ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE

Application No.:	22/02756/FULL
Location:	Fowles Crushed Concrete Hythe End Farm Hythe End Road Wraysbury Staines TW19 5AW
Proposal:	Replacement of hardstanding with concrete surfacing, maintenance access and drainage infrastructure associated with the lawful storage and processing of waste material in the north western area of the existing waste recycling facility.
Applicant:	Mr Fowles
Agent:	Guy Titman
Parish/Ward:	Wraysbury Parish/Datchet Horton And Wraysbury

If you have a question about this report, please contact: Jeffrey Ng on or at jeffrey.ng@rbwm.gov.uk

1. SUMMARY

1.1 Following the publication of the main Committee report, the Council has received a copy of a letter from the applicant and a technical note, which is prepared by JBP Consulting on behalf of the applicant, responding to comments from the Lead Local Flood Authority (LLFA).

1.2 It does not change the recommendation.

2. ADDITIONAL INFORMATION RESPONDING TO LLFA COMMENTS DATED 12 JUNE 2023

2.1 The Council has received a copy of a technical note, which is prepared by JBP Consulting on behalf of the applicant, responding to comments from the LLFA dated 12 June 2023.

Surface Water Storage

2.2 The technical note sets out that the proposed concrete surfacing is a working area and is not subject to a longer-term stockpiling of waste. However, the technical note does set out that the whole purpose of the surfacing is to store waste. The current Environmental Permit only allows 1,540 tonnes (4,360 cubic metres) of waste materials to be placed at the application site though there is no restriction under the planning regime to the amount of waste to be handled at the wider site. The technical note sets out that dry area (i.e., grey area) under the Drawing Ref.: 2016s4837-501 (Rev. P02) 'Surface water containment scheme general arrangement' can sufficiently be used to store waste without using the surface water storage area (i.e., blue area).

2.3 Comments from the LLFA clearly set out that the storage volume proposed will only be sufficiently sized for surface water storage if there are no stockpiling materials to be stored within the designated surface water storage area. There is no dispute that the dry area (i.e., grey area) can technically be used to store waste without using the designated water storage area. However, the technical note does set out that it would not be practical completely to fill the surfacing as a reasonable working area will be required for site operation, which includes both the blue and grey areas of the site. The technical note does not fully elaborate how the surface water storage

strategy is compatible with the waste operation of the site.

2.4 As discussed in paragraph 10.29 of the main Committee report, the imposition of a planning condition to restrict the storage of materials within the designated surface water storage areas (i.e., blue area) would not be enforceable and reasonable as it would fail to meet the condition tests set out in the National Planning Policy Framework (NPPF).

Other Matters

2.5 The technical note is also responding to the point relating to the robustness of the proposed engineering solution, which is set out under the received Environment Agency comments. Paragraph 10.30 of the main Committee report already sets out that the efficiency of the engineering solutions is not a material consideration of this planning application.

3. LETTER FROM THE APPLICANT

3.1 The Council has also received a copy of a letter from the applicant regarding a concern about the determination of this planning application. During the course of the application, opportunities have been given to the applicant to respond to consultees comments, including the LLFA. Regarding the final LLFA comments received on 12 June 2023, Officers take a view not to accept any new information after the receipt of the final LLFA comments for the following two reasons:

1. The concern raised by the LLFA is not a new subject matter as there is an ongoing discussion about this. Therefore, it would not be appropriate to say that no opportunity was given to respond to the relevant comments.

2. No further extension of time or committee agreement has been reached with the applicant to report this application to the next meeting.

3.2 It is noted that the additional information provided by the applicant and the concerns raised in the applicant's letter have been formally addressed.

There is no change to the recommendation in the main report.