

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

Maidenhead Panel

Application No.:	23/00834/OUT
Location:	Land Bordered By Woodlands Park Avenue And Woodlands Park Road Maidenhead
Proposal:	Outline application for access only to be considered at this stage with all other matters to be reserved for up to 225 residential dwellings with strategic open space incorporating informal sports pitches and land for allotments, new vehicular access off Woodlands Park Road and emergency access off Woodlands Park Avenue, pedestrian and cycle access, SUDs, biodiversity features and other associated infrastructure.
Applicant:	Mr Lambert
Agent:	Mr Luke Veillet
Parish/Ward:	Cox Green Parish/Cox Green
If you have a question about this report, please contact: Sarah Tucker on or at sarah.tucker@rwm.gov.uk	

1. SUMMARY

- 1.1 Amendments to the wording of recommended conditions 4, 7, 12 and 13 have been made as detailed below.

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

2. AMENDMENTS TO RECOMMENDATION CONDITIONS:

- 2.1 Condition 4 be amended to read as follows:

Prior to the implementation of the surface water drainage scheme, details of the surface water scheme shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- i. Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- ii. Supporting calculations confirming compliance with the Non-statutory Technical Standards for Sustainable Drainage Systems, and the attenuation volumes to be provided;
- iii. Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented; and,
- iv. Details of the proposed levels in the north-west corner of the site, indicating how overland flows will be directed into the attenuation basin

The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure compliance with the NPPF, BLP Policy NR1 and to ensure the proposed development is safe from flooding and doesn't increase flood risk elsewhere.

2.2 Condition 7 to be amended to read as follows:

No development hereby permitted, including site clearance, vegetation removal, or ground works shall commence until a badger mitigation strategy has been submitted to and approved in writing by the local planning authority. The strategy shall be based upon an up to date badger survey and include 1) measures to ensure that the main badger sett identified in the ecology report (Ecological Assessment, Hankinson Duckett Associates, November 2023, ref: 2090.68) is retained and protected from interference during the construction period or if this is not possible details of the new artificial sett and methodology for excluding it from construction works, and 2) measures to ensure that badgers will be able to continue to traverse across and forage within the application site during construction and after completion of the development.
Reason: To protect badgers, a protected species, from the adverse impacts of development.
Relevant policies - Local Plan NR2.

2.3 Condition 12 be amended to read as follows:

Development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until Criteria 1 to 4 of this Condition (12) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

A survey of the extent, scale and nature of contamination; as assessment of the potential risks to:

- human health;
- property (existing or proposed) including buildings, crops, livestock, adjoining land; groundwaters and surface waters;
- ecological systems;
- archaeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme.

A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme.

The approved remediation scheme must be carried out in accordance with its terms prior to the

commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Criteria 1 of this Condition (12), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Criteria 2 of this Condition (12), which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Criteria 3 of this Condition (12).

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with BLP Policy EP1.

2.4 Condition 13 be amended to read as follows:

The construction of residential dwellings shall not commence until the vehicular access onto Woodlands Park Road has been constructed in accordance with the approved details.

Reason: In the interests of highway safety. Relevant Policies and in accordance with BLP Policies IF2 and QP3.

