

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

20 April 2022

Item: 1

|                         |   |
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| <b>Application No.:</b> | 21/02057/FULL   |
| <b>Location:</b>        | Land Between Milley Nursery And Westwinds And Beauly Milley Road<br>Waltham St Lawrence Reading |
| <b>Proposal:</b>        | Replacement stable block, repositioned access and associated track.                             |
| <b>Applicant:</b>       | Mr And Mrs Reid   |
| <b>Agent:</b>           | Mr Moody  |
| <b>Parish/Ward:</b>     | Waltham St Lawrence Parish/Hurley And Walthams  |

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| <b>If you have a question about this report, please contact:</b> Vivienne McDowell on 01628 796578 or at <a href="mailto:vivienne.mcdowell@rbwm.gov.uk">vivienne.mcdowell@rbwm.gov.uk</a> |
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**1. SUMMARY**

- 1.1 The proposed stable building, new access and track development are considered to be appropriate development and acceptable in the Green Belt. The new gate is also considered to be acceptable. The proposed development would not result in any significant loss of openness in the Green Belt or harm to the rural character of the area. The development complies with national and local plan policies.

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| <b>It is recommended the Committee grants planning permission with the conditions listed in Section 14 of this report.</b> |
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**2. REASON FOR COMMITTEE DETERMINATION**

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

**3. THE SITE AND ITS SURROUNDINGS**

- 3.1 The site lies within the Green Belt and is on the north side of Milley Road. The site comprises a paddock and stable buildings. There is an existing access in the south western corner of the site. There is a hedgerow along the remainder of the site boundary onto Milley Road. The site is not in an area liable to flood and not in a Conservation Area.

**4. KEY CONSTRAINTS**

- 4.1 The site lies within the Green Belt.

**5. THE PROPOSAL**

- 5.1 The proposal is for a new/replacement stable block and new access onto Milley Road. Amended plans have been submitted during the course of the application. The amended plans show the proposed new stable building sited 31 metres from the

boundary with Milley Road and 3.4 metres from the side (west) boundary. The new access would be sited just over 14 metres from the side (west boundary).

- 5.2 The application site comprises a stable block and associated paddock bounded by hedgerows. The site is surrounded by fields, hedgerows, and scattered trees, with pockets of woodland in the wider landscape. It is proposed to demolish the building and replace it with a new stable block, with repositioned access and track.
- 5.3 The stable building would have a pitched roof measuring approx. 4.4 metres in height to the ridge and 2.4 metres to the lower eaves. The building would be 'L' shaped with a canopy. The overall length of the building would be 21 metres and at its widest part it would measure almost 13 metres. The building would comprise 4 no. stable units, a tack room and store room. In terms of footprint the new building without the canopy would be approx.. 133 sq metres and including the canopy would be approximately 163 sq metres.
- 5.4 The proposed new stable building would have dwarf brick walling and ebony stained wavy edged timber cladding and a plain clay tile roof.

## 6. RELEVANT PLANNING HISTORY

| Application Ref: | Proposal   | Decision and Date  |
|------------------|--|--|
| 19/00218/FULL    | x1 dwelling with attached garage, stables, driveway, hard standing and entrance gates with front boundary treatment.   | Refused March 2019.<br><br>(see note below on stable height)                     |
| 19/02221/FULL    | Detached five bedroom dwelling with attached garage, stables, driveway and hard standing and new vehicular access and entrance gates following the closure of the existing access. | REF 21.11.2019 and Dismissed on appeal.<br><br>(see note below on stable height) |

19/00218/FULL – This application proposed a new stable building measuring 6.3 metres in height. There were 3 reasons for refusal on this application. The first reason was about inappropriateness; the second reason referred to the stable building, entrance walls, piers and gates; the third reason related to the lack of information for the protection of trees and hedgerows.

19/02221/FULL – this application proposed a new stable building measuring approximately 4.1 metres in height. The reason for refusal had one reason for refusal relating to inappropriateness and openness. It does not specifically refer to the stable building, nor to the new entrance, gates, boundary treatment or new access.

## 7. DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

### **Adopted Borough Local Plan**

| <b>Issue</b>                       | <b>Local Plan Policy</b> |
|------------------------------------|--------------------------|
| Spatial strategy                   | SP1                      |
| Climate change                     | SP2                      |
| Sustainability and Placemaking     | QP1                      |
| Character and design               | QP3                      |
| Rural development and Green Belt . | QP5                      |
| Trees and woodlands                | NR3                      |
| Nature Conservation and Ecology    | NR2                      |

### **Hurley and the Walthams adopted Neighbourhood Plan**

| <b>Issue</b>            | <b>Neighbourhood Plan Policy</b> |
|-------------------------|----------------------------------|
| Sustainable development | ENV1                             |
| Climate change          | ENV2                             |
| Quality design          | GEN2                             |
| Highway safety          | T1                               |

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

Section 4- Decision-making

Section 13- Protecting Green Belt land

Section 15 – Conserving and enhancing the natural environment

## **9. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

- 9.1 A total of 8 neighbours were directly notified. The application was advertised by way of a site notice (posted at site on 17<sup>th</sup> July 2021) and advertised in the Maidenhead Advertiser on 22<sup>nd</sup> July 2021.
- 9.2 One letter of objection has been received. The points made are summarised in the table below.

| <b>Comment</b>  | <b>Officer Response</b>   |
|---|---|
| Objection to new access point on highway safety grounds. Bushlands opposite has two access points. Restricted visibility will make it dangerous for users of accesses to Bushlands. Moving the access to field will make the situation worse. Dangerous highway situation. All that needs to be done is to move the existing gates 10m into the site – the existing access is wide enough. Cars speed down this road. | The Highway has raised no objection of highway safety grounds.<br><br>It is noted that the speed limit along this road is 30 mph.<br><br>See paragraphs 5.17-5.19 below.  |
| Hedges should not be removed in Green Belt to provide new access – hedges take a long time to grow.   | New hedgerow is proposed to be planted to close the gap where the existing access point is located. New hedgerow is also proposed along sections of the new access drive. |

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| The existing stables, track and access were built without planning permission.  | Noted.   |
| Land is let out by applicants on a commercial basis. Various cars are seen outside the field and various people are riding the horses.  | The planning statement advises that the stables are intended for private use. A condition will be applied to ensure the stables are private/non-commercial.  |
| Large horsebox regularly parked outside the field blocking the driveway to Bushlands.   | Noted.<br><br>A large horsebox was parked next to the existing stables when the planning officer visited the site (in summer 2021). See paragraphs 5.17-5.19 below.  |
| The previous application for a house included a building for 3 stables and a tack room. The new application is for 4 stables, a tack room and a tractor store so has grown substantially. It is also much higher than the previous application.   | It is noted that the proposed building is larger than that of the previous application 19/02221/FULL (which was refused and dismissed on appeal).  |
| The current stables were erected only recently without planning permission are presumably tall enough. No need for new taller building. New building will be very visible from the front bedroom windows of Bushlands. The current timber stables fit well into a rural environment and to go to a brick structure seems out of place in a field.   | The applicants have submitted amended plans to show the stable building further away from the front boundary. The original drawings showed the building set back 27m from the front boundary. The amended plans show the building 31 metres from the front boundary.<br><br>Bushlands is on the opposite side of Milley Road. The proposed siting is not considered to be obtrusive or readily visible from Milley Road. |
| Object to the height and the size / number of stables proposed and the choice of materials used. A brick structure would seem out of place in this rural setting.   | The proposed stable building would be 4.4 metres. This is not considered to be exceptionally tall. The proposed materials are a dwarf brick wall, timber cladding and plain clay roof tiles. These material are considered acceptable.   |
| The height should be no higher than the existing stables or as a worst case no higher than that proposed in the recent planning application for a house and stables that was refused.   | The proposed stables are 4.4 metres in height. The previously proposed stable building was 4.1m in height.<br><br>It is not considered that the existing building is exceptionally tall.   |
| Planning conditions should be made so that:<br>1. no vehicles are allowed to park on Milley Rd for the length of the frontage of the house – “Bushlands”, that are taking people to or from the stables.<br>2. the use of the access, land and stables is for the applicant’s private use only and this it will not be used for commercial purposes where the stables or land is let out to others. | Suggested condition 1 is not reasonable or enforceable.<br><br>Regarding suggested condition 2. Planning permissions go with the land, it would be unreasonable to have a personal condition.<br><br>Regarding suggested condition 3. This condition is considered unnecessary and unreasonable.   |

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| <p>3. the tractor store must not be used as an additional stable.</p> <p>4. the track/drive must be of loose material and not a hard surface such as concrete or tarmac or similar.</p> <p>5. there will be no external lighting on the stables or in the field, in the track/drive or at the entrance.</p> <p>6. there will be no horse events such as Gymkhanas</p> <p>7. there must be no south facing windows.</p> | <p>The details of the surface materials for the track/drive/hardstanding can be secured by condition.</p> <p>A condition can be included for the stable building to be for private/non commercial uses.</p> <p>A planning condition to prevent horse events such as gymkhanas is considered to be unnecessary. The General Permitted Development Order (GPDO) Schedule 2, Part 4, Class B allows certain temporary uses within the Green Belt (and depending on the use limited to either 14 or 28 days per year) without requiring planning permission. However, as the land/paddocks within the application site (outlined in red and blue) would be considered to be within in the curtilage of the stable building the site would <i>not</i> benefit from any permitted development rights for the temporary use of the land. See paragraph 5.17 below.</p> <p>No windows are shown in the south facing elevation. However, it is not considered that this needs to be controlled by condition.</p> |
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### Consultees and Organisations

| Comment   | Officer Response   |
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| <p><b>Parish Council:</b> No Objection subject to no contravention of GB7.1, and that Highways are consulted.</p> | <p>Local plan policy GB7 is now superseded by the adopted Borough Local Plan Policy QP5.</p> <p>See paragraphs 5.2-5.37 below.</p> <p>The highway officer has been consulted and raises no objection.</p> <p>See paragraph 5.17-5.19 below</p> |
| <p><b>Environmental Protection:</b> No objection raised.</p>  | <p>Noted. See para. 5.10 below.</p>  |
| <p><b>Council's Ecologist:</b> No objection, conditions recommended.</p>  | <p>See paragraphs 5.26-5.30 below.<br/>Conditions to be included.</p>  |
| <p><b>Highway officer:</b> No objection. Standard conditions suggested.</p>                                       | <p>See paragraphs 5.17-5.19 below.</p>   |

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| <b>Lead Local Flood Authority.</b> Recommend a condition to secure further surface water drainage details. | See paragraph 5.31 below. Condition included |
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## 10. EXPLANATION OF RECOMMENDATION

10.1 The main considerations are:

- Green Belt
- Impact on neighbours
- Trees
- Highways and parking

### **Green Belt**

10.2 The stable building would have a pitched roof measuring approx. 4.4 metres in height to the ridge and 2.4 metres to the lower eaves. The building would be 'L' shaped with a canopy. The overall length of the building would be 21 metres and at its widest part it would measure almost 13 metres. The building would comprise 4 no. stable units, a tack room and store room. In terms of footprint the new building without the canopy would be approx.. 133 sq metres and including the canopy would be approximately 163 sq metres. The proposed building would have dwarf brick walling and ebony stained wavy edged timber cladding and a plain clay tile roof.

10.3 The existing building is also L shaped and has a footprint of approximately 70 sq metres – having a somewhat makeshift appearance. The building is stained black timber with a low mono-pitched roof. The existing building with its limited height, is not prominent in the landscape.

10.4 **Paragraph 149 of the NPPF 2021 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:**

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

10.5 Having regard to para. 149 of the NPPF the proposed development is considered to be appropriate development in the Green Belt.

10.6 Policy QP5 of the adopted Borough Local Plan states:

#### ***Equestrian Development:***

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

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

**8. Satisfactory scheme for the disposal of waste will need to be provided.**

***Facilities for Outdoor Sport, Outdoor Recreation or Cemeteries***

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

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

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

- 10.7** The planning statement submitted with this current application advises that the applicants, who live within walking distance of the land need to proceed with a stable block in which to meet their own private needs for 4 horses at this site. The planning statement goes on to say that the size and positioning of the stable would accord with the DEFRA Code of Practice for the Welfare of Horses, Ponies and their Hybrids, 2017, which was produced in association with the British Horse Council and in pursuance of Animal Welfare Act 2006.
- 10.8** The propose building would replace an existing smaller make-shift stable block. The new building would be set back 31 metres from the front boundary of the site (onto Milley Road). and sited 3.4 metres from the side boundary with Beauly. It is considered that the proposed building is not unnecessarily large and its siting prevents the building appearing intrusive in the landscape.
- 10.9** There is a paddock associated with the stable building which is considered to provide adequate grazing land for the horses. The area of the land within the red line and blue line, is 1.5 hectares.
- 10.10** The applicant's agent has advised that currently, the owners have a muck-heap just to the north of the stables which is collected by a local farming family who come and take it away a couple of times a year. Once the stables are built, rather than simply have a heap on the ground, the intention is to buy a trailer that will simply be collected when full, as it will save bringing a digger along to load. It is noted that the Environmental Protection Officer has raised no objection and has not suggested any condition regarding waste disposal. As there are existing waste disposal arrangements in place at the site, it is not considered necessary in this instance to apply a planning condition relating to waste disposal for a new stable building with 4 stable units.
- 10.11** In terms of impact on the openness of the Green Belt, it is considered that the proposed building in its proposed siting would not result in any unacceptable harm to openness in the Green Belt.
- 10.12** As part of the proposal a new access and driveway is to be formed for the new stables and the existing access is to be closed off. The new access and driveway is considered to be an engineering operation (under para.150 of the NPPF), which would preserve the openness of the Green Belt and as such is considered to be acceptable in the Green Belt.

- 10.13 New gates are proposed across the new access point. The new timber gates with brick piers would enclose the boundary where there is currently a hedgerow. The overall width of the gates would be approximately 4.3m wide and the overall height would be approximately 1.9 metres tall. The gates would open away from the highway.**
- 10.14 Whilst new boundary gates are not specifically listed as being appropriate development in the Green Belt, it is considered that the gates in lieu of the hedge would not result in the loss of openness in the Green Belt. Given the proposed set back of the gates , 9.5m from the carriageway, the gates could be considered to be 'permitted development' (not requiring planning permission), as they are not 'adjacent' to the highway. In any case it is considered that the gates would provide essential security to the field and stables - thus providing very special circumstances to justify the development. It is noted that the proposal includes planting a new hedge where the existing access is sited.**
- 10.15 It is concluded that the proposed gates would not conflict with the purposes of including land within the Green Belt. In terms of design and appearance, the wooden gates would with brick piers would be in keeping in this rural setting.**

#### **Impact on neighbours**

- 10.16 It is considered the proposed new stables are unlikely to result in overlooking, loss of light or visual intrusion to neighbouring amenity. Furthermore, it considered that the proposed development is unlikely to result in any additional noise and disturbance.
- 10.17 A neighbour has suggested a condition to prevent gymkhanas and equestrian events. The General Permitted Development Order (GPDO) under Schedule 2, Part 4, Class B allows temporary uses within the Green Belt for 28 days per year (and with certain uses such as holding a market or motor car and motorcycle racing restricted to 14 days per year). However, as the land/paddocks within the application site (outlined in red and blue) would be considered to be within in the curtilage of the stable building the site would *not* benefit from any permitted development rights for the temporary use of the land. Therefore, a condition to prevent the use of the land for gymkhanas or equestrian events is considered unnecessary, in this case.

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#### **Highway Safety and Parking**

- 10.18 The Highway Officer has commented that in highway terms, the location of the new access would improve the visibility spays to the right (west). The proposed visibility splays as shown on the amended plan are considered to be acceptable. For domestic use, gates positioned 7.0m from the edge of the carriageway allows a vehicle to be driven off the public highway before the gates are opened. However, the use of the access by larger vehicles would warrant the gates being erected further into the site so as not to obstruct the free flow of traffic. It was noted at the site visit (in the summer 2021) that the applicant had a large horse transporter on the site. The applicant's agent has advised that this was probably a shared transporter, and that the owners now have their own which is just under 7metres in length.
- 10.19 The amended plans show the new gates would be set back from the nearest park of the carriageway by 9.5 metres. This set back is considered sufficient to allow larger vehicles associated with the moving horses to pull off the road. An amended plan has been submitted to show the requisite visibility splays. Conditions will be included to



ensure that the existing access is closed up, the gates are set back from the highway and to secure adequate visibility splays.

### **Trees**

- 10.20 None of the trees on the application site and adjoining site are covered by TPO. The planning statement advises that the new stable will still be sited outside of the root protection area of the two trees, as identified T12 and T15. The applicants state in the planning statement that they rely upon and *re-submit* the previous relevant arboricultural information (Appendix 3) in this regard.
- 10.21 The Tree Survey submitted with the previous applications on this site, identified trees on and adjacent to the site boundary. A couple of category B trees including T12 (Beech) and T15 (Sycamore) are shown plotted on the currently submitted drawings. These trees have stem diameters of 500mm and 1190mm respectively. T12 is an offsite tree in the grounds of Beaully.
- 10.22 Other trees along/adjacent to the side (western) boundary in the vicinity of the proposed stable building, but *not* shown on the submitted drawings for this current application include trees T10 and T11 which are classed as category C in the previously submitted tree survey. T11 is a Sycamore with stem diameter of 450 mm and T10 is also a Sycamore with a stem diameter of 300mm. There is also a group of crab apple trees (G13) shown on the previous plans and tree survey table.
- 10.23 The new stable building would be sited further from the western boundary than the existing building (to be replaced). The plans indicate a gap of 3.4 metres from the new stable building to the site's western boundary.
- 10.24 The LPA is satisfied that there would not be any encroachment of the RPA of T15. This tree is in the front corner of the site and is a very positive visual feature in the landscape. The LPA is also satisfied that the new building would not encroach the RPA of T12.
- 10.25 Although the new building may marginally breach the RPA of trees T10 and T11 and G13, it is not considered that this would justify a reason for refusal given that there are other trees in the vicinity which provide a satisfactory backdrop and setting to the proposed new stables.

### **Ecology**

- 10.26 Following previous ecology comments, an Ecological Impact Assessment has now been provided as part of this application (ECOSA, February 2022). The ecology survey and report have been undertaken to an appropriate standard, the details of which are discussed below.
- 10.27 The majority of habitats on site had low ecological value (building, hard standing and poor semi-improved grassland) although there was a species poor hedgerow which had higher ecological value, 5m of which will be lost as part of the development. The development plans include replacing the hedge with the same native species over the blocked up entrance and extending the hedgerow along the newly created entrance, this should be secured by condition.
- 10.28 The building on site was recorded as having negligible potential to support roosting bats and there was no habitat on site to support great crested newts, reptiles, otter, water vole, notable invertebrates or badger setts.

- 10.29 The hedgerow had some potential to support dormice and breeding birds and the applicants ecologist has recommended that the section of hedgerow to be removed is undertaken following a precautionary method of works in order to protect dormice and breeding birds should they be present. The site also had some potential to support badger and hedgehog and mitigation measures with regards to these species were also provided within the ecology report. A condition will be set to secure this mitigation.
- 10.30 As bats (and other wildlife) are likely to forage and commute around and across the site, a condition will be imposed to ensure that any new external lighting to be installed as part of the development would not adversely affect bats or other wildlife.
- 10.31 Furthermore, in accordance with the NPPF, which states that “*opportunities to incorporate biodiversity in and around developments should be encouraged*” and policy NR2 in the Borough Local Plan, a condition will be imposed to ensure that enhancements for wildlife are provided within the new development.

### **Surface water drainage**

- 10.32 The Lead Local Flood Authority (LLFA) has commented that as the proposal is for a relatively small development further clarity on the surface water drainage strategy can be addressed via condition. Typically, the applicants would be required to undertake in-situ testing to confirm infiltration rates on site, but in this instance as there appear few constraints should infiltration rates be less favourable and a larger soakaway be required, in-situ testing is considered unnecessary at this stage. A condition will be included as recommended by the LLFA.

### **Sustainable Design and Construction**

- 10.33 Although the footprint of the building exceeds 100 square metres, it is considered that the criteria set out in Interim Sustainable Position Statement (which amongst other things to seek to minimise carbon dioxide emissions and water consumption), are *not* applicable to a stable building such as the one currently proposed.

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

- 11.1 The development is not CIL liable.

## **12. CONCLUSION**

- 12.1 As this report sets out, the proposed development complies with the relevant local planning policies and the National Planning Policy Framework. It is therefore recommended that planning permission is granted subject to the conditions listed below.

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

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

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

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning

Act 1990 (as amended).

- 2 No development above slab level shall take place until details of the materials to be used on the external surfaces (including any new hardsurfacing) of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy - adopted Borough Local Plan QP3, QP5.

- 3 No development (excluding demolition) 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:

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

ii. Supporting calculations confirming compliance with the Non-statutory Technical Standards for Sustainable Drainage Systems, proposed discharge rates and attenuation volumes to be provided. The supporting calculations should be based on infiltration testing undertaken in accordance with BRE365.

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

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

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

- 4 The erection of protective fencing and any other requisite tree protection measures for the protection of any retained tree shall be in accordance with BS 5837 and shall be provided on site 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 - adopted Borough Local Plan NR3, QP5.

- 5 Prior to the substantial completion of the development, details of the proposed new hedge planting (alongside the new access drive and across the existing access point) shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.

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

- 6 Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include installation of a swallow box and bat box on the new building and native and wildlife friendly landscaping (including a new native hedgerow and grassland) and a schedule of the time frames for the provision of such biodiversity

enhancements, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To incorporate biodiversity in and around developments in accordance with the NPPF and Policy NR2 of the adopted Borough Local Plan.

- 7 The biodiversity enhancements (pursuant to condition no. 6 ) shall be installed as approved and a brief letter report confirming that the planting and the boxes have been installed, including a simple plan showing their location and photographs of the enhancements in situ, shall be submitted to and approved in writing by the Council.

Reason: To incorporate biodiversity in and around developments in accordance with the NPPF and Policy NR2 of the adopted Borough Local Plan.

- 8 No development above slab level shall commence until a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:

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

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with paragraph 180 of the NPPF and adopted Borough Local Plan policy EP3.

- 9 The proposed gates shall sited in accordance with the approved plans i.e. be set back at least 9.5 metres from the highway carriage way and shall open away from the highway.

Reason: In the interests of highway safety. Relevant policies - adopted Borough Local

Plan QP3.

- 9 The development shall be carried out in accordance with the recommendations relating to dormice, badger, hedgehog and nesting birds given in the ecology survey report (ECOSA - dated February 2022 - ref: PEA-200619-14) unless otherwise agreed in writing by the Council.

Reason: To ensure that dormice, badger, nesting birds and hedgehog, which are protected or priority species, are not adversely affected by the proposals. Relevant policy - adopted Borough Local Plan NR2.

- 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 - adopted Borough Local Plan QP3.

- 11 No part of the development shall be occupied until visibility splays (of 2.4 metres by 43 metres) have been provided in accordance with the approved plan 423.05 Rev F. 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 policy - adopted Borough Local

Plan QP3.

- 12 The stable building hereby approved shall be used solely for private/non-commercial purposes and in connection with horses grazing on land within the application site (as outlined in red and blue).

Reason: To ensure that there is no significant intensification in the use of this Green Belt site and in the interests of the amenities of neighbouring properties. Relevant policies - adopted Borough Local Plan QP5, QP3 and NPPF (2021) paragraphs 149

- and 130.
- 13 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.

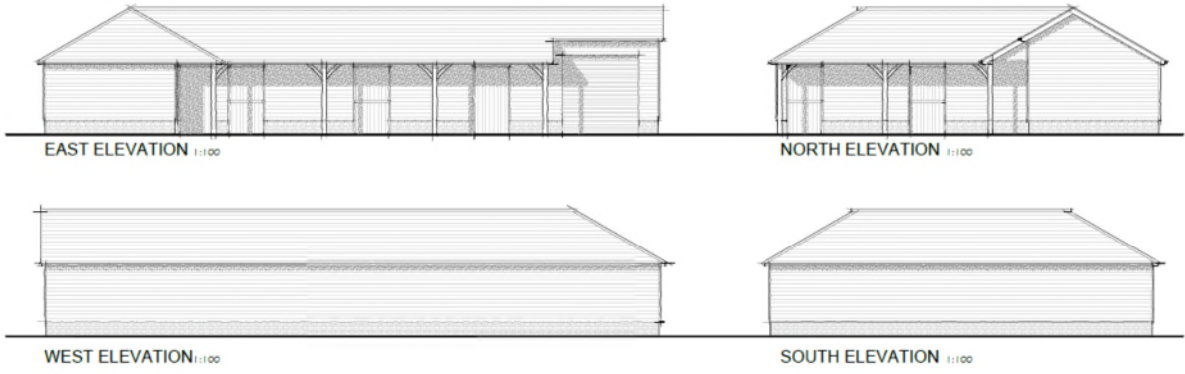
**Informatives**

- 1 The applicant is advised that the site is within a ground water source zone. The applicant is advised to obtain further advice on this matter from the Environment Agency.

# Appendix A Site Location Plan







|  |        |              |
|--|--------|--------------|
| REF:   | DATE:  | DESCRIPTION: |
| DO NOT SCALE THESE DRAWINGS. USE WRITTEN DIMENSIONS ONLY.<br>ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORK. |        |              |
|   |        |              |
| PROPOSED   |        |              |
| LAND AT<br>MILLEY ROAD<br>WALTHAM ST LAWRANCE<br>RG10 0JP  |        |              |
| DATE:  | SCALE: | REVISION:    |
| APR 21   | 1:100  |              |
| 423.03   |        |              |