLP and Chapter 13 of the NPPF as the benefits of this scheme do not amount to Very Special Circumstances which would outweigh the identified harm upon the Green Belt arising from this proposal, which comprises inappropriate development and the other harm identified. b) Failure to comply with Policy IF6 of the BLP due to insufficient justification and evidence to demonstrate that the loss of the community facility is acceptable. c) Failure to comply with Policy SP2 of the BLP, and the Council’s Interim position statement on sustainability due to the absence of a legal agreement securing that the building is net carbon zero and securing a lifestyle contribution of £5,720. d) The failure of the scheme to provide a proportion of the residential units to be affordable, in line with policy HO3 of the Adopted Borough Local Plan. e) Failure to comply with Policy QP3(l) of the BLP due to the insufficient provision of private amenity space and/or depth of provided amenity space for 2 residential units (4 & 5).

REASON FOR COMMITTEE DETERMINATION

- The application was called to Committee by former Councillor Johnson by e-mail on 4th January 2023 due to the sensitive location within the Green Belt and the complex justification for VSC.

THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises a rural social club building with integral bungalow and a detached double garage; all surrounded by hardstanding car parking and small amounts of amenity grassland, ornamental planting, a boundary native hedgerow (a priority habitat) and a few individual trees. The application site itself is surrounded by arable fields, scattered trees and tree lines, hedgerows, farm buildings, woodland, and traditional orchards (the latter two of which are priority habitats) in the wider landscape.

- 3.2 The site falls within the ownership of Waltham Place Farm, which is a 220-acre biodynamic mixed farm with land surrounding the application site. The farm is mainly arable, with the pastoral element being small scale.
- 3.3 Biodynamic farming is a process with the aim of creating healthy soil using compost, crop and grazing rotations. Uniquely, it treats the compost heap with medicinal plant-based preparations to encourage the microbial life needed for soil fertility.
- 3.4 The application site recently came back into the control of Waltham Place Farm following the recent surrender of the 990-year lease (commenced 1986).

KEY CONSTRAINTS

- 4.1 The application lies within the following constraints:
 - Green Belt
 - Proximity to a Public Right of Way (PROW)

THE PROPOSAL

- 5.1 It is proposed to demolish the existing buildings, remove the hardstanding and erect a new model barn with 5 new residential units, 4 field kitchens, a greenhouse, and provide 10 parking spaces.
- 5.2 The applicant seeks for this mixed-use development to be used by staff and visitors to the farm. The four field kitchens are to be used for the processing of meat, grains, dairy and fruit; with the five residential units consisting of 1 & 2-bedroom residential units, which the planning submission explains are to host farm workers and other visitors to the farm. Although the planning submission sets out the residential units would be occupied by staff of the farm, no evidence has been provided to demonstrate the proposed residential units are responding to an essential and permanent agricultural need on the agricultural holding; such information would be expected to evidence a need for an agricultural worker dwelling(s).
- 5.3 The greenhouse element is proposed as the applicant seeks a space for growing internally and a space to run workshops for farm apprentices in poor weather. The Design and Access Statement sets out that, the farm welcomes annually more than 1,500 children (school groups and home education groups), and the proposed development would aid children to experience nature and to understand food production and sustainability.
- 5.4 The proposed building would have a maximum height of ~7.08m, with a footprint measuring 648.1m², GIA measuring 752.6m² and a volume of 3,631m³.
- 5.5 The five residential units would comprise three 2-bed and two 1-bed units. The 2-bed units would have GIAs measuring 95m² and the 1-bed units would have GIAs measuring 50m².
- 5.6 The proposed building is to be a timber frame consisting of solid timber stud walls and solid timber floor joists and roof rafters supported on isolated glulam beams where required. Hempcrete is proposed to infill around the timber studs and the proposal also seeks to utilise smart solar glass for energy generation and shade.

RELEVANT PLANNING HISTORY

- 6.1 There is extensive planning history relating to existing buildings within the wider enterprise. The following planning history relates to redevelopment within the application site:

Reference	Description	Decision
95/01627/FULL	Single storey rear extension	Permitted 27 Jun-95
87/01299/FULL	Extension to bar store and new front porch	Permitted 26 Jun-87
418700	Single storey rear extension	Withdrawn 17 Jun-87
m/374185	Single storey extension re. porch	Approved 25 Jun-85
417236	Single storey side and rear extensions, plus a new front porch	
405421	Use of former Stewards quarters to form part of the club use, and an extension to provide toilets, kit, bar, store and committee room	Approved 13 Apr-77
402847	Extension & change accommodation to club house	Approved 13 Jul-76
401218	Erect bungalow for Steward	Refused 8 Mar-75
6952/66	Demolition of existing club & living accommodation and erection of bungalow with integral recreational hall	Refused 29 Jun-66
6806/65	Details of bungalow and garage	Refused 16 Mar-66

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
Affordable Housing	HO3

Farm Diversification	ED4
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Community Facility	IF6
Utilities	IF7

Hurley & the Walthams Neighbourhood Plan (2015-2030)

Issue	Neighbourhood Plan Policy
Sustainable Development	ENV 1
Climate Change, Flood and Water Management	ENV 2
Quality Design	Gen 2
Accessibility and Highways Safety	T1

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

- Chapter 2: Achieving sustainable development
- Chapter 4: Decision making
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 6: Building a strong, competitive economy
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting Sustainable Transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 13: Protecting Green Belt land
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Landscape Assessment
- RBWM Parking Strategy
- Affordable Housing Planning Guidance
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1 5 occupiers were notified directly of the application.
- 9.2 Due to the proximity of the site in relation to a Public Right of Way (PROW), the planning officer posted a notice advertising the application at the site on 10 January 2023 and the application was advertised in the Local Press on 22 December 2022.
- 9.3 1 letter was received in support of the application. The comments can be summarised as follows:

Comment		Where in the report this is considered
1	The kind of development that we should be encouraging in the Green Belt because of its relevance to the future of farming and the planet.	i.
2	Alternative schemes (such a polo establishments and commercial development) have been flourishing within the Green Belt, which indicate how poor the planning system is at managing the basic principle of the Green Belt.	i.
3	Excellent sustainable design, which will be a visual asset to the area	ii. & iv.

Consultee responses

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	Pre-commencement condition recommended should planning permission be granted	ix.
Environment Agency	Standard advice regarding foul drainage, which seeks new development to connect to the public mains (with the prior written approval of the statutory undertaker) whenever possible. However, in this instance, the development site is greater than 150m from a foul sewer and therefore it is satisfactorily demonstrated that it is not feasible to connect to the public foul sewer. It should be noted that the applicant may need an Environmental Permit from the Environment Agency.	ix.
Environmental Protection	No concerns	
Ecology	No concerns subject to conditions	iii.

Amenity Groups and Parish Council Comments

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

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of Development
- ii Loss of Community Facility
- iii Character & Appearance
- iv Landscaping, ecology and other environmental considerations
- v Climate Change and Sustainability
- vi Affordable Housing
- vii Housing Provision and Quality
- viii Highway considerations, sustainable transport and parking provision
- ix Impact on amenity
- x Other material considerations
- xi Planning balance

i. Principle of Development

Green Belt

10.2 Paragraph 149 of the NPPF sets out that the construction of new buildings is inappropriate in the Green Belt unless it falls into any of the exceptions.

10.3 The exceptions set out within paragraph 149 of the NPPF, which could possibly be relevant to this application, are:

- a) buildings for agriculture and forestry;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting

an identified affordable housing need within the area of the local planning authority.

- 10.4 The use of the existing building is evident from the planning history and historic lease, which concludes it has always been used as a social club. The integral residential accommodation is ancillary to the social club.
- 10.5 Previously Developed Land is defined by the NPPF 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”.
The existing site is considered to be previously developed land.
- 10.6 The proposed building has a mixed use of C3 dwellings¹) and agricultural and therefore is a mixed use; it cannot therefore be considered under exemption 149(a), which requires the use to be solely for agriculture (or forestry). The proposed building is not in the same use as the building it would replace, and as such cannot be considered under exemption 149(d).
- 10.7 It is considered that the proposal would fall within the remit of ‘complete redevelopment of previously developed land’, and therefore to be considered an exception under NPPF paragraph 149g); the LPA need to be satisfied that the proposal would have no greater impact upon the openness of the Green Belt than the existing development.
- 10.8 Paragraph 001 (ref ID: 64-001-20190722) of the NPPG’s Green Belt guidance sets out some of the factors which can be considered when assessing the potential impact of development upon openness. This assessment requires a judgment based on the circumstances of the case; however, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:
- both spatial and visual aspects – i.e. the visual impact of the proposal may be relevant, as could its volume;
 - the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
 - the degree of activity likely to be generated, such as traffic generation.

Impact upon openness

Spatial & Visual Aspects

- 10.9 The existing site consists of single storey structures measuring a total GIA of 467m² and a volume totalling 1,640m³. The footprint of these structures measures 503.92m² and the site also contains a significant amount of hardstanding, covering an area of 1,318m².

¹ See Paragraph 10.41. Officers are not satisfied that these residential units are “rural worker” dwellings.

10.10 The proposal seeks to erect a two-storey building measuring a total GIA of 752.6m² a volume totalling 3,631m³. The proposed structure will have a footprint of 648.1m² and the proposed hardstanding will be reduced to 479m².

10.11 The table below clearly sets out the increase/decrease for each of these previously noted elements.

	Existing	Proposed	Difference	% Change
GIA	467m ²	752.6m ²	+285.6m ²	+61.16%
Volume	1,640m ³	3,631m ³	+1,991m ³	+121.4%
Footprint	503.92m ²	648.1m ²	+144.18m ²	+28.62%
Hardstanding	1,318m ²	479m ²		

10.12 The submitted Design & Access Statement sets out that the greenhouse element of the proposal should not be included within the calculations as it is an unheated space with an earthen floor and it could be built separately elsewhere on the farm, under Part 6 of the General Permitted Development Order.

10.13 However, it is considered that the proposed greenhouse does form part of the building (it is part of the enclosed space within the proposed building), as such it is considered that it should form part of the GIA regardless of the proposed materials. Irrespective of whether a greenhouse could be built using permitted development rights elsewhere on the farm, this does not preclude it from forming part of the proposed building.

10.14 With the above in mind, it is evident that the proposed building is significantly larger than the existing development on site. The proposed building would be significantly larger in volume than the existing buildings on the application site. The proposed building is noticeably taller than the existing building on site (~2.5m). Whilst it is appreciated that the level of hardstanding on site would be reduced to a substantial degree, this does not mitigate for the fact that the size, scale and massing of the new building would be increasing to such a degree that there would be both a visual and spatial reduction in the openness of Green Belt.

Duration and remediability

10.15 In terms of duration and remediability, just like the existing buildings – the proposed building is to be permanent.

Activity generation

10.16 No Transport Statement has been provided, which makes it difficult to understand the level of activity this proposal could generate. However, as there would be a reduction in hardstanding for car parking, it is not considered likely that there would be an increase in traffic generation.

Conclusion

10.17 It is therefore considered that the proposed development would have a greater impact upon the openness of the Green Belt than the existing development and would therefore not fall under exception 149(g), as the proposed development is significantly

larger in volume and floorspace than the existing buildings on site, and owing to the noticeable increase in height of the proposed building it would have a greater visual impact than the existing building. Considering these factors, it is considered that the proposed development would have a significant impact upon the openness of the Green Belt.

- 10.18 As such, the proposal represents inappropriate development within the Green Belt and as per paragraph 147 of the NPPF – “*should not be approved except in very special circumstances*”. Paragraph 148 of the NPPF continues to set out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt because of inappropriateness, and any other harm resulting from the proposal, is outweighed by other considerations. The application makes a case of VSC, and this is considered at the end of the report in the planning balance.

ii. **Loss of Community Facility**

- 10.19 Policy IF6 of the Adopted Local Plan seeks to retain existing community facilities and therefore applications for change of use or development will be resisted. It states, “*Planning permission for development leading to the loss of facilities...last used for the provision of community activities will only be granted where it can be demonstrated that:*

- a) *there is no longer a demand for the facility within the area, demonstrated by continuous marketing evidence for a period of at least twelve months, or*
- b) *the proposed development would provide sufficient community benefit to outweigh the loss of the existing facility, or*
- c) *there is provision for new or replacement facilities to meet an identified need in locations which are well related and easily accessible to the settlement or local community”.*

- 10.20 The explanation to Policy IF6 at paragraph 14.14.1 in the Borough Local Plan sets out that community facilities include local shops, meeting places, indoor sports venues, schools, cultural buildings, public houses, places of worship, health care facilities, leisure centres, libraries, day care centres and post offices.

- a. The social club would be regarded as a community facility, as it is a facility where a group of people would meet. In a historic planning application in 1974, it was noted “*For over fifty years this Club has provided a facility for local people to relax and enjoy each other’s company and play games of darts, cards, skittles etc.*” which supports the fact that the social club is a community facility.

- 10.22 The applicant has provided the following information in relation to the lease for the club.

- The application site was leased for 990-years by The Trustees of the White Waltham and Shottesbrooke Social Club.
- Towards the end of 2020 the lease was surrendered and Quadrant (the owners of Waltham Farm) re-established control of the land.

- 10.23 The applicant has not provided information on the number of members the club had, although the applicant states that the use of the social club had been in steady decline for years leading to the final surrender of the lease in 2020. The applicant explains that (as set out in the lease), members of the general public were not permitted to enter the club; however, even with restrictions on the persons who could use the club, it was still

a meeting place for a group of people and so would be regarded as a community facility. Whilst the number of members may have been in decline over the years, this is not necessarily indicative that there is no longer demand for the facility.

- 10.24 In order to demonstrate there is no longer demand for the facility, Policy IF6 (a) sets out that this should be supported by a marketing exercise of at least 12 months. The application is not supported by a marketing exercise and so fails to comply with criterion (a) of Policy IF6.
- 10.25 Criterion (b) of Adopted Local Plan Policy IF6 sets out that the loss of community facilities will be resisted unless the proposed development would provide sufficient community benefits to outweigh the loss of the existing facility. It is noted that the applicant refers to the proposed facilities being used on occasion for educational purposes; however, this does not provide sufficient community benefit to outweigh the loss of the existing community facility. It should also be noted that the benefit to education already occurs at Waltham Farm without this proposal, therefore it is not considered that it has been demonstrated that criterion (b) is met. Criterion (c) of Policy IF6 is not met, as a new or replacement facility is not proposed.
- 10.26 To conclude the proposal is contrary to Policy IF6 of the Adopted Local Plan as insufficient justification and evidence (as required by the policy) has been provided to demonstrate that the loss of the community facility would be acceptable.

iii. **Character & Appearance**

- 10.27 Borough Local Plan policies QP1 and QP3 both advise that development should seek to achieve high-quality 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.
- 10.28 The proposed building would be highly sustainable, with the materials being plant-based and the design would be of a high-quality with architectural merit. The materials would provide a rural appearance with timber, hempcrete and glass being the most prominent.
- 10.29 The proposal is considered to be in accordance with Policies QP1 and QP3 of the BLP with regard to design and appearance.

iv. **Landscaping, ecology and other environmental considerations**

- 10.30 The tree report schedules a few trees for removal, including an apple tree, cherry plum tree and small sections of the hedgerow. All other trees (including the mature oak), and the majority of the hedgerow are to be retained and protected (where required) during the proposed works.
- 10.31 The application is accompanied by landscaping plans, which include relatively extensive ecological enhancements, including the creation of an orchard. The submitted plans, if implemented effectively, would clearly be sufficient to provide a net gain for biodiversity on the site (given the low quality of the current onsite habitats), in accordance with the NPPF and Policy NR2 of the Borough Local Plan (BLP). If recommended for approval, a condition would be recommended to secure the biodiversity net gain.

- 10.32 The ecology survey report (AA Environmental, May 2021), whilst having been undertaken over two years ago is considered to still be accurate due to the low ecological value of the site. This survey is considered to have been undertaken to an appropriate standard and details the results of a preliminary ecological appraisal (PEA) of the site and preliminary bat roost assessment (PRA) of the buildings and trees. The buildings and mature lime tree were assessed as having “negligible” potential and the mature oak tree “moderate” potential to host roosting bats, though closer inspection of the oak tree PRFs did not reveal any signs of use by bats. The site was not considered suitable for use by other protected or priority species.
- 10.33 There appears to be one pond that falls just within 500m of the site, which could be used by great crested newts (GCN), but at this distance, and with mainly sub-optimal arable land between this and the site; no suitable GCN habitat onsite; and the site falling within the “green” impact risk zone for GCN, this is not considered to present a constraint in this case.
- 10.34 Were the application to be supported, appropriate conditions and informatives relating to: bats; biodiversity net gain; biodiversity enhancements; and external lighting would be required. With these conditions, the application would be compliant with Policy NR2 of the BLP.

v. Climate Change and Sustainability

- 10.35 Policy SP2 of the Borough Local Plan (2013-2033) requires all development to demonstrate how they have been designed to incorporate measures for adapting to and mitigating climate change. The RBWM Interim Sustainability Position Statement came into effect in March 2021, which sets out how the Council will work towards combating climate change through sustainability measures.
- 10.36 The Council Interim Sustainability Position Statement requires all development (excluding householder extensions) which cannot achieve net-zero carbon to provide a building emission offset contribution towards the Council’s carbon offset fund. The Council’s Interim Sustainability Position Statement sets out that a net-zero carbon outcome should be achieved on-site where feasible, and this preference is to ensure net-zero carbon emissions across the Borough are achieved no later than 2050 in line with the UK Governments commitment and the declaration of a climate emergency in June 2020.
- 10.37 An energy statement accompanies this application, which expects the proposed development to achieve a 123% reduction in regulated CO₂ emissions, with the figure exceeding 100% due to solar electricity generation outweighing the regulated energy demand of the building.
- 10.38 Given the above, it is considered that the proposed development would not be required to provide a building emissions contribution; however, it would still be liable to a lifestyle contribution (£1,144 per residential unit). This contribution recognises that the activities of residents within the borough generate additional emissions over and above those associated with heating and electricity use i.e. aviation, agriculture, transport and waste. This is not covered by exceeding 100%.
- 10.39 In the absence of a legal agreement securing the reduction in carbon emissions stated (a caveat to allow the Council to obtain a contribution if the figure is not met), and a lifestyle contribution (totalling £5,720), the application fails to comply with Policy SP2 of the BLP and the Council’s Interim Sustainability Position Statement.

vi. **Affordable Housing**

- 10.40 Policy HO3 of the BLP states that within designated rural areas 40% affordable housing will be required within developments of between 5 and 9 dwellings. Footnote 14 to policy HO3 sets out that rural areas are as listed in Schedule 1 of The Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) Order 1997); the parish of Shottesbrooke is listed in the Order as a rural area. The application site falls within the Parish of Shottesbrooke, and as such, in line with policy HO3, as the scheme proposes 5 dwellings, there is a requirement for 40% of the dwellings to be affordable.
- 10.41 Paragraph 4.3 of the submitted Green Belt Policy Statement says that all 5 of the units would be limited to occupation by persons employed by or otherwise engaged at the farm, with the intention of them to provide affordable accommodation to such persons employed or otherwise engaged at the farm. Insufficient justification and evidence have been provided to demonstrate that the proposed residential units are responding to an essential and permanent agricultural need on the agricultural holding, which would be required to evidence the need for an agricultural worker dwelling(s). Therefore, the proposed residential units are considered to be open market homes and are not regarded as agricultural workers dwellings (as there no proven need). In line with the requirements of policy HO3 of the Adopted Local Plan, the proposed scheme would be expected to provide 40% affordable housing or a contribution in lieu of an onsite provision. The scheme does not propose any of the units to be affordable, or to make an in-lieu contribution, as such the scheme fails to comply with Policy HO3 of the Adopted Local Plan.

vii. **Housing Provision & Quality**

- 10.42 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.
- 10.43 The purpose of this Policy is to ensure that there is a flexible housing stock available to the Borough's community that will help meet the wide range of accommodation needs. In this instance, given the nature of the proposed units, it is considered acceptable not to have larger residential units as reflected in the SHMA and Local Plan policy HO2.

viii. **Highway considerations, sustainable transport and parking provision**

- 10.44 Access into the application site will remain unchanged in comparison to the existing situation.
- 10.45 The proposal seeks to reduce the number of car parking spaces from 36 to 10 (9 standard spaces + 1 oversized space for a tractor, minibus or delivery van).
- 10.46 The submitted Design & Access Statement is of the opinion that there would be less vehicular movements than the existing use; however, no Transport Statement has been provided to justify this.

- 10.47 Nevertheless, the number of vehicular movements resulting from this development is unlikely to have a detrimental impact upon highway safety.
- 10.48 The number of proposed spaces corresponds to the maximum set out within the Parking Standards set out in the Council's parking Strategy. A 2-bed dwellinghouse should have a maximum of 2 parking spaces, and a 1-bed dwellinghouse should have a maximum of 1 parking space. Whilst not specified, parking for the agricultural element of the proposal should be assessed upon its own individual circumstances.
- 10.49 Whilst in line with the standards, in the interest of sustainability and the fact that workers are proposed to live on site, it is considered that this provision is too high. However, this over provision of parking is partly counterbalanced by 33.3% of the spaces being equipped with EV charging facilities, which is over the 20% sought by Building Regulations Part L 2013. The number of parking spaces proposed are not considered to be detrimental to a degree that would justify an additional reason for refusal.
- 10.50 The application also seeks to provide one cycle space per residential unit, which is looked upon favourably.
- 10.51 Given the above, the scheme is considered to be in accordance with Policy IF2 of the BLP and T1 of the Neighbourhood Plan.

ix. **Impact on amenity**

- 10.52 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

- 10.53 When assessing a proposals impact upon neighbouring amenity, there are three key areas to assess. These are:
- Overlooking
 - Overshadowing
 - Outlook
- 10.54 The application site is not located within proximity of any neighbouring properties, whereby it would be possible to have a negative impact upon them regarding these areas of assessment.

Current/Future Occupiers

- 10.55 When assessing a proposals impact upon the amenity of the occupiers, there are five key areas to assess. These are:
- ii. Living Space
 - iii. Amenity Space
 - iv. Overlooking
 - v. Overshadowing
 - vi. Outlook

Living Space

- 10.56 The proposed residential units would all be compliant with the Nationally Described Standards, and therefore are considered acceptable in this regard.

Amenity Space

- 10.57 The proposal seeks to provide private and communal amenity space; however, not all the proposed residential units have access to private amenity space – Unit 4 is a clear example of this, given it is a first-floor apartment with no balcony. This is against the guidance in principle 8.5 of the Borough Wide design guide SPD.
- 10.58 Furthermore, Unit 5 is accommodated by a 7.5sqm balcony with a depth of 1.25m. This does not comply with the Borough Wide Design Guide which seeks a minimum depth of 2m for flats above ground floor.
- 10.59 Units 1-3 are considered to be acceptable with regard to private amenity space.
- 10.60 Given the concerns surrounding private amenity space for Units 4 and 5, the proposal fails to comply with Policy QP3(l) of the BLP which sets out that new development should provide sufficient levels of high quality private and public amenity space.

Overlooking

- 10.61 Residential units 1-3 are most susceptible to adverse overlooking as their ground floor kitchen/diners all face into the greenhouse; however, the proposed plans do contain sliding privacy screens to alleviate this concern, although these are likely to be inconvenient for the occupants.
- 10.62 It is unlikely that an unacceptable level of overlooking would result from the proposal.

Overshadowing

- 10.63 No overshadowing concerns are foreseen as a result of the development.

Outlook

- 10.64 No outlook concerns are foreseen as a result of the development.

x. Other Material Considerations

Flooding

- 10.65 It is noted that the application is accompanied by a Flood Risk Assessment & Drainage Strategy; however, the application does not fall within Flood Zones 2 or 3.
- 10.66 Nonetheless, the provided document confirms that the scheme will result in a low risk of flooding.

Archaeology

- 10.67 The application site lies in an area where little is understood of archaeology; however, this is due to a lack of investigation locally rather than a lack of potential.
- 10.68 Previously, the laying of two gas pipelines to the west and south of White Waltham have revealed deposits of Neolithic (4,000 – 2,000 BC) and Iron Age (900-100 BC) date, the former being a particular rare discovery outside of the major monuments of the period. These include a series of Neolithic pits c.200m south of the site and there is potential for more evidence to remain in the area. In addition, a scattering of finds spots of prehistoric, Roman and medieval date have been recorded all around White Waltham, including discoveries reported to the Portable Antiquities Scheme.
- 10.69 The application site therefore falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. As such, were planning permission to be granted, a condition would be required to ensure no development would take place until a programme of archaeological work including a Written Scheme of Investigation (WSI) be submitted to and approved by the LPA.

xi. **Planning Balance**

Very Special Circumstances

- 10.70 The applicant has provided a number of reasons for why it is felt this application could potentially be subject to very special circumstances. This section will assess each of these reasons individually, under the same subheadings put forward by the applicant within their submitted statement.

Enhancement of a Beneficial Green Belt Use

- 10.71 The applicant notes that the Biodynamic Association considers them to be one of four model farms in the country, and this is subsequently backed by a letter from the Biodynamic Association.
- 10.72 The applicant argues that very special circumstances arise from ensuring the nationally important work predicated on the ongoing agricultural use of the land, the quality of the land and the produce arising from it; all continue to a satisfactory degree.
- 10.73 It is not disputed that the wider farm is a model farm in the eyes of the Biodynamic Association; however, the applicant has failed to provide justification as to why the proposed building with the uses it proposes (including 5 residential units), is necessary to the ongoing functioning/support of the wider enterprise as a model farm for the Biodynamic Association. There is no justification for why 5 residential units are needed, or that it is necessary that any of the farm workers live on site or be close to the farm in responding to an essential and permanent agricultural need on the agricultural holding.
- 10.74 Given this lack of information, it is not considered that it has been demonstrated that the proposed development is necessary for the wider farm estate to operate at a required level for the Biodynamic Association to continue considering them as a model farm.

10.75 As such, no weight is given to this reason for VSC.

Exemplary Design/Architecture

10.76 The applicant argues that the architectural design of the proposed building should be considered very special circumstances. Reasons behind this include the architect being an award winner with a proven track record of delivering high quality contemporary buildings with a sense of belonging and adopting a holistic approach to environmental sustainability.

10.77 The application is accompanied by a statement from www.designreviewpanel.co.uk which comprises a group of independent, multi-disciplinary construction professionals who provide impartial expert advice to applicants and local authorities on design issues in relation to important new development schemes.

10.78 The panel's statement concludes that they consider the design to be both "*outstanding & innovative*", due to the "*simple palette of building materials*" and their connection to the farms planting and feeding strategy (hemp). The panel also considered the sustainable and low energy use to be an essential element of the "*outstanding*" design, which Officer's agree with. The proposed building is of a rural appearance and has architectural merit, which would sit well with the surrounding character of the area. Weight is given to the innovative and sustainable design of the proposed building, and this weight regarded as 'moderate'.

Non-availability of Alternative Sites

10.79 The planning statement sets out that there are no non-green belt locations in which a development of this nature could take place. The application is not accompanied by any evidence to demonstrate this argument.

10.80 The applicant states, "*There are no alternatives available to the farm and their very raison d'être is for related activities to take place in the same location. Why would a farming business search for sites beyond the agricultural holding when it has a previously developed site within a few hundred metres of the core buildings on the farm?*"

10.81 The applicant has not provided any justification as to why the residential units for workers proposed in this scheme are required, other than making passing comments as to future workers likely not being able to afford to live in market housing within the local vicinity.

10.82 As noted above, supporting text Paragraph 6.18.7 of the Borough Local Plan 2013-2033 sets out that applications for new dwellings in the Green Belt for a worker engaged in farming will be judged on a case-by-case basis. Any such dwelling should be responding to an essential and permanent agricultural need on a holding that cannot be met elsewhere and be proportionate to the holding or other enterprise it is intended to serve, not the personal preference of the occupier.

10.83 The applicant states that the proposed residential units are to be occupied solely by persons either employed by the farm or directly engaged in the educational function of the farm. The applicant further notes, "*On occasion, the accommodation will be*

vacated whilst apprentices are at other farms and colleges. Apprentices on reciprocal visits may need to be accommodated at Waltham Place Farm and/or temporary staff may be necessary to undertake the farm works otherwise done by apprentices when they are away”.

- 10.84 The applicant has noted that the existing onsite residential units within the wider farm estate (4 staff houses, circa 400m to the northeast of the application site) are fully occupied by long term senior staff and managers of the farming enterprise and have been so for some years. The students and apprentices noted to occupy the proposed residential units sought within this application would do so on a temporary basis, and it has not been evidenced that any of the residential units are necessary as agricultural workers dwellings.
- 10.85 The applicant further comments that they believe it is unnecessary for the LPA to seek control over who exactly occupies the units. The proposed use of the residential units appears to be fluid as set out in the planning submission. Five units are proposed, some with 2 bedrooms. No justification has been provided as to why five units are required, or indeed why the units would need 2 bedrooms if they are to accommodate workers/apprentices of the farm. This information is important to understand the justification of the scale of this building which is deemed inappropriate development in the Green Belt.
- 10.86 It is considered that insufficient justification has been provided to demonstrate that the residential units within this building (size and number) are needed, further emphasised by the applicants supposed need for dwellings in excess of the Nationally Described Space Standards (units 1-3 exceed the NDSS by 20% (90% were they to be proposed as 1-bed units).
- 10.87 Whilst the applicant has provided a plan demonstrating how the existing building could be adequately converted into 5 residential units; this could not occur without planning permission. A conversion would also not have the same impact on the openness of the Green Belt as the proposed development. Based on the above, the lack of alternative sites in non-green belt locations which could accommodate this development is given limited weight as VSC.

Re-use of Previously Developed Land (PDL)

- 10.88 As previously discussed within paragraph 10.6-10.18, whilst the existing site can be considered PDL – the proposal would have a greater impact upon the openness of the Green Belt than the existing development. This is given limited weight as a benefit.

Sustainability Benefits

- 10.89 The proposed building would be an exemplar in terms of operational energy, deploying high performance building fabric, energy efficient building services, and renewable forms of energy and on-site resources. As a result of these measures, the proposed development is expected to achieve a 123% reduction in regulated CO2 emissions, which far exceeds the local policy target of 20% CO2 reduction and the GLA net-zero regulated carbon requirement.
- 10.90 This is looked favourably upon this; however, sustainable design and seeking development with net-zero carbon emissions are standard practice within the Borough, which is sought by Policy.

10.91 The high sustainability benefits of the building are given moderate weight as a VSC.

Benefits to Education

10.92 The proposed scheme seeks to act as a hub for the provision of small group teaching and demonstrations, to aid with the farms ongoing support for local schools, whereby it welcomes 1,500+ children annually.

10.93 Whilst the LPA commend this aspect of the scheme, it is not the sole element. As previously noted, the provision of 5 residential units does not provide the benefit of education. This is given limited weight as a benefit.

Visual Enhancement

10.94 The applicant states that the existing building is "*dilapidated and beyond viable repair and the surrounding site is unkempt and deteriorating*".

10.95 As previously noted in paragraph 10.20, it is considered that the proposed building would be of architectural merit, fitting in well with the rural character of the area. However, visual enhancement through replacement of dilapidated and unkempt existing structures is insufficient as the landowner has a duty to prevent structures from becoming untidy.

10.96 Moreover, the site could be redeveloped in a positive way at a smaller scale and would still make a visual improvement.

10.97 This point is considered to carry limited weight, given a visual enhancement could be achieved through other means.

Landscape Enhancement/Reduction in Hardstanding

10.98 The applicant believes that the increase of soft landscaping and reduction in tarmac form a basis for very special circumstances.

10.99 The increased planting and landscaping is a benefit and is considered to carry moderate weight in the planning balance.

Ecological Enhancement

10.100 The applicant puts forward a case for VSC revolving around ecological enhancements, which would inevitably result in a biodiversity net gain (as confirmed by the Council's Ecologist). However, no biodiversity net gain calculations have been provided and biodiversity net gain is a Policy requirement (as per Local Plan Policy NR2). Given this, and the insufficient information noting how much of a net gain would be provided, this benefit is given limited weight.

Farm Diversification

10.101 The applicant notes that paragraph 84 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings as well as the development and diversification of agricultural and other land-based rural businesses.

10.102 The applicant further notes that paragraph 85 of the NPPF requires planning decisions to recognise sites that meet local business and community needs in rural areas and that they may need to be located beyond existing settlements, and in locations that are not necessarily well served by public transport. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

10.103 The LPA does not contend these points; however, as previously noted, whilst the existing site can be considered PDL – the proposal would result in a greater impact upon the openness of the Green Belt.

10.104 The LPA does not seek to prevent the growth or expansion of the farm; however, this application has not been accompanied by sufficient justification for the scheme sought.

10.105 In the absence of this information, this point is given very limited weight.

Conclusion

10.106 The assessment undertaken finds the proposal does not fall within any of the exceptions to inappropriate development within the Green Belt noted within the NPPF or Adopted Local Plan policy QP5, and therefore, by definition, the scheme represents inappropriate development within the Green Belt. As such, Very Special Circumstances need to exist which clearly outweighs the harm to the Green Belt, and the other harm identified for this scheme to be considered acceptable.

10.107 When considering Very Special Circumstances, it must first be identified as to what constitutes VSC. Firstly, the answer to the question is dependent on the weight of each of the factors put forward and the degree of weight to be accorded to each is a matter for the decision taker, acting within the “Wednesbury Principles”. This stage will often be divided into two steps:

1. to determine whether any individual factor taken by itself outweighs the harm; and
2. to determine whether some or all of the factors in combination outweigh the harm.

There is case law that says that a number of factors, none of them “very special” when considered in isolation, may when combined together amount to very special circumstances and goes on to say that “*there is no reason why a number or factors ordinary in themselves cannot combine to create something very special*”.

10.108 As noted within each of the VSC subheadings of this report, weight has been afforded to each of the points put forward by the applicant. A summary of this is as follows:

VSC Argument	Weight				
	None	Limited	Moderate	Significant	Substantial
1 Enhancement of a Beneficial Green Belt Use	X				

2 Exemplary Design/Architecture			X		
3 Non-availability of Alternative Sites		X			
4 Re-use of Previously Developed Land (PDL)		X			
5 Sustainability Benefits			X		
6 Benefits to Education		X			
7 Visual Enhancement		X			
8 Landscape Enhancement/Reduction in Hardstanding			X		
9 Ecological Enhancement		X			
10 Farm Diversification		X			

10.109 It is noted that the majority of the VSCs posed are considered to carry limited weight, and none carry significant or substantial weight.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development is CIL liable. The final CIL payment will be calculated and agreed on the commencement of development. Based on current calculations it is anticipated to be in the region of £121,489.91 which will contribute towards the delivery of identified infrastructure within the Borough.

11.2 It should be noted that the only CIL liable aspect is the residential element, which would be charged at £315.55 per sqm. The total residential floorspace measures 385.01sqm.

12 CONCLUSION

12.1 The NPPF is clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

12.2 The proposed scheme would represent inappropriate development within the Green Belt which is by definition harmful. The scheme does not fall under any of the exceptions noted within paragraph 149 of the NPPF, with the assessment under 149(g) concluding that the proposal would have a significant impact on the openness of the Green Belt.

- 12.3 The application fails to comply with Policy IF6 of the Adopted Local Plan, as insufficient justification and evidence has been provided to demonstrate that the loss of the social club as a community facility is acceptable.
- 12.4 The application fails to comply with Policy SP2 of the Adopted Local Plan and the Council's Interim Sustainability Statement due to the absence of a legal agreement to secure that the building is net carbon zero, and securing a lifestyle contribution of £5,720.
- 12.5 The application fails to comply with Policy QP3(I) of the Adopted Local Plan, and advice contained within the Borough Design Guide SPD, due to the insufficient provision of private amenity space and/or depth of the balcony space for 2 residential units (4 & 5). In addition, there is no justification or evidence put forward which sets out that the residential units are required to meet an essential and permanent need on the agricultural holding, and as such residential units are therefore considered to be open market housing. A proportion of this housing would be required be affordable, in line with policy HO3 of the Adopted Local Plan. The scheme fails to provide any affordable units and therefore fails to comply with Policy H03 of the Adopted Local Plan.
- 12.6 There are benefits arising from the scheme, which include its high-quality design, sustainability, and landscape enhancements with other limited benefits including further enhancement with regard to ecology and education, as well as proposing the scheme on previously developed land. However, these benefits are only given a maximum of 'moderate' weight, with the majority being classified as 'limited' and when these benefits are combined, they are not considered to amount to VSC which would clearly outweigh the harm to the Green Belt which is afforded substantial weight, and the other harms identified.

13. APPENDICES TO THIS REPORT

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

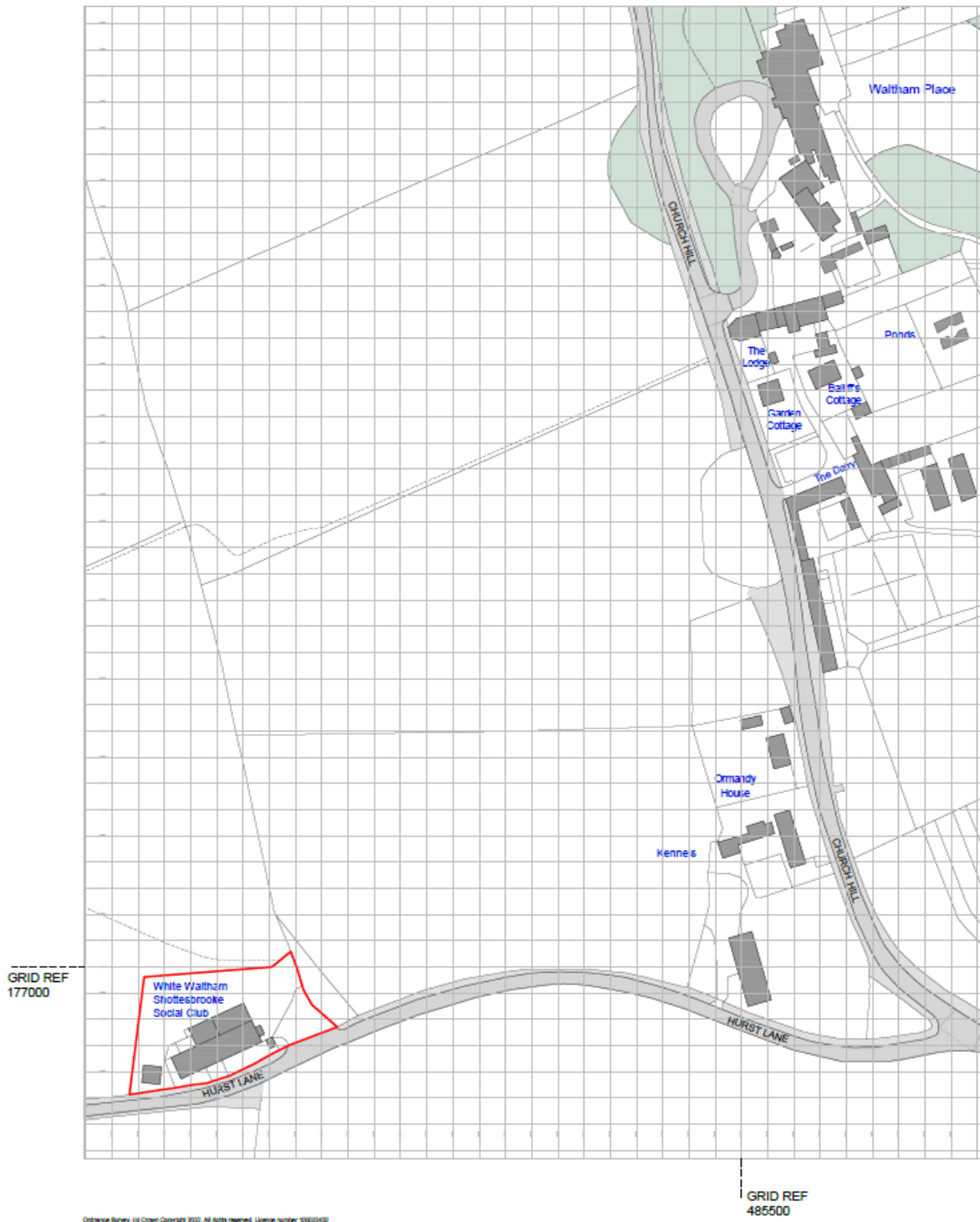
14. REASONS RECOMMENDED FOR INCLUSION IF PERMISSION IS REFUSED

- 1 The proposed development represents inappropriate development within the Green Belt which is by definition harmful. The scheme would also harm the openness of the Green Belt. The scheme does not fall under any of the exceptions noted within paragraph 149 of the NPPF, with the proposal failing to comply with paragraph 149(g) of the NPPF due the proposed development having a greater impact on the openness of the Green Belt than the existing development. The benefits of this scheme do not amount to Very Special Circumstances which would clearly outweigh the harm upon the Green Belt which is afforded substantial weight, and the other harm identified. The proposal fails to comply with Policy QP5 of the Borough Local Plan (2013-2033) and Chapter 13 of the National Planning Policy Framework.
- 2 The proposal would result in the loss of the social club which is a community facility. The proposal fails to provide sufficient justification and evidence to demonstrate the loss of the loss of the community facility meets the requirements of policy IF6 of the Adopted Borough Local Plan.
- 3 In the absence of a legal agreement securing a lifestyle contribution of £5,720

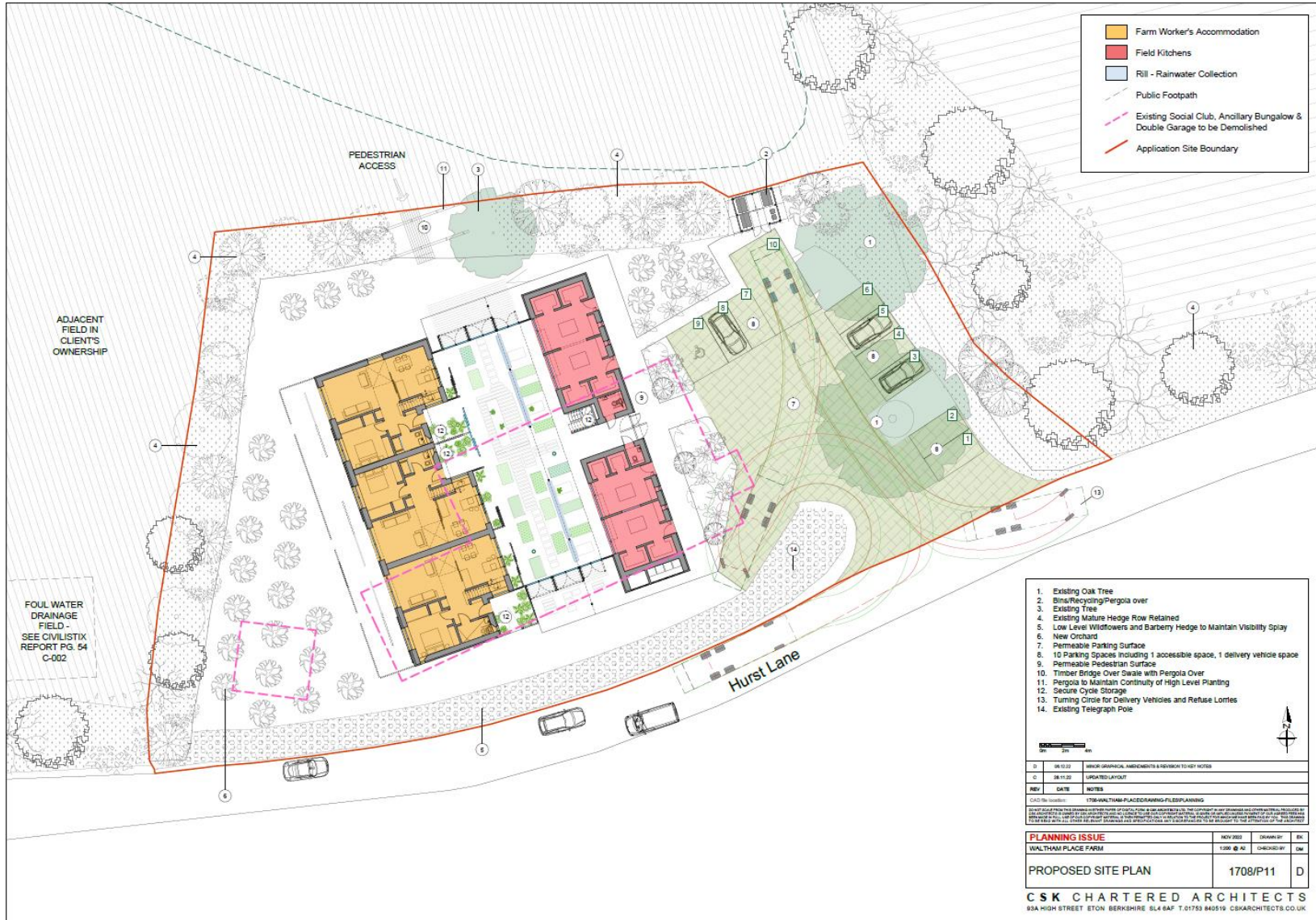
towards the carbon offset fund and securing that the proposed building is net carbon zero, the proposal fails to comply with Policy SP2 of the Borough Local Plan (2013-2033), and the requirements of the Council's Interim position statement on sustainability.

- 4 In the absence of a legal agreement securing 40% of the proposed residential units as affordable housing, or an in-lieu contribution; the scheme fails to comply with Policy HO3 of the Adopted Borough Local Plan (2013-2033).
- 5 The proposal would result in harm to the amenity of future occupants due to the insufficient provision of private amenity space for residential Units 4 and Unit 5. The scheme therefore fails to comply with Policy QP3(l) of the Borough Local Plan (2013-2033), and Chapter 8 of the Borough Wide Design Guide Supplementary Planning Document (SPD) (June 2020).

Appendix A



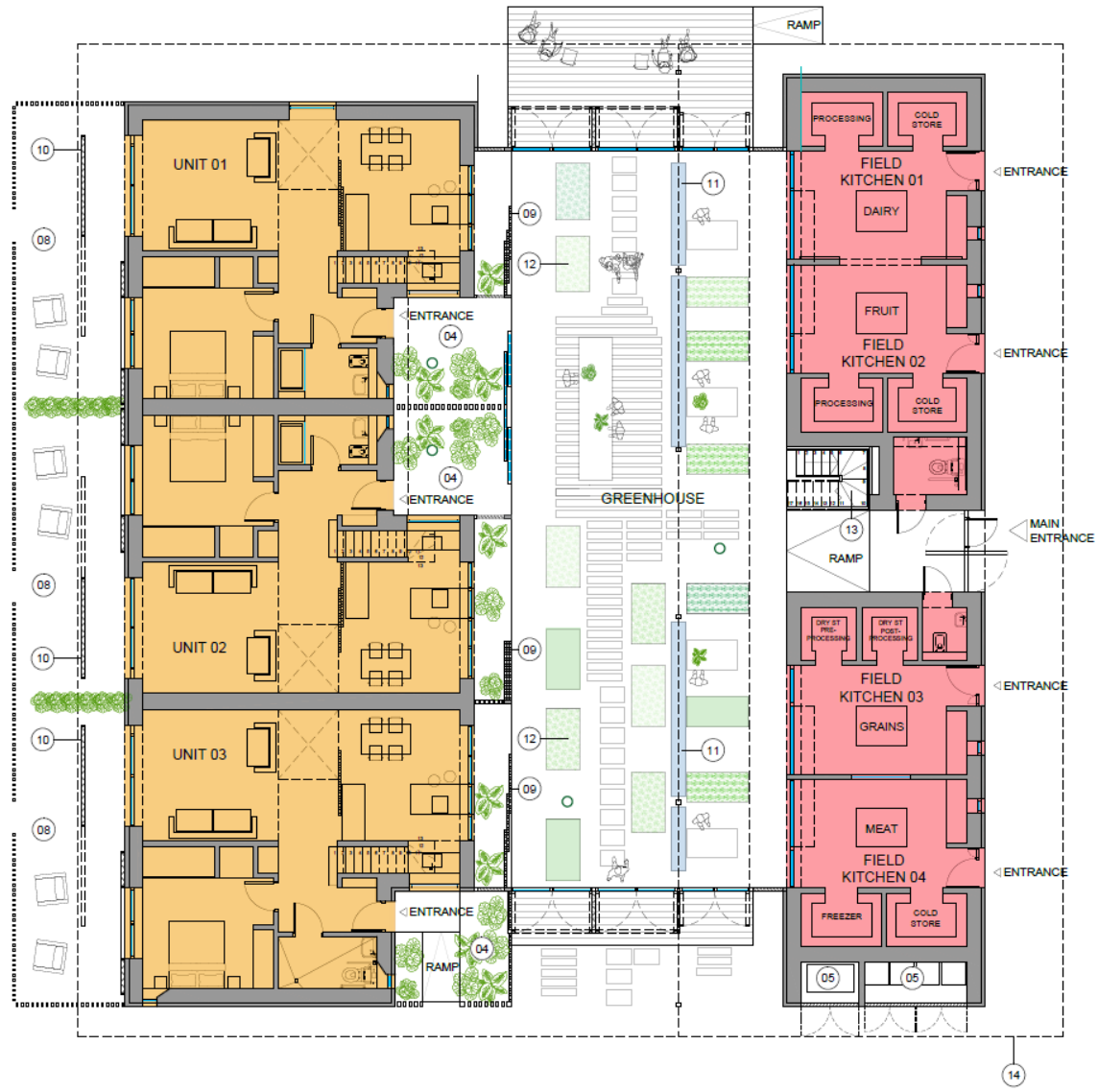
Location Plan



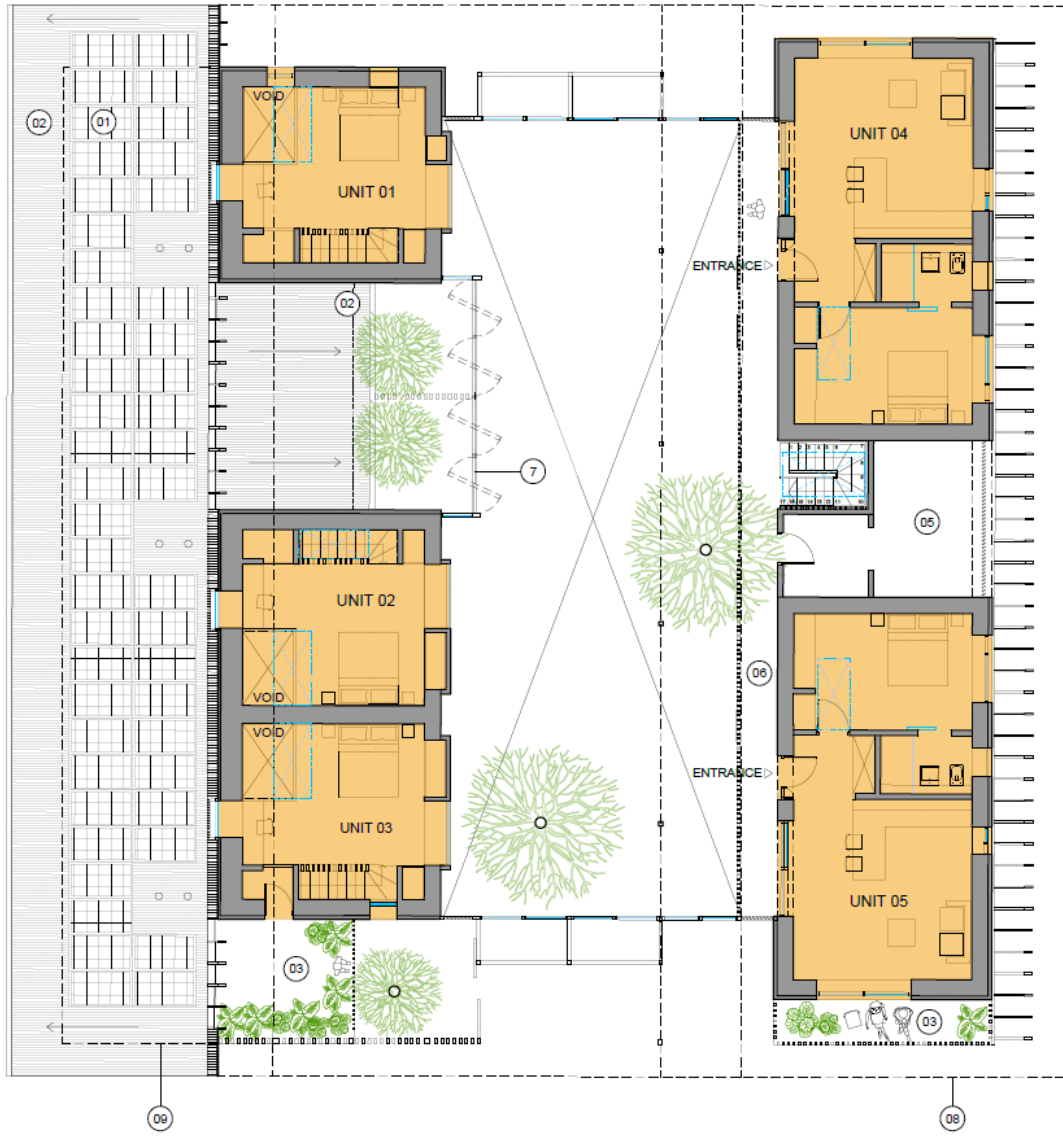
Proposed Block Plan/Site Layout

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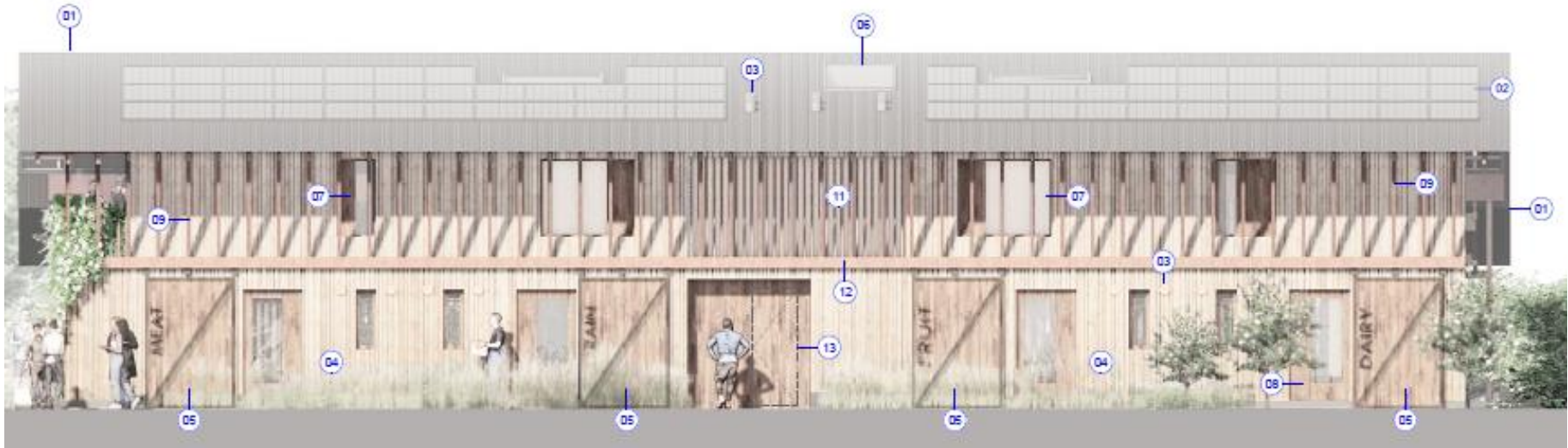
Appendix B



Ground Floor Plan



First Floor Plan



East Elevation



West Elevation



North Elevation



South Elevation

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Planning Appeals Received

6 April - 8 June 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.: 23/60039/REF **Planning Ref.:** 22/02811/FULL **PIns Ref.:** APP/T0355/D/23/3317148
Date Received: 19 April 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** HouseHolder Appeal
Description: Part single part two storey front/side/rear extension and new dropped kerb following demolition of existing shed.
Location: **41 Holmanleaze Maidenhead SL6 8AW**
Appellant: Mr M S Mureed **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 23/60042/REF **Planning Ref.:** 22/03235/FULL **PIns Ref.:** APP/T0355/D/23/3319379
Date Received: 20 April 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** HouseHolder Appeal
Description: Part single part two storey wraparound extension (front/side/rear) with Juliet balcony to rear, alterations to existing front canopy and steps following demolition of existing store and garage.
Location: **11 Wavell Road Maidenhead SL6 5AB**
Appellant: Mr James Holmden **c/o Agent:** Mr Allen Watson Berry House 78 Altwood Road Maidenhead Berkshire SL6 4PZ

Ward:
Parish: Cookham Parish
Appeal Ref.: 23/60040/REF **Planning Ref.:** 22/02245/FULL **PIns Ref.:** APP/T0355/D/23/3315038
Date Received: 28 April 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** HouseHolder Appeal
Description: First floor front/side extension.
Location: **Rose Cottage Kings Lane Cookham Maidenhead SL6 9TZ**
Appellant: Tim Wilson **c/o Agent:** Miss Katie Hogendoorn Bourne House Bourne End SL8 5AR

Ward:
Parish: Hurley Parish
Appeal Ref.: 23/60041/ENF **Enforcement Ref.:** 22/50301/ENF **PIns Ref.:** APP/T0355/C/23/3319664

Date Received: 3 May 2023
Type: Enforcement Appeal
Description: Appeal against the Enforcement Notice for THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL: Without planning permission: Erection of close boarded timber fencing and gates adjacent to Black Boys Lane (western boundary) and identified in the images marked AJH1, Erection of decking with associated paraphernalia identified on the appended plans BB-R00-EX-102 and BB-R00-EX-103 and further identified in the attached images marked AJH2, Erection of a timber pergola identified in the appended images marked AJH3 and Formation of a hardsurface identified in the images marked AJH4.

Location: **The Black Boys Inn Henley Road Hurley Maidenhead SL6 5NQ**
Appellant: Nicole Eve Gregor The Black Boys Inn Henley Road Hurley Maidenhead SL6 5NQ

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 23/60047/REF
Date Received: 25 May 2023
Type: Refusal
Description: Erection of 12no. dwellings with associated parking and landscaping and the retention of the existing access road following the demolition of the existing buildings, warehouse, external storage areas and hardstanding.

Location: **Bellman Hanger Shurlock Row Reading RG10 0PL**
Appellant: Shanly Homes c/o Agent: Rosalind Graham Cheyenne House, West Street, Farnham, Surrey, GU9 7EQ

Ward:
Parish: Bray Parish
Appeal Ref.: 23/60048/REF
Date Received: 26 May 2023
Type: Refusal
Description: Single storey rear extension and first floor side extension following demolition of existing conservatory.

Location: **Cleeve Brayfield Road Bray Maidenhead SL6 2BW**
Appellant: Harry Bowden c/o Agent: Other ET Planning Office 200 Dukes Ride CROWTHORNE RG45 6DS

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 23/60049/REF
Date Received: 6 June 2023
Type: Refusal
Description: Single storey side/rear extension, alterations to the roof to include; x1 side rooflight and x1 rear dormer, detached rear annexe and alterations to fenestration.

Location: **80 Westborough Road Maidenhead SL6 4AS**
Appellant: Mr Waqas 80 Westborough Road Maidenhead SL6 4AS

Appeal Decision Report

6 April - 8 June 2023

Maidenhead

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

Appeal Ref.: 22/60077/REF **Planning Ref.:** 22/00754/OUT **Plns Ref.:** APP/T0355/W/22/3305525
Appellant: Natalie Guest **c/o Agent:** Mr. Jack Clegg The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Outline application for access and scale only to be considered at this stage with all other matters to be reserved for a Clubhouse Pavilion.
Location: **Zacara Polo Ground Martins Lane Shurlock Row Reading RG10 0PP**
Appeal Decision: Dismissed **Decision Date:** 6 June 2023

Main Issue: The proposed building would have floorspace of 283.8m², which would be a large building in the context of the site. The indicative plans show how that floorspace could be created with a single storey building. The overall scale of the proposed building would be far in excess of that advised in the Sport England Clubhouse Design Guidance Notes, and there is no substantive evidence that a clubhouse must be of the scale proposed in this case. A building of this scale would fill an existing relatively undeveloped space, and this would lead to a visual and spatial change at the site. A building of this size would be clearly visible in the polo ground and from limited public vantage points on Callin's Lane. In this regard the proposal would be inappropriate development in the Green Belt and would lead to a loss of openness to the Green Belt. These are matters that carry substantial weight. The other considerations identified in this case at most carry limited weight. Even when considered together, these considerations do not clearly outweigh the harm to the Green Belt. As a result, the very special circumstances that are necessary to justify the proposal do not exist. The proposal would conflict with Policy GP5 of the Local Plan and the NPPF in respect of protecting Green Belt land. There are no other considerations which outweigh this finding.

The proposal would not have a harmful impact on highway safety in the area. In this regard, the proposal would not conflict with Policies IF2 and QP3 of the Local Plan. These policies collectively state, amongst other matters, that new development will be expected to deliver easy and safe access. The proposal would also not be contrary to the NPPF in respect of this issue.

This conclusion arises from the proposed structure having been designed to cater for the existing use at the ground; there being more than one entrance available; and there being considerable space for parking on site for vehicles including horseboxes and trailers.

The consultation response from the Highways Authority correctly referenced the proposal as a clubhouse; this is also stated in the Council's report. While there is more than one entrance to the polo ground, the submitted plans show the access to the appeal site via the entrance referenced in the Highways Authority's comments and the Council's report. These comments were therefore neither inaccurate nor unreasonable in this respect.

While the Inspector disagrees with the Council's judgement on highway matters in this case, the Council did substantiate its reasons for refusal with reference to relevant policies. The Council did not provide an appeal statement during this process, but the Council did submit the officer's report and consultation responses received during the planning application process. The Council has provided evidence through the appeal process in this regard, and the Inspector found no compelling evidence that the Council has failed to engage during the application or the appeal process.

In light of the above it has not been demonstrated in this case that the Council has behaved unreasonably in refusing permission. As a result, the Inspector found that the behaviour of the Council has not led to the applicants incurring unnecessary or wasted expense in the appeal process for the reasons outlined above

Appeal Ref.: 22/60078/REF **Planning Ref.:** 21/03573/OUT **Plns Ref.:** APP/T0355/W/22/3309281
Appellant: Ms Janet Meads-Mitchell **c/o Agent:** Ms. Kate Pryse Land Adjacent Pond View Sturt Green Holyport Maidenhead Maidenhead SL6 2JF
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Outline application for access only to be considered at this stage for x4 serviced plots for Self-Build and Custom Housebuilding.
Location: **Land Adjacent Pond View Sturt Green Holyport Maidenhead**
Appeal Decision: Allowed **Decision Date:** 17 April 2023
Main Issue: The Inspector concluded that the development was inappropriate development within the Green Belt, which they afforded substantial weight to. The Inspector considered that the benefits in respect of additional housing, economic activity and highway safety would each attract limited weight given the scale of the development proposed. However, they were of the view that the provision of four self build custom home dwellings in the face of a substantial shortfall in delivery of such housing against statutory requirements was a matter of overriding weight. As such they concluded that Very Special Circumstances existed which outweighed the harm to the Green Belt.

Appeal Ref.: 23/60013/REF **Planning Ref.:** 22/01171/FULL **Plns Ref.:** APP/T0355/W/22/3307484
Appellant: Mr Daniel Torrance **c/o Agent:** Mr Matthew Corcoran CDS Planning And Development Consultants Pure Offices Midshires House Smeaton Close Aylesbury HP19 8HL
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Development of the site to provide 2no. detached dwellings with revised access, hardstanding and landscaping.
Location: **Land Rear Between 1 And 5 The Fieldings Holyport Maidenhead**
Appeal Decision: Dismissed **Decision Date:** 7 June 2023
Main Issue:

Appeal Ref.: 23/60017/REF **Planning Ref.:** 22/02789/OUT **Plns Ref.:** APP/T0355/W/23/3314990
Appellant: Ms Janet Meads-Mitchell **c/o Agent:** Ms Rosie Dinnen Tetlow King Planning Ltd, Unit 2, Eclipse Office Park High Street, Staple Hill BRISTOL BS16 5EL
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Outline application for access only to be considered at this stage for x4 serviced plots for Self-Build and Custom Housebuilding.
Location: **Land Adjacent Pond View Sturt Green Holyport Maidenhead**
Appeal Decision: Allowed **Decision Date:** 17 April 2023
Main Issue: The Inspector concluded that the development was inappropriate development within the Green Belt, which they afforded substantial weight to. The Inspector considered that the benefits in respect of additional housing, economic activity and highway safety and the provision of an affordable home would each attract limited weight given the scale of the development proposed. However, they were of the view that the provision of four self build custom home dwellings in the face of a substantial shortfall in delivery of such housing against statutory requirements was a matter of overriding weight. As such they concluded that Very Special Circumstances existed which outweighed the harm to the Green Belt.

Appeal Ref.: 23/60018/NOND **Planning Ref.:** 22/01391/FULL **Plns Ref.:** APP/T0355/W/22/3309308 ET
Appellant: C/o Agent **c/o Agent:** Mr Ben Thomas Savills 33 Margaret Street London W1G 0JD
Decision Type: Committee **Officer Recommendation:** Refuse
Description: Construction of x91 residential units together with associated landscaping, car parking and infrastructure works, following demolition of the existing building.
Location: **Mattel UK Mattel House Vanwall Road Maidenhead SL6 4UB**
Appeal Decision: Allowed **Decision Date:** 6 June 2023

Main Issue:

Appeal Ref.: 23/60020/REF **Planning Ref.:** 22/02528/FULL **Plns Ref.:** TBA
Appellant: Mr Anthony **c/o Agent:** Mr Joshua Harrison Cohanim Architecture 207 Regent Street 3rd Floor London W1B 3HH
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Two storey front/side extension and alterations to fenestration.
Location: **11 Mallow Park Maidenhead SL6 6SQ**
Appeal Decision: Dismissed **Decision Date:** 19 April 2023

Main Issue: The Inspector found that the development would almost double the width of the principal elevation and would maintain the existing ridge height, and would fail to appear subservient in form to the host dwelling. It would fail to respond positively to the visual amenities of the locality, and would be harmful to the character and appearance of the area.

Appeal Ref.: 23/60021/REF **Planning Ref.:** 22/02514/FULL **Plns Ref.:** APP/T0355/D/22/3312635
Appellant: Mrs Butt **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: x1 first floor rear dormer.
Location: **18 Gloucester Road Maidenhead SL6 7SN**
Appeal Decision: Dismissed **Decision Date:** 19 April 2023

Main Issue: Together with the previously permitted extensions the scheme would appear as an incongruous and alien feature that would not be sympathetic to the design and scale of the existing house. The development would cause harm to the character and appearance of the host dwelling and the wider area.

Appeal Ref.: 23/60027/REF **Planning Ref.:** 22/01806/FULL **Plns Ref.:** APP/T0355/D/22/3308994
Appellant: Mr Burton Hill Grove Farm Bradcutts Lane Cookham Dean Maidenhead SL6 9AA
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: New dual pitched roof above the existing single storey element on the South East elevation with accommodation in the roof space and alterations to fenestration and to external finishes/materials, following demolition of the existing single storey element on the South West elevation and part demolition of the existing single storey element on the South East elevation.
Location: **Hill Grove Farm Bradcutts Lane Cookham Dean Maidenhead SL6 9AA**
Appeal Decision: Allowed **Decision Date:** 11 April 2023

Main Issue: The proposed new pitched roof would remove what is currently a highly negative feature. The new roof would be in keeping with the building and main dwelling. The timber boarding would unify the building. This outweighs the harm to the Green Belt caused by inappropriateness and harm to the openness, so very special circumstances exist which justify approving the proposal.

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