

# 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 17 January 2024 7.00 pm

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

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Royal Borough  
of Windsor &  
Maidenhead

### Agenda

Item	Description	Page
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</b> To approve the minutes of the meeting held on 20 <sup>th</sup> December as a true and accurate record.	7 - 12
4	<b>23/00455/FULL Land At The North of Foxley Green Farm Ascot Road Holyport Maidenhead</b> <b>PROPOSAL:</b> Change of use from agricultural land to private equestrian use to provide a polo pitch alongside associated engineering works for drainage and levelling. <b>RECOMMENDATION:</b> DD <b>APPLICANT:</b> C/o Agent <b>MEMBER CALL-IN:</b> Not applicable <b>EXPIRY DATE:</b> 22 December 2023	13 - 40
5	<b>23/01232/FULL Land To The West of Mullberry Coningsby Lane Fifield Maidenhead</b> <b>PROPOSAL:</b> Installation of a cold store and butchery unit within the existing barn. <b>RECOMMENDATION:</b> PERM <b>APPLICANT:</b> Mr Lidgate <b>EXPIRY DATE:</b> 22 December 2023	41 - 58

6	<p><b>23/02336/FULL 11 Mallow Park Maidenhead SL6 6SQ</b></p> <p><b>PROPOSAL: Part single part two storey side/rear extension and new refuse store following demolition of existing wall.</b></p> <p><b>RECOMMENDATION: PERM</b></p> <p><b>APPLICANT: Mr Anthony</b></p> <p><b>EXPIRY DATE: 30 November 2023</b></p>	59 - 66
7	<p><b>Planning appeals received and planning decision report</b></p> <p>Committee Members to note the report.</p>	67 - 68

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: Tuesday 9 January 2024



## **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 20 December 2023

Present: Councillors Joshua Reynolds (Chair), Siân Martin (Vice-Chair), Maureen Hunt, Leo Walters, Helen Taylor, Gary Reeves and Kashmir Singh

Also in attendance: Councillor Susanna Cross, Councillor Adam Bermange.

Officers: Will Ward, Claire Pugh, Nick Westlake, Ritu Singh and Anthony Lenaghan

Officers in attendance virtually: Sarah Tucker

### Apologies for Absence

Councillor Brar sent apologise with Councillor Douglas acting as substitute.  
Councillor Hill sent apologise for absence.

### Declarations of Interest

Councillor Taylor declared that she was the ward councillor for Oldfield and had called in item 9 due to resident's interests in the application.

Councillor Douglas declared that he was Maidenhead waterways champion, and that items 5 and 6 related to waterways. But he would approach with an open mind.

Councillor Reynolds declared that he was the cabinet member responsible for libraries, but he was not involved with the application as it was submitted by RBWM property team not the libraries team.

Councillor Hunt Declared she had an interest on item 2, stating that she had property in the local area. Councillor Hunt left the room for Items 2 and 3.

### Minutes

**AGREED UNANIMOUSLY: That the minutes of the meeting held 15 November 2023 were a true and accurate record.**

### 22/01791/OUT Land South of Bray Lake Windsor Road Maidenhead

Councillor Reeves proposed a motion to grant planning permission in accordance with the conditions in Section 15 (excluding condition 17) of the report with the additional conditions in Section 3 of the committee update. Councillor Reeves added an informative that the developers take into consideration noise sensitivity to Thames Hospice during the construction process. This was seconded by councillor Martin.

A named vote was taken.

<b>22/01791/OUT Land South of Bray Lake Windsor Road Maidenhead (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	Against
Councillor Leo Walters	Abstain
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Jack Douglas	For
<b>Carried</b>	

The results were six for, one against and one abstention.

**Agreed: To grant planning permission with the conditions listed in Section 15 excluding condition 17 of the report with the additional condition in Section 3 of the committee update.**

The committee heard from four registered speakers Andrew Cormie, Objector, Ken Elvin, Parish Council, Karen Charles, Applicant, Councillor Cross, Other Councillors.

#### 23/00463/FULL Maidenhead Public Library St Ives Road Maidenhead SL6 1QU

Councillor Hunt left the room due to a conflict of interest.

Councillor Reeves proposed a motion to grant planning permission with the conditions listed in section 13 of the report. This motion was seconded by Councillor Martin.

Councillor Taylor also proposed a motion, but this intended to defer and delegate planning permission subject to further conversations. This motion was seconded by Councillor Douglas. However, a seconder was received after Councillor Reeves's proposal was seconded, therefore a named vote was taken on Councillor Reeves's motion first.

A named vote was taken on Councillor Reeve's motion.

<b>23/00463/FULL Maidenhead Public Library St Ives Road Maidenhead SL6 1QU (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	Conflict Of Interests
Councillor Leo Walters	Against
Councillor Helen Taylor	Against
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Jack Douglas	Against
<b>Carried</b>	

The result was four for and three against, therefore the motion passed. A named vote was therefore not taken on Councillor Taylor's motion.

**Agreed: To grant planning permission with the conditions listed in section 13 of the report.**

There were no registered speakers.

#### 23/00464/LBC Maidenhead Public Library St Ives Road Maidenhead SL6 1QU



Councillor Reeves proposed a motion to grant listed building consent with the conditions of section 13 in the report. Councillor Martin seconded.

A named vote was taken.

<b>23/00464/LBC Maidenhead Public Library St Ives Road Maidenhead SL6 1QU (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	Conflict Of Interests
Councillor Leo Walters	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Jack Douglas	Abstain
<b>Carried</b>	

The results were six for and one abstention.

**Agreed: To grant listed building consent with the condition in section 13 of the report.**

There were no registered speakers.

23/01738/FULL 12 Lees Close Maidenhead SL6 4NU

Councillor Hunt re-entered the room.

Councillor Reeve's proposed a motion to go against officers' recommendation and defer planning permission. Until a reply on the noise impact assessment and a drainage assessment was completed. The motion was seconded by Councillor K. Singh.

A named vote was taken.

<b>23/01738/FULL 12 Lees Close Maidenhead SL6 4NU (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Jack Douglas	For
<b>Carried</b>	

The result was unanimous approval of the motion.

**Agreed: To Defer planning permission until a reply on the noise impact assessment and a ground water drainage assessment is completed.**

The Committee heard from one registered speaker, Councillor Bermange, other councillors.

23/02149/OUT Shottesbrooke Farm Agricultural Barn 2 Waltham Road Maidenhead

Councillor Hunt proposed a motion to grant planning permission with the conditions listed in section 12 of the report. Councillor Taylor seconded the motion.

A named vote was taken.

<b>23/01738/FULL 12 Lees Close Maidenhead SL6 4NU (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Jack Douglas	For
<b>Carried</b>	

The results were unanimously in favour of the motion.

**Agreed: To grant planning permission with the listed conditions in section 12 of the report.**

There were no registered speakers.

23/02268/OUT Private Car Parking Area At Southern End of Stafferton Way Maidenhead

Councillor Reynolds proposed a motion to go with officers' recommendation and refuse planning permission for the reasons listed in the report. Councillor Taylor seconded the motion.

A named vote was taken.

<b>23/02268/OUT Private Car Parking Area At Southern End of Stafferton Way Maidenhead (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Jack Douglas	For
<b>Carried</b>	

**Agreed: To refuse planning permission for the reasons listed in the report.**

There were no registered speakers.

Planning appeals received and planning decision report

The Committee noted the report.

The meeting, which began at 7.00 pm, finished at 8.58 pm

Chair.....

Date.....

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# Agenda Item 4

17 January 2024

Item: 1

<b>Application No.:</b>	23/00455/FULL
<b>Location:</b>	Land At The North of Foxley Green Farm Ascot Road Holyport Maidenhead
<b>Proposal:</b>	Change of use from agricultural land to private equestrian use to provide a polo pitch alongside associated engineering works for drainage and levelling.
<b>Applicant:</b>	C/o Agent
<b>Agent:</b>	Mr Bristow
<b>Parish/Ward:</b>	Bray Parish/Bray
<b>If you have a question about this report, please contact:</b> Vivienne McDowell on 01628 796578 or at <a href="mailto:vivienne.mcdowell@rbwm.gov.uk">vivienne.mcdowell@rbwm.gov.uk</a>	

## 1. SUMMARY

- 1.1 The proposed development comprises the change of use of agricultural land to equestrian use in the form of a polo pitch, to supplement existing facilities at Les Lions Polo Club. The polo pitch will require associated engineering works to level the land and installation of a drainage system. Surface water will be formally drained and directed towards the west corner of the site where it will be held in a newly formed pond/lake.
- 1.2 The proposed development is considered to represent 'appropriate' development in the Green Belt. It is not considered that the proposed development would have an adverse impact on surface water drainage.
- 1.3 The Council's Ecologist and NatureSpace have confirmed that they are satisfied with the submitted ecological report and agree that a great crested newt mitigation licence is reasonably required due to the potential impacts to great crested newts (GCN). This can be either a standard mitigation licence from Natural England, or the applicant can apply for the Royal Borough of Windsor and Maidenhead Council's District licence. The applicant has confirmed (by email 5<sup>th</sup> December) that they have now commissioned the GCN Newt report and District Licence as required. The District Licence would need to be obtained prior to the application being determined.

<b>It is recommended the Committee authorises the Head of Planning:</b>	
1.	<b>To grant planning permission subject the applicant obtaining a District Licence (for Great Crested Newts) prior to the determination of the application, and Conditions listed in Section 13 of this report together with any additional conditions required as part of the District Licence.</b>
2.	<b>To refuse planning permission if applicant has not obtained a District Licence (re Great Crested Newts), for the reason that the proposed development would not safeguard protected species.</b>

## 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 site lies on the west side of Ascot Road and is located within the Green Belt. The application site comprises agricultural land/paddocks immediately adjacent to the established polo facility at Les Lions. There is a mature hedgerow between an existing polo pitch and the proposed polo pitch.

### **4. KEY CONSTRAINTS**

- 4.1 The site lies within the Green Belt. Most of the site is within Flood Zone 1, with the exception of a small sections near and along the site boundary which fall within Flood Zone 2 (1:1000 year probability of flooding).

### **5. THE PROPOSAL**

- 5.1 The proposal involves the change of use from agricultural land to private equestrian use to provide a polo pitch together with associated engineering works for drainage and levelling. The drainage works include formation of a pond/lake in the far western corner of the application site. Drawing 008 shows the extent of the levelling works for the new polo pitch. The agent has advised that the proposed level changes for the proposed polo pitch range between 0mm and maximum of 600mm, and the majority of level changes would be in the order of 300mm. The applicant's agent has advised that there are no plans to import or export soil to construct the polo field. Soil will be repositioned across the site and utilised from the drainage pond excavations. The construction and maintenance will however require importation of sand required for drainage purposes. The applicant has been requested to quantify the amount of sand required and any further details provided will be reported in the update report.
- 5.2 The proposed drainage pond would be oval in shape with an overall length of approximately 54 metres and overall width of approximately 29 metres. The applicant's Flood Risk Assessment (FRA) at para. 5.11 states that the base of the proposed pond is set at 24.0AOD and the top of the bank is set at around 28.2 m AOD. The water stored below 27.0m AOD is proposed for water reuse, while the pond storage between 27.0m AOD and 28.2m AOD is proposed for attenuation storage. The pond is proposed as a two-stage pond, where the attenuation storage plan area of the pond is larger than the permanent pond area (used for irrigation).
- 5.3 The application site is immediately adjacent to Les Lions polo establishment (outlined in blue) on the submitted plans. Access to the new polo pitch would be via an existing grass track. No new hardstanding is proposed. The existing grass track which would provide access to the new polo pitch and would traverse a section of a public footpath (for approximately 23 metres)
- 5.4 The applicant advises that the new pitch will provide additional training space, alleviating pressure on existing facilities, allowing for pitch rotation and increased rest periods between matches and training. This will ensure that the condition of each of the pitches can be maintained at a high standard. The applicant's agent has advised that the proposed polo field would be used for practice games on average about 3 times per week. Over a season (approx. mid April-September) it is anticipated that it

would be used a maximum of 60 times. The applicant advises that there would be no Loudspeakers used. A horn or hand held bell would sound at the end of each period of play (chukka) – amounting to approximately a dozen rings of a bell or horn during an entire match/practice. The horn currently used is a: Streetwise Hand Held Air Horn. The bell used is hand held with wooden handle. The whistles used are normal football whistles.

## 6. RELEVANT PLANNING HISTORY

6.1 The last application for this application site (outlined in red) was:

**22/01172/FULL:** Change of use from agricultural land to private equestrian use to provide a polo pitch alongside associated engineering works for drainage and levelling. This application was withdrawn on 16.09.2022

6.2 The applications listed in the table below relate to the immediately adjacent Les Lion polo establishment.

Reference	Description	Decision
<b>425380</b> (alternative reference 91/00392)	Extensions and Alterations to existing building for equestrian and ancillary uses including grooms accommodation and mezzanine floor to existing building new driveway, hardstanding, landscaping and fencing at Stud Green Holding, Ascot Road. (This was the former address of Les Lions)..	Permission granted 11th February 1993
<b>17/03585/OUT</b>	Outline application (all matters reserved) for the reorganisation of the existing facilities and a proposed new clubhouse.	Refused 22/1/2018 – Dismissed on appeal.
<b>18/00661/OUT</b>	Outline application (all matters reserved) for the reorganisation of the existing facilities and a proposed new clubhouse.	Withdrawn 1/5/2018.
<b>19/00337/OUT</b>	Outline application (all matters reserved) for the reorganisation of the existing facilities and a proposed new clubhouse.	Refused April 2019
<b>20/01170/CLU</b>	Certificate of lawfulness to regularise breach of condition 8 of planning permission reference 425380 (alternative reference 91/00392) and to determine whether the existing use of the site, including existing buildings and land for use associated with polo is lawful	Approved August 2020.
<b>20/01214/CLD</b>	Certificate of lawfulness to determine whether the existing	Approved August 2020

	stables with associated tack room/store and concrete yards located in the southeast corner, by the muckheap and in the middle of the main exercise track; the exercise tracks; marquee; and horse walker are lawful.	
<b>21/01446/FULL</b>	x2 new single storey buildings and x1 new balcony to existing building along with ancillary car parking, hard and soft landscaping and all associated works.	Approved March 2022
<b>22/01836/CONDIT</b>	Details required by condition 2 (materials) of planning permission 21/01446/FULL for x2 new single storey buildings and x1 new balcony to existing building along with ancillary car parking, hard and soft landscaping and all associated works.	Details approved September 2022.

## 7 DEVELOPMENT PLAN

7.1 The main relevant policies are:

### Adopted Borough Local Plan

<b>Issue</b>	<b>Policy</b>
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Artificial Light Pollution	EP3
Noise	EP4
Contaminated Land and Water	EP5



## 8. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (published 19<sup>th</sup> Dec 2023)

Section 2 – Achieving sustainable development  
 Section 4- Decision-making  
 Section 6 – Building a strong, competitive economy  
 Section 11 – Making effective use of land  
 Section 12- Achieving well-designed places  
 Section 13- Protecting Green Belt land  
 Section 14- Meeting the challenge of climate change, flooding and coastal change  
 Section 15 – Conserving and enhancing the natural environment

### Supplementary Planning Documents

- Borough Wide Design Guide

### Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

RBWM Landscape Assessment  
 RBWM Parking Strategy  
 Corporate Strategy  
 Environment and Climate Strategy  
 Interim Sustainability position statement

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

43 occupiers were notified directly of the application.

The planning officer posted notices advertising the application at the site on 7<sup>th</sup> March 2023 and the application was advertised in the Local Press on 9<sup>th</sup> March 2023.

16 letters were received raising no objection or support for the application, summarised as:

Comment		Where in the report this is considered
1.	Supportive of this application to further develop the successful Les Lions Polo establishment. The environmental reports, including the Water Environment Report indicates a limited impact on the run off with a possible positive impact on the Bourne Catchment.	See main report paragraphs 10.2 - 13.1
2.	Fully support this application as it could be of benefit to the area providing that the plans demonstrate that	See main report paragraphs 10.2 - 13.1

	the run off of water will not impact upon Stud/Sturt Green.	
3.	Full support for the creation of a polo pitch. The work on the site will help drainage and enhance the wildlife with the creation of a pond/lake.	See main report paragraphs 10.2 - 13.1
4.	There would be no impact on the area or surrounding area with access for wildlife to the area and the proposal would not have any material impact with flooding as is currently growing grass and would continue to do so..	See main report paragraphs 10.2 - 13.1
5.	The wildlife that enjoys the current polo pitch and hedgerows is magnificent. We have a huge diversity of birds and waterfowl and it is important to keep this a green sanctuary. The extra lake is a wonderful idea	See main report paragraphs 10.2 - 13.1
6.	Support the application, as the present polo pitch at Les Lion looks amazing and is always well maintained. The hedgerow supports a variety of wildlife and the lake would support a variety of waterfowl	See main report paragraphs 10.2 - 13.1
7.	Happy to see this piece of land tidied up and utilised. The applicants have always kept the polo field in very good order.	See main report paragraphs 10.2 - 13.1
8.	The Les Lions Polo Farm are very supportive of Holyport College and are good neighbours. The school has no objections to this application.	See main report paragraphs 10.2 - 13.1
9.	Support for the proposal as it will be a wonderful asset to the area, bringing a derelict site back into positive use which would benefit the area.	See main report paragraphs 10.2 - 13.1
10	As with any such application, there will be concerns about the effect on watercourses. However, the environmental reports, including the Water Environment Report indicates a limited impact on the run off with a possible positive impact on the Bourne Catchment, and a commitment to ensure that the ground water retention impact will be addressed through a 28m3 lowering of an area outside of the polo field	See main report paragraphs 10.2 - 13.1
11	Appreciate the support from Les Lions polo club in relation to the flooding issues which we believe turned out it was not their making	See main report paragraphs 10.2 - 13.1
12	No objections with the land being used for a polo pitch. Will only enhance the overall look of the site and if the land the applicant presently owns is anything to go by it will be kept immaculately .They respect their neighbours by keeping noise down and the number of games to a minimum. Would wish to see the far corner near the proposed lake used for a wildlife refuge (it does not have to be a big area to make a difference), as polo pitches offer little if no opportunities for wildlife,	See main report paragraphs 10.2 - 13.1
13	Support for this application as I believe this could be of benefit to the area, providing that the plans demonstrate that the run off of water will not impact upon Stud/Sturt Green.	See main report paragraphs 10.2 - 13.1
14	Full support for the creation of a polo pitch. The work on the site will help drainage from the fields opposite	See main report paragraphs 10.2 - 13.1

	and also enhance the wildlife with the creation of a pond/lake	
15	The polo industry in our area should be supported it creates opportunities for local companies and individuals and provides a jobs within the area.	See main report paragraphs 10.2 - 13.1
16	The wildlife that enjoys the current polo pitch and hedgerows is magnificent. There is great diversity of birds and waterfowl and it is important to keep this a green sanctuary. The extra lake is a wonderful idea	See main report paragraphs 10.2 - 13.1
17	Support for the application, as the present polo pitch at Les Lion looks amazing and is always well maintained. The hedgerow supports a variety of wildlife and the lake would support a variety of waterfowl.	See main report paragraphs 10.2 - 13.1
18	Happy to see this piece of land tidied up and utilised by the applicants who have always kept the existing polo field adjacent in very good order.	See main report paragraphs 10.2 - 13.1
19	Les Lions has always employed highly respected consultants and advisers to ensure the land and buildings are maintained and developed to the highest standard. Les Lions has always given thought to neighbours in Stud/Sturt Green and Rolls Lane and have worked hard to ensure this, and future developments will not have any adverse effects on the community.	See main report paragraphs 10.2 - 13.1
20	The current field is a mess and the money spent to redevelop the land will benefit the local community Support for the this plan and believe the change to be a good thing.	See main report paragraphs 10.2 - 13.1

Letters were received from 4 households **objecting** to the application, summarised as:

Comment	Where in the report this is considered
1. This should be EIA (Environmental Impact Assessment) development and requires submission of a full EIA.	This is not considered to be EIA development.
2. Shocked that LLFA is accepting this proposal with drainage conditions. Drainage works are 'engineering works above or below ground' and must be shown on planning drawings.	The LLFA are satisfied that the drainage proposals are acceptable and that further details can be secured via a condition. See paragraphs 10.19-10.29
3 The operation of the polo club in drainage terms is at odds with Planning Land Drainage and good environmental practice. These concerns were raised during the determination of previous applications relating Certificates of Lawfulness. The LLFA has ignored requests that the full operation of the polo establishment is appraised.	The LLFA is satisfied with the drainage proposals. See paragraphs 10.19 -10.29.
4. High performing sports pitches act like carparks in terms of water run off.	Noted.

5.	<p>There was a big problem locally on Friday 31st March 2023, wasting hours of emergency service time and resources, The Ascot Road (an A road) was both closed and dangerous and local polo club run off was a significant contributor to that problem.</p>	<p>The LLFA is satisfied with the drainage proposals.</p>
6.	<p>This proposal makes all the same mistakes as the current operation and potentially leaves neighbouring properties at a much greater surface water flood risk. Planning applications are a great opportunity for the club to correct the defects in the present operation.</p> <p>Passing on water at a tremendous uncontrolled rate is not a solution. Neither is losing your catchment from November onwards and using domestic water from June. Surcharging public sewers in the high rainfall event just contributes to a sewerage discharge risk to the Thames.</p>	<p>The LLFA is satisfied with the drainage proposals.</p> <p>It should also be noted that the drainage proposals under this application only are required to relate to the proposed to development.</p>
7.	<p>Flood risk is a really serious issue for the locality. Climate change is affecting weather patterns. When the next heavy rainfall occurs here, neighbours won't be so supportive of the proposal.</p>	<p>The LLFA is satisfied with the drainage proposals.</p>
8.	<p>The proposed extension of Les Lions is a massive cut and fill and land drainage exercise, which puts private properties at an unnecessary risk.</p> <p>Applicant has asserted that they are filling the pond, which it has been previously demonstrated is in overflow from about November onwards (i.e all through the winter, when they should be collecting water for storage/reuse) with water from a bore hole (rather than from mains).</p> <p>The borehole is probably subject to an extraction license from the EA. The Council should ask for sight of their license and annual abstraction logs. They should also hold regular water sample tests.</p> <p>The Council may also wish to seek copies of water bills. Otherwise we shall have to conclude that they are drawing excessive water from the mains, whilst discharging water all winter, which is contrary to the drainage discharge hierarchy.</p> <p>There is also evidence that the water running off the fields is probably nitrate rich.</p> <p>If these points cannot be explained by Les Lions, then the threshold for development in the green belt cannot be justified as this and the increased surface water flood risk mean that the development is inappropriate.</p>	<p>See paragraphs 10.19 -10.29 and 10.24 and 10.25.</p>

9.	An increasing number of polo fields is fundamentally transforming the way in which land surface water is being runoff into both The Bourne and The Cut. Backing up of water and increasing runoff, compounds flooding issues as both these streams converge at the M4 J8/9, where insufficient flow capacity is unable to dissipate the peaks as they arise.	The LLFA is satisfied with the drainage proposals.
10	Last year the Ascot Road was impassable due to The Bourne having risen rapidly overnight to a level where it broke its banks and displaced approximately 12 inches of water on a blind bend in the road. The Bourne neither has the capacity to handle the increasing flows, and there are safety risks to both people and property.	The LLFA is satisfied with the drainage proposals.
11	Agricultural land allows for rainwater to be absorbed into the soil, whereas creating additional runoff pushes the issues downstream. Sturt Green is a residential area. Residents are suffering the flooding consequences of such developments. If this relentless transition of agricultural land persists, there is the prospect of homes in Sturt Green becoming uninsurable, diminishing in desirability and ultimately depreciating in value.	The LLFA is satisfied with the drainage proposals.
12	Attenuation ponds offer some mitigation, however such ponds would not capture sufficient rainwater reserves to maintain the irrigation of manicured polo lawns in the summer. It is common practice for many polo field owners to use industrial-scale sprinklers to water their lawns morning and night from mains-supplied water. Such practices further upset the balance of the water tables and natural flow rates of adjoining streams.	The LLFA is satisfied with the drainage proposals.
13	With more hosepipe bans, it raises the question of the price being paid to maintain these recreational facilities.	The LLFA is satisfied with the drainage proposals.
14	If Les Lions can add some further drainage improvements to their proposal, there could be a solution which keeps everyone happy but, as it is, it is far too risky to support the proposal as it currently stands.	The LLFA is satisfied with the drainage proposals.
15	Highly likely that the run off from existing grounds is nitrate rich.	See paragraphs 10.24 - 10.25
16	Swales will alleviate flood risk and will also improve biodiversity.	The LLFA is satisfied with the drainage proposals.

17	The current operation was a significant contributor to the Ascot Road flooding of 29th March and was in immediate overflow on 20th Sept, with no effective attenuation on what is an accelerated drainage discharge.	The LLFA is satisfied with the drainage proposals.
18	The applicant doesn't demonstrate the very special circumstances to warrant development in the green belt.	See paragraphs 10.2 -10.18
19	The operation discharges water all through the summer and winter and takes from a borehole, depleting scarce underground reservoirs through the summer. The Council has failed to request information from the applicant about historic records of abstraction and testing.	See paragraphs 10.24-10.25
20	Evidence presented to date is sufficient for Council to rescind the two Certificates of Lawfulness, as development (in the form of progressive drainage installations) has been deliberately concealed.	The LLFA is satisfied with the drainage proposals.
21	The Council should seek a full and retrospective application for the extensive drainage installed on this site over many years. There is evidence of the extent of some of this drainage, it is much more extensive than the officers described.	The LLFA is satisfied with the drainage proposals.
22	There is little evidence of officer curiosity or challenge of the water quality, drainage operation or flood risk issues raised and no evidence of wider statutory stakeholder consultation over some of the issues that previously raised. Nor does it appear that the matters are being put to the applicant.	See paragraphs 10.24 -10.25
23	This is a high carbon operation with players, grooms and families imported from Argentina, extensive (possibly obsessive) grounds maintenance, the transport of horses all over the place for games and winter resting. In addition to the carbon this also takes up the rental of a number of scarce family accommodation units.  Need to help create a more sustainable life on this planet. This will only be achieved if we all address the current inadequacies of the present operations.	See paragraphs 10.2-10.18 and 10.39 -10.46.  The proposed development is not considered to create an intensification of existing use at Les Lions Polo Club.

24	<p>The agricultural land that is the subject of the proposal currently acts as a huge and effective water storage area that goes some way to countering the run off from the existing well drained polo pitches of Les Lions Polo Club. In times of intensely high rainfall the current pitches become saturated and the water flows straight over, overwhelming the ditches and the natural drainage system in Stud Green. This is exactly what happened less than two years ago as confirmed by one of the directors of Les Lions Farm.</p>	<p>The LLFA is satisfied with the drainage proposals.</p>
25	<p>The application proposes that the pitch of over 13.5 acres slopes North towards Stud Green. In times of heavy rainfall, the water drainage and run off from 13.5 acres of polo pitch can be expected to cause a much larger problem here, and all across the north and north east boundary of the site.</p> <p>When the amount of water exceeds the drainage capability the surface water will flow directly into and probably over the modest existing stream on the northern boundary, and into the Listed property (Stud Green Farm) and into Stud Green.</p> <p>It is reckless to change an effective natural flood mitigation area into a huge well drained area which passes all of the water that would normally be retained to drain away naturally, to those down stream that are already suffering with the effects of excess water in times of heavy rainfall.</p>	<p>The LLFA is satisfied with the drainage proposals.</p>

### Consultees

Consultee	Comment	Where in the report this is considered
<p>Local Lead Flood Authority (LLFA)</p>	<p>No objection raised a pre-commencement condition is recommended.</p>	<p>See paragraphs 10.19-10.29</p>
<p>Environment Agency</p>	<p>The EA has not provided bespoke comments for this development and referred to their standing advice.</p>	<p>See Paragraphs 10.19 -10.29</p>
<p>Council's Ecology</p>	<p>No objection, conditions suggested.</p> <p>The applicant will need to register the site under the GCNDL (Great Crested Newt District Licencing Scheme) and this would need to be done <u>prior</u> to the application being determined.</p>	<p>See paragraphs 10.39-10.46</p>
<p>NatureSpace</p>	<p>The applicant will need to register the site under the GCNDL (Great Crested Newt</p>	<p>See paragraphs 10.39-10.46</p>

	District Licencing Scheme) and this would need to be done <u>prior</u> to the application being determined.	
Highways	No objection. A condition is suggested to secure a construction management plan (CMP).	See paragraph 10.30-10.36. The LPA does not consider that a condition to secure a CMP is necessary as the proposed development there will not involve the importation or exportation of soil.
Public Rights of Way Officer	No objection raised. Suggested condition regarding surface materials	See paragraphs 10.24-10.25
Berkshire Archaeology	Satisfied with the updated Written Scheme of Investigation.	A condition will be included to ensure that the development is carried out in accordance with the WSI. See paragraphs 10.47-10.50.
Environmental Protection	No objection	Noted.

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

Group	Comment	Where in the report this is considered
Parish Council	Recommend for refusal, requesting that issues raised by the flood authority be addressed. It was noted that Sturt Green/Moneyrow Green and Holyport Green on Friday 31 <sup>st</sup> March was impacted by severe flooding in the area. BPC requests that this application should not be approved until all concerns around flooding are addressed.	See paragraphs 10.19 -10.29 of main report
East Berkshire Ramblers	No objection raised.	See paragraphs 10.35 -10.36

## 10. EXPLANATION OF RECOMMENDATION

### 10.1 The key issues for consideration are:

- i Green Belt
- ii Impact upon the character of the rural area
- iii Drainage and flooding
- iv Highways
- v Impact upon the character of the area and amenities neighbouring properties
- vi Ecology
- vii Archaeology

#### i Green Belt



10.2 Les Lions Polo Club (the applicant) is located adjacent to the south-east of the site. Les Lions

operates year-round as an established equestrian facility, comprising two full-size polo pitches, stabling, exercise tracks, a club house, offices, storage, parking and other associated infrastructure. The applicant advises that the club hosts approximately 70-90 practice sessions and matches throughout the polo season (running from April/May to September), resulting in heavy use of the existing pitches.

10.3 The proposed development proposes the change of use of the land from its current agricultural

use, to equestrian use in the form of a formal polo pitch, to supplement existing facilities at Les Lions Polo Club. The proposed pitch will measure 55,200sqm (5.5ha). The proposed development relates solely to outdoor sport and recreation and will not result in the erection of any buildings or hard surfaces. The application proposes a number of pony lines used for tethering purposes and similar to those found on other parts of the site – these are open structures comprising posts, railing and ropes.

10.4 The polo pitch will require associated engineering works to level the land and installation of

a drainage system. Surface water will be formally drained and directed towards the west corner of the site where it will be held in a newly formed pond/lake. The applicant has advised that water collected in the new pond will be used for irrigation purposes.

10.5 The polo pitch will be for the use of Les Lions Polo Club and will utilise its existing ancillary

facilities, including parking, access offices and storage etc. No additional hardstanding is

proposed, the polo pitch will make use of existing infrastructure. The pitch intends to supplement the existing facilities at Les Lions and it is not intended to intensify the use of the polo club.

10.6 The applicant advises that the new pitch will provide additional training space, alleviating pressure on existing facilities, allowing for pitch rotation and increased rest periods between matches and training. This will ensure that the condition of each of the pitches can be maintained at a high standard.

10.7 The agent has advised that the proposed level changes range between 0mm and maximum of 600mm, and the majority of level changes would be in the order of 300mm. Details of the level changes for the polo pitch are shown on drawing 008. The applicant's agent has advised that there are no plans to import or export soil to construct the polo field. Soil will be repositioned across the site and utilised from the drainage pond excavations. The construction and maintenance will however require importation of sand required for drainage purposes. (The applicant has been asked to quantify the amounts of sands require and any details provided will be reported in the committee update report.)

10.8 The applicant has advised that they start playing polo around mid April depending on the weather, and the polo season currently runs to end of September. The pitches are minimally used during winter when the ground is wet or frozen. It is understood that on some weeks the pitch will have more use than other weeks. The proposed polo field would be used for practice games on average about 3 times per week. Over a season (approx. mid April-September) it is anticipated that it would be used a maximum of 60 times. The applicant advises that there would be no Loudspeakers used. A horn or hand held bell would sound at the end of each period of play (chukka) – amounting to approximately a dozen rings of a bell or horn during an entire match/practice. The

horn currently used is a: Streetwise Hand Held Air Horn. The bell used is hand held with wooden handle. The whistles used are normal football whistles.

10.9 Paragraph 153 of the NPPF (published 19<sup>th</sup> Dec 2023) states that when considering any planning application, the local planning authority should ensure that substantial weight is given to any harm to the Green Belt . ‘Very special circumstances ‘ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

10.10 Paragraph 154 (NPPF published 19<sup>th</sup> Dec 2023) lists exceptions for the construction of new buildings in the Green Belt.

These include:

b)the provision of appropriate facilities ( in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

Paragraph 155 (NPPF 19<sup>th</sup> Dec 23) states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include:

b) engineering operations;

e)material changes in the use of the land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)

10.11 Para. 143 of the NPPF (19<sup>th</sup> Dec 23) states that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns;
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

10.12 Policy QP5 of the adopted Borough Local Plan is in line with the aims and objectives of the NPPF and states that national Green Belt policy will be applied to development in rural areas within the Royal Borough.

10.13 Amongst other criteria QP5 states:

2. Within rural areas, proposals should not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2 and 3a). Green Belt

QP5 states under the heading ‘Equestrian Development’

6. New equestrian development (including lighting and means of enclosure) should be unobtrusively located and designed so that it does not have a significant adverse effect on the character of the locality, residential amenity, highway safety and landscape quality

7. Proposals will need to ensure sufficient land is available for grazing and exercise, where necessary.

8. A satisfactory scheme for the disposal of waste will need to be provided.

10.14 QP 5 under the heading 'Facilities for Outdoor Sport, Outdoor Recreation or Cemeteries' states:

9. The scale of development will be expected to be no more than is genuinely required for the proper functioning of the enterprise or the use of the land to which it is associated.

10. Buildings should be unobtrusively located and designed so as not to introduce a prominent urban element into a countryside location, including the impact of any new or improved access and car parking areas

11. The development (including lighting) should have no detrimental effect on landscape quality, biodiversity, residential amenity or highway safety.

10.15 The new polo pitch which would involve a change of use of the land to outdoor sport/recreation, and associated engineering works (re-levelling and drainage works including creation of a new pond/lake), and therefore these works fall under paragraphs 154 and 155 of the National Planning Policy Framework. However, development needs to preserve the openness of the Green Belt and not conflict with any of the purposes of the Green Belt in order for them to fall under these exceptions to inappropriate development.

10.6 The change of use of the land from agricultural to equestrian (for use as a polo pitch) would not harm openness of the Green Belt nor conflict with the purposes of including land within the Green Belt. The levelling of the land involves level changes of around 30 cm, which is not considered to be a significant level change and would not harm the openness of the Green Belt. The creation of the pond within the site (to provide sustainable drainage) is also considered to preserve the openness of the Green Belt. The proposed pony lines are small open structures required in association with the polo use and these are also considered to preserve openness. The proposed development is considered to preserve the openness of the Green Belt, and would not conflict with any of the purposes of the Green Belt, and is considered to comply with the NPPF (19<sup>th</sup> Dec 2023) paragraphs 154 b) and 155 b) and e).

10.17 In terms of policy QP5 considerations, the proposed development would not result in the permanent loss of agricultural land. The land could potentially be returned to agricultural use in the future. The proposed new polo field would be used in connection with the existing polo establishment and does not require any additional buildings or infrastructure. The proposal would comply with Policy QP5.

#### **ii Impact upon the character of the rural area**

10.18 The proposed polo field would be immediately adjacent and used in connection with an established polo establishment. The land would remain open and no new hardsurfacing or new car parking areas are proposed. The application does not propose any external lighting or permanent seating.

10.19 It is considered that the proposal would not maintain the character and appearance of this rural area. The proposal complies with the Policy QP3 in this regard.

#### **iii Drainage and flooding.**

- 10.20 The Environment Agency was consulted on this application and have referred the LPA to EA standing advice. The Lead Local Flood Authority has provided drainage comments on the proposal.
- 10.21 The application site lies almost entirely in Flood Zone 1 (low risk flooding) but includes a small area of Flood Zone 2 (from The Cut) at the periphery of the site. The Cut flows northwards and then east to join the River Thames. The other watercourse depicted in Figure 2 of the submitted Flood Risk Assessment (FRA) is the Bourne, which flows northeast, however, the Flood Map for Planning shows that the site is not affected by this watercourse or its associated floodplain. The area where the proposed polo pitch is to be sited is not within Flood Zone 2 and neither is the new pond/lake. In its existing state, surface water runoff from the application site drains naturally, following the local topography. There is no formal drainage infrastructure, as the site is used as paddocks. The FRA advises that almost 70% of the area of the proposed polo pitch currently drains to The Cut with the remainder going to the Bourne. (The FRA advises that the Bourne is a tributary of The Cut).
- 10.22 The total area of the development site is 148,000m<sup>2</sup> (14.8 ha) and the size of the new polo field is 55,200m<sup>2</sup> (5.5 ha). The applicants are proposing to implement a sustainable drainage system. The SuDS strategy is focused entirely on the new polo field, as the remainder of the site will remain broadly unchanged and will continue to drain naturally.
- 10.23 The proposal is for the surface of the new polo pitch to be formally drained, to reduce saturated conditions and maintain the playing surface, similarly to other pitches at the site. Field drains are to be laid under the new pitch which will intercept water and drain to the new pond. This will also reduce the flow rates off the pitch with the aim of reducing risk to others downstream. The water collected from the pitch will be reused for irrigation at the site.
- 10.24 The entire polo field is intended to be drained to The Cut. The FRA advises that the drainage of the entire new polo field to The Cut will result in an increase in the rainfall runoff from the site into The Cut, due to the increased contributing area, however, the increase may be partially or fully mitigated by the proposed field drainage and pond. The FRA further advises that there would be a negligible impact on flood water levels in The Cut and that there would more likely be greater beneficial impact on flood water levels in the Bourne (by reducing) flood levels, and a more significant beneficial impact on flood risk in Stud Green due to removal of 1.6% of the catchment runoff.
- 10.25 The applicant's agent has responded to the objections regarding drainage as follows:
- 'A number of comments have been received voicing concerns that the existing pitches at Les Lions have resulted in additional flooding along Sturt Green and the Local Area. These concerns do not relate to the current planning application (23/00455/FULL) and are not substantiated by evidence. Nevertheless, the submitted drainage strategy alongside application 23/00455/FULL demonstrates that the proposed polo pitch has been designed to direct water away from Sturt Green. The drainage strategy has the capacity to cope with a 1 in 100 year plus climate change rainfall event. This is achieved by directing water to the west of the site to a water storage pond. The proposal will not result in adverse flooding impacts for the surrounding area.'*
- 'The area of the polo pitch will be levelled to provide an even playing surface. The level changes are not significant as demonstrated on the sections drawing submitted with*

*the application (drawing number 1456 P 008), including the overlaid existing and proposed sections showing the proposed changes, as below. The levels have been designed in accordance with the drainage strategy. The levelling will require the movement of the top soil and will not require excessive cut and fill of the land.'*

*'At present runoff from the existing field is naturally directed to two water catchments, The Bourne to the northeast (passing Sturt Green) and The Cut to the west. The drainage strategy has been designed to direct all surface water from the pitch to the west, away from Sturt Green. Surface water will be directed to the proposed drainage pond at the west of the site, which (as outlined above) has been designed to cope with levels of runoff associated with a 1 in 100 year climate change rainfall event. Given that that drainage strategy directs all runoff to the west, the proposed drainage strategy provides a benefit in preventing runoff (from the proposal site) from reaching Sturt Green thereby reducing flood risk. The LLFA acknowledge and accept the drainage strategy and detailed modelling as at this stage and have recommended approval (subject to conditions) on this basis.'*

- 10.26 Regarding water abstraction the applicant's agent has provided the following comments to clarify the situation:

*'The proposed pond at the west of the site will store rainwater runoff from the pitch. This water will be utilised for irrigation in the summer months. The pitch will not be watered from the mains water supply at any point. Additionally, Les Lions Polo Club has access to a bore hole to supplement water provision. Les Lions hold an appropriate Abstraction License with the Environment Agency and operate in accordance with this. Annual returns are made to the Environment Agency as per the Abstraction License. The environment agency regularly tests the bore hole water supply and can provide a record of 5 years of water testing, demonstrating that Nitrate and other contaminant levels are low and that the water is safe for irrigation purposes. The bore hole is used to replenish the existing pond at Les Lions in the summer months, only when water levels are low. This allows for continued irrigation of the two existing pitches. The pond is fitted with an auto-shut off float that turns the borehole pump off when the lake is back at its normal level ensuring only the required amounts of water is abstracted..'*

- 10.27 In response to the Lead Local Flood Authority's initial comments/query the applicant has submitted further drainage details and calculations. The LLFA provided comments on 17<sup>th</sup> May 2023 having reviewed the following:

- Drainage Technical Note prepared by Water Environment Limited dated 16th
- Email correspondence dated 3rd April 2023 from Sphere25 to LPA
- Drainage Technical Note Revision C03 prepared by Water Environment Limited dated 10th April

- 10.28 The LLFA commented that they note that the modelling exercise has now been revised to calculate discharge rates once water levels reach the proposed weir level more accurately. This modelling exercise demonstrates that discharge rates remain lower than the existing greenfield discharge rates up to the 1 in 100 year plus climate change event. They recommend that should the local planning authority be minded to grant planning permission for this application a suitably worded pre-commencement (excluding demolition) condition be imposed requiring submission of full details of the proposed surface water drainage system and its maintenance arrangements.

- 10.29 Subject to the pre-commencement condition, the LLFA is satisfied with the proposed sustainable drainage. It is considered that the proposal complies with Policy NR1 of the adopted Borough Local Plan.

#### **iv Highways**

- 10.30 The Highway Authority has reviewed the Transport Note by Velocity Transport Planning Limited. The note states:

*2.2.1 It is proposed that the new polo pitch utilises the existing facilities provided at Les Lions Farm. The introduction of a new polo pitch would not lead to an increase in the number of practices or matches that would take place but would allow increased time spent maintaining the other pitches to ensure they are to a good standard.*

*2.2.2 As the new pitch will not increase the number of practices and matches, the only additional vehicles associated with the introduction of the pitch would be maintenance vehicles. There would be a small increase in the number of maintenance vehicles as more material would be needed to maintain the three pitches. The maintenance contractors would also work additional days to maintain the pitches. On average, there would be an additional 6-8 maintenance vehicles per month accessing the farm, which would have a negligible effect on the local highway network.'*

- 10.31 From the description given, the Highway Authority offers no objection to the proposal. The Highway Officer has suggested a pre-commencement condition to secure a Construction Management Plan (CMP). However, in this case, where there would be no importation or exportation of soil from the site, officer's do not consider that a condition to secure a CMP is necessary. The applicant has been requested to provide details of the quantity of sand required for the proposed drainage works and such details will be reported in the committee update, if received in time.
- 10.32 Main vehicle access will remain at Les Lions Polo Club, taken via the existing gated entrance on Ascot Road where cars and lorries will utilise existing parking facilities. Pedestrian access will also be taken from Ascot Road, although limited due to the nature of the site and its location. The existing track would then be taken through the Les Lions Polo Club to the northwest to the polo pitch, as shown on the site plan.
- 10.33 The agent has confirmed that parking will be as existing at the main hardstanding carpark by the entrance at Ascot Road. The access track (leading to the new pitch) is an existing grass track only for pedestrian and horse access. The existing grass access track traverses a section (approximately 23 metres) of a public footpath. The only vehicles using the access track will be maintenance vehicles such as golf buggies and mowers etc. as outlined within the transport note. No cars or lorries will be driving along the track. There will be no changes to the materiality or route of the access track and it will remain as it current exists - as a track along a grass surface. The track is indicated on the site plan to show the direction of access. On this basis there would not be significant additional impact to the public right of way.
- 10.34 The proposal will not result in increased traffic levels on the site or surrounding area. The pitch will utilise existing ancillary facilities at Les Lions polo club, including parking. The proposed polo pitch is intended to supplement the existing provision at Les Lions. The proposal will not result in intensification of the wider site, but instead will provide additional space to support the club at its current capacity.

- 10.35 The Rights of Way Officer has commented on the originally submitted drawings: *‘The proposed development itself will not have a significant impact on Bray Footpath 13 which runs across the adjacent land. However there is a short section of path that will be part of the newly created access track to the polo field.*

*It is recommended that the application is **accepted** on the condition that a suitable surface is maintained on the access track for the section that includes Bray Footpath 13 and that sufficient width is created so as to avoid any conflict between users of the track and users of the footpath. This is in accordance with saved Policy IF5 in the newly adopted Borough Local Plan (February 2022) which states that:*

- 10.36 The applicant has since confirmed and amended the drawings show that it is not proposed to create a new access track to the field and that the existing access track will be used. The LPA is satisfied that as the proposed polo field is for practice matches and as its use will alternate with the existing polo field, there would be no intensification use and no need for the suggested condition relating to maintenance of a suitable surface, to be imposed.

#### **v Impact upon the character of the area and amenities neighbouring properties**

- 10.37 The applicant has advised that they start playing polo around mid April (depending on the weather) and the polo season currently runs to end of September. The pitches are minimally used during winter when the ground is wet or frozen. It is understood that on some weeks the pitch will have more use than other weeks. The proposed polo field would be used for practice games on average about 3 times per week. Over a season (approx. mid April-September) it is anticipated that it would be used a maximum of 60 times. The applicant advises that there would be no Loudspeakers used. A horn or bell would sound at the end of each period of play (chukka) – amounting to approximately a dozen rings of a bell or horn during an entire match/practice. The horn currently used is a: Streetwise Hand Held Air Horn. The bell used hand held with wooden handle. Whistles used are normal football whistles.

- 10.38 Taking into account the existing equestrian use at Les Lions polo club, the creation of the polo pitch is not considered to adversely impact on the adjacent neighbours in terms of noise and disturbance. The nearest dwellinghouse is in the order of 100 metres from the new polo pitch and the boundary of the nearest garden is approximately 55 metres from the proposed polo pitch.

#### **vi Ecology**

- 10.39 Habitats on site comprise predominantly neutral grassland (paddocks), modified grassland (hay production) bordered by native hedgerow with lines of trees. The bordering hedgerows and trees within them will be retained, however two parallel lengths of hawthorn hedge line will be removed to facilitate the new polo pitch.

#### Protected and priority species

- 10.40 The submitted Ecology Report (Southern Ecological Solutions, July 2023) has been undertaken to the appropriate standard and concludes that subject to the recommendations in the report being implemented (and registration of the site under the NatureSpace GCN licence), protected and priority species will not be a constraint to the proposals.

- 10.41 A condition will be applied to secure the submission of a Construction Environmental Management Plan (Biodiversity). The applicant will need to register the site under the GCNDL (Great Crested Newt District Licencing Scheme) and this would need to be done prior to the application being determined.
- 10.42 NatureSpace has also confirmed that they are satisfied with the submitted ecological report and agree that a great crested newt mitigation licence is reasonably required due to the potential impacts to great crested newts. This can be either a standard mitigation licence from Natural England, or the applicant can apply for the Royal Borough of Windsor and Maidenhead Council's District licence.
- 10.43 The applicant have confirmed (5<sup>th</sup> December) that they have now commissioned the GCN Newt report and District Licence as required. The LPA would need receive confirmation of this (including the receipt of the NatureSpace District Licence Report) before determining the application. Any update on the situation with regard to the District Licence will be reported in Committee update report.

#### Biodiversity Net Gain

- 10.44 Policy NR2 of the Borough Local Plan (Biodiversity) states:  
"Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric".
- 10.45 The applicant has now submitted a biodiversity net gain calculation (SES November 2023). The accompanying report concludes that the development will result in a 15.86% net gain in habitat units (6.78 units) and a net gain of 10.02 % hedge line units. Plans include the creation of a pond, a larger area of modified grassland and an enhanced area of neutral grassland around the pond.
- 10.46 The report has demonstrated that the proposed development can provide a net gain in biodiversity on site post development. Specific details in the form of a Biodiversity Net Gain Plan should be submitted to and approved in writing by the council before work starts on the site. The Council's Ecologist has suggested conditions to ensure that that the biodiversity net gain is indeed achieved and that the site is managed in such a way that Biodiversity Net Gain will be delivered in perpetuity (defined under the Environment Act as 30 years). These conditions are recommended in section 14.

#### **vii Archaeology**

- 10.47 Berkshire Archaeology has commented on this application. There are potential archaeological implications associated with this proposed scheme. The site lies within an area of Roman and Medieval activity and settlement, as evidenced by data held on Berkshire Archaeology's Historic Environment Record.
- 10.48 To the south near Mount Scippett, Iron Age pottery and a copper fibula, and first century Romano British pottery have been found, whilst a Roman vessel (MRW8826) was found at Sturt Green to the north-east, and an urn near to the course of the Roman Road to the east. Additionally, possible Roman evidence near the site includes crop marks of a rectilinear enclosure and of a villa to the north (MRM4286, MRM15972).
- 10.49 The site lies adjacent to a Medieval Moated Manor (MRW745) the mound and moat of which survive particularly well, it may be associated with a deer park, as yet unknown. There is further Medieval activity and settlement to the west with two Medieval hall houses (MRW5437, MRW5431) and two Post Medieval cottages near Poley Street. To the south-west c.200m, are several further Post Medieval dwellings including Foxleighs House, two sixteenth century cottages, and Medieval find spots of a weight



and a strap fitting. These, together with a Post Medieval dwelling c.250m to the north east, evidence that the site was surrounded by activity in this period.

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

The applicant has submitted A Written Scheme of Investigation (dated May 2023), which is considered acceptable. A condition is recommended to ensure works take place strictly in accordance with this WSI in order to ensure that the potential impacts of development are mitigated. This is in accordance with Paragraph 211 of the NPPF (19<sup>th</sup> Dec 2023) which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance.

## 11. PLANNING BALANCE

- 11.1 The proposed development is considered to be appropriate development in the Green Belt. The proposal is considered to be acceptable in terms of flood risk, highway considerations, impact on the character of the area, amenity of neighbours, archaeology considerations . Subject to the applicant obtaining a District Licence for GCN prior to determination, and the imposition of suggested conditions the scheme is considered to be acceptable and is recommended for approval.

## 12. APPENDICES TO THIS REPORT

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

## 13. 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 No development (excluding demolition) shall commence on the site until a surface water drainage scheme for the development, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

1. Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.

2. Supporting calculations confirming compliance with the Non-Statutory Technical Standards for Sustainable Drainage Systems, demonstrating that the peak discharge rate is limited to the agreed rate of 69.1l/s for the 1 in 100 year plus 40% climate change event.

3. 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 National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure that the proposed development is safe from flooding and does not increase flood risk elsewhere. Relevant Policy - Adopted Borough Local Plan NR1

- 3 No development shall commence until a Biodiversity Net Gain Plan based on [the net gain information] that details how the habitats on the site will be created, established, managed, and monitored (including details of the frequency of monitoring periods), in perpetuity, has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Net Gain Plan shall demonstrate that there will be a minimum of a 10% uplift in biodiversity units using the DEFRA 4.0 Metric. The Biodiversity Net Gain Plan shall be implemented in accordance with the timescales set out in the approved plan, and maintained and managed in accordance with the approved details set out in the plan.  
Reason: This condition will ensure that the development results in a Biodiversity Net Gain of at least 10% above baseline levels. Relevant policy - NPPF paragraphs 174 and 180 and adopted Borough Local Plan policy NR2.
- 4 The development hereby approved shall be implemented strictly in accordance with the measures stated in the Sections 4.7 to 4.34 of the Preliminary Ecological Appraisal (Southern Ecological Solutions, July 2023 ref: J002362) unless otherwise agreed in writing by the Local Planning Authority. All faunal enhancement features detailed in the report shall be provided as approved prior to the first use of the development.  
Reason: To minimise the ecological impacts of development and secure biodiversity enhancements onsite, in accordance with paragraphs 174 and 180 of the NPPF and policy NR2 of the adopted Borough Local Plan.
- 5 The development shall be carried out fully in accordance with the submitted document 'Written Scheme of Investigation: Archaeological Trial Trenching' - project reference 08243A dated May 2023 prepared by HCUK. The development shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation 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, Roman and Medieval remains. The potential impacts of the development can be mitigated through a program of archaeological work. This approach is in accordance with national and local plan policy. In view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in situ, field evaluation through trial trenching would represent an appropriate initial phase of work, in order to determine the archaeological potential and the need for any further phases of work. Relevant policy - adopted Borough Local Plan HE1.
- 6 There shall be no provision for permanent or temporary floodlights and no loudspeakers or public address system shall be used on the proposed polo pitch.  
Reason: In the interests of the openness of the Green Belt, rural character of the area and amenities of local residents. Relevant policy adopted Borough Local Plan QP5, QP3, EP2, EP4.
- 7 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

### **Informatives**

- 1 Any incidental works affecting the adjoining highway shall be approved and a licence obtained before any work is carried out within the highway, through contacting The Highways and Transport Section at RBWM. A formal application should be made

allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.

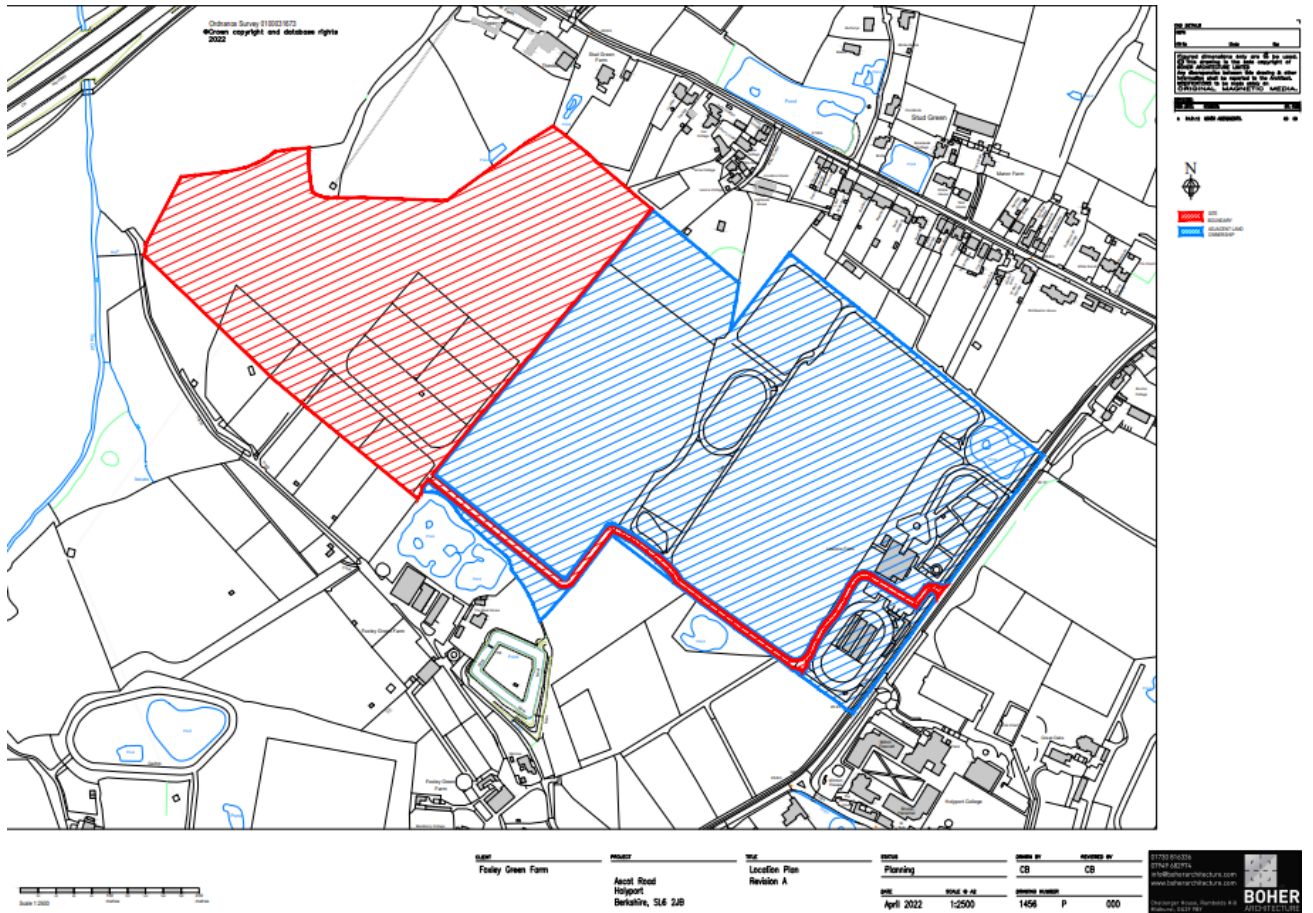
- 2 No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

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## Appendix A

### 23/00455/FULL Land At The North of Foxley Green Farm, Ascot Road, Holyport, Maidenhead

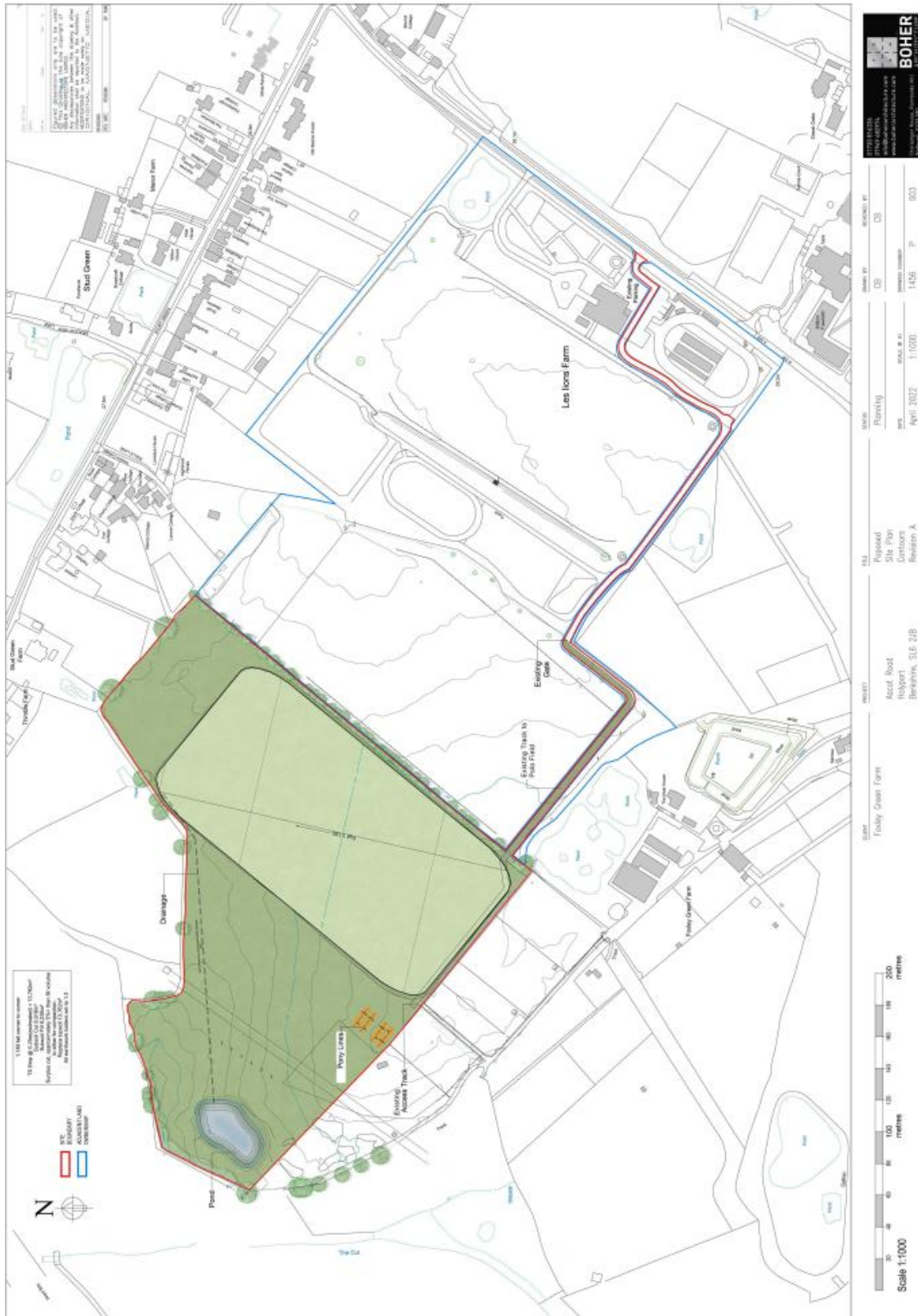
#### Site Location Plan



**Appendix B**

**23/00455/FULL Land At The North of Foxley Green Farm, Ascot Road, Holyport, Maidenhead**

**Proposed Site Plan**

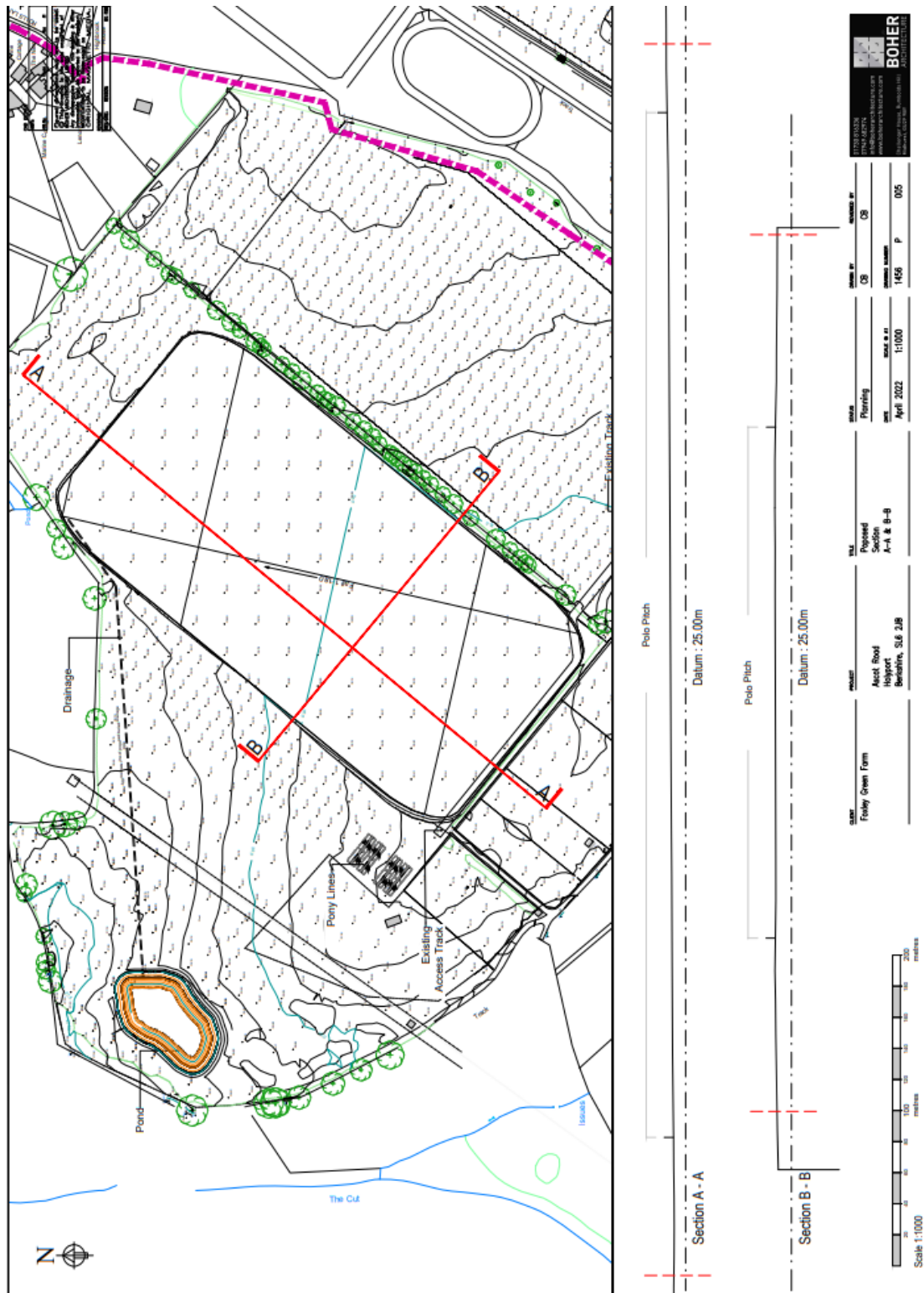


**Appendix B**



23/00455/FULL Land At The North of Foxley Green Farm, Ascot Road, Holyport, Maidenhead

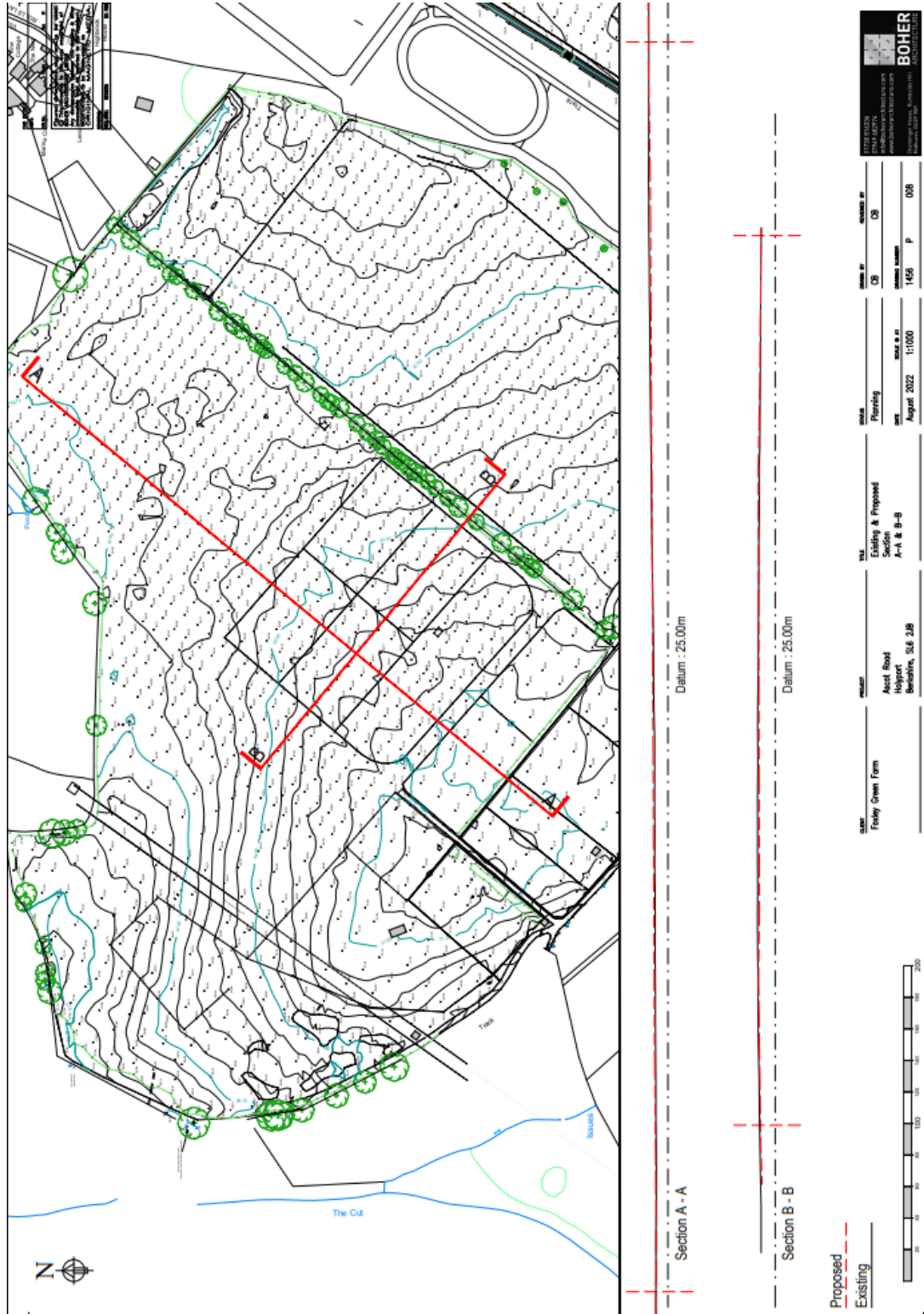
Proposed section



Appendix B

**23/00455/FULL** Land At The North of Foxley Green Farm, Ascot Road, Holyport, Maidenhead

Existing and proposed section





## MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 January 2024

Item: 2

<b>Application No.:</b>	23/01232/FULL
<b>Location:</b>	Land To The West of Mullberry Coningsby Lane Fifield Maidenhead
<b>Proposal:</b>	Installation of a cold store and butchery unit within the existing barn.
<b>Applicant:</b>	Mr Lidgate
<b>Agent:</b>	Mr Tom McArdle
<b>Parish/Ward:</b>	Bray Parish/Bray
<b>If you have a question about this report, please contact:</b> Carlos Chikwamba on 01628796745 or at carlos.chikwamba@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 Planning permission is sought for an installation of a cold store and butchery unit within the existing barn.
- 1.2 The proposed development is considered to be appropriate development in the Green Belt under paragraph 155(d) of the NPPF (2023).
- 1.3 The proposal is considered to be acceptable in all other respects.

<b>It is recommended the Committee authorises the Head of Planning:</b>	
1.	<b>To grant planning permission with the conditions listed in Section 13 of this report.</b>

### 2. REASON FOR COMMITTEE DETERMINATION

- The application was called in by Cllr Cross if the recommendation is to approve the development. The reasons for the call in is inappropriate development in the Green Belt with no VSC provided, the site is not part of the BLP that is designated for commercial and industrial use, Traffic and sustainability study needed.

### 3. THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies within the Green Belt and located to the north of Coningsby Lane and west of the dwelling at Mullberry. There are several buildings, including x2 agricultural barns, x1 storage barn and x1 American stable barn and an ancillary agricultural barn, on-site. The site has a lawful equestrian and agricultural use.
- 3.2 The agent confirmed that the current owner purchased the land subject of this permission and enterprise in 2021, with the intention of operating a beef farming enterprise on-site. Their intention was followed up with a variation to the approved plans for the two livestock barns approved under application; 17/03579/FULL to accommodate a more standard design that would support livestock beyond alpacas, including cattle.

- 3.3 The applicant has stated that there have been cattle present at the farm since late 2022 and this was evident from a site undertaken in February 2023 by a planning officer under application; 22/03405/FULL, which proposed the same elements but was subsequently withdrawn due to the reasons stated in Section 6.2 of this report. In summer 2023, the applicant states that 18 young yearling/older calves were purchased which presently reside in one of the livestock barns on-site and in February 2024, the intention is to purchase a further circa 20 more calves and a further circa 20 in summer/autumn 2024.

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

- 4.1 The site is located in Green Belt.

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

- 5.1 The proposed development comprises of an installation of a cold store and butchery unit within the existing barn. Therefore, the proposal will not increase the external dimensions of the existing barn.

- 5.2 The cold store and butchery unit will have a floorspace of no more than 70sqm.

#### **6. RELEVANT PLANNING HISTORY**

- 6.1 **22/03405/FULL** - Installation of a cold store and butchery unit within the existing barn. Withdrawn. 21.03.22.

**22/00570/VAR** - Variation (under Section 73A) of Condition 13 (Approved Plans) to substitute those plans approved under 17/03579/FULL for the erection of two agricultural livestock buildings, new access with wire stock fencing and timber posts, gates and track and agricultural hardstanding. with amended plans. Approved. 07.07.22

**21/03240/CLD** - Certificate of lawfulness to determine whether the development approved under permission 18/02510/FULL has commenced – Approved. 12.01.2022

**21/00108/CONDIT** - Details required by condition 3 (surface water drainage) of planning permission 18/02289 for change of use of the land to joint agricultural and equestrian use. Approved. 10.03.21

**20/02545/CLD** - Certificate of lawfulness to determine whether the developments approved under permissions 17/03579/FULL, 17/03580/FULL and 17/03581/FULL have commenced. – Permitted Development. 26.11.20

**19/00710/CONDIT** - Details required by condition 10 (hard and soft landscaping) of planning permission 17/03579 for the erection of two agricultural livestock buildings, new access with wire stock fencing and timber posts, gates and track and agricultural hardstanding. Refused. 09.05.19

**19/00711/CONDIT** - Details required by condition 10 (hard and soft landscaping) of planning permission 17/03580 for the erection of agricultural storage building, new access with wire stock fencing and timber posts, gates and track and agricultural hardstanding. Refused. 09.05.19

**18/03324/FULL** - Rural workers dwelling. Would have refused. 09.05.19.

**18/02886/AGDET** - Notification to determine whether prior approval is required for the construction of a new agricultural barn. Refuse. 06.11.18

**18/02826/CONDIT** – Details required by condition 10 (hard and soft landscaping) of planning permission 17/03580 for the erection of agricultural storage building, new access with wire stock fencing and timber posts, gates and track and agricultural hardstanding. Would have refused. 13.03.19

**18/02808/CONDIT** - Details required by condition 10 (hard and soft landscaping) of planning permission 17/03579 for the erection of two agricultural livestock buildings, new access with wire stock fencing and timber posts, gates and track and agricultural hardstanding. Would have refused. 13.03.19.

**18/02513/FULL** - Construction of permanent essential workers dwelling, new access and track with entrance gates, hard standing and new boundary treatment. Refused. 24.10.2018

**18/02510/FULL** - Construction of an agricultural building. Approved. 04.01.19

**17/03581/FULL** – Erection of American barn stables, new access, gates and track, agricultural hardstanding and boundary treatment. Pending consideration. Approved. 30.11.18

**18/02289/FULL** - Change of use of the land to joint agricultural and equestrian use. Approved. 23.11.18

**18/02070/CONDIT** - Details required by condition 4 (construction management plan) and 11(external lighting) of planning permission 17/03579. Approved. 06.09.18

**18/02059/CONDIT** – Details required by condition 4 (construction management plan) and 11(external lighting) of planning permission 17/03580. Approved. 06.09.18

**18/01699/CONDIT** – Details required by condition 9 (archaeology works) of planning permission 17/03580/FULL. Approved. 27.07.18

**18/01698/CONDIT** – Details required by condition 9 (Archaeology works) of planning permission 17/03579/FULL. Approved. 26.07.18

**17/03596/FULL** – Construction of permanent essential workers dwelling, garage and multi-use agricultural building/farm shop, new access and track with entrance gates, hard standing and new boundary treatment. Refused. 06.06.18

**17/03579/FULL** – Erection of two agricultural livestock buildings, new access, gates and track, agricultural hardstanding and boundary treatment. Approved. 09.04.18

**17/03580/FULL** – Erection of agricultural storage building, new access, gates and track, agricultural hardstanding and boundary treatment. Approved. 09.04.18

- 6.2 The most recent application reference; 22/03405/FULL which related to the same proposed elements under the current scheme was withdrawn by the applicant due to the stable barn to accommodate the cold store and butchery unit not being constructed in accordance with the approved details and dimensions under application;

17/03581/FULL (for stables). Since that withdrawal the approved stable barn was amended in its construction and officers are satisfied that the barn has now been substantially constructed to match the approved the approved details under application; 17/03581/FULL.

## 7 DEVELOPMENT PLAN

7.1 The main relevant policies are:

### Adopted Borough Local Plan

Issue	Policy
Green Belt	QP5
Sustainable Transport	IF2
Farm Diversification	ED4
Environmental Protection	EP1

## 8. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (2023)

Section 2 – Achieving sustainable development.

Section 4 – Decision-making.

Section 6 – Building a strong competitive economy.

Section 9- Promoting sustainable transport

Section 13 – Green Belt.

Section 15- Conserving and enhancing the Natural Environment

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

16 neighbouring occupiers were notified of the development and a site notice advertising the application was displayed at the site on 5<sup>th</sup> of June 2023.

23 letters were received objecting the scheme as summarised below;

Comment	Officer's response
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1.	Application will increase number of lorries and traffic along narrow country lane and beyond and cause highway safety issues. Proposal due to the large vehicles related to the use will cause damage to the road surface and drainage along Coningsby Lane. Furthermore, this would also make it unsafe for walkers and horse riders who use this lane.	The existing use on-site already entails the in and out movement of large vehicles such as lorries, tractors and trailers. The vehicles (vans and small rigid vehicles) related to the cold store and butchery unit are not considered to lead to the use of larger vehicles beyond those associated with the existing use.
2.	Inappropriate development in the Green belt due to the introduction of a commercial operation with no very special circumstances outlines. It is not the butchery building itself that will cause harm to the Green Belt. It is the associated commercial activities that will result in inappropriate development in the Green Belt	Noted and addressed in section 10 of the report.
3.	Noise, smell, winter light pollution which would harm the surrounding residential properties.	Due to the small-scale nature of the proposed cold store and butcher unit, it's not considered that the proposal would cause an unacceptable amount of light and noise pollution relative to the existing use.
4.	This proposed development risks yet further creep towards a fully commercialised and industrialised site, which is entirely out of keeping with the local area.	Not a material planning consideration for this scheme.
5.	No traffic flows related to a livery business.	The agent confirmed that the building has had horses in it but the internal looseboxes are yet to be installed. Furthermore, it was confirmed that if the application did not proceed to a positive determination then the applicant would install the looseboxes.

6.	Lack of waste management	The scheme is for a small-scale cold store and butcher unit, which in isolation does not require a waste management plan. Notwithstanding this the applicant provided clarity on the waste management which is addressed in Section 10 of the report.
7.	Cattle should not be regularly grazing in a field deep in water.	Not a material planning consideration related to the current development.
8.	Drainage issues.	Proposed unit will be inside an existing building and the proposal will not increase the site's ground coverage area. Therefore, it is not considered that the scheme will cause any further drainage issues.
9.	There is no existing Farm business so cannot be classed as a subsidiary business. The acreage of land is not enough to support the size of the on-site butchery so expansion of the business and a requirement to bring in additional carcasses seems inevitable.	It was evident from the site visit that cows were present on-site and lawful use of the site also relates to a livestock agricultural enterprise.
10.	<p>There is a lack of information regarding the applicant's beef production business and how the butchery will directly support it and vice versa.</p> <p>There is no information supplied regarding how the current business operates; the number of animals produced on site, numbers currently kept, numbers slaughtered, and numbers replaced.</p>	The operation of the beef farming enterprise will be addressed in Section 10 of the report.
11.	<p>No attempt to implement any of the landscaping and biodiversity requirements attached to the planning applications for the buildings on this site.</p> <p>The land has also been raised and bunds created with imported materials. This was not agreed with the original plans.</p>	Enforcement issue not related to current scheme.

12	This farm holding is not big enough to provide for the onsite butchery that is proposed. It will quickly become a commercial operation where additional carcasses will need to be purchased in order to sustain the butchery and its workers.	There is specific guidance as to how many cattle within a beef farming enterprise are required to support and accommodate a certain size of butchery. However, the manufacturer of the cold store and butcher has confirmed that the size of the unit (no more than 70sqm) is appropriate for the beef farming enterprise on-site as addressed in Section 10 of this report.
13.	Installation of electrical supply beyond what is reasonably necessary.	The issue regarding the electrical supply does not form part of the planning material considerations related to the current proposal.
14.	Why are the planning application notices not sent out to everyone in the area, as this will have an impact on everyone living in Fifield. The notices pinned up outside the site are inconsistent as dates differ to the letter, I received which states comments need to be received by the 19th of June. The notice pinned up states 2nd July.	A site notice was displayed, and the immediate neighbouring properties were notified of the scheme which satisfies the statutory requirements regarding neighbour notification. The site notice was displayed later than the neighbour notification letters hence the difference in response dates.
16.	Change of use and new commercial and industrial operation being proposed contrary to previous permission was for an equestrian and care of Alpacas.	Proposed use and lawful nature addressed in Section 10 of the report.
17.	Management of organic waste	The management of existing organic waste related to bovine manure and slurry does not form part of the current application's planning considerations as new measures cannot be considered and imposed within the already approved existing livestock enterprise which produces waste already.

## Consultees

Consultee	Comment	Officer's response
Environment Protection	<p>Environmental Protection have no objections to this application.</p> <p>I would remind the applicant that they must register the premises as a food premises with Environmental Health Commercial Services if granted permission.</p>	Noted.
Highways	No objection.	Noted.

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

Group	Comment	Officer's response
Oakley Green & Fifield Residents Association Limited	<p>-No livestock or farming taking place on this piece of land.</p> <p>-Increase in number of lorries and large vehicles, together with traffic along narrow country lane, that is Coningsby Lane, making it unsafe for walkers and horse riders who use this lane.</p> <p>-Unsuitable development in the Green belt.</p> <p>-Highway concerns raised in previous application ref; 22/03405 in terms of visibility at site entrance.</p> <p>-Change of use and new commercial and industrial operation being proposed contrary to previous permission was for an equestrian and care of Alpacas.</p> <p>-Inaccurate quantification of increase in weight and volume of traffic required to handle proposed use.</p> <p>-No study or report to highlight drainage and waste management.</p> <p>-Installation of electrical supply beyond what is reasonably necessary.</p>	<p>-It was evident from the site visit that cows were present on-site and lawful use of the site also relates to a livestock agricultural enterprise.</p> <p>-The existing use on-site already entails the in and out movement of large vehicles such as lorries, tractors and trailers. The vehicles related to the cold store and butchery unit is not considered to lead to the use of larger vehicles beyond those associated with the existing use. Furthermore, the submitted transport statement highlights that there will be less vehicular movements and traffic into the site as a result of the proposed development relative to the current situation.</p> <p>-Green belt assessment addressed in Section 10 of the report.</p> <p>-The applicant submitted additional information in previous scheme to address Highways comments, which highways reviewed and raised no further objections. The current scheme includes this additional information which was previously assessed and deemed acceptable by highways.</p>



		<p>-Proposed use and lawful nature addressed in Section 10 of the report.</p> <p>-The transport statement is considered to be adequate in terms of the traffic generated by the existing and proposed uses. Highways offered no objections to this.</p> <p>-Proposed unit will be inside an existing building and the proposal will not increase the site's ground coverage area. Therefore, it is not considered that the scheme will cause any further drainage issues.</p> <p>- The scheme is for a small-scale cold store and butcher unit, which in isolation does not require a waste management plan. Notwithstanding this the applicant provided clarity on the waste management which is addressed in Section 10 of the report.</p> <p>-The issue regarding the electrical supply does not form part of the planning material considerations related to the current proposal.</p>
Oakley Green & Fifield Association	<ul style="list-style-type: none"> <li>- Green belt proposal with no VSC proposed.</li> <li>- Large vehicles, together with traffic along narrow country lane, that is Coningsby Lane, making it unsafe for walkers and horse riders who use this lane.</li> <li>- There appears to be no agricultural activity on the land.</li> </ul>	All comments raised addressed above column within points 1,2 and 3.
Bray Parish Council.	<ul style="list-style-type: none"> <li>-Green belt proposal with no VSC proposed.</li> <li>-Clarification on the future commercial plans of the site and business plan required for this new business.</li> </ul>	<ul style="list-style-type: none"> <li>-Green belt considerations addressed in Section 10 of the report.</li> <li>-The future of the site as it relates to the current proposal as stated by the applicant are to sustain the beef farming enterprise which is in line</li> </ul>

	<p>-How will noise, lighting and any organic waste would be managed - also flooding, as the fields regularly flood?</p> <p>-Traffic study and a sustainability study</p> <p>-It should be noted that there has been a change of use on this site and permission was granted for the erection of buildings as part of a different business, namely an alpaca farm which is no longer in operation.</p> <p>-BPC further request that due to resident objections, should RBWM Planning team be minded approving this application that it be called into Maidenhead Development Management Committee in the public interest.</p>	<p>with the current use of the site as a livestock enterprise with livestock barns.</p> <p>-The small-scale butcher is not considered to cause any significant noise, lighting and waste management issues. Environment protection were consulted and offered no objections to scheme and advised that the applicant must register the premises as a food premises with Environmental Health Commercial Services if granted permission.</p> <p>-In terms of flooding and drainage, the proposed unit will be inside an existing building and the proposal will not increase the site's ground coverage area. Therefore, it is not considered that the scheme will cause any further drainage issues.</p> <p>-A transport study was submitted to support the scheme and no objections were offered by Highways regarding this matter and a sustainability study is not considered necessary for the small-scale nature of the development proposed.</p> <p>- The existing use and proposed use will be addressed in Section 10 of the report.</p> <p>-Noted and proposal is due for determination at the Development Management Committee.</p>
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## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issue for consideration is:

- i Green Belt
- ii Farm diversification
- iii Amenities
- vi Highways

## 10.2 **Green Belt**

- 10.3 The application site is located within the Green Belt and the NPPF (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 152). Paragraph 153 further states that “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.” Paragraph 154 and 155 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with some exceptions. One of these exceptions under part 155 (d) includes; the re-use of buildings provided that the buildings are of permanent and substantial construction provided that the re-use preserve the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.
- 10.4 The proposed development relates to the installation of a cold store and butchery unit within an existing barn. The building (which was granted planning permission as stables) subject of the proposal was approved under planning permission; 17/03581/FULL. The building has been substantially constructed and is deemed to be a permanent building. Therefore, the proposal for the installation of a cold store and butchery unit within this building, falls under the exception of reuse of a building of a permanent and substantial construction, as per paragraph 155 (d) of the NPPF. For the proposal to be an exception to inappropriate development, it must preserve the openness of the Green Belt, and not conflict with any of the purposes of including the land within the Green Belt.
- 10.5 The 70 square metres of floorspace within the building is to be used for the cold store and butcher unit replaces the floor area used for loose boxes to house horses within the existing stable. The transport statement submitted highlights the use of the cold store and butcher unit would generate less daily and weekly traffic movements relative to the existing use of the x2 stables. Additional traffic will be attributed to the waste collection to and from the site. However, based on the information provided his will not occur more than twice a month during most months of the year. Therefore, this would not materially increase the vehicular movements on-site due to the infrequent nature of such an activity. Overall, the proposed cold store and butcher unit is not considered to materially increase the intensification of in the lawful use of the existing building in terms of vehicular movements relative to the use of the stables which will be lost as a result of this proposal. Therefore, the proposal is considered to preserve the openness of the green belt relative to the existing use.
- 10.6 It is worth noting that the exception the proposed development is being considered under this exception, as the re-use of buildings is irrespective of there being a change of use.
- 10.7 Overall, the proposed development is appropriate development in the Green Belt which would preserve the openness of the Green Belt and would not conflict with the purposes of including the land within the Green Belt.
- 10.8 **Farm diversification**

- 10.9 The existing site subject of the proposed development has a part use as a livestock farming enterprise (agricultural use) with no restrictions as to what type of livestock can be kept on-site. The proposed cold store and butcher unit has been proposed to support and be ancillary to the existing beef farming enterprise the current applicant runs on-site.
- 10.10 Policy ED4 of the Borough Local Plan states that proposals for farm diversification will be permitted providing they meet the following criteria:
- a. the proposal is a subsidiary component of the farm enterprise and contributes to the continuing *viability of the farm, retaining existing or providing new employment opportunities and services for the local community;*
  - b. *the scale and nature of the proposal must be appropriate within its rural location and where it is likely to create significant vehicular movements to and from the site it should be well located in relation to villages, settlements and towns;*
  - c. *the proposal should reuse or adapt any existing farm buildings which are suitable and where appropriate include the removal of any redundant buildings which are derelict or offer no opportunity for beneficial use. The reuse of a building for business and industrial uses should be appropriate in terms of its size and character, not adversely impact upon nearby agricultural activity, be appropriate to a rural setting and preferably connected to agriculture. New buildings to enable farm diversification will only be permitted in accordance with national Green Belt policy, and only if existing buildings cannot be reused.*
  - d. *In the Green Belt, very special circumstances will be needed for a new building. If a new building can be justified it should be sited in or adjacent to an existing group of buildings, be compatible in scale, design, siting and materials, must relate satisfactorily to the surrounding landscape and character, and must avoid where possible the loss of the best and most versatile agricultural land;*
  - e. *there would be no significant detriment to the amenity of nearby residents, the surrounding landscape, biodiversity or geodiversity, and no unacceptable effect on water quality or flooding on any watercourse in the vicinity of the site;*
  - f. *the proposal should have regard to the local road network and the associated traffic movement should not compromise highway safety or the free flow of traffic; and*
  - g. *where a retail use is proposed it must be directly related to the farm unit.*
  - h. *the proposal would, where this is possible and viable, deliver environmental improvements, for example in terms of additional landscaping or biodiversity enhancements.*
- 10.11 The applicant confirmed that the current owner purchased the land subject of this permission and enterprise in 2021, with the intention of operating a beef farming enterprise on-site. Their intention was followed up with a variation to the approved

plans for the two livestock barns approved under application; 17/03579/FULL to accommodate a more standard design that would support livestock beyond alpacas, including cattle.

- 10.12 The applicant has stated that there have been cattle present at the farm since late 2022 and this was evident from a site undertaken in February 2023 by a planning officer under application; 22/03405/FULL, which proposed the same elements but was subsequently withdrawn due to the reasons stated in Section 6.2 of this report. In summer 2023, the applicant states that 18 young yearling/older calves were purchased which presently reside in one of the livestock barns on-site and in February 2024, the intention is to purchase a further circa 20 more calves and a further circa 20 in summer/autumn 2024.
- 10.13 Therefore, these groups aged approximately 6 months apart of differing ages will allow a group to be sent to slaughter and the carcasses brought back to the farm whereby they are stored in the cold store and butchered in batches over several months and when that stock has been exhausted the next group are ready to go to slaughter, and so on.
- 10.14 Further to the above, manufacture of the butchery unit and cold store (Fisher) states that the butcher unit and cold store is of an appropriate size for the beef farming operation on-site. Therefore, it is not considered that additional carcasses would be brought on-site from other sources to be processed in the Butcher unit.
- 10.15 There is a lawful agricultural use on site, and there an existing beef farming enterprise on-site. The butcher unit would be a subsidiary component of the farm enterprise and contributing to the continuing viability of the farm and providing new employment opportunities. The proposal is not considered to cause a significant rise in vehicular movements, nor will it cause any highway safety issues beyond what the current use already entails, this consideration is further addressed in later sections of the report.
- 10.16 The proposal will not result in any detriment to neighbouring residents since the nearest residential property is at least over 100m away to the southeast of the subject building. There will be no impacts on biodiversity, geodiversity or surrounding landscape and flooding due to the proposal being located entirely within an enclosed existing building. Lastly, the proposal would not be for a retail use as no goods will be sold directly at the farm and it will remain ancillary to the livestock enterprise on-site. A condition is recommended to ensure that the butchery unit remains ancillary to the agricultural use on the site.
- 10.17 Overall, based on the assessment below, the proposed development is considered to be compliant with Policy ED4 of the Borough Local Plan.
- 10.18 **Amenities**
- 10.19 The butcher unit and cold store will be located at least 100 metres away from the nearest residential property south-east of the building subject of the works. Therefore, it's not considered that the proposal will cause any amenity issues to this property in terms of noise disturbances and light pollution issues.
- 10.20 The applicant has also confirmed that there will be a waste management strategy in place. The solid food waste will be stored in the unit and collected once every two-weeks and the liquid waste will be stored in an overground tank stored beneath the unit inside the existing building and the tank will be pumped out by a certified waste

collector every 6 to 12 months. Therefore, there will not any liquid waste disposed into a drainage system nor disposed anywhere within the site or beyond which would cause any unpleasant odours for any of the neighbouring properties and nearby residents.

10.21 Overall, the proposed development is not considered to cause any amenity issues to the immediate neighbouring properties.

10.22 **Highways**

10.23 The proposed development does not propose a new access for the site; therefore, the existing access arrangements will remain in situ.

10.24 The applicant submitted a transport statement and provided further clarity within an email dated; 04/12/2023 stating that the two stable units to be lost to facilitate the proposed butcher has the capacity to house two horses which would generate 4 incoming and 4 outgoing vehicular movements equating to 56 vehicular movements per week at optimum use. The table below is from the submitted transport statement, and details the predicted maximum daily traffic trips generated by the proposed development.

Activity	Maximum Movements per Day	Maximum Movements per Week
Butcher	2	6
Carcasses Delivery	2	2
Shop Delivery	2	2
<b>Total</b>	<b>6</b>	<b>10</b>

Table 3.1 – Predicted Vehicle Trips from Butchery

10.25 The butcher who will be working part-time will account for 2 vehicular trips a day (3 times a week) to and from the site. At present animals are already taken from the holding to an abattoir for slaughter, this arrangement will remain as existing and will not generate any additional traffic as a result of the proposed development. The carcass will be delivered back to the butchery unit from the abattoir once a month generating a maximum of two trips per day, and the transit van that will transport the butchered meat to an off-site retail shop for sale will do this once a week, generating a maximum of two trips per day. The maximum daily movements will only occur once a month and only if the carcass delivery occurs on the same day as the shop delivery. Furthermore, the maximum weekly movements accounted to the development will amount to 10 which would be a decrease relative to the movements related to the subject existing stables units according to the submitted transport statement. Highways were also consulted on the scheme and offered no objections to the contents within the transport statement in terms of the traffic movements of the existing and proposed uses. Additional traffic will be attributed to the waste collection to and from the site. However, based on the information provided this will not occur more than twice a month during most months. Even if the predicted traffic movements for the two stables are higher than what would happen in reality, it is evident that the proposed butcher and cold store would not generate significant traffic movements, and the proposal would not result in an unacceptable impact upon highway safety, or that the residual cumulative impacts would be severe.

10.26 It is acknowledged that part of Coningsby Lane is a public footpath and that is regularly used by horse walkers, pedestrian and dog walkers etc. However, the existing use on-site already entails the movement of large vehicles such as lorries, tractors and trailers

along Coningsby Lane to access the site. The vehicles related to the cold store and butchery unit, which would typically be vans and small rigid vehicles are not considered to lead to the use of larger vehicles beyond those associated with the existing use. Furthermore, the proposed use will not increase the traffic movement on-site, therefore, it's not considered that the proposed development will pose a further risk to pedestrian safety along Coningsby Lane.

10.27 Overall, the proposed development is not considered to cause any highway and safety issues beyond what the current use already entails.

## **11 CONCLUSION**

11.1 For the reasons set out in this report the proposals are deemed to comply with relevant development plan policies. It is therefore recommended that planning permission is granted subject to the conditions listed below.

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

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

## **13. CONDITIONS RECOMMENDED FOR INCLUSION IF PLANNING 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 waste management associated with this development shall be undertaken in accordance with the measures set out in the email correspondence from the agent dated on 04/12/2023 and 15/12/2023. The measures shall be retained and maintained throughout the lifetime of the development.  
Reason: To ensure that waste is managed in an appropriate manner to avoid unpleasant odours and smells. Relevant Policy - EP1
- 2 The use of the butchery unit and cold store hereby permitted shall be ancillary to the agricultural business operated from Long Meadow Farm and the unit shall only be used as a butchery and cold store as shown on the submitted plans and for no other purposes. Reason; In the interest of highway safety and to avoid the levels traffic and intensification related with a non-ancillary use.
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

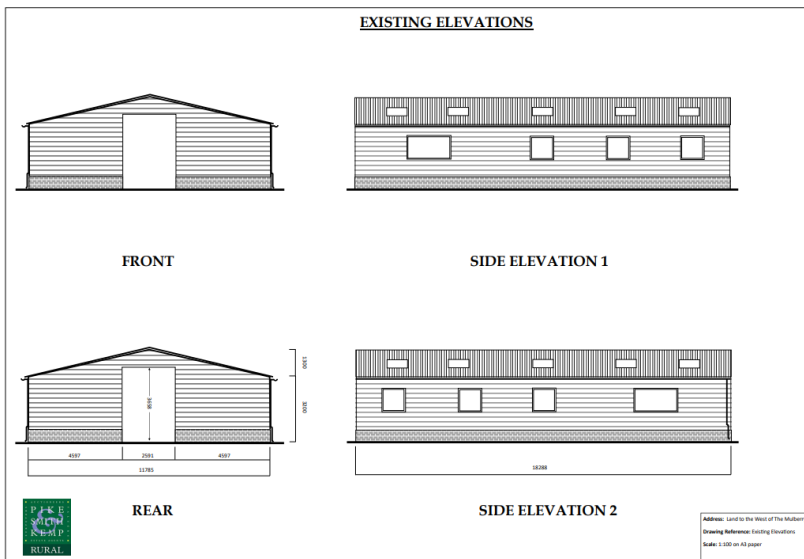
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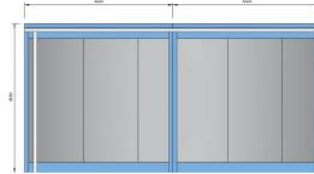
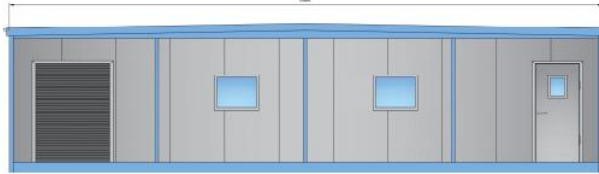
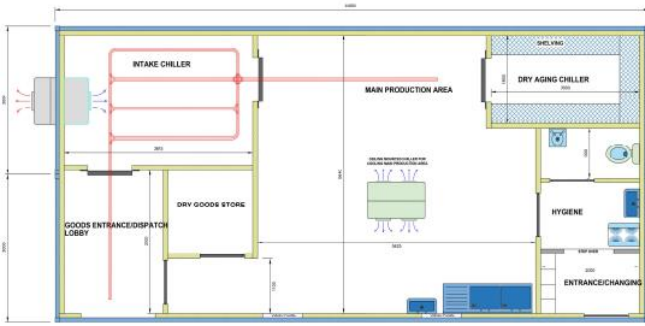


## Site Plan



## Elevation and Plans





17 January 2024

Item: 3

<b>Application No.:</b>	23/02336/FULL
<b>Location:</b>	11 Mallow Park Maidenhead SL6 6SQ
<b>Proposal:</b>	Part single part two storey side/rear extension and new refuse store following demolition of existing wall.
<b>Applicant:</b>	Mr Anthony
<b>Agent:</b>	Mr Harrison
<b>Parish/Ward:</b>	Maidenhead Unparished/Furze Platt

**If you have a question about this report, please contact:** Harmeeet Minhas on or at harmeeet.minhas@rbwm.gov.uk

## 1. SUMMARY

- 1.1 The application seeks planning permission for the erection of a two-storey side extension to the existing dwelling.
- 1.2 The application follows the recent consideration of planning application 23/01758/FULL for which planning permission was refused under delegated powers as it was considered that the proposal did not address design concerns raised by the Inspector within the earlier refusal of planning permission under application ref 22/02528/FULL.
- 1.3 The application proposal the subject of this application is considered to address the comments of the Inspector through the lowering of the main roof profile to ensure the extension appears subordinate in scale and appearance to the main house.
- 1.4 Under previously assessed applications at the site, no policy-based concerns were raised with relation to neighbouring amenity or parking. The proposal is of a similar siting and scale to those previously considered and there would be no policy-based grounds to resist the development for these reasons with relation to amenity or parking.

**It is recommended the Committee grants planning permission with the conditions listed in Section 14 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 del Campo.

## 3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located within a developed part of Mallow Park. Dwellings within the immediate vicinity are characterised by their uniformity in layout, architectural type and general plot sizes. The application dwelling at No.11 Mallow Park and its respective terrace is no different to the prevailing character.
- 3.2 Within a recent appeal decision at the site the Inspector described the application dwelling as mirroring no.16 Mallow Park at the opposite end of the terrace and the plot

being wedge shaped, being widest at its front and tapering to the rear adjacent to a parking court.

#### 4. KEY CONSTRAINTS

- 4.1 The application site is located within the residential and developed area of Maidenhead. There are no planning policy constraints as set out within the Local Plan Proposals Map.

#### 5. THE PROPOSAL

- 5.1 The application proposal seeks planning permission for the erection of a two-storey side extension including fenestration alterations.
- 5.2 The application follows the refusal of planning application reference 23/01758/FULL and reference 22/02528/FULL which was for a similar form of development which was subsequently dismissed at appeal under ref APP/T0355/D/22/3313680. The appeal was dismissed on design grounds notably concerns being raised with regards to the extension not appearing subordinate to the host dwelling.
- 5.3 The notable difference between the previously refused 2023 scheme and the current proposal is the lowering of the main ridge height and set-back from the principal elevation of the dwelling, and a reduction in the overall width of proposed extension.

#### 6. RELEVANT PLANNING HISTORY

Ref.	Description	Decision
23/01758/FULL	Two storey side extension and new refuse store.	Refused
22/02528/FUL	Two storey front/side extension and alterations to fenestration	Refused and Appeal Dismissed
22/01796/CPD	Certificate of Lawfulness to determine whether the proposed side and rear extension is lawful	Granted
21/02975/FULL	Subdivision of the existing site to create x1 additional dwelling with associated front, rear and side amenity space, private entrance, refuse and bicycle store and proposed un-allocated on-street parking	Refused
21/01434/FULL	1 No. new dwelling with associated amenity space, new pedestrian entrance, refuse and bicycle store and unallocated on-street parking	Refused and Appeal dismissed

#### 7. DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

##### Adopted Borough Local Plan

Issue	Policy
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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
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Sustainable Transport	IF2

**8. MATERIAL PLANNING CONSIDERATIONS**

**National Planning Policy Framework Sections (NPPF) (2023)**

- Section 2 – Achieving sustainable development
- Section 4- Decision-making
- Section 9- Promoting Sustainable Transport
- Section 10 – Supporting high quality communications
- Section 12- Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

**Supplementary Planning Documents**

- Borough Wide Design Guide

**Other Local Strategies or Publications**

- Other Strategies or publications material to the proposal are:
- RBWM Townscape Assessment
  - RBWM Landscape Assessment
  - RBWM Parking Strategy
  - Interim Sustainability Position Statement
  - Corporate Strategy
  - Environment and Climate Strategy

**9. CONSULTATIONS CARRIED OUT**

**Comments from interested parties**

9 occupiers were notified directly of the application.

5 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. Extension appears visually dominant and double size of existing house	Section 8
2. Lack of parking provision	Section 8

3.	Impact on neighbouring amenity (loss of light and privacy)	Section 8
4.	Refuse bin storage would be unsightly	The bin store enclosure would have a height of 1.1 metres and is not considered to appear prominent or harm the character of the area.

## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Design and Character
- ii Parking and Highways Impacts
- iii Impact on amenity of neighbouring buildings

### Design and Character

10.2 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving Well-Designed Places) and Local Plan Policy QP3, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area.

10.3 The application site benefits from extensive recent planning history relating to the provision of an additional dwelling and more recently, residential extensions. Planning permission was recently refused for the erection of a two-storey side extension under application 23/01758/FULL as officers considered the design and appearance of the dwelling would not appear subordinate or subservient to the main dwelling. This decision followed another refusal of planning permission for a similar form of development under application reference 22/02528/FULL, which was subsequently dismissed at appeal.

10.4 In the interests of transparent and balanced decision making, where appeal decisions are a material consideration it is the view of officers that significant weight be afforded to the Inspectors comments. Within para 5 of the appeal decision ref APP/T0355/D/22/3313680 (ref 22/02528/FULL) the Inspector states the following:

***‘However, the extensions would almost double the width of the principal elevation of the host dwelling. Whilst this would be stepped down to its northern end, where accommodating a WC at ground floor level and part of the proposed bedroom no 4 at first floor level, the bulk of the extension would maintain the existing ridge height and by virtue of its forward siting as a whole, the proposal would fail to appear subservient in form to the host dwelling. This conflicts with both principles 10.1 and 10.3 of the Council’s Borough-wide Design Guide, a material consideration in the determination of this appeal.’***

10.5 The proposal has sought to address these concerns raised by the Inspector under the appeal scheme and officers under the subsequent refusal of application 23/01758/FULL by setting back the extension from the principal elevation and lowering the ridge line from that of the main dwelling. Additionally, the second tapered layer of extension nearest the northern boundary has been removed. The

width of the extension under the dismissed scheme measured 6.02m at its widest point; the proposed extension, subject of this application, measures 4.3m in width. This reduction in width ensures the extension when viewed with the cumulative changes addresses the Inspectors concerns.

- 10.6 In light of these amendments the proposal is considered to have overcome earlier concerns and it is considered that the extension would appear subordinate in scale to the main house which is in accordance with Principle 10.3 of the Borough Wide Design Guide. As such, the proposal is now considered to satisfy the requirements of Policy QP3 of the adopted Borough Local Plan and Principle 10.3 of the Borough Wide Design Guide.

#### Parking and Highway Impacts

- 10.7 The enlargement of the dwelling would increase the demand for parking within the public highway. Under previous applications at the site to create an additional residential dwelling, highway and parking surveys were undertaken which set out the capacity for additional parking on-street within neighbouring roads. The findings of these reports were accepted by officers. In light of this it is considered that there remains sufficient on-street parking for the additional net gain of one parking space, required to facilitate the enlarged dwelling.
- 10.8 In addition, no parking or highway related policy-based concerns were raised under the assessment and subsequent refusal of planning application ref 23/01758/FULL. As such, it would not be reasonable of the LPA to sustain a refusal on these grounds.

#### Impact on amenity of neighbouring buildings

- 10.9 Under the assessment of the previously refused 2023 scheme, officers were of the following opinion when considering the impact of the proposal on neighbouring amenity;

***'There appear to have been no material changes to the site arrangement from the time of the assessment of earlier applications. As no concerns were raised by the Inspector under previous appeal decisions it would now be unreasonable of officers to reach a different conclusion given the design and layout of the extensions'***

- 10.10 The proposed extension, the subject of this application, has been reduced in size and scale when compared to the previously refused application upon which these comments were made. The extensions would be located approx. 12m from the nearest habitable property to the north which would be further than under the previously considered, the extension would not breach any light angles of the neighbouring dwellings and as such, no policy based concerns are raised with relation to neighbouring amenity.

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

- 11.1 The development would not be liable to pay CIL.

## **12. PLANNING BALANCE**

- 12.1 This proposed development is in accordance with the policies within the Development Plan. There are no other considerations which indicate that the scheme should not be permitted.

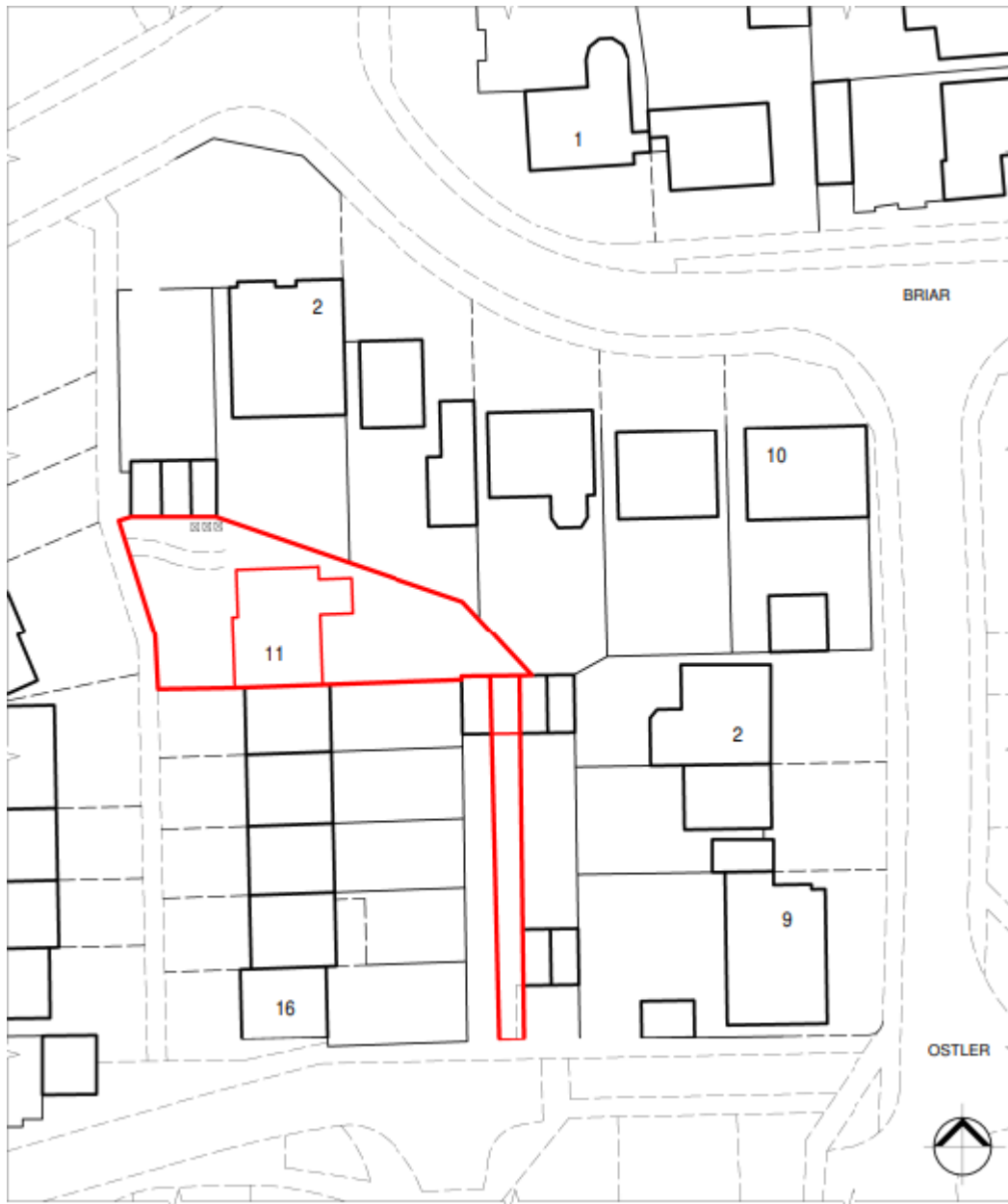
### **13. APPENDICES TO THIS REPORT**

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

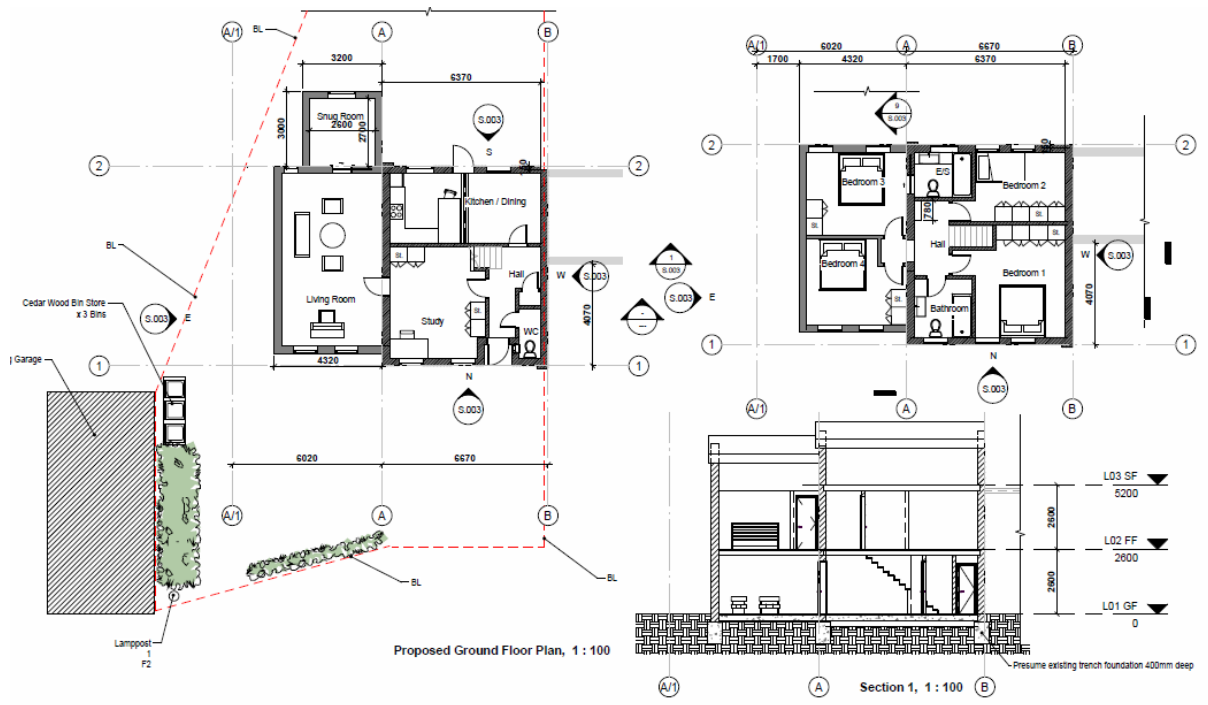
### **14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwelling house. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan QP3
- 3 No window(s) shall be inserted at first floor level in the flank elevation(s) of the extension.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan QP3.
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

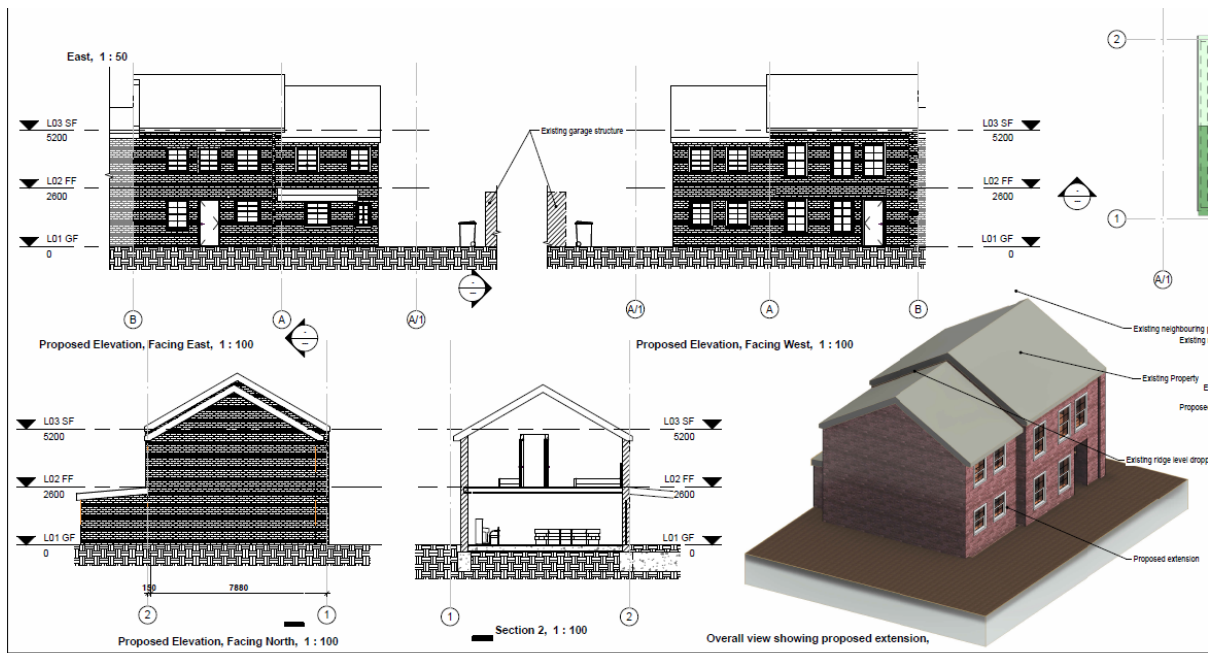




BLOCK PLAN



**Proposed Floor Plans**



**Proposed Elevations**

## Appeal Decision Report

11 December 2023 - 5 January 2024

### Maidenhead

**Appeal Ref.:** 23/60052/REF      **Planning Ref.:** 22/02582/FULL      **Plns Ref.:** APP/T0355/D/23/3317564  
**Appellant:** Ms Elenora Lovato **c/o Agent:** Mr Neil Davis 19 Woodlands Avenue Winnersh Wokingham Berkshire RG41 3HL  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Raising of the ridge and alterations to the existing 3 rear dormers.  
**Location:** **Hazeldene Ascot Road Holyport Maidenhead SL6 2HY**  
**Appeal Decision:** Part Allowed      **Decision Date:** 13 December 2023

**Main Issue:** I have found that the proposed first floor extension would constitute an inappropriate form of development in the Green Belt and would not preserve its openness. Paragraph 148 of the Framework states that any harm to the Green Belt should be given substantial weight. In addition, I have identified other harm arising from the proposed first floor extension in the form of harm to the significance of the HCA which is not outweighed by public benefits. The Framework places great weight on the conservation of heritage assets and given my duty under Section 72(1) of the 1990 Act set out above, this matter carries significant weight. On the other hand, the other considerations that I have identified are of modest weight in favour of the proposed first floor extension. Thus, they would not clearly outweigh the harm identified and, on account of this, the very special circumstances necessary to justify the proposal have not been demonstrated. Having had regard to the development plan as a whole and all other material considerations, I consider that the proposal is acceptable in part only. The appeal is therefore allowed insofar as it relates to the proposed alterations to the dormer window roofs. However, for the reasons given, and having had regard to all other relevant matters raised, the appeal is dismissed insofar as it relates to the proposed first floor extension.

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**Appeal Ref.:** 23/60087/REF      **Planning Ref.:** 23/01734/FULL      **Plns Ref.:** APP/T0355/D/23/3332239  
**Appellant:** Mr & Mrs S & D White & Williamson **c/o Agent:** Mr Neil Davis Davis Planning Ltd 19 Woodlands Avenue Wokingham RG41 3HL  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Replacement of existing front boundary wall and associated new gates  
**Location:** **32 Rushington Avenue Maidenhead SL6 1BZ**  
**Appeal Decision:** Allowed      **Decision Date:** 12 December 2023

**Main Issue:**

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## Planning Appeals Received

11 December 2023 - 5 January 2024

### Maidenhead

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

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

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

**Ward:**

**Parish:** White Waltham Parish

**Appeal Ref.:** 23/60103/REF      **Planning Ref.:** 23/01359/FULL      **PIns Ref.:** APP/T0355/D/23/3334089

**Date Received:** 11 December 2023

**Comments Due:** N/A

**Type:** Refusal

**Appeal Type:** Householder Appeal

**Description:** Detached double garage

**Location:** **The Old Vicarage Bath Road Littlewick Green Maidenhead SL6 3QR**

**Appellant:** Mr Paul Spencer **c/o Agent:** Mrs Kirstie Edwards 11 St. Marys Place SHREWSBURY Shropshire SY1 1DZ

**Ward:**

**Parish:** Bray Parish

**Appeal Ref.:** 23/60106/ENF      **Enforcement Ref.:** 22/50031/ENF      **PIns Ref.:** APP/T0355/C/23/3331977

**Date Received:** 20 December 2023

**Comments Due:** 7 February 2024

**Type:** Enforcement Appeal

**Appeal Type:** Written Representation

**Description:** Appeal against THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL: Without planning permission, the erection of a detached garage and associated concrete slab, in the approximate position as outlined in blue, on the attached plan

**Location:** **59 Windsor Road Maidenhead SL6 2DN**

**Appellant:** Mr Timothy Charles Watson 59 Windsor Road Maidenhead SL6 2DN

**Ward:**

**Parish:** Bray Parish

**Appeal Ref.:** 24/60002/REF      **Planning Ref.:** 22/03349/FULL      **PIns Ref.:** APP/T0355/W/23/3327708

**Date Received:** 4 January 2024

**Comments Due:** 8 February 2024

**Type:** Refusal

**Appeal Type:** Written Representation

**Description:** x1 new detached dwelling

**Location:** **Land At Wych Elms Oakley Green Road Oakley Green Windsor**

**Appellant:** Mr Zain Kabani Wych Elms Oakley Green Road Oakley Green Windsor SL4 4QF