

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

22 January 2020

Item: 4

<b>Application No.:</b>	19/03067/OUT
<b>Location:</b>	Field Adjacent To North West Corner of Grove Business Park Waltham Road Maidenhead
<b>Proposal:</b>	Outline application for access, appearance, layout and scale only to be considered at this stage with all other matters to be reserved for an agricultural barn.
<b>Applicant:</b>	Mr & Mrs Smith
<b>Agent:</b>	Mr Jack Clegg
<b>Parish/Ward:</b>	White Waltham Parish/Hurley And Walthams

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

**1. SUMMARY**

- 1.1 This is an outline application for a large agricultural barn on land belonging to the Shottesbrooke Estate adjacent to the Grove Business Park in Waltham Road. This is an amended application for the agricultural barn approved by Panel on 24.1.2019. That barn would have been 6.5m high, and the current proposal raises its height to 9.8m. There is also a marginal increase in the width of the proposed barn of 1.0m. The applicant has given evidence that a barn of this size is reasonably needed for the purposes of agriculture, and the recommendation is that outline planning permission is granted. Details of landscaping need to be submitted as a reserved matter at a later stage.

**It is recommended the Panel GRANTS planning permission with the conditions listed in Section 12 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 as this is a major application; such decisions can only be made by the Panel.

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

- 3.1 The site is an area of open landscape located immediately to the north of the Grove Business Park and a short way south of the White Waltham Airfield in White Waltham. The site is separated from the business park by a 2m high metal fence, and there are a number of trees near the boundary within the business park which are the subject of Tree Preservation Orders. The site lies in the Green Belt.

**4. KEY CONSTRAINTS**

- 4.1 Policy GB1 of the Local Plan and Paragraph 145 of the National Planning Policy Framework 2019 state that the construction of buildings for agriculture and forestry is appropriate development in the Green Belt.

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

- 5.1 The site area marked by a red line on the site plan would measure 74m by 40m, and the building would measure 73.15m by 30m, with an eaves height of 7m and a ridge height of 9.8m. It would be 2194sqm in area. It would be rectangular in plan, with walls of pre-cast concrete panels with box profile cladding above, a north facing front elevation of twelve 6m wide steel roller shutter

doors, and a dual pitched roof of grey corrugated fibre cement roof panels. It would be located 10m north of the boundary fence of the business park. Approval is sought in this outline application for access, appearance, layout and scale, with landscaping as a reserved matter.

5.2 18/02770/OUT                      Erection of a single storey agricultural barn.                      Approved 24.1.2019

## 6. DEVELOPMENT PLAN

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

### Adopted Royal Borough Local Plan (2003)

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1
Appropriate development in the Green Belt	GB1, GB2
Trees	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)

### Hurley and the Walthams Neighbourhood Plan (made on 12 December 2017)

6.2 The Hurley and the Walthams Neighbourhood Plan, which was formally adopted (made) by the Council on 12 December 2017 has the following Spatial Policy relating to Grove Business Park:

WW1 – Housing at Grove Park:

Proposals for the redevelopment of Grove Park, to provide housing, will be supported, subject to:

- i) the majority of dwellings comprising smaller 2 and 3 bedroom houses of no more than two storeys in height;
- ii) providing for a range of housing, including dwellings for downsizers and first time buyers;
- iii) having a positive impact on local character; and
- iv) ensuring safe and secure access onto Waltham Road.

It has the following Policy relating to White Waltham Airfield:

WW3 – White Waltham Airfield

Proposals for development on the White Waltham Airfield, as shown on the Policies Map, will only be supported if they are ancillary to the established airfield use, conserve heritage assets and are appropriate in the Green Belt.

White Waltham Airfield is designated as an Area of Special Character, and the text refers to the protection of existing buildings within the airfield. Policy GEN3 is concerned with Areas of Special Character. It states:

GEN3

Development proposals in a designated area should have regard to the desire to conserve and enhance the characteristics that define that area, as set out in the Neighbourhood Plan Areas of Special Character Study.

This Plan forms part of the development plan and carries significant weight in the decision making process.

## 7. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 12- Achieving well-designed places

Section 13- Protecting Green Belt land

### Borough Local Plan: Submission Version (BLPSV)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Housing	HO1
Economy	ED2
Development in the Green Belt	SP5

### **Borough Local Plan: Submission Version Proposed Changes (2019) (BLPSVPC)**

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1,QP3
Housing	HO1
Economy	ED2
Rural Development	QP5

- 7.1 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 independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.
- 7.2 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV which are now out to public consultation until Sunday, 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above both should be given limited weight.

These documents can be found at:

<https://www3.rbwm.gov.uk/blp>

- 7.3 The Borough Local Plan Submission Version has policies which relate to Grove Business Park, both Policy HO1 in the Housing Section and Policy ED2 in the Economy Section.

Policy HO1 – Housing Development Sites. Among the sites allocated for housing development and defined on the Policies Map is HA50 – Grove Business Park: allocated for mixed use development. This site has however been removed from the Borough Local Plan Submission Version Proposed Changes (BLPSVPC).

Policy ED2: Employment Sites. The Borough Local Plan will retain sites for economic use and employment as defined on the Policies Map: 6. Established Employment Sites in the Green Belt f) Grove Business Park White Waltham, mixed uses. The Borough Local Plan Submission Version Proposed Changes (BLPSVPC) also lists Grove Park Business Park, Mixed Uses as an established employment site in the Green Belt.

Within business areas and mixed use areas, intensification of employment activity will be encouraged subject to the provision of appropriate infrastructure and safe access. An element of residential development may also be acceptable in mixed use areas but it must ensure that the overall quantum of employment floorspace within the mixed use area as a whole is not reduced, except where it is identified in the proforma in this plan.

Policy H01 and ED2 carry less than significant weight as a material planning consideration in the decision making process due to the status of the BLP at this time.

### Other Local Strategies or Publications

- 7.4 Other Strategies or publications material to the proposal are:
- RBWM Landscape Character Assessment

More information on this document 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)

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

24 businesses within the Grove Business Park, together with Sorbon Estates which owns the business park and West London Aero Club were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 28.11.2019 and the application was advertised in the Maidenhead Advertiser on 5.12.2019.

No objections were received.

### Consultees

Consultee	Comment	Where in the report this is considered
White Waltham Parish Council	No objection	Noted
Environmental Protection	No objection, suggested informatives	The relevant informatives have been added 12
Local Lead Flood Authority	Recommended a condition if the application is approved	9.14 and condition added 12
Highways	No objection	9.10
Tree Officer	No objection	9.9

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i whether the proposal amounts to appropriate development in the Green Belt;
- ii impact on the openness of the Green Belt;
- iii whether the proposed design would have an acceptable impact on the character of the area;
- iv impact on trees that are important to the character of the area;
- v highways impact, and
- vi impact on Grove Business Park and any potential future uses there

vii other matters, including drainage and airfield issues.

### **Whether appropriate development in the Green Belt.**

9.2 Paragraph 145 of the NPPF (2019) states that the construction of new buildings for agriculture and forestry is not inappropriate development within the Green Belt. Policy GB1 of the Local Plan reiterates this exception to the construction of new buildings in the Green Belt as being inappropriate.

9.3 The proposed barn would be a building for agriculture. The applicants have stated, inter-alia, the following in support of the enlargement of the previously approved barn:

*The estate as a whole extends to 823.59 ha, of which the arable operations extend over 522.43 ha and 129.35 ha of pastureland. An application for an agricultural storage barn has previously been permitted on the same site however the revised dimensions are proposed due to 1) increased yields, 2) recent investment in upgrading to larger machinery and 3) a reduction in Oil Seed Rape (OSR) being grown and instead increased spring barley being grown. Spring barley will be partially substituted for OSR, and this has a yield of 7.1 tonnes per ha., as opposed to 4 tonnes per ha., namely a 77.5% increase in storage requirement over the calculations in the previous application. The new larger combine harvester has a lift height of 6.690m, hence the required eaves height of 7m in the proposed new barn.*

Figures have been provided which show that the floor area and height proposed is what is reasonably required to store the crops.

9.4 Given the above, it is considered that the proposed barn is an agricultural building which is reasonably required for the purposes of agriculture. It will ensure that the viability of the farm is maintained into the future. Consequently it is considered that the proposal is appropriate development in the Green Belt, and complies with Policy GB1 of the Local Plan and paragraph 145 of the NPPF as a material consideration of significant weight.

### **Impact on Openness of the Green Belt**

9.5 Policy GB2 of the Local Plan states that permission will not be granted for new development which will have a greater impact on openness than the existing development on the site, or where it will harm the character of the countryside.

9.6 The barn would be sited close to the buildings in Grove Business Park, and would appear as a large agricultural building which would not be harmful to the character of the countryside. Given that this is appropriate development in the Green Belt as set out in the previous section, the impact on openness cannot be taken into consideration. This is in line with the outcome of a court of appeal judgement between R. (Lee Valley Regional Park Authority) v Epping Forest District Council and Valley Grown Nurseries Ltd (2016) where it was determined that applications for agricultural buildings do not fall to be assessed in terms of their impact on openness.

### **Design**

9.7 Policy DG1 of the Local Plan states among other design guidelines that harm should not be caused to the character of an area through the loss of important features that contribute to that character.

9.8 The proposed design would be typical of modern farm barns, and is not considered to be harmful to the open rural character of the area, given its location close to the buildings in Grove Business Park. Views of the barn from within the business park would be softened by the large trees near the northern boundary of the business park and the 10m distance from the mutual boundary. The design of the proposal is considered to be acceptable. The appearance, layout and scale of the proposal is considered to be acceptable.

## **Trees**

- 9.9 Policy N6 of the Local Plan requires the protection of important trees on or near development sites. In this case, there are no trees within the application site, but there are trees within the Grove Business Park adjacent to the site which are the subject of Tree Preservation Orders. The building would be 10m away from the boundary and outside of the Root Protection Areas of the protected trees. It is considered that they are far enough away not to be affected by the proposed development. The impact on trees is therefore acceptable, and the proposal complies with Policy N6 of the Local Plan.

## **Highways**

- 9.10 The proposed new barn would be accessed from an existing junction onto Waltham Road and is unlikely to result in any additional traffic impact. The Highway Authority raises no objection to the proposal.

## **Grove Business Park and potential future uses there**

- 9.11 Given the policies in the Hurley and the Walthams Neighbourhood Plan, it is envisaged that Grove Business Park may be redeveloped at some stage in the future to provide mixed employment and residential uses, with the quantum of employment floorspace being no less than it is currently.
- 9.12 There is a current outline application (18/03348) under consideration for the redevelopment of Grove Business Park for up to 79 dwellings and a nursery building (access, layout and scale to be considered). The draft allocation in the BLPSV had been for approximately 66 units, however this site for housing has been removed in the BLPSC Proposed Changes document. No recommendation has been reached at this stage as to whether the current application complies with the Development Plan and other material considerations. The indicative layout submitted with application 18/03348 shows rear gardens to houses along the north-western boundary of the site, which comprises the mutual boundary with this application under consideration.
- 9.13 The proposed barn would be very large at 73m in length, and would be higher than previously approved at 9.8m to ridge. It would be located 10m from the North West boundary of the Grove Business Park. It is considered that this is far enough away not to materially impact whatever the future development or use of this end of the business park site might be. There are also a number of mature trees protected by Tree Preservation Orders along the boundary of the site, which would help to soften views of the barn from within the business park. The agent has confirmed that any grain drying will be a quiet operation that would not be heard outside the barn. It is considered that the recommendation to grant planning permission for this proposed development is not contrary to the development plan or the emerging development plan and that a grant of planning permission would not unreasonably fetter the future redevelopment of the Grove Business Park or conflict with policy WW1 of the Neighbourhood Plan.

## **Other material considerations**

- 9.14 A sustainable drainage scheme was required to be submitted in order to demonstrate that this proposal would not increase the risk of flooding in the area as this is a major application. This has now been supplied together with a soakaway plan, and the Local Lead Flood Authority (LLFA) was re-consulted. The LLFA's response was to request that a condition be added to any permission requiring further details before any works commence.
- 9.15 The Policies Map for the Hurley and the Walthams Neighbourhood Plan shows the White Waltham Airfield site as incorporating the site of the proposed barn, and also several other fields. The airfield and the application site are in the same ownership. The applicants have confirmed that the site of the proposed barn does not fall within the airfield site, but is located in the south of a field which is itself to the south of the airfield. They have provided a copy of the Civil Aviation Authority license registration which includes a plan defining the boundaries of White Waltham Airfield, and the site of the proposed barn is clearly outside of this. If it were within the airfield,

Policy WW3 would apply, which is as follows: 'Proposals for development on White Waltham Airfield, as shown on the Policies Map, will only be supported if they are ancillary to the established airfield use, conserve heritage assets, and are appropriate in the Green Belt.' It is reiterated here that the barn would be appropriate development in the Green Belt, also the site is not part of the airfield, and the proposal conserves heritage assets (namely the buildings on the airfield). Given the location of the barn it is not considered that it would in any case prejudice the operation of the airfield or harm the heritage asset. The neighbourhood plan is a material consideration which is afforded significant weight in the overall planning balance. The proposal has a degree of conflict with Policy WW3 but does not contravene the requirements, aims and purposes of the policy based on the information provided. The previous planning permission for a barn on this site was also considered in light of the foregoing and considered to be acceptable.

## 10. CONCLUSION

The proposal is considered to be appropriate development in the Green Belt which will be beneficial to agriculture and would not be harmful to the character of the area or to the health of nearby protected trees. It would not harm the existing uses (or prejudice future potential uses) of the neighbouring Grove Business Park. The proposal would not harm or prejudice the continued use of the airfield site despite some limited conflict with the Policy Map shown as part of Neighbourhood Plan policy WW3. The proposal is therefore considered acceptable and material planning considerations do not lead to a different conclusion.

## 11. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Elevations and floor plan

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

- 1 Details of the landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced.  
Reason: To accord with the provisions of the Town and Country Planning (General Development Procedure) Order 1995.
- 2 An application for the approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission  
Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The Development shall commence within two years from the date of approval of the last of the reserved matters.  
Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 4 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.
- 5 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to 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. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 6 No construction shall commence until a surface water drainage scheme for the development, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:
  - Full details of all components of the proposed surface water drainage system including

dimensions, locations, gradients, invert levels, cover levels and relevant construction details.

- Supporting calculations based on infiltration rates determined by infiltration testing carried out in accordance with BRE365 confirming compliance with the Non-Statutory Standards for Sustainable Drainage Systems

- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented

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

Reason: - To ensure compliance with National Planning Practice Guidance and the Non-Statutory Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

- 7 Prior to any construction works above ground, details of noise attenuation measures including details of any equipment to be used shall first be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and thereafter retained.

Reason:To ensure a satisfactory level of amenity for the occupants of all existing and proposed neighbouring properties. Relevant Policies - Local Plan NAP2.

- 8 Prior to its installation, details of any external lighting shall first be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and thereafter retained.

Reason:To ensure a satisfactory level of amenity for the occupants of all existing and proposed neighbouring properties. Relevant Policies - Local Plan NAP2.

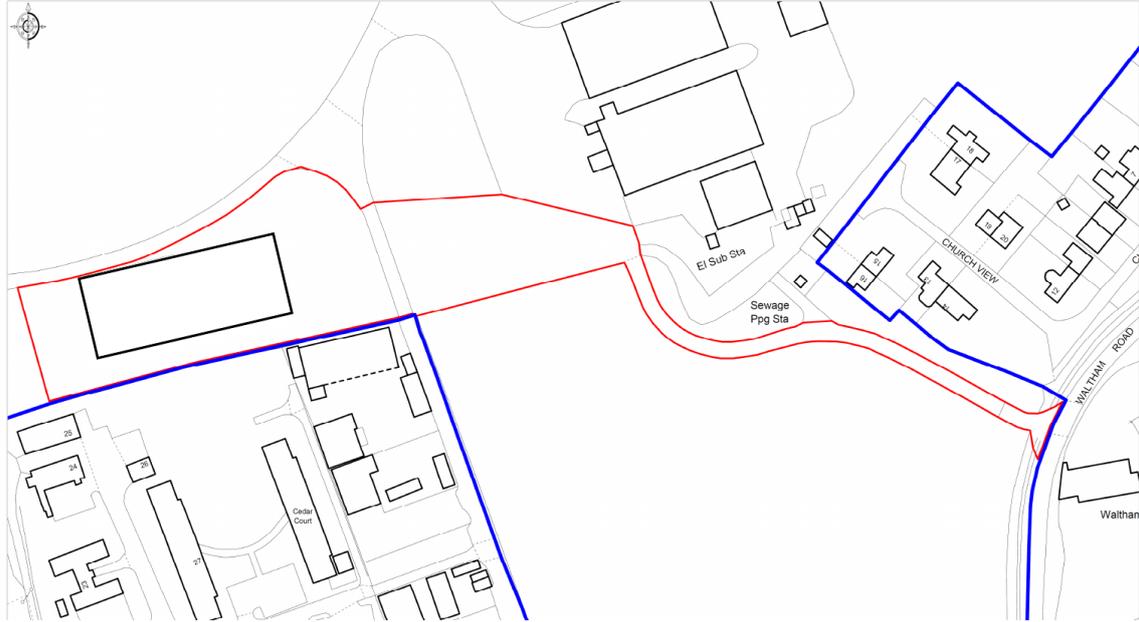
- 9 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

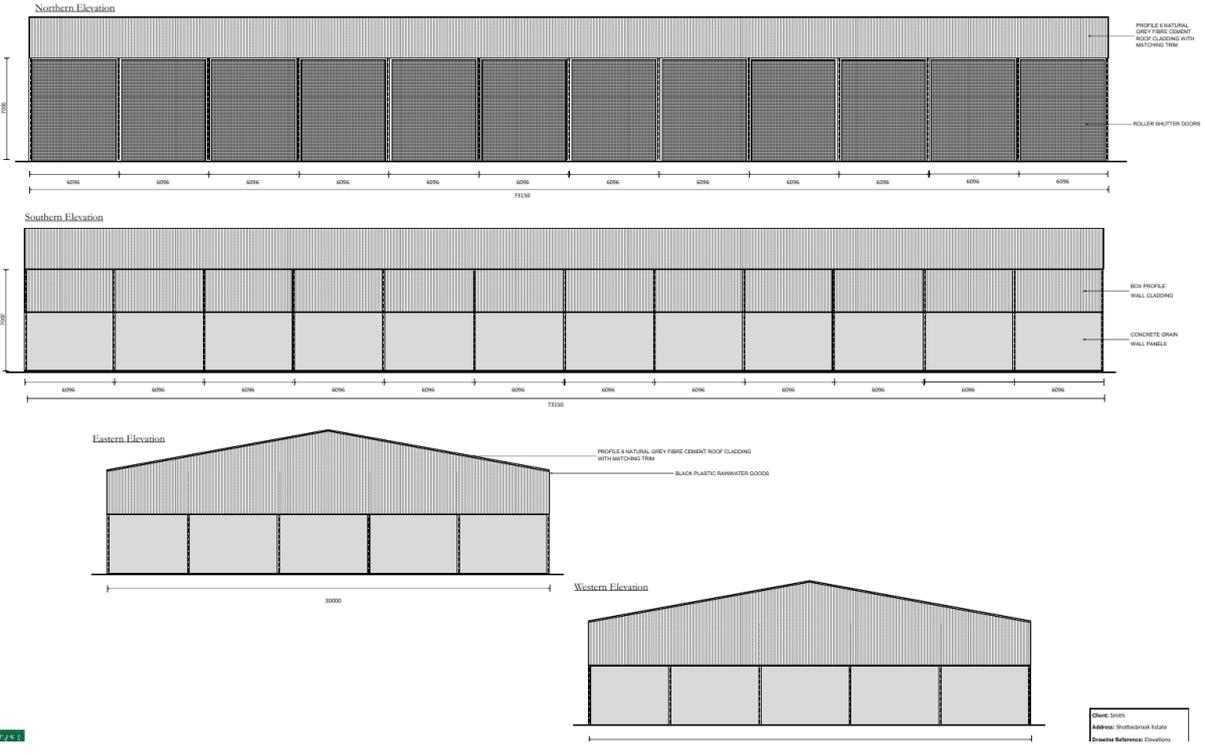
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

## **Informatives**

- 1 No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays
- 2 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
- 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: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities.
- 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 68 3830 and follow good practice.

### Location Plan





**PROPOSED FLOOR PLAN FOR AGRICULTURAL BARN AT SHOTTESBROOKE ESTATE, WHITE WALTHAM**

