

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

16 March 2016

Item: 3

<b>Application No.:</b>	15/02135/FULL
<b>Location:</b>	Land South of Horwoods Yard Green Lane Maidenhead
<b>Proposal:</b>	Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping
<b>Applicant:</b>	Desborough Bowling Club
<b>Agent:</b>	Mr Kevin Scott
<b>Parish/Ward:</b>	Oldfield Ward
<b>If you have a question about this report, please contact:</b> Daniel Gigg on 01628 796044 or at <a href="mailto:daniel.gigg@rbwm.gov.uk">daniel.gigg@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 Full planning permission is sought to re-locate the Bowl's Club facility from York Road in Maidenhead Town Centre, to an out-of-centre location in the Green Belt at Green Lane at the South East edge of the settlement of Maidenhead. The Bowl's Club building will incorporate both indoor and outdoor bowl's greens and club facilities containing two bars, a dance floor and kitchen facilities. The building will be located in the southern part of the site and the parking will be in the northern part.
- 1.2 The application site lies in the Green Belt. The proposed building would be inappropriate development in the Green Belt for which there are no 'Very Special Circumstances' ('VSC') to justify the substantial harm to the Green Belt. The applicant considers that a compelling part of its 'VSC' case is that the re-location of the Bowl's Club will free up part of the York Road Opportunity Area which is an allocated site for mixed use development in the Maidenhead Town Centre Area Action Plan. However, there is nothing to suggest that the site being vacated would result in the in a rejuvenation scheme coming forward that would benefit the vitality and viability of the town centre. The other part of the VSC case relates to the provision of a facility of International standard and that approval has been given for a housing development at a nearby site in the Green Belt. No evidence has been put forward to justify that the facility will be of an international standing and the nearby site was for a different type of development and a specific case of VSC was made that cannot be repeated for this development. In terms of consideration of other harm – this being a requirement of Green Belt policy in the National Planning Policy Framework – significant weight should be afforded to the conflict with national and local planning policies and supplementary planning advice as set out below.
- 1.3 The building is proposed in a countryside location which has a rural feel from its verdant character. The development will lead to the early demise of a TPO-protected off-site Veteran Oak Tree which is a principal landscape feature. In addition, the siting, scale and materials of the building along with associated paraphernalia and noise from comings and goings would be harmful to the important characteristics of the area. In addition, the siting and scale of the building combined with the extensive parking area will erode the openness of the Green Belt.
- 1.4 A Bowl's Club is considered to be a 'main town centre use'. The proposed development would be sited in an out-of-centre location. In the absence of information from the applicant to demonstrate whether there would be sequentially preferable locations and impact assessments, the proposals could impact on the vitality of the Borough's main town centres.
- 1.5 The applicant has not provided sufficient evidence to demonstrate whether there will be sufficient capacity on roads and of junctions in the vicinity of the site. In addition, there are some constraints and pressures experienced on Green Lane from a highways perspective which will

be added to as a result of this development which could lead to conflicts with all highways' users. Such conflicts could not be overcome through the applicant's suggested traffic management measures for Green Lane or the level of traffic reduced because a Travel Plan is unlikely to positively influence the amount and type of non-vehicle modes traffic to and from the site.

- 1.6 The site lies in a high risk flood area as a result of the River Thames. The applicant has failed to adequately demonstrate whether there are any sequentially preferable locations to site this development. Notwithstanding this, the building is proposed to be raised on pillars and with voids to ensure the free flow of water and so as not to reduce the capacity of the floodplain. The applicant has provided amended plans to show the size of the voids to satisfy the request from the Environment Agency (EA). The EA has been re-consulted and their advice will be reported in the update to Panel. In terms of 'flash flooding' from heavy periods of rainfall, the applicant has not demonstrated that the proposal would incorporate acceptable sustainable drainage measures to reduce such potential flood risk.
- 1.7 In terms of other harm, this relates to: the applicant has not carried out bat surveys in respect of the Veteran Oak tree so there could be an impact on this protected species; the siting and scale of the building will detract from enjoyment of users of the Green Way; and, until the precise vehicle trip rate is established the impact on associated infrastructure cannot be assessed and specialist advice obtained as to whether any mitigation would be required.
- 1.8 Such is the substantial and significant weight of harm identified that the scheme would require a very significant and compelling case of 'VSC'. As set out in paragraph 1.2 of this summary, no such 'VSC' has been made or is apparent.
- 1.9 The NPPF also requires a balancing exercise of benefits against harm. As this is a re-location of an existing facility that has not been proven to be a facility of international standing, there is not a benefit from a sporting point of view and there are no other apparent benefits to re-locating this facility to the Green Belt.

<b>It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):</b>	
1.	<b>The proposal is inappropriate development which is, by definition, harmful to the Green Belt and conflicts with two of the purposes of including land in the Green Belt. But notwithstanding the harm by its inappropriateness, it will also physically reduce the openness of the Green Belt by reason of its proposed siting and because it will be a substantial building with a dominance of parked vehicles. There are no 'Very Special Circumstances' to outweigh both this inappropriate development and the harm identified below.</b>
2	<b>There will be harm to the character and appearance of the countryside as a result of the siting, scale and materials of the building along with associated paraphernalia and noise.</b>
3	<b>Premature demise of a Veteran Oak Tree which is a principal landscape feature and covered by a Tree Preservation Order. Its loss would be harmful to the character and appearance of the area.</b>
4	<b>It has not been demonstrated that the proposed out of centre location for this 'main town centre use' is sequentially acceptable and that it would not have a harmful impact on the vitality of town centres.</b>
5	<b>It has not been demonstrated to the satisfaction of the Local Planning Authority that the additional traffic would have an acceptable impact on the capacity of the roads and junctions in the vicinity of the application site. In addition, as a result of the siting and operations of the barrier into the development, the restricted widths of part of the highway, the lack of detail on the bridge strengthening and that the traffic management measures proposed would not be workable, the development would result in harm to the safety and convenience of all highway users.</b>

6	<b>The site lies within a High Risk area of flooding from The River Thames. The applicant has failed to satisfactorily demonstrate whether there are alternative sites at a lower flood risk.</b>
7.	<b>The proposal would increase flood risk from surface water, in the absence of evidence to the contrary.</b>
8.	<b>Impact on bats that may be roosting in the Veteran Oak Tree, in the absence of evidence to the contrary.</b>
9.	<b>The development will detract from the enjoyment of the Green Way.</b>
10.	<b>The proposals fail to make provision for infrastructure improvements directly related to the development.</b>

## **2. REASON FOR PANEL DETERMINATION**

- The Borough Planning Manager and the Lead Member of Planning consider that it would not be appropriate to use delegated powers in this instance due to the level of public interest in the item.

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

- 3.1 The application site is roughly triangular in shape and approximately 1.6ha in size located to the South East of Maidenhead Town Centre. The site lies to the East of Green Lane. Green Lane is accessed off the junction of Forlease Road/Stafferton Way (Link Road).
- 3.2 Green Lane serves some residential properties, allotments and a waste transfer station. At the end of the road, vehicular traffic is precluded from accessing the public open spaces of Braywick Nature Reserve/Braywick Park. Only pedestrians and cyclists can gain access into these public open spaces from Green Lane. A footpath that runs to the south of the York Stream links Green Lane to Stafferton Way.
- 3.3 A chain link fence and chestnut pale fencing runs along the majority of the western boundary and primarily in front of, but also straddling the boundary, is a mix of hedges, overgrown scrub and ivy and there are some trees. There are gaps in the vegetation which give clear views into the site from the adjoining public footpath. Beyond this boundary is Green Lane which has hedges and trees along its length and for this section is mainly laid to a gravel track so has a less formal feel – this is the pedestrian and cycle route into Braywick Nature Reserve/Braywick Park. Further west is allotments and the sewage treatment works. The southern boundary is a mix of hedges/trees, with gaps in the vegetation that give views from the adjoining public footpath. Beyond the southern boundary is the Braywick Nature Reserve which contains footpaths, one of which borders with the application site. The Nature Reserve contains a mix of vegetation primarily trees. The eastern boundary is a mix of hedges and trees. Beyond this is the York Stream and the further to the east are houses and to the South East is Oldfield Primary School. To the North of the site is the waste transfer station which has a metal fencing on the boundary with the application site.
- 3.4 On the whole the site has a verdant feel but it has been colonised with planting that is commonly found with disturbed ground. There are a mix of grasses, scrub, hedges and shrubs. The land is higher on the Green Lane side and there appears to be a gradual slope downwards from North to South to the middle of the site before rising slightly to the South boundary. The South West corner of the site has an untidy appearance with some dumped materials.

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

- 4.1 Planning permission is sought to re-locate the existing Maidenhead Bowl's Club from York Road in Maidenhead Town Centre to Green Lane.
- 4.2 The site will be accessed from the North West corner with an entry and exit via a barrier system. The northern part of the site taking up nearly half of the site will be parking for 106 cars and two

spaces for coaches. The spaces at the edge of the site will be accessed via a one way route and these spaces are proposed to be perpendicular to the boundaries. The remainder of the spaces are proposed to be located in the centre of the car park. They will be accessed off the one way system and are proposed to be arranged in three rows. A Turning head is proposed in the South West corner off Green Lane.

- 4.3 The club building will be located to the south of the car park. The ground floor is proposed to be raised up and contains voids to allow for the passage of water in a flood event. Amended plans showing the size of the voids was submitted during the course of considering the application. Pedestrian access into the building is via steps or ramps that are located in front of the building.
- 4.4 The coverage of the overall structure will take an 'L' shaped form. As a result of the voids the ground floor is raised up. This raised platform varies in height – it will be at its lowest at the Green Lane end of the site (being 0.2m above ground level) and will be at its highest on all other sides (being around 1.4m to 1.6m). On the Western side of the structure will be a building. The building will contain at ground floor the entrance lobby, the 8 rinks indoor green and the changing facilities plus clubhouse facilities with seating and bar and kitchen. The first floor will have a dance floor with a raised stage, a bar and kitchen along with toilets. The longest section (excluding the platform) is proposed to be around 66m. At its widest the building will be nearly 45m. The tallest part of the building that will contain the two floors of clubhouse facilities will be a flat roof; it will be 10m above ground level when viewed from the east and 8.6m above ground when viewed from the West. The rest of the roof of the building is proposed to be pitched, which will then step down by around 0.3m. Around the building is the platform for access.
- 4.5 On the eastern side on the raised structure will be an outdoor bowling green that will have a fence around its edge to a height of 1m, meaning that it will be raised up from the ground level to a height of 2.4m. This part will be nearly 28m in length by 38m in width. To the north of the outdoor bowling green will be a detached building (the green keeper's store and toilets) on the raised part of the structure that will be 5m in length and 11m in width. It will be nearly 6m in height when viewed from the north.
- 4.6 The raised section is proposed to be cream blockwork with metal grilles over the opening. The Southern elevation will be a mix of metal panels predominantly green and grey, and some wood cladding. All other elevations will be a mix of horizontal cladding to the walls of a mix of green, grey and silver metals. There will also be some render to all elevations. The fascia, capping and trim will be a grey colour.
- 4.7 There is no relevant planning history for this site.

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

- 5.1 National Planning Policy Framework: 'Introduction – Core Planning Principles; Section 2 'Ensuring the vitality of town centres'; Section 4 'Promoting Sustainable Travel'; Section 7 'Requiring good design'; Section 9 'Protecting Green Belt Land'; Section 10 'Meeting the challenge of climate change, flooding and coastal change'; and, Section 11 '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:

	<b>Green Belt</b>	<b>High risk of flooding</b>	<b>Protected Trees</b>	<b>Highways /Parking issues</b>
Local Plan	GB1, GB2,	F1	N6	DG1, T5, P4

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Planning Obligations and Developer Contributions
- Interpretation of Policy F1 – Area Liable to Flood
- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

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

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Strategic Flood Risk Assessment - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Public Rights of Way Improvement Plan - view at:  
[http://www.rbwm.gov.uk/web/prow\\_improvement\\_plan.htm](http://www.rbwm.gov.uk/web/prow_improvement_plan.htm)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i Green Belt;
- ii Character and appearance of the area;
- iii Vitality of town centres;
- iv Flooding;
- v Highway safety and convenience;
- vi Living conditions of neighbouring properties;
- vii Ecology;
- viii Other matters; and,
- ix Planning Balance.

#### **Green Belt**

6.2 The fundamental aim of Green Belt policy, as set out in paragraph 79 of the NPPF, is to keep land permanently open. Paragraph 89 of the NPPF indicates that with some exceptions, the construction of new buildings is inappropriate development in the Green Belt. This paragraph refers to one exception as provision of appropriate facilities for outdoor sport as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Although the Local Plan pre-dates the publication of the NPPF, Policy GB1 adopts a broadly similar approach to national policy. On the point of outdoor sport the Local Plan policy is identical except that it requires such facilities to be 'essential', so in this regard the NPPF is more up-to-date.

6.3 The proposals are not considered to be an outdoor sports facility because a significant part of the development is for indoor bowl's contained within a building. The bowl's club is inappropriate

development in the Green Belt and, by definition, harmful to its openness and it would also conflict with two of the purposes of Green Belt namely 'to check the unrestricted sprawl of large built up areas' and 'to assist in safeguarding the countryside from encroachment. In addition, the physical presence of a substantial building and presence of parking will result in an actual reduction in openness on the site. The proposals are contrary to Policy GB1 of the Local Plan and NPPF. It could only be approved, if there are 'Very Special Circumstances' (VSC) that clearly outweighs the harm to the Green Belt cause by inappropriateness and any other harm. The applicant has made a case for VSC and this is considered at the end of the report under the 'Planning Balance' after consideration of all the other issues.

### **Impact on the character and appearance of the area**

- 6.4 The application site lies in the countryside and this area has a rural feel with its verdant features from the mix of planting including individual trees and belts of trees on the South and East boundaries.
- 6.5 Green Lane is partially in the settlement of Maidenhead and the suburban form is evidenced by the townscape of houses and roads. The application site lies at the edge of the built up area of Maidenhead, so travelling along Green Lane there is a noticeable change from suburbia into the countryside. Within the immediate part of this countryside there are lawful buildings and uses which are visible to differing degrees dependent on where they are viewed from both within and outside of the countryside. Such buildings are Oldfield Primary School which lies to the South East of the site, the sewerage treatment works to the West and the waste transfer station to the North.
- 6.6 The plans for the scheme show that the existing planting buffer of hedges and trees will be retained and enhanced around the site. However, this will not be sufficient to mitigate the size of the building. The size of the building in public views along Green Lane would be highly noticeable given its siting very close to Green Lane, being just 1m away from it. The apparent size of the building will be re-enforced by the metal cladding which is the main material because of its colours, size of panel and overall extent across the external facades of the building. In addition, the extensive amount of hardstanding for parking and turning, including the emergency vehicle turning area, that all together will take up nearly half of the site will be very obvious from views at the vehicular entrance into the site and along The Green Way, along with the associated paraphernalia such as fencing, barriers and lighting. The proposals will be an alien form of development in this countryside location. In addition, there would be additional noise in the countryside as a result of the comings and goings of users of the facility which would be harmful to the rural character.
- 6.7 The verdant character of the area is as a result of a number of on-site and off-site trees. The trees on the site are subject to a Tree Preservation Order (TPO), as is an off-site Oak tree that lies to the West of the Green Lane track. A total of 7 on-site trees are proposed to be removed due to their structural and physiological condition. There is no objection to the loss of these trees provided they are replaced to ensure continuity of tree cover. If the application had been recommended for approval, then a condition would have been used to secure this.
- 6.8 The off-site Oak tree is considered by Tree Officers to be a veteran one, although the applicant disagrees. The siting and size of the building will mean that the building will result in an incursion into the tree's root protection area and that it would have a branch overhang that would conflict with the roof of the building. This would result in the early demise of a veteran tree. The loss of this significant tree would result in harm to the character and appearance of the area.
- 6.9 The proposals are considered to be contrary to Local Plan policies DG1 and GB2, and is contrary to Core Planning Principle 7 which requires development to conserve the natural environment and other parts of the NPPF which require developments to respond to local character (paragraph 58) and integration of new development into the natural environment (paragraph 61). Further, National Planning Policy states that planning permission should be refused for developments affecting such trees unless the need for, and benefits of, the development in that location clearly outweigh that loss.

### **Impact on the vitality of Town Centres**

- 6.10 One of the objectives of the NPPF is ensuring the vitality of town centres and Annex 2 of the NPPF identifies the uses that are to be located in such centres based on the town centre first approach. The current Development Plan is silent in respect of the locational approach for leisure uses and it does not allocate suitable sites for such uses. The NPPF states that Local Planning Authorities should allocate suitable sites to meet the scale and type of retail, leisure, commercial and other uses needed in town centres.
- 6.11 Annex 2 refers to indoor bowling centres being within the class of main town centres uses under the heading of 'leisure, entertainment facilities the more intensive sport and recreation uses'. The proposal is for both indoor and outdoor bowling centre. It is considered that the development is a main town centre use. However, the applicant disagrees with Officer's classification of the use in main town centre use terms and instead suggests that "...this is a clear reference to tenpin bowling. This is certainly much closer to other uses listed in this Annex 3 definition such as bars, pubs, night clubs etc. The list is preceded by the phrase 'the more intensive sport and recreation uses'...". Annex 2 does not contain an explicit reference to ten pin bowling but instead to indoor bowling centres which the proposal is for. The nature of the indoor bowling activity is considered to be an 'intensive sport'. It is a use that falls within Class D2 'Assembly and Leisure' of the Use Classes Order which includes uses such as swimming baths, skating rinks, gymnasiums and other areas for indoor and outdoor sports or recreations not involving motorised vehicles or firearms.
- 6.12 The application site is considered to be out of centre because it is neither within nor at the edge of the commercial boundary as identified in the Maidenhead Town Centre Area Action Plan and commercial boundary as identified in the Proposals Map to the Local Plan. As the Development Plan is considered to be out of date in terms of policy on leisure uses in town centres, it is for the applicant to demonstrate that there would not be any sequentially preferable sites and to carry out an impact assessment on both town centres. The applicant has been given the opportunity to provide both assessments but as they consider that the bowls club is not a 'main town centre use' they have advised that they will not provide the required information. In the absence of this information, the proposal is contrary to paragraphs 26 and 27 of the NPPF. Central Government is committed to a town centre first approach and ensuring the vitality of such centres. A bowls club would be very likely to support the vitality of the Borough's town centre's particularly Maidenhead if there is a sequentially preferable site to the proposed out of centre location.

### **Flooding (fluvial and surface water)**

- 6.13 The proposed development would be located within flood zone 3a (FZ3) which is land considered as having a high probability of flooding from rivers.

### Sequential Assessment

- 6.14 National planning policy seeks to direct development to the lowest risk areas of flooding first, before considering land in the medium (FZ2) and high (FZ3) probability of flooding classifications. The applicant has carried out a sequential assessment of alternative sites requiring a 1.6ha area of land in Maidenhead. A Borough wide assessment was requested by Planning Officers but the applicant advises that the Bowl's Club has locational requirements to remain in the Maidenhead area. However, the locational requirements of the club would not be a material consideration and therefore the search should be Borough wide given that protecting the high risk areas of flooding from development is vital. This over-rides the locational requirements of the private club. In addition, it has not been clearly justified why a 1.6ha site is required because, for example, parking could be provided under the building thereby reducing the site size requirement.
- 6.15 Notwithstanding the lack of a Borough wide sequential assessment and consideration of smaller sites, the applicant has discounted the following sites:
- Town Centre sites for the reason that the applicant considers that there are a lack of suitable sites, competing land uses/economic factors and availability; and,
  - Sites outside of the town centre area as identified in the Strategic Flood Risk Assessment and Edge of Settlement Sites Review are being or are likely to be promoted for housing and

employment by developers or are established employment sites. The applicant also states that there are economic factors in this as well.

- 6.16 In terms of the town centre locations – which is the preferred location for vitality reasons, as set out above – there is no evidence to suggest that the site could not remain in the town centre as part of a mixed use development. No record of discussions has been provided with other owners of land within the town centre as to whether it would be feasible to re-provide this sport's facility. For the other sites, the same is true in that they have been discounted primarily because they are likely to be promoted for other uses but there is no evidence of discussions with those owners.
- 6.17 It is not considered that a satisfactory sequential assessment has been provided and therefore based on paragraph 102 of the NPPF, the application cannot be permitted. As the proposal is for a 'Less Vulnerable' use based on National Planning Guide definitions, the Exceptions Test is not required to be considered as the use is compatible with the flood risk classification of FZ3.

#### Fluvial Flood Risk

- 6.18 The new building will take up floodplain storage space. The applicant proposes voids to mitigate the loss of floodplain storage because compensation through lowering of other land within, or nearby, the site would not be possible because this site is not on the edge of the floodplain. Compensation can only be provided at the edge of the floodplain where it is possible to reduce the level of land to allow displaced flood waters to fill a void.
- 6.19 The applicant has provided amended plans in response to the points raised by the Environment Agency that the plans do not show the dimensions of the voids and the proposed finished floor level to ensure in the event of a flood (taking into account climate change) such waters could pass under the building and that there would be sufficient floodplain storage. The EA has been consulted and any response will be provided in the update.
- 6.20 The EA has objected to the application on the grounds of loss of floodplain storage unless the Local Planning Authority is satisfied with the use of appropriate sized voids. The supporting text to Policy F1 of the Local Plan and the associated SPG on flood risk state that voids should not be used to mitigate the space lost within the floodplain because voids can become blocked. However, in this case, the building will be in single management and therefore it makes it much easier to ensure that voids will remain open. Had the application been recommended for approval, then management of the voids would have been secured through an obligation in a legal agreement. This is separate to the requirement to pass both elements of the Sequential Test as required by paragraph 102 of the NPPF.
- 6.21 With regards to the development being safe which is a requirement of Policy F1 of the Local Plan and the NPPF, sufficient warning of a flood event could be provided to ensure that users would not be at the site during such times. Such an approach is acceptable for a non-residential use. In addition, it should be noted that the finished floor level would be above the flood level which means that water would not inundate the building during a flood.
- 6.22 Provided that the EA raise no objection to the size of the voids, the proposals in terms of fluvial flooding comply with Policy F1 and paragraph 103 of the NPPF.

#### Surface Water Flood Risk

- 6.23 A Ministerial Statement from December 2014 confirms the Government's commitment to protecting people from flood risk. This Statement was as a result of an independent review into the causes of the 2007 floods which concluded that sustainable drainage systems (SuDS) were an effective way to reduce the risk of 'flash flooding'. Such flooding occurs when rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface.
- 6.24 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development. The submitted Flood Risk Assessment fails to demonstrate that the proposal complies with technical standards



and no detail has been provided in respect of future management of any acceptable SuDS scheme that may come forward. The proposal is contrary to paragraph 103 of the NPPF.

## **Highway safety and convenience**

### Impact on the capacity of the road network

- 6.25 The Transport Statement claims that there will be an additional 180 vehicle trips per day on the highway network and predicts a negligible impact on the highway network with particular reference to the Green Lane and Forlease Road junctions with the Stafferton Way Link Road.
- 6.26 The applicant's Transport Consultant has provided data from the existing Bowls Club security door entry system to substantiate the likely vehicle trip rate. However, the data only relates to the number people accessing the club but does not provide details of the number of person trips and mode of travel used. Furthermore, if useful data based on current trips had been provided it would need to be adjusted to take into account the improved bowls club facility based on, for example, playing times and the number of competitions/events. The data provided is insufficient to justify the daily trip rate and furthermore junction analysis would need to be provided. In the absence of this information, the true impact of the new development on the local highway network is not known. It is not then possible to determine whether there would be a requirement for any mitigation measures. The proposal fails to comply with paragraph 32 of the NPPF.

### Layout, access, manoeuvring and visibility within and outside of the application site

- 6.27 It has been demonstrated that the required visibility of 2.4m by 33m in both directions on exiting the site can be achieved on Green Lane. The layout within the development is acceptable in terms of parking spaces for cars and coaches, servicing and internal access.
- 6.28 Outside of the site, there is potential for a number of conflicts between highway users. The first stretch of Green Lane is just about wide enough for two cars to pass and there is a pavement on one side. Beyond the last house, the road narrows and there is a single track bridge beyond which is an un-made track that terminates at the entrance to Braywick Nature Reserve. Green Lane serves about 8 dwellings, a waste transfer station and allotments. In terms of the waste transfer station, this generates a number of lorry movements carrying skips and lorries frequently have to park on Green Lane while waiting for other lorries to leave the yard. Such lorries also reverse into the site for operational reasons. Also, part of the road does not have parking restrictions so is subject to on-street parking by others using the town centre and the train station. This road is also used by walkers and cyclists who access Braywick Park/Nature Reserve and for those people using the public right of way along the York Stream. The immediate area around the York Stream is expected to get busier with people as a result of the 'Maidenhead Waterways' development which is currently being built.
- 6.29 On stretches of Green Lane, particularly the bridge, there would be a conflict between pedestrians, cyclists and vehicles. The applicant proposes to control this by priority working over the bridge through giving way to on-coming traffic from the north. A waiting lane is also proposed. Furthermore, the applicant suggests the use of a banksman to direct traffic to minimise conflicts. Strengthening of the bridge would also be required.
- 6.30 The suggested management of the traffic over the bridge would not be a workable solution and particularly given that it is not known whether there would be capacity within the highway to manage waiting traffic. Furthermore, the use of a banksman to direct traffic on a highway would not be legal. No details of the strengthening of the bridge have been provided – which in itself may require planning permission so would need to be covered in the application red line boundary – so it is not known whether the bridge could physically support the increased level of traffic.
- 6.31 In addition, no swept path analysis has been provided for coaches on the part of Green Lane from the Link Road to the bridge over the York Stream. Also, coaches exiting Green Lane and turning left onto the Stafferton Way Link Road would conflict with oncoming traffic. Furthermore, a coach trying to turn left into Green Lane would be unable to do so if there is waiting traffic on Green Lane.

- 6.32 In terms of traffic gaining access into the site, a barrier is proposed to prevent unauthorised parking. The Highways Officer has requested that should planning permission be granted that the Council would have the right to remove the barrier should congestion problems on the single track bridge arise over operations of the barrier. Such an intervention would not be possible as the application needs to be assessed based on the submission.
- 6.33 The Highways Officer considers that sustainable travel initiatives such as car sharing secured through a Travel Plan could help reduce the volume of traffic. However, some modes of alternative travel such as walking and cycling are unlikely to be attractive given the constraints of the highway network and the conflicts of highway users that have been identified. A Travel Plan for this development is unlikely to positively influence the amount and type of non-vehicle modes of traffic. It would have a very limited highway benefit for the proposals.
- 6.34 For the reasons that the true trip rate generation of the development is not known, that there are concerns over the siting and operations of the barrier into the development, the restricted widths of parts of the highway, the lack of detail on the bridge strengthening and that the traffic management measures would not be workable, there would be harm to highway safety and convenience on Green Lane and on the other nearby roads. The proposal conflicts with Policy DG1 of the Local Plan and paragraph 32 of the NPPF.

### **Living conditions**

- 6.35 The NPPF seeks to secure a good standard of living for existing and future occupants of land and buildings. Residential properties lie to the north, north east and east of the site. These properties are over 50m away from the building, so at that distance there would not be any harm to living conditions in terms of outlook, light or overlooking. The development will result in additional traffic movements but it is not considered that such noise would be discernible against background levels. Furthermore, given the separation distances it is not considered that there would be any significant noise and disturbance to the neighbouring residential properties from vehicles in the parking area and the general comings and goings throughout the day. For this reason, a Noise Impact Assessment has therefore not been requested from the applicant. The waste transfer station lies immediately to the north of the application site but given the commercial nature of that use, this proposal will not have a harmful impact upon it.

### **Ecology**

- 6.36 In terms of the NPPF, protecting and enhancing the natural environment forms part of 'Environmental Role' dimension of 'Sustainable Development' and is one of the Core Planning Principles (bullet point 7). The applicant has submitted field surveys and assessments of the habitat within and outside of the site to demonstrate that the proposals will not harm existing habitats and they outline opportunities for biodiversity enhancement.
- 6.37 The survey confirms that the land within the site has been disturbed from previous activities such as the dumping of waste, which has resulted in colonisation of vegetation such as nettle, hogweed, ivy and grasses, along with some areas of scrubland and groups of shrubs. On the boundaries of the site, the predominant vegetation is a mix of unmanaged hedges and trees. The flora species on the site are not of a significant ecological value.
- 6.38 The main species of fauna identified by the applicant's ecologist as having a habitat on the site that will be affected by the development is reptiles, notably slow worms. To ensure a continuing habitat on this site, it is proposed to retain the undeveloped area for this species. Any reptiles will be captured and re-located into an appropriate fenced off part of the undeveloped area. In terms of other protected species, the field survey identified that several trees on the fringes of the site offer potential roosting places for bats but as the trees would be retained there would not be any destruction of their habitat. However, the Tree Officer has confirmed that one significant off-site tree, a veteran oak (tree T9), would have its roots damaged by the proposals and as such this tree would have an early demise. This tree has been identified as having potential for bats and as such in the absence of a detailed survey the loss of the tree could result in a loss of an irreplaceable habitat for bats contrary to the requirements of paragraph 118 of the NPPF and core planning principle bullet point 7. In addition, National Planning Policy states that planning permission should be refused for developments affecting Veteran trees unless the need for, and

benefits of, the development in that location clearly outweigh that loss; this is assessed in the 'Planning Balance' part of the report.

- 6.39 In terms of mice, voles, birds, hedgehogs and stag beetles on the site, there will be some loss of habitat for these species but the remaining area of the site will be specifically enhanced for these and other species. No other species were identified as having potential to be present on the site.
- 6.40 In addition, 10m buffers are proposed to be retained around the edge of the site and a sensitive lighting scheme will further ensure that the site continues to be a place for foraging and 'commuting' fauna.
- 6.41 Other than the potential impact on bats that may be roosting in the veteran oak tree which is outside of the site, there will not be any harm to habitats outside of the site within 2km of it (the Braywick Local Nature Reserve, Green Corridor Local Wildlife Site, the Bray Meadows Site of Special Scientific Interest, The Gullett and South Lodge Pit Site of Special Scientific Interest) provided pollution from dust, noise and light is controlled during construction, along with the retained and enhanced landscaped buffer.
- 6.42 The applicant proposes to enhance the natural environment through planting native species within the site and a long-term management plan. These enhancements will be beneficial to wildlife so this complies with the NPPF (Core planning principle bullet point 7 and paragraph 109) and the legal requirement set out in Section 40 of the Natural Environment and Rural Communities Act 2006.

### **Other Matters**

#### Green Way

- 6.43 To the West of the site is the Green Way which is an important recreational route. Policy R14 of the Local Plan states that developments should be resisted that detract from the user's enjoyment of this route. Public Rights of Way Officer considers that on balance that the proposals are acceptable. While the Officer's comments are noted, the building will be very long, high and close to this recreational route and as such it is considered that it will be imposing along this stretch of the Green Way. The proposed development will therefore detract from the enjoyment of this route.

#### Private recreation facilities

- 6.44 While Local Plan policy R8 is generally supportive of development for public or private recreation, this support does not extend to development would that would result in significant environmental or highway problems, or where it would conflict with any other policies of this plan. The explanatory text for policies R7 and R8 notes that new facilities must have particular regard to environmental effects in the Green Belt, and that new buildings should be of a scale and design sympathetic to the character of the area. As set out in this report there would be significant environment and highway problems and there is conflict with other policies of the plan.

#### Sustainable design and construction

- 6.45 The Council has an adopted Supplementary Planning Document (SPD) setting out 12 criteria for developments to achieve in order to improve the sustainability performance. The SPD advises that over its lifetime, a sustainable building will cost less to build, heat and light than a conventional building thereby resulting in economic and environmental gains which will have direct impacts on the sense of well-being of the occupiers and society as a whole. No details have been provided on this which is disappointing because sustainability should be an integral part of the design and as a number of supporters believe that the building will be "environmentally friendly".

### Archaeology

- 6.46 The site is in an area within the Middle Thames Valley which is rich in prehistoric and Roman remains. However, as the site was previously subject to archaeological investigation in the late 1980s and no remains were found, there is no further requirement in respect of this matter. The proposals accord with Policy ARCH2 of the Local Plan.

### Contamination

- 6.47 Had the application been recommended for approval, then conditions would have been recommended covering contamination given historical uses close to the application site to comply with Policy NAP3 of the Local Plan.

### Dust and lighting

- 6.48 The Environmental Protection Officer has requested details of dust management and lighting to be submitted in order to protect living conditions. In terms of lighting, the separation distances would be sufficient to ensure that there would not be any harm. With regard to dust, this would not be considered to be a reasonable requirement given that the duration of construction would not be excessive for a scheme of this size. The proposals comply in this regard with Policy NAP3 of the Local Plan.

### Associated infrastructure

- 6.49 Where a development places additional pressure on local services and infrastructure, Policy IMP1 of the Local Plan requires such impacts to be mitigated. It is not clear what the precise impact will be on the local highway network because trip rates and junction analysis has not taken place. In the absence of this, a holding objection is raised.

## **The Planning Balance**

### Very Special Circumstances (VSC)

- 6.50 The applicant has put forward the following case for 'VSC' that is required as referred to in paragraph 6.3:
- the proposals will deliver sports facilities in the Borough of an international standard close to the town centre;
  - the same case of VSC as applied to the redevelopment of the former Park and Ride site in Maidenhead (Ref. 14/03765) can be applied, which is: in accordance with the emerging Local Plan Spatial Strategy; provisions of residential development in close proximity to the town centre assisting in securing a sustainable balance between homes and jobs; conserves special quality of environment of wider town centre which requires a viable population and housing; focuses development on urban areas; supports the settlement hierarchy by supporting growth and viability of town centre; location close to the town centre; and, contribution to town centre regeneration;
  - Freeing up the existing bowl's club site which occupies a key location of the York Road Opportunity Area (YROA).
  - The Council (in its capacity of owner of land in the YROA) is currently advancing plans for the area and at this stage the applicant does not consider it would be helpful to submit an application while this process is still underway. But the fact that the applicant is pushing the proposal for the relocation of the Club in the absence of a Masterplan for the OA is a considerable benefit to the regeneration process and will add considerable certainty and momentum.

- If permission is granted, the applicant would then own the existing Bowl's Club site which would significantly increase the likelihood of it being redeveloped given the applicant's record in redeveloping the Chapel Arches Area.

- 6.51 The YROA will make an important contribution to the rejuvenation of Maidenhead Town Centre when it is redeveloped. The YROA is allocated for a mixed use development in the Maidenhead Town Centre Area Action Plan. The AAP policies do not refer to re-location of the bowl's club and as such it has not been demonstrated firstly whether such a facility could be re-built on the site.
- 6.52 It is unclear how the re-location of the site to the Green Belt would result in rejuvenation benefits for Maidenhead town centre that could amount to 'VSC'. The applicant has been advised previously by Planning Officers that an application for the redevelopment of the OA should be submitted alongside an application for the re-location of the bowl's club to a Green Belt site. The delivery of the two developments would then be tied together by a legal agreement to ensure that each one were built in parallel. There is no evidence to suggest that the site being vacated by the Bowl's Club would result in the guarantee that a scheme would come forward. A site could be sold on by a developer or it may be land-banked to be developed at a future stage. The uncertainty over and the Council's lack of ability to security any control as to what could happen to the site for taking forward the rejuvenation of the town centre weighs heavily against allowing the new development in the Green Belt.
- 6.53 There is no evidence in the submission to prove that the new facility would deliver a sport's facility of international standard. In addition, no body representing sporting activities has expressed support such as Sports England. There is no evidence to suggest that a facility of international standard is needed in this locale.
- 6.54 The planning permission for the former Park and Ride site was for a housing development. The case made there is very different and specific to that development. It cannot be repeated for a bowl's club. Indeed 'VSC' must only ever relate to the specifics of an individual development.

### Conclusion

- 6.55 A compelling case for 'VSC' has not been made by the application and neither is one obvious for other reasons. In accordance with Paragraph 88 of the NPPF substantial weight is afforded to the harm to the Green Belt and significant weight is attached to the other harm which has been identified in respect of the character and appearance of the area, ecology, highway safety and convenience, the recreational route of the Green Way, flooding, vitality of town centres and sustainable design and construction. It should be noted that such is the substantial and significant weight of harm identified, the scheme would require a very significant and compelling case for 'VSC'. Such a case has not been made and neither is one apparent.
- 6.56 The NPPF also requires a balancing exercise of benefits against harm. As this is a re-location of an existing facility that has not been proven to be a facility of international standing, there is not an evidenced benefit from a sporting point of view and there are no other apparent benefits to re-locating this facility to the Green Belt. There are not any evidenced benefits that would outweigh the harm.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

16 occupiers were notified directly of the application.

The application was advertised in the Maidenhead & Windsor Advertiser on 20<sup>th</sup> August 2015.

The planning officer posted site notices advertising the application at the site on 25<sup>th</sup> August 2015

35 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	The move is long overdue as parking, disabled facilities and cramped changing facilities are a real issue. The building needs major repairs and is not fit for purpose. The club suffers because of this. It is losing members to other clubs.	This is not a relevant material consideration in the determination of the application.
2.	This is an opportunity for the club to move to a 'state of the art' new building for bowling, which will meet international standards, especially for disabled and wheelchair visitors and out the Club and Maidenhead on the international map. It will also be more environmentally friendly.	6.45 & 6.50
3.	Support disadvantaged people such as blind bowlers and people with learning difficulties, as well as being a social hub for many players	Noted but this is a re-location of a facility so there would be no change.
4.	This is a long established club with both indoor and outdoor greens.	This is not a relevant material consideration in the determination of the application.
4.	The move to Green Lane will then mean that the site will become available for the regeneration of Maidenhead town centre.	6.48 -6.49
5.	A brand new bowls club in Maidenhead may bring in money to the town with new bowlers and visitors. It will also reduce the traffic in the centre of Maidenhead.	6.25 – 6.34
6.	Important place for socialising and supporting better health of people.	Noted but this is a re-location of a facility so there would be no change.

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

Comment		Where in the report this is considered
1.	The proposed building is inappropriate development in the Green Belt so the applicant needs to demonstrate that there are Very Special Circumstances (VSC) which clearly outweigh the harm caused to the Green Belt and any other harm.	6.2 – 6.3
2.	The case for VSC is limited to five very brief bullet points and appears to be based primarily on the emerging Local Plan and intention to allocate the land out of the Green Belt. However, the Local Plan has not progressed to a stage yet where it can be considered to carry any significant weight in the decision making process.	6.47 – 6.53
3.	The development will cause harm to the openness and the purposes	6.2 – 6.3

	of including land in the Green Belt simply by the volume of building and associated works involved.	
4.	There are no VSC which outweigh the harm, which according to paragraph 88 of the NPPF attracts substantial weight.	6.47 – 6.53
5.	Endorse the concerns of the Council's Highways Officer.	6.25 – 6.34
6.	The development involves in excess of 3000sqm of new building which according to Central Government advice would require a full traffic impact assessment and not the Transport Statement (TS) submitted by the applicant.	This is only advice from Central Government but notwithstanding this there are concerns in respect of highway matters as set out in paragraphs 6.25 – 6.34.
7.	The access to the site is constrained by its width and layout as well as the existing uses it serves including a waste transfer station, allotments and a number of residential properties along the lane. The extra traffic on Green Lane will be significant and add an extra 180 vehicle movements per day. Accommodating a coach is another factor which adds to the traffic issues. There is no assessment within the Transport Statement with regard to existing users of the road or recognition of the activities arising from the waste transfer station. The TS is not a robust assessment of the highway implications of the development.	6.25 – 6.34
8.	The proposed development could impact on the future viability of the waste transfer business. The bridge on Green Lane provides for single file traffic and the entrance gates flanked either side of the yard will reduce visibility and result in Heavy Goods Vehicles idling on the highway. The operators of the waste transfer business have committed to reducing this in their Noise Management Plan which has been agreed with RBWM.	This is not a relevant material consideration.
9.	The Environmental Protection Officer refers to a condition for a Noise Impact Assessment to be submitted. This should be a pre-decision requirement as the implications of noise generation need to be determined before planning permission is issued.	6.35
10.	Such leisure uses should be subject to a sequential assessment to establish whether there are sequentially preferable sites.	6.10 – 6.12
11.	The Green Belt should not be built on under any circumstance. This is a loophole that is being taken advantage of, so that developers can build houses on the old site and make an obscene amount of money. Soon be living in a concrete jungle where Slough, Cookham, Maidenhead and Windsor are all merged together with no green in between. Protect these areas for future generations.	6.2 – 6.3 6.2 – 6.3 & 6.47 – 6.53
12.	Building here and surrounding the site with high weld mesh fencing will adversely affect the openness of the Green Belt as the site is currently an undeveloped field. There will be a material intensification of the level of activity on the site due to the increased number of vehicles on the site. Currently it is a quiet place used by allotment holders along with users of the Green Way and current business. The bowls club needs to relocate due to the redevelopment of the current site but these are not VSCs – they could relocate to other non-Green Belt site such as urban parks. The	6.2 – 6.9

	proposals are contrary to both local and national planning policy relating to Green Belt.	
13.	The site is a quiet lane. It is accessed by a one way bridge which is unsuitable to take a regular 9 tonne coachload of visitors and potentially dangerous due to sightlines and cyclists being unaware of the danger. Intensification would give serious concerns for road safety contrary to both local and national planning policy.	6.25 – 6.34
14.	The impact of noise and disturbance as well as habitat loss maybe addressed in the Ecology report but it is not available to view. The site is home to both protected and priority species as well as being used by less common declining species. There may be red listed species on the site. There are certainly slow worms which have been adversely affected by the new school building. Must assume that there is no provision to increase biodiversity on the site. The development is contrary to both national and local planning policy.	6.36 – 6.42
15.	Increased pedestrian/vehicular conflict due to increased vehicular movements through the Green Way would detract from user's enjoyment. Use of the one way bridge by 9 tonne coaches would create danger to current users. Construction activities would also cause disturbance. The proposed development is contrary to local planning policy.	6.43 6.36 – 6.42
16.	Conflict of vehicles and the road is too narrow for 2 way traffic.	6.36 – 6.42
17.	Health hazard being located close to a historic land fill and close to the town's sewage plant.	6.47
18.	The traffic is pretty regular with skip lorries and people accessing the allotments so can't see how the tight single lane bridge would cope with a substantial increase in numbers.	6.25 – 6.34
19.	Works would need to take place outside of breeding season.	6.36 – 6.42
20.	Given the level of traffic in the area and parked vehicles would make access extremely difficult particularly when taking into account the Stafferton Way bypass.	6.25 – 6.34
21.	The extended facilities within the club will cause significant disruption to the residents of Green Lane particularly at weekends.	6.35
22.	Challenge whether the bridge could handle the increased traffic flow.	6.25 – 6.34

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

Comment		Where in the report this is considered
1.	No objection to the proposed development but respectfully request every effort be made to maintain and/or establish trees and/or bushes along the full length of the eastern boundary. This will enhance the site and preserve the outlook from the houses at Chalgrove Close.	6.4 – 6.9

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Object, as the proposals do not clearly demonstrate that they will not impede flood flows and/or reduce storage	6.13 – 6.22



	capacity thereby increasing risk of flooding on site and/or elsewhere.	
Lead Local Flood Authority	The proposal fails to demonstrate that the development will comply with the non-statutory technical standards for sustainable drainage.	6.23 – 6.24

### Other consultees and organisations

Consultee	Comment	Where in the report this is considered
RBWM Highways Officer	The supplemental transport note from the applicant does not fully address the queries and issues raised by the Highways Officer. Outstanding matters relate to the operation of the proposed priority working over the bridge, including access to the site and Horwoods Yard access/operations; potential conflict with pedestrian/cyclists, on-street parking, and suitability of Green Lane for use by coaches and trip generation/impact on Green Lane.	6.25 – 6.34
RBWM Environmental Protection Officer	Recommend conditions covering contamination, noise, dust management and lighting.	6.35 & 6.47 – 6.48
RBWM Ecologist	<p>Some habitat for reptiles will be lost but the slow worms could be translocated to another area within the site. Such mitigation could be secured by condition.</p> <p>There is potential for the development to directly and indirectly affect the Braywick Park Local Nature Reserve, Greenway Corridor Local Wildlife Site and the Braywick Meadows from disturbance and pollution. A Construction Environmental Management Plan secured by condition to cover construction activities to prevent pollution events is recommended.</p> <p>There are several trees that have the potential to support roosting bats. If any trees are to be directly affected then further survey work will be required. In addition, a lighting strategy to minimise disturbance to this protected species will be required.</p> <p>Habitats for birds, hedgehogs and stag beetles should be protected and replaced where required. This could be secured by condition.</p> <p>Ecological Enhancements which would be beneficial to wildlife could be secured through a condition.</p>	6.36 – 6.42
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust	The proposed development will result in loss of habitat used by the protected species (bats and reptiles) so it is essential that the management of the retained buffer area is enhanced, managed and secured to achieve a net gain in biodiversity through effective enhancements.	6.36 – 6.42

	<p>The development is also adjacent to the York Stream and an area of deciduous woodland with the adjacent Local nature reserve. Deciduous woodland and Rivers are both Habitats of Principle Importance.</p> <p>If the council is minded to grant permission, the following conditions are recommended:</p> <ol style="list-style-type: none"> <li>1) Landscape and Ecological Management Plan;</li> <li>2) Reptile Mitigation Plan;</li> <li>3) Lighting; and,</li> <li>4) Construction Environmental Management Plan.</li> </ol>	
RBWM Tree Officer	<p>The principal landscape trees within and adjacent to the site are subject to a Tree Preservation Order. There will be an incursion into the root protection area (RPA) of a veteran Oak Tree and the building will be located too close to its canopy which will result in leaf loss and multiple large pruning wounds.</p> <p>The proposals will lead to incursions into RPAs. In accordance with the British Standard (BS5837:2012), all structures should be located outside of the RPA of a retained tree unless there is an overriding justification. No such justification has been provided to support the application. In addition, the fact that tree branches and roots have to be removed to facilitate the development provides the inappropriate juxtaposition between the building and the tree.</p> <p>In addition, no details have been provided of proposed services which could affect the trees.</p> <p>Soft landscaping is limited and no details of new landscaping is proposed to assess how it will integrate into the site and the surrounding landscape.</p>	6.7 – 6.9
RBWM Public Rights of Way Officer	<p>It is not considered that the building or the security fencing along the boundary with Green Lane would have any adverse impact on the local public rights of way network because the hedgerow will be retained. The vehicular access to the car park will be from the northern point of the site which will minimise the length of the Green Way that will be subject to additional vehicle movements. On balance, the proposal would not have a significant adverse impact.</p>	6.43
Berkshire Archaeology	<p>The site is in an area which is believed to have been previously undeveloped and within the Middle Thames Valley which is an area rich in prehistoric and Roman remains. The site has potential to contain as yet unidentified buried archaeological remains.</p> <p>However, the site was previously subject to archaeological investigation in the late 1980s. No archaeological remains were found. In this case, a condition to secure further investigation is not required.</p>	6.46

Maidenhead Civic Society	<p>This is another example of erosion of the Green Belt and follows the recent construction of Oldfield School on Bray Road and is ahead of the potential relocation of the Magnet Leisure Centre to Braywick Park.</p> <ul style="list-style-type: none"> <li>□ The site is a discreet section of designated Green Belt with limited visual impact on the buffer between Maidenhead and Bray.</li> <li>□ Poor access over a substandard bridge.</li> <li>□ The proposal is driven by the need to relocate the bowls club to free up the existing site in the York Road Opportunity Area.</li> <li>□ The area is primarily given over to parking and the bowls areas with associated function space. The only area of green is the outdoor bowls.</li> <li>□ There is scope for much more than limited planting and more landscaping is necessary to soft the visual impact of the functional building which has little visual appeal.</li> <li>□ A substantial area of development within the floodplain alongside 'The Cut'.</li> </ul>	<p>6.2 – 6.3</p> <p>6.25 – 6.34</p> <p>6.47 – 6.53</p> <p>Noted.</p> <p>6.6</p> <p>6.13 – 6.22</p>
Maidenhead Waterways	There should be no conflict with future public access to the streamside so withdrawn that concern.	Noted.

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Elevations
- Appendix C – Floorplans

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPPF.

In this case the issues have not been successfully resolved.

## 9. RECOMMENDED REASONS FOR REFUSAL

- 1 The proposed development is inappropriate development in the Green Belt and therefore by definition harmful to openness. But notwithstanding this, it will also physically reduce the openness of the Green Belt by reason of its proposed siting and because it will be a substantial building with a dominance of parked vehicles. The proposal would result in substantial harm to the openness of the Green Belt and two of the purposes of including land in the Green Belt, these being 'to check the unrestricted sprawl of large built up areas' and 'to assist in safeguarding the countryside encroachment'. There are no 'Very Special Circumstances' to outweigh the substantial harm to the Green Belt and the other significant harm which is identified below. The proposals are contrary to the provisions of saved Policies GB1 and GB2A) of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and paragraphs 80, 87, 88 and 89 of the National Planning Policy Framework (NPPF).
- 2 The combined siting, scale and materials of the building along with the extent of hardstanding and associated paraphernalia of fencing, car park barriers and lighting will result in an alien form of development in this countryside location. In addition, there would be additional noise in the countryside as a result of the comings and goings of users of the facility which would be harmful to the rural character of the area. The proposals are contrary to Policies DG1 and GB2 of the

Local Plan and Core Planning Principle Bullet Point 7 and paragraphs 58 and 61 of the National Planning Policy Framework.

- 3 A Veteran Oak Tree lies to the West of Green Lane. This tree is a principal landscape feature that contributes to the character and appearance of the area and is protected by a Tree Preservation Order. The building will encroach into the tree's root protection area resulting in severance of roots and the siting of the building will result in branch overhang that will result in conflicts that could lead to the pressure to prune. The proposals will be contrary to Policies DG1 and GB2 of the Local Plan and Core Planning Principle Bullet Point 7 and paragraphs 58, 61 and 118 of the National Planning Policy Framework.
- 4 The proposed development is a main town centre use. It has not been demonstrated through the submission of sequential assessment and impact assessment that the proposed location for the proposed development is acceptable in this out of centre location. In the absence of the aforementioned assessments the proposals would impact on the vitality of Maidenhead and Windsor Town Centres. The proposals are contrary to Core Planning Principle Bullet Point X and paragraphs 26 and 27 of the NPPF.
- 5 It has not been demonstrated to the satisfaction of the Local Planning Authority that the additional traffic would have an acceptable impact on the capacity of the roads and junctions in the vicinity of the application site. In addition, as a result of the siting and operations of the barrier into the development, the restricted widths of part of the highway, the lack of detail on the bridge strengthening and that the traffic management measures proposed would not be workable, the development would result in harm to the safety and convenience of all highway users. The proposals are contrary to Policy DG1 of the Local Plan and paragraph 32 of the NPPF.
- 6 The application site lies within an area at high risk from flooding from the River Thames and the proposal fails the Sequential Test as it has not demonstrated to the satisfaction of the Local Planning Authority that the development could not be located in areas with a lower probability of flooding. The proposal is contrary to paragraph 102 of the National Planning Policy Framework.
- 7 The submitted Flood Risk Assessment fails to demonstrate that the proposal complies with national technical standards and no details has been provided in respect of future management of any acceptable Sustainable Urban Drainage System scheme that may come forward. The proposal is contrary to paragraph 103 of the NPPF.
- 8 The proposal will lead to the early demise of the off-site Oak Tree referred to in reason for refusal number 3. The tree has potential to be a bat roost. In the absence of bat surveys, the proposal could harm this protected contrary to Core Planning Principle Bullet Point 7 and paragraph 118 of the NPPF.
- 9 The siting and scale of the building will result in an imposing development along the recreational route of the Green Way. The proposal will detract from enjoyment of the route which would be contrary to Policy R14 of the Local Plan.
- 10 The proposals fail to make provision for infrastructure improvements directly related to the development. The proposal fails to accord with the Supplementary Planning Document on Infrastructure and Amenity Requirements and Local Plan Policies IMP1 and T6.