

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

15 March 2023

Item: 1

Application No.:	22/02427/FULL
Location:	Maidenhead United Football Club York Road Maidenhead SL6 1SF
Proposal:	Extension of south stand to provide additional 224 seats, erection of new stand (north) to seat 304, wheelchair and disabled persons seating area, disabled w/c provision, changing block and improved floodlighting.
Applicant:	Maidenhead United FC
Agent:	Mr Kevin Scott
Parish/Ward:	Maidenhead Unparished/St Marys
If you have a question about this report, please contact: Sarah Tucker on or at sarah.tucker@rwm.gov.uk	

1. SUMMARY

- 1.1 The proposal seeks full planning permission for the extension of south stand to provide additional 224 seats, erection of new stand (north) to seat 304, wheelchair and disabled persons seating area, disabled w/c provision, changing block and improved floodlighting. The proposal is required to support the requirements of the English Football League.
- 1.2 The development is considered acceptable in terms of principle of development, impact on sustainability, amenity of nearby existing and future occupiers, highways, trees, archaeology and flood risk and as such the planning balance is in favour of the proposal.

It is recommended the Committee authorises the Head of Planning:	
1.	To grant planning permission subject to the following: <input type="checkbox"/> Completion of Section 106 legal agreement to secure: - A financial contribution towards the Council's carbon off-set fund and associate carbon shortfall clause <input type="checkbox"/> The conditions listed in Section 14 of this report.
2.	To refuse planning permission if a Section 106 legal agreement is not secured for the reasons that the proposed development would not make the fullest contribution towards reducing carbon emissions and tackling climate change in line with policy SP2.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The site consists of the grounds of Maidenhead United Football Club, a historic football club dating from 1870. The site is accessed off York Road. To the south of the site lies the railway line, to the east various single storey brick buildings (most of which have permission for redevelopment for apartment blocks- see below), to the north is a temporary car park (that also has permission for an apartment block) and to the west lies

Bell Business Centre, residential properties on Bell Street and the Maidenhead Conservative Club. There are a number of large trees close to the southern boundary of the site adjacent to the railway line.

3.2 The applicants state that this application is a resubmission of a previously approved scheme (18/03636/FULL) with the addition of the disabled facilities. However, the area in the immediate vicinity of the site will be subject to change as there have been a number of approved applications for apartment blocks (similar to those across the road on York Road), including 51 apartments in a 7 storey block on the site of the existing cafe (approved as part of 18/01608/FULL), 149 apartments in 3 blocks 6-8 storeys high on the temporary car park (18/01777/OUT and 21/01247/REM), and 53 apartments in a 7 storey block approved on the site of the St John's Ambulance building (19/01276/OUT and 22/03242/REM). Furthermore, there is an application for 49 apartments in an 8 storey block on the site of the Spiritualist Church, which is currently the subject of an appeal (20/03149/OUT).

4.0 KEY CONSTRAINTS

4.1 The site lies within Maidenhead town centre, and within the AQMA. The site also lies within Flood Zone 1,

5. THE PROPOSAL

5.1 The proposal seeks full planning permission for the extension of south stand to provide additional 224 seats, erection of new stand (north) to seat 304, wheelchair and disabled persons seating area, disabled w/c provision, changing block and improved floodlighting.

5.2 The proposed north stand extension is 41m wide and the proposed south stand extension is 16m wide, and both match existing stands in heights and depths. The proposed changing block is situated two storeys high to the north of the site adjacent to the existing club house and measures 12m wide, 6.5m high and 12m in depth. The proposed disabled stand, at the northern side of the pitch is 17m wide, 3m deep and 3m high. Also proposed are 4 20m high Towermaster Lumescan floodlighting columns. The application has been supported by a report on lux spillage from the proposed floodlighting.

5.3 The applicant has stated that this is a resubmission of previously approved application 18/03636/FULL, with the addition of the disabled facilities. The applicant further states that the application is to support the requirements of the English Football League.

6. RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
18/03646/FULL	Extension to the existing South stand, including the installation of pods; erection of new North East stand; erection of new two storey changing facility with ancillary uses, and installation of replacement floodlights.	Permitted 25/3/2019
13/00771/FULL	Construction of a replacement grandstand to the south side of the football ground.	Permitted 15/5/2013
00/03567/FULL	Replacement terrace and new stand	Permitted 8/8/2000

7. DEVELOPMENT PLAN

Adopted Borough Local Plan

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

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Strengthening the Role of Centres	TR6
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Historic Environment	HE1
Environmental Protection	EP1
Artificial Light Pollution	EP3
Air Pollution	EP2
Noise	EP4
Contaminated Land and Water	EP5
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Community Facilities	IF6

8. MATERIAL PLANNING CONSIDERATIONS

8.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 7 – Ensuring the vitality of town centres

Section 8 – Promoting healthy and safe communities

Section 9- Promoting Sustainable Transport

Section 14- Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

8.2 Supplementary Planning Documents

Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment

- RBWM Parking Strategy
Interim Sustainability Position Statement
RBWM Corporate Plan

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

No comments were received from neighbouring properties.

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	No objection subject to conditions	Section iv
Lead Local Flood Authority	No objection	Section vii
Berkshire Archaeology	The site is in an area of archaeological significance and any archaeological remains may be damaged by groundworks and therefore a Written Scheme of Investigation condition is recommended	Section vi
Environmental Protection	No objection subject to conditions	Section iii

Other Consultees

Consultee	Comment	Where in the report this is considered
N/A		

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i ; Principle of development
- ii ; Sustainability
- iii ; Amenity
- iv ; Highway Issues
- v ; Trees
- vi ; Archaeology
- vii .Other issues

Issue i: Principle of development

- 10.2 The site is a long-established football club. Policy IF6 of the Borough Local Plan states that existing community facilities should be retained, improved and enhanced, especially where they are located in areas that are accessible by walking, cycling and public transport.
- 10.3 The application is required to support the requirements of the English Football League. Given that the proposal seeks the retention of the football club by improving its facilities, including those for disabled users, and is located in central Maidenhead close to Maidenhead station as well as many bus routes, it is considered that the proposal is in conformity with Policy IF6 of the adopted Borough Local Plan and the principle of development is acceptable.

Issue ii: Sustainability

- 10.4 The council's interim sustainability statement (March 2021) highlights that new development over a certain size should achieve a net-zero carbon rating. Any shortfalls should be mitigated by a financial contribution to the carbon offset fund. Additionally, Paragraphs 7 and 8, and Section 14 of the NPPF (2021) and Policy SP2 of the Borough Local Plan (2022), encourage developments to be built to mitigate climate change and to incorporate low carbon and efficient energy sources.
- 10.5 The submitted information highlights that the development will reduce carbon emissions however the scheme is not zero carbon neutral. As such, the applicant has agreed to enter into a Section 106 legal agreement with the Council to ensure a financial contribution will be made to the carbon offset fund. This is deemed to be a compliance mechanism in order to effectively enforce the requirements of the interim sustainability statement. Subject to the signing of the S106 agreement, the development would be in line with the requirements of the interim sustainability statement, and in accordance with Policy SP2 of the adopted Borough Local Plan

Issue iii: Amenity

- 10.6 The site is a well established football club situated in a town centre. The two issues relating to amenity are noise and light disturbance from the floodlights.
- 10.7 With regard to noise, the noise from the club will be intermittent when matches are being played or when there is training taking place. Whilst noise from matches will be substantial and potentially increase with the increase in stands proposed, this will be for short periods of time, and not within the quiet hours of 2300 hours to 0700 hours. No objection has been raised by Environmental Health officers to the proposals. Since the use is well-established (and indeed began before the first Planning Act in 1948) there are no controls on the hours of use, and they cannot now legally be added.
- 10.8 With regard to the proposed floodlighting the application is supported by lux level plans that show that the lux levels immediately outside of the football club area to be down to 5 lux, which is within normal urban parameters. A condition will be recommended to ensure the floodlighting is implemented in accordance with the proposed levels. Given that there are already existing floodlights on site (which will be replaced by these proposals) it is not considered that the proposed floodlight will result in harm to residential amenity.
- 10.9 Whilst the area is subject to change, owing to the number of residential apartment blocks that are due to be constructed adjacent to the site, anyone living in these units would be aware of the football club before moving in, and given that this is an improvement to the existing facilities, rather than a new use, it is not considered that this would result in harm to the residential amenities of existing or future occupiers.

- 10.10 Given the above, it is considered that the application would not harm the residential amenities of existing or future occupiers, and the proposals are in accordance with policies EP1, EP3 and EP4 of the adopted Borough Local Plan.

Issue iv: Highway Issues

- 10.11 The proposals do not involve any changes in off-street parking. The site is within the town centre and close to Maidenhead station and numerous bus routes. As such, there are no highway issues arising as a result of the proposal.

Issue v: Trees

- 10.12 There is a line of mature trees on the southern boundary of the site. These trees provide an important backdrop to the football club and screening to the railway line. The proposed southern stand extension is very close to the root protection zones of these trees and as such details of tree retention and tree protection works will be required by recommended conditions. Similar conditions were required on the 2018 approved application for the stand extension.
- 10.13 With the addition of the recommended conditions, the impact on trees is acceptable and the proposal conforms to Policy NR3 of the adopted Borough Local Plan.

Issue vi: Archaeology

- 10.14 The site lies within an area of high archaeological potential. The site lies within the Thames Valley adjacent to the river and therefore lies over the floodplain and gravel terraces which have been the focus of settlement, agriculture and burial from the earliest prehistoric period. Furthermore, the site itself is considered historic and possible excavations may reveal evidence of earlier football related structures. As such a written scheme of investigation is required by recommended condition. Subject to the addition of this recommended condition, the application accords with Policy HE1 of the adopted Borough Local Plan.

Other Material Considerations

- 10.15 The site lies in Flood Zone 1 and there are no drainage objections to the scheme.

11. PLANNING BALANCE

- 11.1 The football club is a long established community use and the proposals seek to enhance the facilities on site, including disabled fans facilities. The applicants have stated that they will enter into a S106 obligation for any shortfall in carb net-zero on the proposed changing block. Whilst there will be an increase in supporters on site with the extended stands, and the floodlighting is proposed to be improved, this will have minimal impact on existing and future residential occupiers in the vicinity since the use is well established and there are already floodlights in use. There are no highway impacts as a result of the proposals. Recommended conditions relating to trees and archaeology will ensure that these impacts will be mitigated. These issues weigh in favour of the proposal and there are no issues outweighing these and as such the proposals are considered acceptable.

12 CONCLUSION

- 12.1 It is therefore recommended that planning permission is granted subject to the necessary legal agreement and relevant conditions.

13. APPENDICES TO THIS REPORT

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

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The construction of the external surfaces of the building(s) hereby permitted shall not be commenced until details of the materials to be used 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 and in accordance with Policy QP3 of the adopted Borough Local Plan (February 2022).
- 3 Before the construction of the seating stand on the southern part of the site and prior to any equipment, machinery or materials in association with the construction of this stand being brought onto the site, details showing the location and species of all trees to be retained as part of the development shall be submitted to and approved by the Local Planning Authority. These trees shall be retained in accordance with the approved details. No tree work shall be undertaken other than in accordance with the approved plans and particulars without the prior written approval of the Local Planning Authority, until five years from the completion of this stand. Any tree work approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree of the same species shall be planted in the immediate vicinity
Reason: To protect trees which contribute to the visual amenities of the area and in accordance with Policy NR3 of the adopted Borough Local Plan (February 2022)
- 4 Before the construction of the seating stand on the southern part of the site and prior to any equipment, machinery or materials being brought onto the site in association with the construction of this stand, details of the measures to protect, during construction, the trees growing within and adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. 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 prior written consent of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area and in accordance with Policy NR3 of the adopted Borough Local Plan (February 2022).
- 5 The floodlighting hereby approved shall be implemented in accordance with Floodlight Spillage Results, drawing no. MFCS1 received on 2/9/2022
Reason: To protect the amenity of nearby residents and to accord with Policy EP3 of the adopted Borough Local Plan (February 2022)
- 6 No development shall take place within the area of archaeological interest until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be undertaken in accordance with this approved scheme.
Reason: To ensure the continued preservation in situ or by record of any finds made in this area of archaeological interest and in accordance with Policy HE1 of the adopted Borough Local Plan (February 2022)

7 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policy IF2 of the adopted Borough Local Plan (February 2022)

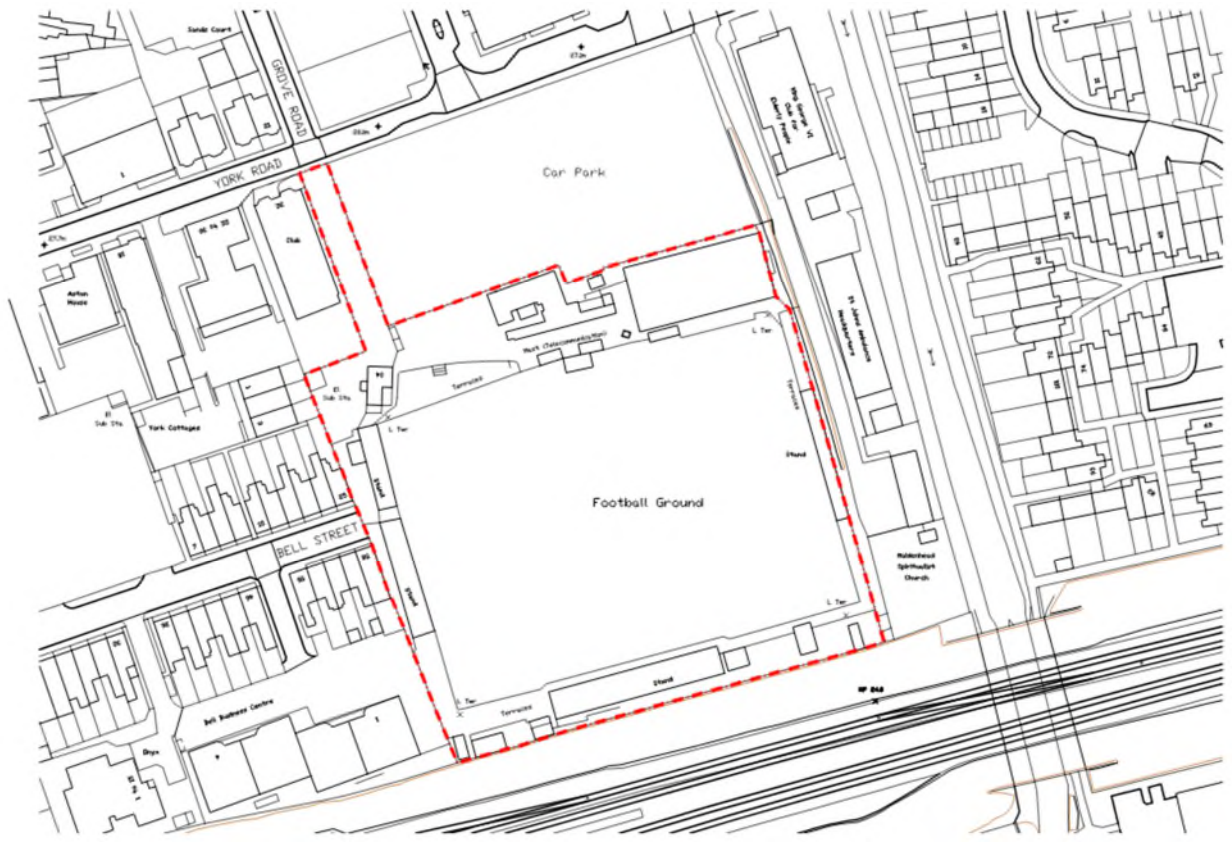
8 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

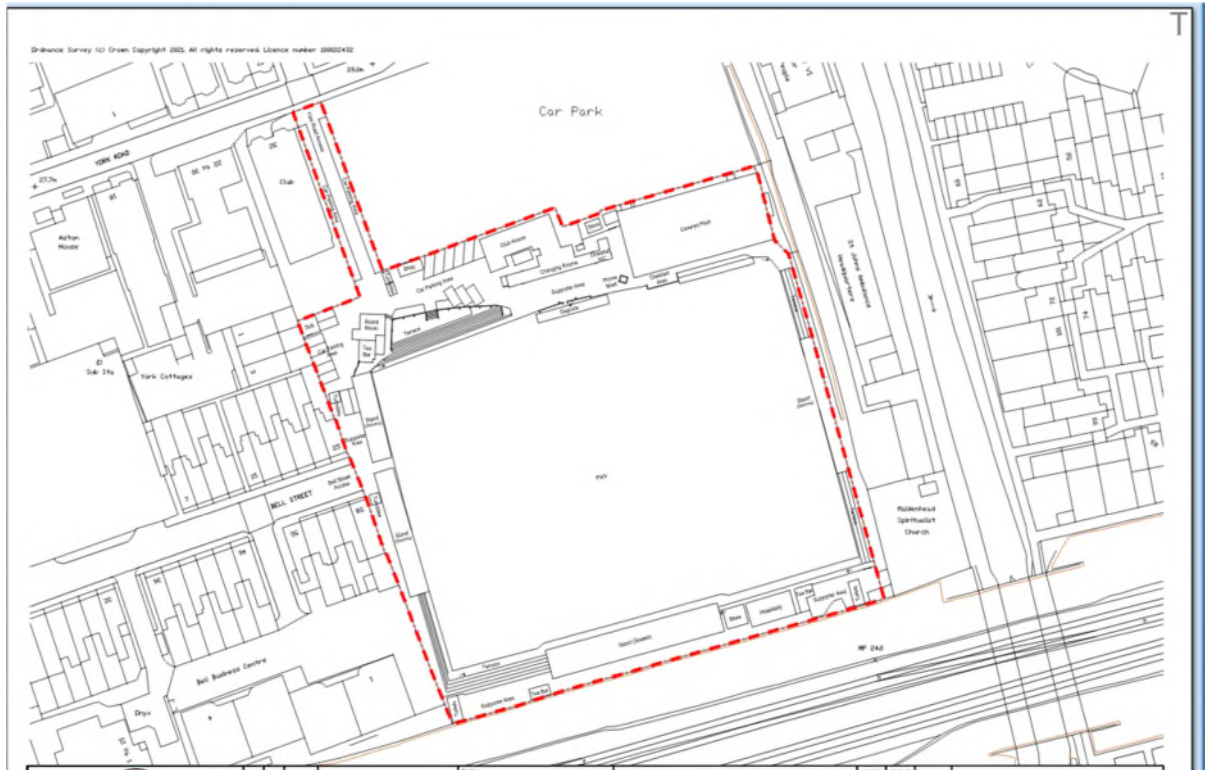
Informatives

1 The decision hereby approved should be read in conjunction with the relevant S106 agreement dated xxx

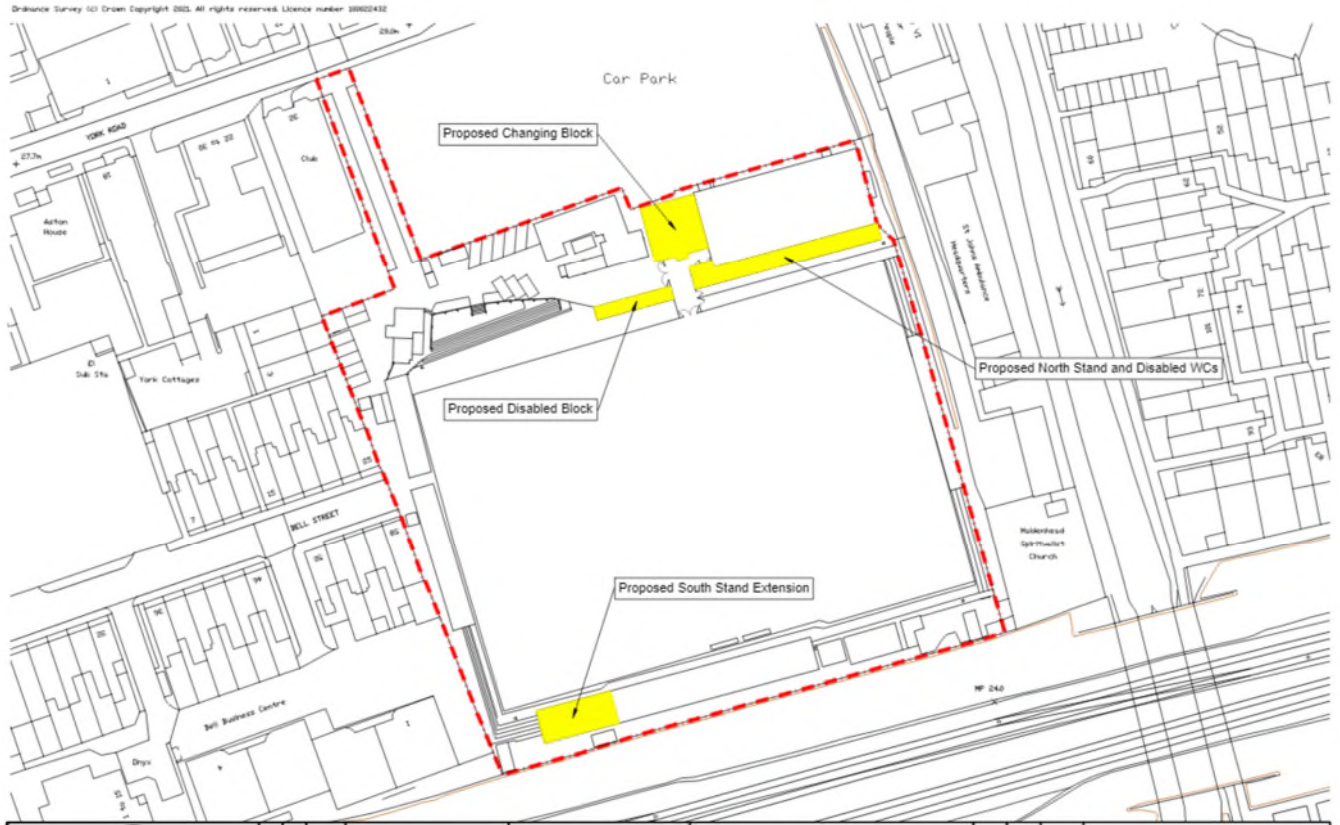
SITE PLAN 22/02427/FULL



EXISTING SITE LAYOUT

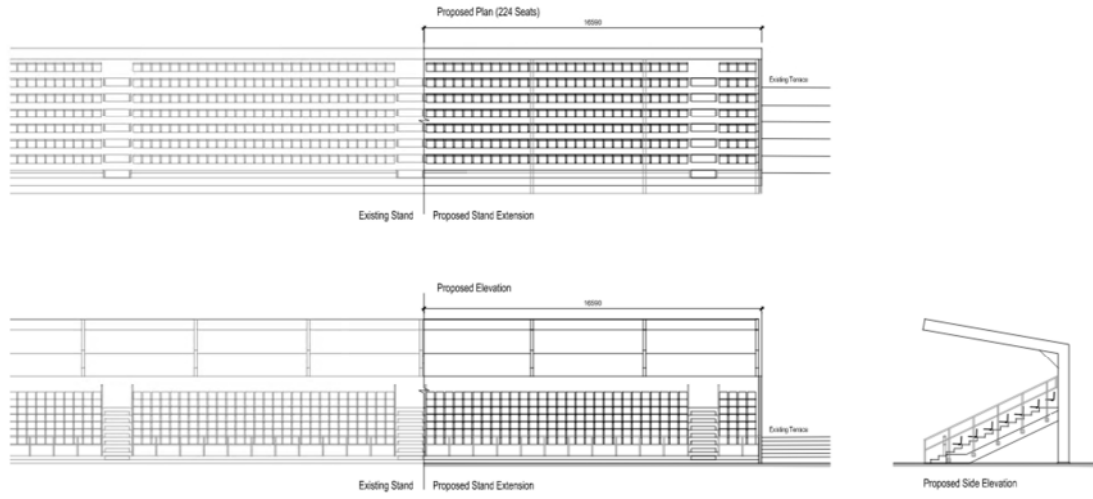


PROPOSED SITE PLAN

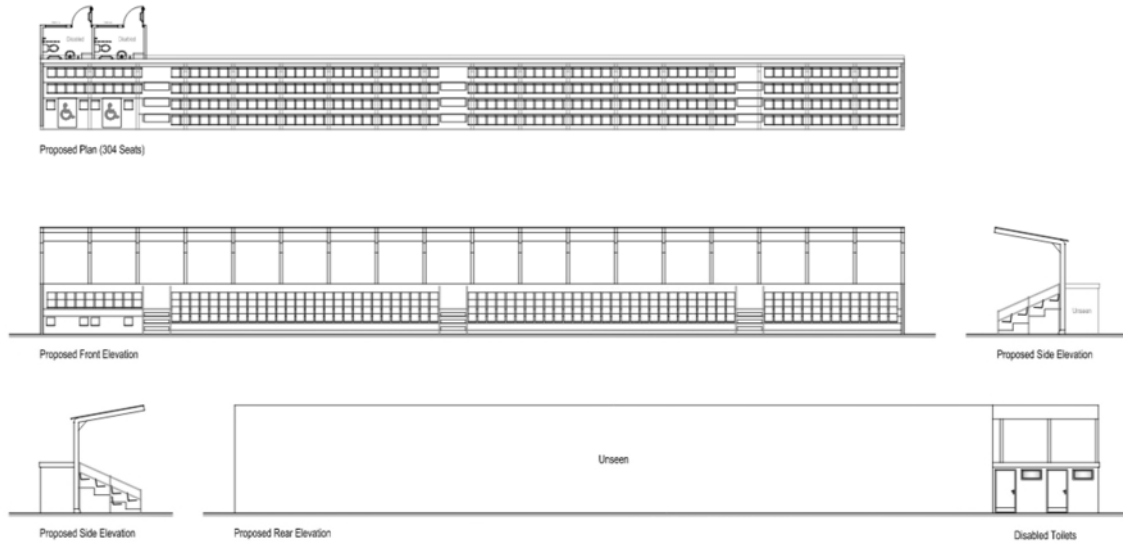


PROPOSED SOUTH STAND EXTENSION

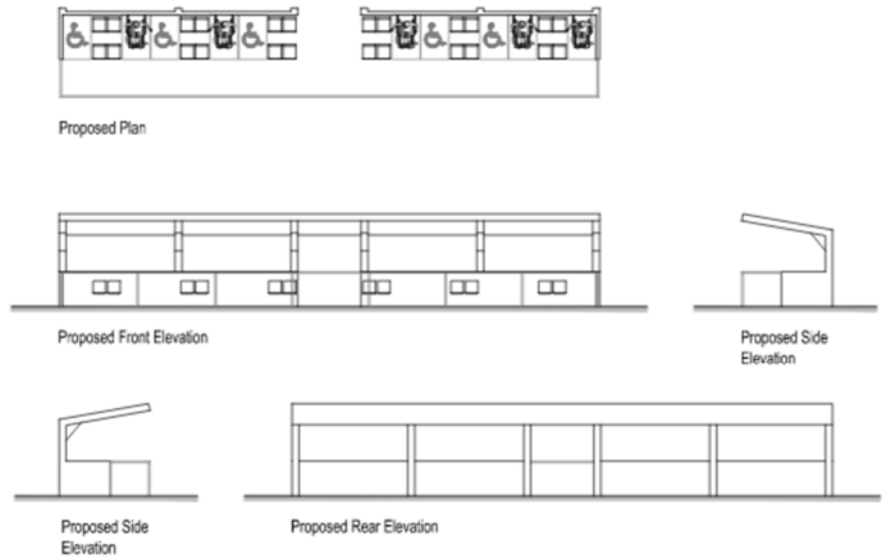
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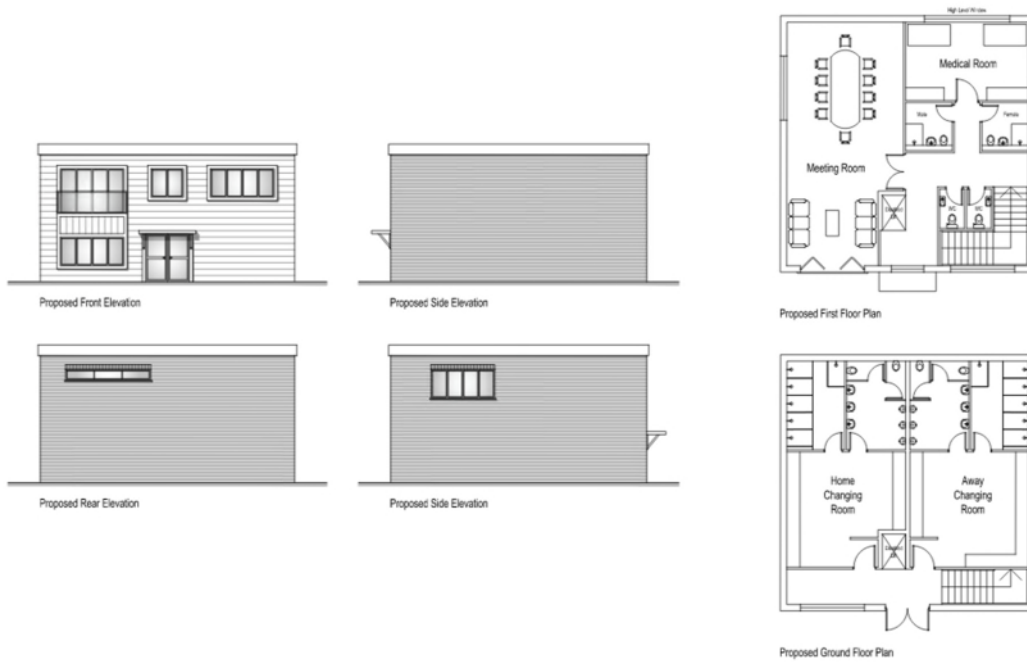
PROPOSED NORTH STAND EXTENSION



PROPOSED DISABLED ACCESS STAND



PROPOSED CHANGING BLOCK



PROPOSED FLOODLIGHTING COLUMNS



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