



Established 1970  
Member of NORA

## **Objection to Planning Application**

### **18/03754/FULL | Erection of 39 dwellings, creation of new access off Maidenhead Road and provision of parking, internal circulation, public open space, landscaping and related infrastructure, Squires Garden Centre Maidenhead Road Windsor SL4 5UB**

#### **1. Executive Summary**

- 1.1 Oakley Green & Fifield Residents Association (OGFRA) has been in existence for over 40 years supporting the principle of protecting our environment. OGFRA is a member of the National Organisation of Residents Associations.
- 1.2 OGFRA strongly objects to the proposed development for the following reasons as enlarged upon in the following sections:
  - Non-conformity with regard to local and national planning policies relating to the Green Belt
  - Design
  - Flooding and Infrastructure
  - Air Quality, Transport and A308
  - Loss of Community / Commercial Use
- 1.3 OGFRA therefore requests the Panel to REFUSE this planning application for the above reasons.

#### **2. Planning Policy Background**

- 2.1 Squires Garden Centre, until its closure in November 2018, had been for over 20 years a well established, popular and integral part of the local community.
- 2.2 The Borough Local Plan Submission Version (BLPSV), published in 2017, indicates the Garden Centre (0.7 hectares) as a small part of a larger land allocation (27.76 hectares) which is proposed to be removed from the Green Belt, and designated for development with approximately



450 dwellings, public open space, football and rugby pitches, a community hub, and education facilities. This is Housing Site Allocation HA11 in the BLPSV.

- 2.3 As a matter of record, OGFRA, among many others, formally objected to allocation HA11 as part of the BLPSV consultation, and to other policies which supported this allocation.
- 2.4 An Examination of the BLPSV commenced in June 2018, but was aborted by the Inspector before the conclusion of Stage One. There is no date currently set for its resumption.
- 2.5 The Council's officers have clarified the position with regard to the status of the BLPSV in their report to the Windsor Urban Development Management Panel of 30th January 2019, where they advise that it would be untenable and unreasonable for the Council to now contend that BLPSV policies should be accorded anything other than limited weight.
- 2.6 The current Adopted Development Plan (which is the RBWM Local Plan 2011, including Saved Policies, 2003) indicates that the site lies within the Green Belt.

### **3. Objections: Material Planning Considerations**

- 3.1 The objection covers the following policy and other material considerations:
  - Conflict with NPPF Green Belt Policies
  - Prematurity and pre-emptive of BLP Examination
  - Design
  - Flooding and Infrastructure
  - Air Quality, Transport and A308
  - Loss of community / commercial use

#### Conflict with NPPF

- 3.2 Paragraph 133 of the NPPF (2018) states that "*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*". OGFRA supports the NPPF and



attaches significant weight to the aims of the Green Belt. The proposed development will contribute to urban sprawl, which is directly contradictory to government policy.

- 3.3 Para 134 of the NPPF confirms that Green Belts serve five purposes:
- 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.*
- 3.4 Each of the 5 purposes above will be undermined by the proposal. It will result in sprawl into the Green Belt and into the open countryside (contrary to purpose a). The applicant suggests that the site is a brownfield site. Whilst it is true that the part of the site has been developed with garden centre buildings appropriate to a rural location, it is not correct to state that the previous use detracted from openness of the Green Belt, and it is entirely plausible that other Green Belt compliant uses could operate here.
- 3.5 The design and layout of the proposal, including the density and intrusion into a locally strategic green gap means that the development would result in near coalescence of west Windsor and Oakley Green, contrary to purpose b. Purposes c and d (safeguarding countryside and preserving character) will be undermined by the scheme which directly results in encroachment into the countryside and results in greater pressure to bring forward the remainder of the proposed BLPSV allocation HA11, which is the subject of outstanding objections through the Local Plan. The proposal will do nothing to promote urban regeneration and recycling of land to assist in meeting housing numbers on previously developed sites within built up areas of RBWM (contrary to Purpose e).
- 3.6 The application is also contrary to para 136 of the NPPF. This states that “Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.” Exceptional circumstances have not been demonstrated, and there is no justification for amending the current Green Belt boundaries.



- 3.7 This application for 39 dwellings does not provide a case for Very Special Circumstances which might otherwise outweigh the acknowledged harm to the Green Belt. At pre-application stage, the Council's officers confirmed that the need for and provision of housing does not, in itself, constitute special circumstances. We support the need for sensible strategic policies to plan for housing needs, but we do not consider that there is any current need to justify the development of a small portion of the proposed BLPSV housing allocation HA11, given the current uncertain status of the BLPSV.
- 3.8 Although the current existence of various buildings and commercial activity on the site could support an argument that part of the site is Previously Developed Land (PDL) within the Green Belt, this argument is slim and fails to be persuasive, given that the use of the land as a garden centre is consistent with Green Belt policies. The scale of the proposed development is entirely inconsistent with the garden centre use or with a location in the Green Belt.
- 3.9 Any suggestion that this scheme might be approved as it falls within the BLPSV proposed allocation HA11 is therefore entirely inappropriate, given the lack of very special circumstances and the policy status of the BLPSV (attracting limited weight). To consider approving the application under these circumstances would set a precedent in terms of Green Belt encroachment, together with inappropriately high density, and would create pressure for further development and infrastructure. This site is the 'thin end of the wedge'. If the scheme progresses, it would undermine the many objectors' right to a fair hearing around the planning merits of allocation HA11 through the Examination process. Such action would need the LPA to consider the risk of legal challenge to that decision.

### Design

- 3.10 The proposal comprises a total of 39 dwellings on a site of 0.732 Hectares gross, at c.53 dwellings per hectare. This is significantly higher density than is typical for the character of the area. The scale and massing takes no account of context, and bears no relationship to neighbouring residential areas resulting in harmful visual impact, especially to the road frontage.
- 3.11 Whilst OGFRA recognises the government's desire for higher density housing, it considers the highly urbanised layout and design of the



proposal, in a Green Belt location, to be a reason for refusal in its own right.

- 3.12 This reason for refusal does not mean that the objection to the principle of development could be overcome, if the design is changed. The design of the development leads to a number of knock-on impacts to which OGFRA wishes to draw attention, and provide as reasons for objecting.
- 3.13 The detailed layout of the scheme provides an overly cramped form of design. This is entirely out of character with its location. The configuration of housing, apartments and parking layout is incongruous to the surroundings, and does not allow for a balance of resident and visitor parking. It is recognised that the scheme is aiming to comply with current parking standards, but we consider that the layout and quantum of development will exacerbate existing highways problems.
- 3.14 By way of illustration, an analysis of the plans shows that the garages are proposed as 3000mm x 6000mm. This is considered inadequate for modern private cars. These garages will instead be used as additional household storage/utility, resulting in further parking demand on 'Old' Maidenhead Road, thus harming highway safety.
- 3.15 Project Centre's (RBWM's Highways consultant) comments (25 January 2019) do not adequately address the off-site highways impact of the scheme. It makes no mention of the existing parking and visibility problems on the 'Old' Maidenhead Road. The applicant is proposing to move the two dedicated parking spaces (for existing residents in the Willows) that are currently close to the Squires exit/entrance, to a new location, 37 metres to the west. This location is adjacent to the exit/entrances of residential accommodation in West Wind Manor and is unsuitable as it would block residents' view of the road towards Squires and oncoming traffic.

#### Flooding and Infrastructure

- 3.16 OGFRA notes the Environment Agency response to the planning application. This response is disappointing, given local evidence of flooding in the area.
- 3.17 Part of the site (to the north eastern corner) is within Flood Zone 2 and the remainder of the site is Flood Zone 1. Local residents can confirm



that over the years, there have been many flooding incidents, both in the garden centre and on the A308 roundabout itself.

- 3.18 The photos below show varying parts of the application site within Flood Zone 1 and Flood Zone 2. Standing water and cracked tarmac is visible, following very limited (~20 mins drizzle on Saturday 26 January).



Image 1: Part of Application Site within Flood Zone 1, Saturday 26 January AM, following ~20 mins light drizzle. Standing water is visible.



Image 2: Part of Application Site within Flood Zone 2, details as for Image 1.

- 3.19 The site is a known spring water source. Similar to other nearby groundwater springs, the car park of the garden centre is built on a spring which, historically, has caused the break-up of tarmacked areas. It is locally known as 'Squires' Spring' and causes localised floods after periods of heavy rain. Images 1 and 2 (above) reveal standing water after minimal recent rainfall. There is no reference to this within the planning application documents, nor to the potential pollution to groundwater which may arise from development,



Image 3: Overflowing sewer on 'Old' Maidenhead Road April 2016

- 3.20 This local evidence emphasises the unsuitability of the site for housing development and if the Council is in any doubt about this, it should seek further reports on these issues.

#### Air Quality, Transport and A308

- 3.21 The proposed increase in vehicle use and impact on local roads is also unacceptable. Air quality along A308 is already above European air quality pollution limits. Additional development will endanger both the new and existing population unless significant measures are introduced to remedy this. No such measures are proposed as part of this application.



- 3.22 The proposed access to the site off of Old Maidenhead Road is located almost opposite to the entrance to the Willows Riverside Park. Vehicles leaving the Park approach the exit at some speed as they have to accelerate uphill to reach the road. As previously stated, there are already highways restrictions in operation on this road due to highway safety concerns. This is a dangerous proposed access point, although the site is unlikely to be able to function without it. The potential for head-on collisions between vehicles leaving the Squires development on one side of the road, and those leaving the Riverside Park on the other, in addition to the existing hazard just described, make this a dangerous proposal.
- 3.23 Visitor parking will be segregated from the development. The only realistic possibility for visitor parking is to park some 100 metres west of the entrance which will create unacceptable off-site highways problems.
- 3.24 It is noted that RBWM has commissioned further evidence for the BLP, a study into the access and movement along the A308 (The A308 Corridor Study). This is not expected to be completed until summer 2019. Without this as a firm baseline, it is almost impossible to model the impacts of the development here. Again, the scheme is premature, and attempting to prejudice the outcome of the BLP Examination.
- 3.25 The traffic measurements provided by the applicant have been taken in August (summer holiday) and omit the morning peak flow times and impact on the A308 (see images 4 and 5). As shown in Images 4 and 5 (below) there is significant congestion in the morning and afternoon peak periods and the Project Centre analysis fails to address the traffic flow problems.





Images 4 and 5. Queuing peak hour traffic on 'Ruddlesway roundabout' adjacent to site

### Loss of Employment/ Community Uses

- 3.26 Garden centres provide an employment use, and are seen as community assets to many living locally. Squires Garden Centre operated and



functioned in a way that did not prejudice the openness of Green Belt. The proposed scheme will, by definition, result in loss of openness in the Green Belt.

- 3.27 As a valuable community asset, and employment use, RBWM should be seeking evidence on the viability of the use continuing. It has been suggested that the garden centre was on too small a site to sustain its long-term success. That does not mean that other, similar uses, with different business models could not successfully operate here.
- 3.28 It is our view that that the garden centre would not have ceased to operate were it not for its inclusion within HA11 of the draft BLP. Because that allocation has very limited weight in the overall planning balance, the benefits of retaining an employment/community use here, compatible with the Green Belt should be prioritised.
- 3.29 RBWM should seek independent viability advice as to the sustainability of a garden centre at the site.

#### **4. Conclusion**

- 4.1 OGFRA wishes to object to the application for 39 dwellings (18/03754/FULL), and recommends that RBWM REFUSE the application.
- 4.2 The proposal is premature, and attempts to bypass the Local Plan examination process. It has failed to comply with NPPF and the Council's Green belt policies, and is of itself a poorly designed scheme with little regard for setting and context.
- 4.3 The status of the draft BLP, and of HA11 within the BLP has been given undue weight in the applicants' submission. Clearly HA11 and supporting policies cannot be accorded weight by any decision taker until such time as objections have been addressed, and due process has been followed.

31 January 2019

These objections are submitted on behalf of the Oakley Green & Fifield Residents Association. Contact by email at [team@ogfra.org](mailto:team@ogfra.org) or by post to Martin Hall, Chairman, Oakley Green & Fifield Residents Association, No Oaks, Oakley Green Road, Oakley Green SL4 4PZ