

MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 April 2024

Item: 2

Application No.:	23/02588/FULL
Location:	Land At The Junction of Warners Hill And Dean Lane Cookham Maidenhead
Proposal:	New building to house 3no. stables, tack room, hay store, WC, construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters.
Applicant:	Mr And Mrs Dilley
Agent:	Frances Pullan
Parish/Ward:	Cookham Parish/Bisham And Cookham
If you have a question about this report, please contact: Maria Vasileiou on 01628 796478 or at maria.vasileiou@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks planning permission for the erection of a new building to house three stables, tack room, hay store, WC, the construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters.
- 1.2 The proposed stable building would replace the two existing shelters on the site (the removal of which would be secured by recommended condition) and would be sited in a similar location to the southernmost shelter along the western boundary with Warners Hill. The site has an established equestrian use and it has been demonstrated that the development would constitute appropriate development within the Green Belt.
- 1.3 Furthermore, the proposed development would be of form which would preserve the character and appearance of the conservation area and the setting of the listed building, would not result in unacceptable harm to amenities of surrounding properties, and subject to recommended conditions, would not result in unacceptable harm to highway safety in the surrounding area, trees or flooding, with a biodiversity net gain and associated biodiversity enhancements secured by recommended conditions.

It is recommended the Committee grants planning permission with the conditions listed in Section 13 of this report.

2. REASON FOR COMMITTEE DETERMINATION

- The application is classified as a 'major' application due to the size of the application site, and therefore this application should be referred to the Maidenhead Development Management Committee.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to a 1.398 hectare parcel of land located northeast of Cookham Dean at the corner of Warners Hill and Dean Lane. There are currently two horse shelters on the site with a floor space of 54sqm which are located along the eastern boundary. The land is laid to pasture and is considered to be established equestrian use.

3.2 The surrounding area is rural in character, comprising clusters of residential development. The site is within the Green Belt and the Cookham Dean Conservation Area.

4. KEY CONSTRAINTS

4.1 The key site designations and constraints are listed below:

- Green Belt;
- Cookham Dean Conservation Area; and,

4.2 It is noted that there is a Grade II Listed Building (Oak Beams) to the west of the site.

5. THE PROPOSAL

5.1 The application seeks planning permission for the erection of a new building to house three stables, tack room, hay store, WC, the construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters.

5.2 The proposed structures would have a floor space of 102.2 sqm. The proposed stable block would accommodate three horses, with associated facilities as detailed above. The structure would be located to the south east corner of the site in a similar location to one of the existing shelters. Additional timber post and rail fencing would be constructed to the west of the site.

5.3 The existing access to the site from Warners Hill would be utilised.

5.4 Amended plans have been submitted during the course of the application to revise the site location plan and reposition the proposed stables further within the site, and therefore outside the root protection areas of the offsite trees. No changes have been made to the form of the building. In addition, the plans have been amended in order to provide for the introduction of hardstanding to accommodate a parking/turning area.

5.5 Additional information has also been provided to address initial comments raised by the Highways Authority. These changes, and the above, have been the subject of formal reconsultation.

6. RELEVANT PLANNING HISTORY

6.1 There is no relevant planning history relating to this site.

7 DEVELOPMENT PLAN

7.1 The main relevant policies are:

Borough Local Plan (BLP)

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2

Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Sustainable Transport	IF2
Historic Environment	HE1

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (Dec 2023)

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting Sustainable Transport

Section 12 - Achieving well-designed places

Section 13 - Protecting Green Belt land

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

Supplementary Planning Documents

- Borough Wide Design Guide
- Cookham Village Design Statement
- Cookham Dean Conservation Area Statement

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Landscape Assessment
- RBWM Parking Strategy
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

Nine occupiers were notified directly of the application.

The planning officer posted a notice advertising the application and the subsequent reconsultation and was advertised in the Local Press.

At the time of drafting, 24 letters have been received objecting to the application. These are summarised as follows:

Comment		Where in the report this is considered
1.	Impact on the Green Belt. No clear justification and would not preserve openness and no very special circumstances.	See section 10.
2.	The height and scale of the stables is excessive with no justification for its size.	See section 10.
3.	Site is on an exposed hill and highly visible. Impact on the conservation area.	See section 10.
4.	Traffic/parking problems. Matters such as emergency access should not be left for future consideration.	See section 10.
5.	Impact on the existing trees.	See section 10.
6.	No mains drainage on site for the proposed WC, which could cause smells and an increase in vermin.	As Cookham Dean has no mains, drainage waste will be removed regularly via a 'portable system' or klargesteter.
7.	A Flood Risk Assessment is required.	See section 10.
8.	Understand that the application must be reported to the Planning Committee as it is a major.	Noted.
9.	Excavations will have a harmful impact on trees and canopies would need to be cut back.	See section 10.
10.	Concerns with light pollution.	See section 10.
11.	There have been horses in the field for years without the need for stables.	Noted. However, this would not preclude the determination of the application in accordance with relevant development plan policies at the time of submission.
12.	Suggest a modification with a substantially smaller footprint, lower height and greater screening. There have been horses on the field for many years without the need for stables.	Noted. However, the application has been assessed based on the submitted proposals. See section 10.
13.	Description does not include the proposed hardstanding.	Noted. The proposed hardstanding has now been included in the description and formal reconsultation carried out.

14.	Missing heritage statement. There has not been a full assessment of the impact.	Noted. A heritage statement is included within the amended planning statement. See section 10.
15.	Red edge on the site location plan doesn't extend to the public highway.	Noted. An amended location has been completed and notice served on the owner. The application has been the subject of formal reconsultation.
16.	Conservation and tree officers should be consulted.	See section 10.
17.	Urbanising impact.	See section 10.
18.	Size means it could be used in the future as a house or office.	The application relates to the development within the description of development only.
19.	Increase in vermin.	This would be covered under environmental health legislation.
20.	Dangerous precedent.	Each application is considered on its merits at the time of submission, in accordance with relevant development plan policies.
21.	Query on lawful use of access.	The applicant has confirmed lawful access onto the site.
22.	Additional noise and disruption.	See section 10.
23.	The structure will be visible from a number of directions.	See section 10.
24.	The site will be used as a lorry park for other users.	This does not form part of the application which is included within the description of development.
25.	Concerns with property values.	This is not a material planning consideration in the determination of the application.

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	No objection.	See section 10

Consultee responses

Consultee	Comment	Where in the report this is considered
RBWM Highways	No objection, subject to condition.	See section 10
RBWM Environmental Protection	No objection.	See section 10
Arboricultural Officer	No objection.	See section 10
Great Crested Newts Officer (Nature Space)	No comments.	See section 10

Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Cookham Parish Council	<p>Objection for the following reasons:</p> <ul style="list-style-type: none"> - Stables unnecessarily and excessively large; - Impact on the Green Belt and the Conservation Area; - loss of hedging and trees; - concerns relating to traffic and pedestrian movement; and, - failure to demonstrate how toilet waste will be dealt with and removed without detriment to the amenities of others. <p>Conditions were suggested.</p>	Noted. See section 10.
Cookham Society	<p>Objection for the following reasons:</p> <ul style="list-style-type: none"> - Stables unnecessarily and excessively large; - Impact on the Green Belt; - Access to the site is unclear; - Suggest a modification with a substantially smaller footprint, lower height; - Concerns that the development would lead to future applications for residential development; and, - Conditions were suggested for the removal of the stable should it is no longer required. 	<p>Noted. See section 10.</p> <p>The application relates to the works in the description of development only. The proposals as submitted are not for a residential use of the land.</p>

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. impact on the Green Belt;
- ii. whether the proposal would preserve or enhance the character or appearance of the building and wider conservation area and the setting of the Listed Building;
- iii. impact on amenity;
- iv. highway/parking considerations;
- v. impact on trees and vegetation;
- vi. ecology and biodiversity; and,
- vii. flooding.

Green Belt

10.2 The site is located within the Green Belt. Paragraph 143 of the NPPF identifies five purposes, which the Green Belt serves:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and,
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 152 of the NPPF sets out that inappropriate development in the Green Belt should not be approved, except in very special circumstances. Paragraph 153 goes on to state 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.

10.3 With regard to the proposed stables, paragraph 154 states that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a list of specified exceptions. One of those exceptions as set out in point (b) is as follows:

'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'.

10.4 Policy QP5 of the BLP is consistent with the NPPF and includes development exceptions within the Green Belt for facilities for Outdoor Sport, Outdoor Recreation or Cemeteries. BLP Policy QP5 highlights the following;

- i. The scale of development will be expected to be no more than is genuinely required for the proper functioning of the enterprise or the use of the land to which it is associated.
- ii. Buildings should be unobtrusively located and designed so as not to introduce a prominent urban element into a countryside location.
- iii. The development (including lighting) should have no detrimental effect on landscape quality, biodiversity, residential amenity, or highway safety.

- 10.5 The proposed stable building would replace the two existing shelters on the site and would be sited in a similar location to the southernmost shelter along the western boundary with Warners Hill. The site has an established equestrian use.
- 10.6 The submission sets out that the height of the structure has been set to ensure that there is adequate height for the flow of air for the horses, the hay store is provided to accommodate storage of suitable fresh hay, the tack room is sized for all tack including saddles, pads, bridles, blankets, BIT's, brush boxes, boot shelving and hat racks as well as providing shelter, and the WC is a facility for use whilst on the land.
- 10.7 The submitted information states that the proposed stables would house three horses. The minimum stable size for a large horse as set out in the British Horse Standards is 3.65m by 4.25m. The Code of practice for the welfare of horses, ponies, donkeys and their hybrids advises that 'where horses are of less hardy breeding (e.g. Thoroughbreds), clipped, very young or elderly they may require stable accommodation/housing or other shelter to protect them from the cold and damp or very hot weather. Any horse may need stabling at short notice should they become sick or injured and provision should be made for this in advance of an emergency arising.' Accordingly, with an area of 102.2sqm to house three stables, a hay store, a tack room and a W/C for the applicants' personal use, the proposals would therefore be what is genuinely required for the functioning of the use of the land it is associated with. Furthermore, given the scale and established use/existing structures on the site, the building would not result in intensification of the use but rather to improve the existing facilities on site.
- 10.8 For the reasons detailed above, the development would fall within the scope of the exceptions within NPPF paragraph 154(b) as highlighted above; however, in order to constitute appropriate development in the Green Belt, the proposal would be required to preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
- 10.9 Although the proposal is acceptable in principle, it is inevitable that there would be some loss of openness of the Green Belt. The test is not whether, or not, there is any change but whether the effect on openness is harmful. Furthermore, it is noted that it has been established through appeal decisions and case law that openness has both a spatial and visual aspect, the former being taken to mean the absence of built form.
- 10.10 In this case, the proposed building would be located in the area of an existing shelter on the site which has a height of between approximately 2.5m and 2.7m. In terms of the visibility, the existing site comprises limited development, which is contained to the south-east corner of the site, where the proposed development is proposed. The remaining site (over 1 hectare) is and would remain undeveloped. In this context, whilst the structure is larger than the existing structures it would replace, the proposed structure would not materially extend the developed part of the site or encroach upon what are currently open fields. The proposed structure would have a pitched roof design, with an eaves height of 2.1m and a maximum ridge height of 4m. Again, whilst higher than the existing shelter in this location, and it is acknowledged that the land rises from the north of Dean Lane, the height has been set to ensure that there is adequate height for the flow of air in order to maintain 'good respiratory health' for the horses at all. In this context, and given the modest nature of the building in terms of its height and footprint for an identified size for horses, together with its siting within a location that is surrounded by an extensive level of landscaping which would be retained, the proposals would not harm the openness of the Green Belt or the overall

rural character of the area. Furthermore, it would not conflict with the purposes of including land within it.

- 10.11 With regard to the associated hardstanding to accommodate the parking and turning areas and the permeable concrete apron, along with the rail and post fence, paragraph 155 of the NPPF sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include (b) engineering operations and (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds). These elements of the proposal are considered to be appropriate development in the Green Belt and given the scale and level of parking for the four vehicles, for use in connection with an existing and established equestrian use of the site, would not result in a harmful intensification of use, and would protect the openness of the Green Belt and the purposes of including land within it.
- 10.12 For the reasons set out above, the proposal represents appropriate development within the Green Belt, in line with the NPPF and BLP Policy QP5. Furthermore, the development, for the reasons detailed above would not result in harmful encroachment into the countryside given the scale of the proposals in connection with an existing and established equestrian use of the site. A condition is recommended to remove the existing shelters on the site prior to the first use of the new building.

Character and Appearance

- 10.13 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architecture or historic interest which it possesses.”
- 10.14 One of the core principles of the NPPF requires that heritage assets be conserved in a manner appropriate to their significance. Chapter 16 of the NPPF addresses proposals affecting heritage assets. Paragraph 205 sets out that “great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. The NPPF sets out that the local planning authority “should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.” Paragraphs 205-211 set out the framework for the decision making in planning applications relating to heritage assets and any application will take account of the relevant considerations in these paragraphs.
- 10.15 Policy HE1 of the BLP sets out that “The historic environment will be conserved and enhanced in a manner appropriate to its significance. Development proposals would be required to demonstrate how they preserve or enhance the character, appearance and function of heritage assets (whether designated or non-designated) and their settings, and respect the significance of the historic environment.” The appearance of the development is a material planning consideration. Section 12 of the NPPF and BLP Policy QP3 sets out that all development should achieve a high quality of design that improves the character and quality of an area. The Borough Wide Design Guide

(BWDG) is also relevant and is consistent with national and local policy in relation to the character and appearance of a development.

- 10.16 The application site lies within the Cookham Dean Conservation Area, at the junction of Warners Hill and Dean Lane and has been submitted alongside a heritage assessment, included within the Planning Statement. The Cookham Dean Conservation Area Appraisal describes the area as follows:

'The group of buildings centred on the convergence of Dean Lane, Alleyns Lane and Warners Hill are historically and architecturally the most important part of the Cookham Dean Conservation Area. They are formed around a small green in the valley bottom which was originally a pond that was infilled at the turn of the century and formed into a small village green. Although the farm group at Dean Farm is no longer in use, agricultural land again dominates the landscape on the hills to both north and south-west of this community. Apart from the cluster of historic buildings along Dean Lane there is an elongated ribbon of development on the rising land along both Warners Hill and Alleyns Lane which helps to provide a visual link to the remaining parts of the conservation when taken views from vantage points like the allotments.'

- 10.17 The site has an established equestrian use and there are two existing shelters on the site which would be replaced as part of this application. The land rises from the north to the south of the site and the area in which the structure would be located is therefore visible from Dean Lane. However, whilst larger than the existing structures, given the design and scale of the proposed structure, the proposals together with the boundary fence and hardstanding would be an appropriate addition to the locality given the established equestrian use. The proposals would preserve the character and appearance of the conservation area and the setting of the nearby listed building, which is located approximately 43 metres to the west and screened by a bank of mature trees. Furthermore, the building would be constructed from timber and, due to landscaping which would be retained, the proposed development would be well screened minimising its visual prominence from the public realm. The materials set out in the application would be secured by recommended condition.
- 10.18 For these reasons, the proposals would preserve the character and appearance of the conservation area, and the setting of the listed building, in accordance with BLP Policies HE1, QP3 and QP5 and the provisions of Section 12 of the NPPF.

Amenity

- 10.19 Paragraph 135 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy QP3 (m) of the BLP seeks to protect the amenity of the occupiers of dwellings both surrounding application sites and application sites themselves.
- 10.20 As set out above, the site has an established equestrian use and there are two existing shelters on the site which would be replaced as part of this application. Given the scale of the proposals, for three horses with associated hay store, tack room and wc, and the existing long established equestrian use at the site with existing shelters, the continued equestrian use on the site and its associated smells, would not result in unacceptable harm to amenities of neighbouring properties over and above that of the existing situation. Notwithstanding this, it is noted in the Planning Statement that the applicant proposes to engage with a local contractor to establish a manure management plan. Furthermore, it is noted that no external lighting is proposed as part of the development. The proposed stable would be located to the south of the site,

adjacent to Warners Hill. Given the form and scale of the development, together with the established use and separation distances of approximately 19m to properties along Warners Hill, the development would not result in unacceptable harm to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise, in accordance with Policy QP3 of the BLP and the NPPF.

Highways/parking considerations

- 10.21 Policy IF2 is consistent with the overarching objectives of Section 9 of the NPPF which seeks similar goals in seeking to ensure development proposals maximise and promote opportunities for sustainable transport modes.
- 10.22 The proposed development would utilise the existing access from Warners Hill to which the applicant has confirmed the right to access. The access is setback by 10m from the nearside carriageway edge to allow all vehicles associated with the site to safely pull clear off the carriageway. Furthermore, visibility splays of 2.4m x 43m by 2.4m x 28m are shown which is acceptable to allow for safe access and egress from the site. The vehicle access would need to be surfaced with a bonded material to facilitate safe and efficient access and to prevent debris/dirt being transferred onto the adopted highway affecting highway safety. This is secured by recommended condition.
- 10.23 The submitted plans show a parking area for four vehicles, three for large vehicles and one for a car. The number of proposed parking spaces complies within the Council's adopted parking standards (based on the provision of three stables) and the submitted information demonstrates that the proposed layout would allow vehicles, including a fire tender, to safely enter and leave the space and site in a forward gear. The internal parking and turning area would be surfaced with a permeable surface which is acceptable. Furthermore, the required refuse store would be provided on site. The details relating to the parking arrangements and refuse provisions would be secured by recommended conditions, alongside a condition to ensure that the internal gates are inward opening only. A number of informatives are also recommended relating to highways licences and equipment on the highway.

Impact on trees and vegetation

- 10.24 Policy NR3 of the BLP states that "Development proposals should carefully consider the individual and cumulative impact of proposed development of existing trees, woodlands and hedgerows, including those that make a particular contribution to the appearance of the streetscape and local character/distinctiveness." The Policy also requires development proposals to:
- a. protect and retain trees, woodlands and hedgerows;
 - b. where harm to trees, woodland or hedgerows is unavoidable, provide appropriate mitigation measures that will enhance or recreate habitats and new features;
 - c. plant new trees, woodlands and hedgerows and extend existing coverage where possible.
- 10.25 The application site falls within the Cookham Dean Conservation Area and is bounded by vegetation, with a number of trees located along its boundary lines. The application site has been submitted alongside an Arboricultural Impact Assessment and tree protection plan. The submitted report sets out that the proposals would not require the removal of any trees or vegetation to facilitate the proposals. Furthermore, the siting of the stable building would be outside of the root protection areas of the trees.

- 10.26 The Arboricultural Impact Method Statement states that there would be no loss of trees as a result of the proposed development and that the retained trees would be protected using up-to-date methodology and guidance provided by the current British Standards (BS 58378:2012). Provided the recommendations laid out in this report are followed, the proposals would not detrimentally impact the trees or the character/appearance of the local area. Considering the above, a condition is recommended to secure the tree protection measures during construction and to ensure that the retained trees are suitably protected, as set out within the submitted Arboricultural Impact Method Statement and Tree Protection Plan.

Ecology and biodiversity

- 10.27 Policy NR2 of the BLP states that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value such as hedgerows, trees, river corridors and other water bodies and the presence of protected species.
- 10.28 A Preliminary Ecological Appraisal has been submitted with this application. The habitats on site include species poor grassland, dense scrub, ruderal vegetation, bare ground and buildings, with limited ecological value. The two buildings on site were assessed for their potential to support roosting bats and it was concluded that neither building had any potential to support bats. In addition, there was no evidence of badgers on site and the site did not contain suitable habitat to support great crested newts or reptiles. The vegetation on site had the potential to support nesting birds, some of which is to be removed as part of the proposals. As such, a condition is recommended to ensure that nesting birds, which are a protected species and a material consideration, are protected during the development.
- 10.29 Paragraph 186 of the NPPF states that “decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity”. Policy NR2 of the BLP also requires proposals to identify areas where there is opportunity for biodiversity to be improved and, where appropriate, enable access to areas of wildlife importance. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity Opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.
- 10.30 The majority of the existing vegetation on site will remain unaffected by the works, although some small areas of vegetation are to be removed as part of the proposed development. A biodiversity net gain (BNG) report has been submitted and concludes that the site, following development, would provide a net gain in habitat units of 0.60 (10.02% increase). The increase in biodiversity at the site would be achieved by the re seeding of the eastern strip of the site with wildflowers and appropriately managed to create a wildflower grassland. It is recommended that a condition is attached to secure a full BNG scheme, management and monitoring plan to be provided to ensure that a BNG is delivered over the long term as a result of this development. Further enhancements recommended in the ecology report include the provision of swallow boxes onto the new stables and the installation of a barn owl box on site. These biodiversity enhancements would be secured by recommended condition.

Flooding

10.31 Policy NR1 of the BLP states that development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. The site is located within Flood Zone 1; however, given that the site is over 1 hectare, the application has been submitted alongside a Flood Risk Assessment (FRA). The FRA demonstrates that the proposed increase in impermeable area would be solely concentrated within the proposed building, with all areas outside the stables constructed with specialist equestrian permeable grid locking system. In this context, given the negligible increase in the impermeable area, and the siting of the site within Flood Zone 1, there would be no increased flood risk in the area associated with the development. A condition is recommended to ensure that the development is carried out in accordance with the submitted FRA.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development is CIL liable.

12. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Shelter Plans and Elevations
- Appendix C – Existing and Proposed Site Plans
- Appendix D – Proposed Floor and Roof Plans
- Appendix E – Proposed Elevations and Sections

13. 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 erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the Arboricultural Impact Assessment and Tree Protection Plan (Ref: TH 4410 B) and particulars before any equipment, machinery or materials are brought on to 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. 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 written approval of the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan NR3.

3 No development above slab level shall commence until a Biodiversity Net Gain Plan based on [the net gain information provided] that details how the habitats on the site will be created, established, enhanced, managed, and monitored in perpetuity, has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Net Gain Plan shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity. Relevant Policies - Local Plan NR2.

- 4 The vegetation clearance is to be undertaken outside the bird-nesting season (March - August inclusive), or if vegetation clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be affected immediately prior to demolition/clearance and advise whether nesting birds are present. If active nests are recorded, no clearance or other works that may disturb active nests, shall proceed until all young have fledged the nest.
Reason: To ensure that nesting birds are not adversely affected by the proposed development in line with wildlife legislation.
- 5 Prior to the first use of the development hereby permitted, details of the biodiversity enhancements, to include but not limited to the installation of bird boxes (including swallow and barn owl) and native and wildlife friendly landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed and maintained as approved.
Reason: To incorporate biodiversity enhancements in and around developments. Relevant Policies - Local Plan NR2.
- 6 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan QP3 and HE1.
- 7 The development shall be carried out in complete accordance with the Flood Risk Assessment received on the 15th February 2024.
Reason: To ensure that there is no increased flood risk in the surrounding area. Relevant Policies - Local Plan NR1.
- 8 The building hereby permitted shall not be occupied until the vehicular access to the site has been surfaced with a bonded material across the entire width of the access for a distance of at least 10m measured from the back edge of the existing carriageway. The access shall be retained as such thereafter.
Reason: To avoid spillage of loose material onto the carriageway which could adversely affect conditions of highway safety and to ensure all vehicles can efficiently enter and leave the site. Relevant Policies - Local Plan IF2 and QP3.
- 9 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan IF2 and QP3.
- 10 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan IF2 and QP3.

- 11 Any gates provided shall open away from the highway and be set back a distance of at least 10 metres from the nearside edge of the carriageway of the adjoining highway.
Reason: To ensure that all vehicles associated with the site can be driven off the highway before the gates are opened, in the interests of highway safety. Relevant Policies - Local Plan IF2 and QP3.
- 12 Prior to first use of the development hereby approved, the two existing shelters on the site shall be demolished in their entirety and all materials resulting from such demolition works shall be removed from the site.
Reason: Given the site of the development within the Green Belt. Relevant Policies - Local Plan QP5.
- 13 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 Any incidental works affecting the adjoining highway shall be approved and a licence obtained before any work is carried out within the highway, through contacting The Highways and Transport Section at RBWM. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.
- 2 No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.