

MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 June 2023

Item: 3

Application No.:	22/03297/FULL
Location:	White Waltham Shottesbrooke Social Club Hurst Lane White Waltham Maidenhead SL6 3JJ
Proposal:	Replacement building to provide a new model barn with x5 new units for farm workers accommodation x4 field kitchens, new greenhouse and reduced area of hardstanding to retained 10 parking spaces following demolition of the former social club ancillary bungalow and detached garage.
Applicant:	Mr Tranquilini
Agent:	Mr Matthew Barnett Howland
Parish/Ward:	Shottesbrooke Parish/Hurley And Walthams
If you have a question about this report, please contact: James Overall on or at james.overall@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application site comprises a rural social club building with integral bungalow and a detached double garage; all surrounded by hardstanding car parking and small amounts of amenity grassland, ornamental planting, a boundary native hedgerow (a priority habitat) and a few individual trees. The application site itself is surrounded by arable fields, scattered trees and tree lines, hedgerows, farm buildings, woodland, and traditional orchards (the latter two of which are priority habitats) in the wider landscape.
- 1.2 The proposed development is for a new building to accommodate 5 new residential units, 4 field kitchens, and a greenhouse. The proposal does not fall under any of the exceptions listed within paragraph 149 of the NPPF and it is therefore considered to represent inappropriate development within the Green Belt, subsequently meaning that Very Special Circumstances (VSC) are required to justify the acceptance of the scheme. The table below lists the Very Special Circumstances put forward by the applicant, alongside the weight that the officer considers each of these matters to hold. For a detailed review as to how each weight has been formed, please see the relevant section in the main body of the report.

1.3

VSC Argument	Weight				
	None	Limited	Moderate	Significant	Substantial
1 Enhancement of a Beneficial Green Belt Use	X				
2 Exemplary Design/Architecture			X		
3 Non-availability of Alternative Sites		X			
4 Re-use of Previously Developed Land (PDL)		X			
5 Sustainability Benefits			X		

6 Benefits to Education		X			
7 Visual Enhancement		X			
8 Landscape Enhancement/Reduction in Hardstanding			X		
9 Ecological Enhancement		X			
10 Farm Diversification		X			

- 1.4 When considering Very Special Circumstances, it must first be identified as to what constitutes VSC. Firstly, the answer to the question is dependent on the weight of each of the factors put forward and the degree of weight to be accorded to each is a matter for the decision taker, acting within the “Wednesbury Principles”. This stage will often be divided into two steps:
- 1 to determine whether any individual factor taken by itself outweighs the harm; and
 - 2 to determine whether some or all of the factors in combination outweigh the harm.
- There is case law that says that a number of factors, none of them “*very special*” when considered in isolation, may when combined together amount to very special circumstances and goes on to say that “*there is no reason why a number or factors ordinary in themselves cannot combine to create something very special*”.
- 1.5 The officer assessment identifies significant harm upon the openness of the Green Belt, which in this instance revolves around excessive, scale and massing of the proposed building. The proposed development would result in:
1. Excessive increase of built form volume (+121.4%)
 2. Excessive increase of Gross Internal Area (+61.16%)
 3. Increase of built form footprint (+28.62%)
 4. Increase in height (+1 storey)
- 1.6 In addition to harm upon the Green Belt, harm has been also identified in the following areas:
- loss of a community facility;
 - sustainability;
 - affordable housing; and
 - future occupier amenity.
- 1.7 Insufficient justification and evidence has been provided to demonstrate that the loss of the social club as a community facility is acceptable, therefore the scheme fails to comply with Policy IF6 of the Borough Local Plan (BLP)
- 1.8 With regard to sustainability, the application fails to comply with Policy SP2 and the Council’s Interim Sustainability Statement due to the absence of a legal agreement to secure
- a) that the building is net carbon zero; and
 - b) a lifestyle contribution of £5,720.
- 1.9 In terms of affordable housing, insufficient justification has been provided to that the residential units are needed as agricultural worker dwellings, and therefore the

proposed residential units are considered to be open market dwellings. This means that a proportion of the proposed units would be required as affordable housing, in line with policy HO3 of the Adopted Local Plan. In the absence of any affordable housing, the scheme fails to accord with policy HO3 of the Adopted Local Plan.

- 1.10 As for occupier amenity, the application fails to comply with Policy QP3(l) due to the insufficient provision of private amenity space and/or depth of provided amenity space for 2 residential units (4 & 5).
- 1.11 There are benefits from the scheme, which include its high-quality design, sustainability, and landscape enhancements with other limited benefits including further enhancement with regard to ecology and education, as well as proposing the scheme on previously developed land. However, none of the benefits of the scheme either alone or combined are considered to attract such weight that would form Very Special Circumstances which clearly outweigh the harm to the Green Belt which is afforded substantial weight and the other harm identified.

It is recommended the Committee authorises the Head of Planning:

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| 1. | To refuse planning permission for the reasons noted within Section 14 of this report, which are summarised as follows: <ul style="list-style-type: none">a) Failure to comply with Policy QP5 of the BLP and Chapter 13 of the NPPF as the benefits of this scheme do not amount to Very Special Circumstances which would outweigh the identified harm upon the Green Belt arising from this proposal, which comprises inappropriate development and the other harm identified.b) Failure to comply with Policy IF6 of the BLP due to insufficient justification and evidence to demonstrate that the loss of the community facility is acceptable.c) Failure to comply with Policy SP2 of the BLP, and the Council's Interim position statement on sustainability due to the absence of a legal agreement securing that the building is net carbon zero and securing a lifestyle contribution of £5,720.d) The failure of the scheme to provide a proportion of the residential units to be affordable, in line with policy HO3 of the Adopted Borough Local Plan.e) Failure to comply with Policy QP3(l) of the BLP due to the insufficient provision of private amenity space and/or depth of provided amenity space for 2 residential units (4 & 5). |
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REASON FOR COMMITTEE DETERMINATION

- The application was called to Committee by former Councillor Johnson by e-mail on 4th January 2023 due to the sensitive location within the Green Belt and the complex justification for VSC.

THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises a rural social club building with integral bungalow and a detached double garage; all surrounded by hardstanding car parking and small amounts of amenity grassland, ornamental planting, a boundary native hedgerow (a priority habitat) and a few individual trees. The application site itself is surrounded by arable fields, scattered trees and tree lines, hedgerows, farm buildings, woodland, and traditional orchards (the latter two of which are priority habitats) in the wider landscape.

- 3.2 The site falls within the ownership of Waltham Place Farm, which is a 220-acre biodynamic mixed farm with land surrounding the application site. The farm is mainly arable, with the pastoral element being small scale.
- 3.3 Biodynamic farming is a process with the aim of creating healthy soil using compost, crop and grazing rotations. Uniquely, it treats the compost heap with medicinal plant-based preparations to encourage the microbial life needed for soil fertility.
- 3.4 The application site recently came back into the control of Waltham Place Farm following the recent surrender of the 990-year lease (commenced 1986).

KEY CONSTRAINTS

- 4.1 The application lies within the following constraints:
 - Green Belt
 - Proximity to a Public Right of Way (PROW)

THE PROPOSAL

- 5.1 It is proposed to demolish the existing buildings, remove the hardstanding and erect a new model barn with 5 new residential units, 4 field kitchens, a greenhouse, and provide 10 parking spaces.
- 5.2 The applicant seeks for this mixed-use development to be used by staff and visitors to the farm. The four field kitchens are to be used for the processing of meat, grains, dairy and fruit; with the five residential units consisting of 1 & 2-bedroom residential units, which the planning submission explains are to host farm workers and other visitors to the farm. Although the planning submission sets out the residential units would be occupied by staff of the farm, no evidence has been provided to demonstrate the proposed residential units are responding to an essential and permanent agricultural need on the agricultural holding; such information would be expected to evidence a need for an agricultural worker dwelling(s).
- 5.3 The greenhouse element is proposed as the applicant seeks a space for growing internally and a space to run workshops for farm apprentices in poor weather. The Design and Access Statement sets out that, the farm welcomes annually more than 1,500 children (school groups and home education groups), and the proposed development would aid children to experience nature and to understand food production and sustainability.
- 5.4 The proposed building would have a maximum height of ~7.08m, with a footprint measuring 648.1m², GIA measuring 752.6m² and a volume of 3,631m³.
- 5.5 The five residential units would comprise three 2-bed and two 1-bed units. The 2-bed units would have GIAs measuring 95m² and the 1-bed units would have GIAs measuring 50m².
- 5.6 The proposed building is to be a timber frame consisting of solid timber stud walls and solid timber floor joists and roof rafters supported on isolated glulam beams where required. Hempcrete is proposed to infill around the timber studs and the proposal also seeks to utilise smart solar glass for energy generation and shade.

RELEVANT PLANNING HISTORY

- 6.1 There is extensive planning history relating to existing buildings within the wider enterprise. The following planning history relates to redevelopment within the application site:

Reference	Description	Decision
95/01627/FULL	Single storey rear extension	Permitted 27 Jun-95
87/01299/FULL	Extension to bar store and new front porch	Permitted 26 Jun-87
418700	Single storey rear extension	Withdrawn 17 Jun-87
m/374185	Single storey extension re. porch	Approved 25 Jun-85
417236	Single storey side and rear extensions, plus a new front porch	
405421	Use of former Stewards quarters to form part of the club use, and an extension to provide toilets, kit, bar, store and committee room	Approved 13 Apr-77
402847	Extension & change accommodation to club house	Approved 13 Jul-76
401218	Erect bungalow for Steward	Refused 8 Mar-75
6952/66	Demolition of existing club & living accommodation and erection of bungalow with integral recreational hall	Refused 29 Jun-66
6806/65	Details of bungalow and garage	Refused 16 Mar-66

7 DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

Adopted Borough Local Plan (2013-2033)

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Housing Mix and Type	HO2
Affordable Housing	HO3

Farm Diversification	ED4
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Community Facility	IF6
Utilities	IF7

Hurley & the Walthams Neighbourhood Plan (2015-2030)

Issue	Neighbourhood Plan Policy
Sustainable Development	ENV 1
Climate Change, Flood and Water Management	ENV 2
Quality Design	Gen 2
Accessibility and Highways Safety	T1

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

- Chapter 2: Achieving sustainable development
- Chapter 4: Decision making
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 6: Building a strong, competitive economy
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting Sustainable Transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 13: Protecting Green Belt land
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Landscape Assessment
- RBWM Parking Strategy
- Affordable Housing Planning Guidance
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1 5 occupiers were notified directly of the application.
- 9.2 Due to the proximity of the site in relation to a Public Right of Way (PROW), the planning officer posted a notice advertising the application at the site on 10 January 2023 and the application was advertised in the Local Press on 22 December 2022.
- 9.3 1 letter was received in support of the application. The comments can be summarised as follows:

Comment		Where in the report this is considered
1	The kind of development that we should be encouraging in the Green Belt because of its relevance to the future of farming and the planet.	i.
2	Alternative schemes (such a polo establishments and commercial development) have been flourishing within the Green Belt, which indicate how poor the planning system is at managing the basic principle of the Green Belt.	i.
3	Excellent sustainable design, which will be a visual asset to the area	ii. & iv.

Consultee responses

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	Pre-commencement condition recommended should planning permission be granted	ix.
Environment Agency	Standard advice regarding foul drainage, which seeks new development to connect to the public mains (with the prior written approval of the statutory undertaker) whenever possible. However, in this instance, the development site is greater than 150m from a foul sewer and therefore it is satisfactorily demonstrated that it is not feasible to connect to the public foul sewer. It should be noted that the applicant may need an Environmental Permit from the Environment Agency.	ix.
Environmental Protection	No concerns	
Ecology	No concerns subject to conditions	iii.

Amenity Groups and Parish Council Comments

Consultee	Comment	Where in the report this is considered
Shottesbrooke Parish Council	No objection	

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of Development
- ii Loss of Community Facility
- iii Character & Appearance
- iv Landscaping, ecology and other environmental considerations
- v Climate Change and Sustainability
- vi Affordable Housing
- vii Housing Provision and Quality
- viii Highway considerations, sustainable transport and parking provision
- ix Impact on amenity
- x Other material considerations
- xi Planning balance

i. Principle of Development

Green Belt

10.2 Paragraph 149 of the NPPF sets out that the construction of new buildings is inappropriate in the Green Belt unless it falls into any of the exceptions.

10.3 The exceptions set out within paragraph 149 of the NPPF, which could possibly be relevant to this application, are:

- a) buildings for agriculture and forestry;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting

an identified affordable housing need within the area of the local planning authority.

- 10.4 The use of the existing building is evident from the planning history and historic lease, which concludes it has always been used as a social club. The integral residential accommodation is ancillary to the social club.
- 10.5 Previously Developed Land is defined by the NPPF as:
“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”.
The existing site is considered to be previously developed land.
- 10.6 The proposed building has a mixed use of C3 dwellings¹) and agricultural and therefore is a mixed use; it cannot therefore be considered under exemption 149(a), which requires the use to be solely for agriculture (or forestry). The proposed building is not in the same use as the building it would replace, and as such cannot be considered under exemption 149(d).
- 10.7 It is considered that the proposal would fall within the remit of ‘complete redevelopment of previously developed land’, and therefore to be considered an exception under NPPF paragraph 149g); the LPA need to be satisfied that the proposal would have no greater impact upon the openness of the Green Belt than the existing development.
- 10.8 Paragraph 001 (ref ID: 64-001-20190722) of the NPPG’s Green Belt guidance sets out some of the factors which can be considered when assessing the potential impact of development upon openness. This assessment requires a judgment based on the circumstances of the case; however, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:
- both spatial and visual aspects – i.e. the visual impact of the proposal may be relevant, as could its volume;
 - the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
 - the degree of activity likely to be generated, such as traffic generation.

Impact upon openness

Spatial & Visual Aspects

- 10.9 The existing site consists of single storey structures measuring a total GIA of 467m² and a volume totalling 1,640m³. The footprint of these structures measures 503.92m² and the site also contains a significant amount of hardstanding, covering an area of 1,318m².

¹ See Paragraph 10.41. Officers are not satisfied that these residential units are “rural worker” dwellings.

10.10 The proposal seeks to erect a two-storey building measuring a total GIA of 752.6m² a volume totalling 3,631m³. The proposed structure will have a footprint of 648.1m² and the proposed hardstanding will be reduced to 479m².

10.11 The table below clearly sets out the increase/decrease for each of these previously noted elements.

	Existing	Proposed	Difference	% Change
GIA	467m ²	752.6m ²	+285.6m ²	+61.16%
Volume	1,640m ³	3,631m ³	+1,991m ³	+121.4%
Footprint	503.92m ²	648.1m ²	+144.18m ²	+28.62%
Hardstanding	1,318m ²	479m ²		

10.12 The submitted Design & Access Statement sets out that the greenhouse element of the proposal should not be included within the calculations as it is an unheated space with an earthen floor and it could be built separately elsewhere on the farm, under Part 6 of the General Permitted Development Order.

10.13 However, it is considered that the proposed greenhouse does form part of the building (it is part of the enclosed space within the proposed building), as such it is considered that it should form part of the GIA regardless of the proposed materials. Irrespective of whether a greenhouse could be built using permitted development rights elsewhere on the farm, this does not preclude it from forming part of the proposed building.

10.14 With the above in mind, it is evident that the proposed building is significantly larger than the existing development on site. The proposed building would be significantly larger in volume than the existing buildings on the application site. The proposed building is noticeably taller than the existing building on site (~2.5m). Whilst it is appreciated that the level of hardstanding on site would be reduced to a substantial degree, this does not mitigate for the fact that the size, scale and massing of the new building would be increasing to such a degree that there would be both a visual and spatial reduction in the openness of Green Belt.

Duration and remediability

10.15 In terms of duration and remediability, just like the existing buildings – the proposed building is to be permanent.

Activity generation

10.16 No Transport Statement has been provided, which makes it difficult to understand the level of activity this proposal could generate. However, as there would be a reduction in hardstanding for car parking, it is not considered likely that there would be an increase in traffic generation.

Conclusion

10.17 It is therefore considered that the proposed development would have a greater impact upon the openness of the Green Belt than the existing development and would therefore not fall under exception 149(g), as the proposed development is significantly

larger in volume and floorspace than the existing buildings on site, and owing to the noticeable increase in height of the proposed building it would have a greater visual impact than the existing building. Considering these factors, it is considered that the proposed development would have a significant impact upon the openness of the Green Belt.

- 10.18 As such, the proposal represents inappropriate development within the Green Belt and as per paragraph 147 of the NPPF – “*should not be approved except in very special circumstances*”. Paragraph 148 of the NPPF continues to set out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt because of inappropriateness, and any other harm resulting from the proposal, is outweighed by other considerations. The application makes a case of VSC, and this is considered at the end of the report in the planning balance.

ii. **Loss of Community Facility**

- 10.19 Policy IF6 of the Adopted Local Plan seeks to retain existing community facilities and therefore applications for change of use or development will be resisted. It states, “*Planning permission for development leading to the loss of facilities...last used for the provision of community activities will only be granted where it can be demonstrated that:*
- a) *there is no longer a demand for the facility within the area, demonstrated by continuous marketing evidence for a period of at least twelve months, or*
 - b) *the proposed development would provide sufficient community benefit to outweigh the loss of the existing facility, or*
 - c) *there is provision for new or replacement facilities to meet an identified need in locations which are well related and easily accessible to the settlement or local community”.*
- 10.20 The explanation to Policy IF6 at paragraph 14.14.1 in the Borough Local Plan sets out that community facilities include local shops, meeting places, indoor sports venues, schools, cultural buildings, public houses, places of worship, health care facilities, leisure centres, libraries, day care centres and post offices.
- a. The social club would be regarded as a community facility, as it is a facility where a group of people would meet. In a historic planning application in 1974, it was noted “*For over fifty years this Club has provided a facility for local people to relax and enjoy each other’s company and play games of darts, cards, skittles etc.*” which supports the fact that the social club is a community facility.
- 10.22 The applicant has provided the following information in relation to the lease for the club.
- The application site was leased for 990-years by The Trustees of the White Waltham and Shottesbrooke Social Club.
 - Towards the end of 2020 the lease was surrendered and Quadrant (the owners of Waltham Farm) re-established control of the land.
- 10.23 The applicant has not provided information on the number of members the club had, although the applicant states that the use of the social club had been in steady decline for years leading to the final surrender of the lease in 2020. The applicant explains that (as set out in the lease), members of the general public were not permitted to enter the club; however, even with restrictions on the persons who could use the club, it was still

a meeting place for a group of people and so would be regarded as a community facility. Whilst the number of members may have been in decline over the years, this is not necessarily indicative that there is no longer demand for the facility.

- 10.24 In order to demonstrate there is no longer demand for the facility, Policy IF6 (a) sets out that this should be supported by a marketing exercise of at least 12 months. The application is not supported by a marketing exercise and so fails to comply with criterion (a) of Policy IF6.
- 10.25 Criterion (b) of Adopted Local Plan Policy IF6 sets out that the loss of community facilities will be resisted unless the proposed development would provide sufficient community benefits to outweigh the loss of the existing facility. It is noted that the applicant refers to the proposed facilities being used on occasion for educational purposes; however, this does not provide sufficient community benefit to outweigh the loss of the existing community facility. It should also be noted that the benefit to education already occurs at Waltham Farm without this proposal, therefore it is not considered that it has been demonstrated that criterion (b) is met. Criterion (c) of Policy IF6 is not met, as a new or replacement facility is not proposed.
- 10.26 To conclude the proposal is contrary to Policy IF6 of the Adopted Local Plan as insufficient justification and evidence (as required by the policy) has been provided to demonstrate that the loss of the community facility would be acceptable.

iii. **Character & Appearance**

- 10.27 Borough Local Plan policies QP1 and QP3 both advise that development should seek to achieve high-quality design that improves the character and quality of an area. This is achievable in a manner of ways as set out in the relevant policies to achieve good design.
- 10.28 The proposed building would be highly sustainable, with the materials being plant-based and the design would be of a high-quality with architectural merit. The materials would provide a rural appearance with timber, hempcrete and glass being the most prominent.
- 10.29 The proposal is considered to be in accordance with Policies QP1 and QP3 of the BLP with regard to design and appearance.

iv. **Landscaping, ecology and other environmental considerations**

- 10.30 The tree report schedules a few trees for removal, including an apple tree, cherry plum tree and small sections of the hedgerow. All other trees (including the mature oak), and the majority of the hedgerow are to be retained and protected (where required) during the proposed works.
- 10.31 The application is accompanied by landscaping plans, which include relatively extensive ecological enhancements, including the creation of an orchard. The submitted plans, if implemented effectively, would clearly be sufficient to provide a net gain for biodiversity on the site (given the low quality of the current onsite habitats), in accordance with the NPPF and Policy NR2 of the Borough Local Plan (BLP). If recommended for approval, a condition would be recommended to secure the biodiversity net gain.

- 10.32 The ecology survey report (AA Environmental, May 2021), whilst having been undertaken over two years ago is considered to still be accurate due to the low ecological value of the site. This survey is considered to have been undertaken to an appropriate standard and details the results of a preliminary ecological appraisal (PEA) of the site and preliminary bat roost assessment (PRA) of the buildings and trees. The buildings and mature lime tree were assessed as having “negligible” potential and the mature oak tree “moderate” potential to host roosting bats, though closer inspection of the oak tree PRFs did not reveal any signs of use by bats. The site was not considered suitable for use by other protected or priority species.
- 10.33 There appears to be one pond that falls just within 500m of the site, which could be used by great crested newts (GCN), but at this distance, and with mainly sub-optimal arable land between this and the site; no suitable GCN habitat onsite; and the site falling within the “green” impact risk zone for GCN, this is not considered to present a constraint in this case.
- 10.34 Were the application to be supported, appropriate conditions and informatives relating to: bats; biodiversity net gain; biodiversity enhancements; and external lighting would be required. With these conditions, the application would be compliant with Policy NR2 of the BLP.

v. Climate Change and Sustainability

- 10.35 Policy SP2 of the Borough Local Plan (2013-2033) requires all development to demonstrate how they have been designed to incorporate measures for adapting to and mitigating climate change. The RBWM Interim Sustainability Position Statement came into effect in March 2021, which sets out how the Council will work towards combating climate change through sustainability measures.
- 10.36 The Council Interim Sustainability Position Statement requires all development (excluding householder extensions) which cannot achieve net-zero carbon to provide a building emission offset contribution towards the Council’s carbon offset fund. The Council’s Interim Sustainability Position Statement sets out that a net-zero carbon outcome should be achieved on-site where feasible, and this preference is to ensure net-zero carbon emissions across the Borough are achieved no later than 2050 in line with the UK Governments commitment and the declaration of a climate emergency in June 2020.
- 10.37 An energy statement accompanies this application, which expects the proposed development to achieve a 123% reduction in regulated CO₂ emissions, with the figure exceeding 100% due to solar electricity generation outweighing the regulated energy demand of the building.
- 10.38 Given the above, it is considered that the proposed development would not be required to provide a building emissions contribution; however, it would still be liable to a lifestyle contribution (£1,144 per residential unit). This contribution recognises that the activities of residents within the borough generate additional emissions over and above those associated with heating and electricity use i.e. aviation, agriculture, transport and waste. This is not covered by exceeding 100%.
- 10.39 In the absence of a legal agreement securing the reduction in carbon emissions stated (a caveat to allow the Council to obtain a contribution if the figure is not met), and a lifestyle contribution (totalling £5,720), the application fails to comply with Policy SP2 of the BLP and the Council’s Interim Sustainability Position Statement.

vi. **Affordable Housing**

- 10.40 Policy HO3 of the BLP states that within designated rural areas 40% affordable housing will be required within developments of between 5 and 9 dwellings. Footnote 14 to policy HO3 sets out that rural areas are as listed in Schedule 1 of The Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) Order 1997); the parish of Shottesbrooke is listed in the Order as a rural area. The application site falls within the Parish of Shottesbrooke, and as such, in line with policy HO3, as the scheme proposes 5 dwellings, there is a requirement for 40% of the dwellings to be affordable.
- 10.41 Paragraph 4.3 of the submitted Green Belt Policy Statement says that all 5 of the units would be limited to occupation by persons employed by or otherwise engaged at the farm, with the intention of them to provide affordable accommodation to such persons employed or otherwise engaged at the farm. Insufficient justification and evidence have been provided to demonstrate that the proposed residential units are responding to an essential and permanent agricultural need on the agricultural holding, which would be required to evidence the need for an agricultural worker dwelling(s). Therefore, the proposed residential units are considered to be open market homes and are not regarded as agricultural workers dwellings (as there no proven need). In line with the requirements of policy HO3 of the Adopted Local Plan, the proposed scheme would be expected to provide 40% affordable housing or a contribution in lieu of an onsite provision. The scheme does not propose any of the units to be affordable, or to make an in-lieu contribution, as such the scheme fails to comply with Policy HO3 of the Adopted Local Plan.

vii. **Housing Provision & Quality**

- 10.42 BLP policy HO2 (Housing Mix and Type) states that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest (2016) Berkshire Strategic Housing Market Assessment. New development should provide an appropriate mix of housing tenures, types and sizes appropriate to the site size, characteristics and location.
- 10.43 The purpose of this Policy is to ensure that there is a flexible housing stock available to the Borough's community that will help meet the wide range of accommodation needs. In this instance, given the nature of the proposed units, it is considered acceptable not to have larger residential units as reflected in the SHMA and Local Plan policy HO2.

viii. **Highway considerations, sustainable transport and parking provision**

- 10.44 Access into the application site will remain unchanged in comparison to the existing situation.
- 10.45 The proposal seeks to reduce the number of car parking spaces from 36 to 10 (9 standard spaces + 1 oversized space for a tractor, minibus or delivery van).
- 10.46 The submitted Design & Access Statement is of the opinion that there would be less vehicular movements than the existing use; however, no Transport Statement has been provided to justify this.

- 10.47 Nevertheless, the number of vehicular movements resulting from this development is unlikely to have a detrimental impact upon highway safety.
- 10.48 The number of proposed spaces corresponds to the maximum set out within the Parking Standards set out in the Council's parking Strategy. A 2-bed dwellinghouse should have a maximum of 2 parking spaces, and a 1-bed dwellinghouse should have a maximum of 1 parking space. Whilst not specified, parking for the agricultural element of the proposal should be assessed upon its own individual circumstances.
- 10.49 Whilst in line with the standards, in the interest of sustainability and the fact that workers are proposed to live on site, it is considered that this provision is too high. However, this over provision of parking is partly counterbalanced by 33.3% of the spaces being equipped with EV charging facilities, which is over the 20% sought by Building Regulations Part L 2013. The number of parking spaces proposed are not considered to be detrimental to a degree that would justify an additional reason for refusal.
- 10.50 The application also seeks to provide one cycle space per residential unit, which is looked upon favourably.
- 10.51 Given the above, the scheme is considered to be in accordance with Policy IF2 of the BLP and T1 of the Neighbourhood Plan.

ix. **Impact on amenity**

- 10.52 Policy QP3 (m) of the BLP seeks to protect the amenity of the occupiers of dwellings both surrounding application sites and application sites themselves. Section 8 of the Borough Wide Design Guide SPD covers this in detail.

Neighbouring Amenity

- 10.53 When assessing a proposals impact upon neighbouring amenity, there are three key areas to assess. These are:
- Overlooking
 - Overshadowing
 - Outlook
- 10.54 The application site is not located within proximity of any neighbouring properties, whereby it would be possible to have a negative impact upon them regarding these areas of assessment.

Current/Future Occupiers

- 10.55 When assessing a proposals impact upon the amenity of the occupiers, there are five key areas to assess. These are:
- ii. Living Space
 - iii. Amenity Space
 - iv. Overlooking
 - v. Overshadowing
 - vi. Outlook

Living Space

- 10.56 The proposed residential units would all be compliant with the Nationally Described Standards, and therefore are considered acceptable in this regard.

Amenity Space

- 10.57 The proposal seeks to provide private and communal amenity space; however, not all the proposed residential units have access to private amenity space – Unit 4 is a clear example of this, given it is a first-floor apartment with no balcony. This is against the guidance in principle 8.5 of the Borough Wide design guide SPD.
- 10.58 Furthermore, Unit 5 is accommodated by a 7.5sqm balcony with a depth of 1.25m. This does not comply with the Borough Wide Design Guide which seeks a minimum depth of 2m for flats above ground floor.
- 10.59 Units 1-3 are considered to be acceptable with regard to private amenity space.
- 10.60 Given the concerns surrounding private amenity space for Units 4 and 5, the proposal fails to comply with Policy QP3(l) of the BLP which sets out that new development should provide sufficient levels of high quality private and public amenity space.

Overlooking

- 10.61 Residential units 1-3 are most susceptible to adverse overlooking as their ground floor kitchen/diners all face into the greenhouse; however, the proposed plans do contain sliding privacy screens to alleviate this concern, although these are likely to be inconvenient for the occupants.
- 10.62 It is unlikely that an unacceptable level of overlooking would result from the proposal.

Overshadowing

- 10.63 No overshadowing concerns are foreseen as a result of the development.

Outlook

- 10.64 No outlook concerns are foreseen as a result of the development.

x. Other Material Considerations

Flooding

- 10.65 It is noted that the application is accompanied by a Flood Risk Assessment & Drainage Strategy; however, the application does not fall within Flood Zones 2 or 3.
- 10.66 Nonetheless, the provided document confirms that the scheme will result in a low risk of flooding.

Archaeology

- 10.67 The application site lies in an area where little is understood of archaeology; however, this is due to a lack of investigation locally rather than a lack of potential.
- 10.68 Previously, the laying of two gas pipelines to the west and south of White Waltham have revealed deposits of Neolithic (4,000 – 2,000 BC) and Iron Age (900-100 BC) date, the former being a particular rare discovery outside of the major monuments of the period. These include a series of Neolithic pits c.200m south of the site and there is potential for more evidence to remain in the area. In addition, a scattering of finds spots of prehistoric, Roman and medieval date have been recorded all around White Waltham, including discoveries reported to the Portable Antiquities Scheme.
- 10.69 The application site therefore falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. As such, were planning permission to be granted, a condition would be required to ensure no development would take place until a programme of archaeological work including a Written Scheme of Investigation (WSI) be submitted to and approved by the LPA.

xi. **Planning Balance**

Very Special Circumstances

- 10.70 The applicant has provided a number of reasons for why it is felt this application could potentially be subject to very special circumstances. This section will assess each of these reasons individually, under the same subheadings put forward by the applicant within their submitted statement.

Enhancement of a Beneficial Green Belt Use

- 10.71 The applicant notes that the Biodynamic Association considers them to be one of four model farms in the country, and this is subsequently backed by a letter from the Biodynamic Association.
- 10.72 The applicant argues that very special circumstances arise from ensuring the nationally important work predicated on the ongoing agricultural use of the land, the quality of the land and the produce arising from it; all continue to a satisfactory degree.
- 10.73 It is not disputed that the wider farm is a model farm in the eyes of the Biodynamic Association; however, the applicant has failed to provide justification as to why the proposed building with the uses it proposes (including 5 residential units), is necessary to the ongoing functioning/support of the wider enterprise as a model farm for the Biodynamic Association. There is no justification for why 5 residential units are needed, or that it is necessary that any of the farm workers live on site or be close to the farm in responding to an essential and permanent agricultural need on the agricultural holding.
- 10.74 Given this lack of information, it is not considered that it has been demonstrated that the proposed development is necessary for the wider farm estate to operate at a required level for the Biodynamic Association to continue considering them as a model farm.

10.75 As such, no weight is given to this reason for VSC.

Exemplary Design/Architecture

10.76 The applicant argues that the architectural design of the proposed building should be considered very special circumstances. Reasons behind this include the architect being an award winner with a proven track record of delivering high quality contemporary buildings with a sense of belonging and adopting a holistic approach to environmental sustainability.

10.77 The application is accompanied by a statement from www.designreviewpanel.co.uk which comprises a group of independent, multi-disciplinary construction professionals who provide impartial expert advice to applicants and local authorities on design issues in relation to important new development schemes.

10.78 The panel's statement concludes that they consider the design to be both "*outstanding & innovative*", due to the "*simple palette of building materials*" and their connection to the farms planting and feeding strategy (hemp). The panel also considered the sustainable and low energy use to be an essential element of the "*outstanding*" design, which Officer's agree with. The proposed building is of a rural appearance and has architectural merit, which would sit well with the surrounding character of the area. Weight is given to the innovative and sustainable design of the proposed building, and this weight regarded as 'moderate'.

Non-availability of Alternative Sites

10.79 The planning statement sets out that there are no non-green belt locations in which a development of this nature could take place. The application is not accompanied by any evidence to demonstrate this argument.

10.80 The applicant states, "*There are no alternatives available to the farm and their very raison d'être is for related activities to take place in the same location. Why would a farming business search for sites beyond the agricultural holding when it has a previously developed site within a few hundred metres of the core buildings on the farm?*"

10.81 The applicant has not provided any justification as to why the residential units for workers proposed in this scheme are required, other than making passing comments as to future workers likely not being able to afford to live in market housing within the local vicinity.

10.82 As noted above, supporting text Paragraph 6.18.7 of the Borough Local Plan 2013-2033 sets out that applications for new dwellings in the Green Belt for a worker engaged in farming will be judged on a case-by-case basis. Any such dwelling should be responding to an essential and permanent agricultural need on a holding that cannot be met elsewhere and be proportionate to the holding or other enterprise it is intended to serve, not the personal preference of the occupier.

10.83 The applicant states that the proposed residential units are to be occupied solely by persons either employed by the farm or directly engaged in the educational function of the farm. The applicant further notes, "*On occasion, the accommodation will be*

vacated whilst apprentices are at other farms and colleges. Apprentices on reciprocal visits may need to be accommodated at Waltham Place Farm and/or temporary staff may be necessary to undertake the farm works otherwise done by apprentices when they are away”.

- 10.84 The applicant has noted that the existing onsite residential units within the wider farm estate (4 staff houses, circa 400m to the northeast of the application site) are fully occupied by long term senior staff and managers of the farming enterprise and have been so for some years. The students and apprentices noted to occupy the proposed residential units sought within this application would do so on a temporary basis, and it has not been evidenced that any of the residential units are necessary as agricultural workers dwellings.
- 10.85 The applicant further comments that they believe it is unnecessary for the LPA to seek control over who exactly occupies the units. The proposed use of the residential units appears to be fluid as set out in the planning submission. Five units are proposed, some with 2 bedrooms. No justification has been provided as to why five units are required, or indeed why the units would need 2 bedrooms if they are to accommodate workers/apprentices of the farm. This information is important to understand the justification of the scale of this building which is deemed inappropriate development in the Green Belt.
- 10.86 It is considered that insufficient justification has been provided to demonstrate that the residential units within this building (size and number) are needed, further emphasised by the applicants supposed need for dwellings in excess of the Nationally Described Space Standards (units 1-3 exceed the NDSS by 20% (90% were they to be proposed as 1-bed units).
- 10.87 Whilst the applicant has provided a plan demonstrating how the existing building could be adequately converted into 5 residential units; this could not occur without planning permission. A conversion would also not have the same impact on the openness of the Green Belt as the proposed development. Based on the above, the lack of alternative sites in non-green belt locations which could accommodate this development is given limited weight as VSC.

Re-use of Previously Developed Land (PDL)

- 10.88 As previously discussed within paragraph 10.6-10.18, whilst the existing site can be considered PDL – the proposal would have a greater impact upon the openness of the Green Belt than the existing development. This is given limited weight as a benefit.

Sustainability Benefits

- 10.89 The proposed building would be an exemplar in terms of operational energy, deploying high performance building fabric, energy efficient building services, and renewable forms of energy and on-site resources. As a result of these measures, the proposed development is expected to achieve a 123% reduction in regulated CO2 emissions, which far exceeds the local policy target of 20% CO2 reduction and the GLA net-zero regulated carbon requirement.
- 10.90 This is looked favourably upon this; however, sustainable design and seeking development with net-zero carbon emissions are standard practice within the Borough, which is sought by Policy.

10.91 The high sustainability benefits of the building are given moderate weight as a VSC.

Benefits to Education

10.92 The proposed scheme seeks to act as a hub for the provision of small group teaching and demonstrations, to aid with the farms ongoing support for local schools, whereby it welcomes 1,500+ children annually.

10.93 Whilst the LPA commend this aspect of the scheme, it is not the sole element. As previously noted, the provision of 5 residential units does not provide the benefit of education. This is given limited weight as a benefit.

Visual Enhancement

10.94 The applicant states that the existing building is "*dilapidated and beyond viable repair and the surrounding site is unkempt and deteriorating*".

10.95 As previously noted in paragraph 10.20, it is considered that the proposed building would be of architectural merit, fitting in well with the rural character of the area. However, visual enhancement through replacement of dilapidated and unkempt existing structures is insufficient as the landowner has a duty to prevent structures from becoming untidy.

10.96 Moreover, the site could be redeveloped in a positive way at a smaller scale and would still make a visual improvement.

10.97 This point is considered to carry limited weight, given a visual enhancement could be achieved through other means.

Landscape Enhancement/Reduction in Hardstanding

10.98 The applicant believes that the increase of soft landscaping and reduction in tarmac form a basis for very special circumstances.

10.99 The increased planting and landscaping is a benefit and is considered to carry moderate weight in the planning balance.

Ecological Enhancement

10.100 The applicant puts forward a case for VSC revolving around ecological enhancements, which would inevitably result in a biodiversity net gain (as confirmed by the Council's Ecologist). However, no biodiversity net gain calculations have been provided and biodiversity net gain is a Policy requirement (as per Local Plan Policy NR2). Given this, and the insufficient information noting how much of a net gain would be provided, this benefit is given limited weight.

Farm Diversification

10.101 The applicant notes that paragraph 84 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings as well as the development and diversification of agricultural and other land-based rural businesses.

10.102 The applicant further notes that paragraph 85 of the NPPF requires planning decisions to recognise sites that meet local business and community needs in rural areas and that they may need to be located beyond existing settlements, and in locations that are not necessarily well served by public transport. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

10.103 The LPA does not contend these points; however, as previously noted, whilst the existing site can be considered PDL – the proposal would result in a greater impact upon the openness of the Green Belt.

10.104 The LPA does not seek to prevent the growth or expansion of the farm; however, this application has not been accompanied by sufficient justification for the scheme sought.

10.105 In the absence of this information, this point is given very limited weight.

Conclusion

10.106 The assessment undertaken finds the proposal does not fall within any of the exceptions to inappropriate development within the Green Belt noted within the NPPF or Adopted Local Plan policy QP5, and therefore, by definition, the scheme represents inappropriate development within the Green Belt. As such, Very Special Circumstances need to exist which clearly outweighs the harm to the Green Belt, and the other harm identified for this scheme to be considered acceptable.

10.107 When considering Very Special Circumstances, it must first be identified as to what constitutes VSC. Firstly, the answer to the question is dependent on the weight of each of the factors put forward and the degree of weight to be accorded to each is a matter for the decision taker, acting within the “Wednesbury Principles”. This stage will often be divided into two steps:

1. to determine whether any individual factor taken by itself outweighs the harm; and
2. to determine whether some or all of the factors in combination outweigh the harm.

There is case law that says that a number of factors, none of them “very special” when considered in isolation, may when combined together amount to very special circumstances and goes on to say that “*there is no reason why a number or factors ordinary in themselves cannot combine to create something very special*”.

10.108 As noted within each of the VSC subheadings of this report, weight has been afforded to each of the points put forward by the applicant. A summary of this is as follows:

VSC Argument	Weight				
	None	Limited	Moderate	Significant	Substantial
1 Enhancement of a Beneficial Green Belt Use	X				

2 Exemplary Design/Architecture			X		
3 Non-availability of Alternative Sites		X			
4 Re-use of Previously Developed Land (PDL)		X			
5 Sustainability Benefits			X		
6 Benefits to Education		X			
7 Visual Enhancement		X			
8 Landscape Enhancement/Reduction in Hardstanding			X		
9 Ecological Enhancement		X			
10 Farm Diversification		X			

10.109 It is noted that the majority of the VSCs posed are considered to carry limited weight, and none carry significant or substantial weight.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development is CIL liable. The final CIL payment will be calculated and agreed on the commencement of development. Based on current calculations it is anticipated to be in the region of £121,489.91 which will contribute towards the delivery of identified infrastructure within the Borough.

11.2 It should be noted that the only CIL liable aspect is the residential element, which would be charged at £315.55 per sqm. The total residential floorspace measures 385.01sqm.

12 CONCLUSION

12.1 The NPPF is clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

12.2 The proposed scheme would represent inappropriate development within the Green Belt which is by definition harmful. The scheme does not fall under any of the exceptions noted within paragraph 149 of the NPPF, with the assessment under 149(g) concluding that the proposal would have a significant impact on the openness of the Green Belt.

- 12.3 The application fails to comply with Policy IF6 of the Adopted Local Plan, as insufficient justification and evidence has been provided to demonstrate that the loss of the social club as a community facility is acceptable.
- 12.4 The application fails to comply with Policy SP2 of the Adopted Local Plan and the Council's Interim Sustainability Statement due to the absence of a legal agreement to secure that the building is net carbon zero, and securing a lifestyle contribution of £5,720.
- 12.5 The application fails to comply with Policy QP3(I) of the Adopted Local Plan, and advice contained within the Borough Design Guide SPD, due to the insufficient provision of private amenity space and/or depth of the balcony space for 2 residential units (4 & 5). In addition, there is no justification or evidence put forward which sets out that the residential units are required to meet an essential and permanent need on the agricultural holding, and as such residential units are therefore considered to be open market housing. A proportion of this housing would be required be affordable, in line with policy HO3 of the Adopted Local Plan. The scheme fails to provide any affordable units and therefore fails to comply with Policy H03 of the Adopted Local Plan.
- 12.6 There are benefits arising from the scheme, which include its high-quality design, sustainability, and landscape enhancements with other limited benefits including further enhancement with regard to ecology and education, as well as proposing the scheme on previously developed land. However, these benefits are only given a maximum of 'moderate' weight, with the majority being classified as 'limited' and when these benefits are combined, they are not considered to amount to VSC which would clearly outweigh the harm to the Green Belt which is afforded substantial weight, and the other harms identified.

13. APPENDICES TO THIS REPORT

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

14. REASONS RECOMMENDED FOR INCLUSION IF PERMISSION IS REFUSED

- 1 The proposed development represents inappropriate development within the Green Belt which is by definition harmful. The scheme would also harm the openness of the Green Belt. The scheme does not fall under any of the exceptions noted within paragraph 149 of the NPPF, with the proposal failing to comply with paragraph 149(g) of the NPPF due the proposed development having a greater impact on the openness of the Green Belt than the existing development. The benefits of this scheme do not amount to Very Special Circumstances which would clearly outweigh the harm upon the Green Belt which is afforded substantial weight, and the other harm identified. The proposal fails to comply with Policy QP5 of the Borough Local Plan (2013-2033) and Chapter 13 of the National Planning Policy Framework.
- 2 The proposal would result in the loss of the social club which is a community facility. The proposal fails to provide sufficient justification and evidence to demonstrate the loss of the community facility meets the requirements of policy IF6 of the Adopted Borough Local Plan.
- 3 In the absence of a legal agreement securing a lifestyle contribution of £5,720

towards the carbon offset fund and securing that the proposed building is net carbon zero, the proposal fails to comply with Policy SP2 of the Borough Local Plan (2013-2033), and the requirements of the Council's Interim position statement on sustainability.

- 4 In the absence of a legal agreement securing 40% of the proposed residential units as affordable housing, or an in-lieu contribution; the scheme fails to comply with Policy HO3 of the Adopted Borough Local Plan (2013-2033).
- 5 The proposal would result in harm to the amenity of future occupants due to the insufficient provision of private amenity space for residential Units 4 and Unit 5. The scheme therefore fails to comply with Policy QP3(l) of the Borough Local Plan (2013-2033), and Chapter 8 of the Borough Wide Design Guide Supplementary Planning Document (SPD) (June 2020).