

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD  
PANEL UPDATE**

**Maidenhead Panel**

<b>Application No.:</b>	23/00455/FULL
<b>Location:</b>	Land At The North of Foxley Green Farm Ascot Road Holyport Maidenhead
<b>Proposal:</b>	Change of use from agricultural land to private equestrian use to provide a polo pitch alongside associated engineering works for drainage and levelling.
<b>Applicant:</b>	C/o Agent
<b>Agent:</b>	Mr Bristow
<b>Parish/Ward:</b>	Bray Parish/Bray

**If you have a question about this report, please contact:** Vivienne McDowell on 01628 796578 or at [vivienne.mcdowell@rbwm.gov.uk](mailto:vivienne.mcdowell@rbwm.gov.uk)

## 1. SUMMARY

- 1.1 The applicant has provided further information regarding the importation of sand and shingle for the proposed drainage works – this is summarised in a table below.
- 1.2 An additional letter of objection t has been received – this is summarised in a table below.
- 1.3 The applicant has also submitted the District Licence Report (prepared by NatureSpace) and Impact Plan for GCN District Licencing (prepared by NatureSpace). The NatureSpace report contains 3 conditions to be imposed on this application and informatives. NatureSpace has confirmed that the submitted documents are correct and that this is all the information required for the District Licence prior to determination of the application.

1.4

**There is a change in the recommendation in the main report, as follows:**

**Grant permission subject to conditions in section 14 of the main report together with the additional conditions required as part of the District Licence set out in Section 3 of this Update report.**

## 2. ADDITIONAL INFORMATION

- 2.1 It is understood that the levelling, drainage and the pond will be constructed in Year 1. In Year 2 there will be finishing the pitch and provision of additional aggregates once the ground has had time to settle. The applicant advises that they anticipate the levelling, drainage and pond would be constructed within approximately 3 months, and it is anticipated that the finishing of the pitch in year 2 will be completed within a month. Amounts of shingle, sand and vehicle movements are set out in the table below.

<b>Construction Aggregates Year 1 (approx. 3 months)</b>	<b>Tons</b>	<b>In 8-wheeler lorries</b>
4-10mm shingle	784	39
Sand	2000	100
<b>Total</b>	<b>2784</b>	<b>139</b>

<b>Phase 2 drainage in Year 2 construction aggregates (approx 1 month)</b>	<b>Tons</b>	<b>In 8 wheeler lorries</b>
4-10mm shingle	603	30
Sand	644	32
<b>Total</b>	<b>1247</b>	<b>62</b>

<b>Annual Maintenance 1 to 3 Sand Top dressings applications at 180 tons per application</b>	<b>Tons</b>	<b>In 8 wheeler lorries</b>
1 Application sand	180	9
2 Application sand	360	18
3 Application sand	540	27

- 2.2 The applicant's agent has advised that the construction period is forecast to last around 3 months and is expected to involve 20-30 vehicles per week, providing material deliveries, plant and contractors' vehicles. In terms of maintenance, they advise that an additional 8-10 vehicles are expected per month, which equates to 2-3 per week as a result of the new pitch.

#### **Additional Letter of objection received**

- 2.3 An additional letter of objection has been received. The main points raised are summarised in the table below.

<b>Comments</b>	<b>Officer Response</b>
Paid officials are wrong vis examples such as Les Lions (where they continue to invest in costly clubhouses, but not attenuation).	The LLFA has not raised objection to the drainage proposals.
In reality attenuation causes a break on flows. No special green belt measures provided, but proper attenuation would be a community benefit. Over the years RBWM have created a monster at Les Lions through inadequate policies and poor understanding of land drainage laws and principals. Consequently, flood relief schemes that RBWM can't afford now will be astronomical in the future.	The LLFA has not raised objection to the drainage proposals.
The water use at Les Lions is extremely high drawing from the acquifer/main all summer yet discharging accelerated water flows immediately to highway drains (probably sewers) and ordinary water	The LLFA has not raised objection to the drainage proposals.

courses in spring, summer, autumn and winter; and this is so wrong and must be stopped.	
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### Great Crested Newts

- 2.4 The applicant has also submitted the District Licence Report (prepared by NatureSpace) and Impact Plan for GCN District Licencing (prepared by NatureSpace). The NatureSpace report contains 3 conditions to be imposed on this application and informatives.
- 2.5 NatureSpace has confirmed that the submitted documents are correct and that this is all the information required for the District Licence prior to determination of the application. They also request that the LPA copies the conditions and informatives from pages 7-8 of the report onto the decision notice, if planning permission is to be granted.

### 3 Additional Conditions recommended

- 3.1 In addition to the conditions suggested in Section 14 of the main report, the following 3 conditions required by NatureSpace are to be imposed.

#### Condition

No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR137, or a 'Further Licence') and with the proposals detailed on plan "Foxley Green: Impact Plan for great crested newt District Licensing (Version 2)", dated 20th December 2023.

**Reason:** In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML - OR137, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

#### Condition

No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR137, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.

The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

**Reason:** In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

#### Condition

No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR137 (or a 'Further Licence'), and in addition in compliance with the following:

- Works to existing ponds onsite may only be undertaken during autumn/winter, unless otherwise in accordance with the Great Crested Newt Mitigation Principles.
- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features,

prior to commencement of the development.

**Reason:** In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML- OR137, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

