

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

29 August 2018

Item: 1

<b>Application No.:</b>	18/01293/VAR
<b>Location:</b>	South East Water The Keleher Water Treatment Works Monkey Island Lane Bray Maidenhead SL6 2AZ
<b>Proposal:</b>	Removal of condition 26 (foul water scheme) of planning approval 17/03288/FULL (Proposed improvement works to water treatment works including new process and filter plant, tanks, kiosks and associated works, replacement landscaped areas, alterations to internal access road within the site and creation of areas of hardstanding for operational purposes. Replacement of existing fence along the western boundary with a security fence 3.5m high. Temporary contractor's compound with temporary offices, welfare facilities, parking area and storage areas on land north of the existing operational site, with temporary gated access off Monkey Island Lane)
<b>Applicant:</b>	South East Water
<b>Agent:</b>	Mrs Debra Ivory
<b>Parish/Ward:</b>	Bray Parish/Bray Ward

**If you have a question about this report, please contact:** Susan Sharman on 01628 685320 or at [susan.sharman@rbwm.gov.uk](mailto:susan.sharman@rbwm.gov.uk)

## 1. SUMMARY

- 1.1 The Environment Agency (EA) has confirmed that it is reassured that the temporary welfare facilities for site workers, employed in respect of the improvement works currently being undertaken at the site (approved under application 17/03288), will connect and therefore discharge to the existing sewer connection on site, but where this is not possible tanks will be used and emptied by an appropriate licenced waste contractor. Accordingly, the EA has confirmed it is satisfied that there is minimal risk of polluting the gravel aquifer from which potable water is being abstracted and therefore recommends removal of condition 26 from 17/03288.

**It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.**

## 2. REASON FOR PANEL 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 Panel.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates a long established water treatment works located on Monkey Island Lane in Bray. The CEMEX Quarry bounds the site to the south and west, beyond with Bray Lake located to the west. An area of housing is located to the south beyond the Quarry. Bray Marina is located on the opposite side of Monkey Island Lane to the east of the site.
- 3.2 The site is well screened by landscaping and bunds that were secured as part of the landscaping scheme associated with the original consent for the water treatment works. The site is otherwise relatively flat.

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

- 4.1 Planning application 17/03288 proposed a number of improvements to the water treatment works, including additional structures housing plant and machinery to provide filtration, treatment and waste processes, similar to those already existing on site. The application was approved earlier this year subject to a number of conditions, including condition 26 recommended by the Environment Agency (EA), which states:  
*"The development hereby permitted shall not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use. Reason: To protect the Inner Source Protection Zone (SPZ1) for a public water supply. Relevant Policies: Paragraph 123 of the NPPF and Saved Local Plan policy NAP4."*
- 4.2 The applicant, South East Water, has applied to remove condition 26 from the original permission, on the basis that it is neither necessary nor reasonable.
- 4.3 A number of conditions applications have been submitted to discharge the other conditions on application 17/03288. With the exception of condition 24, (which is the subject of on-going discussions between the applicant and the EA), all relevant conditions have been discharged.
- 4.4 The table below provides a summary of the site's planning history:

Ref.	Description	Decision and Date
90/00117/OBS	The extraction of sand and gravel and restoration to a nature reserve; and restoration of old silt lagoons to agriculture	Approved 04.03.1991
93/00128/REM	Details of outline permission 425368 to erect a water treatment works with associated external works and landscaping	Approved 23.08.1993
94/00121/OBS	Use of land for stockpiling of topsoil Subsoil and spoil	Approved 15.04.1994
94/00122/OBCM	Variation of condition 3 on planning permission 424141	Approved 08.08.1994
97/31276/OBCM	Variation of condition 3 for extension of time and non-compliance of condition 5 of permission 424141 regarding silt disposal and restoration.	Approved 16.06.1997
98/32867/FULL	To construct car park (approx.13 spaces) adjoining Bray Lake for use by walkers and cyclists and resurfacing part of access road.	Approved 22.10.2001
11/00350/FULL	Construction of a building containing ultraviolet disinfection plant	Approved 22.03.2011
11/00856/CONDIT	Details required by condition 2 (archaeological statement) of 11/00350	Approved 05.04.2011
11/02208/NMA	Non-material amendment to 11/00350 to allow changes to the wall and sub-structure.	Approved 26.08.2011
17/00258/FULL	Change of use of the land for a temporary period for the siting of a modular office building, contractors parking and storage compound with extension to existing security fencing.	Withdrawn 09.03.2017.
17/03288/FULL	Proposed improvement works to water treatment facility with associated works.	Approved 28.03.2018.
18/01010/CONDIT	Details in relation to condition 3 (walkover survey), 4 (breeding birds) of planning permission 17/03288.	Approved. 26.06.2018.

18/01195/CONDIT	Details in relation to condition 6 (buffer zone), 8 (tree protection) of planning permission 17/03288.	Approved. 28.06.2018.
18/01196/CONDIT	Details in relation to condition 5(biodiversity enhancements), 9 (hard and soft landscaping) of planning permission 17/03288.	Approved. 28.06.2018.
18/01252/CONDIT	Details in relation to condition 16 (complaints procedure), 22 (CEMP) of planning permission 17/03288.	Approved. 28.06.2018.
18/01277/CONDIT	Details in relation to condition 13 (full details of access road and layout) of planning permission 17/03288.	Approved. 28.06.2018.
18/01278/CONDIT	Details in relation to condition 23 (surface water drainage scheme) of planning permission 17/03288.	Approved. 10.08.2018.
18/01279/CONDIT	Details in relation to condition 24 (EA condition - FRA) of planning permission 17/03288.	Pending
18/01292/CONDIT	Details in relation to condition 15 (EA contamination) of planning permission 17/03288.	Approved 10.08.2018.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

### Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

Pollution
NAP4

This policy can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Contamination	EP5

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents was submitted to the Secretary of State for examination in January 2018, with the first phase of examination hearings taking place in June 2018.

The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there

are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy.

In this case, significant weight is given to Borough Local Plan Submission Version policy EP5.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

## **6. EXPLANATION OF RECOMMENDATION**

- 6.1 The key issue for consideration is whether the imposition of condition 26 of 17/03288 is reasonable and necessary, or whether it can be removed.
- 6.2 In support of the application, the applicant initially advised that as the proposed works would not alter the current foul water or the current foul water drainage layout, condition 26 was not necessary. In consultation the EA advised, *"The proposed improvement works will involve a temporary contractor's compound with temporary offices and welfare facilities and this suggested to us that there will be temporary toilets on site. This application site is in a sensitive location with regard to groundwater. The applicant had ticked the box on the application form that the provision for foul sewage was 'unknown' and we recommended this condition to protect groundwater quality from any inputs of nitrogenous matter during the improvement works from the temporary toilets. We do understand that the proposed improvement works do not alter the current foul water flows or the current foul water drainage layout. We request clarification of the type of facilities for the site workers and the foul drainage arrangement for these if required."*
- 6.3 In response to the EA's query, the applicant advised that the temporary compound, (the location of which is shown on approved drawing K3-PEV-GS-XX-DR-C-2012 rev P07), will include temporary office units and welfare facilities during the various stages of construction in accordance with the submitted layout plan. The applicant further advised that connections would be made from the welfare unit into the existing sewer connection already on site where possible, but where this is not practicable, (for instance during the initial set up and removal of temporary facilities once the construction works are completed), tanks would be used and emptied by an appropriate licenced waste contractor. For any temporary mobile welfare facilities needed during the construction period, tanks would also be used and emptied by an appropriate licenced waste contractor. With these measures in place, the applicant advised, there will be no risk of pollution to the aquifer.
- 6.4 The applicant further confirmed that for the avoidance of doubt, all temporary office and welfare units will be removed once the construction works are completed, and the land to the north of the operational site will be reinstated to its previous condition in accordance with planning condition 18 of 17/03288, (condition 17 in section 9 of this report).
- 6.5 In response to the applicant's additional information, the EA has confirmed that it is reassured that the temporary welfare facilities for site workers will connect and therefore discharge to the existing sewer connection on site, but where this is not possible tanks will be used and emptied by an appropriate licenced waste contractor. Accordingly, the EA has confirmed it is satisfied that there is minimal risk of polluting the gravel aquifer from which potable water is being abstracted and therefore recommends removal of condition 26 regarding a foul water scheme.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

2 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 21<sup>st</sup> May 2018 and the application was advertised in the Maidenhead & Windsor Advertiser on 17<sup>th</sup> May 2018.

No letters of representation have been received.

## Consultee responses

Consultee	Comment	Where in the report this is considered
Environment Agency	No objections.	6.1 – 6.5
Bray Parish Council	Delegated to Planning Officer.	Noted.

### 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan

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

- 1 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 water treatment works facilities unless first otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of the visual amenities of the area. Relevant Policies: Local Plan DG1 and Borough Local Plan Submission Version Policy SP3.
- 2 The measures set out in the results of the walkover survey for badgers shall be undertaken entirely in accordance with the details approved under application 18/01010.  
Reason: To protect any badgers using the site in accordance with Paragraphs 170 and 175 of the NPPF.
- 3 The measures in place to protect nesting bird interests on site shall be undertaken as approved under application 18/01010.  
Reason: To protect breeding birds, their eggs and active nests in accordance with Paragraphs 170 and 175 of the NPPF.
- 4 The development shall be carried out entirely in accordance with the Landscape and Ecology Enhancement and Management Plan approved under application 18/01196.  
Reason: To ensure that ecological enhancements are secured and managed as part of the development, to ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant policies: Paragraphs 170 and 175 of the NPPF; Local Plan policies DG1, N6 and N7, and Policy NR3 of the BLPSV.
- 5 The Penny Royal plant buffer shall be implemented in accordance with the details approved under application 18/01195.  
Reason: To protect a species listed in Section 8 of the Wildlife and Countryside Act 1981. Relevant policies: Local Plan N8, BLPSV Policy NR3 and paragraph 175 of the NPPF.
- 6 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of the first use of the buildings for their permitted use. Any approved tree work shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority in writing.  
Reason: In the interests of the visual amenities of the area. Relevant Policies: Local Plan DG1, N6 and BLPSV Policy NR2.
- 7 The tree protection measures shall be implemented as approved under application 18/01195.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies: Local Plan DG1, N6 and BLPSV Policy NR2.

- 8 The hard and soft landscape works approved under application 18/01196 shall be carried out within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies: Local Plan DG1 and BLPSV Policy NR2.
- 9 The rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc. (collectively) associated with this application shall be lower than the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).  
Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3, BLPSV Policy EP4 and paragraphs 127 and 180 of the NPPF.
- 10 The permitted working hours of the site during construction including site preparation, plant, equipment, machinery, their maintenance or repair, vehicle delivery and despatches are as follows: Monday to Friday: 08:00 - 18:00; Saturdays: 08:00 - 13:00. No work shall be undertaken outside of these hours or on Sundays, Public or Bank Holidays.  
Reason: To protect the amenity of the area and prevent nuisance arising from noise. Relevant policies: Local Plan NAP3, BLPSV Policy EP4 and paragraphs 127 and 180 of the NPPF.
- 11 All plant, equipment and machinery shall comply with current noise emission/silencing standards and shall be maintained in good working order at all times. Any breakdown or malfunctioning leading to increased noise and/or dust emissions shall be dealt with promptly. Site operations shall be adjusted or suspended until normal working conditions of any malfunctioning plant, equipment and machinery is restored.  
Reason: To protect the amenity of the area and prevent nuisance arising from noise. Relevant Policies: Relevant policies: Local Plan NAP3, BLPSV Policy EP4 and paragraphs 127 and 180 of the NPPF.
- 12 The construction of the access road and the layout of the site shall be undertaken in accordance with the details approved under 18/01277. Where reversing alarms are used on earth-moving plant, quieter or silent types shall be used. The access road and layout of the site shall be maintained in accordance with the approved plan.  
Reason: To protect the amenity of the area and prevent nuisance arising from noise. Relevant policies: Local Plan NAP3, BLPSV Policy EP4 and paragraphs 127 and 180 of the NPPF.
- 13 No activity hereby permitted shall cause dust to be emitted from the site. In the event dust emissions occur, the activity shall be suspended until this can be resumed without causing any further emissions.  
Reason: To protect the amenities of the area. Relevant policies: Local Plan NAP 3, BLPSV Policy EP and paragraph 127 of the NPPF.
- 14 The development shall be carried out in accordance with the details and measures set out in the Site Remediation Strategy and Ground Investigation Report as approved under application 18/01292.  
Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policies: Local

Plan NAP4, BLPSV policy EP5 and paragraphs 178 and 179 of the NPPF.

- 15 The complaints procedure shall be implemented in accordance with the details approved under application 18/01252.  
Reason: To prevent and resolve nuisance complaints. In accordance with paragraph 180 of the NPPF.
- 16 To minimise the air quality impact, the operator shall ensure that its own vehicles used for site deliveries and dispatches are compliant with Euro V or higher and for non-road mobile plant are compliant with Stage IV standards.  
Reason: To reduce the impact on local air quality. Relevant Policies: Local Plan policy NAP3, BLPSV policy EP2 and paragraphs 180 and 181 of the NPPF.
- 17 Within three months of the water treatment facilities hereby approved being completed, the temporary site compound and any equipment, structures and machinery within it; the temporary access, access road and gates shall be removed and the highway reinstated and the land made good in accordance with the hard and soft landscaping scheme approved under application 18/01196.  
Reason: To protect the visual amenity of the site and the openness of the Green Belt. Relevant policies: Local Plan policies DG1 and GB2, BLPSV policies SP3 and SP5.
- 18 The development hereby approved shall be carried out in accordance with the Construction Traffic Management Plan contained within the Transport Statement prepared by South East Water dated 6th Oct 2017 as approved under application 17/03288 unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and convenience. Relevant Policies: Local Plan policy T5, BLPSV policy IF2.
- 19 The development will be carried out in accordance with the methodology and recommendations contained within the Asbestos Works Methodology prepared by South East Water and dated 19th September 2017 as approved under application 18/01293 unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of public health and safety. Relevant policies: Paragraph 179 of the NPPF.
- 20 Any trenches within the working area of the site shall either be covered over-night, or planks of wood shall be secured within any trench to form a ramp to allow badgers to escape; any temporarily exposed open pipes shall be capped or covered in such a way as to prevent badgers gaining access; and night working shall not be permitted.  
Reason: In order to ensure badgers are not harmed during construction. Relevant Policies: Paragraphs 170 and 175 of the NPPF.
- 21 The development shall proceed in accordance with the Construction Environmental Management Plan as approved under application 18/01252 unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To protect a species listed in Section 8 of the Wildlife and Countryside Act 1981 and to safeguard the nearby SSSI. Relevant Policy: Paragraphs 170 and 175 of the NPPF.
- 22 The surface water drainage system shall be implemented and maintained in accordance with the details approved under 18/01278.  
Reason: To ensure compliance with the National Planning Practice Guidance and the Non-Statutory Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere in accordance with paragraph 163 of the NPPF.
- 23 Within 2 months of this permission, a scheme to ensure the proposed development will not impede flood flow or result in a loss of floodplain storage during the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change flood event and based on the principles outlined in Flood Risk Assessment (FRA) reference B1400092-FRA-01 | 4 (27 February 2018, Jacobs and comparison of LIDAR and topographical survey levels 1 of 2

reference B140006B/FRA/SKE001 dated 19 March 2018 and comparison of LIDAR and topographical survey levels 2 of 2 reference B140006B/FRA/SKE002 dated 19 March 2018), has been submitted to and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure flood risk from the proposed development is not increased elsewhere. Relevant policy: Paragraph 163 of the NPPF.

- 24 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect the Shepperton Gravel Member (Principal Aquifer), the Source Protection Zone 1 and the river from any historic contamination that could be mobilised during development of this site. Relevant policies: Paragraph 178 and 179 of the NPPF and Saved Local Plan policy NAP4.

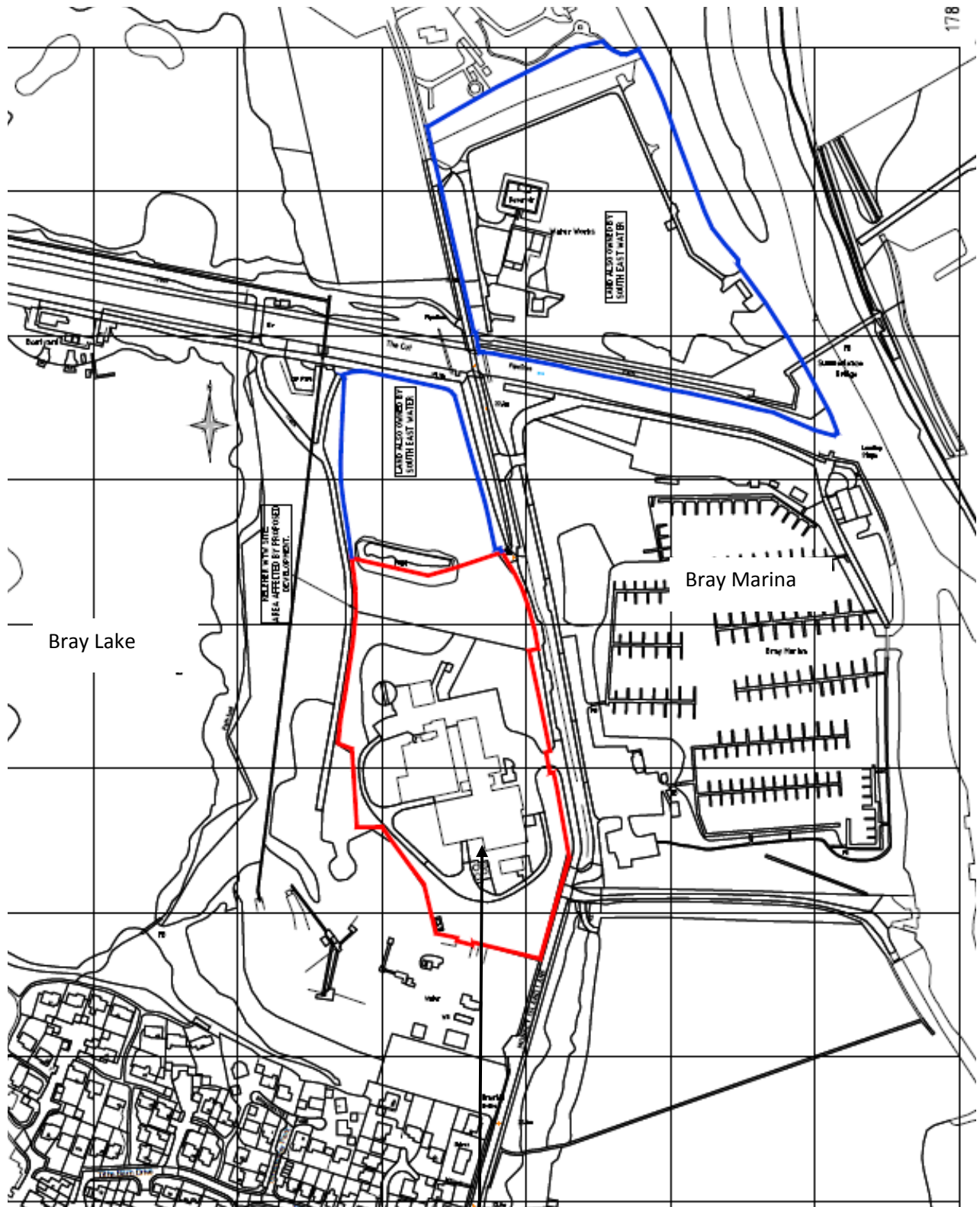
- 25 The foul water drainage scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason: To protect the Inner Source Protection Zone (SPZ1) for a public water supply. Relevant Policies: Paragraph 180 of the NPPF and Saved Local Plan policy NAP4.

- 26 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.





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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

29 August 2018

Item: 2

<b>Application No.:</b>	18/01844/VAR
<b>Location:</b>	Green Trees Widbrook Road Maidenhead SL6 8HS
<b>Proposal:</b>	Variation of Condition 7 (details of both hard and soft landscape works), Condition 8 (access and vehicle parking areas), Condition 9 (covered and secure cycle parking facilities), Condition 10 (refuse bin storage area and recycling facilities) and Condition 16 (approved plans) under Section 73a to substitute plans approved under 17/02830/VAR [for the erection of 10 x 2 bed and 2 x 1 bed flats with associated vehicular access, car parking, refuse and cycle storage following demolition of existing buildings as approved under planning permission 16/00811 (allowed on appeal) without complying with condition 2 (approved plans) to replace the approved plans with amended plans] with amended plans.
<b>Applicant:</b>	David Howells
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Maidenhead Unparished/Maidenhead Riverside Ward

**If you have a question about this report, please contact:** Susan Sharman on 01628 685320 or at [susan.sharman@rbwm.gov.uk](mailto:susan.sharman@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 The application seeks to vary the approved drawings in respect of landscaping and parking in relation to a scheme of 12 flats currently under construction. In short, the landscaping plan represents an improvement to a previously approved scheme, resulting in the appearance of the development being significantly softened when viewed from Sheephouse Road. The proposal would also provide a more meaningful contribution to the leafy character and appearance of the area in which the site is located. The revised carport would be of an acceptable scale and appearance and would not harm the living conditions of the neighbours.
- 1.2 Accordingly, the application is considered to comply with the relevant Development Plan policies and those Borough Local Plan Submission Version policies to which significant weight is to be accorded.

**It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.**

**2. REASON FOR PANEL 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 Panel.

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

- 3.1 The site comprises an area of approximately 0.19 hectares on the southern side of Widbrook Road at the junction with Sheephouse Road. The large detached house, known as Green Trees, has been demolished with the block of 12 flats (allowed on appeal) currently under construction. The site is located in a residential area approximately 600 metres from the River Thames

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

- 4.1 The original application, 16/00811/FULL, for the erection of 10 x 2 bed and 2 x 1 bed flats with associated vehicular access, car parking, refuse and cycle storage following demolition of existing buildings was refused by Panel in 2016 on the grounds that the scale and appearance of the building (the flats) would be harmful to the character of the area. The application was subsequently allowed on appeal in July 2017.
- 4.2 Planning permission to vary the plans approved under 16/00811 was granted by the Panel under application 17/02830 in October 2017. The approved variations related mainly to minor changes to the elevations including changes to fenestration and materials, and alterations to the car parking layout.
- 4.3 The variations proposed under this application relate to the proposed car port, bin and cycle store building, and the landscaping for the site. In terms of the carport, rather than two separate buildings this is now proposed to be one structure, with the bin and cycle store positioned at one end. It will measure 6.2m wide, by 34.4m long with a maximum ridge height of 3.9m. The height of the carport has been reduced from that previously approved from 4.2m to 3.9m, with the width increased from 5m to 6.2m. The position of the carport has been set slightly further off the east side boundary adjacent to 'Riversdale', leaving a gap of approximately 0.6m.
- 4.4 In terms of landscaping, 1.5m high railings will be erected along the west side boundary adjacent to Sheephouse Road. A Laurel hedge of between 1.5m and 1.8m height will be planted behind the railings and allowed to grow up to a height of approximately 4m where it will be maintained. Four Acer platanoides 'Autumn Blaze' will also be planted along the western boundary. Along the front boundary, (on Widbrook Road, facing north), will be 1.2m high railings with a 1.2m high Laurel hedge behind. The existing 1.8m close-boarded fence along the east boundary (adjacent to Riversdale) will be retained where it is in front of the neighbouring property, and replaced with a 2m high close boarded fence where it extends behind the rear of Riversdale. Climbing plants and shrubs will be planted between the fence line and proposed car port. A 2m high close boarded fence will be erected along the south boundary (adjacent to 70 Sheephouse Road), together with a row of 3m high Leylandii trees that will be maintained at a height of approximately 4m. The space within the site and around the flats will be laid to lawn interspersed with areas of mixed shrubs.
- 4.5 Details in respect to surface water drainage and slab levels have also been submitted under this application for consideration.

4.6

Ref.	Description	Decision and Date
413782	The erection of a canopy over the front garden path, triple garage with games room over, extension and alteration to the existing garage building to contain indoor swimming pool and the erection of a 6ft high wall on the Widbrook Road frontage.	Approved – 28.04.1982
08/02894/FULL	Trellis type side structure (retrospective)	Approved – 14.01.2009
12/00239/CPD	Certificate of lawfulness to determine whether the development permitted under 413782 has commenced and is lawful	Approved – 15.03.2012
16/00811/FULL	Erection of 10 x 2 bed and 2 x 1 bed flats with associated vehicular access, car parking, refuse and cycle storage following demolition of existing buildings	Refused – 09.09.2016 Appeal Allowed - 04.07.2017
16/03688/FULL	Construction of a new building comprising 12 x 2-bed flats with associated vehicular access, car parking, ancillary buildings comprising car-ports with refuse and cycle	Withdrawn - 07.06.2017

	storage following demolition of existing dwelling and outbuildings.	
17/02345/CONDIT	Details required by condition 12 (Construction Method Statement) of 16/00811.	Approved – 15.09.2017
17/02830/VAR	Application to vary condition 2 (Approved plans) of 16/00811	Approved – 02.11.2017
17/02924/CONDIT	Details required by condition 3 ( external materials), 4 (finished slab levels), 6 (method of no dig construction), 8 (hard and soft landscaping, 9 (access and vehicle/cycle parking areas), 14 privacy screens of planning permission 16/00811	Approved – 20.02.2018
18/00146/FULL	Proposed parking area with bin and cycle stores.	Withdrawn 23.03.2018
18/00795/CONDIT	Details required by condition 2 (material samples), 3 (finished slab levels), 5 (method of no dig construction), 6 (tree protection), 7 (hard and soft landscaping), 12 (existing access), 14 (SUDs), and 15 (pergolas and privacy screens) of planning permission 17/02830/VAR.	Withdrawn 22.06.2018
18/00938/VAR	Variation of condition 9 (cycle parking), 10 (refuse and recycling) and 16 (approved plans) of 17/02830/VAR	Withdrawn 04.06.2018.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 5.1 National Planning Policy Framework Section 12 – Achieving well-designed places.

#### Royal Borough Local Plan

### 5.2 The main strategic planning considerations applying to the site and the associated policies are:

Highways and Parking	Trees
P4, T5	N6

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

#### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination in January 2018 and the first phase of examination hearings took place in June 2018.

The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and

legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Accordingly, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy.

For this application, significant weight is to be accorded to Borough Local Plan Submission Version policies SP2 and SP3.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

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

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i The planning history for the site and implications for this application;
- ii The impact on the character and appearance of the area;
- iii The impact on the amenities of neighbours; and
- iii Parking provision.

### **The planning history for the site and implications for this application**

6.2 Planning permissions are required to be implemented as approved. However, it is recognised that in some cases unforeseen circumstances may arise that call for a flexible approach to be taken. Section 73 of the Town and Country Planning Act (TCPA) 1990 provides some flexibility to enable 'minor material amendments' to be made to extant planning permissions by, for example, making changes to the plans originally approved under an existing permission. These S.73 applications are often referred to as variation applications, hence the suffix VAR to this application number. National Planning Policy Guidance on this type of application advises "Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and un-amended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged."

6.3 The original planning permission for the development under construction (allowed on appeal) was 16/00811/FULL. This was varied by way of a S73 application reference 17/02830/VAR, and resulted in a new planning permission that included changes to the carports. Perhaps confusingly given the 17/02830 permission, the applicant applied to discharge some of the planning conditions in relation to the original permission 16/00811, under application reference 17/02924. This conditions application included details of the hard and soft landscaping to be approved. The original plan submitted with the application showed the substantial hedge and trees along the western boundary (adjacent to Sheephouse Road) to be retained and protected during construction. However, a later landscaping plan was submitted showing this vegetation to be removed and replaced with a 100 – 125cm laurel hedge. Although the Tree Officer's advice

was not provided in relation to the revised scheme, previous advice on the original application confirmed there was no guarantee that the hedges and trees along the southern and western boundaries could be retained due to insufficient space remaining to construct the flats.

- 6.4 This current application is now seeking to vary the earlier variation application (17/02830). As planning permissions 16/00811 and 17/02830, together with their associated conditions approvals (see Table in 4.6 above) represent a 'fallback' position for the applicant, i.e. the development that has been approved to date and that can be implemented, these permissions are material to the consideration of the current application.

### **The impact on the character and appearance of the area**

- 6.5 The application site is located within an area identified in the RBWM Townscape Assessment (2010) as a 'Leafy Residential Suburb'. These areas are described as being "low density residential suburbs comprising large detached houses in spacious irregular well treed plots, typically dating from the early 20th Century to the present day. The type is defined by large properties set well back from the road, behind dense/high ornamental hedges with gravel drives and gates. These suburbs are neat, manicured and managed, with a private character". The Townscape Assessment (TA) advises that the Leafy Residential Suburbs seem to be relatively stable in terms of change, but are under threat by development intensification, including subdivision of plots and extensions to dwellings or subdivision of properties into flats, and modern development with open or 'urbanised' frontages such as parapet walls, open gardens frontages and extensive hardstanding, which detract from the 'leafy' character.
- 6.6 In addition to the implications of the planning history outlined in paragraphs 6.2 to 6.4 above, the justifications for those previous approvals, particularly the appeal, also remain relevant to the consideration of the current application. Under 'Reasons' in the decision letter, the Planning Inspector advised "The western, southern and eastern boundaries of the site are enclosed by mature landscaping and consequently there is very little visual exposure of the site from Sheephouse Road or neighbouring gardens". The Inspector added that although there is no dispute that there would be a significant uplift in density at odds with the character of the immediate area, "the development with its single central doorway would appear in most views as a detached residence similar, albeit larger, to the existing dwelling as opposed to a block of flats." Paragraph 10 of the Inspector's decision advises that "the height and maturity of the landscaping along Sheephouse Lane would provide effective year round screening. Given its orientation to Widbrook Road and the potential for existing frontage landscaping to be supplemented as part of a comprehensive landscaping scheme, I do not consider the parking area would be particularly prominent in the street scene and would only be readily seen in views through the access."
- 6.7 It is clear from the Townscape Assessment and from the justification for allowing the original application on appeal, that the leafy and green nature of the previous 'Green Trees' site made an important contribution to the character and appearance of the area. Notwithstanding this, it was also clear from the Tree Officer's previous advice that the former, tall and mature, boundary vegetation was unlikely to be retained (even though this was originally shown to be the case on the approved plans), given its close proximity to the apartment building. The site was and is not within a Conservation Area which would have afforded the trees some protection, and none of the trees were covered by a Protection Order.
- 6.8 The applicant has a permission which allows the planting of a 1.2m high Laurel hedge along the western boundary. This current application proposes instead to plant a Laurel hedge of between 1.5m and 1.8m height along this boundary, behind railings, that will be left to grow up to a height of approximately 4m where it will be maintained. This is considered to be a significant improvement.
- 6.9 In addition to the Laurel hedge, four Acer trees would be planted in the space between the hedge and main building. The southern boundary will be enclosed by a 2m high close boarded fence, with a row of 12 Leylandii trees planted behind that to be maintained at a height of approximately 4m. When viewed from Sheephouse Road, the appearance of the development would be

significantly softened compared to the previously approved scheme, and would also make a more meaningful contribution to the leafy character and appearance of the area.

- 6.10 While previously enclosed by a wall and railings, the front of the former 'Green Trees' site, facing Widbrook Road, was relatively open compared to the southern and western boundaries and the former large house was clearly visible. The proposed hard and soft landscaping along the front boundary is considered acceptable.
- 6.11 Having regard to the previously approved carports, the single carport proposed under this application at a height of 3.9m, and with climbing plants and shrubs to be planted between this structure and the boundary fence, would have an acceptable impact on the visual amenities of the road.
- 6.12 Overall, subject to conditions 1, 3 and 4, set out in section 9 of this report the proposed variations to the landscaping and carport, cycle and bin store are considered to be an improvement on what has been previously approved.

### **The impact on the amenities of neighbours**

- 6.13 The closest residential property to the proposed carport would be 'Riversdale' which lies immediately to the east approximately 1.8m away. Given its close proximity, height and length, the carport would be clearly visible from three sides of the neighbouring property. However, as the main front and rear aspects of 'Riversdale' would remain largely open, and having regard to the ridge height of the carport at 3.9m, the development would not appear unduly overbearing. The position of the neighbouring property to the east and the height of the carport means that the proposal would also not result in unacceptable loss of sunlight or daylight to 'Riversdale'. No loss of privacy would arise as a result of the proposal.
- 6.14 Overall, it is not considered that the proposed carport would harm the living conditions of the neighbours.

### **Parking provision**

- 6.15 The Highway Authority has advised: The internal dimension of the garages complies with the Borough's standard. However, the layout of the cycle stands does appear quite constrained. The applicant is advised that to comply with the Borough's standard the *centre-to-centre* distance between each cycle stand should be at least 1.00m. Furthermore, there should also be a minimum distance of 0.60m between a cycle stand and the side of the enclosure/solid surface. The applicant should also ensure that the width of the entrance to the cycle store is at least 1.20m.
- 6.16 Subject to conditions 5 to 9 inclusive, no objection is raised in terms of the proposed parking provision and other relevant highway matters.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

28 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 20<sup>th</sup> July 2018.

3 letters from one resident have been received querying the vents and skylight on the roof that are visible from the front, and requesting elevation plans of the proposed landscaping. The vents and skylights were shown on the original approved roof plan and it is not considered necessary or reasonable to request further plans for the landscaping, as the submitted plan is sufficient.



## Consultee responses

Consultee	Comment	Where in the report this is considered
Trees	<p>I note that the hedges that were shown to be retained on the approved plans have now been removed. The landscaping includes replacement planting for these hedgerows. Unfortunately the applicant has not proposed planting of a scale that would provide suitable replacements for the trees and hedging that has been removed from the site. I note that only 12 trees are shown to be planted along the 50m southern boundary. If a new hedgerow is to be established on this boundary in the short term, the new trees will need to be planted at larger pot sizes and significantly higher density with a spacing of between 1.5 and 2m.</p> <p>The replacement tree planting should also be planted at a larger scale with trees planted with a girth of 18-20 or 20-25cm. Details of ongoing maintenance including watering should also be provided to ensure successful establishment of the new planting.</p> <p>I have considered the documents that have been provided including the Arboricultural Impact Assessment and Method statement. The proposed changes to the entrance, car parking bin store and recycling facilities do not create a significantly more detrimental impact on the only remaining retained tree than the previously approved plans.</p>	6.5 to 6.12
Lead Local Flood Authority	<p>The revised drawings include a revised drainage layout plan, and infiltration testing results, ground water monitoring, and supporting calculations have also been supplied.</p> <p>The revised surface water drainage scheme is acceptable and the Lead Local Flood Authority would have no objection to the granting of planning permission on surface water drainage grounds.</p> <p>We note, however, that an application to discharge planning condition 14 relating to the sustainable drainage of the site has yet to be submitted.</p>	Approval of the surface water drainage negates the need to discharge planning condition 14 on the previous application. This matter is now covered by condition 10 as set out in section 9 below.
Highway Authority	No objections subject to condition regarding the cycle store.	6.15, 6.16
Environmental Protection	No objections.	Noted.

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site layout
- Appendix B – Plan and elevations of parking, bins and cycle stores
- Appendix C – Landscaping plan



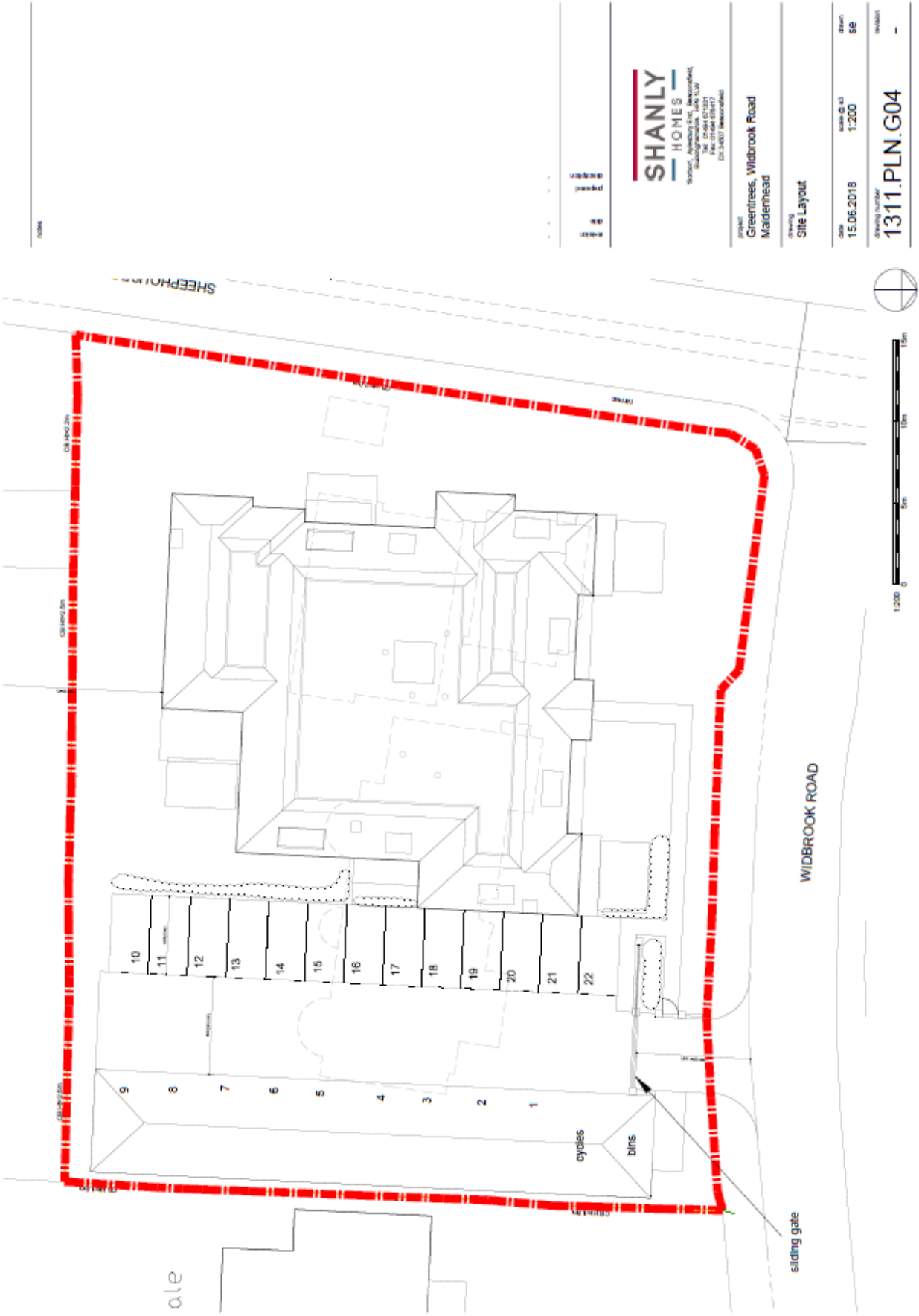
## **9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 The finished slab levels shall be carried out and maintained in accordance with approved drawing no.1311.SH.55.109 Rev C5.  
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1 and Policies SP2 and SP3 of the Borough Local Plan Submission Version.
- 2 Prior to the occupation of any flat a Flood Evacuation Plan, binding on the applicants or their successors in title, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented upon the first occupation of the dwellings hereby permitted and shall be permanently kept in place unless otherwise agreed in writing with the Local Planning Authority.  
Reason: To reduce the risk to occupiers of the development from flooding. Relevant Policy - Local Plan F1.
- 3 The measures outlined on the Tree Protection Plan drawing no. SH20371-03B shall be implemented as approved and shall be maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6 and BLPSV policy NR2.
- 4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme first agreed in writing by the Local Planning Authority, and retained in accordance with the approved details.  
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies: Local Plan DG1, BLPSV Policy SP3.
- 5 No part of the development shall be occupied until the access, vehicle parking and turning space have been provided, surfaced and marked out in accordance with the approved drawings. The space approved shall be kept available for access, parking and turning in association with the development.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies : Local Plan P4, DG1 and BLPSV Policy IF2.
- 6 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with a revised plan that shows the centre-to-centre distance between each cycle stand to be at least 1.00m, a minimum distance of 0.60m between a cycle stand and the side of the enclosure/solid surface where appropriate, and the width of the entrance to the cycle store to be at least 1.20m. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.  
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies: Local Plan T7, DG1 and BLPSV Policy IF2.
- 7 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.  
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1 and BLPSV Policy IF2.
- 8 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be

reinstated before the development is first occupied in accordance with approved details.

Reason: In the interests of highway safety and of the amenities of the area. Relevant Policies: Local Plan T5, DG1 and BLPSV Policy IF2.

- 9 The details shown on the Site Set Up Plan, ref: 1311\_DF\_D100, dated 6 July 2017, and Construction Method Statement, dated July 2017, approved under 17/02345/CONDIT shall be adhered to through the construction period for the development.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies: Local Plan T5 and BLPSV Policy IF2.
- 10 The surface water drainage system shall be implemented in accordance with the approved detailed drawings and maintained thereafter.  
Reason: To prevent an increased risk of flooding elsewhere. Relevant Policies - Local Plan F1 and paragraph 163 of the NPPF.
- 11 The pergolas and privacy screens on the first floor east elevation of the apartment building shall be installed prior to occupation of the development in accordance with details approved under application 17/02924, and thereafter maintained.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies: Local Plan H11 and BLPSV Policy SP3 and paragraph 127 of the NPPF.
- 12 The development hereby permitted shall be carried out in accordance with the approved plans listed below.



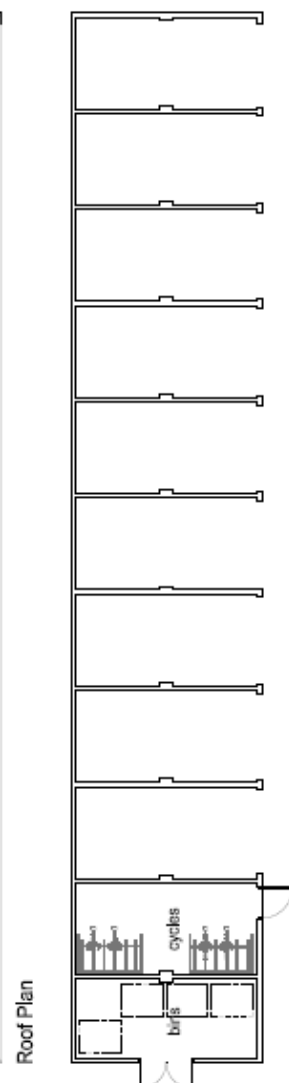
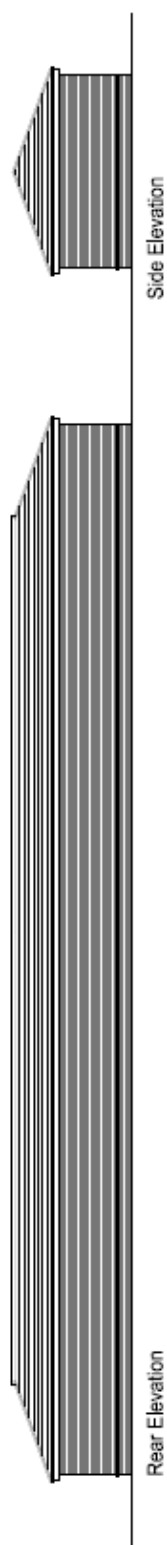
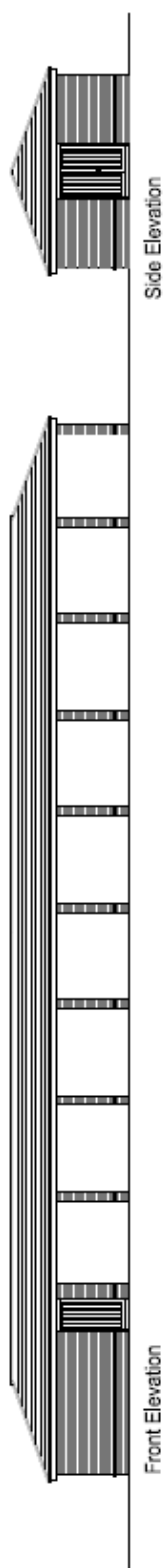
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Project: Greentrees, Widbrook Road  
Maidenhead

Drawing: Site Layout

Date: 15.06.2018  
Scale: 1:200  
Sheet: 58

Drawing Number: 1311.PLN.G04

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

29 August 2018

Item: 3

<b>Application No.:</b>	18/01851/FULL
<b>Location:</b>	Land At Fern Cottage Moneyrow Green Holyport Maidenhead
<b>Proposal:</b>	Erection of new 3-bed dwelling with attached garage and new vehicular access
<b>Applicant:</b>	Mr Brooks
<b>Agent:</b>	Day Tanner Ltd
<b>Parish/Ward:</b>	Bray Parish/Bray Ward

<b>If you have a question about this report, please contact:</b> Alys Hughes on 01628 796040 or at <a href="mailto:alys.hughes@rbwm.gov.uk">alys.hughes@rbwm.gov.uk</a>
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**1. SUMMARY**

- 1.1 The proposed development, due to it falling under the exception of limited infilling, would amount to an appropriate form of development within the Green Belt as outlined under paragraph 145 of the National Planning Policy Framework (NPPF) 2018.
- 1.2 The proposal, in terms of its scale, height, design and form, as well as the size of the plot, would have an acceptable impact on the character and appearance of the area. Furthermore, the proposal would not have any material impact on any of the adjoining or nearby dwellings in terms of overlooking, appearing obtrusive or by resulting in a loss of light.
- 1.3 A sufficient amount of parking space would be provided to serve the proposed dwelling and a sufficient amount of space would remain to serve Fern Cottage. The Highways Authority raise no concern regarding the new access and the traffic generation resulting from the development.

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.</b>
--

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Walters in the public interest.

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

- 3.1 The proposal site consists of a section of land to the south of Fern Cottage which currently forms part of the amenity garden area of this dwelling. The site is situated on the eastern side of Moneyrow Green and is within the recognised settlement of Holyport, which is within the Green Belt.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The proposal is for the construction of a new two storey detached dwelling with an integrated garage. A new access would be formed off Moneyrow Green to serve the development with off-street parking to the front of the dwelling.

**4.2 Planning History**

17/00607/FULL – Construction of a pair of detached dwellings. Refused

05/03167/FULL – Construction of two storey side extension. Refused

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 5.1 National Planning Policy Framework Sections

#### Royal Borough Local Plan

### 5.2 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking	Green Belt
DG1, H10, H11	P4, T5	GB1, GB3

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

#### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

#### Other Local Strategies or Publications

### 5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

### 6.1 The key issues for consideration are:

- i whether the proposal is an appropriate form of development within the Green Belt

- ii impact on the character and appearance of the area
- iii impact on neighbouring amenities and that of future occupants
- iv highway and parking
- v other considerations

### **Issue 1 – whether the proposal is an appropriate form of development within the Green Belt**

- 6.2 The proposal site is situated within the Green Belt where development is restricted to protect its open and undeveloped character. Paragraph 145 of the NPPF states that the construction of new buildings within the Green Belt should be regarded as inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF goes on to list certain exceptions to inappropriate development, one of which includes limited infilling in villages.
- 6.3 The first test of the above exception is whether the proposal site is situated within a village. The site is situated within the village of Holyport and Moneyrow Green is situated within the recognised settlement as identified on the local plan proposals map. This is also the case with the map of the Borough Local Plan Submission Version. The second test is whether the proposal would represent limited infilling. Limited infilling is not defined in the NPPF. Local Plan policy GB3 relates to new residential development and accepts that infilling within the boundaries of a recognised settlement can amount to an appropriate form of development. The text goes on to state that new dwellings will only be permitted where the development represents the closing of an existing small gap in an otherwise built up frontage and would not result in harm being caused to the physical or visual character of the settlement. Policy SP5 of the emerging Borough Local Plan also refers to limited infilling and states under 6.8.12 that this can be considered to be the development of a small gap in an otherwise continuous frontage, or the small scale redevelopment of existing properties within such a frontage. This policy can now be afforded significant weight.
- 6.4 The proposed dwelling would be situated on a section of land to the south of Fern Cottage and would follow the existing frontage development that currently exists to the north of the site. It would therefore form a continuation of that existing built form. Whilst it is acknowledge that the pattern of development differs to the south of the site due to there being a small cul-de-sac, meaning that the built frontage is different, the site would still be bounded by residential development and would not interfere with the current layout of the cul-de-sac. Taking the above into consideration and when considered against the NPPF and relevant local policies, it is considered that the proposal constitutes limited infilling in a village and therefore falls under one of the listed exceptions to inappropriate development making it an appropriate form of development (in principle) within the Green Belt.

### **Issue ii – impact on the character and appearance of the area**

- 6.5 The appearance of a development is a material planning consideration and the NPPF, section 12 (achieving well designed spaces) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Local Policy H11 states that in established residential areas, planning permission will not be granted for schemes which introduce a scale or density of a new development which would be incompatible with or cause damage to the character of the surrounding area through development which is cramped or which results in the loss of important features. The design of new buildings should be compatible with the established street façade having regard to the scale, height and building lines of adjacent properties.
- 6.6 The proposal would result in the subdivision of an existing unit, however it is considered that the size of the proposal and the remaining plot would be compatible with the density of the area. The



dwelling would follow the existing building line to the north along Moneyrow Green and the scale of the new dwelling would be compatible with those in the immediate surrounding area meaning that it would not appear as a prominent addition along the street scene. The spacing between the dwelling and the neighbouring dwelling is considered to be appropriate and the height of the dwelling would not exceed that of neighbouring dwellings. The design of the proposed dwelling would harmonise well with the appearance of surrounding developments with the roof form being similar to that of Fern Cottage.

- 6.7 Based on the above, the proposal is considered to represent high quality design, providing a positive contribution to the character and appearance of the area in accordance with relevant national and local policies.

### **Issue iii – impact on neighbouring amenities and of that of future occupants**

- 6.8 The proposed dwelling would sit directly to the south of the dwelling Fern Cottage. The proposed dwelling at both single and two storey level would project beyond the existing rear elevation of Fern Cottage; however, the proposed plans show that the 45 degree and the 60 degree light angle as assessed under appendix 12 of the Local Plan would not be breached. The set back of the dwelling from the shared boundary is at the minimum of 1m however due to the positioning of Fern Cottage on this spacious site and its set back from the shared boundary it is not considered that the proposed dwelling would appear unduly prominent or overbearing from the private amenity areas of this dwelling.
- 6.9 The proposed dwelling would be set forward of the neighbouring dwellings within Ivy Close and the mutual boundary between the properties contains a significant amount of natural screening. A sufficient distance would exist between the proposed dwelling and nos.1-3 due to the positioning of the grass verge and access road into Ivy Close. No.6 Ivy Close would adjoin the site on the southern boundary however it is situated towards the bottom of the proposed garden of the dwelling. A distance of approximately 20m would exist between the rear elevation of the proposed dwelling and the section of no.6 Ivy Close that is closest to the shared boundary, and a distance of 13m would exist between the front elevation of no.6 which is set back approximately 3m from the shared boundary. This distance would mean that the proposed dwelling would not have any impact on the outlook of no.6 and neither would it appear unduly prominent or result in any significant loss of light.
- 6.10 The main windows serving habitable rooms within the dwelling are situated on the front and rear elevations. There are no first floor flank windows proposed and the ground floor flank windows are secondary windows with outlook towards the boundary hedge/fence. Taking into consideration the relationship between the site and the neighbouring properties, it would be reasonable, to prevent any risk of overlooking, to include a condition to prevent any windows being added at first floor level in the flank elevations without prior consent.

### **Issue iv – parking and highways**

- 6.11 The proposal is for a three bedroom dwelling and in accordance with the Council's Parking strategy, two off-street parking spaces are required. It is considered reasonable to apply the Council's parking requirements in this instance as the dwelling is situated on the main road through Moneyrow Green. Two parking spaces are shown to be allocated to the front of the dwelling with sufficient room for manoeuvring to allow vehicles to exit the site in forward gear. There is also a third parking space within the proposed integrated garage. The proposal therefore complies.

The proposal would not impact on the existing parking provision at Fern Cottage as this is provided to the side/rear of the dwelling.

- 6.12 A new access off Moneyrow Green is proposed to serve the new dwelling. The plans show that this access would be 4m wide. The Highways Authority have been consulted on the proposal and have confirmed that there are no immediate concerns regarding visibility splays, however as the proposed plan shows some trees to be retained, a condition has been recommended to ensure that minimum visibility splays of 2.4 x 43m are achieved. The Highways Authority do not

consider the proposal to have any significant impact on the existing highway network in terms of traffic generated from the site.

- 6.13 Four conditions and two informatives have been recommended by the Highways Authority. The conditions relate to the submission of a Construction Management Plan, construction of access and parking prior to occupation and visibility splays, which are all considered reasonable and necessary.

#### **Issue v- other considerations**

- 6.14 The site currently has hedges and trees along the front (west) and southern flank boundary. These trees are not protected under a Tree Preservation Order. On the submitted ground floor layout plan, it is indicated what trees are to be removed and which to be retained and protective measures are included on the plan for the retained trees. This has been passed by the Council's Tree Team who consider the measures to be appropriate. They have suggested that the submission of a landscaping plan is included as a condition.
- 6.15 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted in January 2018. The Borough Local Plan sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

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

- 7.1 The scheme is CIL liable and the total gross internal floorspace proposed is noted in the CIL forms as being 156sqm which is agreed.

### **8. CONSULTATIONS CARRIED OUT**

#### **Comments from interested parties**

No letters have been received from the three neighbouring dwellings directly notified or as a result of a site notice posted on 04.07.18 to the front of the site.

#### **Statutory consultees**

Consultee	Comment	Where in the report this is considered
Parish Council	Recommend to approve	Noted

#### **Other consultees**

Consultee	Comment	Where in the report this is considered
Highways Authority	No objection subject to conditions	Issue iv
Environmental Protection	Four informatives recommended	Included no.1-4

### **9. APPENDICES TO THIS REPORT**

- Appendix A - Site location/block plan
- Appendix B – Elevation drawings (north and west)
- Appendix C – Elevation drawings (south and east)
- Appendix D – Ground floor plan
- Appendix E - First floor plan

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

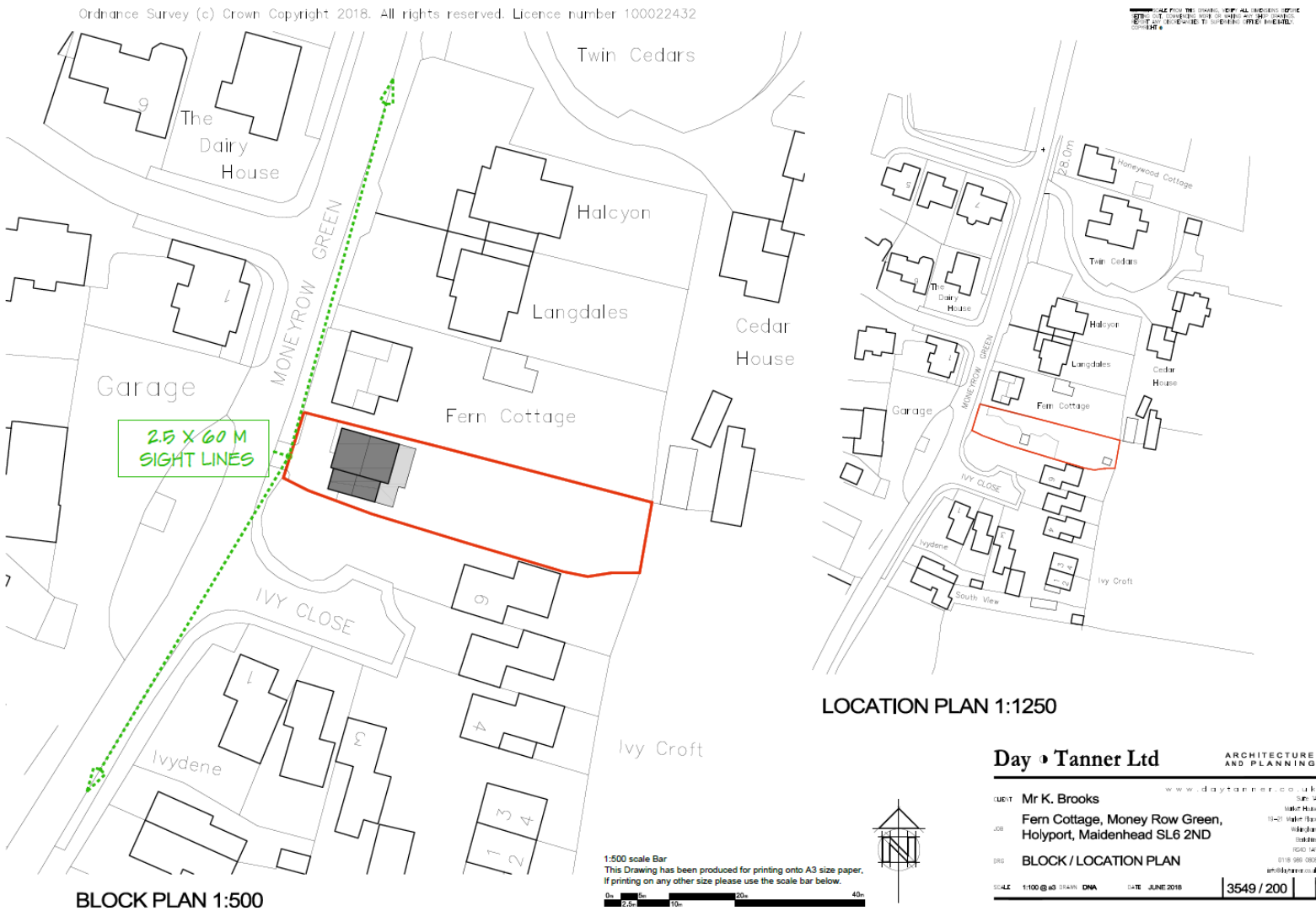
- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 No further window(s) shall be inserted at first floor level in the flank elevation(s) of the extension without the prior written approval of the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.
- 4 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.  
Reason: The site is in the Green Belt and whilst the development subject to this permission complies with the Green Belt policy further development would be unlikely to do so, Relevant Policies - Local Plan GB1, GB2, GB4.
- 5 Prior to the commencement of development a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover any areas of existing landscaping, including woodlands, and all areas of proposed landscaping other than private domestic gardens.  
Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 6 Prior to the commencement of any works or demolition a construction management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority. Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 7 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 8 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

- 9 No part of the development shall be commenced until visibility splays of 2.4 metres by 43 metres have been provided. All dimensions are to be measured along the edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.  
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 10 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

### **Informatives**

- 1 The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'.
- 2 The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays. Please contact the Environmental Protection Team on 01628 683830.
- 3 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control and these are available on the internet: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the oBuilding Research Establishment: Control of dust from construction and demolition activities
- 4 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
- 5 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, and Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 6 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.

Appendix A – Location/block plan



Appendix B - Proposed elevation (north and west



NORTH ELEVATION



WEST ELEVATION

BEFORE PROCEEDING FROM THIS DRAWING, VERIFY ALL DIMENSIONS BEFORE  
BEGINNING ANY CONSTRUCTION WORK OR MAKING ANY SHOP DRAWINGS.  
REPORT ANY DISCREPANCIES TO SUPERVISING OFFICER IMMEDIATELY.  
COPYRIGHT ©

1:100 scale Bar  
This Drawing has been produced for printing onto A3 size paper.



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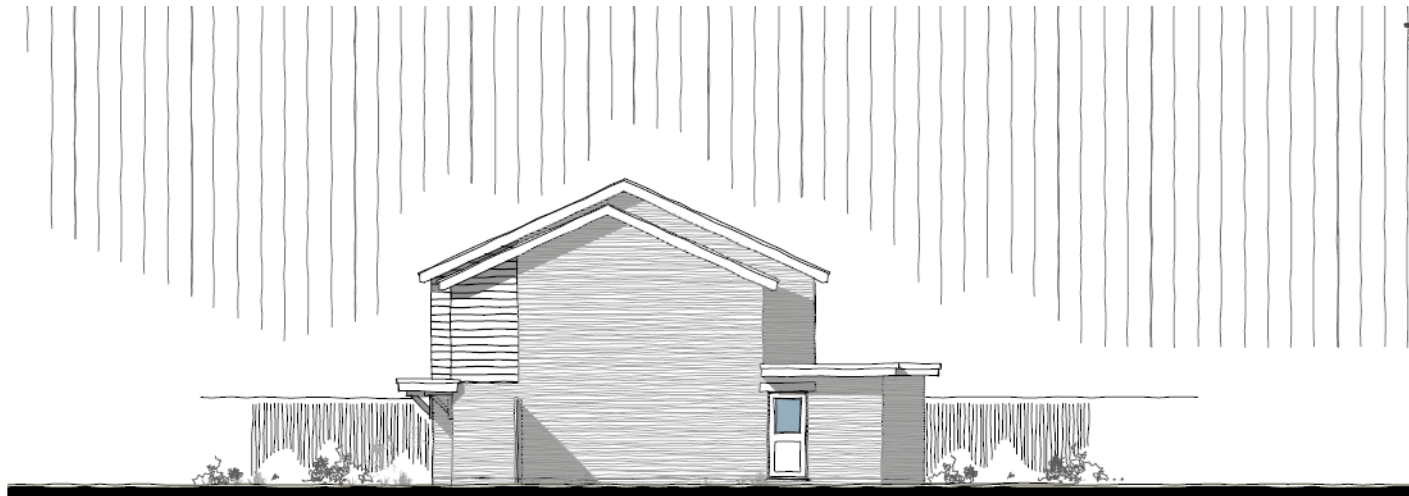
ARCHITECTURE  
AND PLANNING

www.daytanner.co.uk

CLIENT Mr K. Brooks  
JOB Fern Cottage, Money Row Green,  
Holyport, Maidenhead SL6 2ND  
DWS PROPOSED ELEVATIONS 10F2

Suite 1A  
Market House  
19-21 Market Place  
Wokingham  
Berkshire  
RG40 1AP  
0118 953 0505  
info@daytanner.co.uk

SCALE 1:100 @ A3 DRAWN: DWA DATE: JUNE 2018 3549 / 203



SOUTH ELEVATION



EAST ELEVATION

NOT TO SCALE FROM THIS DRAWING. VERIFY ALL DIMENSIONS BEFORE  
SETTING OUT. COMMENCE WORK OR MAKING ANY SHOP DRAWINGS.  
REPORT ANY DISCREPANCIES TO SUPERVISING OFFICER IMMEDIATELY.  
SUPERVISOR'S NAME

1:100 scale Bar  
This Drawing has been produced for printing onto A3 size paper.

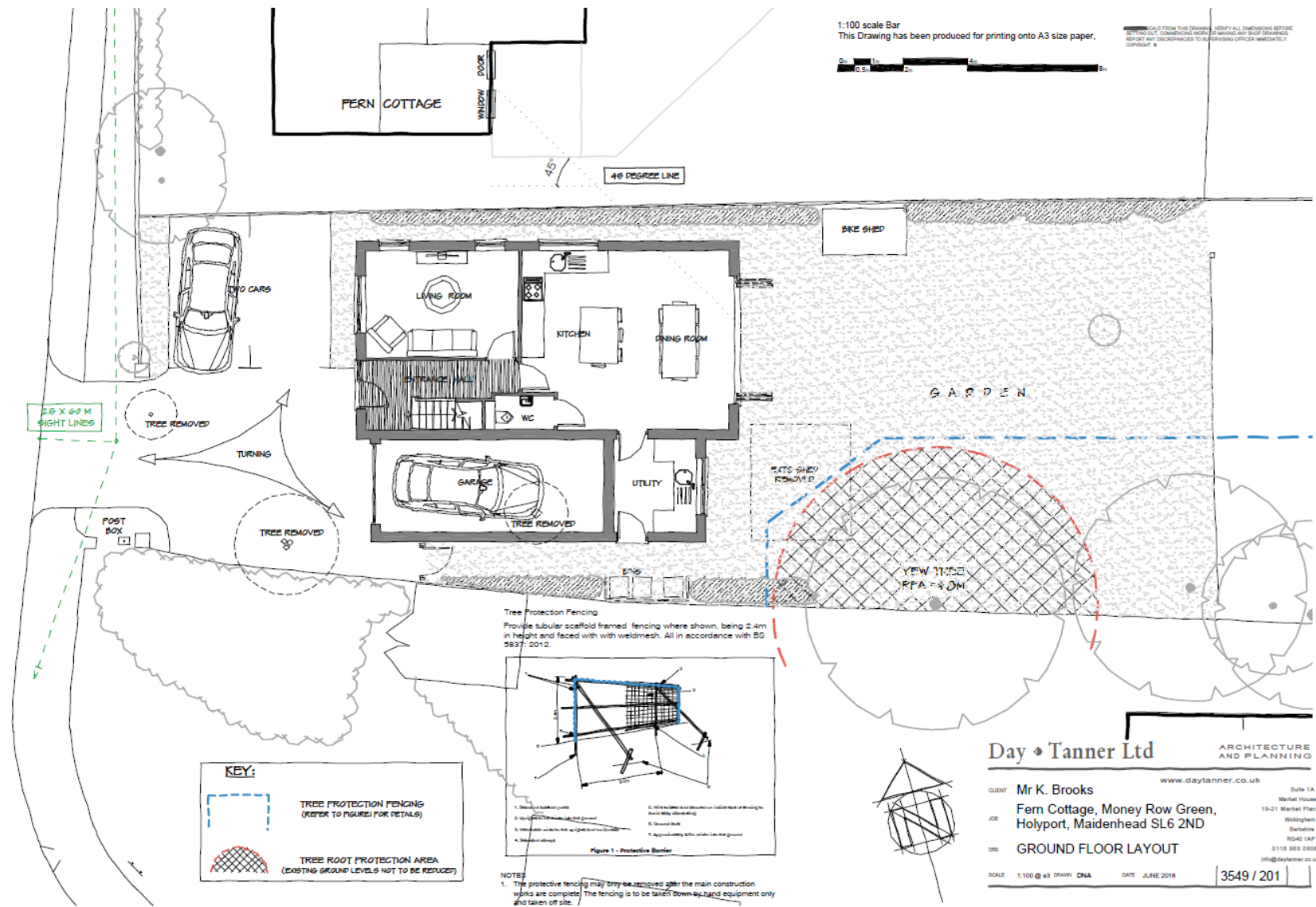


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ARCHITECTURE  
AND PLANNING

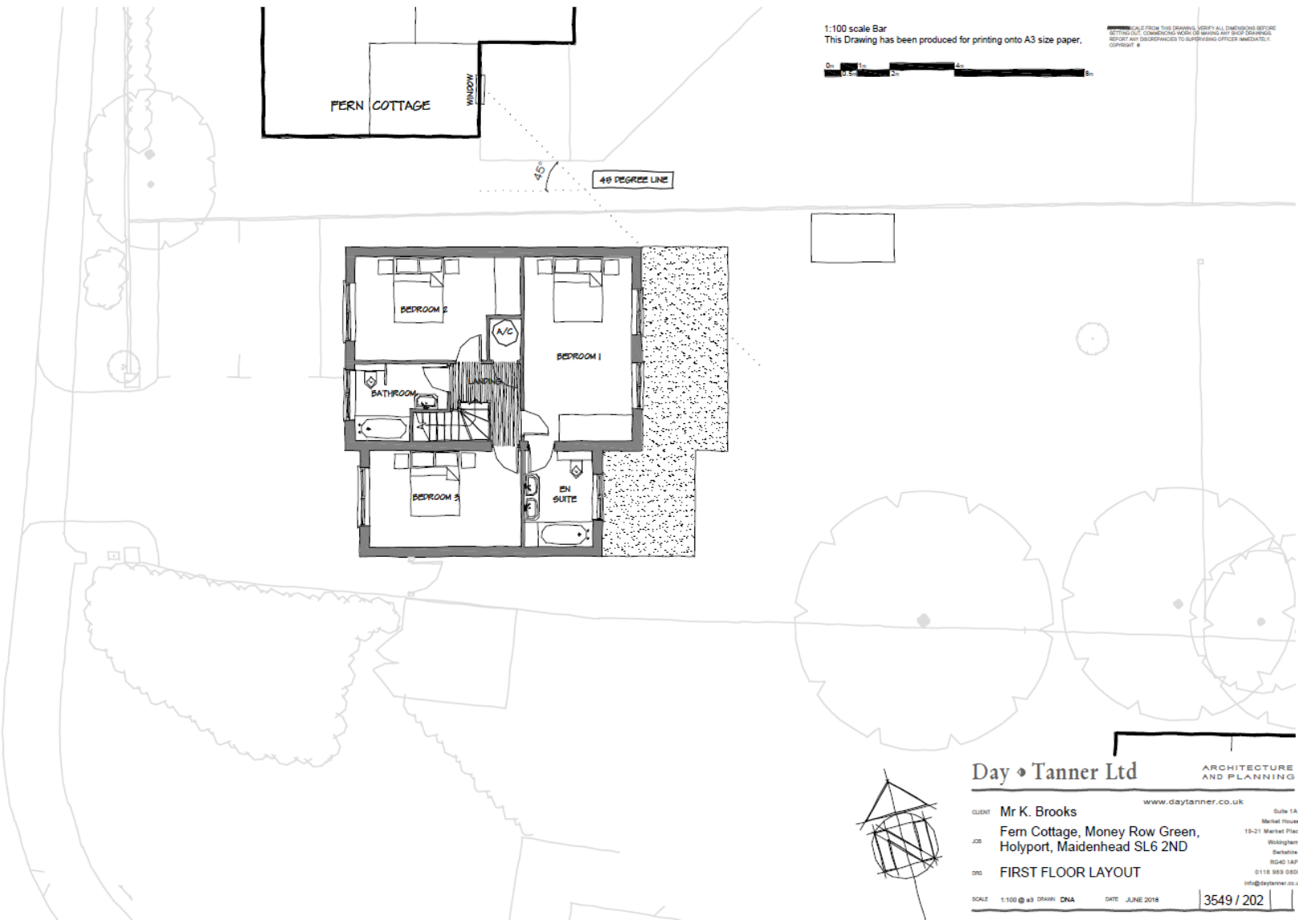
CLIENT	Mr K. Brooks	www.daytanner.co.uk	Suite 1A
JOB	Fern Cottage, Money Row Green, Holyport, Maidenhead SL6 2ND		Market House 19-21 Market Place Wokingham Berkshire RG40 1AF
DRG	PROPOSED ELEVATIONS 20F2		0118 989 080 info@daytanner.co.uk
SCALE	1:100 @ A3 DRAWN: DNA	DATE: JUNE 2018	3549 / 204

## Appendix D – Ground floor plan





Appendix E – First floor plan



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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

29 August 2018

Item: 4

**Application No.:** 18/01854/FULL

**Location:** Thimble Farm Sturt Green Holyport Maidenhead SL6 2JH

**Proposal:** Construction of an agricultural barn.

**Applicant:** Mr Bennett

**Agent:** Miss Georgina Simonds

**Parish/Ward:** Bray Parish/Bray Ward

**If you have a question about this report, please contact:** Sheila Bowen on 01628 796061 or at [sheila.bowen@rbwm.gov.uk](mailto:sheila.bowen@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 This is an application for an agricultural barn for livestock and the storage of machinery, hay and feed to replace that permitted under reference 18/00685/AGDET (Agricultural Determination), to allow the extra usage for livestock. The barn would be largely hidden from public view by high hedges along Sturt Green and trees and hedges within the site, and is appropriate development in the Green Belt.

**It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.**

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Walters in the public interest, if the recommendation is approval.

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

- 3.1 The site is in one of two large fields on the north side of Sturt Green, on the other side of the road from the main buildings of Thimble Farm. The site of the barn would be 70m from the roadway of Sturt Green, and would be beyond the high hedge alongside the roadway and beyond another hedge and tree line that delineates the edge of the field in which it would be situated. There are no other buildings within the two fields which form the parcel of land in which it would be situated.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The proposal is for a four bay portal frame barn, measuring 24m by 9.5m by 6.5m in height. It would be open along the north side, and would have a green fibre cement roof and Yorkshire board cladding and a concrete block base. The barn would be used for the storage of machinery, hay and feed, and would allow for the over wintering and lambing of ewes, and also for nursing ewes, weaning, foot trimming, shearing, worming, drenching, scanning and vet checks and administering meds.

- 4.2 18/00685/AGDET Prior approval notification for an agricultural building. Approved 4.4.2018

12/03274/FULL Change of use of barn to residential following demolition of existing 1 x bedroom residential unit. Erection of pillars, two gates and walls at entrance. Permitted 21.1.2013. (This is located to the south of the road)

Various alternative uses of the Nissan huts to the west allowed on appeal between 2007 and 2012.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework sections 2, 13 and 15.

### Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Green Belt
GB1, GB2

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

Significant weight is to be accorded to the relevant policies of the Borough Local Plan Submission Version. The above application is considered to comply with the relevant policies listed within the Development Plan and the Borough Local Plan Submission Version.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issue for consideration is whether the proposal is appropriate development in the Green Belt.

### Green Belt

6.2 Buildings for agriculture and forestry are appropriate in the Green Belt, in accordance with Policy GB1 of the Local Plan, Paragraph 145 of the National Planning Policy Framework 2018, (NPPF) and Policy SP5 of the Borough Local Plan Submission Version (which refers to the NPPF).

6.3 In this case, the agent has stated that the building is necessary for the housing of livestock, and the storage of machinery, hay and feed. He states that Thimble Farm extends to 4 grass fields with annual hay crops being taken off each field, and the hay is used to feed livestock.

- 6.4 An application for an agricultural machinery and hay barn in the same position extending to 18m by 11m was granted consent under Part 6, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 (18/00685/AGDET), on 4 April 2018. The applicant has since reconsidered that the most practical way of satisfying the needs of the agricultural holding would be a single building to accommodate the already established need for the hay and machinery but also to allow for accommodation of livestock. A livestock building cannot be permitted development under this Order, and such a building requires full planning permission.
- 6.5 The floor area of the previously approved barn would have been 198 sqm, and the current proposal would have a floor area of 228 sqm, which would be 30 sqm larger, and the height would be higher at 6.5m compared with the 3m height previously approved. This would allow for an increased storage height for hay, increased volume of storage for machinery to enable implements to be stored off the floor. Furthermore the proposed height of the roof would satisfy the necessary ventilation for livestock to fully mitigate airborne diseases harbouring in an otherwise lower structure. The area of floorspace for hay and machinery storage would be smaller than that previously proposed, though the total floor area is larger due to the extra floor area for livestock.
- 6.6 The agent has stated that the applicant has a fall-back position of building the previously approved barn, and satisfy the holdings need for livestock accommodation within a range of movable temporary structures. He states that the current proposal would provide a much more sustainable solution. In addition he states it consolidates the extent of built form, and would therefore have a lesser impact on the openness of the area. Furthermore, he states that it would provide a single building which satisfies the full needs of the holding in a more cost-efficient manner which will provide the necessary support to the agricultural business.
- 6.7 The land is both harvested for hay and grazed by up to 27 sheep, in a process known as aftermath grazing. The flock will alternate from grazing the North and South side of the farm after the hay crop has been taken, and the ewes will be housed over winter and lambed within the barn from late winter to early spring. One bay of the proposed barn would be the right size for 27 ewes, in accordance with the Agricultural Budgeting and Costing Book. The bay would also be used for nursing ewes, weaning, foot trimming, shearing, worming, drenching, scanning and vet checks and administering meds.
- 6.8 Given the above, it is concluded that the barn is reasonably required for the purposes of agriculture, and is therefore appropriate development in the Green Belt.
- 6.9 On the question of openness, in the judgement of Lee Valley Regional Park Authority v Valley Grown Nurseries Ltd (April 2016), the Judge found that once a particular development is found to be, in principle, appropriate, the question of the impact of the building on openness is no longer an issue. This is not a matter of planning judgement, but a matter of policy.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

No occupiers were notified directly of the application, as the site is not close to any residential properties.

The planning officer posted a notice advertising the application at the site on 6.7.2018. No letters were received.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Comments not received at time of report preparation	-

## Other consultees

Consultee	Comment	Where in the report this is considered
Highways Officer	No objection	-
Environmental Protection Officer	No objection, recommend conditions about animal waste.	9

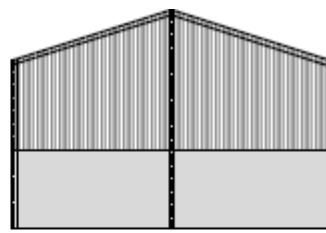
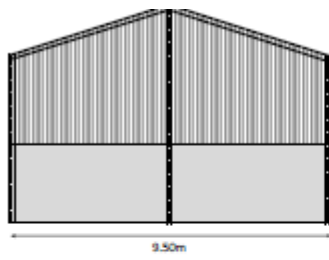
## 8. APPENDICES TO THIS REPORT

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

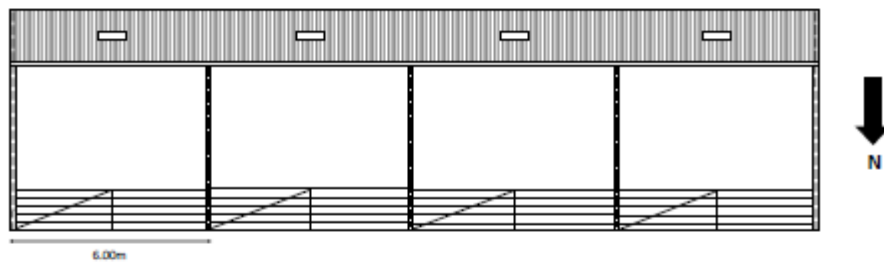
## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 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 waste removed from the barn shall be stored within 20 metres of the boundary with any residential property.  
Reason: To protect the visual and residential amenities of the area and for the prevention of nuisance to the occupiers of dwellings in the vicinity by reason of odour, insects or rodent pests and to accord with the Local Plan Policy NAP3.
- 3 Adequate arrangements must be made for the storage and disposal of animal and other waste. Details of such arrangements shall be submitted to the Local Planning Authority and approved in writing before the development hereby permitted commences. Such arrangements as may be agreed shall be implemented before the use of the development commences and shall be maintained thereafter.  
Reason: To protect the visual and residential amenities of the area and for the prevention of nuisance to the occupiers of dwellings in the vicinity by reason of odour, insects or rodent pests and to accord with the Local Plan Policy NAP3.
- 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.

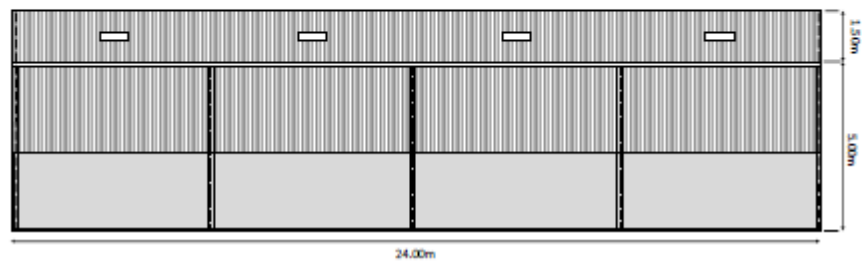




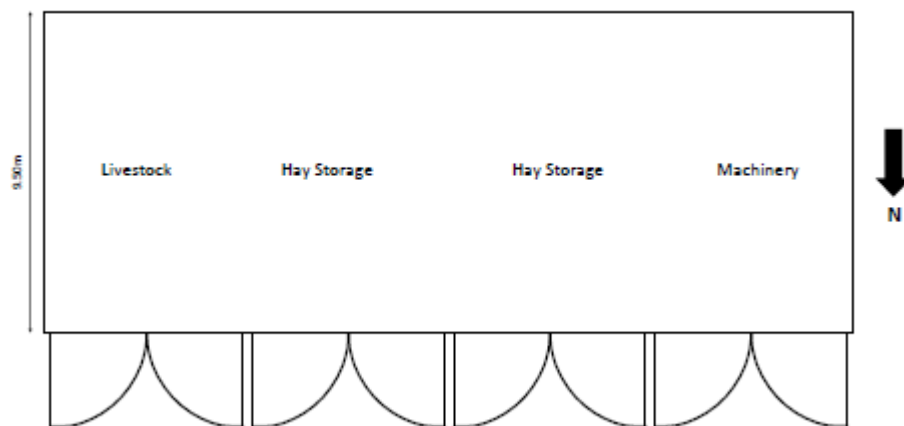
Northern Elevation



Southern Elevation



FLOOR PLAN



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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

29 August 2018

Item: 5

<b>Application No.:</b>	18/01867/FULL
<b>Location:</b>	Site of Shoppenhangers Manor At Holiday Inn Manor Lane Maidenhead
<b>Proposal:</b>	Proposed construction of 4 detached 3-bed dwellings (amendment to approved scheme Refs: 12/00911/OUT - allowed on appeal and 15/01809/REM)
<b>Applicant:</b>	Miss Runesson
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward

**If you have a question about this report, please contact:** Claire Pugh on 01628 685739 or at [claire.pugh@rbwm.gov.uk](mailto:claire.pugh@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 The application seeks full planning permission for 4 detached dwellings on an area of land that forms part of the wider residential development site at Shoppenhangers Manor (approved under outline permission 12/00911/OUT and reserved matters consent 15/01809/REM). In the previously approved scheme, this part of the site was shown to accommodate 2 detached dwellings.
- 1.2 The principle of providing 4 dwellings, instead of 2 dwellings on this part of the site is considered to be acceptable, and it is not considered it would cause harm to the character of the area, or significantly reduce the design quality of the scheme that was approved.
- 1.3 With regard to transport implications, the creation of 2 net additional dwellings over the originally consented scheme is not considered to result in a severe traffic impact. The scheme is considered to have an acceptable impact upon neighbouring residential amenity.
- 1.4 There was a legal agreement relating to the previous permission for the wider site. As this application site falls within that wider redevelopment area, it needs to be considered whether a mechanism needs to be put in place to link this current planning application to that legal agreement. This matter is being considered by a solicitor advising the Council.
- 1.5 Additional neighbours were notified of the application, and have until the 31<sup>st</sup> August to comment.

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1.	<b>To grant planning permission, subject to (1) no further objections raising new planning issues being received by the 30th August 2018, and (2) The completion of a legal agreement to ensure that the owners of the proposed dwellings are equally responsible for the future maintenance of the public open space, play area and estate roads via an appropriate mechanism.</b>
2.	<b>To refuse planning permission if further objections are made which raise new planning issues that cannot be overcome, and/or a legal agreement as outlined above is not entered into.</b>

**2. REASON FOR PANEL 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 Panel.



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

- 3.1 The application site relates to a smaller portion of a wider redevelopment scheme (for 52 dwellings) at Shoppenhangers Manor. Many of the dwellings near this application site have been built. The application site incorporates Cypress Drive (an access road which has been constructed off Manor Lane), and land to the north-west and west of Sunny Cottage (a residential dwelling).
- 3.2 In the wider area, there are residential properties, and to north of the wider development site is the Holiday Inn Hotel.

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

#### Planning History

Reference	Description	Decision
12/00911/OUT	Outline application (with appearance, landscaping, layout and scale reserved) for the construction of up to 56 dwellings with access, open space and associated works.	Permission allowed on Appeal for up to 52 dwellings on 18th June 2013
14/02528/REM	Approval of reserved matters (appearance, landscape, layout and scale) pursuant to outline planning permission 12/00911 (allowed on appeal) for the construction of up to 56 dwellings with access, open space and associated works	Dismissed on appeal on the 6 <sup>th</sup> October 2015.
15/01809/REM	Approval of reserved matters (appearance, landscaping, layout and scale) for the construction of up to 52 dwellings with access, open space and associated works.	Granted permission on the 2 <sup>nd</sup> December 2015.
16/02163/VAR	Approval of reserved matters (appearance, landscaping, layout and scale) for the construction of up to 52 dwellings with access, open space and associated works as approved under planning permission 15/01809 without complying with condition 2 (drainage strategy) to amend the wording to remove the requirement for rainwater harvesting and permeable paving.	Granted permission 28 <sup>th</sup> September 2016.

- 4.1 This is a full planning application which seeks planning permission for 4 detached dwellings on part of a wider redevelopment site. Under planning permission 15/01809/REM, this part of the site was shown to accommodate 2 dwellings. Instead of having two larger dwellings (with 5 bedrooms), this application would provide 4, 3 bedroom dwellings.
- 4.2 The 4 dwellings would be identical in appearance. The dwellings would have a height of 9.1 metres to the ridge, and an eaves height of circa 5.2 metres.
- 4.3 The dwellings would have a pitched roof, with projecting front gable, with a rear dormer window. Each of the dwellings would be provided with 2 car parking spaces each.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections  
9- Promoting Sustainable Transport  
12- Achieving well designed spaces

### Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

Design/character	Highways and Parking	Trees
DG1, H10, H11	P4, T5	N6

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below. The relevant policies from the BLP in this case are afforded significant weight.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

### Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i Impact of the character of the area
- ii Parking and Highways
- iii Neighbouring residential amenity

### **Impact of the character of the area**

- 6.2 The scheme proposed would increase the density of development in this part of the site, compared to the scheme that was originally approved in 2015. In considering the 2015 approval for the wider site, this scheme took account of the comments made in previous appeal decisions for the site in respect of layout, and what would fit with the character of the area providing a successful transition between the green suburban character of Manor Lane and the more urban character of the development site.
- 6.3 It is accepted that in the consented scheme, a lower density of development was provided within the southern part of the site, and this provided a good transition from the more built up area to the Green Belt; however, it is not considered that the intensification of development in this part of the site would increase the density of development to an unacceptable level. The proposed layout and siting of the dwellings is considered to be acceptable within the context of this wider development site.
- 6.4 The proposed dwellings would be quite tall at 9.1 metres, however, given the location, and positioning of the proposed dwellings within the site, it is not considered the height of the dwellings would appear at odds with the other dwellings.
- 6.5 The appearance, and positioning of the proposed dwellings is considered to be acceptable within this part of the wider site, and would not result in a more urbanised scheme when viewed from the existing development on Manor Lane.

### **Parking and Highways**

- 6.6 Each dwelling would be provided with 2 car parking spaces each, with one parking space proposed within a garage. Although the plans show 3 bedrooms would be provided in each house, the room indicated as a study could be used as a bedroom which would create 4 bedroom properties. However, paragraph 106 of the NPPF (2018) sets out that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network. As such, even if the units were occupied as 4 bedroom properties, it is not considered that the maximum parking standards (3 spaces) could be justified in accordance with the NPPF. The access and turning area in this part of the site remains in line with that approved under permission 15/01809/REM, and as such there are no concerns over the access and turning arrangements.
- 6.7 The net increase of 2 dwellings is not considered to have any impact upon highway safety.

### **Neighbouring residential amenity**

- 6.8 The proposed dwellings on plots 5A and 5B would be situated more than 12 metres from the boundary with Sunny Cottage; owing to the distance it is not considered that the proposed dwellings would be unduly overbearing to Sunny Cottage.
- 6.9 The proposed dwelling on plot 8A would be sited away from the side boundary with plot 7, and owing to its distance off the boundary and positioning would not be unduly overbearing with the dwelling on plot 7.

## **Other considerations**

- 6.10 This is a full planning application, which is a smaller area of land within a wider redevelopment site. It is necessary to consider what impacts this proposed development would have on the wider redevelopment site.
- 6.11 The permission for the wider area (52 units) provided 30% affordable units (16 units affordable). This permission would increase the total number of units to 54. 30% of 54 units is 16.2 units, and as such this scheme would not increase the number of affordable units required to be provided.
- 6.12 The legal agreement for the original scheme (for the 52 dwellings) secured the future maintenance of the public open space, play area and estate roads by the owner or management company. Legal advice has been sought as to how this current application would ensure the dwellings proposed in this application are covered by the requirements of this legal agreement. The advice from legal will be reported in a Panel Update.
- 6.13 Comment has been made over the publicity of the application. It should be noted that the Council is required to either post a site notice on land at or close to the application site, or directly notify neighbouring properties, in accordance with the Development Management Procedure Order. A site notice was displayed by the application site. In addition, letters were sent to a number of neighbours, but not those on Silver Birch (the road within the application site). Although the Council has complied with its requirements on the publicity of planning applications, letters have been sent directly to dwellings on Silver Birch (which the Council has listed as occupied). These neighbours have until the 30<sup>th</sup> August to comment; this date falls after the Panel meeting, but it is recommended Panel defers authority to the Head of Planning to determine the application, and only bring the application back to Panel if new planning issues that have not already been addressed are raised.

## **Housing Land Supply**

- 6.14 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted in January 2018. The Borough Local Plan sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

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

- 7.1 The development is CIL liable. The proposed floorspace from the proposed dwellings is 540 square metres.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

83 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 18<sup>th</sup> July 2018.

1 letter was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	We have recently purchased a property in this small cul de sac for the main reason of it being a quiet corner of the estate. This will double the vehicle traffic therefore taking away our main reasons for choosing it. It will also not match the other larger dwellings in the road.	6.6-6.7
2.	Traffic is already a problem, this scheme will further add to it.	6.6-6.7
3.	Insufficient publicity on the application	6.14
4.	Strong objection to this application, as it significantly changes the reason why we bought our family home	This is not a planning consideration.

## Consultees

Consultee	Comment	Where in the report this is considered
Highways	<p>The application includes parking provision for two cars per unit, complying with The Royal Borough of Windsor and Maidenhead (RBWM) current parking strategy. The additional trips generated as a result of the application do not raise any significant highway concerns.</p> <p>The swept path analysis raises concern with vehicle body overhanging the northern corner of access to plots 5A and 5B. The proposed layout should therefore be amended, in accordance with adequate swept path analysis. In addition, the application does not include details of proposed cycle parking arrangements.</p> <p>Recommends conditions for parking to be submitted, and garages to be retained for parking.</p>	6.6-6.7
Ecologist	The proposed changes will not further impact ecology, and as such, there are no objections to this application on ecological grounds	Noted.
Local Lead Flood Authority	Offers no objection.	Noted.
Environment Agency	We should not have been consulted on this application	Noted.
Tree Officer	I have no objections to the proposal, provided protection measures are undertaken in accordance with the RPS 'Tree survey report, arboricultural impact assessment and arboricultural method statement' dated 2 <sup>nd</sup> July 2018.	Noted.

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed layout plan
- Appendix C – Elevations and Floor Plans
- Appendix D –Previously approved scheme for wider development site (15/01809/REM)

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

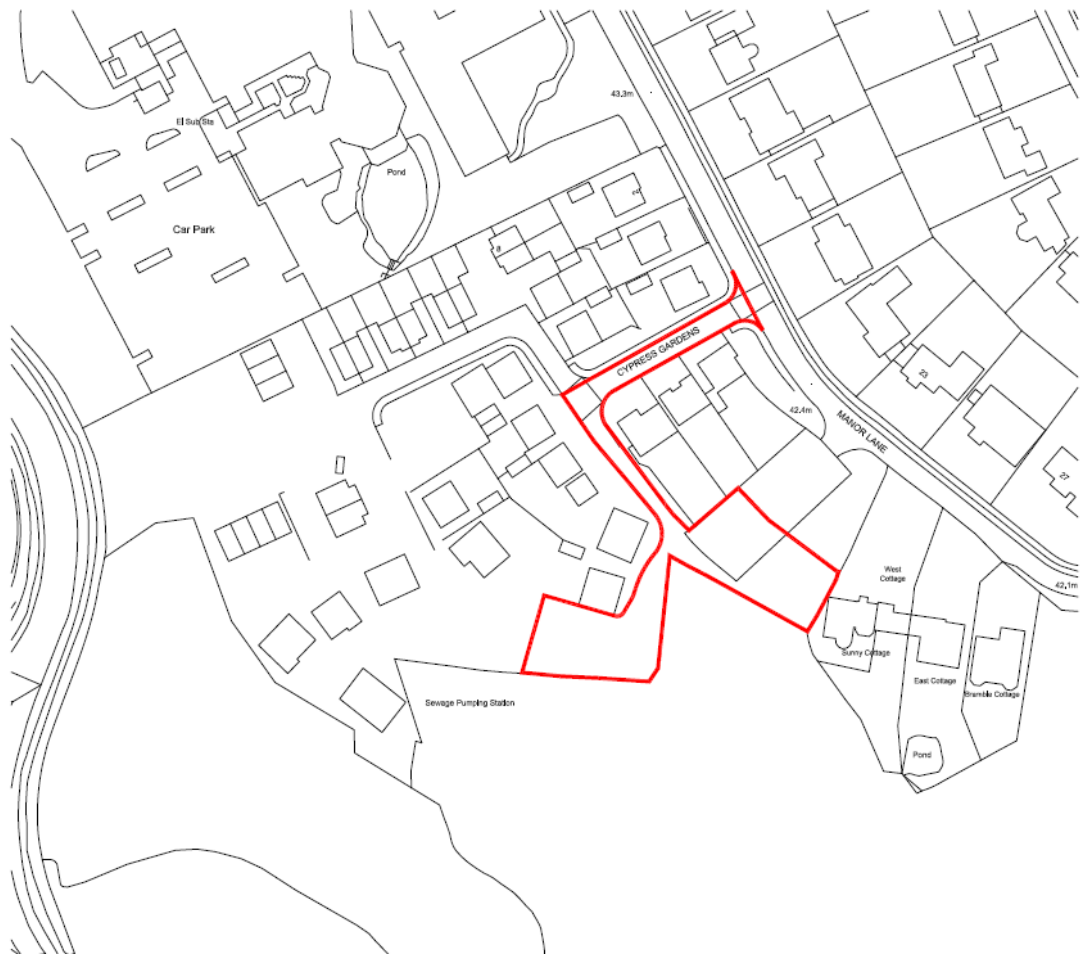
- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified on the drawing MP-02. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1. Policy SP3 of the Borough Local Plan Submission Version.
- 3 The window(s) at first floor level and above in the side elevation(s) of the dwellings on plots 5A, 5B, 8A and 8B hereby approved shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered without the prior written approval of the Local Planning Authority. No further windows shall be inserted at first floor level or above without the prior written approval from the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers.
- 4 All hard and soft landscape works shall be carried out in accordance with the details shown on drawing 210 Revision B and drawing 510 Revision A. These works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.  
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies - Local Plan DG1 and Policy SP3 of the Borough Local Plan Submission Version.
- 5 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the layout shown on the approved drawings. The spaces approved shall be kept available for parking and turning in association with the development.  
Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 6 Irrespective of the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or subsequent modifications thereof), the garage accommodation on the site shall be kept available for the parking of vehicles associated with the development at all times.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1
- 7 The development hereby approved shall be carried out in accordance with the RPS 'Tree survey report, arboricultural impact assessment and arboricultural method statement' dated 2nd July 2018.  
Reason: To protect trees to be retained during the construction period. Policy N6 of the adopted Local Plan and policy NR2 of the Borough Local Plan Submission Version refer.
- 8 The development hereby approved shall be undertaken in accordance with the Drainage Statement prepared by Woods Hardwick, ref 17187/B4, dated 6th December 2017.  
Reason: To ensure the scheme provides satisfactory Sustainable Drainage, as part of a wider development scheme approved.

- 9 No trees, shrubs or hedges shown as being retained in the approved landscape scheme shall be pruned, cut back, felled, wilfully damaged or destroyed. Any trees, shrubs or hedges felled, removed or destroyed, or any that die, become seriously damaged or diseased within 5 years from completion of the development, shall be replaced with the same species in the next planting season unless the local planning authority gives its written consent to any variation.  
Reason: To ensure the scheme has satisfactory landscaping. Policy N6 of the adopted Local Plan and policy NR2 of the Borough Local Plan Submission Version refer.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement (including the erection of any ancillary building within the curtilage) of or to any dwelling house hereby permitted shall be carried out.  
Reason: Any further development of the site requires strict control. Local Plan policies GB1, GB2 and GB4 refer.
- 11 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details submitted with the application. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.  
Reason: To ensure that secure cycle storage is provided for the dwellings. Local Plan policy T7 and policy IF2 of the Borough Local Plan Submission Version refer.
- 12 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 This permission is subject to a legal agreement to ensure that the owners of the proposed dwellings are equally responsible for the future maintenance of the public open space, play area and estate roads of the wider estate development via an appropriate mechanism.

## Appendix A- Location Plan

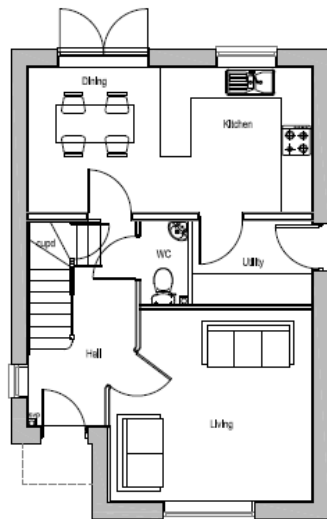




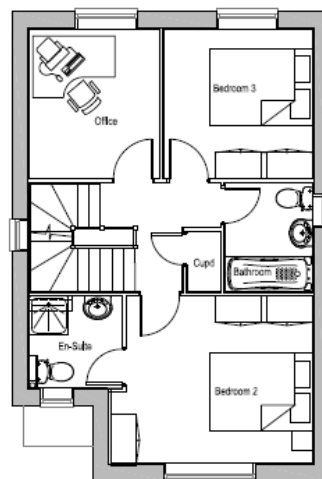
## Appendix B- Proposed site layout



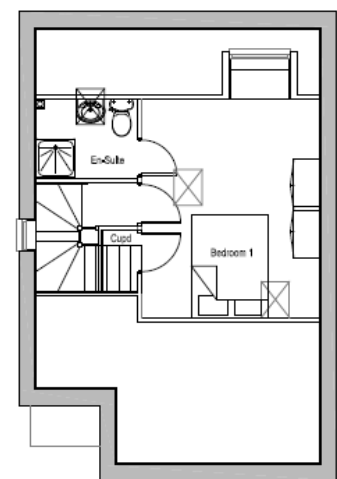
## Appendix C- Elevations and floor plans



Ground Floor



First Floor



Second Floor

## Appendix D- Previously approved layout



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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

29 August 2018

Item: 6

<b>Application No.:</b>	18/02013/VAR
<b>Location:</b>	Land South of Bray Lake And East of Court Close Windsor Road Maidenhead
<b>Proposal:</b>	Variation to planning permission (17/00798) without complying with condition 23 (archaeological field evaluation) to remove the condition.
<b>Applicant:</b>	Debbie Raven
<b>Agent:</b>	Mr Kyle Fowler
<b>Parish/Ward:</b>	Bray Parish/Bray Ward

**If you have a question about this report, please contact:** Susan Sharman on 01628 685320 or at [susan.sharman@rbwm.gov.uk](mailto:susan.sharman@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 Planning permission for a new 28 bedroom hospice and out-patient unit was granted in March of this year, subject to planning conditions. Condition 23 required an archaeological field evaluation to be undertaken, which was carried out and found a number of archaeological remains. Based on the findings, Berkshire Archaeology advised that the application site was considered to be on an area of land with archaeological importance and recommended further investigations of the site to be undertaken. The minimum cost of these investigations would be £30000.
- 1.2 The applicant, a local charity, has advised that the new hospice will be funded entirely by voluntary donations and it therefore has to be able to justify every penny it spends. In this case, it does not consider that it can justify this particular further expense to its supporters, as not only is it a considerable sum that could escalate further, but this is money that could be spent on providing essential care to its patients and their families. It should be noted that, with the exception of condition 23, the applicant has submitted comprehensive details in relation to the other pre-commencement conditions (of which there were 11), that have all been approved.
- 1.3 Having regard to the advice contained in the NPPF, it is considered that while the proposal would have less-than substantial harm to the significance of the heritage asset, (the area of archaeological importance), the removal of condition 23 from application 17/00798 is outweighed by the public benefits of the scheme as a whole and the particular circumstances of the applicant.

**It is recommended the Panel defers and delegates to the Head of Planning to grant planning permission, with the conditions listed in Section 9 of this report, and following referral to the Secretary of State through the Planning Case Work Unit, and there being no call-in as a result of that referral.**

**2. REASON FOR PANEL 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 Panel.

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

- 3.1 The application site comprises 3.2 ha of agricultural land to the South of Bray Lake. The site is bounded by a public footpath, which runs around the lake to the north, and the A308 to the south. The land to the west of the site is agricultural fields beyond which lies the houses located on Court Close/Windsor Road. 55 Windsor Road ("Southend") and more fields are located beyond

the eastern boundary. The site slopes gently towards the lake and benefits from substantial hedgerows on the southern boundary. The site is bisected from north to south by a watercourse and hedgerow.

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

- 4.1 The application seeks to remove condition 23 (relating to archaeological field evaluations) of planning permission 17/00798, for a new 28 bed Hospice with an out-patient unit, counselling and education facilities, together with associated offices for fundraising, administration and clinical support. The nature of the proposed facility is such that it would not fall within a specific Use Class but would rather comprise a Sui Generis use. Application 17/00798 was considered by the Panel on 18<sup>th</sup> July 2017. Following completion of a S106 legal agreement in respect of a Travel Plan, a Biodiversity Enhancement and Management Plan, access to the public footpath and access to the site, and following referral to the Planning Casework Unit and not being called-in by the Secretary of State, permission was granted and issued on 28<sup>th</sup> March 2018.
- 4.2 A conditions application, reference 18/01254, has approved the details submitted in respect of conditions 2 (samples of the materials - external surfaces), 3 (samples of the materials - hard surfacing), 11 (Travel Plan Framework), 13 (lighting strategy), 15 (measures to protect mammals), 16 (reptile mitigation strategy), 18 (Biodiversity Enhancement Plan), 19 (Tree Protection Measures), 20 (hard and soft landscape works), and 21 (landscape management plan) of planning permission 17/00798/FULL. Details in respect of condition 14 (Badger walkover survey) have been approved under application 18/01534. There is no other planning history relevant to the consideration of this application.

#### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework (July 2018) Section 16 – Conserving and enhancing the historic environment.

##### Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

Archaeology
ARCH 2, 3 & 4

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

##### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Historic Environment & Local Heritage Assets	HE1 & HE3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents was submitted to the Secretary of State for examination in January 2018. The first phase of examination hearings took place in June 2018.

The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications, taking account of the extent to which there



are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy.

In this case, significant weight is to be accorded to Borough Local Plan Submission Version Policies HE1 and HE3.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

## **6. EXPLANATION OF RECOMMENDATION**

- 6.1 The key issue for consideration is whether the justification to remove condition 23 of 17/00798 outweighs the significance for further investigations of the area of archaeological importance.
- 6.2 Planning permission for the new 28 bedroom hospice and out-patient unit was granted in March of this year, subject to planning conditions. Condition 23 of the permission specified:  
*Prior to the commencement of development, including site preparation works, the applicant shall implement a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has first been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation shall inform the preparation of a mitigation strategy which will be submitted by the applicant and approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy shall be implemented in accordance with the approved details.*  
*Reason: The site is within an area of archaeological potential, as noted on the Berkshire Historic Environment Record. A programme of works is required to mitigate the impact of the development and ensure preservation by record of any surviving remains. Relevant Policies - Paragraph 114 of the NPPF and Local Plan policies ARCH2 and ARCH4.*
- 6.3 As part of conditions application 18/01254/CONDIT, details were submitted in respect of condition 23, covered by the 'Project specification for an archaeological evaluation' (Thames Valley Archaeological Services (TVAS) document, dated 11 January 2018, revised 26 January 2018), and a report on the results of the exploratory archaeological evaluation (TVAS, dated March 2018). The exploratory archaeological evaluation was undertaken in the south-east portion of the application site, as the western and northern portions had been the subject of past gravel extraction and therefore have no archaeological potential. The archaeological evaluation identified some buried archaeological remains, including what appears to be prehistoric pottery and worked flint.
- 6.4 Under conditions application 18/01254, the Council's Archaeologist advised that the south-east portion of the site is an area of archaeological interest and that, as this area is within the footprint of the proposed new hospice, it would be disturbed and destroyed during construction. He therefore advised that further archaeological investigations would be required, and that condition 23 of 17/00798 should not be discharged. (A copy of the Council's Archaeologist's report can be read in Appendix B).
- 6.5 Further to the advice from the Council's Archaeologist, the applicant sought tenders for the additional archaeological investigation works. Three tenders were received, the minimum quoted being £30,000. Further enquiries were made by the charity to ascertain whether the additional archaeological investigations could be undertaken by other parties who, for example, have an interest in archaeology. However they were advised that this is an exercise that requires specialist knowledge, including the correct recording of artefacts. The charity/applicant also needs to commence work on site by November this year.
- 6.6 However, as the applicant is a charity, it considers unable to justify to its patrons the additional expenditure required for further archaeological investigations. £30,000 is a considerable sum of money for the charity to spend, particularly when there is no guarantee of further artefacts being found. If more artefacts were to be found, the costs of additional archaeological work would increase this figure further.

6.7 The applicant has therefore withdrawn consideration of condition 23 from conditions application 18/01254 and is seeking to have the condition removed from the original planning permission. In assessing the application, regard is given to advice contained within the NPPF, in particular paragraph 196, which advises, *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.

6.8 The applicant's acknowledge that the site, as an area of archaeological importance, is significant, but argues that this is not so significant as to justify any artefacts remaining *in situ*, thus stopping construction of the hospice in this location altogether. Indeed, this has not been recommended by the Council's Archaeologist. The applicant therefore proposes that there would be less than substantial harm to the heritage asset, but what harm there is would be justified for the reasons planning permission was originally granted - essentially on the basis of the considerable public benefits of, and support for, the hospice in this location. In summary, these are:

- 1) Section 8 of the NPPF establishes the importance of promoting healthy communities through the planning process. It recognises that the planning system plays an integral role in facilitating social interaction and delivering robust, healthy and inclusive communities. Relevant to the application are those elements of section 8 that refer to accessible facilities, meeting the needs of existing and future communities, and enhancing public rights of way and access to open space.
- 2) The application site is part of the wider allocation of land in the Borough Local Plan (Policy HA18) to make re-provision for the Hospice.

3) The Need for the Facility

a) Thames Hospicecare was founded in Windsor in 1987 in response to the need for a Hospice in East Berkshire. The Hospice remains the only adult Hospice in East Berkshire and serves a population of c.500,000 spanning East Berkshire and South Buckinghamshire. Thames Hospice currently has 17 beds for in-patients, a day centre, sanctuary space and counselling rooms spread across two facilities – Pine Lodge, Windsor and Paul Bevan House at Heatherwood Hospital, Ascot. The Charity also currently provides home-based care services to over 2000 patients.

b) In 2014, Thames Hospice commissioned an independent review of the projected requirement for Hospice inpatient beds and services up to 2025. The review highlighted an increasing population, a growing population of people aged 65+, an increase in people living with a number of different medical conditions and changes in demographics resulting in fewer family carers. The statistics are supported by the Western Berkshire HMA (Housing Market Assessment) that indicates a 29.7% and 27.4% increase in the 60-74 and 75+ age group, respectively, between 2001 and 2013. The review concluded a need for 34 beds by 2025 which is double the 17 currently available. In recognition of this need it was agreed with NHS commissioners that the Hospice would seek to build a 28 bed Hospice and expand the provision of integrated home based care in the community. The application is supported by CCGs (Clinical Commissioning Groups), the local NHS and social care community (see consultation responses under 17/00798).

4) The Need to Relocate

The Hospice needs to find a new site due in part to the growing demand and requirement for services that are beyond the capacity of the Hospice's main site in Windsor. Paul Bevan House has also relinquished its lease at Heatherwood Hospital due to the proposals for the re-development of the hospital site, the subject of planning application 16/03115/OUT. A new modern Hospice will enable patients and their families to be better served and present opportunities to improve patient dignity and avoid situations that might cause them distress that are currently impossible within the constraints of the current Hospice site.

5) Benefits of Co-Locating Functions

- a) The patient and family services unit comprises the 28 bed in-patient unit and the Paul Bevan Centre which houses all community services. The community element provides day therapy services that include well-being groups, out-patients, counselling sessions, complementary therapies, physiotherapy and a community team who visit people in their homes. The community team are led by the Palliative Care Consultant who is responsible for both the in-patient and community element. All clinicians staff, both the in-patient unit and community element. It is necessary to share resources due to financial constraints and recruitment issues. Having the whole team on one site avoids the need to duplicate clinical and support services and means that more treatments are available as part of the out-patients service avoiding the need to admit patients and take up valuable bed space. There are also benefits to patient wellbeing by having all services delivered from one site – if patients are familiar attending the out-patients services it will be less daunting if they need to be admitted to the in-patient unit if it is housed in the same building. It also means that in-patients need not suffer the discomfort of leaving the Hospice to use the day services offered by the community element if it was housed at a different location. Psychological support also needs to be available on-site at short notice to provide appropriate support to staff members.
- b) The proposals include an Education Centre. It is necessary to have this on site because much of the training is provided by the Hospice's doctors and nurses who cannot be taken off site. This is in the interests of patient care and safety in the event of a medical emergency. The Education Centre will be largely for the purposes of the on-going training and education of the Hospice's own staff and so it makes logistical sense to have this onsite – avoiding the need for staff to travel elsewhere and subsequently not being available onsite if the need arises. The Council's Joint Health and Wellbeing Strategy Action Plan Priority 10 supports this approach.
- c) Marketing and fundraising staff need to be on site to maintain a link with the services and to have a sense of belonging. Fundraising opportunities would be missed if they weren't onsite and there is evidence from other Hospices that demonstrate that housing a fundraising team separately leads to reduction in funds raised.
- d) Maintenance, Housekeeping and IT support staff need to be on site to provide immediate support to ensure continuous service provision. HR, Finance and Governance & Quality also need to be on site to be accessed quickly by personnel and to maintain strict quality standards.

6. Healthcare Improvements

Much of the expansion of the Hospice's services have been dictated by the need to implement the recommendations of the Government's End of Life Care Strategy and the Hospice will be expected to further develop its education strategy in line with the increased number of people dying within the community. The gradual expansion of the Hospice's services has led to the intensification of the use on its current site and the need to relocate to a larger more appropriate site.

7. The Lack of Availability of Alternative Sites

The original planning application was accompanied by a report prepared by Savills that demonstrated that there are no other sites available outside of the Green Belt that would be reasonably available to the Hospice. In approving the application, it was accepted that the application site is the only site that is available to and would meet the requirements of the Hospice at this time.



8. Requirement for a Private & Tranquil Location

The setting of the Hospice is important to the health and wellbeing of patients. As well as providing healthcare for recovery the Hospice provides palliative care for terminally ill patients, often in their final stages of their lives.

9. Biodiversity & Landscape Improvements

The landscape strategy for the site, submitted with the original planning application, includes the introduction of a range of flora which will maximise the biodiversity potential of the site with the intention of encouraging a variety of species to use the site. In this respect the application represents ecological betterment compared to the current arrangement.

10. Staff Retention

Many of the staff working at Thames Hospice cycle or walk to work. A survey undertaken in connection with the Transport Statement indicates that 37.5% of staff travel by modes of transport other than by car. During staff consultation regarding the potential development site, there were numerous requests to stay in the area and no more than 5 miles from the existing site. Thames Hospice staff are experts in palliative care and many have received specialist training from the Hospice itself so to lose them would have a direct impact on service delivery. Many of the staff have worked at the Hospice for many years and have consequently become extremely experienced in caring for people at the end of their life. It is becoming exceedingly difficult to recruit new staff. There is a well-publicised nationwide skills shortage in the healthcare sector which is further compounded by higher than average house prices in RBWM. Given that the Hospice is a charity and the shortage of suitable staff, whilst the location may be attractive to many potential employees the affordability of the area will deter applicants. Supporting the retention of staff, a site within 5 miles of Windsor will allow valued existing staff to continue to travel via a number of alternative means. By restricting the site search area, the Hospice is seeking to continue to support sustainable transport choices made by staff.

11. The initial investigation has made available artefacts from the site, which would not have otherwise been found and which will be sent to Berkshire Archaeology for its records.

6.9 The applicant's supporting statement concludes, *"We believe the points discussed above and the evident need for an expanded Hospice in the community justifies the case to remove Condition 23. Unlike many other building applications, the funds to build this new facility will come entirely from our supporters in the form of voluntary donations and as such we need to be able to justify every penny we spend. We consider this to be an unacceptable financial cost which will have no impact on the care we offer to our patients and their loved ones and hope the committee support our view."*

6.10 Having regard to the advice contained in the NPPF, it is considered that while the proposal would have less-than substantial harm to the significance of the heritage asset, (the area of archaeological importance), the removal of condition 23 from application 17/00798 is outweighed by the public benefits of the scheme as a whole and the particular circumstances of the applicant. Subject to the conditions outlined in section 9 of this report, it is recommended that permission be granted.

## 7. **CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

55 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 20<sup>th</sup> July 2018 and the application was advertised in the Maidenhead & Windsor Advertiser published on 19<sup>th</sup> July 2018.

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

Comment		Where in the report this is considered
1.	The reason given by the applicant that the public benefit outweighs the need for further archaeological explorations is spurious. The condition does not prevent the Hospice from being built so the argument is invalid.	6.1 – 6.10
2.	Have no issue with the Hospice being built but object to the proposed housing development as Windsor Road is already too busy.	6.8 (2)
3.	It is vitally important that an archaeological evaluation be carried out.	6.1 – 6.10

### Consultee responses

Consultee	Comment	Where in the report this is considered
Bray Parish Council	Do not agree to variation. The Parish Council believes this condition to be important and must remain. Further recent evidence to this is the recent Anglo Saxon finds on the Braywick Leisure Centre site.	6.1 – 6.10
Berkshire Archaeology	Provided advice under conditions application 18/01254/CONDIT – Full comments attached in Appendix B.	6.1 – 6.10

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Archaeologist's report

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

- The development hereby permitted shall be commenced within three years from the 28th March 2018 (the date of the original permission 17/00798).  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- The materials to be used in the external surfaces of the development shall be in accordance with the details approved under application 18/01254. The development shall be maintained as approved.  
Reason: In the interests of the visual amenities of the area. Relevant Policies: Local Plan Policy DG1 and Borough Local Plan Submission Version (BLPSV) Policy SP3.
- The materials to be used in the hard surfacing of the development shall be in accordance with the details approved under application 18/01254. The development shall be maintained as approved.  
Reason: In the interests of the visual amenities of the area. Relevant Policies: Local Plan Policy DG1 and BLPSV Policy SP3.
- No part of the development shall be occupied until the new access arrangements to Windsor Road, together with the associated shared footway/cycleway works, have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The access arrangements for use by all people shall thereafter be maintained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies: Local

- 5 Prior to the commencement of any construction works, a management plan showing how construction traffic, (including cranes), materials storage, facilities for operatives, and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works, or as may be agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies: Local Plan T5 and BLPSV Policy IF2.
- 6 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with drawing 0659/101 of 17/00798. The space approved shall be kept available for parking and turning in association with the development.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies: Local Plan P4, DG1 and BLPSV Policy IF2.
- 7 No part of the development shall be commenced until visibility splays of 2.4m x 120m in both directions have been provided at the new access to the site. All dimensions are to be measured along the edge of the driveway and the back of the footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.  
Reason: In the interests of highway safety. Relevant Policies: Local Plan T5 and BLPSV Policy IF2.
- 8 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.  
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies: Local Plan T7, DG1 and BLPSV Policy IF2.
- 9 No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.  
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 10 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be reinstated before the development is first occupied in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and of the amenities of the area. Relevant Policies - Local Plan T5, DG1.
- 11 Full details of the Final Travel Plan, the framework for which was approved under conditions application 18/01254, shall be submitted for approval within 6 months of the development first being brought into use.  
Reason: To comply with paragraphs 108, 110 and 111 of the National Planning Policy Framework, July 2018.
- 12 A buffer zone of five metres from the shoreline of Bray Lake shall be kept free of development and retained as a natural habitat for biodiversity into perpetuity unless otherwise agreed in writing by the Local Planning Authority

Reason: To protect ecologically valuable habitats in accordance with the paragraphs 170 and 175 of the NPPF.

- 13 The lighting strategy for the development shall be in accordance with the details approved under application 18/01254. The strategy shall be implemented and maintained as approved.  
Reason: To minimise the negative impacts of light spill from the proposed development on roosting, commuting and foraging bats as well as other mammals and invertebrates in accordance with paragraphs 170 and 175 of the NPPF.
- 14 The measures set out in the walkover survey for badgers approved under application 18/01534 shall be implemented and maintained as approved.  
Reason: To protect any badgers using the site in accordance with the paragraphs 170 and 175 of the NPPF.
- 15 The measures to protect mammals from being trapped in open excavations and/ or pipe and culverts shall be implemented and maintained as approved under application 18/01254.  
Reason: To protect any mammals using the site from cruelty in accordance with paragraphs 170 and 175 of the NPPF.
- 16 The reptile mitigation strategy shall be carried out as approved under application 18/01254 unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To prevent the killing or injury of reptiles in accordance with the Wildlife and Countryside Act 1981, as amended.
- 17 No removal of scrub or trees shall take place between 1st March and 31st August inclusive, unless a competent ecologist has first undertaken a careful, detailed check of vegetation for active birds nests immediately before vegetation clearance and provided written confirmation that no birds will be harmed and/ or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the council and thereafter the works undertaken entirely in accordance with the approved details.  
Reason: To protect breeding birds, their eggs and active nests in accordance with the paragraphs 170 and 175 of the NPPF.
- 18 The Biodiversity Enhancement Plan shall be implemented and maintained as approved under application 18/01254 unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure that the development's impact on biodiversity is minimised and to enhance the natural environment where possible in accordance with the paragraphs 170 and 175 of the NPPF.
- 19 The tree protection measures approved under application 18/01254 shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies: Local Plan DG1, N6 and BLPSV Policy NR2.
- 20 The hard and soft landscaping shall be carried out as approved under application 18/01254 within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies: Local Plan DG1 and BLPSV Policy SP3.
- 21 The Landscape Management Plan shall be carried out entirely in accordance with the details approved under application 18/01254.  
Reason: To ensure the long term management of the landscaped setting of the development and

to ensure it contributes positively to the visual amenities of the area. Relevant Policies: Local Plan DG1 and BLPSV Policy SP3.

- 22 The use of the buildings hereby permitted shall be carried on only by Thames Hospice and shall not endure for the benefit of the land, or any other person or body whatsoever.  
Reason: The site of the buildings is within the designated Green Belt and permission is only granted because of the very special circumstances of the case. Relevant Policies - Local Plan GB1 and BLPSV Policy SP5.
- 23 The footpath running parallel to the lake shore shown on drawing 0659\_101(a) of application 17/00798 shall be kept open to the public at all times into perpetuity unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To maintain public access to the countryside. Relevant Policies: Local Plan R14 and BLPSV Policy IF5.
- 24 The development permitted by this planning application shall be carried out in accordance with the measures set out in the FRA approved under application 17/00798.  
Reason: This is sought in accordance with paragraph 163 of the National Planning Policy Framework (NPPF) to ensure that the property is suitably protected from flooding up to the 1% AEP with an appropriate allowance for climate change flood event and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
- 25 Prior to the occupation of development a Flood Management Plan setting out full details of the Hospice's flood evacuation procedure shall be first submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that users of the building are safe if a flood event occurs. Relevant Policies: Local Plan F1 and NPPF paragraph 163.
- 26 The surface water drainage strategy will be carried out and retained in accordance with the details approved under application 17/00798 unless agreed in writing by the Local Planning Authority.  
Reason: To minimise the risk from flooding. Relevant Policies: Local Plan F1 and NPPF paragraph 163.
- 27 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.



Application site

# BERKSHIRE ARCHAEOLOGY

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16th May 2018

**Planning Consultation Response – Application 18/01254/CONDIT  
Land South of Bray Lake and East of Court Close, Windsor Road, Maidenhead**

Dear Laura,

Thank you for consulting Berkshire Archaeology regarding the above application. Berkshire Archaeology is part of Reading Borough Council's Museum and Town Hall Services and provides historic environment advice to the five unitary authorities of Bracknell Forest Council, Reading Borough Council, Royal Borough of Windsor and Maidenhead, Slough Borough Council and Wokingham Borough Council.

The applicant has submitted with their application a 'Project specification for an archaeological evaluation' (Thames Valley Archaeological Services (TVAS), dated 11 January 2018, revised 26 January 2018) and a report on the results of the exploratory archaeological evaluation (TVAS, dated March 2018).

The exploratory archaeological evaluation was only undertaken in the south-east portion of the application site, the western and northern portions having been subject to past gravel extraction and therefore have no archaeological potential.

You will note that the exploratory archaeological evaluation was successful in identifying a number of buried archaeological remains in the south-east of the site. A reasonable number of features were identified. Although generally insubstantial, they produced a fair assemblage of prehistoric pottery and worked flint. The pottery seems to span the 1st millennium BC (later Bronze Age and Iron Age). The report notes (page 10) that much of the struck flint is in 'very fresh condition' i.e. it is *in situ* and has not been moved substantially from where it was first deposited.

These features and finds were sealed within alluvium (flood deposits from the River Thames) and there is some indication of stratification within the alluvial deposits. It seems that this Bronze Age activity sat on the fringes of a former channel or braid of the River Thames, although the nature of the activity taking place remains uncertain.

The exploratory archaeological evaluation has therefore identified an area of archaeological interest within the site. These Bronze Age and Iron Age deposits are of interest in their own right but the fact that they survive on a small 'island' of unquarried land south of the River Thames at this point makes them particularly noteworthy and important.

The area of archaeological interest lies within the footprint of the proposed new building and will therefore be disturbed and damaged when it is constructed. On this basis, I consider that further archaeological investigation of the area of archaeological interest is merited prior to the commencement of construction in this part of the site. An area of further investigation focused on but extending beyond evaluation trenches 6 and 17 would seem appropriate.

Berkshire Archaeology

An Archaeological Service for: Royal Borough of Windsor & Maidenhead, Reading Borough Council, Slough Borough Council, Wokingham Borough Council & Bracknell Forest Borough Council

In summary, the documents submitted with this application do not satisfactorily meet the requirements of Condition 23 of permission 17/00798/FULL. As set out in the wording of Condition 23, a mitigation strategy is required that defines the area of archaeological interest and sets out a programme of work to investigate and record it and to analyse and report on the results. The mitigation strategy should be submitted to and agreed with the Local Planning Authority prior to the commencement of any development.

Once the mitigation strategy has been approved, development can commence outside of the area of archaeological interest. Development within the area of archaeological interest can commence once the further archaeological investigation has been satisfactorily completed, although it should be noted that Condition 23 should not be fully discharged until the programme of archaeological work, including analyse and reporting, has been satisfactorily concluded.

Berkshire Archaeology would be pleased to discuss any of the above further with you or the applicant if that was helpful.

*Roland Smith*  
*Archaeology Officer*