

# Public Document Pack

## 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 20 September 2023 7.00 pm

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

www.rbwm.gov.uk



### Agenda

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1	<b>APOLOGIES FOR ABSENCE</b> To receive any apologies for absence.	-
2	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest.	3 - 6
3	<b>MINUTES OF THE PREVIOUS MEETING</b> To approve the minutes of the meeting held on Wednesday 16 August 2023 as a true and accurate record.	7 - 8
4	<b>21/02963/FULL - Land West of Switchback Road North And North of Nightingale Lane Maidenhead</b>  <b>PROPOSAL:</b> New poly tunnels for rearing turkeys with associated feed silos and substantial formation of road chippings to form a network of tracks.  <b>RECOMMENDATION:</b> PERMIT  <b>APPLICANT:</b> Copas  <b>MEMBER CALL-IN:</b> Councillor Brar  <b>EXPIRY DATE:</b> 27 September 2023	9 - 32
5	<b>22/03270/OUT - Maidenhead Office Park Westacott Way Littlewick Green Maidenhead SL6 3QH</b>  <b>PROPOSAL:</b> Outline application for access only to be considered at this stage with all other matters to be reserved for demolition of the existing buildings and redevelopment of the site for industrial and logistics use within Use Classes E(G)(iii), B2 and B8, with surface car parking, landscaping, and associated works.  <b>RECOMMENDATION:</b> PERMIT  <b>APPLICANT:</b> Anglesea Capital LLP	33 - 68

	<b>EXPIRY DATE:</b> 10 March 2023	
6	<p><b>23/01142/FULL - Land Between Gringer Hill And Hargrave Road Maidenhead</b></p> <p><b>PROPOSAL:</b> Full application for the development of x49 later living apartments and associated communal facilities (residents lounge, store, guest accommodation) on land between Gringer Hill and Hargrave Road, Maidenhead; car parking; vehicular and pedestrian access from Gringer Hill; maintenance and emergency pedestrian access from Hargrave Road; all associated landscaping including removal of existing vegetation and tennis court; associated drainage works and all other associated works.</p> <p><b>RECOMMENDATION:</b> PERMIT</p> <p><b>APPLICANT:</b> Mr Rowland</p> <p><b>EXPIRY DATE:</b> 15 August 2023</p>	69 - 110
7	<p><b>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT</b></p> <p>Committee Members to note the report.</p>	111 - 114

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 Will Ward, [Will.Ward@RBWM.gov.uk](mailto:Will.Ward@RBWM.gov.uk), with any special requests that you may have when attending this meeting.

Published: 12 September 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 16 August 2023

Present: Councillors Joshua Reynolds (Chair), Maureen Hunt, Mandy Brar, Geoff Hill, Helen Taylor, Genevieve Gosling, Clive Baskerville and Catherine Del Campo

Officers: Alison Long, Gilian Macinnes, Oran Norris-Browne and Maria Vasileiou

Officers in attendance virtually: Helena Stevenson

### APOLOGIES FOR ABSENCE

Apologies were received from Councillors Walters, Reeves, Martin & K.Singh.

### DECLARATIONS OF INTEREST

Councillor Hunt stated that she knew the public speaker, however attended the meeting with an open mind.

### MINUTES OF THE PREVIOUS MEETING

**AGREED: That the minutes of the meeting held Wednesday 19 July 2023 were a true and accurate record.**

### 23/00854/LBC - Cookham Bridge Sutton Road Cookham Maidenhead

Councillor Hunt proposed to grant listed building consent with the conditions listed in Section 13 of the report along with the informative to ensure that the paint analysis, required under condition 2, is supported by historical research to the original structure. This was seconded by Councillor Hill.

A named vote was taken.

<b>23/00854/LBC - Cookham Bridge Sutton Road Cookham Maidenhead (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Maureen Hunt	For
Councillor Mandy Brar	For
Councillor Geoff Hill	For
Councillor Helen Taylor	For
Councillor Genevieve Gosling	For
Councillor Clive Baskerville	For
Councillor Catherine del Campo	For
<b>Carried</b>	

**AGREED: That listed building consent be granted with the conditions listed in Section 13 of the report along with the informative to ensure that the paint analysis, required under condition 2, is supported by historical research to the original structure.**

The committee were addressed by 1 speaker, Parish Councillor Bill Perry.

### PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

The committee noted the report.

The meeting, which began at 7.00 pm, finished at 7.20 pm

Chair.....

Date.....

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

### MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 September 2023

Item: 1

<b>Application No.:</b>	21/02963/FULL
<b>Location:</b>	Land West of Switchback Road North And North of Nightingale Lane Maidenhead
<b>Proposal:</b>	New poly tunnels for rearing turkeys with associated feed silos and substantial formation of road chippings to form a network of tracks
<b>Applicant:</b>	Copas
<b>Agent:</b>	Mr Mumtaz Alam
<b>Parish/Ward:</b>	Cookham Parish/Bisham And Cookham
<b>If you have a question about this report, please contact:</b> Dariusz Kusyk on 01628796812 or at <a href="mailto:dariusz.kusyk@rbwm.gov.uk">dariusz.kusyk@rbwm.gov.uk</a>	

#### 1. SUMMARY

- 1.1 Planning permission is sought for the erection of 25 poly tunnels on the site for the rearing of turkeys, with associated feed silos and substantial formation of road chippings to form a network of tracks within the site. The application is part retrospective, with 20 of the poly tunnels and associated works having been carried out on site. The proposed development would constitute a continued agricultural use on the site. There is therefore no change of use of the land, with the application relating to the works within the description of development only
- 1.2 Paragraph 149 (a) of the National Planning Policy Framework (NPPF) identifies new buildings for agriculture and forestry as an exception from inappropriate development in the Green Belt. The proposed structures provide for the rearing of turkeys, with associated feed silos. The structures are for an agricultural use and the proposals therefore represent appropriate development within the Green Belt. Furthermore, the proposals have an acceptable impact on the appearance of the site given the set back from the road, with further landscaping secured by recommended condition, and the principle of the works are acceptable from a highway safety perspective, subject to recommended condition.
- 1.3 On the basis of the information provided, it has been demonstrated that the risk of pollution to controlled waters in the area is acceptable and that it can be appropriately mitigated. Furthermore, it been demonstrated that the development is acceptable with regard to flood risk and that the proposals would have an acceptable impact on amenity and environmental quality. Subject to recommended conditions, the application therefore complies with relevant development plan policies.
- 1.4 The Local Planning Authority (LPA) has carried out a Screening Opinion under Regulation 6 (1) of the Environmental Impact Assessment Regulations 2017 ("the EIA Regulations"), to confirm whether or not there is a requirement for an Environmental Impact Assessment (EIA). The proposed development has been considered in the context of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and it has been concluded that the proposal would not give rise to significant environmental effects, applying the selection criteria in Schedule

3 of the above Regulations. Accordingly, the decision of the LPA has been to adopt a Screening Opinion that an EIA is not required. As such, the LPA can proceed with the determination of the planning application.

**It is recommended the Committee grants planning permission with the conditions listed in Section 13 of this report.**

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

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the application has been called in by Cllr Brar irrespective of the recommendation. The reason for the call in is that the development is considered to be inappropriate development in the Green Belt and concerns have been raised with regard to the impact on the water table/soil and highway safety in the surrounding area.

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

- 3.1 The application site is located at Switchback Farm, north of Malders Lane and west of Switchback Road. Access to the site is from Switchback Road through a vehicular gate.
- 3.2 The site is located within the Green Belt and the surrounding area is characterised by sporadic development to the south-east and buildings to the south-west. The site is identified as being within Flood Zone 1, on a Principal aquifer bedrock and Source Protection Zone 2.

## **4. KEY CONSTRAINTS**

- 4.1 The site lies within the designated Green Belt, within Flood Zone 1 (Low risk probability of flooding) and Source Protection Zone 2 (SPZ2). The northern part of the site is partially located within identified contaminated land due to a former sand and clay quarry.

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

- 5.1 The application seeks part retrospective planning permission for the erection of 25 poly tunnels on the site for the rearing of turkeys, with associated feed silos and substantial formation of road chippings to form a network of tracks within the site. Amended plans were submitted during the course of the application to provide details of the associated feed silos.
- 5.2 The polytunnels, of which 20 have been constructed to date, are located to the eastern part of the site, accessed from the existing gated access point off Switchback Road. The polytunnels are grouped into five groups. Three groups of which are shown on the submitted plans to measure 80.0m by 42.5m and two groups measuring 40.0m by 42.5m. The application is part retrospective and as built, the polytunnels have a length of 70m and 33m. Each individual polytunnel has a width of 8.5m and a height of approximately 5.0m.
- 5.3 The polytunnels are constructed using a steel structure and tube legs which are staked directly into the ground and covered with polythene. There is no hardstanding below and both ends of the tunnel are open to the elements. Adjacent to each polytunnel are 5.4m

high galvanised steel feeding silos, with road chippings forming a network of tracks between the polytunnels. New landscaping is also shown to the south and west of the site.

- 5.4 The lawful use of the site is for agriculture. The use of the land for a turkey farm is an agricultural use and there is therefore no change of use of the land, with the application relating to the works within the description of development only. The method of production for the turkeys is free range and the birds are free to roam within the allocated paddocks, with each paddock sectioned off for each set of polytunnels. The polytunnels are used for the rearing of turkeys only. The applicant has confirmed that no slaughter or bird processing activities are carried out on site.
- 5.5 Following the serving of a Planning Contravention Notice (PCN) on the 13<sup>th</sup> June 2023, the applicant has submitted a Flood Risk Assessment (FRA) and a Hydrogeological Risk Assessment (HRA) in order to enable the LPA to carry out a Screening Opinion under Regulation 6 of the Town and Country (Environmental Impact Assessment) Regulations 2017 to determine whether an Environmental Impact Assessment (EIA) is required to be undertaken in connection with the proposed development at the site.
- 5.6 The LPA has considered the proposed development in the context of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Based on the submitted information, and having regard to the site's context, hydrogeology and the ability to control environmental effects by way of conditions on the planning application, the impact of the development is considered to be, and would not constitute, a significant environmental effect and the development is not therefore EIA development. Accordingly, the decision of the LPA was to adopt a Screening Opinion that an Environmental Impact Assessment is not required. As such, the LPA can proceed with the determination of the planning application. The full Screening Opinion is attached as Appendix C.
- 5.7 There is no relevant planning history for the current proposal.

## **6. DEVELOPMENT PLAN**

### **Borough Local Plan**

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

<b>Issue</b>	<b>Policy</b>
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Development in Rural Areas and the Green Belt	QP5
Sustainable Transport	IF2
Managing Flood Risk and Waterways	NR1
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Noise	EP4
Contaminated Land and Water	EP5

## 7. **MATERIAL PLANNING CONSIDERATIONS**

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

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 13 - Protecting Green Belt land

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

Section 15 – Conserving and enhancing the natural environment

### **Supplementary Planning Documents**

- Cookham Village Design Statement (VDS)
- Borough Wide Design Guide

### **Other Local Strategies or Publications**

- RBWM Townscape Assessment
- Environment and Climate Strategy

## 8. **CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

Five occupiers were notified directly of the application.

Seven letters were received objecting to the application (including from The Cookham Society), summarised as:

<b>Comment</b>	<b>Where in the report this is considered</b>
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1.	Inaccurate plans, excluding feeding silos.	Noted. Updated plans have been submitted during the course of the application.
2.	Environmental impact - light, smell and noise pollution and contamination of water.	See section 9.
3.	Harmful impact on highways (pedestrian and road safety).	See section 9.
4.	Unacceptable impact upon the Green Belt (inappropriate development as the use is not agricultural).	See section 9.
5.	Unacceptable industrial use of the site.	The application relates to the works which form the description of development as set out in detail in section 5.
6.	Concerns with influenza issues.	See section 9.
7.	Other activities carried out on site.	No other activities are included as part of the application.
8.	Neighbouring occupiers impact.	See section 9.
9.	Development is north of Malders Lane and not Nightingale Lane.	Noted. The site location accurately shows the site which is the subject of the application.
10.	Concerns on impact on wildlife.	See section 9.
11.	Harmful year round impact of the proposals.	See section 9.
12.	Site is in the flood plain.	See section 9.
13.	The proposals are retrospective or at least part retrospective.	Noted. This is reflected in the description of the works as set out in detail in section 5.
14.	No weight should be given to the statement that the land is of lower agricultural value and therefore suitable for this type of operation.	The application is considered on its merits at the time of submission, in accordance with relevant development plan policies.
15.	Not clear if the planting is an intrinsic part of the application or what the status of the planting land would be.	The submitted plans show the proposed landscaping of the site. See section 9.
16.	Switchback Road is defined in the Cookham VDS as a 'home coming route'. Do not want to see industrial silos above the hedges.	See section 9.
17.	Harm to heritage views as identified in the Cookham VDS.	See section section 9.

18.	For small permitted development works, livestock should be a minimum of 400m away from a protected building (private dwelling). This should be the case here also.	Planning permission is sought for the proposals. The application is considered on its merits at the time of submission, in accordance with relevant development plan policies.
19.	Application should include an unequivocal, binding commitment to remove all structures if turkey rearing is not undertaken in any year.	The application seeks planning permission for the use. A temporary permission is not sought and such a condition would not meet the relevant tests for imposition.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency (EA)	No objection, subject to condition.  Original objection has been overcome with the submission of additional information as set out in section 5.	See section 9.
Local Lead Flooding Authority (LLFA)	No objection, subject to condition.  Original objection has been overcome with the submission of additional information as set out in section 5.	See section 9.

### Consultees

Consultee	Comment	Where in the report this is considered
RBWM Highways	No objection, subject to condition.	See section 9.
RBWM Environmental Protection	No objection, subject to condition.  Original objection has been overcome with the submission of additional information as set out in section 5.	See section 9.

### Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Cookham Parish Council	Concerns raised with regard to:  - Water, air pollution; - Highways impact;	See section 9.

	<ul style="list-style-type: none"> <li>- Impact upon the Green Belt and the surrounding area. This is a very specific usage of agricultural land;</li> <li>- Prominent appearance of the structures in views on approach to Cookham, contrary to the Cookham VDS;</li> <li>- Continued delay in determining the application, with the applicant continuing operations;</li> <li>- Absence of satisfactory reports from Environmental Health and Flood Authority; and,</li> <li>- Enforcement action should commence promptly.</li> </ul>	
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**9. EXPLANATION OF RECOMMENDATION**

9.1 The key issues for consideration are:

- i. Impact on the Green Belt;
- ii. Risk of pollution to groundwater;
- iii. Impact of the development on flood risk;
- iv. Impact on the appearance of the area;
- v. Impact on amenity and environmental quality;
- vi. Highways impact; and,
- vii. Trees and landscaping.

**Green Belt**

9.2 The application site is located within the designated Green Belt, where development is restricted to protect the Green Belt’s openness and the five purposes for which it is designated. Paragraph 149 of the National Planning Policy Framework (NPPF) 2021 sets out that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, albeit with certain exceptions. As set out in paragraph 147 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

9.3 Paragraph 149 (a) of the NPPF identifies new buildings for agriculture and forestry as an exception from inappropriate development in the Green Belt. The proposed polytunnels house the rearing of turkeys, with associated feed silos, and provide for protection from wind, rain and temperature changes during the rearing season, as well as adequate space for movement and exercise. Given that the works are for the established agricultural use of the site, the proposals represent appropriate development within the Green Belt. As such, the proposals are acceptable in principle as a form of development within the designated Green Belt.

**Pollution risk to groundwater**

9.4 The development is located on a site which is on a Principal aquifer bedrock, with no superficial deposits, and within SPZ2. Policy EP5 of the BLP sets out that development proposals will be supported where it can be demonstrated that proposals do not cause unacceptable harm to the quality of the groundwater, including Source Protection Zones, and do not have a detrimental effect on the quality of surface water. Development proposals should demonstrate how they will achieve remedial or preventative measures and submit any supporting assessments.

9.5 The location of the site is such that groundwater in the surrounding area is vulnerable and sensitive to potential impacts and as such careful consideration is required as to the impact of the development. Following initial consultation with the EA, it was identified

that the application had not been submitted alongside any detail or information in order to demonstrate how site effluent and surface waters associated with the use would be managed and discharged. Furthermore, greater detail was required with regard to the expected volumes (including increases from storm events), effluent quality and discharge locations and depths, if discharge is to ground) and a HRA to address controlled waters was also required for assessment.

- 9.6 During the course of the application, as part of the EIA Screening Opinion which has been carried out (see Section 5), an FRA and a HRA has been provided. The FRA states that rainwater run off would be dealt with via soakaways that drain towards the nearest river, the White Brook. The HRA states that the turkeys roam free range in the paddocks (with the polytunnels providing shelter) and that no slaughter or processing activities are carried out on site. The main risk to groundwater is identified as nitrogen from turkey droppings, with expected production per turkey of approximately 10g of litter per day on arrival, increasing to approximately 320g per day by the end of their 17 week placement period. The HRA states that the potential impact of this could be reduced by 'good farming practice', including a bedding of hay, regular clearing and applying manure and nitrogen fertilizers when crops are growing. The report acknowledges that if the ground becomes excessively wet through rainfall, water could travel through interstices of soil to the chalk strata carrying nitrates; however, that most of the litter would be collected within the bedding hay and removed from site. Where this is within the paddock, most of the litter would be biologically treated by having to percolate through a 3m deep band of sandy gravel.
- 9.7 The submitted documents have been further reviewed by the EA. The EA has confirmed that based on the submitted documents, it has been demonstrated that the risks posed to groundwater resources by the development can be suitably managed, subject to recommended conditions. Conditions are recommended to control the number of turkeys on the site to no more than 40,000 at any time during one rear season (15<sup>th</sup> August to 31<sup>st</sup> December), in addition to the management of bedding and litter on the site and the immediate removal of any turkeys found to have perished on the site during the rearing season. A condition is also recommended to secure an amended surface water drainage system, including details of all soakaways, climate change adjustment factors and contamination prevention measures. Subject to these recommended conditions, the application complies with paragraphs 174 and 183 of the NPPF and policy EP5 of the BLP.

### **Flood risk**

- 9.8 The application site lies within Flood Zone 1. Policy NR1 of the BLP sets out that within designated Flood Zones 2 and 3, and also in Flood Zone 1 on sites of 1 hectare or more in size and in other circumstances as set out in the NPPF, development proposals will only be supported where an appropriate FRA has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. As identified above, the site is located within Flood Zone 1 and has an area greater than 1 hectare. A site specific FRA has been submitted as part of the application and demonstrates compliance with BLP policy NR1 and the guidance set out in section 14 of the NPPF.
- 9.9 With regard to surface water flood risk, the site has been identified as having a Medium to High surface water flood risk. Due to the nature of the development, mitigation measures are not required in this instance. The application details that soakaways are proposed in order to discharge into an existing watercourse. The submitted FRA sets out that rainwater from the polytunnels is collected via guttering which is then directed to soakaways. Each polytunnel set has two dedicated soakaways, constructed 5m away

from the north eastern and south eastern corners. The proposed soakaways have been designed in accordance with the relevant standards for larger areas, in this case BS EN 752-4 or “BRE Digest 365 Soakaway Design”. The principle of the proposal is acceptable in this regard and demonstrates that the proposals would have an acceptable impact on surface water flood risk, in accordance with policy NR1 of the BLP. A condition is recommended to ensure that the polytunnels are maintained in a good state of repair during the rearing season.

### **Appearance**

- 9.10 Policy QP3 of the BLP requires new development to be contribute towards achieving sustainable high quality design. Policy QP3 is consistent with the objectives of Section 12 of the NPPF (2021) which states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The Cookham VDS is also relevant to this application and is consistent with national and local policy in relation to the character and appearance of a development.
- 9.11 The polytunnels, of which planning permission is sought for 25 in total, are grouped in numbers of five and are covered in polythene sheeting, with a height of approximately 5m. Adjacent to each polytunnel are 5.4m high galvanised steel feeding silos. The Cookham VDS highlights the route from Switchback to Cannondown Road and the Maidenhead Road as a ‘homecoming route’, with Guidance G11.1 setting out that any planning proposal which may have an impact on any of the approaches to the village that lie within Cookham parish should be expected to demonstrate that the impact does not detract from, or is a positive enhancement to, the particular approach.
- 9.12 The structures are set back in excess of 80m from Switchback Road. Whilst substantial, this set back, together with proposals for new landscaping to the south and west of the site, would ensure that the proposals, which are associated with an agriculture use on the site and an in keeping form of development for such a use, have an acceptable appearance on views into and out of the surrounding area. With particular regard to the silos and concerns raised regarding their appearance, the applicant has confirmed that these are constructed in galvanised steel and would therefore dull and age over time. Further detail of landscaping for the site to be submitted within one month of the decision is secured by recommended condition to ensure that the level and form of landscaping is appropriate in form and location.

### **Amenity and Environmental Quality**

- 9.13 Local Plan policy QP3 requires new development to have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, sunlight and daylight amongst other things. The proposed structures, due to their positioning and scale, together with sufficient separation distances to neighbouring properties, would not cause any unacceptable impact with regard to overlooking, loss of light, increased sense of enclosure or light pollution.
- 9.14 With regard to the proposed use, policy EP1 of the BLP states that development proposals will only be supported where it can be shown that either individually or cumulatively in combination with other schemes, they do not have an unacceptable effect on environmental quality or landscape. Policy EP1 also requires consideration of residential amenity in relation to noise, smell or other nuisance, with policy EP4 specifically relating to levels of noise generation.

- 9.15 The proposed development would constitute a continued agricultural use on the site. However, it differs from the previous operational use at the site and as such detail is required as to how waste is managed, what air handling or climate control is used in the poly tunnels i.e. plant machinery and what odour control procedures are utilised. The nature of the particular use is that the polytunnels are largely open and that the turkeys wander around in a pen, thereby reducing the risk of odour. The applicant has also confirmed that no slaughter of stock is carried out on the site and conditions are recommended to control waste associated with the site. The overall number and time period for turkeys to be present on site is controlled by recommended condition, in addition to a condition to ensure that no external lighting is erected or used to protect the amenities of surrounding residents.
- 9.16 With regard to plant noise, the submission documents set out that turkeys are slow feeders and as such, spend the majority of time outdoor thereby negating the requirement for mechanical ventilation and associated noise disturbance. An informative is attached which advises the applicant that should the business model to change and mechanical ventilation/drying be required, planning permission would be required.
- 9.17 Based on the submission documents, the application demonstrate that the proposals would have an acceptable impact on amenity and environmental quality, in accordance with policies EP1 and EP4 of the BLP.

### **Highways**

- 9.18 The existing access to the site would be retained and based on the submission documents, would attract one or two deliveries a week during the four to four and a half months at the start of the rearing season, rising to three deliveries a week during the latter half of the season. At the end of the season, which falls in late November to early December, and where the activity is at its highest, vehicular activity increases to four loads (eight trips) over four to five days. When taking into account staff movements of which there are four to five employees, the development attracts a minimum of 18 trips per day.
- 9.19 Whilst it is accepted that this trip generation would be increased when taking into account the general public, the existing site access offers clear views in both directions and the existing gates are set back by approximately 17m to allow a vehicle to park in front of the gates without obstructing traffic flows on the public highway. This would ensure that there would be no material harm on highway safety in the surrounding area. Furthermore, a condition is recommended to secure further details of the size of the vehicles associated with the proposed use and a plan showing parking and turning for delivery vehicles, employees and customers if they are permitted access to the site within one month of the date of the decision.

### **Trees and landscape**

- 9.20 Policies QP3 and NR3 of the BLP highlight the importance of trees to the character of an area and the quality of a development. The proposed scheme would not result in any loss or detrimental impact upon the existing landscaping or the surrounding trees. As set out above, additional planting between tunnels and tracks and across the site is proposed. Further detail of landscaping for the site, including native trees, to be submitted within one month of the decision is secured by recommended condition to ensure that the level and form of landscaping is appropriate in form and location.

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

10.1 The development is not CIL liable.

## 11. PLANNING BALANCE AND CONCLUSION

11.1 Subject to recommended conditions, the development demonstrates compliance with relevant development plan policies and relevant sections of the NPPF. As such, the recommendation is for the approval of the application.

## 12. APPENDICES TO THIS REPORT

- Appendix A – Site layout
- Appendix B – Elevation drawings
- Appendix C – EIA Screening Opinion

## 13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1 The polytunnels as approved, shall only be used for the rearing of turkeys, with no more than 40,000 turkeys reared on the site at any one time during the rearing season beginning 15th August and ending 31st December in each calendar year.

Reason: To protect groundwater quality. Relevant policies - BLP Policy EP5 and paragraph 174 of the National Planning Policy Framework.

2 No more than 25 polytunnels and 15 feed silos shall be present on the land at any one time, in accordance with the size and locations shown on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect groundwater quality. Relevant policies - BLP Policy EP5 and paragraph 174 of the National Planning Policy Framework.

3 Hay or straw bedding shall be placed within the polytunnels prior to any turkeys being brought on to the site and shall be maintained for the duration of the rearing season. The bedding shall be kept dry and friable at all times to allow the birds to dust bathe, be topped up where necessary, maintained to a depth of no less than 5cm and if wet, both replaced and removed from the site immediately. All bedding and litter shall be removed from the site within seven days of the end of the rearing season and no storage of used bedding, litter or manure shall take place on site at any time unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed management of manure does not harm groundwater quality. Relevant policies - BLP Policy EP5, paragraph 174 of the National Planning Policy Framework and Position Statements H6, H7 and H8 of the 'The Environment Agency's approach to groundwater protection'.

4 No mechanical ventilation equipment shall be operated in or around the polytunnels. The use of generators to operate the feed silos shall be used for no more than two hours each day, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of surrounding properties. Relevant policies - BLP Policy QP3.

5 Whilst in use, the polytunnels shall be maintained in a good state of repair and any repairs carried out where necessary to ensure there are no leaks. All guttering shall be kept free from debris to ensure there is no obstruction to flows.

Reason: To protect groundwater quality. Relevant policies - BLP Policy EP5 and paragraph 174 of the National Planning Policy Framework.

6 Any turkeys that are found to have perished during the rearing season shall be removed

from the site with immediate effect.

Reason: To protect groundwater quality. Relevant policies - BLP Policy EP5 and paragraph 174 of the National Planning Policy Framework.

- 7 No external lighting shall be erected or used in associated with the rearing of turkeys on the site unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of surrounding properties. Relevant policies - BLP Policy QP3.

- 8 Within one month from the date of this decision, an amended surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The surface water drainage scheme shall include:

- i. Locations, depths and detailed designs of all soakaways;
- ii. Climate change adjustment factors in the hydraulic simulation results; and,
- iii. Further information regarding the measures in place to prevent contamination of rainwater from any sources of contamination, including turkey litter.

Thereafter the surface water drainage shall be managed strictly in accordance with the approved details.

Reason: To protect groundwater quality. Relevant policies - BLP Policy EP5 and paragraph 174 of the National Planning Policy Framework.

- 9 Within one month of the date of the decision, further details of the size of the vehicles to be used for the proposed use and a plan showing parking and turning for delivery vehicles, employees and customers if permitted access to the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of highway safety in the surrounding area. Relevant policy - BLP Policy IF2.

- 10 Within one month of the date of the decision, further details of the landscaping for the site, which includes native trees, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be planted, in accordance with the approved details within the next planting season.

Reason: To secure appropriate landscaping and an acceptable impact on visual amenities in the surrounding area. Relevant policies - BLP Policy QP3 and NR3.

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

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

PL01  
PL02A  
PL03A  
PL04A

### **Informatives**

- 1 The applicant is advised that should the future use of mechanical ventilation be required planning permission would be required for its use and installation.
- 2 The applicant is advised that you must apply to the Environment Agency (EA) for a bespoke environmental permit to rear poultry intensively if there are more than 40,000 places for poultry. Please note, there are currently delays to our permitting service, so



we encourage you to contact the EA as early as possible. The EA will be including the following key areas of potential harm when making an assessment for the Permit:

- i. Management - including general management, accident management, energy efficiency, efficient use of raw materials and waste recovery;
- ii. Operations - including permitted activities and operating techniques (including the use of poultry feed, housing design and management, slurry spreading and manure management planning);
- iii. Emissions - to water, air and land including to groundwater and diffuse emissions, transfers off-site, odour, noise and vibration, monitoring; and,
- iv. Information - records, reporting and notifications.

The EA expect new intensive livestock development to comply with the environmental performance standards in <https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>. The EA will justify any derogation we allow from these standards in their decisions.

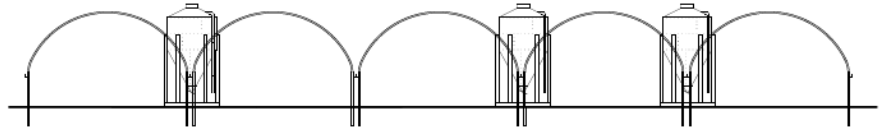
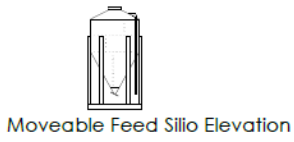
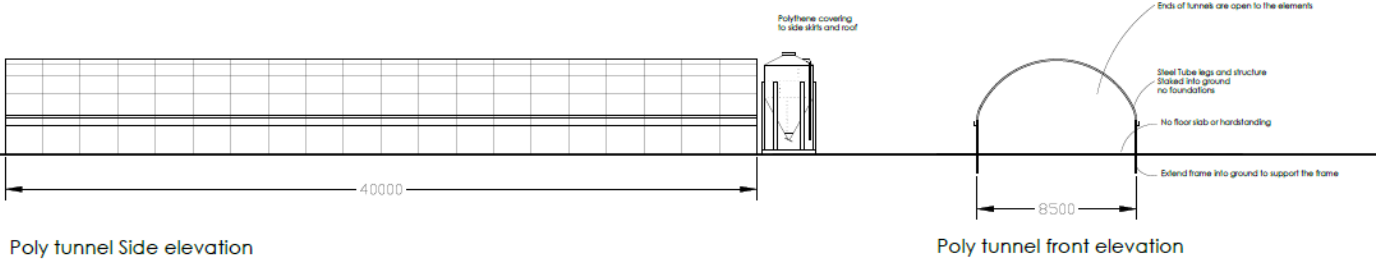
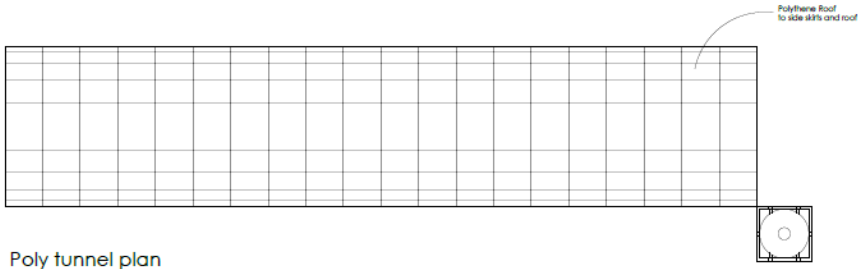
- 3 The Environment Agency (EA) have a regulatory role in issuing legally required consents, permits or licences for various activities. The EA have not assessed whether consent will be required under their regulatory role and therefore in commenting on the application, the EA does not indicate that permission will be given as a regulatory body. The applicant should contact 03708 506 506 or consult the EA's website to establish if consent will be required for the works. Please see <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

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# Appendix A - Site layout



## Appendix B - Elevation drawings



## Appendix C – EIA Screening Opinion

### The Town & Country Planning (Environmental Impact Assessment) Regulations 2017

#### SCREENING OPINION under Regulation 6:

#### Requests for screening opinions of the relevant planning authority

<b>Application Number:</b> 21/02963/FULL	<b>Case Officer:</b> Sarah Tucker
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**Recommendation:** Not EIA development

**Site Address:** Land West of Switchback Road North and North of Nightingale Lane, Maidenhead

**Proposal:** Screening Opinion from the Council under Regulation 6 (1) of the Environmental Impact Assessment Regulations 2017 ("the EIA Regulations"), to confirm whether or not there is a requirement for an Environmental Impact Assessment ("EIA") in respect of erection of the new poly tunnels for rearing turkeys with associated feed silos and substantial formation of road chippings to form a network of tracks (retrospective)

#### 1. Introduction:

- 1.1 The Enforcement Team have requested a Screening Opinion be undertaken for the above development under Regulation 6 (1) of the EIA Regulations, the Local Planning Authority (LPA) must consider whether the proposed development constitutes a Schedule 1 or Schedule 2 development under the Regulations and, if so, adopt a Screening Opinion.
- 1.2 No previous Screening Opinion has been sought or adopted in respect of this particular development.

#### 2. Description

- 2.1 The site comprises 31ha of agricultural land to the west of Switchback Road North that has agricultural land to the north and west and Malders Lane to the south, on which it borders. Access from the site is from Switchback Road North. The site is approximately 230m from the residential area of Furze Platt to the south and 1km to the village of Cookham to the north.

#### 3. Constraints identified from the Council's records:

- 3.1 The site lies within the open countryside, Green Belt and within a Source Protection Zone 2 and a Principal Aquifer for the protection of groundwater. Due to the SPZ the area is protected under national legislation which makes it an area of environmental sensitivity.

#### 4. Relevant Planning History

- 4.1 Part retrospective planning permission has been sought under application ref. 21/02963 for the erection of 25 poly tunnels on the site for the rearing of turkeys, with associated feed silos and substantial formation of road chippings to form a network of tracks within the site. This application remains live.

## 5. Proposal

- 5.1 A Screening Opinion is being sought under Regulation 6 of the Town and Country (Environmental Impact Assessment) Regulations 2017 as to whether an Environmental Impact Assessment (EIA) is required to be undertaken in connection with the proposed development of the site.
- 5.2 The development is retrospective and comprises polytunnels and paddocks erected for the rearing of turkeys. Turkey stocks in 2022 (when the application was submitted) were at 28,136 turkeys; however, the applicants have stated that they intend to increase production in 2023 to 30,000 turkeys and eventually stock 40,000 turkeys (which is the maximum allowed by the parameters set out by the RSPCA and the Red Tractor scheme). The polytunnels on site create 13,600 sqm of floorspace.
- 5.3 Little detail as to the disposal of waste and methods to stop contamination to the protected groundwater aquifer was submitted as part of the planning application. Following the serving of a planning contravention notice (PCN) the applicants submitted a Flood Risk Assessment (FRA) and a Hydrogeological Risk Assessment (HRA). The FRA states that rainwater run off would be dealt with via soakaways that drain towards the nearest river, the White Brook. No details as to the control of waste water have been submitted. The HRA states that the turkeys roam free range in the paddocks (with the polytunnels providing shelter) and that the main risk to groundwater is nitrogen from turkey droppings. The report states that this could be reduced by 'good farming practice' but also states that if the ground becomes excessively wet through rainfall, water could travel through interstices of soil to the chalk strata carrying nitrates. However, that most of this would be biologically treated by having to percolate through a 3m deep band of gravel.

## 6. Consultations

- 6.1 This Screening Opinion has been requested via enforcement action. Consultation has been undertaken for the planning application for the development and in addition to further consultation to consultees on the additional information received through the PCN. The following responses are relevant:

### Environment Agency (EA)

Originally the EA objected to the development on the grounds that the planning application fails to demonstrate that the risks to pollution to controlled waters of the Source Protection Zone 2 (SPZ2) (Principal aquifer) are acceptable or can be appropriately managed. Recommend refusal of the application.

Since the submission of the HRA, the EA have removed their objection, subject to conditions relating to manure removal and surface water drainage.

### Lead Local Flood Authority (LLFA)

Originally the LLFA objected to the development setting out that areas within the site exhibit a medium to high surface water flood risk. Need clarification of any mitigation risk. Clarification of surface water discharge to an existing watercourse- the location of this needs to be established. Clarification whether the surface water discharge from the site will incorporate flows from animal housing and animal house cleaning? If so the development will need to comply with the relevant EA regs.

Since the submission of the FRA and the HRA, the LLFA have removed their objection.

### RBWM Environmental Protection Officer

Originally an objection was raised to the development given the lack of information.

Since the submission of the FRA and the HRA, no objections raised. Endorsement of the EA's water management condition and request that it is applied to any granted permission. No slaughter

will be carried out on site. The nature of the business is that the poly-tunnels are largely open and that the turkeys wander round in a pen so reducing the risk of odour. The turkeys are described as being slow feeders so would spend the majority of time outdoors and so no mechanical ventilation is required and so no potential for plant noise. Satisfied that there will be no significant effect on amenity and can now support the application with the EA waste condition applied.

#### RBWM Highway Officer

In highway terms, the proposal raises no highway concerns but it is recommended that the applicant confirms the size of the vehicles associated with the proposed use, and a plan showing parking and turning for delivery vehicles, employees and customers if they are permitted access to the site.

### **7. Category(ies) of EIA development considered:**

#### Does the development fall within Schedule 1 or 2?

- 7.1 The responsibility for implementing the EIA Regulations lies with the Council as part of its role as the LPA. The EIA Regulations include two lists of different types of development projects.
- 7.2 The first list is called Schedule 1 and identifies the types of projects for which an EIA is mandatory. The proposed development does not fall under the definition of Schedule 1 development as defined in the Regulations and there is therefore no automatic requirement for an EIA to be undertaken.
- 7.3 The Regulations lists types of developments which are considered to be Schedule 2 development and which requires EIA, if it is likely to have significant effects on the environment by reason of factors such as size, nature or location.
- 7.4 The LPA considers that the proposed development would be an Urban Development Project as defined in category 1 (c) Intensive livestock installations (unless included in Schedule 1) of Schedule 2 of the above EIA Regulations. The application thresholds and criteria for intensive livestock installations in Schedule 2, are:

- The area of new floorspace exceeds 500 sq m

The NPPG also sets out indicative criteria and threshold and the key issues to consider. For category 1 (c) it gives the following indicative criteria and thresholds:

- The area of new floorspace exceeds 500 sq m
- Installations designed to house more than 50,000 turkeys

The key issues to consider are:

- Levels of odour, increased traffic and arrangements for handling waste

- 7.5 The application form identifies that the total area of the site is **31 ha**. The amount of floorspace created by the polytunnels is **13,600 sqm**.
- 7.6 Therefore the proposed scheme constitutes 'Schedule 2' development for the EIA Regulations and the proposal needs to be screened to determine whether the proposed development is likely to have significant effects on the environment, and hence whether an EIA is required.
- 7.7 The development is considered to fall within category 1 (c) of Schedule 2,- Intensive livestock installations (unless included in Schedule 1). This is because the amount of floorspace exceeds 500 sqm.
- 7.8 The Selection criteria as set out in Schedule 3 of the EIA Regulations used in deciding whether a Schedule 2 development is EIA development, include:

- 1.Characteristics of the development.
- 2.Location of the development.
- 3.Types and characteristics of the potential impact.

7.9 Schedule 3 of the EIA Regulations sets out the selection criteria for screening Schedule 2 development and this is set out below.

7.10 The LPA thus needs to determine whether the proposals would have a significant environmental effect whereby the applicant would be required to submit an Environmental Statement as part of the EIA process. The Screening Matrix that accompanies the NPPG has been considered in the screening of potential environmental impacts. As noted above, the basic test is whether this particular development would be likely to have any significant effect(s) on the environment.

7.11 Schedule 3 of the Regulations sets out the selection criteria for Schedule 2 development and these are each addressed in turn:

## **8 Selection Criteria for Screening Schedule 2 Development**

### **Part 1: Characteristics of Development**

8.1 The characteristics of development that require consideration under Part 1 Schedule 3 of the regulations are addressed in turn below:

#### *(a) The size and design of the whole development*

8.2 The site is 31ha in total. The amount of poly tunnels erected for the purposes of sheltering the turkeys is 13,600 sqm. The farm currently houses around 30,000 birds but is designed to take 40,000 birds. Since the turkey farm is free range, the turkeys will use the poly tunnels for shelter and will be allowed to roam in a paddock.

8.3 Whilst this number of birds, 40,000 is below that of the indicative threshold set out in the NPPG, the size of the polytunnels of 13, 600 sqm is well over the 500 sqm floorspace threshold.

#### *(b) Cumulation with Other Existing and/or Approved Development*

8.4 The site lies within an area characterised by mostly arable agriculture with some grazing animals. There are no other poultry farms in the vicinity of the site.

#### *(c) The Use of Natural Resources, in Particular Land, Soil, Water & Biodiversity*

8.5 The proposal would use natural resources for feeding and watering the turkeys, as well as straw for bedding and the erection of the polytunnel themselves. The land is currently agricultural. The application includes the planting of native trees which could be controlled by condition on the planning application.

#### *(d) The Production of Waste*

8.6 In response to the PCN, the applicants have stated that all the litter is moved off site at cleanout and is not spread on the land for biosecurity reasons. They state that all litter is removed at the end of each season/flock off site. They further state that since the production period is usually only four months of the year, the volume of litter is less than half that of the year round production poultry operation, and that the birds are slow growing, smaller breeds and as such their appetites are significantly lower than intensive fast-growing breeds with substantially heavier weights which leads to smaller amounts of litter being deposited in the polytunnels and paddocks.

#### *(e) Pollution & Nuisances*

8.7 The area lies within a site of environmental sensitivity due to the SPZ. Turkey rearing activity poses a risk to the SPZ due to animal waste and water generated by the activity. There is also the



potential for odour and noise pollution as a result of the development. There is also the potential for disturbance from traffic to the site as a result of the development.

- 8.7 The applicants have stated that the turkeys are free range so can move around the paddock dropping litter. The submitted hydrogeological assessment states that the litter contains nitrogen that is main risk to ground water. If the soil becomes excessively wet through rainfall, it could cause water to travel through the interstices of soil into the chalk strata taking the nitrogen with it. The report further states that highest amount of turkey litter will be within polytunnels, and any residual nitrate in litter dropped on the paddocks would have to percolate through 3m of sandy gravel which will biologically treat any residential nitrates.
- 8.8 The submitted FRA deals with run off from rainfall which is discharged to the nearby White Brook. No details are submitted with regard to waste water apart from the hydrogeological report.
- 8.9 Other potential nuisances are odour from the litter, especially since the location is within 230m from residential properties in Furze Platt, and noise from the turkeys themselves, as well as from the traffic accessing and egressing the site to serve the turkey farm.
- 8.10 Given the above, there is potential for environmental harm in terms of pollution and nuisances. Whether this is significant, depends on, to a large extent, whether they can be controlled through the planning system. Rainfall run off can be controlled by conditions on the planning application. The control of litter and dirty straw can also be controlled by conditions and removed off site. However, the amount of turkey litter soaking into the grass in the paddocks cannot be fully controlled, since even if the overall number of turkeys were controlled by condition, it would not be reasonable, enforceable or precise enough to control the size and type of breed of turkey by condition. However, the HRA states that the grass cover in the paddocks is of an adequate height and concentration to use up most of the nitrates and that there is a band of gravel over the chalk strata that hold the SPZ and that would biologically treat any residual nitrates in the litter. Odour is unlikely to occur to such an extent as to result in harmful impacts, since the turkeys will use the paddocks as well as the poly-tunnels, and there will be regular removal of waste from the poly-tunnels themselves. Noise of the turkeys, in and of itself, cannot be controlled; however, the overall number of turkeys on site could be, by a restrictive condition. The RBWM Highways Officer has stated that the amount of traffic that is likely to be generated by the development is not significant.
- 8.11 Given the above, whilst there are likely environmental impacts of the development, the majority of these can be controlled by condition and given the local hydrogeological conditions, these environmental impacts are unlikely to be significant.

*(f) The Risk of Major Accidents and/or Disasters*

- 8.12 There are unlikely to be any risks of major accidents and/or disasters given the type and scale of the development.

*(g) Risks to Human Health (for example due to water contamination or air pollution)*

- 8.13 The area lies within a site of environmental sensitivity due to the SPZ. The SPZ provides water for human consumption in the local area. Turkey rearing activity poses a risk to the SPZ due to animal waste and water generated by the activity.
- 8.14 The removal of turkey litter from the polytunnels could be controlled by condition to ensure the removal of the waste elsewhere. Turkey litter cannot be removed from the grass in the paddocks; however, the number of turkeys could be controlled. There will be some evitable movement of nitrates into the ground in periods of heavy rainfall; however, as stated in the HRA, there is a 3m band of gravel that will biologically treat any residual nitrates that have not been soaked by the grass cover above.
- 8.15 Given the above, whilst there are likely environmental impacts of the development, the majority of these can be controlled by condition and given the local hydrogeological conditions, these environmental impacts are unlikely to be significant.

## Part 2: Location of Development

- 8.16 The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard to-
- (a) The existing and approved land use
- 8.17 The lawful use of the site is for agriculture. The use of the land for a turkey farm is an agricultural use. There is therefore no change of use of the land.
- (b) The relative abundance, availability, quality and regenerative capacity of natural resources
- 8.18 The site area is 31ha which is a moderately sized farm. The land affected is currently grassed with polytunnels erected with concrete floors. The polytunnels could be removed fairly easily and the land restored to grazing without the need for much remediation.
- (c) The absorption capacity of the natural environment, paying particular attention to the following areas:  
[criteria i to iv are not relevant in this case and are therefore not included]  
(v) European sites and other areas classified or protected under national legislation  
(vi) areas in which there has already been a failure to meet the environmental quality standards laid down in law relevant to that project, or which it is considered that there is such a failure  
(vii) densely populated areas  
(viii) landscapes and sites of historical, cultural or archaeological significance.
- 8.19 The site lies over an SPZ, which is a principal aquifer which provides drinking water for the local population and therefore is considered to be an area protected under national legislation. It is also close to the densely populated area of Furze Platt on the northern edge of Maidenhead. The site is not close to any designated landscapes or sites of historical, cultural or archaeological significance.
- 8.20 The natural environment in this case comprises grass for the turkey paddocks. The turkeys are free range and will drop litter within the paddocks, although the applicants state that the majority of litter is dropped within the polytunnels, this cannot be controlled for free range birds. At times of high rainfall there will be some travel of nitrates in the litter travelling through the interstices of soil into the chalk strata. However, there is a 3m band of sandy gravel that will biologically treat any residual nitrates.
- 8.21 The numbers of birds on site could be conditioned as part of any planning permission, as well as the requirement for the removal of waste from the polytunnels elsewhere. There will be some residual filtration of nitrates into the soil via the free range birds dropping litter in the paddocks; however, this will be filtered out by the 3m gravel band that sits over the chalk strata. There are likely environmental effects as a result of the turkey farm, but the majority of these can be conditioned and the hydrogeological conditions would provide natural treatment of nitrates and as such the effects are not considered to be significant.

## Part 3: Types and characteristics of the potential impact

The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 with regard to the impact of the development taking into account:

(a) The magnitude and spatial extent of the impact

- 8.22 The site lies over a SPZ, which provides water for human consumption and therefore the spatial impact of the scheme has the potential for a large impact.

(b) The nature of the impact

- 8.23 The nature of the impact is the potential for pollution to groundwaters intended for human consumption from nitrates in animal waste, as well as pollution from the amounts of litter, odours, noise and traffic.
- 8.24 However, the majority of these issues can be controlled by condition. The overall number of birds can be controlled by condition, as well removal of litter and waste bedding from the polytunnels taken from the site. The amount of traffic from the activity is not considered to be significant. Since the birds are free-range, and litter will be removed at regular intervals, it is unlikely that odour will be a problem. However, since the birds are free range, and roam on the grass in the paddocks, there will be litter deposited here and this cannot be controlled by condition. The nitrates will infiltrate the soil but will be treated biologically the 3m band of gravel that sits about the chalk strata. Given this the environmental impact will not be significant.
- (c) *The transboundary nature of the impact*
- 8.25 There are no transboundary effects of the impact.
- (d) *The intensity and complexity of the impact*
- 8.26 The turkey farm is currently running at approximately 30,000 birds but has capacity of 40,000 birds. This is below the EIA threshold criteria set out in the NPPG of 50,000 birds. Therefore, the intensity of the development is considered to be a moderate one.
- 8.27 The majority of the environmental impacts of the development could be controlled by conditions on the planning permission: restricting the amount of birds, that litter and waste straw from the polytunnels is moved off-site for disposal and controls of rainwater runoff. The infiltration of nitrates from the litter of free-range birds in the paddocks is an environmental effect that cannot be controlled; however, the hydrogeology ensures that there is natural biological filtration of nitrates in the 3m band of sandy gravel that sits over the chalk strata that contains the SPZ.
- (e) *The probability of the impact*
- 8.28 Since the development is a free-range turkey farm, the turkeys are likely to use the paddocks for grazing etc. and will drop litter onto it. Therefore the probability of the impact is high.
- (f) *The expected onset, duration, frequency and reversibility of the impact*
- 8.29 The development has already commenced and as such the onset has already been established. The duration and frequency of the impact will continue throughout the use of land as a turkey farm, although the applicants have stated in the PCN that the growing season is only four months of the year. The effects can be reversed fairly easily with the removal of the turkeys and the polytunnels and the land could be returned to grazing and/or agriculture with little remediation.
- (g) *The cumulation of the impact with the impact of other existing and/or approved development*
- 8.30 There are no other turkey farms or poultry farms within the vicinity of the site.
- (h) *The possibility of effectively reducing the impact*
- 8.31 Conditions could be attached to the permission to reduce the environmental impact by the following: limiting the number of birds on site, ensuring the litter and waste straw in the polytunnels is removed for disposal off-site and control of rainwater run-off. The hydrogeological conditions will ensure biological treatment of residual nitrates that are not absorbed by the grass. Since the turkeys are free-range and the litter would be removed off site at regular intervals, there is unlikely to be a problem with odour. For these reasons the environmental impacts could be reduced.

## 9. Summary:

9.1 Having regard to the site's context, hydrogeology and the control of environmental effects by conditions, the impact of the development is considered to be and would not constitute a significant environmental effect. It thus does not warrant an ES.

**10. Opinion:**

10.1. Based on the information provided by the applicant in the retrospective planning application and the PCN, the development is not EIA development.

10.2 The LPA has considered the proposed development in the context of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and has concluded that the proposal is not considered to give rise to significant environmental effects applying the selection criteria in Schedule 3 of the above Regulations. Accordingly, the decision of the LPA is to adopt a Screening Opinion that an Environmental Impact Assessment is NOT required.

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 September 2023

Item: 2

<b>Application No.:</b>	22/03270/OUT
<b>Location:</b>	Maidenhead Office Park Westacott Way Littlewick Green Maidenhead SL6 3QH
<b>Proposal:</b>	Outline application for access only to be considered at this stage with all other matters to be reserved for demolition of the existing buildings and redevelopment of the site for industrial and logistics use within Use Classes E(G)(iii), B2 and B8, with surface car parking, landscaping, and associated works.
<b>Applicant:</b>	Anglesea Capital LLP
<b>Agent:</b>	Mr Phil Brown
<b>Parish/Ward:</b>	White Waltham Parish/Hurley And Walthams
<b>If you have a question about this report, please contact:</b> Sarah Tucker on 01628 796292 or at sarah.tucker@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 The proposal seeks outline planning permission for the demolition of the existing buildings on the site and redevelopment for industrial and logistics use within Use Classes E(g)(iii), B2 and B8, with surface car parking, landscaping and associated works. All matters are reserved, except for maximum floorspace and access. The report sets out the relevant Development Plan and other policy considerations relevant to this planning application as well as the necessary consultation responses that have been submitted during the course of the application. The report also sets out the main material planning considerations and assessment in relation to this planning application.
- 1.2 The site is allocated for employment development in the Green Belt under Policy ED2 of the Borough Local Plan (BLP). The proposal results in a scheme that is not in conformity with the Use Classes set out in Policy ED2, given the introduction of a B8 use and the loss of office floorspace. However, the development seeks to take the land from an underperforming economic use (office) to one where there is a need in the Borough (logistics) as demonstrated through independent review, and this is a public benefit of the scheme. This is a considered a material consideration that outweighs the lack of conformity with Policy ED2. Whilst the development is defined as inappropriate development in the Green Belt, with harm to the openness of the Green Belt, very special circumstances exist to outweigh the harm by way of inappropriateness, as set out below.
- 1.3 It has also been demonstrated that the outline proposals would not result in unacceptable harm to the appearance of the surrounding area, residential amenities, to parking and highway safety, ecology, trees, landscaping and has the potential to introduce sustainability measures to reduce the carbon footprint of the development, subject to the use of appropriate conditions and/or securing through the legal agreement.

**It is recommended the Committee authorises the Head of Planning:**

<b>1.</b>	<p><b>To grant planning permission on the satisfactory completion of an undertaking to secure the following infrastructure in Section 10 of this report:</b></p> <ul style="list-style-type: none"> <li>• <b>Delivery and maintenance of biodiversity net gain;</b></li> <li>• <b>Travel plan; and,</b></li> <li>• <b>Provision of local jobs</b></li> </ul> <p><b>and with the conditions listed in Section 13 of this report.</b></p>
<b>2.</b>	<p><b>To refuse planning permission if an undertaking to secure the infrastructure in Section 10 of this report has not be satisfactorily completed for the reason that the proposed development would not be accompanied by the required mitigation of biodiversity net gain, a travel plan and provision of local jobs.</b></p>

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

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the application is for major development

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

- 3.1 The application site comprises an existing office park which was constructed in the early 1990's and which has been in use since then. The site is accessed off Westacott Way, in the open countryside to the south-west of Maidenhead. Westacott Way was built entirely to serve the office park and connects to Bath Road in Woolley Green to the north by way of a roundabout that is 1.4km from the site itself. Directly to the north of the site lies the main railway line, and over that, agricultural fields and residential properties on Cherry Garden Lane. To the south of the site lies the White Waltham airfield and the edge of Maidenhead itself. To the east lies another commercial property, Briggs Equipment, also accessed from Westacott Way and to the west lie agricultural fields. The site is surrounded by substantial stands of Leylandii trees, apart from the eastern boundary with the adjacent commercial property. The site and the surrounding land is mostly flat.
- 3.2 The site itself comprises a number of late 20<sup>th</sup> century office blocks with existing landscaping, extensive parking and an amenity area to the west of the site that includes a large number of trees and a pond. There are a number of trees on site that form part of the existing landscaping.

## **4. KEY CONSTRAINTS**

- 4.1 The site lies within the Green Belt. The site is also allocated under Policy ED2 of the BLP as an Established Employment Site in the Green Belt for Use Class E(g) and Industrial Uses. The site is subject to a Tree Preservation Order (TPO) which relates to trees on the edges of the site and within the amenity area but does not include the trees within the car parking areas or the Leylandii trees that surround the application site. Two public rights of way, PROW9 and NCR 4, cross Westacott Way. The site lies within Flood Zone 1.

## **5. THE PROPOSAL**

- 5.1 The application seeks outline planning permission for the demolition of the existing buildings on site and redevelopment for industrial and logistics use within Use Classes E(g)(iii), B2 and B8 with surface car parking, landscaping and associated works. All matters are reserved, except for maximum floorspace and access. The access is proposed to be retained as existing. The proposed floorspace is 55,741 sqm, with the current site at 27,692 sqm, an uplift of 28,049 sqm.
- 5.2 The application has been submitted alongside a parameter plan which sets out the broad area for redevelopment and would be secured via a recommended condition. This does not include the majority of the existing amenity area or the trees at the northern part of the site (inside the stand of Leylandii trees) and leaves a 5m wide strip for future planting on the southern side of the site. The maximum height of any building on site would be 16m as shown on the submitted parameter plans.
- 5.3 The scheme has been revised during the course of the application to retain the amenity area and in response to concerns raised by the Airfield and the Airfield Advisory Team (AAT) which is part of the Civil Aviation Authority (CAA), there has been a reduction in the amount of development on the site from 61,783 sqm to 55,741 sqm.
- 5.4 The Town and Country Planning (Development Management Procedure) (England) Order 2015 allows for outline planning permission to be applied for, with other matters reserved for determination at a later stage. As set out above, the current application seeks outline planning permission, with access only to be determined here. The issues of appearance, landscaping, layout and scale are all reserved matters, and are not determined at this time. The layout plans are therefore illustrative, apart from the parameter plan which sets out the scope of development on the site. Subsequent reserved matters applications would determine the exact appearance, landscaping, layout and scale within the site.

## 6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
93/01071/FULL	Development to provide 28799 sq m of business and light and industrial use.	Application permitted
94/01132/FULL	Redevelopment to provide 16700 sq m of 2 storey space for B1 use and ancillary car parking.	Application permitted
94/01133/REM	Site entrance roundabout and access road.	Application permitted
94/01135/FULL	Redevelopment to provide 1858 sq m of two storey space for B1(c) use and ancillary car parking.	Application permitted
96/29822/FULL	Site entrance roundabout.	Application permitted
97/31622/FULL	Redevelopment to provide 10243 sq m of 2 storey B1 use space with ancillary car parking.	Application permitted

## 7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

### Borough Local Plan

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3
Building Height and Tall Buildings	QP3a
Development in Rural Areas and Green Belt	QP5
Economic Development	ED1
Protected Employment Sites	ED2
Historic Environment	HE1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Renewable Energy	NR5
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2

## 8. 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 land

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

Section 15 – Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

### National Planning Policy Guidance



Viability

### Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

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

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

10 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 9/01/2023 and the application was advertised in the Maidenhead Advertiser on 22/12/2022

14 representations were received supporting the application, summarised as:

Comment	Where in the report this is considered
1. Proposal would bring jobs to the area and boost the local economy.	Noted. See section 10.
2. In need of local jobs and boost skills for local people.	Noted. See section 10.
3. More jobs created for the Maidenhead community.	Noted. See section 10.
4. Better than residential development.	Noted.
5. It would transform unused space into employment space and adds electric charging points.	Noted. See section 10.
6. More jobs for people who can then support the local community and support local shops.	Noted. See section 10.
7. Objections seem a cut and paste from a website and people encouraged to object.	Noted. The application is considered in accordance with relevant development plan policies.

335 representations were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. Buildings would be of a height that would infringe the transitional surfaces set out in the CAA's Safeguarding Plan for runways, which could compromise the ability of the airfield to retain its CAA license due to non-compliance with the statutory regulations.	See section 10.

2.	Risk at night of lights on site proving a distraction to aircraft.	See section 10.
3.	Airfield is both a historic and economically beneficial asset to the Borough and any development that jeopardises the safe operation of the Airfield must not be approved.	See section 10.
4.	Object to the size of the proposed development. Existing office buildings are already large buildings.	See section 10.
5.	Larger and taller buildings would be detrimental to both the visual and spatial openness of the Green Belt than the existing.	See section 10.
6	Proposal more than 100% larger than the existing, and therefore does not conform to the NPPF.	See section 10.
7	Harm to character and appearance of Green Belt, especially if the existing trees are removed.	See section 10.
8	Access should be considered as significant increase in HGV vehicles and increased density of traffic.	See section 10.
9	Proposed use is not the same as existing and therefore also fails local and national policy.	See section 10.
10	Inappropriate development in the Green Belt with no very special circumstances put forward.	See section 10.
11	Transport statement lacking in sufficient detail to make a considered decision.	See section 10.
12	Club members were not directly consulted on the development.	Noted. However, the Council carried out formal consultation in line with statutory duties.
13	Development has ignored flight safeguarding map and therefore affects safety at airfield.	See section 10.
14	Proposal is a hideous warehouse and would visually desecrate a valuable and unique asset.	See section 10.
15	Spoil on site would increase site levels and increase overall heights of buildings, so that they would be up to 21m above the airfield.	See section 10.
16	Suggested replacement screening would take up to 30 years to replace existing trees.	See section 10.
17	Occupiers in these buildings will complain about the noise from aircraft and will ask for restrictions to the airfield.	See section 10.

18	Detrimental impact on neighbouring business operation.	The site is an existing commercial use and this would continue. See section 10.
19	Traffic increase in Burchett's Green Lane and Burchett's Green Road would be extremely unwelcome.	See section 10.
20	The Flying Club is unique in its history dating back to 1935 and the owners are working hard to retain the 1940s feel of the airfield. To change the backdrop to major urbanisation would be utterly out of context.	See section 10.
21	Proposal does not take into consideration the impact on local villages caused by the increased number of commercial vehicles.	See section 10.
22	Concern the Westacott roundabout will be unsafe with the increased traffic, especially with an increase in lorries.	See section 10.
23	The proposals would result in increased pollution and noise.	See section 10.
24	Not enough residents were consulted on the proposal.	the Council carried out formal consultation in line with statutory duties. See section 10.
25	Transport Assessment does not address the potential for traffic increase in Burchett's Green, the environmental impact of the additional HGV traffic, or the community impact of the HGV traffic arriving and departing 24/7.	See section 10.
26	Harm to wildlife and rural nature of paths and bridleways in Littlewick Green.	See section 10.
27	Whilst the application suggests that all HGV traffic will turn right from Westacott Way onto the A4, the A4/A404 Maidenhead Thicket is often gridlocked and the lorries would use smaller roads causing chaos. Small rural villages are not the place for massive commercial enterprises.	See section 10.
28	Logistics developments should be site next to existing road infrastructure not rural and residential areas.	See section 10.
29	Buildings will tower over everything and the increase in volume is over 300% higher than existing, building heights should be reduced.	See section 10.
30	Developer does not own the trees that provide screening, and the heights of the buildings will be taller than the existing trees.	See section 10.
31	Density of employment is a lot lower with logistics and would provide jobs for a lot less people than the existing use.	See section 10.

32	Impact on protected species is unacceptable.	See section 10.
33	Loss of biodiversity on site which will result in a biodiversity net loss, they cannot provide a 10% net gain on site.	See section 10.
34	No mitigation for construction cranes being used next to an airfield.	See section 10.
35	The Dust Mitigation Strategy is a generic assessment and there is no mitigation for building next to an airfield.	See section 10.
36	This part of the A4 and the intersection with the A404(M) are accident blackspots. Adding thousands of vehicle movements including large numbers of HGV's will have a significant impact on safety and traffic flow.	See section 10.
37	Noise emission report focusses on light duty vehicles and seems to omit reference to HGV's, which maybe up to 800 new HGV movements per day.	See section 10.
38	Logistics operations may run up to 24 hours per day, causing substantial nuisance and a new level of vehicle nuisance.	See section 10.
39	Increased traffic and danger to road safety as a result of the proposals.	See section 10.
40	Roundabout on the A4 was built to deal with office traffic only and not suitable for large lorries with trailers that logistic companies use especially with large increase in HGV's.	See section 10.
41	Would destroy the current ambience of the historical WWII airfield.	See section 10.
42	Office occupancy is now recovering after Covid and there is no need or justification for re-purposing these buildings.	See section 10.
43	Drawings do not show enough landscaping.	The application is in outline with only access to be determined. Landscape will be a reserved matter, if outline permission is granted.
44	The Airfield is an important heritage asset retaining its character as a pre-WWII aerodrome and the former headquarters of the Air Transport Auxiliary and it should retain its historic runway layout. The development site was formerly part of the airfield. The design of any new development should be an opportunity to enhance the airfield's character as a heritage asset. New buildings should not be higher than the original wartime hangers.	See section 10.

45	Traffic already travels too fast on the A4 and is oblivious to the fact there is an exit on the roundabout.	See section 10.
46	Proposed logistics centre will aggravate the ability of residents of Bath Road existing and accessing their properties.	See section 10.
47	Concerns with the comments of the highway officer with regards predicted HGV movements, congestion on the A4/A404, especially since the A4 is a single lane road here which will cause tailbacks.	Noted. See section 10.
48	Concerned that the Highway Officer has not taken cyclists, walkers and horse riders into account in the assessment of the proposals.	See section 10.
49	Neither Traffic Assessment or Highway Officer comments assess the likely destination of the increase in HGV traffic.	See section 10.
50	Increase in air pollution.	See section 10.
51	Loss of wildlife and habitats.	See section 10.
52	Build programme would have serious impacts on local residents.	This is covered by environmental health legislation.
53	Affect property values of nearby residential properties.	This is not a material planning consideration in the determination of the application in accordance with relevant development plan policies.
54	Biodiversity offset is nowhere near the site and is not sufficient to offset the loss.	See section 10.
55	Description of development is misleading as it is not an office park development.	The description of development includes details of the existing use and the proposed use.
56	Development will affect cyclists using the A4 for cycling time trails and leisure cycling.	See section 10.
57	Application does not fully analyse risks to small aircraft using the airfield.	See section 10.
58	Transport Assessment does not take into account or consider horse riders.	See section 10.

59	The Transport Assessment has not considered the impact of the potential development of the film studio at Little Marlow directly onto the A404, which will be gridlocked.	See section 10.
60	Whilst the proposed developed area is reduced there is still a road proposed that cuts across the existing pond.	See section 10.
61	Loss of leylandii trees is dangerous as used by landmark by inexperienced flyers.	See section 10.
62	Lack of a definitive plan raises doubts about the actual location of the proposed buildings. Buildings should be situated further back from the perimeter on the south side of the site- crucial that the layout is the final location.	See section 5.
63	Affect historical heritage listed buildings including St Mary's Church, Waltham Grange, Shottesbrooke Park and Church which contribute to the unique character and charm of the local landscape.	See section 10
64	Office park could be a Local Green Space.	See section 10
65	Height of the original hangers on site was 10-11m tall, development will be huge increase on this.	See section 10
66	The airfield is a local employer and provides flight training with 60-70 active students.	See section 10
67	The economic benefits of the site are not considered to be very special circumstances and there are no other benefits to the proposal.	See section 10

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority (LLFA)	No objection subject to conditions. Concern regarding the most recent illustrative layout does not accommodate the previously designed drainage scheme.	See section 10.

### Consultees

Consultee	Comment	Where in the report this is considered
RBWM Highways	No objection subject to a condition and S106 obligation.	See section 10.
RBWM Environmental Protection	No objection, subject to condition.	See section 10.

RBWM Ecology	No objection, subject to condition.	See section 10.
Berkshire Archaeology	No objection, subject to a condition	See section 10.
Airfield Advisory Team UK  Civil Aviation Authority	<p>Following recommendations:</p> <p>The final design's heights should not penetrate the obstacle limitation surfaces relevant to White Waltham Airfield.</p> <p>A building induced turbulence assessment should be undertaken if the aerodrome authority deems that the proposed scheme has the potential to adversely impact flight safety owing to differences between the proposed scheme and the existing site.</p> <p>A glint and glare assessment should be completed for the proposed site taking in to account all runways and associated circuits.</p> <p>Ensure that the final design of any lighting considers the potential impact to aviation.</p> <p>Ensure that the aerodrome is communicated with before any planned crane usage.</p> <p>Obtain approval by the aerodrome of the Wildlife Strike Management Plan, their acceptance of any increased risk or change to their existing wildlife management protocols.</p> <p>Conclude that the aerodrome authority should be consulted at all stages of the application process and should have the opportunity to provide their local knowledge and subject matter expertise on any assessments undertaken to define the impact of the redevelopment on the aerodrome.</p>	See section 10
Nature Space	Following surveys no great crested newts are likely to be absent there is a very low risk of GCN's will be impact by the development.	Noted.

**Others (e.g. Parish and Amenity Groups)**

Group	Comment	Where in the report this is considered
White Waltham Parish Council	We have to say that this is a very confusing and misleading application. Could it be intentional? Ostensibly, it appears to be an outline application for access and only that is ticked in the Application list.	See section 10

However, under the following Description of Proposal, the wording starts by asking to demolish the existing building ready for redevelopment. Access is only mentioned at the end. Another concern is why do many of the 49 documents reference the potential completed project, while applying for demolition? We should be very grateful if you could tell us exactly what we are considering, please!? The proposal on the planning portal refers to the applications being of 'the assessment of access at this time...' whereas in Savills' Planning Report says it is for 'Outline planning application for demolition of the existing buildings and redevelopment of the site...' We are commenting on the published application reason for 22/03270/OUT not Savills' definition. But does that mean we have missed our opportunity to comment on the latter? White Waltham Parish Council has many concerns regarding this application, although we are aware that, ultimately, the project is more than likely to be approved within the BLP. But we do ask that all the usual studies, like the impact of likely increased traffic from logistic companies, an ecological study, Environmental Impact Assessment and the like are carried. This request is made in the knowledge that the applicants have suggested they are not necessary.

#### Demolition

Locals will not enjoy looking at a demolition site while the fine detail of what will be built is argued. Experience tells us that it could go on for years, as the application for the previous development did. In addition, there would not appear to be any provision to protect the trees and hedging to be retained, nor the pond, grass, woodland and all the wildlife there.

#### Wildlife

We have many concerns about potential effects on wildlife (as recognised in reports submitted with the application) and are very much against building over the existing pond and woodland habitat. It is not good enough to propose a 10% biodiversity gain, possibly elsewhere. You cannot have a biodiversity gain by building over the existing wildlife site, nor by felling trees vital to the local bat population? If the existing pond and woodland actually has to be built over, we consider it vital for a replacement habitat to be established, next to the site, beforehand. It is recognised in the applicant's reports and by all wildlife experts, that great crested newts, toads and other wildlife rely on a series of ponds in an area, so to remove one depletes local biodiversity. This statement also applies to mammals, invertebrates and birds and 'green corridors'. Although none of the submitted wildlife surveys confirm bats, great crested



news or badgers in residence, each of them admits to the likelihood of them being present. Proper field research needs to be carried out in the main pond to confirm (or not) the presence of the common toad and any other amphibians. There is a very strong possibility that there are toads in the pond and, of course this is a species of principal importance and a Berkshire priority species. There is clear evidence of badger setts on the site and it is unclear as to how these will be fully-protected. The bat survey indicates that bats may be present in some of the buildings, so further investigation is necessary when bats are likely to be flying.

#### Flood Authority Recommendation

We note the objections of this authority and their recommendation that the application is not granted.

#### Tree Heights

We have been told that it would be acceptable to increase the height of the new development because the trees will grow to shield it. However, the trees referred to are off site and owned by the West London Aero Club. We understand that the Civil Aviation Authority has already requested a reduction in height to improve airfield safety.

#### Development footprint

The density of buildings on the plans submitted with the application does not seem necessary. An increase from 27692sqm to 61,783sqm is more than 50%. It is hardly protecting the Green Belt! Is this acceptable to RBWM planners? May we suggest that the developers could still increase their footprint, though not by 50%, and retain the woodland and pond. And the pond could still be used as part of the drainage system.

#### Local heritage

We are pleased to see that Berkshire Archaeology places considerable significance on what archaeology could still remain in situ. We can testify to Roman and prehistoric remains found in many places in the area and near the development site and can only add to their request to excavate before demolition is allowed.

#### Traffic

We believe that a comprehensive traffic study should be carried out before any permissions are given. This should include predictions of increased traffic movements if the logistic potential is realised. Would it be possible to place restrictions on any permission given

if it were thought that traffic increases would be unsustainable?

Neighbourhood notification

The most relevant neighbours which adjoin the property have not been notified. These are West London Aero Club and W W Westacott, the farmers. White Waltham Parish Council is against the demolition of Maidenhead Business Park before the plans for its redevelopment are known. We hope this and our suggestions will be taken into account when determining the result of this application.

*Further comments received 12/7/23:*

- Predicated a further 750 HGV movements concerned about HGV traffic causing unacceptable congestion and safety hazards on the Holloway at the Westacott Way/A4 roundabout, Cherry Garden Lane at the A4 junction and Burchetts Green Lane at the A4 junction
- Concerned that the increase in HGV traffic will cause congestion on the A4 in several places: Westacott Way/A4 roundabout, vehicles turning in and out of side road sand the Shire Horse PH; HGV's do not stop as quickly as the private car and will potentially increase risk to people and animals crossing the road and cyclists, West on the A4 in the event the A404 is blocked, and the Transport Assessment has not considered the massive potential development application of the film studio at Little Marlow directly onto the A404; the A404 will be gridlocked and the alternative routes through the lanes will be used
- Concerned about increase in pollution likely to be caused by the additional HGV's and note that the pollution assessment made by the applicant only includes the office park in its scape, pollution on the A4 and the Westacott Way roundabout should be taken into account
- Green Belt- we see no very special circumstances to support this development and that this outline proposal amounts to inappropriate development in Green belt;- as the proposed increase in built area which is over x2 that of the current buildings and the height of the buildings which is too high in the context of the surrounding area
- Habitat and Biodiversity Loss- application proposed that net loss of biodiversity at the site is offset by management plans at a site at Bisham which trades pond and hedgerow habitat for grassland, scrub and woodland. We do not

	<p>believe it is appropriate to offset the biodiversity loss elsewhere or that the proposal is sufficient to offset what will be lost</p> <ul style="list-style-type: none"> <li>• We note that the proposed developed area has been reduced by that is still proposed a road cuts across the existing pond. We request that the developed area should be further reduced to completely avoid any impact on the pond. We also request that the biodiversity offset should be provided in the immediate locality rather than several km away</li> </ul>	
<p>Littlewick Green Society</p>	<p>This property is set in green belt land and it is important to maintain the rural nature of the surroundings without urbanisation which will be irreversible. Littlewick Green Society objects to this application on the following grounds:</p> <p>The demolition will leave an eyesore to blight the visual appearance of the local area if it is not developed appropriately thereafter. The plans to build a distribution centre would also have major consequences as the new buildings will be much taller than those they replace. Apart from the visual impact, this would affect the operations at White Waltham airfield as light aircraft cannot operate in areas where there are tall structures immediately adjacent to the runways. The applicants have suggested that they would allow the existing line of trees to grow to mitigate the visual intrusion but they are not entitled to do so as the trees belong to the airfield and the CAA would not permit a raising of the height of the trees. The next concern is the increase in traffic and noise caused by the constant movement of heavy goods vehicles possibly 24 hours a day. The projected estimates are that there would 750 movements to and from each day which equates to more than one every minute. This huge addition of HGV movement would be highly detrimental to the rural environment around Westacott Way and cause even more congestion on the A4. Consequently, we very much hope that this application will be refused. I hope that the planning committee will take the views of the LGS membership into account when reviewing this application.</p> <p><i>Further comments received:</i></p> <p>The proposed warehouse building is huge, covering more than double the footprint of all of the current office buildings combined. It would also be twice the height creating a blight on the visual amenity from the surrounding green belt countryside.</p> <ul style="list-style-type: none"> <li>• The traffic estimations show that large articulated juggernauts will be coming and going 24 hours a day</li> </ul>	<p>See section 10</p>

	<p>causing both noise and traffic problems in what is currently a peaceful rural environment.</p> <ul style="list-style-type: none"> <li>• All of this traffic would have to use the A4 with the clear impact that would have on the local community. The roundabout at the top of Westacott Way is simply not suitable for such traffic movement.</li> <li>• Serious concerns have been raised by White Waltham airfield because of the impact that such a large building could have on pilots' ability to make safe take offs and landings. This airfield is of local historical interest due to the role it played in WWII and its future should be protected.</li> </ul>	
Hurley Parish Council	<p>Hurley Parish Council objects to the proposals at this site. The Councillors do consider that they should have been consulted on this and future applications as the site entrance/exit is located on the A4 and impacts Hurley Parishioners. The Parish Council objects as the application would result in a significant increase in HGV movements on the A4 in both directions, the Council supports the many concerns expressed by White Waltham Parish Council, the application is unnecessarily complex for an outline application relating to access only where the applicant states on the original application form that there is to be no change to access, and Councillors note the significant concerns expressed by the owners and operators of the adjacent airfield.</p> <p><i>Further comments received:</i></p> <p>Hurley Parish Council strongly objects to the previous and revised proposals at this site. The site entrance/exit is located on the A4 and impacts Hurley Parishioners. The Parish Council objects as the application would result in a significant increase in HGV movements on the A4 in both directions. This will impact residents of Burchetts Green, Littlewick Green, Knowl Hill and beyond in a particularly adverse way due to both the number of vehicle movements and the size of those vehicles. Hurley Parish Council supports the objections raised by neighbouring parish councils, the airfield, village groups and private individuals. The location is well suited to its current use. These new proposals, through the sheer bulk of the built structures and the number of vehicle movements, would represent a significant overdevelopment within a predominantly rural location.</p>	
Bisham Parish Council	<p>The Cllrs were extremely concerned that this item had only just been brought to their attention, despite the potential impact on the parish; particularly in terms of air and road traffic movements. The Cllrs asked that, before the application is considered, a thorough impact analysis of air and road traffic movements is undertaken and reported to the affected parishes.</p>	See section 10

<p>Burchetts Green Village Association</p>	<p>No assessment of the consequential impact of additional traffic on Burchetts Green or neighbouring villages where there are existing traffic issues.</p> <p>Burchett's Green Road has become a rat-run with high volume of traffic using it as a cut-through- there is real danger that this will increase as a result of the development.</p> <p>The traffic assessment states there could be over 800 HGV movements over a 12 hour period.</p> <p>The scope of the TA did not extend to include the impact of Burchett's Green or neighbouring villages and there has been no consultation with these communities.</p> <p>Request that the planning committee considers the very real concerns of the BGVA and the residents of Burchett's Green Village.</p>	<p>See section 10</p>
<p>Fiennes Park Residents Association</p>	<p>The residents of Fiennes Park, whose 26 houses all lie on Westacott Way strongly object to the planning application for a logistics hub at Maidenhead Office Park, also on Westacott Way. The application reference number is 22/03270. We have lived in Littlewick Green for over 8 years and we are concerned about the impact that this development would have on our community. The proposed hub would be a major development, with up to 750 HGV movements each day, leading to considerably increased traffic congestion, pollution and safety hazards in the immediate area where we live and where our children play. The development would be located in a green belt area, with no Very Special Circumstances to support more than doubling the size of the developed buildings on the site. This would be a loss of valuable open space, which would clearly have a negative impact on the local wildlife. The height of the buildings proposed are significantly larger than any other buildings in the area, which on top of the traffic congestion, pollution and safety issues, would introduce a visual blight on an area of largely unbroken natural beauty. We urge you to reject this planning application. The development would have a negative impact on our community and on the environment, and present a significant hazard to road users and residents in the area.</p>	<p>See section 10</p>
<p>Cllr Brar</p>	<p>As the above outline application is in my neighbouring ward I would like to comment on the above application.</p> <p>The proposed development the scale and existing office buildings are already large buildings. The proposed buildings will impact on visual impact on Green Belt. The</p>	<p>See section 10</p>

	<p>footprint looking at the plans is 100% larger than the existing. Policy QP5 states this will be inappropriate development in the Green Belt. This will generate extra traffic going through Burchetts Green Village and there will be congestion on A4 as well.</p> <p><i>Further comment received:</i></p> <p>The above application is on the border to my ward in Burchett's Green. The residents of Burchett's Green concerned the impact of additional traffic, noise and pollution will cause to the village. This will create extra traffic movement through the village and in terms of HGV there will extra 76 movement during the peak times. You are talking about 760 movement of traffic with in the day. The Traffic Assessment did not include the impact it will have on Burchett's Green and the neighbouring village. The environment impact, air pollution this also is unacceptable development in Green Belt. The A4 is already very busy and the drivers will seek to avoid the increased traffic congestion at the A4 which I believe do not have the capacity to handle high volume of traffic.</p>	
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## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of Development;
- ii Green Belt;
- ii Climate Change and Sustainability;
- iv Design, Character and Landscape impacts;
- v Highways Impacts;
- vi Ecology and Biodiversity;
- vii Impact on amenity of neighbouring buildings;
- viii Impact on Heritage Assets;
- ix Trees;
- x Drainage; and,
- xi Other Material Considerations.

### Principle of Development

10.2 The site is allocated under BLP policy ED2 as an Established Employment site in the Green Belt. The policy states that these sites will be retained for economic and employment uses. Policy ED2 section (5) states that 'Within Established Employment Sites in the Green Belt, proposals that improve and/or upgrade the E(g) (office and/or research and development uses) and industrial uses will be supported. Proposals to intensify the use may also be supported, subject to the provisions set out in national policy with regards to development within the Green Belt.' Policy ED2 section (6) also sets out that for all sites, a 'nil net loss' of commercial floorspace principle will apply.

10.3 The site is a long standing office park dating from the early 1990's. However, given that the proposals would include Use Class B8 (logistics) which is outside the uses stated in Policy ED2 and would result in a loss of office floorspace, the application has

been submitted alongside a Needs Assessment which has been the subject of independent evaluation. The applicants in their submission, state that they cannot let the majority of the office park and that occupancy levels are low. This has been verified as part of the independent evaluation and the conclusions of that evaluation with regard to office and industrial use are set out below:

#### *Office Use*

- 10.4 There is surplus of vacant space on site and little prospect that this space can be re-let in the short to medium term due to significant disruption in the market due to Covid, with a sharp shift away from office working to working at home becoming long term trends. However, the scale of vacancy in the short term demonstrates that any short term harm can be managed by existing stock within the Borough. In the medium term the Council has the opportunity, market willing, to provide a new supply in the town centre. As such, any medium term aspirations for office growth can be managed via the BLP or any review of it. The office market is weaker than expected when the BLP was drafted. The scale of vacant office space in the Borough and the wider market is such, that it is therefore concluded that it is likely that some floorspace can be released without causing harm to overall supply in the Borough.

#### *Industrial Uses*

- 10.5 The Council's assessment in the BLP did not suggest that the Borough was attractive to logistic uses; however, the applicant's assessment is that there is a positive need for space and suppressed demand. The short term analysis confirms that there is limited scope to absorb any increase in demand, with almost no availability in the current market. With regard to future supply, the Council is limited to the Triangle site alone in the BLP to meet all future needs.
- 10.6 The industrial market has strengthened post Covid and it has been identified that the Borough has only one site to meet this need. The Borough has not been favoured by logistics operators in the past and did not have enough land to meet logistics demand; however, post Covid this no longer holds true and logistic operators are, by necessity, looking at new opportunities to address needs to which this site would contribute

#### *Summary on independent evaluation on applicant's needs assessment*

- 10.7 The proposals which form part of the current application would move from a land use that is in less demand (office) to one which is recognised as being stronger in demand (industrial and logistics). Given the quantum of office space, the loss of the site is unlikely to cause significant concern in the Borough and there would be no loss of economic land as a result of the proposals, with the land effectively being recycled into a new economic use.
- 10.8 The proposal is contrary to BLP Policy ED2 as it includes Use Class B8 which is not a use that is included in the policy and there would not be a nil net loss of office floorspace. However, evidence assessed at the BLP inquiry was collated prior to the Covid pandemic which has fundamentally changed the office and logistics market in the country as a whole, as evidenced above. Furthermore, there is now a clear need for Use Class B8 logistics uses in the Borough, with a lack of sites available. Paragraph 83 of the NPPF states that planning decisions should recognise and address the specific location requirements of different sectors, including for storage and distribution operations at variety of scales. In paragraph 81, it further states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. As such,

the current economic climate for office and logistics is a material consideration of some considerable weight, as well as the requirement for decisions to be flexible as set out in the NPPF. Given this, the non compliance with some parts of BLP Policy ED2 is outweighed by the change in economic circumstances since the BLP was adopted and the need to support economic growth, given that there is a clear need for logistics use (Use Class B8) within the Borough. Furthermore, it is also a material planning consideration that, as the independent evaluation of the applicant's need assessment references, there would be no harm to the loss of the office space on the site, since the town centre is proposed to be developed for office use and could absorb any future increase in demand.

- 10.9 Given the material planning considerations set out above, the policy requirements, including the need to be flexible to changing economic circumstances as set out in the NPPF and the fact that the proposals have demonstrated that there would be no harm to the overall office stock, on balance, the proposals are acceptable. The recycling of existing employment land into a new economic use is a public benefit of the scheme. Given this, the principle of development is considered acceptable from a land use perspective.

#### Green Belt

- 10.10 Policy QP5 of the BLP sets out that the Green Belt will be protected against inappropriate development and that planning permission will not be granted for inappropriate development unless very special circumstances are demonstrated. The NPPF at paragraph 147 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF further states that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm of the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.'
- 10.11 Paragraph 149 of the NPPF states that the construction of new buildings is inappropriate in the Green Belt, subject to certain exceptions that are not relevant in this case. The proposals are a material increase compared to the existing and as such, the proposal is considered inappropriate development and very special circumstances are required to outweigh this if planning permission is to be granted. The proposals would represent an indicative 101% increase in area on the existing buildings and an indicative increase in volume of 330% (based on the proposed maximum floorspace). This is over and above what would normally be acceptable in Green Belt policy terms and so again, requires a demonstration of very special circumstances in order to be acceptable.
- 10.12 The applicants have stated in their application submission that the economic, social and environmental benefits of the scheme addresses the shortfall in the BLP and that the benefits associated with the scheme of bringing an underperforming protected employment site back into productive use and thereby providing jobs for the local workforce, would constitute very special circumstances. The applicants have also submitted a social value report which states that the predicted economic value of the proposal from 2/3 years after construction would be £7m and from 10 years of occupation would be £74m to the local economy, as well as the provision of 891 jobs within this timescale. The document also includes a social value action plan which includes specific initiatives to promote local employment and provide job opportunities to people with disadvantaged backgrounds. The local job creation would be secured



by way of a S106 agreement. These public benefits of the scheme are material planning considerations of considerable weight.

- 10.13 The application is also supported by an economic viability assessment which states that the current size of development at 55,741 sqm was the smallest development that would be economically viable on this site. The NPPG states that viability helps to strike a balance between the aspirations of developers and landowners in terms of returns against risk and that the aim of the planning system is to secure maximum benefits in the public interest through the granting of planning permission. As such, the applicant's viability assessment has been independently assessed.
- 10.14 The viability of a 30% increase in floorspace with the current scheme under consideration was tested. The independent valuer concluded that the approach to the applicant's viability is in accordance with the NPPG. The basic approach is to calculate the Residual Land Value (RLV) for both scenarios, then compare that to the Benchmark Land Value (BLV). If the RLV is lower and/or not sufficiently higher than the BLV, then the project is not considered viable. Both scenarios result in a positive RLV; however, in the 30% floorspace increase, the RLV is smaller and results in a deficit of £14 million, so that the majority of the profit would be wiped out and the scheme would be unviable. In the currently proposed scheme, the viability is marginal, since the deficit is £5million; however, once development profit is accounted for, the scheme would be viable. The independent review concluded that the current proposal is therefore viable.
- 10.15 The economic viability of the scheme is a material planning consideration of great weight. The NPPG states that the weight given to a viability assessment is a matter for the decision maker, having regard to all the circumstances of the case. Without economic viability, development is not achievable and the re-development of a smaller scheme that would be appropriate development as defined by the NPPF would not be deliverable here. Given this, it is considered that the economic viability of the current proposal is part of the positive economic elements of the scheme and as such is a very special circumstance in Green Belt policy terms.
- 10.16 Notwithstanding the above, Green Belt policy is also concerned with the impact of development on openness. Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
- 10.17 The parameter plans which would be secured by a recommended condition, show that the form of built development would be mostly contained within the existing built up area and car parking area, with the majority of the existing amenity area left open. The site is screened by existing Leylandii trees, although the majority of these trees are owned by the adjoining Airfield and are not included within the TPO. However, they are in situ and they do provide considerable screening from views from the airfield and surrounding properties. The application also includes an area allocated for succession planting and this would be required as part of any landscape reserved matters application. Furthermore, the heights of the proposed buildings have been reduced to a maximum height of 16m, which would be secured by recommended condition. Given this proposed maximum height of 16m, the current Leylandii would screen the proposed buildings on site. Whilst concerns have been raised regarding the heights of the ground level, this can be controlled by way of a recommended condition requiring details of a waste audit and details of proposed levels as part of any reserved matters application.

- 10.18 Given the above, openness would be affected by virtue of the substantial increase in area and volume of buildings on site. However, this would be contained within currently built-up areas and car parking, with the amenity area left open. Furthermore, the visual impact would be greatly reduced by the existing screening. Since the proposal is a material increase on the existing in terms of area and volume, it is acknowledged that there is harm to the openness of the Green Belt. This is however, considered to be outweighed by the very special circumstances set out above.
- 10.19 In summary, with regard to Green Belt, the applicant has put forward economic and social arguments as very special circumstances. These include financial inputs into the local economy on a site that is currently struggling with occupancy levels, as well as local jobs, the latter of which would be secured by a S106 agreement. Furthermore, it has been demonstrated and confirmed through independent review, that the development of the site is only economically viable at the proposed size. These are all material considerations of some considerable weight. As such, they are considered to constitute very special circumstances that outweigh the harm to the Green Belt by way of inappropriateness and any other harm to the Green Belt. With regard to openness, the site is well screened by stands of existing Leylandii trees and the overall heights of the building can be controlled by recommended condition; however, it is acknowledged that the openness of the Green Belt will be harmed by the proposal, but that very special circumstances exist that outweigh this harm. It is also a material consideration that the site itself is allocated for employment uses and is previously developed land. Given this, on balance, the impact on the Green Belt is considered acceptable.

#### Climate Change and Sustainability

- 10.20 Policy SP2 of the BLP seeks to ensure that new development is adaptable to and mitigates against climate change, that together with the Interim Sustainability Position Statement (ISPS) seeks to ensure that new development is, ideally, net zero or at least 20% more efficient than that required by the current Building Regulations.
- 10.21 The application has been submitted alongside an Energy and Sustainability Statement which sets out a number of sustainability measures as part of the construction, as well as measures to minimise energy efficiency and improve water resource management. Furthermore, the application includes sustainability calculations in order to address the requirements of the ISPS can be met.
- 10.22 The proposed development would be designed to minimise pollution, be adaptable to climate change and also consider health and wellbeing. The submitted report states that the proposal would reach net-zero carbon; however, given that the application is for outline permission, a condition is recommended which would secure the submission of an updated Energy and Sustainability Statement as part of a future reserved matters application. This would provide further details of sustainable design and construction measures to be incorporated into the development when the final designs are known. This would be secured by a recommended condition. This would ensure compliance with the requirements of policy SP2 of the BLP and the Council's Interim Sustainability Statement.

#### Design, Character and Landscape impacts

- 10.23 The design, scale and layout of the proposed scheme is not a matter for this application and is a reserved matter to be considered at a later stage if the current scheme is granted outline permission. However, the parameter plans show that the form of built development would be mostly contained within the existing built up area and car parking area, with the majority of the existing amenity area left open and that the

heights of the proposed buildings would be a maximum of 16m. This is appropriate and would be secured by recommended condition.

- 10.24 Landscape is also a reserved matter and details of planting on site would be assessed at that stage. However, the impact of the proposal on the landscape is a matter for consideration here. The application is supported by a Landscape Visual Impact Assessment (LVIA), which concludes that the effects on the agreed visual receptors the impact would be moderate to minor which is not deemed to be significant. It is also of note that any viewpoints of the site from the north looking southwards would be viewed in the context of the visual clutter of the existing railway infrastructure. The landscape impacts of the scheme are therefore not considered to be detrimental to the visual amenity of the area.
- 10.25 Concerns have been raised by the users of the Airfield and the Airfield itself of the visual impact of the proposal. However, this has to be seen in context of the existing office park and with the existing screening. Whilst they would be viewed by planes flying in and out of the Airfield, the nearest Airfield buildings from the site are 527m from the boundary of the existing office park, and from this distance, the impact on the visual amenity would be minimal.

#### Highways Impacts

- 10.26 The application is supported by a Transport Assessment (TA) and Framework Travel Plan as required by BLP Policy IF2. Data included in the TA dates from 2022 surveys. The application has been reviewed by a Highways Officer and sets out that the proposals would lead to an overall reduction in vehicular trips, albeit with a significant increase in HGV movements. The TA includes details of junction capacity modelling on the A4 Bath Road/Westacott Way roundabout which sets out that despite the increased HGV activity as a result of the proposed development, the roundabout would continue to operate within capacity.
- 10.27 The NPPF states in paragraph 111 that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the impacts on the road network would be severe. In this case, the Highways Officer has concluded that it is unlikely that the proposal would significantly increase the traffic generation to a point where it would lead to a severe highway safety concern. Whilst it is acknowledged that local residents have raised concerns regarding the increase in HGV movements, the criteria for assessment in the NPPF is whether the impacts on the road network are severe or an unacceptable impact on highway safety. The Highways Officer considers that this is not the case as set out above.
- 10.28 The existing access to the site would be retained and the proposals would extend the footways on both sides of Westacott Way and realign the kerbs in order to facilitate two-way HGV movements. Other works include upgrading the pedestrian and cycle access for the two public rights of way crossing Westacott Way by creating a small area of hardstanding away from the existing agricultural access to provide for a dropped kerb crossing with tactile paving. The proposals also include signage on approach to the pedestrian crossing to warn motorists that pedestrians and cyclists will be crossing the carriageway. These works would be secured via a S278 Agreement which would encompass other proposed improvements on Westacott Way. This would ensure that the proposal would not unduly affect the two PROW that cross Westacott Way.
- 10.29 The applicant proposes a shuttle bus service to and from Maidenhead railway station, set out in the Travel Plan, which would improve the sustainability of the site, which is

not currently well served by public transport. The travel plan would be secured by way of a recommended condition and a S106 obligation.

#### Ecology and Biodiversity

- 10.30 The Preliminary Ecological Assessment shows an area of amenity space, an area of woodland, semi-improved and standing water at the south western edge of the site. There is therefore potential here for protected and notable spaces. Survey data shows that it is unlikely that the buildings or trees support bats and it is unlikely that the ponds within a 500m radius support great crested newts; however, a population of common toad (a species of principal importance for conservation) is present within the pond on site. The badger survey has shown that one of the mammal entrances on site is actively used by badgers.
- 10.31 The amended layout submitted during the course of the application would retain the amenity area and would provide for a significant improvement in retaining biodiversity value on site on the earlier scheme. The tree planting proposed would also be beneficial for wildlife. The on site precautions for protected species set out in the report are appropriate and these would be secured in a recommended Construction and Environmental Management Plan (CEMP) condition. The lighting proposals to avoid impacts on wildlife are appropriate and would also be secured by recommended condition.
- 10.33 Whilst the applicant has sought to accommodate on site, the required 10% biodiversity net gain would not be accommodated on site due to the type, layout and end use of the development. In this case, in order to provide the required net gain, the applicant has secured land for habitat creation at Hyde Farm, Bisham, which is within 5km of the site. This would involve habitat creation on existing farmland to be controlled by the applicant to secure the required 10% biodiversity net gain. In this case, this approach to biodiversity net gain is appropriate and would be secured for a minimum of 30 years through the S106 agreement.
- 10.34 Subject to the recommended conditions and completion of a S106 agreement, the ecological and biodiversity impacts of the proposal are acceptable and accord with Policy NR2 of the BLP.

#### Impact on amenity of neighbouring buildings and occupiers

- 10.35 The nearest residents to the site are the occupiers of properties in Cherry Garden Lane, the nearest of which lies 59m from the boundary of the site. Cherry Garden Lane then runs northwards towards the village of Woolley Green. The site is also separated from the residential properties here by the mainline railway line. The application has been submitted alongside a noise report and subject to the development being constructed and maintained in accordance with the recommendations set out within it with regard to plant and air handling units, which would be secured by recommended condition, the proposals would not result in unacceptable harm to the amenities of these properties. With regard to air quality and dust assessments submitted with the application, these are also acceptable and demonstrate that the development would not give rise to unacceptable impacts. Given this, the location of the railway line and the noise from this, the recommended noise condition, and the fact that there is an existing, long standing office park on site means that the impact on the amenity of neighbouring residential occupiers from the proposed development would not be unacceptably harmed. Similarly, there would be no unacceptable impact on the neighbouring commercial occupiers directly to the east of the site. In this context, a restriction of hours of use on site is not considered necessary to make the development

acceptable and would not therefore meet the relevant tests. Other residential properties lie between 420m to 900m from the site and would therefore be too far away to be affected by the proposals.

- 10.36 Concerns have been raised by the Airfield itself and many users of the airfield, including those that fly, regarding the impact of the proposals on the flight paths. This is because the proposed buildings, being higher than existing, may alter the way in which air masses move in proximity to the Airfield, thereby affecting transitional surfaces that the pilots experience in take-off and landing. A key planning consideration is whether any proposed building might potentially penetrate the airfield's obstacle limitation surfaces and thereby breach one of the key conditions of the CAA license. The Airfield have stated the development may affect their regulatory requirement set out in CAP 128 'Licensing of Aerodromes'. Considering this potential impact, the applicants have submitted an aviation report and the AAT (part of the CAA) were formally consulted on the application.
- 10.37 The proposal would affect the transitional surfaces for two runways: 07L/25R and 11/29. In reducing the maximum height of the buildings proposed, the Airfield's obstacle limitation surfaces would not be impinged on. The AAT have recommended the following:
- The height of the final design should not penetrate the obstacle limitation surfaces at the Airfield. This has been completed with the reduction in the proposed height parameters;
  - A building induced turbulence assessment should be undertaken if the ATT deems the proposed scheme has the potential to adversely impact flight safety owing to differences between the proposed scheme and the existing site. Since the Airfield has raised concerns regarding this, this assessment would be secured by recommended condition, with the submission of relevant reserved matters application;
  - A glint and glare assessment should be completed for the proposed site taking into account all runways and associated circuits. This would be secured by recommended condition, with the submission of the relevant reserved matters application;
  - Ensure the final design of any lighting considers the potential impact on aviation. This would be secured recommended condition; and,
  - Obtain approval by the aerodrome of the Wildlife Strike Management Plan. This would be secured by recommended condition prior to submission of the reserved matters applications.
- 10.38 Whilst acknowledging that the Airfield and the pilots that use it have concerns regarding the proposed development, the proposal has been amended to ensure that the heights would not affect the obstacle limitation surfaces of the runways, and the regulatory body, the AAT is satisfied with the proposals, subject to some recommendations which would be satisfactorily controlled by recommended conditions on the outline permission, with details to be submitted when reserved matters are applied for.
- 10.39 Given the above, the proposal, subject to the recommended conditions, would not have an unacceptable impact on the neighbouring buildings and/or occupiers.

#### Impact on Heritage Assets

- 10.40 The Airfield is of historical significance since it was used during World War II. The application site itself was once part of the Airfield, prior to its initial development. However, the boundary of the existing site is 527m from the nearest Airfield buildings and from this distance, the proposals would have negligible impact on this heritage asset. Since the proposed heights have been decreased to 16m and the screening provided by the existing stand of Leylandii trees, there would be little visual impact of the proposals on the runways.
- 10.41 Concerns have been raised regarding the impact of the proposals on other listed heritage assets in the local area, including St Mary's Church which is 1.1km from the site, Waltham Grange which is 977m away and Shottebrooks Park which is 1.86km away. From these distances, there would be no impact on these heritage assets as a result of the proposals.
- 10.42 The proposal has potential archaeological implications as the site lies near a scatter of prehistoric finds and Roman agricultural activity may also be evidenced since the site is approximately 500m south-east of a Roman village complex. Although recognising that there has been ground disturbance due to wartime and post war developments on site, there are still areas where archaeology may remain and therefore the application site falls within an area of archaeological significance, and a written scheme of investigation is therefore secured by recommended condition.

#### Trees

- 10.43 There is an existing TPO on site that includes the trees with the amenity area and the inside of the boundaries of the site. The majority of these trees would be retained, although any loss of trees would be mitigated by replanting along Westacott Way. There would be the loss of some trees in the existing car parking area of the site; however, these are predominately classified either as Class C or U trees and are ornamental trees that are not visible from outside the site and have little public benefit. Since landscaping is a reserved matter, appropriate planting details would be submitted as part of the relevant future reserved matters application.

#### Drainage

- 10.44 The Local Lead Flood Authority is satisfied that the proposed Flood Risk Assessment and Surface Water Drainage Strategy would result in acceptable impacts on flood risk and drainage on site. Concerns have been raised that the latest illustrative layout conflicts with this; however, since this plan is illustrative and the design would be finalised prior to the commencement of development, it is considered that this could adequately be dealt with by way of a recommended condition. Subject to this recommended condition, there are no issues arising as a result of the proposal regarding drainage.

#### Other Material Considerations

- 10.45 Concerns have been raised that not enough people were consulted on the application. However, the consultation on the application was carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 10.46 One objector raised the issue of whether the office park could be a local green space. However, the existing office park has never been accessible to the public and has been in commercial use since it was built in the early 1990s. Furthermore, it is allocated in the BLP for employment uses. As such, it is not considered appropriate as a local green space.
- 10.47 Concerns have been raised that the occupiers of the buildings would not be happy about the noise of the airfield. However, there has been a commercial use on the site since the early 1990's adjacent to the Airfield and any future occupiers would be aware of the Airfield when commencing operation.
- 10.48 Concerns have also been raised regarding the loss of property values of nearby occupiers; however, this is not a material planning consideration and cannot be taken into account in the assessment of the current planning application.

## 11 CONCLUSION

- 11.1 The proposal seeks to develop an underperforming office park in an economy where the use of offices has substantially declined. The need to be flexible with regard to decisions on economic development is set out in the NPPF. The need for industrial and logistics floorspace in the Borough and the recycling of this underperforming economic land is a material planning consideration of some considerable weight. Whilst the proposal is inappropriate development as defined by the NPPF, very special circumstances exist to outweigh the harm to the Green Belt by way of inappropriateness. These include economic viability. The proposals are larger than existing and would result in some loss of openness; however, the site is well screened and the visual impact on the Green Belt would be limited. Given this, the impact on the Green Belt is considered acceptable.
- 11.2 As set out in the section above, there are no other adverse impacts that cannot be mitigated either through recommended condition or through the completion of a legal agreement that would outweigh the benefits of the scheme. The recommendation therefore is that planning permission is granted, subject to recommended conditions and the completion of the required legal agreement to secure appropriate provisions as set out in this report.

## 12. APPENDICES TO THIS REPORT

•	Appendix A - Site location plan
•	Appendix B - Parameter plan
•	Appendix C – Illustrative layout

## 13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 Details of the appearance, landscaping, scale and layout (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced.  
Reason: To accord with the provisions of the Town and Country Planning (General Development Procedure) Order 1995.
- 2 The Development shall commence within two years from the date of approval of the last of the reserved matters.  
Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

3 The development shall be implemented in accordance with the Parameters Plan 31439-PL-201C and with a maximum floorspace of 55741 sq m.  
Reason: To ensure an appropriate form of development and to ensure overall height levels. Relevant policy - Borough Local Plan QP3.

4 The details submitted with the reserved matter applications should include existing and proposed ground levels and site sections.  
Reason: To ensure an appropriate form of development and to ensure overall height levels. Relevant policy - Borough Local Plan QP3.

5 No development shall take place (including demolition, ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including precautionary measures in relation to bats, badgers and toads;
- d) Invasive species removal method statement [if applicable];
- e) The location and timing of sensitive works to avoid harm to biodiversity features;
- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- i) Use of protective fences, exclusion barriers and warning signs.

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

Reason: To ensure that impacts on protected species and other biodiversity are minimised in accordance with Paragraphs 170 and 175 of the NPPF, and NR2 of the Borough Local Plan.

6 No external lighting (including floodlighting) shall be installed until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:

- A layout plan with beam orientation;
- A schedule of equipment;
- Measures to avoid glare;
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of ecological importance; and,
- Hours of operation of any external lighting.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with the NPPF and in accordance with Policy NR2 of the Borough Local Plan.

7 Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on sustainable drainage principles, shall be submitted to and



approved in writing by the Local Planning Authority. Details shall include:

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- Supporting calculations confirming compliance with, the Non-statutory Technical Standards for Sustainable Drainage Systems, and BRE Digest 365; and,
- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.

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

Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere, and in accordance with Policy NR1 of Borough Local Plan.

- 8 Prior to the commencement of any works of demolition or construction, a construction 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 Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policy EP1 and EP4 of the Borough Local Plan.

- 9 The proposal shall be implemented and maintained at all times in accordance with the Noise and Vibration Assessment by AECOM dated November 2022.

Reason: To ensure the amenities of neighbouring occupiers and to accord with Policy EP4 of the Borough Local Plan.

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

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

The Development shall take place in accordance with the WSI approved prior to the submission of reserved matters. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved WSI and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Roman remains. The potential impacts of the development

can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

- 11 Prior to the commencement of development hereby permitted, a detailed Waste Audit addressing demolition and construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The Detailed Waste Audit must include details of:

1. The anticipated nature and volumes of waste that the development will generate, including demolition waste;

2. Measures to maximise the re-use on-site of waste arising from demolition/engineering/landscaping and how this will be achieved;

3. Steps to be taken to ensure effective segregation of wastes at source during demolition and subsequent construction of the development; and,

4. Any other steps to be taken to minimise the generation of waste throughout any required demolition and during construction of the development.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that waste is managed sustainably during the development in accordance with the adopted Central and East Berkshire Joint Minerals and Waste Plan.

- 12 The reserved matters application for layout and scale shall be submitted with the following details:

- A building induced turbulence assessment for runways 07L/25R and 11/29;

- A glint and glare assessment taking into account all runways and associated circuits;

- A lighting design scheme that considers the potential impact on aviation; and,

- Details of a Wildlife Strike Management Plan

Reason: To ensure the development does adversely affect the operations of the adjoining airfield.

- 13 An updated Energy and Sustainability Statement shall be submitted with any Reserved Matters application to provide details of sustainable design and construction measures to be incorporated into the development to achieve, as far as possible, a net-zero carbon outcome on site. The approved details shall be implemented in full, entirely in accordance with the approved measures, and thereafter maintained.

Reason: To ensure that the development is designed to incorporate measures to adapt to and mitigate climate change in line with policy SP2 of the Borough Local Plan as informed by the guidance and requirements of the Position Statement on Sustainability and Energy Efficient Design - March 2021.

- 14 No building or use hereby permitted shall be occupied or the use commenced until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel plan target to the satisfaction of the Council.

Reason: To ensure the highway impacts of the proposal are acceptable and in accordance with Policy IF2 of the adopted Borough Local Plan.

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

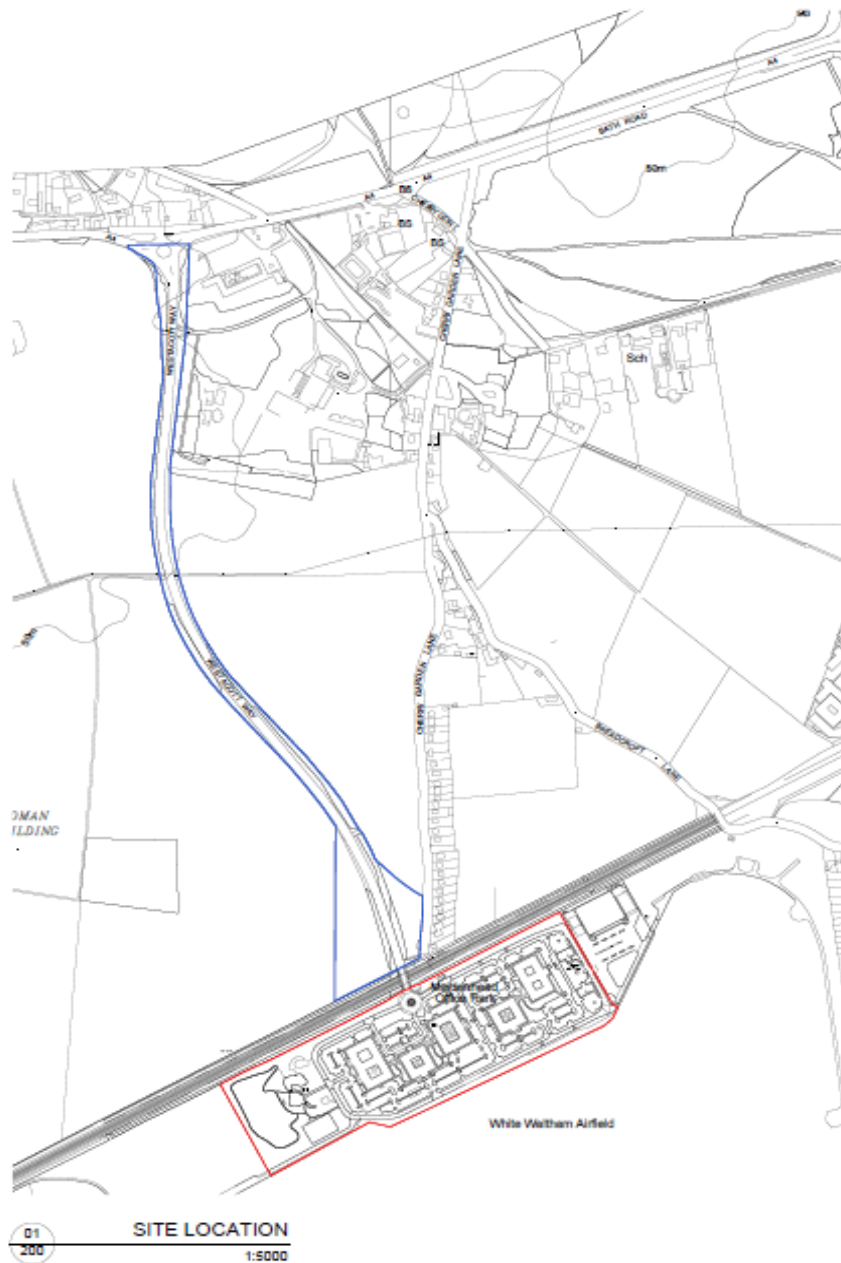
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Gtb-922-2a  
Gtb-922-1a

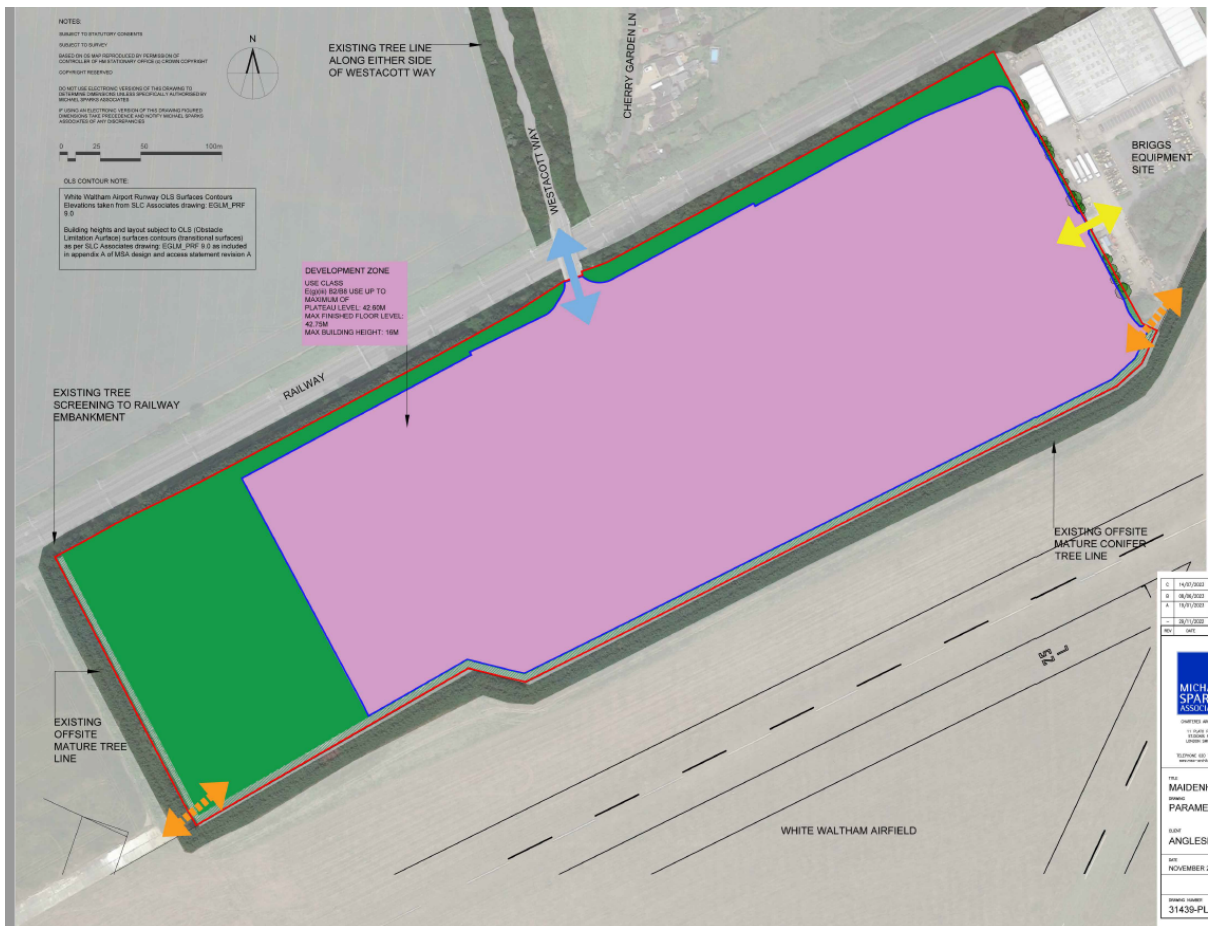
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# APPENDIX A

## Site location plan



# APPENDIX B



Parameter heights plan

# APPENDIX C

## Illustrative site layout



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## MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 September 2023

Item: 3

<b>Application No.:</b>	23/01142/FULL
<b>Location:</b>	Land Between Gringer Hill And Hargrave Road Maidenhead
<b>Proposal:</b>	Full application for the development of x49 later living apartments and associated communal facilities (residents lounge, store, guest accommodation) on land between Gringer Hill and Hargrave Road, Maidenhead; car parking; vehicular and pedestrian access from Gringer Hill; maintenance and emergency pedestrian access from Hargrave Road; all associated landscaping including removal of existing vegetation and tennis court; associated drainage works and all other associated works.
<b>Applicant:</b>	Mr Rowland
<b>Agent:</b>	Mr David Murray-Cox
<b>Parish/Ward:</b>	Maidenhead Unparished/Belmont
<b>If you have a question about this report, please contact:</b> Jeffrey Ng on 01628 796213 or at <a href="mailto:jeffrey.ng@rbwm.gov.uk">jeffrey.ng@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 The application site measures approximately 0.57 hectares and is located between Gringer Hill and Hargrave Road. The site is within an identified Protected Employment Site as a mixed-use area under Policy ED2 of the Borough Local Plan (BLP), which is known as the DTC Research site. Currently, the site comprises an unused tennis court and a grassed area which are not open to the public and is associated with the adjacent office complex. The site does not have formal access and it has to be accessed through the land to the south, associated with the existing office building.
- 1.2 This application seeks planning permission for 49 units (C3 sheltered housing), in the form of 26 one-bedroom units and 23 two-bedroom units. Two guest suites are proposed on the ground floor and the third floor respectively. The occupation of the proposed units would be restricted to those aged over 60 and within Use Class C3, secured by recommended conditions. Communal facilities are proposed for the future occupants, including a resident's lounge, a club room and communal amenity spaces. The application site is subject to an extant permission for the development of 44 units (C3 sheltering housing) with its associated facilities (ref. 21/03493/FULL), with a Section 106 planning obligation which secured a review of development finances for affordable housing provision and a carbon offset contribution.
- 1.3 The proposed building block facing Hargrave Road would be three storeys and the block facing Gringer Hill would be four storeys. The proposal comprises a new vehicular access to Gringer Hill and a new pedestrian gated secondary access to Hargrave Road. However, it is noted that the Hargrave Road access would be used for emergency and maintenance only. In terms of parking arrangements, the proposal is seeking to provide 32 vehicle parking spaces. Electric vehicle charging facilities would also be provided. Four buggy spaces and four-cycle parking spaces would also be provided within the proposed building.
- 1.4 The provision of sheltered housing would provide specialist housing for elderly people, which is supported by the SHMA 2016. The application is accompanied by a viability report, which has been the subject of independent review by the Council's independent assessor. The finding of the review supports the applicant's viability report in

concluding that the proposed development is not viable to provide any onsite affordable housing or financial contribution as the land value of the proposed scheme is below the calculation of the Benchmark Land Value. However, an early stage and a late-stage viability review mechanism are recommended, and they would be secured by a Section 106 planning obligation.

- 1.5 The proposed development would achieve a 10.11% net gain in biodiversity, which is above the mandatory national biodiversity net gain requirement, which will come into force in November 2023. As a whole, the development can achieve an overall 69% reduction in CO2 emissions based on the information provided. As the development is not net-zero, building emissions and lifestyle contributions would be secured by way of a Section 106 planning obligation. The legal agreement would also secure the submission of a Travel Plan for the development.
- 1.6 The proposed development complies with relevant development plan policies in terms of highways, waste management, tree and landscaping, ecology and biodiversity, environmental health and flood risk and sustainable drainage, subject to recommended conditions and planning obligations. The Officer’s recommendation is to approve subject to the matters set out below:

<b>It is recommended the Committee authorises the Head of Planning:</b>	
<b>1.</b>	<p><b>To grant planning permission subject to the following:</b></p> <ul style="list-style-type: none"> <li>• <b>Completion of a Section 106 legal Agreement to secure:</b> <ul style="list-style-type: none"> <li>○ <b>Carbon Offset Contributions, the requisite Lifestyle Contribution, and a mechanism to secure compliance testing and any resulting shortfall payments, pursuant to the Position Statement on Sustainability and Energy Efficient Design – March 2021.</b></li> <li>○ <b>Travel plan; and,</b></li> <li>○ <b>An early stage and a late-stage Review of Development finances for affordable housing provision.</b></li> </ul> </li> </ul> <p>- <b>The conditions as listed in Section 15 of this report.</b></p>
<b>2.</b>	<p><b>To refuse planning permission if an undertaking to secure the above has not been satisfactorily completed for the reason that the proposed development would not be accompanied by an early and late stage review of affordable housing provision, required travel plan, and carbon offset contribution provision.</b></p>

**2. REASON FOR COMMITTEE DETERMINATION**

2.1 The Council’s Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the application is for major development.

**3. THE SITE AND ITS SURROUNDINGS**

3.1 The application site measures approximately 0.57 hectares and is located between Gringer Hill and Hargrave Road. The site is within an identified Protected Employment

Site as a mixed-use area under Policy ED2 of the BLP, which is known as the DTC Research site. Currently, the site comprises an unused tennis court and a grassed area which are not open to the public and are associated with the adjacent office complex. The site does not have formal access and it has to be accessed through the land to the south associated with the existing office building.

- 3.2 The site rises gently from south to the north and immediately abuts the existing two-storey office complex to the south. The separation distance between the proposed block and the office complex is between 5 to 6 metres, with a separate access from the south of the site. Gringer Hill runs parallel to the eastern boundary of the site. The Craufurd Arms public house is located on Gringer Hill to the south of the site. Hargrave Road, which is a cul-de-sac, runs parallel to the western boundary and also rises gently to the north. To the north, the area is predominantly residential in nature. As set out in the RBWM Townscape Assessment, the site is within the “Industrial and Commercial Estates” Character but it is surrounded by the area 8D Belmont Road – Gringer Hill with the “Inter-war Suburbs” Character.
- 3.3 The site is located approximately 1 kilometre from Maidenhead Town Centre and approximately 821 metres from Furze Platt Railway Station, which provides regular train services between Maidenhead and Marlow. The nearest bus stops to the site are approximately 200 metres to the north and south of the site access.

#### **4. KEY CONSTRAINTS**

- i. Protected Employment Site as Mixed-Use Area under Policy ED2
- ii. Tree Preservation Order (TPO)
- iii. Area of archaeological significance and archaeological remains

#### **5. THE PROPOSAL**

- 5.1 This application seeks planning permission for 49 units (C3 sheltering housing), which takes the form of 26 one-bedroom units and 23 two-bedroom units. Two guest suites are proposed on the ground floor and the third floor respectively. The occupation of the proposed units would be restricted to those aged over 60. Communal facilities are proposed for future occupants, including a resident’s lounge, a club room and communal amenity spaces.
- 5.2 The proposed building block facing Hargrave Road would be three storeys and the block facing Gringer Hill would be four storeys. The proposal comprises a new vehicular access to Gringer Hill, and a new pedestrian gated secondary access to Hargrave Road. However, it is noted that the Hargrave Road access would be used for emergency and maintenance only. In terms of parking arrangements, the proposal is seeking to provide 32 vehicle parking spaces. Electric vehicle charging facilities will also be provided. Four buggy spaces and four-cycle parking spaces would also be provided within the building.
- 5.3 Under the extant 44-unit scheme (see section 6), the unit mix was 11 x 1-bedroom units and 33 x 2-bedroom units. The current application would provide a unit mix of 26 x 1-bedroom units and 23 x 2-bedroom units. The overall building has been reduced by approximately 130 sqm of Gross Internal Area (GIA) with additional hard and soft landscaping provided to the parking area of the site and to the south facing courtyard area. Other changes include reducing the size of balconies at the eastern elevation, adding two bay windows to the second-floor units facing Hargrave Road and adding a new guest suite and owner’s lounge/kitchen area.

## 6. RELEVANT PLANNING HISTORY

Ref.	Description of Development	Decision and Date
21/03493/FULL	Development of x44 later living apartments and associated communal facilities (residents' lounge, store, guest accommodation) with car parking, vehicular and pedestrian access from Gringer Hill, maintenance and emergency pedestrian access from Hargrave Road, all associated landscaping, including removal of existing vegetation, associated drainage works and all other associated works.	Approved 31 <sup>st</sup> March 2023

- 6.1 There are also a number of applications relating to the DTC Research site, but they are all regarding the existing office complex and are not considered to be relevant to the current application.

## 7. DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

### Borough Local Plan 2013-2033

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Building Height and Tall Buildings	QP3a
Housing Development Sites	HO1
Housing Mix and Type	HO2
Affordable Housing	HO3
Protected Employment Sites	ED2
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands, and Hedgerows	NR3
Environmental Protection	EP1
Noise	EP4
Contaminated Land and Water	EP5
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Utilities	IF7

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 6 – Building a strong, competitive economy

Section 9- Promoting Sustainable Transport

Section 11 – Making effective use of land

Section 12- Achieving well-designed places

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

Section 15 – Conserving and enhancing the natural environment

### **Supplementary Planning Documents**

- Borough Wide Design Guide
- Sustainable Design and Construction SPD
- Planning Obligation and Developer Contributions SPD

### **Other Local Strategies or Publications**

- Berkshire Strategic Housing Market Assessment (SHMA) 2016
- Townscape Assessment
- Landscape Assessment
- Parking Strategy
- Affordable Housing Planning Guidance
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy
- RBWM Waste Management Planning Advice Note
- DLUHC Technical housing standards – nationally described space standard 2015

### **Building Height and Tall Buildings Supplementary Planning Document**

The Council has prepared the Building Height and Tall Buildings Supplementary Planning Document (SPD) and it was under consultation until 11 October 2022. The Council is now working on the revised version of the SPD. Limited weight should be afforded to the SPD in this regard.

## **9. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

9.1 No letters were received from the 27 neighbouring properties directly notified.

9.2 The planning officer posted a notice advertising the application at the site on 05.06.2023 and the application was advertised in the Local Press on 26.05.2023.

### **Statutory Consultees**

<b>Consultees</b>	<b>Comments</b>	<b>Where in the report this is considered</b>
Natural England	No comments received by the time of writing this Report.	N/A.
Lead Local Flood Authority	No objection subject to recommended condition.	See section 10.

### **Consultees**

<b>Consultees</b>	<b>Comments</b>	<b>Where in the report this is considered</b>
RBWM Housing	The submitted viability assessment should be independently assessed to determine the level contribution that is viable and secured in a planning obligation.	See section 10.
RBWM Environmental Protection	No objection subject to recommended conditions.	See section 10.
RBWM Highways	No objection subject to the same set of recommended conditions under extant application ref. 21/03493/FULL.	See section 10.
Berkshire Archaeology	No objection subject to recommended condition.	See section 10.
RBWM Ecology	No comments received by the time of writing this Report.	N/A
Thames Water	No comments received by the time of writing this Report.	N/A
Royal Berkshire Fire and Rescue Service	No comments.	Noted.

## **10. EXPLANATION OF RECOMMENDATION**

### **10.1 The key issues for consideration are:**

- iv. Principle of Development;
- v. Climate Change and Sustainability;
- vi. Affordable Housing;
- vii. Housing Provision and Quality;
- viii. Design and Character;
- ix. Impact on amenity of neighbouring occupants;
- x. Highways and Parking;
- xi. Trees and Landscaping;
- xii. Ecology and Biodiversity;
- xiii. Environmental Health;
- xiv. Flood Risk and Sustainable Drainage; and,
- xv. Other Material Considerations.

## **Principle of Development**

- 10.2 The application site is categorised as a mixed-use area, within an identified Protected Employment Site under Policy ED2 of the BLP (known as the DTC Research site). Paragraph 3 of Policy ED2 sets out that an element of residential development may be acceptable in mixed-use areas, subject to the overall quantum of employment floorspace within the mixed-use area as a whole not being reduced. The policy continues to set out that an element of residential development may be acceptable in mixed-use areas.
- 10.3 The application site comprises an unused tennis court and a grassed area which are not open to the public and are ancillary to the adjacent office building. The proposed development is not seeking to alter the existing office complex to the south of the site. Given that there is no reduction in the overall quantum of employment floorspace at the DTC Research site as a whole, the principle of the development complies with Policy ED2.
- 10.4 Policy ED2 does not specifically set out the type of residential development to be provided or the proposed residential development has to be provided as a supporting accommodation to the office use. Therefore, the provision of 49 sheltering housing under the current application does not conflict with Policy ED2. Furthermore, it is noted that the site is subject to an extant planning permission for 44 x C3 sheltering housing units (ref. 21/03493/FULL), which was granted on 31 March 2023. The extant permission is an important material planning consideration when determining the current application.

## **Climate Change and Sustainability**

- 10.5 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimising vulnerability and improving resistance, and supporting renewable and low carbon energy and associated infrastructure. The Council declared a climate emergency in June 2019 and intends to implement a national policy to ensure net-zero carbon emissions can be achieved by no later than 2050.
- 10.6 In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. These are material considerations in determining this application. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025. While a Sustainability Supplementary Planning Document will be produced in due course, the changes to national and local climate policy are material considerations that should be considered in the handling of planning applications and achievement of the trajectory in the Environment and Climate Strategy will require a swift response. An Interim Sustainability Position Statement (ISPS) has therefore been adopted to clarify the Council's approach to these matters.
- 10.7 This application is accompanied by a Sustainability Statement which is prepared by RHB Partnership LLP, on behalf of the applicant. The proposed sustainability measures accord with the requirements of the ISPS and BLP Policy SP2, including approximately 68.7% of the energy to be provided by renewable energy and electric vehicle charging made available for all parking spaces, with 20% active and 80%

passive provision. As a whole, the development can achieve an overall 69% reduction in CO2 emissions based on the information provided.

- 10.8 Whilst this would represent a considerable reduction in the potential CO2 emitted from the site, the proposal would not achieve net zero. As such, it is reasonable for the Local Planning Authority to achieve the remainder by Building Emissions and Lifestyle contributions. These contributions have been calculated and would be secured through the legal agreement. Subject to completion of the legal agreement and recommended condition to secure the energy efficiency measures set out in the sustainability statement, the proposal would accord with Policy SP2 of the BLP.

### **Affordable Housing**

- 10.9 Policy HO3 of the BLP sets out that all developments for 10 dwellings gross, or more than 1,000 square metres of residential floorspace are required to provide on-site affordable housing as follows:
- On greenfield sites providing up to 500 dwellings gross – 40% of the total number of units proposed on the site.
  - On all other sites, (including those over 500 dwellings) – 30% of the total number of units.
- 10.10 Policy HO3 was based on a viability study in 2017 to test affordable housing policy and it demonstrates that development in the Borough is viable and the policies do not impose disproportionate burdens on developers.
- 10.11 This application is seeking to provide 49 C3 sheltering housing units which would trigger the affordable housing requirement within the development plan. This application is accompanied by a Viability Assessment, which has been carried out by Bailey Venning Associates, on behalf of the applicant.
- 10.12 The land value of an alternative residential use on the site has been adopted to establish the benchmark land value (BLV). According to paragraph 017 of the PPG<sup>1</sup>, if applying alternative uses when establishing the BLV, these should be limited to those uses which would fully comply with the up-to-date development plan policies, including any policy requirements for contributions towards affordable housing at the relevant levels set out in the plan. The BLV for the site will be determined by the applicant based on the residual land value (RLV) of an alternative use.
- 10.13 The submitted viability assessment sets out that the economic viability of the proposed development was tested by including all the reasonable costs of the development against an appropriate site benchmark which was determined from the alternative use value (AUV). In this case, a 14-unit scheme which was proposed under a pre-application submission was used to work out the AUV. Based on the submitted viability assessment, it is understood that the proposed 14-unit scheme would include three rented affordable units and one intermediate affordable unit. The proposed affordable housing provision would therefore comply with the affordable housing provision requirement under Policy HO3 of the BLP. The submitted viability assessment sets out that the BLV of the proposed 14-unit scheme would be £953,789, and the development proposed under the current planning application, without the provision of affordable housing, would generate a RLV of £173,074 which is below the BLV. The findings of the submitted viability assessment therefore conclude that the proposed development cannot remain viable whilst providing any on-site affordable housing or by providing a

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<sup>1</sup> Reference ID: 10-017-20190509



contribution towards affordable housing. This was also the case under the extant permission.

- 10.14 The applicant's viability assessment has been reviewed by an independent assessor. Whilst the independent review has calculated that the BLV of the proposed 14-unit alternative scheme would be £1,036,750 and the RLV would be £186.902, the same conclusion of the applicant's viability assessment has been made in that it is not viable for the proposed development to provide any onsite affordable housing and furthermore, that there is no surplus funding available to provide an affordable housing contribution.
- 10.15 Notwithstanding this, both early and a late-stage viability review mechanisms are recommended. This would allow a further review of the scheme's viability (looking at build costs and sales values) to be carried out when construction costs and sales values are known. If at that time there is surplus, a proportion of that in-line with the policy requirement would be required as an off-site affordable housing contribution. The extant permission for 44-unit scheme is subject to a late-stage viability review mechanism. The early and a late-stage viability review mechanisms would be secured by a Section 106 Legal Agreement.

## **Housing Provision and Quality**

### Housing Need

- 10.16 Policy HO2 of the BLP sets out that the provision of new homes should contribute to meeting the needs of current and projected households by having regard to several principles, including the provision of an appropriate mix of dwelling types and sizes as set out in the Berkshire Strategic Housing Market Assessment (SHMA) 2016 unless there is evidence showing an alternative housing mix would be more appropriate. The policy also sets out that the provision of purpose-built and specialist accommodation with care for older people will be supported in settlement locations, subject to compliance with other policy requirements.
- 10.17 The submission also makes references to paragraph 001 of the PPG<sup>2</sup>, which sets out that offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health system.
- 10.18 According to the SHMA 2016, the Borough has an ageing population, with significant projected growth in over 65-year-olds. Based on the projected need for older persons' accommodation over the 2013-2036 period, the Council requires an additional 2,155 market units (i.e., 1,866 units after deducting the projected supply of 289 units), which is equivalent to approximately 82 units per year. The application can therefore positively contribute to meeting the housing need for older persons' accommodation, in particular market units. The provision of this type of accommodation, with care for older people in settlement locations, is also generally supported by Policy HO2, subject to compliance with other policy requirements.

### Housing Mix

- 10.19 The SHMA 2016 sets out that the future need for specialist retirement housing is typically defined as a form of congregate housing (i.e., designed exclusively for older people and which offers some form of communal space, community alarm service and

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<sup>2</sup> Reference ID: 10-017-20190509

access to support and care if required). This type of housing will usually have smaller units to attract 'early retired' older people looking to 'downsize' or wanting to live in specialist retirement housing.

- 10.20 According to the SHMA 2016 analysis, it sets out that the provision of this type of specialist housing for older people is usually "smaller (one and two bedrooled) housing aimed to attract 'early retired' older people". Furthermore, it also "attracts older people looking to "downsize" to free up family accommodation for younger households." Therefore, the proposed housing mix of one and two bedrooled units in this application is justified.

#### Age Restriction

- 10.21 This application is seeking to introduce 49 sheltered housing units, comprising 26 one-bedroom units and 23 two-bedroom units. The occupation of the proposed units would be restricted to those aged over 60. The proposal would help meet an identified need within the Borough and therefore is supported in principle.
- 10.22 Regarding older peoples' housing, the NPPF defines older people as "people over or approaching retirement age, including active elderly to the very frail, and whose housing needs can encompass accessible, adaptable general needs housing through to the range of retirement and specialised housing for those with support or care needs."
- 10.23 Planning conditions are recommended to ensure that the proposed units are used solely as described, for the purpose of providing sheltered housing accommodation for person or persons who, to acquire purchase or lease, would have a minimum age of 60, living as part of a single household.

#### Accessible and Adaptable Housing

- 10.24 According to Paragraph 010<sup>3</sup> of the Planning Practice Guidance (PPG), sheltered housing is one of the specialist forms of housing for older people and it comprises purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services but provides some support to enable residents to live independently. This can include 24-hour on-site assistance (alarm) and a warden or house manager.
- 10.25 Policy HO2 of the BLP sets out that for proposals of 20 or more dwellings, 30% of the dwellings should be delivered as accessible and adaptable dwellings by Building Regulations M4(2), and 5% of the dwellings should meet the wheelchair accessible standard in Building Regulations M4(3), unless evidence can be provided to demonstrate that such provision would be impracticable or render the scheme unviable.
- 10.26 All units have been designed to meet Building Regulations M4(2) requirement, which is well above the 30% requirement as set out in Policy HO2.
- 10.27 The submitted design and access statement sets out that the proposed building has been designed so as only the separating walls between certain apartments and corridors are structural. All internal partitions within those units are non-loadbearing, therefore allowing for the adaptation, including the delivery of M4(3) wheelchair-accessible standard units. A layout plan of one of the units has been provided in the

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<sup>3</sup> Reference ID: 63-010-20190626

submitted design and access statement showing how the proposed unit can be adapted to meet the M4(3) wheelchair-accessible standard. In this case, up to eight units are capable of being adapted to meet the M4(3) wheelchair-accessible standard. This equates to approximately 16% of the total units, which is above the 5% provision requirement under Policy HO2.

- 10.28 This application is seeking to provide specialist housing for older people. Providing accessible and adaptable housing up to Building Regulations requirement is particularly important to accommodate the needs of future occupants. Considering Policy HO2 is for general dwellings and the current application is to provide specialist sheltered housing for a certain group of older people (aged over 60), a pragmatic approach should be adopted in this case.
- 10.29 It is considered that this type of sheltered housing requires some flexibility in terms of wheelchair-accessibility due to the nature of this certain group of older people. While up to eight units can be converted to a M4(3) units, the provision is well above the requirement as set out in Policy HO2 (i.e., 3 units). Notwithstanding, details should be provided regarding measures and plans which would be in place to ensure the relevant adaptations can be implemented in a timely fashion in line with the needs of prospective or existing occupants. Such details are secured by recommended condition.

### **Design and character**

- 10.30 The appearance of the development is a material planning consideration. Section 12 of the NPPF and BLP Policy QP3 set out that all development should seek to achieve a high-quality design that improves the character and quality of an area.

#### Appearance and character

- 10.31 As set out in the RBWM Townscape Assessment, the site is with the “Industrial and Commercial Estates” Character area but it is surrounded by the area 8D Belmont Road – Gringer Hill with the “Inter-war Suburbs” Character, which shows the use of bay windows and gabled front elevations.
- 10.32 The submitted design and access statement identifies that the site sits between three distinct character areas. Gringer Hill to the east is mainly characterised by detached properties that are set back, with a generous garden to the front and the frontages are generally in line with the street alignment. Hargrave Road to the west is tighter and the properties are in a mix of terrace and semi-detached. To the south of the site is the existing office complex. The Craufurd Arms public house is located on Gringer Hill to the southeast of the site.
- 10.33 The application site forms part of the DTC Research site and it is immediately adjacent to an existing office building to the south of the site. However, the site is within a predominantly residential area with a topography that rises steadily from south to north. The site is bounded by Gringer Hill to the east and Hargrave Road to the west. Gringer Hill comprises a mixture of two and three storey detached houses, incorporating hipped roofs with gables fronting the street, while Hargrave Road comprises terraced brick housing with lower-pitched roofs.
- 10.34 The proposed development responds to the two distinct characters along Gringer Hill and Hargrave Road. The façade fronting Gringer Hill is characterised by the introduction of gables, which is one of the distinct features identified, while the use of bay windows is adopted at the façade towards Hargrave Road. Orange brickwork would be used to respond to the traditional properties of the surrounding areas, while plain clay tiles

would be used to the elevations facing Gringer Hill, and a natural slate would be used to the elevation facing Hargrave Road. A condition is recommended to ensure that the materials to be used on the external surfaces shall be in accordance with the submitted details. The proposed development is considered to be acceptable and complies with Policy QP3 of BLP.

### Scale

- 10.35 Policy QP3a of the BLP sets out that a building of more than 1.5 times the context height of the surrounding area or a minimum of four storeys in a two-storey area, would be considered a tall building. Policy QP3a continues to set out that proposals for tall buildings must be of the highest quality of design. Tall buildings will only be considered appropriate in certain areas with high public transport accessibility, a mix of uses and an existing or emerging urban character that can successfully assimilate the scale, height and level of activities of the proposed development.
- 10.36 A calculation has been provided in the submitted design and access statement and it sets out that the context height along Gringer Hill is approximately 2.3 storeys, while the context height along Hargrave Road is two-storeys. Furthermore, due to the difference in levelling, the application site sits significantly lower than the adjacent roads and neighbouring properties and it would help reduce the heights of the proposed building. The submitted design and statement also sets out that there is a selection of three to four storey buildings in the wider area.
- 10.37 The proposed building facing Gringer Hill and Hargrave Road would be four storeys and three storeys respectively. Policy QP3 does not set out how to assess a building with varying heights against the relevant context height. While the proposed three storey part of the building is within 1.5 times, considering the calculated context height along Gringer Hill, the proposed four storey part of the building would exceed 1.5 times of the context height of 2.3 storey of the area, which therefore meets the definition of a tall building as set out in Policy QP3a.
- 10.38 The ridge line of the proposed block is generally in line with the ridge line of the existing nearby properties. It is considered that the proposed building is acceptable in terms of scale and massing.

### Layout

- 10.39 The submitted design and access statement sets out that the proposed buildings footprint is approximately 30% of the site. When comparing with the consented scheme under the extant planning permission (ref. 21/03493/FULL), the overall building has been reduced by approximately 130 sqm of Gross Internal Area (GIA). It would also create an additional 18 sqm of hard and soft landscaping which would be allocated to the on-site parking area and additional area to the south-facing courtyard area.
- 10.40 The proposed development is set back from the eastern boundary to be consistent with the existing building line along Gringer Hill. The building is also generally in line with the building line along Hargrave Road to the west. To the north of the site, the existing green space would be retained as a communal amenity space for future occupants. It would also act as a green buffer between the proposed building and the existing properties to the north.
- 10.41 To maintain an adequate separation distance between the proposed building and the existing properties to the north, the proposed building is relatively close to the southern boundary of the site. The majority of the proposed building does maintain a minimum

of 2 metres from the boundary of the site, apart from the section of the proposed building towards Gringer Hill. Given that the existing office complex is set back by approximately 3.6 metres from the boundary, the footprint of the building and its juxtaposition with the office building is acceptable in this case.

#### Internal Layout

- 10.42 All proposed units would meet the minimum requirement of gross internal floor areas, as set out in the nationally described space standards. The proposal also includes a number of communal facilities, including two guest suites, a club room and an owner's lounge on the ground floor. The proposed communal facilities would provide some internal communal amenity spaces for future occupants and visitors. Windows have been added to allow more glazing at the entrance area. These features would allow natural light and views for future occupants.
- 10.43 34 out of the 49 units (which equates to approximately 69%) would benefit from being dual aspect, in line with the design review panel's comments that an increased proportion of units were required to be dual aspect in order to raise the quality of the internal layouts and reduce overheating. Furthermore, three units in the northwestern corner of the proposed development benefit from a triple aspect, with windows on the east, west and north elevations. The remaining 15 units would be single aspect; however, none of the single aspect units would have only a northerly aspect.
- 10.44 The assessment of daylight within the proposed units has been undertaken using the Daylight Illuminance and Daylight Factor test and the results shows that 107 out of 126 rooms would meet the Building Research Establishment (BRE) targets. Those falling below are predominately located in the northern elevation where sunlight levels are naturally lower when comparing with other elevations. Of the 19 rooms that do not meet the BRE target, only five are bedrooms and it is mainly due to their corner positioning within the courtyard and such lower levels of daylight are expected. In terms of sunlight, 42 out of 49 units meet the BRE target. Though a small number of rooms and units fall below the BRE target, it is not considered that it would constitute unacceptable standards to the future occupiers.

#### Amenity Space

- 10.45 The Council's Borough Wide Design Guide (BWDG) SPD sets out that flatted developments will be expected to provide high-quality private outdoor amenity space for each unit. All flats above ground floor should also be provided with balconies which are a minimum of 2 metres deep and are wider than their depth.
- 10.46 All of the proposed ground floor flats have access to their own private amenity spaces and they all meet the requirement set out under the BWDG SPD. Balconies are provided for all flats above; however, four units have been provided with Juliet balconies which would not meet the relevant requirements referenced above.
- 10.47 In this case, communal outdoor space is provided within the site and is accessible to all future occupants. Considering that there are only four units which do not meet the Council's requirement, on balance, given the overall provision of both private and communal amenity space available to residents, the proposals are acceptable in this regard.

#### **Impact on Amenity of Neighbouring Occupants**

- 10.48 Policy QP3 of the BLP sets out that new development should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.
- 10.49 This application is accompanied by a daylight and sunlight report, which is prepared by eb7, on behalf of the applicant. The Vertical Sky Component (VSC) and the No-Skyline (NSL) tests are used within the submitted sunlight and daylight report. 12 neighbouring residential properties along Hargrave Road and Gringer Hill which have windows overlooking the proposed development have been assessed. The assessment concludes that all neighbouring residential habitable windows and rooms would retain high levels of daylight, which exceed the target set out in the BRE guidance. For sunlight, the assessment also shows that all main living rooms would retain high levels of sunlight which exceed the BRE target. Therefore, it is not considered that the proposed development would have any unacceptable impact on neighbouring residential properties.
- 10.50 The separation distance between the proposed building block and neighbouring properties to the north is at least 13 metres. Though it is slightly below the 15 metres set out in the BWDG SPD, a number of existing trees would be retained along the northern boundary which would provide screening to the neighbouring properties. Furthermore, it is noted that this was the case under the extant planning permission (ref. 21/03493/FULL) and there have been no material changes in circumstance or policy since this time. Given that the impacts of the non-compliance separation distance provision would be in part mitigated by the existing trees and the principle has been accepted under the extant permission, on balance, the proposals are acceptable.
- 10.51 The separation distance between the proposed building block and neighbouring properties along Hargrave Road is at least 28 metres, which is well beyond the SPD requirement. The separation distance between the proposed building block and neighbouring properties along Gringer Hill is also at least 41 metres and again it is well beyond the SPD requirement.
- 10.52 The separation distance between the proposed building block and the office complex to the south is between 5 to 6 metres. The Council does not have a specific separation distance guidance for office development. Considering the separation distance for buildings above 2 storeys between flank wall to boundary under the BWDG SPD, it is considered that a minimum of 2 metres is required and the separation distance in this case well exceeds the requirement.

### **Highways and Parking**

- 10.53 Paragraph 112 of the NPPF sets out that development proposals should give priority first to pedestrian and cycle movements and second – so far as possible – to facilitating high-quality public transport. Policy IF2 of the BLP sets out that new development should provide safe, convenient, and sustainable modes of transport.

### **Sustainable Modes of Transport**

- 10.54 The application site is approximately 1 kilometre from Maidenhead Town Centre. The existing footpath network also provides access to Maidenhead Town Centre and nearby local services and facilities.
- 10.55 The site is also within walking/cycling distance of Furze Platt Station, which provides regular train services between Marlow and Maidenhead. Maidenhead Railway Station

is approximately 1.3 kilometres from the site and it provides direct train services to London, Reading and Oxford. The nearest bus stops to the site are approximately 200 metres to the north and south of the site access. There are good bus routes to the surrounding towns of Maidenhead, Windsor, High Wycombe, Slough, and Reading.

10.56 This application is accompanied by a travel plan framework, prepared by Bellany Roberts, on behalf of the applicant. The objectives of the travel plan framework are as follows:

- Change the travel behaviours of residents and frequent visitors;
- Minimise journeys to and from the site by single occupancy vehicles;
- Increase active travel and car sharing;
- Encourage more trips by sustainable means; and,
- Ensure that all residents and frequent visitors are aware of the range of available travel opportunities.

10.57 A number of measures are set out in the travel plan framework to ensure the objectives can be achieved, including the appointment of a travel plan coordinator. The role of the coordinator would liaise with future residents and the Local Planning Authority to agree measures to encourage residents and visitors to utilise sustainable forms of travel. The coordinator would be funded by the applicant. Details of the travel plan would be secured by a planning obligation.

10.58 In summary, it is considered that the application site is within a sustainable and accessible location and this allows future occupants an opportunity to use sustainable modes of transport.

#### Vehicle Movements

10.59 Policy IF2 of the BLP sets out that new development shall be located to minimise the distance people travel and the number of vehicle trips generated. This application is accompanied by a transport statement, prepared by Bellany Roberts, on behalf of the applicant. The following table summarises the vehicle movements of the proposed development:

	<b>Vehicle movements</b>
AM Peak (0800-0900)	8 vehicles per hour – 2 ways
Actual Peak (1000-1100)	15 vehicles per hour – 2 ways
PM Peak (1700-1800)	7 vehicles per hour – 2 ways
Daily	122 vehicles – 2 ways

10.60 The transport statement also sets out that a travel plan framework has been provided to support this application and it aims to encourage residents to use sustainable modes of transport, such as public transport, cycling or walking.

10.61 The Council's Highways Authority has raised no objection to the proposed development. It is considered that the level of traffic likely to be generated by the proposed development would not have a material impact on the existing highway network over and above that of the existing and extant scheme at the site.

#### Services and Access

- 10.62 The proposed development would be accessed from Gringer Hill as was the case under the extant permission for the 44-unit scheme. The proposed access would provide a bellmouth with visibility splays of 2.4 x 43 metres. The proposed access and visibility splays would be provided prior to the occupation of the development to ensure highway safety and would be secured by recommended condition. The proposal also proposes a pedestrian access onto Hargrave Road. However, it is noted that it would be used for maintenance and emergency use only and would be gated with a coded access provision.
- 10.63 Servicing of the development would take place from the new access to Gringer Hill with the bins being stored to the north of the parking area. It is considered that the development would provide sufficient space for service vehicles to enter, turn and leave the site in a forward gear.

#### Parking

- 10.64 Policy IF2 of the BLP sets out that new developments should provide vehicle and cycle parking in accordance with the parking standards with the Parking SPD. Prior to adoption of the Parking SPD, the parking standards in the 2004 Parking Strategy will be used as a guide for determining the appropriate level of parking provision, with consideration also given to the accessibility of the site and any potential impacts associated with overspill parking in the local area.

#### *Vehicle Parking*

- 10.65 According to the 2004 Parking Strategy, the site just falls outside the 800 metres threshold (i.e., 821 metres) and the nearest train station, Furze Platt, only provides an hourly train service. Therefore, the parking standards for areas of poor accessibility should be adopted in this case and 49 parking spaces should be provided (i.e., 1 space per unit). The following table summarises the maximum parking standard for C3 Active elderly with warden control (sheltered housing) set out in the 2004 Parking Strategy:

<b>Use Class</b>	<b>Maximum Parking Standard (Areas of Poor Accessibility)</b>	<b>Maximum Parking Standard (Areas of Good Accessibility)</b>
C3 Active elderly with warden control (sheltered housing)	1 space per unit	0.5 space per unit

- 10.66 The proposed development is seeking to introduce 32 parking spaces, with three parking spaces designated for disabled parking. The proposed parking arrangement represents 65.3% of the maximum parking standard (areas of poor accessibility), but it is well above the maximum parking standard for areas of good accessibility.
- 10.67 The Council's Highways Authority sets out that additional information should be provided to justify the reduced parking provision. However, given that the location of the site is just marginally below the 800 metres threshold, a pragmatic approach should be adopted when assessing the parking arrangement of the current application. This was also the case when assessing the extant 44-unit scheme and there have been no material changes in circumstance or policy since this time. The application site is within reasonable walking distance to the railway station and bus stops which provide regular bus services to Maidenhead, Windsor, High Wycombe, Slough, and Reading and therefore it is not considered that additional information as recommended by the Council's Highways Authority is required in this regard.



- 10.68 In terms of potential impacts associated with overspill parking in the local area, the submitted transport statement sets out that on-street parking is likely to occur at peak times due to school drop off and pick up periods. Considering the proposed development is to provide retirement living apartments, it is not considered that the proposed development would have the same level of parking demand when comparing to traditional residential development schemes which provides family housings or units. Therefore, the proposed car parking provision is considered to be acceptable in this particular case.

#### *Electric Vehicle Charging Facilities (EVCFs)*

- 10.69 The Council's ISPS sets out that at least 20% of parking spaces should be provided with active EVCFs and 80% of parking spaces should be provided with passive provision. The submitted transport statement confirms that 20% of the parking spaces would be provided with active EVCFs and 80% of parking spaces would be provided with passive EVCFs. Given that 32 parking spaces would be provided, 6.4 (round up to 7) active EVCFs are required. Based on the submitted site layout, 7 EVCFs would be provided. The EVCFs should be provided prior to the first occupation of the proposed development and would be secured by recommended condition.

#### *Cycle and Other Parking Provision*

- 10.70 The 2004 Parking Strategy sets out that cycle parking provision may be required with certain forms of residential development. In block of flats, a proportion of secure cycle parking will be required and calculated on a case specific basis. The proposal comprises an internal parking area to accommodate four buggy spaces and four-cycle spaces.
- 10.71 The site is located with convenient cycle access to a variety of destinations. Given the location of the application site and the specific characteristics of future occupants, it is considered that additional cycle parking spaces should be provided to meet the specific need of future residents and to encourage future occupants to cycle as a sustainable mode of transport, which is in line with the objectives of the travel plan framework. The Council does not have a parking standard for buggy spaces. However, it is considered that the provision of such spaces are important facilities to support the need of future occupants. The cycle and buggy parking facilities should be provided prior to the first occupation of the proposed development and would be secured by recommended condition.

#### Summary

- 10.72 Paragraph 111 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.73 The application site is within reasonable walking/cycling distance to local services, facilities, local bus stops and railway stations. The submitted travel plan framework sets out several measures to encourage future residents to use sustainable modes of transport, with a travel plan secured by Section 106 planning obligation. Though the proposed parking provision is below the maximum parking standards set out in the 2004 Parking Strategy, the overall parking arrangement is considered to be acceptable in this case. Therefore, it is considered that the proposed development is acceptable in terms of parking and highway safety.

#### **Tree and Landscaping**

- 10.74 Paragraph 131 of the NPPF sets out the importance of trees which contribute to the character and quality of urban environments and also help mitigate and adapt to climate change. Policy NR3 of the BLP also sets out that development proposals should protect and retain trees and hedgerows, provide mitigation measures if harm to trees or hedgerows is unavoidable and plant new trees and hedgerows and extend existing coverage where possible.
- 10.75 A number of existing trees along the western and northern boundaries of the site are subject to a Tree Preservation Order (TPO). This application is accompanied by an arboricultural assessment and method statement and a tree protection plan, which are prepared by Barrell tree consultancy, on behalf of the applicant.
- 10.76 The submitted arboricultural assessment sets out that a number of existing trees would have to be removed from the site, but that all of the TPO trees and category A trees would be retained. Two category B trees (T44 and T45) would be removed due to the proposed development; however, the retained trees would continue to buffer any loss and there would be no harmful impact on the local character. The proposed works would also result in some disturbance to the existing trees and encroachment into the root protection areas (RPAs) including two of the balconies on the western elevation of the proposed building, new pedestrian surfacing and the parking area. However, it is considered that the RPAs of those existing trees would not be significantly affected if the protection measures identified in the method statement are fully implemented. Such protection details would be secured by recommended condition.
- 10.77 The submitted statement also identifies that new tree planting would be introduced to the site. Further details should be provided to ensure that the species and location of any new planting are appropriate and that the existing trees and hedgerows would not be adversely affected. A detailed landscaping plan is also secured by recommended condition.

### **Ecology and Biodiversity**

- 10.78 The application site lies within 5 kilometres of several designated sites including Chilterns Beechwoods Special Area of Conservation (SAC) and Bisham Woods Site of Special Scientific Interest (SSSI). The site is also within 2 kilometres of several Local Wildlife Sites. However, it is not considered that the application would have an adverse impact on those locally designated sites given the distance of these Local Wildlife Sites to the application site and the built-up areas that intervene. The application site comprises a fenced-off tennis court and a grassed area surrounded by a mix of mature and young trees, with hedgerows on the eastern and western boundaries of the application site.
- 10.79 No comments have been received from Natural England at the time of writing this report. However, it is noted that Natural England commented on the previous application and concluded that the extant permission (ref. 21/03493/FULL) was not likely to result in significant impacts on statutory designated nature conservation sites and that no further assessment was required. This is a material planning consideration in the determination of the current application. Considering the current scheme is providing five additional units when compared to the consented scheme and would have no additional built form, it is unlikely that the proposed development would result in additional impacts on the designated nature conservation sites in this regard.
- 10.80 This application is accompanied by an ecological impact assessment prepared by Lizard Landscape Design and Ecology, on behalf of the applicant. The report identifies

that there are a number of mature trees along the northern and western boundaries of the site which were considered to offer low or moderate bat roost suitability. Given the nature of the site, it offers some suitable habitat for reptiles, badgers, hedgehogs, breeding birds, invertebrates and foxes. A number of ecological mitigation measures are recommended, including the installation of green walls, the use of flowering plants with a recognised wildlife value within soft landscaping scheme, the use of seed and fruit bearing tree species, the provision of bat friendly planting, the installation of invertebrate, bird and bat boxes in suitable locations within the site and the creation of log piles.

- 10.81 The majority of the hedgerows and trees are to be retained and protected during and post development and any trees to be removed would be replaced by native species. Furthermore, there was no evidence of badger or hedgehog, and the site does not have the potential to support great crested newts or dormice. Six identified trees had the potential to support roosting bats, but it is considered that all of those trees would be retained and protected. Therefore, no further ecological survey is required in this regard.

#### Biodiversity Net Gain (BNG)

- 10.82 The application is accompanied by a BNG calculation which would provide a net gain of 0.15 habitat units (10.11%) by the creation of onsite habitats include planting of trees and creations of areas of scrub, shrub and gardens.
- 10.83 From November 2023, a minimum 10% mandatory BNG is required using the Biodiversity Metric for any major development after the two-year implementation period from 9 November 2021 when the Environmental Bill received Royal Assent and became the Act. Although the mandatory requirement does not yet come into effect at the time of writing this report, it is expected that all major applications should demonstrate a minimum of 10% BNG. In this case, the current provision of 10.11% net gain in habitable units exceeds the national requirement and local planning policies. Details of how the BNG can be delivered and monitored are required to support the application and are secured by recommended condition.

#### **Environmental Health**

- 10.84 Policy EP1 of the BLP sets out that new development will only be supported where it would not have an unacceptable effect on environmental quality both during the construction phase or when completed. Details of remedial or preventative measures and any supporting environmental assessments will be required and will be secured by planning conditions to ensure that the development will be acceptable.

#### Noise

- 10.85 Policy EP4 of the BLP sets out that new development should consider the noise and quality of life impact on occupants of existing nearby properties and the intended new occupiers. Development proposals will need to demonstrate that they will meet the internal noise standards for noise-sensitive developments as set out in the Policy. Policy EP4 also sets out the Council's external and internal noise standards for noise sensitive developments.
- 10.86 This application was submitted alongside a noise impact assessment, prepared by auric acoustic consulting, on behalf of the applicant. Section 4.2 of the assessment sets out that double glazing and standard trickle ventilators are recommended for the glazing and ventilators for all habitable rooms to achieve the internal noise standards.

Considering the predicted external and internal noise levels with windows open, with the standards set out under the Building Regulations 2021 Approved Document O (ADO) and the Acoustics, Ventilation and Overheating Residential Design Guide, which is produced by the Association of Noise Consultants (ANC), the measured internal and external noise levels of the proposed development are within the negligible or low noise risk categories during both daytime and night-time periods, which means that the use of opening windows as a primary means of mitigating overheating is not likely to result in adverse effect. Furthermore, the proposed close-board garden fencing and screening attenuation would also be expected to provide further attenuation of at least 5dB in the locations of the proposed designated amenity gardens.

- 10.87 Subject to the securing the recommendations set out in the submitted noise impact assessment and further details of those measures to ensure that there is a satisfactory level of amenity for all future residents, by recommended conditions, the proposals are acceptable.

#### Contaminated Land

- 10.88 Policy EP5 of the BLP sets out that development proposals will be supported where they can demonstrate that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.
- 10.89 This application was submitted alongside a Tier Geo-environmental Assessment, prepared by Sweco UK Limited, on behalf of the applicant. The report summarises that remediation and mitigation works are required for the development in relation to contamination. A remediation strategy should be prepared, and a verification report should be provided on completion. This can be secured by recommended condition.

#### Other Matters

- 10.90 The Council's Environmental Protection Officer has recommended three conditions in the event of planning permission being granted relating to the submission of a site-specific construction environmental management plan, site working hours and collection during construction and demolition. It is considered that the imposition of the recommended conditions would not be necessary as they are covered by other legislation and would not therefore meet the relevant tests for imposition.

#### **Flood Risk and Sustainable Drainage**

- 10.91 Policy NR1 of the BLP sets out that development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms.
- 10.92 The application site is within Flood Zone 1 and there is a less than 1 in 1,000 annual probabilities of river and sea flooding. The application is accompanied by a Flood Risk Assessment (FRA) and a drainage strategy, prepared by Arch Associates, on behalf of the applicant. The submitted FRA summarises that there is a very low risk of surface water and groundwater flooding, and details of a surface water drainage scheme are secured by recommended condition.

#### **Other Material Considerations**

- 10.93 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of sustainable development which is consistent with the overarching objectives of the

Borough Local Plan. Paragraph 120(d) of the NPPF sets out that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

- 10.94 Policy ED2 of the BLP sets out that the application site is defined as a mixed-use area and an element of residential development may be acceptable subject to the overall quantum of employment floorspace within the mixed-use area as a whole not being reduced. The provision of such housing would provide specialist housing for elderly people, which is supported by the SHMA 2016 and contribute to the Borough's five-year housing land supply.
- 10.95 Berkshire Archaeology have been formally consulted under the current application and raise no objection to the proposed development, subject to recommended condition. Whilst an archaeological condition was not attached to the extant permission, comments have been provided by Berkshire Archaeology on the current application requiring the submission of a watching brief. This is considered necessary to demonstrate compliance with relevant development plan policies and as such, the condition is recommended on the current application.

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

- 11.1 In accordance with the Council's adopted Community Infrastructure Levy (CIL) Charging Schedule, the development is CIL liable on the chargeable floor area at a rate of £131.48 per square metre (Indexation rate 2023).

## **12. PLANNING BALANCE AND CONCLUSION**

- 12.1 The proposed development is seeking to provide 49 market units (C3 sheltering housing) in the form of 11 one-bedroom units and 33 two-bedroom units. The occupation of the proposed units would be restricted to those aged over 60.
- 12.2 The height, scale, layout, and massing of the proposed building is acceptable in this regard and would not have an adverse impact on the character of the wider area. A small number of proposed habitable rooms and units would be below the BRE target in terms of daylight and sunlight. However, it is considered the harm is very limited in this regard and the proposals would represent an acceptable standard of residential accommodation.
- 12.3 Four units above the ground floor would only be provided with Juliet balconies. Whilst they would not meet the guidance contained in the BWDG SPD, a considerable communal outdoor space is provided and is accessible to all future occupants. Considering the overall provision of private and communal amenity spaces of the proposed development, the harm is **limited** in this regard.
- 12.4 A number of existing trees would be removed from the site to facilitate the development, but none of those trees are subject to TPO or category A. Though two category B trees would be removed, the retained trees would continue to buffer any loss to the extent and there would be no impact on the local character. The proposed works would also result in some minor disturbance to the existing trees, including encroaching into the RPAs. The harm is considered to be **limited** in this regard.
- 12.5 Turning to the benefits of the proposed development, the 2016 SHMA identifies that there is a need for this type of housing and this application can deliver an additional 49

sheltered housing units to address this identified need. This weighs in favour of this scheme and **significant** weight should be afforded in this regard.

- 12.6 A number of ecological enhancement measures would be sought as part of this proposed development and the proposed development would achieve a net gain of 0.15 habitat units (10.11%), which is above the minimum 10% national requirement (which will become mandatory in November 2023) and local planning policies. This ecological benefit can attract **significant** weight in favour of the application.
- 12.7 The site is subject to an extant planning permission for the provision of 44 x C3 sheltered housing units with associated facilities. This permission is an important material consideration of this current planning application (i.e., fallback position). Court case<sup>4</sup> has already confirmed that the materiality of the fallback position is a planning judgement on whether there is a real prospect of a fallback scheme. In this case, the consented 44-unit scheme is considered to be a realistic alternative and therefore **significant** weight should be afforded in this regard.
- 12.8 Following a recent interim update to the Council's 5-year housing land supply position, the Council currently cannot demonstrate a 5-year housing land supply. The assessed level of supply is currently 4.88 years. As such in accordance with paragraph 11 of the National Planning Policy Framework (NPPF), the presumption in favour of sustainable development applies. The 4.88-year supply is just below the 5-year requirement and the shortfall is not considered to be significant – the tilted balance is engaged but this is a very minimal shortfall and as such relatively **limited** weight is attached.
- 12.9 The proposal is considered acceptable in terms of highway safety and parking, waste management, tree and landscaping, ecology and biodiversity, flood risk and drainage, environmental health, and sustainability (subject to recommended conditions). The overall scheme is considered to be acceptable in general.
- 12.10 For reasons set out above, the proposal is considered to be acceptable. Therefore, the Officer's recommendation is to approve subject to the resolution of the matters set out under Section 1 of this Report.

### 13. APPENDICES TO THIS REPORT

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

### 14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The residential units within the buildings hereby approved shall be used solely for the designated purpose of providing self-contained independent living units of accommodation for the person or persons who, to acquire purchase or lease of any of the approved residential units, will have a minimum age of not less than 60 years old (or a spouse or partner living as part of a single household with such person or persons).  
Reason: In the interest of proper planning and to ensure a satisfactory living environment

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<sup>4</sup> The Court of Appeal in *Mansell v Tonbridge And Malling Borough Council* [2017] EWCA Civ 1314

for future occupiers.

- 3 The buildings shall not be used or occupied for any other purpose, including an equivalent provision in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any subsequent or equivalent provision, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). No permitted changes of use shall occur unless the express permission of the Local Planning Authority has been obtained.

Reason: In the interest of proper planning and to ensure a satisfactory living environment for future occupiers.

- 4 Prior to the occupation of the development hereby permitted, a scheme showing how eight units shall be designed so that they are capable of being adapted to meet the wheelchair-accessible standard in Building Regulation M4(3) shall be submitted and approved by the Local Planning Authority, the scheme should include:

- Technical drawings of each unit showing how the units can be converted to meet the wheelchair-accessible standard in Building Regulation M4(3);
- Details of measures and plans which will be in place to ensure the relevant adaptations can be implemented in a timely fashion in line with the needs of prospective or existing occupiers.

The units which are capable of being adapted to meet the wheelchair-accessible standard in Building Regulation M4(3) shall be maintained in accordance with the approved details thereafter.

Reason: The scheme is to provide specialist housing for older people and it is necessary to ensure that the proposed units are capable of being adapted to accommodate the need of future occupants who are wheelchair users. Relevant Policy - Policy HO2 of the Borough Local Plan.

- 5 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Policy QP3 of the Borough Local Plan.

- 6 Prior to the first occupation of the development hereby permitted, visibility splays shall be provided in accordance with the approved Drawing Ref. 5635/001 (Rev. C) Access Visibility dated 01 November 2021. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Policies QP3 and IF2 of the Borough Local Plan.

- 7 Prior to the first occupation of the development hereby permitted, the access from Gringer Hill shall be constructed in accordance with the approved drawings. The access shall thereafter be retained.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Policies QP3 and IF2 of the Borough Local Plan.

- 8 Prior to the first occupation of the development hereby permitted, vehicle parking spaces shall be provided in accordance with the approved Drawing Ref. 1877-UBU-XX-00-DR-L-0100 (Rev. P12) General Arrangement Plan dated 27 April 2023. The parking spaces approved shall be retained for parking in association with the

development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Policies QP3 and IF2 of the Borough Local Plan.

- 9 Prior to the first occupation of the development hereby permitted, details of the covered and secure cycle parking facilities shall be submitted to and approved by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.  
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Policies QP3 and IF2 of the Borough Local Plan.
- 10 Prior to the first occupation of the development hereby permitted, the electric vehicle charging facilities shall be provided in accordance with the approved Drawing Ref. 1877-UBU-XX-00-DR-L-0100 (Rev. P12) General Arrangement Plan dated 27 April 2023. The electric vehicle charging facilities shall be maintained in accordance with the approved details thereafter.  
Reason: To ensure that the development is provided with adequate electric vehicle charging facilities. Relevant Policies - Policy QP2 of the Borough Local Plan.
- 11 Prior to the first occupation of the development hereby permitted, the refuse bin storage area and recycling facilities shall be provided in accordance with the approved Drawing Ref. P1056-SNUG-XX-00-DR-A-0211 Proposed Ground Floor Plan dated May 2023. These facilities shall be kept available for use in association with the development at all times.  
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Policies IF2 and QP3 of the Borough Local Plan.
- 12 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees that are shown to be retained on the approved plan which is set out in the approved Arboricultural assessment & method statement (Ref: 21118-A4-CA) dated 4 May 2023, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.  
Reason: To protect trees that contribute to the visual amenities of the site and surrounding area. Relevant Policies - Policies QP3 and NR3 of the Borough Local Plan.
- 13 Prior to the commencement of the development above slab level, a landscaping plan showing details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted, or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be



planted in the immediate vicinity.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Policies QP3 and NR3 of the Borough Local Plan.

- 14 Prior to the commencement of the development hereby permitted, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- (a) Risk assessment of potentially damaging construction activities;
- (b) Identification of "biodiversity protection zones";
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on the retained habitats and protected and priority species during construction (may be provided as a set of method statements);
- (d) The location and timing of sensitive works to avoid harm to biodiversity features;
- (e) The times during construction when specialist ecologists need to be present on-site to oversee works;
- (f) Responsible persons and lines of communication;
- (g) The role and responsibilities on site of an ecological clerk of works or similarly competent person; and,
- (h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the National Planning Policy Framework.

- 15 Prior to the commencement of the development above slab level, details of an external lighting scheme and how this will not adversely impact wildlife shall be submitted to and approved in writing by the Local Planning Authority. The report (if external lighting is proposed) shall include the following figures and appendices:

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

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with Paragraph 180 of the National Planning Policy Framework.

- 16 Prior to the commencement of the development, details of a biodiversity net gain and habitat management plan for onsite delivery and monitoring of biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The plans should demonstrate how the 0.15 increase in habitat units and 0.52 increase in hedgerow units are delivered. Details shall include the following:

- Habitat management plan;
- Long term aims and objectives for habitats and species;
- Detailed management prescriptions and operations for newly created habitats, locations, timing, frequency, durations, methods, specialist expertise (if required), specialist tools/machinery or equipment and personnel as required to meet the stated

aims and objectives;

- A detailed prescription and specification for the management of the new habitats;
- Details of any management requirements for species specific habitat enhancements;
- Annual work schedule for at least a 30 year period;
- Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives;
- Details of proposed reporting to the Council and the Council's Ecology Officer and proposed review and remediation mechanisms; and,
- Proposed costs and resourcing and legal responsibilities.

The biodiversity gain and habitat management plan shall be implemented in accordance with the agreed details and timetable, and all habitats and species specific measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity. Relevant Policies - Policies NR2 of the Borough Local Plan.

- 17 Prior to the occupation of the development hereby permitted, details of biodiversity enhancements, to include but not be limited to the creation of hedgerows, wildflower grasslands, native species grasslands, scrub, green walls and vegetative gardens, the installation of bird and bat boxes, creation of loggeries and provision of gaps in any boundary fencing for wildlife to travel across the site, shall be submitted to and approved in writing by the council. A brief letter report confirming that the biodiversity enhancements have been installed, including a simple plan showing their location and photographs of the biodiversity enhancements, is to be submitted to and approved in writing by the Council.

Reason: To incorporate biodiversity in and around developments in accordance with Paragraph 175 of the National Planning Policy Framework.

- 18 Prior to the occupation of the development hereby permitted, details of noise attenuation measures set out in the approved Noise Impact Assessment (R/NIA/1/230310), prepared by auricl Limited, dated 10 March 2023, Version 02, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and retained.

Reason: To ensure a satisfactory level of amenity for all future residents of the development. Relevant Policies - Policies QP3, EP1 and EP4 of the Borough Local Plan.

- 19 Prior to the commencement of the development hereby permitted, a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. The assessment shall be carried out in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM). The remediation strategy will include the following components:

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, and whether or not it originates on the site. The investigation and risk assessment shall be undertaken by competent persons. How to access and manage the risks from land contamination. The report shall include:

- a survey of the extent, scale, and nature of contamination;
- as assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, adjoining land, groundwater and surface waters, ecological systems and archaeological sites and ancient monuments; and,

- an appraisal of remedial options, and proposal of the preferred option(s).

(b) Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- all works to be undertaken, including proposed remediation objectives and remediation criteria, timetable of works and site management procedures; and,
- ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Verification Report

A verification report shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall provide details of the date that will be collected in order to demonstrate the completion of works set out in the approved remediation strategy in (b) and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The approved remediation strategy shall be implemented as approved. The Local Planning Authority shall be given two weeks' written notification prior to the commencement of the remediation scheme works.

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy - Policy EP5 of the Borough Local Plan.

- 20 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The assessment shall be carried out in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM). The remediation strategy shall include the following components:

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, and whether or not it originates on the site. The investigation and risk assessment shall be undertaken by competent persons. How to access and manage the risks from land contamination. The report shall include:

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

(b) Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for intended

use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- all works to be undertaken, including proposed remediation objectives and remediation criteria, timetable of works and site management procedures; and,
- ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Verification Report

A verification report shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall provide details of the date that will be collected in order to demonstrate the completion of works set out in the approved remediation strategy in (b) and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The approved remediation strategy shall be implemented as approved. The Local Planning Authority shall be given two weeks' written notification prior to the commencement of the remediation scheme works.

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy - Policy EP5 of the Borough Local Plan.

- 21 Prior to the commencement of the development hereby permitted, a surface water drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- Supporting calculations based on infiltration testing undertaken in accordance with BRE365 confirming any attenuation storage volumes to be provided; and,
- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.

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

Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere. Relevant Policy - Policy NR1 of the Borough Local Plan.

- 22 Prior to the commencement of any ground disturbance or groundworks, a programme of archaeological work including a Written Scheme of Investigation (WSI) where an archaeological monitoring exercise in the form of a Watch Brief, on a controlled strip of the area, to the required depth for the development, is likely to represent an appropriate programme of work, has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording;

- The programme for post investigation assessment;
- Provision to be made for analysis of the site investigation and recording;
- Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- Provision to be made for archive deposition of the analysis and records of the site investigation;
- Nomination of a competent person or persons/organisation to undertake the works set out within the WSI; and,
- Early mitigation is recommended which would permit any archaeology found to inform on the design details of this development.

The Development hereby permitted shall take place in accordance with the approved WSI. The development hereby permitted shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved WSI and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work.

- 23 The development hereby permitted shall be carried out in accordance with the sustainability measures set out in the approved New Sustainability Statement for a New Application (Ref. 4300/HG/JP) dated 31 March 2023.

Reason: To provide sustainability enhancement. Relevant Policy: Policy SP2 of the Borough Local Plan.

- 24 The development hereby permitted shall be carried out in accordance with the approved plans listed out in the approved drawing schedule dated 29 August 2023.

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

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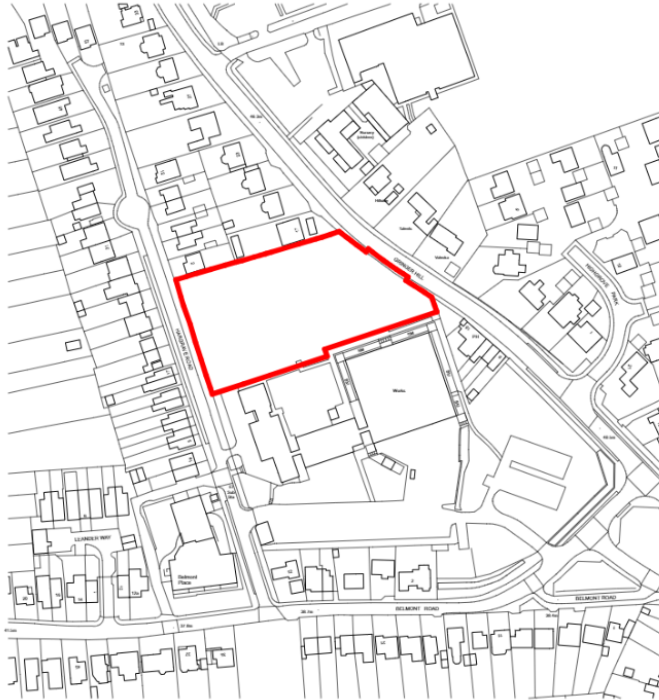
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**23/01142/FULL - Land Between Gringer Hill And Hargrave Road, Maidenhead**

**Appendices**

## Appendix A - Site Location Plan and Site Layout

### Site Location Plan



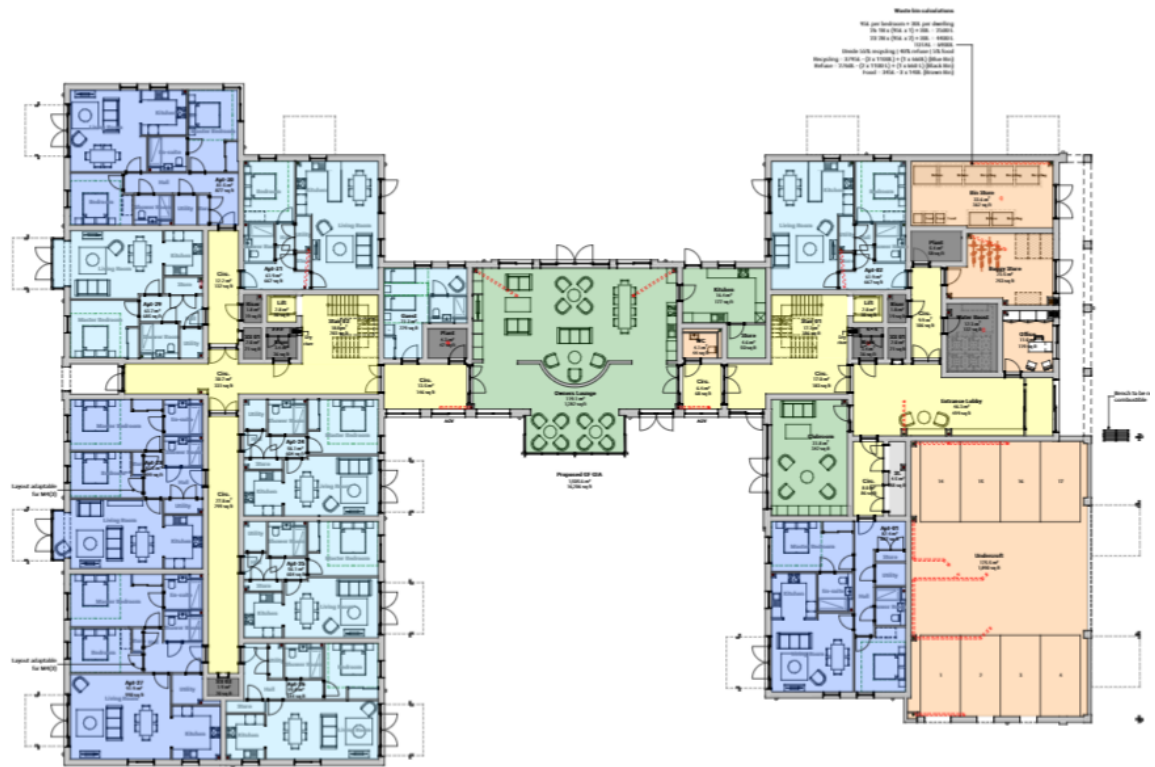


Site Layout



# Appendix B – Plan and Elevation Drawings

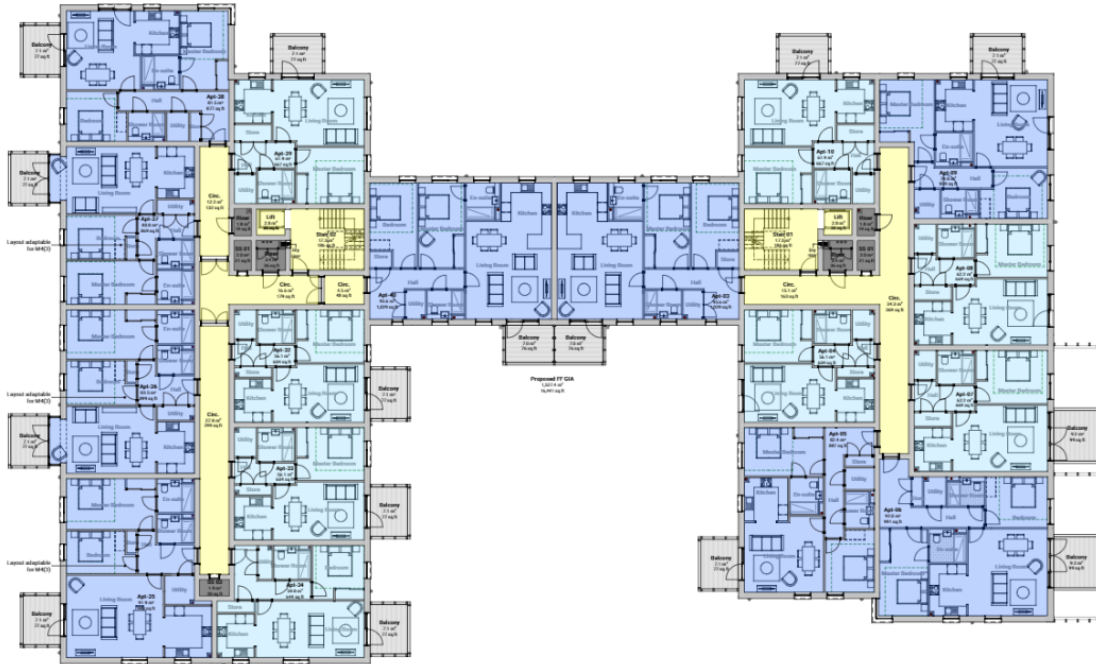
## Ground Floor Plan



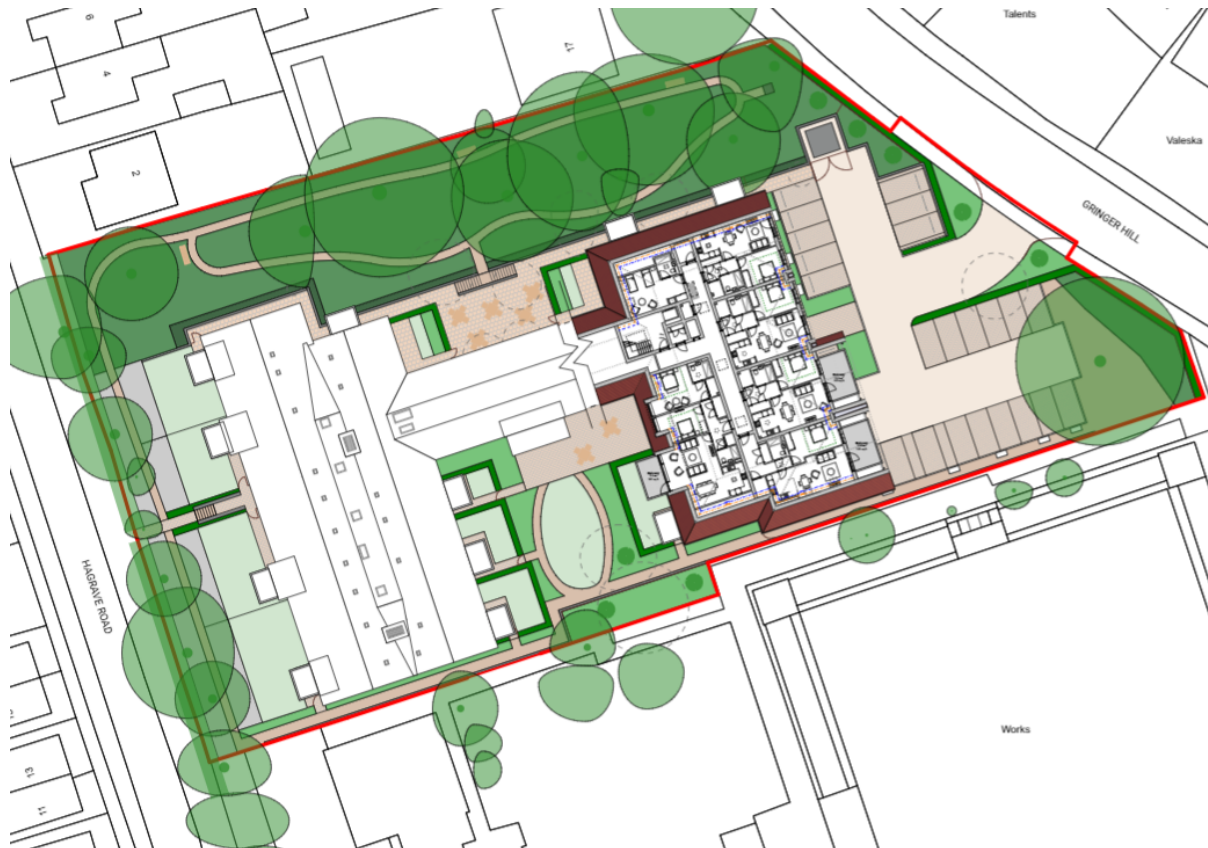
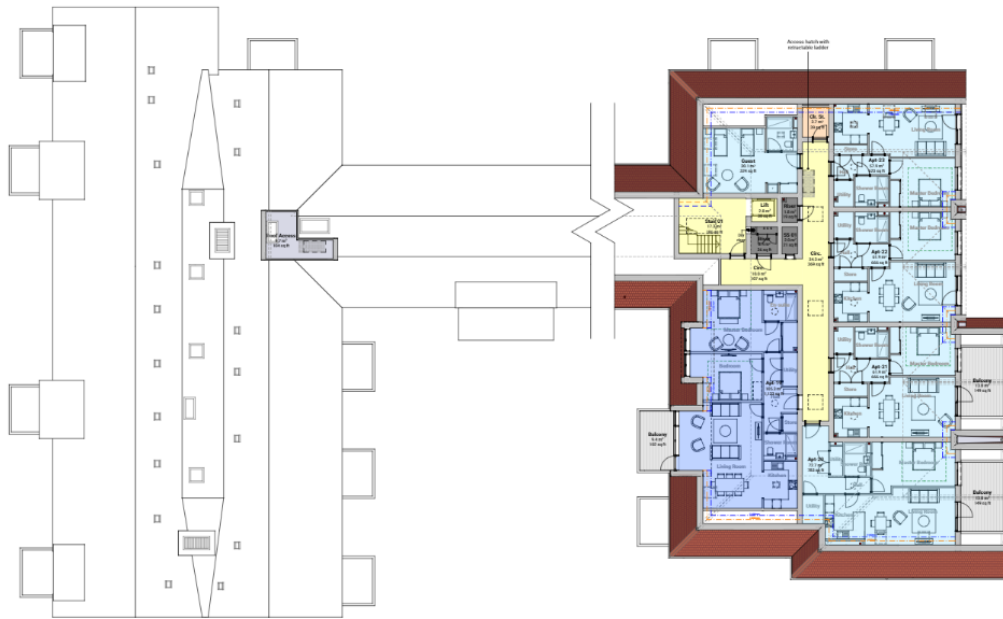




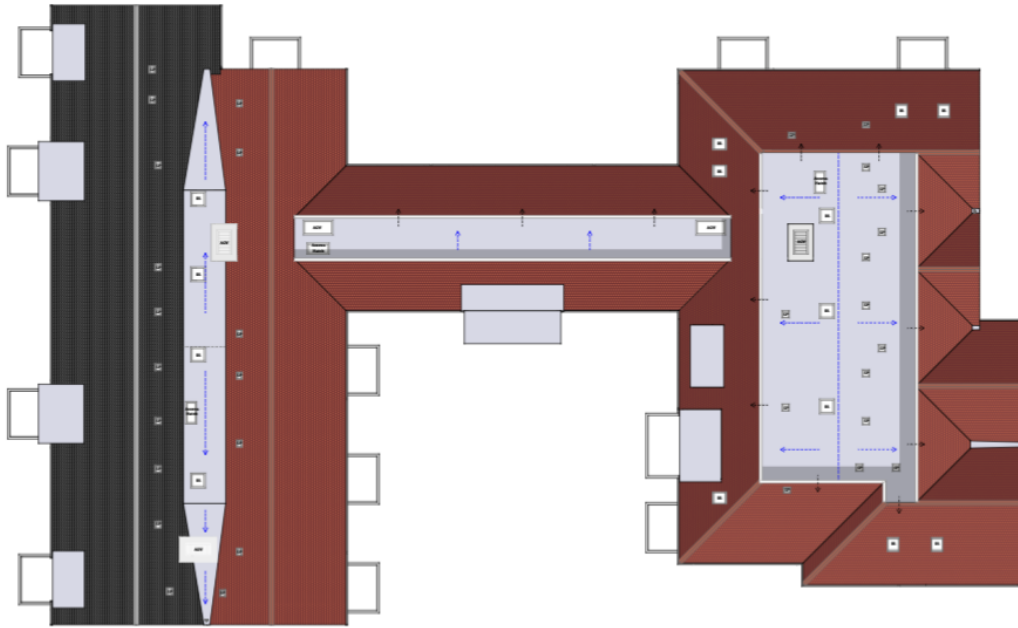
# Second Floor Plan



### Third Floor Plan



Roof Plan





East and West Elevations

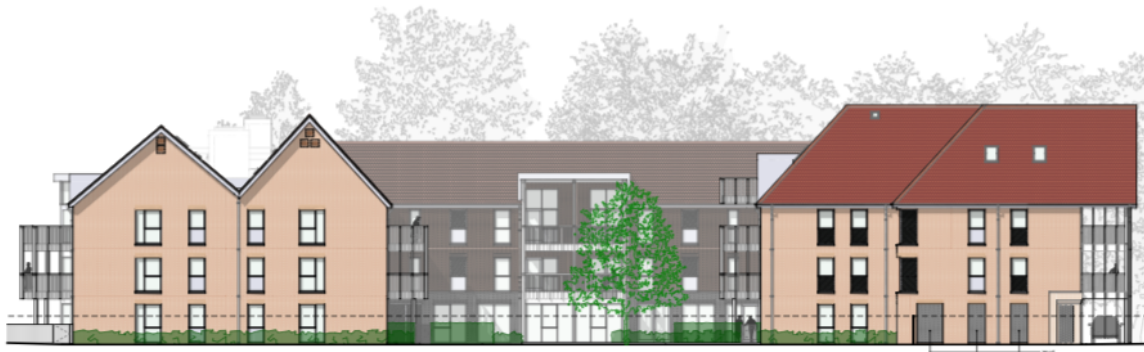


01 East Elevation

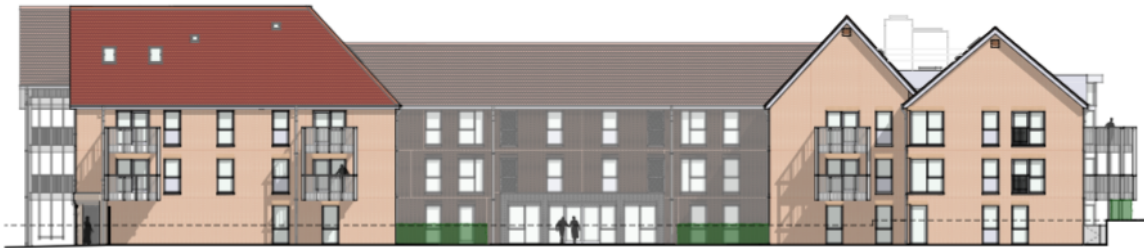


02 West Elevation

South and North Elevations



03 South Elevation



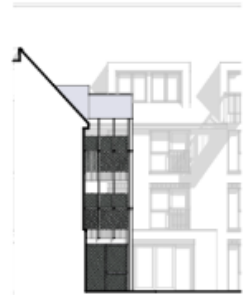
04 North Elevation



West and East Courtyard Elevations



05 West Courtyard Elevation



06 West Balcony Elevation



07 East Courtyard Elevation



08 East Courtyard Elevation

South and North Courtyard Elevations



09 South Courtyard  
Elevation



10 North Courtyard  
Elevation

## Planning Appeals Received

02 August 2023 - 6 September 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 PIn 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.:** 23/60069/REF      **Planning Ref.:** 23/00039/FULL      **Plns Ref.:** APP/T0355/W/23/3320781

**Date Received:** 2 August 2023      **Comments Due:** 6 September 2023  
**Type:** Refusal      **Appeal Type:** Written Representation

**Description:** Installation of 16no. solar panels to the existing roof.

**Location:** **3 The Hyde Ray Mill Road West Maidenhead SL6 8SD**

**Appellant:** Mr A Adnani **c/o Agent:** Mr Neil Langley 4 Ford Avenue North Wootton KING'S LYNN PE30 3QS

**Ward:**

**Parish:** Maidenhead Unparished

**Appeal Ref.:** 23/60070/REF      **Planning Ref.:** 23/00040/LBC      **Plns Ref.:** APP/T0355/Y/23/3320779

**Date Received:** 2 August 2023      **Comments Due:** 6 September 2023  
**Type:** Refusal      **Appeal Type:** Written Representation

**Description:** Consent for the installation of 16no. solar panels to the existing roof.

**Location:** **3 The Hyde Ray Mill Road West Maidenhead SL6 8SD**

**Appellant:** Mr A Adnani **c/o Agent:** Mr Neil Langley 4 Ford Avenue North Wootton KING'S LYNN PE30 3QS

**Ward:**

**Parish:** Bray Parish

**Appeal Ref.:** 23/60071/REF      **Planning Ref.:** 22/03087/VAR      **Plns Ref.:** APP/T0355/W/23/3317877

**Date Received:** 8 August 2023      **Comments Due:** 12 September 2023  
**Type:** Refusal      **Appeal Type:** Written Representation

**Description:** Variation (under Section 73A) of planning permission 14/00524/FULL (allowed on appeal) to vary the wording of Condition 2 (opening/closing times).

**Location:** **Herbies Pizza 79 Windsor Road Maidenhead SL6 2DN**

**Appellant:** Mr Singh **c/o Agent:** Ms Saima Iqbal 9 Norville Terrace LEEDS LS6 1BS

**Ward:**

**Parish:** Maidenhead Unparished

**Appeal Ref.:** 23/60073/REF      **Planning Ref.:** 22/02506/FULL      **Plns Ref.:** APP/T0355/W/23/3322129

**Date Received:** 10 August 2023      **Comments Due:** 14 September 2023  
**Type:** Refusal      **Appeal Type:** Written Representation

**Description:** Construction of x5 dwellings with new access off The Avenue, following demolition of the existing dwelling and annexe.  
**Location:** **Culpeppers 53 Lower Cookham Road Maidenhead SL6 8JX**  
**Appellant:** Mr Siamak Chakeveh **c/o Agent:** Richard Cutler Cutler Architects 43 St. Mary's Street Wallingford OX10 0EU

**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 23/60075/REF **Planning Ref.:** 23/01700/CPD **Plns Ref.:** APP/T0355/X/23/3328127  
**Date Received:** 25 August 2023 **Comments Due:** 6 October 2023  
**Type:** Refusal **Appeal Type:** Written Representation  
**Description:** Certificate of lawfulness to determine whether the proposed single storey side and two storey rear extension following demolition of existing element is lawful.  
**Location:** **Deep Hollow Golden Ball Lane Maidenhead SL6 6NW**  
**Appellant:** Anya Bailey **c/o Agent:** Mr Mumtaz Alam Cookham Design Partnership Tavistock House Waltham Road White Waltham Maidenhead SL6 3NH

## Appeal Decision Report

02 August 2023 - 6 September 2023

### Maidenhead

**Appeal Ref.:** 22/60082/REF **Planning Ref.:** 21/02331/OUT **Plns Ref.:** APP/T0355/W/22/3310141  
**Appellant:** David Howells **c/o Agent:** Boyer Planning Wokingham Crowthorne House Nine Mile Ride WOKINGHAM Berkshire RG40 3GZ  
**Decision Type:** Committee **Officer Recommendation:** Application Permitted  
**Description:** Outline application for Access, Appearance, Layout and Scale only to be considered at this stage with all other matters to be reserved for the erection of 8 dwellings.  
**Location:** **Station Court High Road Cookham Maidenhead SL6 9JF**  
**Appeal Decision:** Allowed **Decision Date:** 2 August 2023

#### Main Issue:

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**Appeal Ref.:** 23/60031/REF **Planning Ref.:** 22/00956/FULL **Plns Ref.:** APP/T0355/W/22/3310944  
**Appellant:** Mr Tim Watson 59 Windsor Road Maidenhead SL6 2DN  
**Decision Type:** Delegated **Officer Recommendation:** Refuse  
**Description:** New detached garage - retrospective.  
**Location:** **59 Windsor Road Maidenhead SL6 2DN**  
**Appeal Decision:** Dismissed **Decision Date:** 10 August 2023

#### Main Issue:

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**Appeal Ref.:** 23/60032/REF      **Planning Ref.:** 20/03149/OUT      **Plns Ref.:** APP/T0355/W/22/3313643  
**Appellant:** Shanly Homes Limited **c/o Agent:** Mrs Rosalind Gall Cheyenne House West Street Farnham Surrey GU9 7EQ  
**Decision Type:** Committee      **Officer Recommendation:** Defer and Delegate  
**Description:** Outline application for access, appearance, layout and scale only to be considered at this stage with all other matters to be reserved for the construction of 49 No. apartments with associated parking and landscaping following demolition of existing building.  
**Location:** **Maidenhead Spiritualist Church York Road Maidenhead SL6 1SH**  
**Appeal Decision:** Allowed      **Decision Date:** 24 August 2023

**Main Issue:**

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**Appeal Ref.:** 23/60036/REF      **Planning Ref.:** 22/01452/FULL      **Plns Ref.:** APP/T0355/W/23/3315239  
**Appellant:** Germain Homes Ltd C/o Agent  
**Decision Type:** Committee      **Officer Recommendation:** Application Permitted  
**Description:** x3 dwellings with associated parking and landscaping, following demolition of the existing dwellings.  
**Location:** **Briar Cottage And Holmwood Briar Glen Cookham Maidenhead**  
**Appeal Decision:** Dismissed      **Decision Date:** 9 August 2023

**Main Issue:**

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**Appeal Ref.:** 23/60049/REF      **Planning Ref.:** 22/01134/FULL      **Plns Ref.:** APP/T0355/D/22/3305862  
**Appellant:** Mr Waqas 80 Westborough Road Maidenhead SL6 4AS  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**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**  
**Appeal Decision:** Part Allowed      **Decision Date:** 3 August 2023

**Main Issue:** This appeal was part dismissed insofar as it relates to the alterations to the roof. The Inspector found that it would harm the character and appearance of the existing property. It would conflict with Local Plan Policy QP3, and Principle 10.5 of the Borough Wide Design Guide.. The appeal was part allowed insofar as it relates to the single storey rear extension, alterations to the fenestration and a detached rear annexe. The Inspector found that they would not harm the character and appearance of the property. The extension would not harm the neighbour in terms of light. Conditions added.

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